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251st Session of the Governing Body of the International Labour Office

(Geneva, 11–14 November 1991)

The 251st Session of the Governing Body of the International Labour Office was held from Monday 11 to Thursday 14 November 1991 under the chairmanship of Mr. Y. Chotard (Government representative, France).

The agenda was as follows:
1. Approval of the minutes of the 250th Session.1
2. Date, place and agenda of the 80th Session (1993) of the International Labour Conference.

1 The Governing Body approved the minutes.
9. Reports of the Programme, Financial and Administrative Committee.
13. Report of the International Organisations Committee.¹
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— Appointment of non-Governing Body members of the Board of the International Institute for Labour Studies.
— Representation made by the Egyptian Trade Union Federation under article 24 of the ILO Constitution alleging non-observance by the Libyan Arab Jamahiriya of the Protection of Wages Convention, 1949 (No. 95), and of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).
— Representation at the Eleventh Asian Regional Conference (Bangkok, 26 November–2 December 1991): non-member States;² liberation movements.
— Representation made by the International Organisation of Employers (IOE) and the Venezuelan Federation of Chambers and Associations of Commerce and Production (FEDECAMARAS) under article 24 of the ILO Constitution, alleging non-observance by Venezuela of international labour Conventions Nos. 4, 81, 87, 88, 95, 98, 100, 111, 143, 144 and 158.
— Representation made by the Trade Union Association of Bohemia, Moravia and Slovakia under article 24 of the ILO Constitution alleging non-observance by the Czech and Slovak Federal Republic of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).
— Transformation of the Labour Commission of the Organisation of African Unity into a tripartite organ.³
— Representation made by the Czech and Slovak Confederation of Trade Unions (CZ-KOS) under article 24 of the ILO Constitution alleging non-observance by the Czech and Slovak Federal Republic of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

¹ The Governing Body took note of the report.
² See p. 15 below.
³ The Governing Body took note of the report.
21. Composition and agenda of standing bodies and meetings.
22. Symposia, seminars and similar meetings.¹
23. Appointment of Governing Body representatives on various bodies.
24. Programme of meetings.

* * *

The following is an account of the action taken by the Governing Body on the above agenda.²

_Tribute to the memory of Mr. J. von Holten_

Deeply shocked by the unexpected death on 14 November of Mr. Johan von Holten, who had for many years been a prominent member of the Employers' group and its spokesman in the Programme, Financial and Administrative Committee, the Governing Body observed a minute's silence in tribute to the memory of the deceased and asked the Director-General to convey its sympathy to his family and to the Swedish Employers' Confederation.

DATE, PLACE AND AGENDA OF THE 80TH SESSION (1993) OF THE INTERNATIONAL LABOUR CONFERENCE


Having regard to the standing items which would necessarily be before the Conference and the item likely to be carried forward from the preceding session, the Governing Body decided that the agenda of the session should be as follows:

_Standing items_

I. Reports of the Governing Body and the Director-General.
II. Programme and budget proposals and other financial questions.
III. Information and reports on the application of Conventions and Recommendations.

_Items placed on the agenda by the Conference or the Governing Body_

IV. Prevention of industrial disasters (_second discussion_).
V. Part-time work (_first discussion_).
VI. The role of the ILO in technical cooperation (_general discussion_).

The Governing Body noted that the Conference would also have before it a special report on the application of the updated Declaration concerning Action against Apartheid in South Africa and the Programme of Action against Apartheid. ¹²

¹ The Governing Body took note of the Office paper.
² For a more detailed account see the set of papers and reports examined by the Governing Body, together with the approved minutes of the sittings, which contain a record of how decisions were taken.
Resolution (and conclusions) concerning the application of modern agricultural technology

The Governing Body requested the Director-General, when communicating the resolution and conclusions to governments and to the international organisations concerned, to draw their attention to the recommendations for action by the international community contained in paragraphs 6 and 7 of the conclusions. It also requested him, when communicating the resolution and conclusions to the governments of member States and, through them, to employers’ and workers’ organisations, to draw their special attention to paragraphs 8 to 16 of the resolution on policy issues relating to national action. It further requested him to take the conclusions concerning the application of modern agricultural technology into account in implementing the Programme and Budget for 1992–93 and in the preparation of the Programme and Budget proposals for 1994–95 and for subsequent biennia, and also for future Medium-Term Plans of the Organisation, as called for in subparagraph 2(b) of the resolution.

Resolution concerning structural adjustment, industrial relations and economic and social development

The Governing Body requested the Director-General, when communicating the resolution to the governments of member States and, through them, to employers’ and workers’ organisations, to draw their special attention to paragraphs 1(a) to 1(j) regarding government policies on structural adjustment.

The Governing Body also requested (a) the Committee on Employment to maintain the leading role it had played over the past few years in defining and developing the policy and orientation of the ILO in relation to structural adjustment and, in so doing, to consider the convocation of a second High-Level Meeting on Employment and Structural Adjustment and to bear in mind the operative paragraphs of the resolution and in particular subparagraph 2(c); and (b) the Director-General to include a proposal for a second High-Level Meeting on Employment and Structural Adjustment in the Programme and Budget proposals for 1994–95.

The Governing Body further requested the Director-General (a) to bear in mind the requests contained in the resolution when preparing his future programme and budget proposals and medium-term plans; and (b) to communicate the resolution to the international organisations responsible for economic and financial policies, particularly the United Nations, the World Bank, the IMF, UNCTAD, UNIDO, FAO, IFAD and the regional development banks, drawing their special attention to subparagraphs 2(e) (vii), (viii) and (ix).

Resolution concerning ILO action for women workers

The Governing Body requested the Director-General, when communicating the resolution to the governments of member States and, through them, to employers’

and workers' organisations, to draw special attention to operative paragraph 1 of the resolution, and in particular to subparagraph (b) calling for the inclusion of more women in their delegations to ILO meetings.

The Governing Body also requested the Director-General, when communicating the resolution to the governments of member States and, through them, to employers' and workers' organisations, to draw special attention to operative paragraph 2, emphasising in particular subparagraphs 2(b), 2(e) and 2(f) concerning the ratification and implementation of the three ILO Conventions referred to in the resolution.

The Governing Body further requested the Director-General, when communicating the resolution to the governments of member States and, through them, to employers' and workers' organisations, to draw special attention to paragraph 3 of the resolution.

Furthermore, the Governing Body requested the Director-General to ensure that the requests referred to in paragraph 4 of the resolution were adequately reflected in future ILO activities, including those considered in subparagraphs 4(c) concerning the convening of tripartite meetings, 4(d) relating to studies on concrete proposals for increasing women's participation in ILO meetings, and 4(e) referring to proposals on items for the agenda of future ILO conferences and meetings. It also asked him to take into account the requests made in the resolution in preparing the Programme and Budget proposals for 1994–95.


(Paris, 22–26 July 1991)

The Governing Body took note of the report on the special session of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendation concerning the Status of Teachers; authorised the Director-General to communicate the report, as well as the statement of the Joint Committee on the occasion of the 25th anniversary of the adoption of the Recommendation, to the governments of member States and, through them, to the employers' and workers' organisations concerned, and to invite them to continue and intensify their efforts to apply all provisions of the Recommendation; referred the relevant parts of the report and its Annex 1 to the Committee on Standing Orders and the Application of Conventions and Recommendations for its consideration; and authorised the Director-General to take into consideration, where appropriate in consultation with the Director-General of UNESCO, the Joint Committee's recommendations in planning and implementing future ILO activities, according to available resources.

**REPORT OF THE MEETING OF MEMBERS OF THE PANEL OF CONSULTANTS ON WORKERS' EDUCATION**

(Geneva, 23–27 September 1991)

The Governing Body noted that the report of the meeting was being processed by the Office and would be submitted to the Governing Body at its 252nd Session (March 1992).
REPORT OF THE TRIPARTITE EUROPEAN MEETING ON THE IMPACT OF TECHNOLOGICAL CHANGE ON WORK AND TRAINING

(Geneva, 28 October–2 November 1991)

The Governing Body noted that, with the agreement of its Officers, the dates of the Tripartite European Meeting on the Impact of Technological Change on Work and Training had been changed from 7–12 October to 28 October–2 November 1991, and that the report of the meeting would accordingly be submitted to the Governing Body at its 252nd Session (March 1992).


Report of the Officers of the Governing Body

The Governing Body decided that –
(a) the Government of Sweden should be requested by the Director-General to communicate its observations on the complaint, to reach him not later than 15 January 1992;
(b) at its 252nd Session (March 1992), it should determine whether the complaint should be referred to a Commission of Inquiry, in view of the allegations made and any information communicated by the Government;
(c) in accordance with article 26, paragraph 5, of the Constitution, it should invite the Government of Sweden to send a representative to take part in the proceedings of the Governing Body while the matter was under consideration; and that, in extending the invitation, the Director-General should inform the Government of Sweden that the Governing Body intended to consider the matter at its 252nd Session (March 1992).

REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

(279th and 280th Reports)

The Governing Body examined and adopted the 279th and 280th Reports of its Committee on Freedom of Association.¹

REPORTS OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE

On the basis of the reports of this Committee, the Governing Body took note of the information submitted to it concerning financial and administrative matters and also personnel questions.

¹ The texts of the reports are reproduced in Series B of the Official Bulletin.
Programme and Budget for 1990–91

Regular budget account and Working Capital Fund

The Governing Body authorised the Director-General to submit proposals for any necessary transfers within the 1990–91 expenditure budget to the Chairman for his approval, in accordance with usual practice, prior to the closing of the 1990–91 accounts in January 1992, subject to confirmation of such approval by the Governing Body at its 252nd Session (March 1992).

Voluntary contributions and gifts in aid of ILO programmes

The Governing Body authorised the Director-General to accept at his discretion gifts in cash or in kind made by governments, governmental or non-governmental organisations or private persons, provided that the gifts did not involve any financial liability for the Members of the Organisation and that details of such gifts accepted by the Director-General were reported periodically to the Governing Body.

Financial questions relating to the International Institute for Labour Studies

The Governing Body accepted the contributions and gifts as set out in the Appendix to the document submitted to the Committee on this item. It also endorsed the programme and approved the budget for the International Institute for Labour Studies for 1992–93 as set out in the Appendix to the document submitted on this subject.

Proposed 1992–93 budgets for extra-budgetary accounts

Joint ILO/International Social Security Association account

The Governing Body approved the proposed 1992–93 income and expenditure budget for the Joint ILO/ISSA account attached as Appendix II to the document submitted to the Committee on this subject.

International Occupational Safety and Health Information Centre

The Governing Body approved the proposed 1992–93 income and expenditure budget for the International Occupational Safety and Health Information Centre extra-budgetary account, as set out in detail in the Appendix to the document submitted to the Committee on this subject.

Inter-American Research and Documentation Centre on Vocational Training

The Governing Body approved the income and expenditure budget for 1992–93 of the Inter-American Research and Documentation Centre on Vocational Training (CINTERFOR) extra-budgetary account as set out in Appendix I to the document submitted to the Committee on this subject.
Other financial and general questions

Endowment of an ILO visiting lectureship on international social policy

The Governing Body authorised the endowment of an ILO visiting lectureship on international social policy in honour of the late David A. Morse, former Director-General of the International Labour Office; and decided that the costs of the lectureship should be financed out of interest accruing to the capital of the Nobel Peace Prize.

Convening of a tripartite conference on southern Africa

The Governing Body decided that the additional cost, estimated at $302,000, should be financed in the first instance by savings in Part I of the budget for 1992–93 or, failing that, charged to Part II (Unforeseen Expenditure).\(^1\)

Proposals by the Director-General for expenditure from the Programme flexibility reserve

The Governing Body authorised the holding of a tripartite symposium on new perspectives for tripartism in Europe, and decided that the cost thereof, estimated at $73,000, should be financed from programme 140.5 (Programme flexibility reserve).

Personnel questions

Report of the International Civil Service Commission: Seventeenth annual report

The Governing Body endorsed the recommendations of the International Civil Service Commission on the base/floor salary scale and on the staff assessment rates for General Service staff, including the transitional arrangements described in the last sentence of paragraph 25 of the document submitted to the Committee on this matter, subject to their approval by the United Nations General Assembly; authorised the Director-General to give effect in the ILO, through appropriate amendments to the Staff Regulations, to the measures decided on by the United Nations General Assembly in respect of the Commission's recommendations on the base/floor salary scale and on the rates of staff assessment for the General Service category, including the transitional arrangements; and decided that the unbudgeted additional cost in 1992–93 of this recommendation, estimated at $150,000, should be financed in the first instance from savings in Part I of the budget on the understanding that, should that subsequently prove impossible, the Director-General would propose alternative methods of financing at a later stage in the biennium.

Pensions questions

Report of the United Nations Joint Staff Pension Board

The Governing Body asked the Director-General to request the Secretary-General of the United Nations to inform the General Assembly that it endorsed the recommendations of the United Nations Joint Staff Pension Board aimed at a long-

\(^1\) See below, p. 13.
term modification of the pension adjustment system so as to ensure better protection against the erosion of the value of pensions in local currency.

Other personnel questions

Salaries and allowances for General Service category staff in Geneva

The Governing Body authorised the Director-General to implement with effect from 1 January 1992 the revised salary scale and any revised rates of family allowances for the General Service category staff in Geneva, to be established according to the methodology of the International Civil Service Commission.

REPORT OF THE ALLOCATIONS COMMITTEE

Assessment of the contribution of the Republic of Lithuania

The Governing Body decided that consideration of the rates of assessment for the Republic of Lithuania for the period of its membership of the ILO in 1991 and for 1992 should be deferred to its 252nd Session (March 1992).

REPORT OF THE COMMITTEE ON STANDING ORDERS AND THE APPLICATION OF CONVENTIONS AND RECOMMENDATIONS

Application of Conventions and Recommendations

Forms for reports (article 22 of the Constitution) on the application of ratified Conventions

The Governing Body approved the report forms for the Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133), and the Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172), as attached to the report in Appendices I and II respectively.

Form for reports (article 19 of the Constitution) on the application of unratified Conventions and on Recommendations

The Governing Body approved the report form for the Workers with Family Responsibilities Convention, 1981 (No. 156), and Recommendation (No. 165), as attached to the report in Appendix III.

Choice of Conventions and Recommendations on which reports should be requested in 1993 and 1994 under article 19 of the Constitution

The Governing Body decided that governments should be requested to submit reports under article 19 of the Constitution on the following instruments:
in 1993: the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98);
in 1994: the Termination of Employment Convention, 1982 (No. 158), and Recommendation (No. 166).
Standing Orders

Rules governing the conduct of ad hoc meetings convened under the Sectoral Activities Programme

The Governing Body referred this item to its Industrial Activities Committee at its next meeting for a recommendation on the outstanding questions before the matter was referred back to the Committee on Standing Orders and the Application of Conventions and Recommendations for final consideration of the proposed simplified Rules of Procedure.

Report of the Industrial Activities Committee

Programme of sectoral meetings, 1992–93: Agenda of one as-yet-unspecified smaller meeting

The Governing Body selected the Tripartite Meeting on the Social Effects of Structural Change in Banking to complete the programme of sectoral meetings for 1992–93.

Title and mandate of the regular tripartite technical meeting which is to deal with rural issues

The Governing Body decided that the mandate of the Tripartite Technical Meeting dealing with rural issues should include the subjects listed in paragraph 7 of the document submitted to the Committee on this subject, due account being taken of the views expressed by members of the Committee; and that the new Tripartite Technical Meeting should be entitled: Tripartite Technical Meeting on Employment and Labour Conditions in the Rural Sector.

Tripartite Meeting on Social and Labour Issues in the Pulp and Paper Industry: Composition

The Governing Body invited the Governments of the following 15 countries to send representatives: Australia, Brazil, Canada, Chile, China, Finland, France, Germany, India, Japan, Kenya, Poland, Sweden, the USSR and the United States; it placed the following countries on the reserve list: Morocco, Zimbabwe (Africa); Argentina, Mexico (Americas); Indonesia, New Zealand (Asia and the Pacific); Czechoslovakia, Romania (Europe); it decided to appoint the Employer and Worker members on the basis of nominations submitted by the Employers’ and Workers’ groups of the Governing Body; and fixed the closing date for the acceptance of invitations at 30 April 1992.

Tripartite Meeting on Safety and Related Issues Pertaining to Work on Offshore Petroleum Installations: Composition

The Governing Body invited the Governments of the following 15 countries to send representatives: Angola, Australia, Brazil, Egypt, India, Indonesia, Malaysia, Mexico, Nigeria, Norway, Saudi Arabia, the United Arab Emirates, the United Kingdom, the United States and Venezuela; it placed the following countries on the reserve list: Cameroon, Gabon (Africa); Canada, Trinidad and Tobago (Americas);
China, Thailand (Asia and the Pacific); the Netherlands, the USSR (Europe); the Islamic Republic of Iran, Qatar (Middle East); it decided to appoint the Employer and Worker members on the basis of nominations submitted by the Employers' and Workers' groups of the Governing Body; and fixed the closing date for the acceptance of invitations at 30 October 1992.

It requested the Director-General to submit a paper to a future meeting of the Industrial Activities Committee that would address the issues surrounding the selection of participants in meetings not covered by the Standing Orders for established or regular sectoral committees and meetings.

Second Session of the Joint Committee for Postal and Telecommunications Services: Effect to be given to the conclusions and resolutions of the Committee

The Governing Body:

(a) authorised the Director-General to communicate the texts adopted by the Joint Committee for Postal and Telecommunications Services at its Second Session (i) to governments, informing them that the Governing Body had taken note of the texts and requesting them to communicate these to the employers' and workers' organisations concerned, and (ii) to the international employers' and workers' organisations concerned;

(b) requested him (i) to draw the special attention of governments and, through them, that of the employers' and workers' organisations concerned, as well as that of the international employers' and workers' organisations concerned, to the conclusions (No. 9) concerning technological change and workers' participation in posts and telecommunications and to the conclusions (No. 10) concerning working time in posts and telecommunications, (ii) to draw the attention of governments and, through them, that of the employers' and workers' organisations concerned, as well as that of the international employers' and workers' organisations concerned, to the conclusions and resolutions listed in section I, group C, of the Classification, and (iii) to continue to bear in mind, when drawing up the future programme of work of the Office, the wishes expressed by the Joint Committee in the resolution indicated in section II, group B, of the Classification, with a view to giving effect to the requests contained therein and addressed to the Office;

(c) agreed to bear in mind the wishes expressed by the Joint Committee in the relevant paragraphs of its resolutions Nos. 11 to 13; and

(d) requested the Director-General to bear in mind, when planning the future programme of work of the Office, the wishes expressed by the Joint Committee in the relevant paragraphs of its resolutions Nos. 11 to 13.

Second Session of the Forestry and Wood Industries Committee: Effect to be given to the conclusions and resolutions of the Committee

The Governing Body:

(a) authorised the Director-General to communicate the texts mentioned in paragraph 53 of the report, which were adopted by the Second Session of the Forestry and Wood Industries Committee, (i) to governments, informing them that the Governing Body had taken note of the texts and requesting them to communicate these texts to the employers' and workers' organisations concerned, and (ii) to the international organisations of employers and workers concerned;
(b) requested him (i) to draw the special attention of governments and, through them, that of the employers' and workers' organisations concerned, as well as that of the international employers' and workers' organisations concerned, to the report and conclusions (No. 7) concerning technological changes in the wood industries with special emphasis on training needs and employment opportunities, and to the report and conclusions (No. 8) concerning occupational safety and health in forestry, (ii) to draw the attention of governments and, through them, that of the employers' and workers' organisations concerned, as well as that of the international employers' and workers' organisations concerned, to the conclusions and resolutions mentioned in section I, group C, of the Classification, and (iii) to continue to bear in mind, when drawing up the future programme of the Office, the wishes expressed by the Second Session of the Committee in the conclusions and resolutions listed in section II, group B, of the Classification, with the view to giving effect to the requests contained therein and addressed to the Office, and (iv) when preparing the next publication of the collection of conclusions and resolutions adopted concerning the forestry and wood industries, to present them in chronological order, with the addition of a subject index;

(c) agreed to bear in mind the wishes expressed by the Second Session of the Committee in the relevant paragraphs of its resolutions Nos. 9 to 15; and

(d) requested the Director-General to bear in mind, when planning the future programme of work of the Office, the wishes expressed by the Committee in the relevant paragraphs of its conclusions Nos. 7 and 8 and of its resolutions Nos. 9 to 15.

First Session of the Standing Technical Committee for Health and Medical Services: Composition

The Governing Body decided that the First Session of the Standing Technical Committee for Health and Medical Services should be composed of a total of 40 participants, including 20 Worker members, up to four private Employer members, and from 16 to 20 Government members depending on the total number of private employers' representatives appointed; authorised the Director-General to invite the Governments of the following 16 countries to send representatives to the First Session of the Committee: Ghana, Guinea, the United Republic of Tanzania and Tunisia (Africa); Jamaica, Uruguay, the United States and Venezuela (Americas); Bangladesh, China, Japan and the Philippines (Asia and the Pacific); Finland, Germany, Hungary and Portugal (Europe); placed the following countries on the reserve list: Benin, Congo and Zambia (Africa); Ecuador, Guyana and Mexico (Americas); Australia, Malaysia and Pakistan (Asia and the Pacific); Czechoslovakia, France and Sweden (Europe); and decided that the closing date for acceptance of invitations be set at 31 March 1992.

Twelfth Session of the Iron and Steel Committee: Invitation of non-governmental international organisations

The Governing Body authorised the Director-General to invite six non-governmental international organisations to be represented by observers at the Twelfth Session of the Iron and Steel Committee.
Tripartite Meeting on Conditions of Employment and Work of Performers: Invitation of non-governmental international organisations

The Governing Body authorised the Director-General to invite five non-governmental international organisations to be represented by observers at the Tripartite Meeting on Conditions of Employment and Work of Performers.

Other questions

Second Joint Meeting on Conditions of Work of Teachers (Geneva, 20–28 November 1991)

The Governing Body authorised the Director-General to invite one non-governmental international organisation to be represented by an observer at the meeting.


The Governing Body authorised the Director-General to invite two non-governmental international organisations to be represented by observers at the session.


The Governing Body authorised the Director-General to invite one non-governmental international organisation to be represented by an observer at the meeting.

Report of the Committee on Discrimination

Convening of a tripartite conference on southern Africa

The Governing Body decided that a tripartite conference on southern Africa should be convened. It approved the following agenda for the conference:

1. Social, economic and labour aspects of subregional integration in post-apartheid southern Africa,
2. Recent developments concerning apartheid in South Africa.

It decided that the conference should be held in Harare, Zimbabwe, from 5 to 8 May 1992; and further decided that the conference should, as on previous occasions, be composed of ten Government, ten Employer and ten Worker participants appointed by the Governing Body and of tripartite delegations from front-line States and those in the immediate neighbourhood of South Africa, as well as observers from the national liberation movements recognised by the Organisation of African Unity.

Draft resolution submitted by regular members of the Governing Body¹ in accordance with article 15 of the Standing Orders of the Governing Body

The Governing Body agreed to include an item in the agenda of its 252nd Session (March 1992) concerning the arrangements for the consideration of the Director-

¹ Mr. A. Al Muhairi (Government, United Arab Emirates), Mr. M. Hakkou (Government, Morocco), Mr. M. Nasr (Employer, Lebanon), Mr. A. Gazarin (Employer, Egypt), Mr. A. Al-Jassem (Employer, Kuwait).

REPORT OF THE COMMITTEE ON EMPLOYMENT

Report of the Tripartite Symposium on Structural Adjustment, Employment and Training in Latin America and the Caribbean (Caracas, 12–16 August 1991)

The Governing Body took note of the report and conclusions of the Tripartite Symposium on Structural Adjustment, Employment and Training in Latin America and the Caribbean; authorised the Director-General to communicate the report and conclusions to the governments of member States and, through them, to the employers' and workers' organisations concerned, and to the non-governmental international organisations with consultative status, as well as to the other bodies and organisations concerned; and requested him to take account of the conclusions and of the views expressed in the Committee's discussion in planning future activities of the ILO in general and in Latin America and the Caribbean, and when preparing future programme and budget proposals.

ILO action on the informal sector

The Governing Body requested the Director-General to take account of the Committee's discussion in preparing the document for preliminary consultation on the Programme and Budget proposals for 1994–95 and in carrying out current activities pertaining to the informal sector.

PROGRESS REPORT OF THE WORKING PARTY ON IMPROVEMENTS IN THE FUNCTIONING OF THE INTERNATIONAL LABOUR CONFERENCE

The Governing Body decided that: (a) the Committee on Standing Orders and the Application of Conventions and Recommendations should be requested to consider at its next meeting in February 1992 the amendments required to implement the reforms indicated in paragraphs 4 to 7 of the report; (b) the Secretary-General of the Conference should be requested to draw the attention of the Selection Committee of the Conference at its 79th Session (1992) to the possibility outlined in paragraph 3 of the report; (c) the letter of convocation and the memorandum for the 79th Session of the Conference should include the appropriate advance notice; (d) the letter of convocation should also indicate that the Conference would finish on Tuesday, 23 June; and (e) arrangements should be made for a further meeting of the Working Party, of at least the same duration as that held during the 251st Session, during the 252nd Session (March 1992) of the Governing Body.

REPORT OF THE DIRECTOR-GENERAL

Obituary

The Governing Body paid tribute to the memory of Sir George Pollock and Mr. Albert Verschueren, former Employer members of the Governing Body. It asked the Director-General to convey its sympathy to the family of Sir George Pollock and to the Confederation of British Industry; and to the family of Mr. Albert Verschueren and the Federation of Belgian Enterprises.
Composition of the Organisation

The Governing Body noted that the Republic of Lithuania had rejoined the Organisation on 4 October 1991.

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

The Governing Body noted that the Employers' group had appointed Miss A. M. Mackie as a member of the Working Party on the Working Capital Fund of the Programme, Financial and Administrative Committee. It also noted that, in accordance with article 5, paragraph 5, of the Standing Orders, following the resignation of Mr. J. Morton, the Workers' group had appointed Mr. W. Brett of the Trades Union Congress of the United Kingdom to replace him. It further noted that, following his resignation, Mr. Morton would be replaced in his functions as Worker Vice-Chairman by Mrs. S. Carr.

Appointment of non-Governing Body members of the Board of the International Institute for Labour Studies

The Governing Body appointed Dr. A. N. Shokhin (USSR), Professor of Economics, State University of Moscow, Academician, Russian Academy of Natural Sciences, Moscow, and Minister of Labour of the Russian Republic, as a member of the Board of the International Institute for Labour Studies for a period of three years, to replace Professor E. G. Antosenkov (USSR), whose mandate had expired.

Representation made by the Egyptian Trade Union Federation under article 24 of the Constitution alleging non-observance by the Libyan Arab Jamahiriya of the Protection of Wages Convention, 1949 (No. 95), and of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

The Governing Body declared the procedure closed.

Representation at the Eleventh Asian Regional Conference
(Bangkok, 26 November–2 December 1991)

Non-member States

The Governing Body invited the Republic of Korea\(^1\) to be represented by an observer at the Eleventh Asian Regional Conference of the ILO, in accordance with article 1, paragraph 7, of the Rules concerning the Powers, Functions and Procedure of Regional Conferences Convened by the International Labour Organisation.

It authorised its Officers to invite, on its behalf, other non-member States so requesting to be represented by observers at the Eleventh Asian Regional Conference.

Liberation movements

The Governing Body acceded to the request submitted by Palestine to participate in the Eleventh Asian Regional Conference in accordance with article 1,\(^1\)

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\(1\) See p. 23-24 below.
paragraph 11, of the Rules concerning the Powers, Functions and Procedure of Regional Conferences Convened by the International Labour Organisation.

Representation made by the International Organisation of Employers (IOE) and the Venezuelan Federation of Chambers and Associations of Commerce and Production (FEDECAMARAS) under article 24 of the ILO Constitution alleging non-observance by Venezuela of international labour Conventions Nos. 4, 81, 87, 88, 95, 98, 100, 111, 143, 144 and 158

The Governing Body –

(a) decided that the representation was receivable;

(b) appointed a committee with the following composition to examine it (with the exception of those aspects concerning Conventions Nos. 87 and 98):

Government member: Mrs. D. G. Wadhwa (India)
Employer member: Mr. W. Durling
Worker member: Mr. M. Bonmati Portillo

(c) referred the aspects of the representation which concerned the observance of Conventions Nos. 87 and 98 to its Committee on Freedom of Association.

Representation made by the Trade Union Association of Bohemia, Moravia and Slovakia under article 24 of the ILO Constitution alleging non-observance by the Czech and Slovak Federal Republic of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

The Governing Body decided that the representations were receivable and appointed a committee with the following composition to examine them:

Government member: Mr. W. Dejong (Australia)
Employer member: Mrs. L. Sasso Mazzufferi
Worker member: Mr. K. Tapiola

COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS

Standing Bodies

Committee of Experts on the Application of Conventions and Recommendations

The Governing Body reappointed, for a period of three years, nine members of the Committee of Experts on the Application of Conventions and Recommendations.

1 The names, titles and functions of the persons appointed by the Governing Body, as well as an indication of the organisations and bodies invited to be represented at these meetings, can be found in the papers submitted to the Governing Body under the 21st item on its agenda.
Meetings held since the last session of the Governing Body

Tripartite Symposium on Structural Adjustment, Employment and Training in Latin America and the Caribbean (Caracas, 12–16 August 1991)

The Governing Body noted that its Officers had approved on its behalf the nominations of eight participants made after consultations with governments.


The Governing Body noted that its Officers had approved on its behalf the nominations of four participants made after consultations with governments and of five participants plus one substitute made after consultations with the Employers’ group of the Governing Body.


The Governing Body noted that its Officers had approved on its behalf the nomination of one participant made after consultations with a government.

Forthcoming meetings

Second Joint Meeting on Conditions of Work of Teachers (Geneva, 20–28 November 1991)

The Governing Body noted that its Officers had approved on its behalf the nominations of four participants plus one substitute and 20 participants plus 14 substitutes made after consultations with the Employers’ and Workers’ groups of the Governing Body respectively.

Eleventh Asian Regional Conference (Bangkok, 26 November–2 December 1991)

The Governing Body noted that the Director-General intended to invite 12 intergovernmental organisations to be represented at the Eleventh Asian Regional Conference of the ILO. It authorised him to invite three non-governmental international organisations to be so represented.


The Governing Body noted that the agenda approved for the meeting by the Governing Body at its 250th Session should read as follows:

1. The measurement of employment in the informal sector.
2. Revision of the International Classification of Status in Employment.

The Governing Body noted that the composition formula for the meeting approved by the Governing Body at its 250th Session should read as follows: 16 experts should be nominated after consultations with governments, eight after consultations with the Employers’ group, and eight after consultations with the Workers’ group of the Governing Body.

It approved the nominations of 15 experts plus four substitutes made after consultations with governments, of eight experts plus 16 substitutes and of eight experts and one substitute made after consultations with the Employers’ and...
Workers' groups of the Governing Body respectively. It authorised its Officers to approve the remaining nominations on its behalf. It is also noted that, in addition to those indicated at the Governing Body's 250th Session, the Director-General intended to invite three intergovernmental organisations and one non-governmental international organisation to be represented at the meeting.

**Tripartite Symposium on New Perspectives for Tripartism in Europe**

The Governing Body approved as the agenda for the symposium the concept and practice of tripartism and institutionalised social dialogue, it being understood that participants would have an opportunity to discuss such issues as the role of independent workers' and employers' organisations in society and their contribution to economic stability and social peace, the importance of tripartite negotiations and collective bargaining, appropriate levels of bargaining, and the existence of effective mechanisms for the settlement of industrial disputes. It decided that the symposium should be attended by 15 participants nominated after consultations with governments, 15 after consultations with the Employers' group and 15 after consultations with the Workers' group of the Governing Body. It noted that, in order to obtain the government nominations, the Director-General intended to approach the Governments of Austria, Belgium, Bulgaria, Czechoslovakia, Finland, France, Germany, Hungary, Italy, Lithuania, Poland, Spain, Sweden, the USSR and the United Kingdom. In view of the proximity of the dates envisaged for the symposium, the Governing Body authorised its Officers to approve the nominations on its behalf. Finally, it noted that the Director-General intended to invite two intergovernmental organisations and the non-governmental international organisations with general consultative status to be represented at the symposium.

**Meeting of Experts on Safety in the Use of Chemicals at Work**

(Geneva, 24 March–1 April 1992)

The Governing Body approved the nominations of six experts plus three substitutes made after consultations with governments, of seven experts plus 20 substitutes and of seven experts plus four substitutes made after consultations with the Employers' and Workers' groups of the Governing Body respectively. It authorised its Officers to approve the remaining nominations on its behalf. It also authorised the Director-General to invite one non-governmental international organisation to be represented at the meeting.

**Joint ILO/WHO Committee on Occupational Health** (Eleventh Session, Geneva, 27–29 April 1992)

The Governing Body approved the nominations of two participants made after consultations with governments, of two participants and of two participants plus one substitute made after consultations with the Employers' and Workers' groups of the Governing Body respectively.

**Advisory Group Meeting on the Revision of the Basic Safety Standards for Radiation Protection**

The Governing Body approved the nominations of one participant made after consultations with the Workers' group of the Governing Body. It noted that the Director-General intended to invite six intergovernmental organisations to be
represented at the meeting and authorised him to invite four non-governmental international organisations to be so represented.

Tripartite Meeting on Conditions of Employment and Work of Performers
(Geneva, 5–13 May 1992)

The Governing Body approved the nominations of ten participants plus seven substitutes and of ten participants plus six substitutes made after consultations with the Employers' and Workers' groups of the Governing Body respectively.

Fifteenth International Conference of Labour Statisticians
(Geneva, 18–29 January 1993)

On the recommendation of its Officers, the Governing Body approved the following agenda for the Conference:

1. General report (including chapters on statistics of absence from work, income from employment and labour accounting systems).
2. Statistics of strikes and lock-outs.
3. The measurement of employment in the informal sector.
4. Revision of the International Classification of Status in Employment.

The Governing Body noted that, in accordance with the practice followed for previous International Conferences of Labour Statisticians, the governments of all member States would be invited to nominate participants, who would attend at the expense of their respective governments: it was expected that the great majority, if not all, would be professional statisticians.

On the recommendation of its Officers, the Governing Body decided that, in accordance with past practice and as provided for in the Programme and Budget for 1992–93, six experts should also be nominated after consultations with the Employers' group and six after consultations with the Workers' group of the Governing Body: the experts nominated should have adequate technical qualifications to enable them to participate actively in the Conference.

The Governing Body also noted that the Director-General intended to invite 18 intergovernmental organisations to be represented at the Conference.

Reconstitution and composition of the Panel of Consultants on Occupational Cancer

On the recommendation of its Officers, the Governing Body decided that the Panel of Consultants on Occupational Cancer should be reconstituted for a further period of five years and that it should continue to be composed of 12 members, drawn in equal numbers from government, employer, worker and scientific circles.

Further, it approved the nominations of one member made after consultations with a government, of three members each made after consultations with the Employers' and Workers' groups of the Governing Body, and of three members made from scientific circles. It also noted that, in order to obtain the other two government nominations, the Director-General intended to consult the Governments of Japan and the USSR.

Appointment of Governing Body Representatives on Various Bodies

The Governing Body made the following appointments:
Second Session of the Food and Drink Industries Committee (Geneva, 4–12 December 1991)

Government member and Chairman of the Committee: Mrs. Y. Yao (China)
Employer member: Mr. R. Decosterd
Worker member: Mr. W. Brett


Government member and Chairman of the Committee: Mr. R. T. Booth (United States)
Employer member: Mr. R. S. Tarneja
Worker member: Mr. Khurshid Ahmed


Government member and Chairman of the Meeting: Mr. M. Kchaou (Tunisia)
Employer member: Mr. A. M’Kaissi
Worker member: Mr. E. Tchinde

Eleventh Asian Regional Conference (Bangkok, 26 November–2 December 1991)

The Governing Body noted that Mr. J. Morton would be replaced as the Worker member of the Governing Body delegation by Mr. J. Mugalla.

Programme of Meetings

Thirteenth Conference of American States Members of the ILO

The Governing Body accepted the invitation from the Government of Venezuela and requested the Director-General to convey its thanks to the Government for its generous offer.

Eighth African Regional Conference

The Governing Body accepted the invitation from the Government of Mauritius and requested the Director-General to convey its thanks to the Government for its generous offer.

Programme for the remainder of 1991 and for 1992 and 1993

The Governing Body approved the following programme of meetings:

<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
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</thead>
<tbody>
<tr>
<td>20–28 November</td>
<td>Second Joint Meeting on Conditions of Work of Teachers</td>
<td>Geneva</td>
</tr>
<tr>
<td>26 November–2 December</td>
<td>Eleventh Asian Regional Conference</td>
<td>Bangkok</td>
</tr>
<tr>
<td>Date</td>
<td>Title of meeting</td>
<td>Place</td>
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<tr>
<td>4–12 December</td>
<td>Food and Drink Industries Committee (Second Session)</td>
<td>Geneva</td>
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<tr>
<td></td>
<td><strong>1992</strong></td>
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<tr>
<td>22–30 January</td>
<td>Inland Transport Committee (Twelfth Session)</td>
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<tr>
<td>28 January–6 February</td>
<td>Meeting of Experts on Labour Statistics</td>
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<tr>
<td>12–20 February</td>
<td>Fourth Tripartite Technical Meeting for the Leather and Footwear Industry</td>
<td></td>
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<tr>
<td>20 February–6 March</td>
<td>252nd Session of the Governing Body and its Committees</td>
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<tr>
<td>On the occasion of the</td>
<td>Advisory Meeting of Governing Body Members from Africa</td>
<td></td>
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<tr>
<td>Governing Body session</td>
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<tr>
<td>12–25 March</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
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<tr>
<td>March</td>
<td>Advisory Group Meeting on the Revision of the Basic Safety Standards for Radiation Protection</td>
<td>Vienna</td>
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<tr>
<td>March or April</td>
<td>Tripartite Symposium on New Perspectives for Tripartism in Europe</td>
<td>To be determined</td>
</tr>
<tr>
<td>24 March–1 April</td>
<td>Meeting of Experts on Safety in the Use of Chemicals at Work</td>
<td>Geneva</td>
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<tr>
<td>1–9 April</td>
<td>Iron and Steel Committee (Twelfth Session)</td>
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<tr>
<td>27–29 April</td>
<td>Joint ILO/WHO Committee on Occupational Health (Eleventh Session)</td>
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<tr>
<td>5–8 May</td>
<td>Tripartite Conference on Southern Africa</td>
<td>Harare</td>
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<tr>
<td>5–13 May</td>
<td>Tripartite Meeting on Conditions of Employment and Work of Performers</td>
<td>Geneva</td>
</tr>
<tr>
<td>21–30 May and immediately after the conference</td>
<td>253rd Session of the Governing Body and its Committees</td>
<td></td>
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<tr>
<td>3–23 June</td>
<td>79th Session of International Labour Conference</td>
<td></td>
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<tr>
<td>23 September–1 October</td>
<td>Standing Technical Committee for Health and Medical Services (First Session)</td>
<td></td>
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<tr>
<td>29 September–5 October</td>
<td>Thirteenth Conference of American States Members of the ILO</td>
<td>Caracas</td>
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<tr>
<td>5–20 November</td>
<td>254th Session of the Governing Body and its Committees</td>
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<tr>
<td>2–10 December</td>
<td>Building, Civil Engineering and Public Works Committee (Twelfth Session)</td>
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<tr>
<td>Last quarter</td>
<td>International Panel of Consultants on Cooperatives</td>
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<tr>
<td></td>
<td><strong>1993</strong></td>
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<tr>
<td>18–29 January</td>
<td>Fifteenth International Conference of Labour Statisticians</td>
<td>Geneva</td>
</tr>
<tr>
<td>15 February–5 March</td>
<td>255th Session of the Governing Body and its Committees</td>
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<tr>
<td>Date</td>
<td>Title of meeting</td>
<td>Place</td>
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<tr>
<td>1993 (cont.)</td>
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<tr>
<td>On the occasion of the Governing Body session</td>
<td>Advisory Meeting of Governing Body Members from Europe</td>
<td>Geneva</td>
</tr>
<tr>
<td>11–24 March</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>&quot;</td>
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<tr>
<td>20–28 April</td>
<td>Tripartite Meeting on Safety and Related Issues Pertaining to Work on Offshore Petroleum Installations</td>
<td>&quot;</td>
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<tr>
<td>5–13 May</td>
<td>Advisory Committee on Salaried Employees and Professional Workers (Tenth Session)</td>
<td>&quot;</td>
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<tr>
<td>10–15 May</td>
<td>Seventh Session of the Joint ILO/WHO Committee on the Health of Seafarers</td>
<td>&quot;</td>
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<tr>
<td>20–29 May</td>
<td>256th Session of the Governing Body and its Committees</td>
<td>&quot;</td>
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<tr>
<td>2–22 June</td>
<td>80th Session of the International Labour Conference</td>
<td>&quot;</td>
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<tr>
<td>24 June</td>
<td>257th Session of the Governing Body</td>
<td>&quot;</td>
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<tr>
<td>14–22 September</td>
<td>Tripartite Meeting on the Effects of Technological Changes in the Clothing Industry</td>
<td>&quot;</td>
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<tr>
<td>29 September–5 October</td>
<td>Meeting of Experts on Accident Prevention on Board Ship</td>
<td>&quot;</td>
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<tr>
<td>5–13 October</td>
<td>Tripartite Meeting on the Consequences for Management and Personnel of the Restructuring of Railways</td>
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<tr>
<td>20–28 October</td>
<td>Joint Committee on the Public Service (Fifth Session)</td>
<td>&quot;</td>
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<tr>
<td>4–19 November</td>
<td>258th Session of the Governing Body and its Committees</td>
<td>&quot;</td>
</tr>
<tr>
<td>23 November–1 December</td>
<td>Tripartite Meeting on the Social Effects of Structural Change in Banking</td>
<td>&quot;</td>
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<tr>
<td>1–9 December</td>
<td>Metal Trades Committee (Thirteenth Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>To be determined</td>
<td>Eighth African Regional Conference</td>
<td>Mauritius</td>
</tr>
</tbody>
</table>
Membership of the International Labour Organisation

REPUBLIC OF LITHUANIA

On 4 October 1991 the Director-General of the International Labour Office received a communication dated 27 September 1991 from the Prime Minister of the Republic of Lithuania informing him that the Republic of Lithuania formally accepts the obligations of the Constitution of the International Labour Organisation in accordance with article 1, paragraph 3, of the Constitution and undertakes to fulfil them.

The Republic of Lithuania, which is a member of the United Nations, accordingly became a Member of the International Labour Organisation on 4 October 1991 by virtue of article 1, paragraph 3, of the Constitution of the Organisation. The Republic of Lithuania was a Member of the International Labour Organisation from 22 December 1921 until its absorption into the USSR on 21 July 1940.

In the communication referred to above, the Prime Minister of the Republic of Lithuania stated that:

The fact that the Government of the Republic of Lithuania has applied for membership with the International Labour Organisation shall in no way affect the legal consequences proceeding from the membership of the Republic of Lithuania therein as the Republic of Lithuania could not avail itself thereof due to foreign occupation of the Republic of Lithuania in the period between 1940–1990.

In his reply, the Director-General stated that:

I have taken note of the statement in the last paragraph of your letter, which I take to mean that this application in no way implies the recognition by your Government of the legality of the situation resulting from the foreign occupation of the Republic of Lithuania in the period between 1940–1990.

REPUBLIC OF LATVIA

On 3 December 1991 the Director-General of the International Labour Office received a communication dated 28 November 1991 from the Minister of Welfare of the Republic of Latvia informing him that the Republic of Latvia formally accepts the obligations of the Constitution of the International Labour Organisation in accordance with article 1, paragraph 3, of the Constitution and undertakes to fulfil them.

The Republic of Latvia, which is a member of the United Nations, accordingly became a Member of the International Labour Organisation on 3 December 1991 by virtue of article 1, paragraph 3, of the Constitution of the Organisation.

The Republic of Latvia was a Member of the International Labour Organisation from 22 December 1921 until its absorption into the USSR on 21 July 1940.

REPUBLIC OF KOREA

On 9 December 1991 the Director-General of the International Labour Office received a communication dated 27 November 1991 from the Minister of Foreign Affairs of the Republic of Korea informing him that the Republic of Korea formally
accepts the obligations of the Constitution of the International Labour Organisation in accordance with article 1, paragraph 3, of the Constitution and undertakes to fulfil them.

The Republic of Korea, which is a member of the United Nations, accordingly became a Member of the International Labour Organisation on 9 December 1991 by virtue of article 1, paragraph 3, of the Constitution of the Organisation.

UNION OF SOVIET SOCIALIST REPUBLICS: COMMUNICATIONS

Communication from the Government of the Union of Soviet Socialist Republics to the International Labour Organisation

Permanent Mission of the USSR to the United Nations Office and other International Organisations in Geneva,
15, avenue de la Paix,
GENEVA
No. 654

The Permanent Mission of the Union of Soviet Socialist Republics presents its compliments to the United Nations Office and other International Organisations in Geneva, to the Permanent Missions and Offices of the Permanent Observers to the United Nations Office and other International Organisations in Geneva and has the honour to inform them that the Permanent Representative of the USSR to the United Nations, H.E. Mr. Yuli M. Vorontsov, delivered to the Secretary-General of the United Nations on 24 December 1991 the text of the letter (enclosed) from the President of the Russian Federation (the RSFSR), Boris N. Yeltsin, which says that the membership of the Union of Soviet Socialist Republics in the United Nations, including the Security Council, and in all other organs and organisations of the United Nations system is continued, with the support of the states of the Commonwealth of Independent States, by the Russian Federation (the RSFSR).

In this connection the letter contains a request to use in the United Nations the name “the Russian Federation” in place of the name “the Union of Soviet Socialist Republics”.

The letter also states that the Russian Federation remains responsible in full for all rights and obligations of the USSR under the United Nations Charter, including the financial obligations.

The letter contains as well a request to accept it as constituting credentials to represent the Russian Federation in the United Nations organs for all those currently possessing the credentials of representatives of the USSR to the United Nations.

Accordingly, the Permanent Mission of the Union of Soviet Socialist Republics avails itself of this opportunity to present to the United Nations Office and other International Organisations in Geneva, to the Permanent Missions and Offices of the Permanent Observers to the United Nations Office and other International Organisations in Geneva the assurances of its highest consideration and has the honour to inform them hereby that forthwith its name is changed to Permanent Mission of the Russian Federation to the United Nations Office and other International Organisations in Geneva.

Communication from the Permanent Representative of the Russian Federation to the United Nations Office and other international organisations in Geneva

(Translation)

Mr. Michel Hansenne,
Director-General of the
International Labour Office,
Geneva

No. 658


Dear Sir,

I have the honour to transmit to you the following note from the Ministry for Foreign Affairs of the Russian Federation:

The Ministry for Foreign Affairs of the Russian Federation presents its compliments to the Director-General of the International Labour Office and has the honour to inform him that the membership of the Union of Soviet Socialist Republics in the International Labour Organisation and all its bodies as well as participation in all the Conventions, agreements and other international legal instruments signed in the framework of the International Labour Organisation or under its auspices is continued by the Russian Federation (RF), and that in this connection the name "the Russian Federation" in place of the name "the Union of Soviet Socialist Republics" is to be used in the International Labour Organisation.

The Russian Federation remains responsible in full for all rights and obligations of the USSR in the International Labour Organisation, including the financial obligations.

This note certifies the credentials to represent the Russian Federation in the bodies of the International Labour Organisation for all those currently possessing the credentials to represent the USSR in the International Labour Organisation.

The Ministry for Foreign Affairs of the Russian Federation avails itself of this opportunity to present to the Director-General of the International Labour Office the assurances of its highest consideration.

I would request you to expeditiously perform the necessary formalities with all the consequences ensuing from this request, and to inform thereof the Members of the International Labour Organisation.

Respectfully yours,

(signed) E. Makeyev
Ambassador,
Permanent Representative of the Russian Federation to the United Nations Office and other international organisations in Geneva

Republic of Estonia

On 13 January 1992 the Director-General of the International Labour Office received a communication dated 25 November 1991 from the Prime Minister of the Republic of Estonia informing him that the Republic of Estonia formally accepts the obligations of the Constitution of the International Labour Organisation in accordance with article 1, paragraph 3, of the Constitution and undertakes to fulfil them.
The Republic of Estonia, which is a member of the United Nations, accordingly became a Member of the International Labour Organisation on 13 January 1992 by virtue of article 1, paragraph 3, of the Constitution of the Organisation.

The Republic of Estonia was a Member of the International Labour Organisation from 22 December 1921 until its absorption into the USSR on 21 July 1940.
Official Measures Taken regarding Decisions of the International Labour Conference

Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986

Ratifications

In accordance with Article 3 of the Instrument for the amendment of the Constitution of the International Labour Organisation, 1986, the following ratifications have been communicated to the Director-General of the International Labour Office:

<table>
<thead>
<tr>
<th>State</th>
<th>Date received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Poland</td>
<td>11 March 1992</td>
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<tr>
<td>Suriname</td>
<td>9 June 1992</td>
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</tbody>
</table>

The total number of ratifications and acceptances has thus risen to 83 including three by States of chief industrial importance.

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Ratifications and Denunciations of International Labour Conventions and Declarations concerning the Application of Conventions to a Non-Metropolitan Territory

Notice is hereby given that the Director-General of the International Labour Office has registered the under-mentioned ratifications and denunciations of International Labour Conventions and declarations concerning the application of Conventions to a Non-Metropolitan Territory. In pursuance of article 20 of the Constitution of the International Labour Organisation, particulars of these ratifications and denunciations have been communicated to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations.

The publication of information concerning action taken in respect of international labour Conventions and Recommendations does not imply any expression of view by the International Labour Office on the legal status of the State having communicated such information (including the communication of a ratification or declaration), or on its authority over the territories in respect of which such information is communicated; in certain cases this may present problems on which the ILO is not competent to express an opinion.

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration of ratification/denunciation/declaration</th>
<th>Date on which ratification/denunciation/declaration will take effect</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Australia</strong></td>
<td>Minimum Age (Sea) Convention (Revised), 1936 (No. 58)</td>
<td>11 June 1992</td>
<td>11 June 1993</td>
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<tr>
<td></td>
<td>Accommodation of Crews Convention (Revised), 1949 (No. 92)</td>
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<tr>
<td></td>
<td>Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133)</td>
<td></td>
<td>11 December 1992</td>
</tr>
<tr>
<td><strong>Azerbaijan</strong></td>
<td>Right of Association (Agriculture) Convention, 1921 (No. 11)</td>
<td>19 May 1992</td>
<td>19 May 1992</td>
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<td></td>
<td>White Lead (Painting) Convention, 1921 (No. 13)</td>
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<td></td>
<td>Weekly Rest (Industry) Convention, 1921 (No. 14)</td>
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<td></td>
<td>Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16)</td>
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<td></td>
<td>Repatriation of Seamen Convention, 1926 (No. 23)</td>
<td></td>
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<td></td>
<td>Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No. 27)</td>
<td></td>
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<tr>
<td>Convention</td>
<td>Year</td>
<td>No.</td>
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<tr>
<td>Forced Labour Convention, 1930</td>
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<td>29</td>
<td></td>
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<tr>
<td>Protection against Accidents (Dockers) Convention (Revised), 1932</td>
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<td>Underground Work (Women) Convention, 1935</td>
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<td>Forty-Hour Week Convention, 1935</td>
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<td>Holidays with Pay Convention, 1936</td>
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<tr>
<td>Certification of Ships' Cooks Convention, 1946</td>
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<tr>
<td>Medical Examination (Seafarers) Convention, 1946</td>
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<td></td>
</tr>
<tr>
<td>Medical Examination of Young Persons (Industry) Convention, 1946</td>
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<td></td>
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<tr>
<td>Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946</td>
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<td>78</td>
<td></td>
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<tr>
<td>Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946</td>
<td></td>
<td>79</td>
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<tr>
<td>Freedom of Association and Protection of the Right to Organise Convention, 1948</td>
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<td>87</td>
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<tr>
<td>Night Work of Young Persons (Industry) Convention (Revised), 1948</td>
<td></td>
<td>90</td>
<td></td>
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<tr>
<td>Accommodation of Crews Convention (Revised), 1949</td>
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<td>92</td>
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<tr>
<td>Protection of Wages Convention, 1949</td>
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<td>95</td>
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<tr>
<td>Right to Organise and Collective Bargaining Convention, 1949</td>
<td></td>
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<td></td>
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<tr>
<td>Equal Remuneration Convention, 1951</td>
<td></td>
<td>100</td>
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<tr>
<td>Maternity Protection Convention (Revised), 1952</td>
<td></td>
<td>103</td>
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<tr>
<td>Weekly Rest (Commerce and Offices) Convention, 1957 (Revised)</td>
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<td>106</td>
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<tr>
<td>Seafarers' Identity Documents Convention, 1958</td>
<td></td>
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<tr>
<td>Discrimination (Employment and Occupation) Convention, 1958</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>State</td>
<td>Convention</td>
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<td>Azerbaijan (cont.)</td>
<td>Medical Examination (Fishermen) Convention, 1959 (No. 113)</td>
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<td>Radiation Protection Convention, 1960 (No. 115)</td>
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<td>Final Articles Revision Convention, 1961 (No. 116)</td>
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<td>Guarding of Machinery Convention, 1963 (No. 119)</td>
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<td>Hygiene (Commerce and Offices) Convention, 1964 (No. 120)</td>
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<td>Employment Policy Convention, 1964 (No. 122)</td>
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<td></td>
<td>Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124)</td>
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<td>Accommodation of Crews (Fishermen) Convention, 1966 (No. 126)</td>
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<td>Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133)</td>
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<td>Prevention of Accidents (Seafarers) Convention, 1970 (No. 134)</td>
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<td>Minimum Age Convention, 1973 (No. 138)</td>
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<td><em>The minimum age of 16 years has been specified pursuant to Article 2, paragraph 1, of the Convention.</em></td>
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<td></td>
<td>Human Resources Development Convention, 1975 (No. 142)</td>
<td>19 May 1992</td>
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<td>Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)</td>
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<td>Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)</td>
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<td>Nursing Personnel Convention, 1977 (No. 149)</td>
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</table>
Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)  
Labour Statistics Convention, 1985 (No. 160)  
Acceptance of Articles 7–10 of Part II has been specified pursuant to Article 16, paragraph 2, of the Convention.

Following the admission of Azerbaijan to the International Labour Organisation, the Government of Azerbaijan recognised that it continued to be bound by the obligations arising under the above-mentioned Conventions which had been previously applicable to its territory.

<table>
<thead>
<tr>
<th>Country</th>
<th>Convention</th>
<th>Date</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brazil</td>
<td>Guarding of Machinery Convention, 1963 (No. 119)</td>
<td>16 April 1992</td>
<td>16 April 1993</td>
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<td></td>
<td>Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133)</td>
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<td>16 October 1992</td>
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<td></td>
<td>Paid Educational Leave Convention, 1974 (No. 140)</td>
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<td>16 April 1993</td>
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<tr>
<td>Finland</td>
<td>Paid Educational Leave Convention, 1974 (No. 140)</td>
<td>24 February 1992</td>
<td>24 February 1993</td>
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<td>Termination of Employment Convention, 1982 (No. 158)</td>
<td>30 June 1992</td>
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<td>Seafarers' Welfare Convention, 1987 (No. 163)</td>
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<tr>
<td>India</td>
<td>Labour Statistics Convention, 1985 (No. 160)</td>
<td>1 April 1992</td>
<td>1 April 1993</td>
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Acceptance of Article 8 of Part II has been specified pursuant to article 16, paragraph 2, of the Convention.

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<th>Country</th>
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<tr>
<td>Indonesia</td>
<td>Certification of Ships' Cooks Convention, 1946 (No. 69)</td>
<td>30 March 1992</td>
<td>30 September 1992</td>
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<td>Right to Organise and Collective Bargaining Convention, 1949 (No. 98)</td>
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<td>Equal Remuneration Convention, 1951 (No. 100)</td>
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<td></td>
<td>Abolition of Forced Labour Convention, 1957 (No. 105)</td>
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<td>State</td>
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<td>Date of registration of ratification/denunciation/declaration</td>
<td>Date on which ratification/denunciation/declaration will take effect</td>
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<td>Employment Policy Convention, 1964 (No. 122)</td>
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<td></td>
<td>Workers' Representatives Convention, 1971 (No. 135)</td>
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<td>Labour Relations (Public Service), Convention, 1978 (No. 151)</td>
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<td>Norway</td>
<td>Asbestos Convention, 1986 (No. 162)</td>
<td>4 February 1992</td>
<td>4 February 1993</td>
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<td>Sao Tome and Principe</td>
<td>Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)</td>
<td>17 June 1992</td>
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<td>Right to Organise and Collective Bargaining Convention, 1949 (No. 98)</td>
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<td>Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)</td>
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<td>Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)</td>
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<td>Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)</td>
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<tr>
<td>Slovenia</td>
<td>Unemployment Convention, 1919 (No. 2)</td>
<td>9 June 1992</td>
<td>9 June 1992</td>
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<td>Maternity Protection Convention, 1919 (No. 3)</td>
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<td>Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8)</td>
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<td>Placing of Seamen Convention, 1920 (No. 9)</td>
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<td>Right of Association (Agriculture) Convention, 1921 (No. 11)</td>
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<td>Workmen's Compensation (Agriculture) Convention, 1921 (No. 12)</td>
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White Lead (Painting) Convention, 1921 (No. 13)  
Weekly Rest (Industry) Convention, 1921 (No. 14)  
Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16)  
Workmen's Compensation (Accidents) Convention, 1925 (No. 17)  
Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18)  
Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)  
Seamen's Articles of Agreement Convention, 1926 (No. 22)  
Repatriation of Seamen Convention, 1926 (No. 23)  
Sickness Insurance (Industry) Convention, 1927 (No. 24)  
Sickness Insurance (Agriculture) Convention, 1927 (No. 25)  
Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No. 27)  
Forced Labour Convention, 1930 (No. 29)  
Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32)  
Underground Work (Women) Convention, 1935 (No. 45)  
Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48)  
Officers' Competency Certificates Convention, 1936 (No. 53)  
Sickness Insurance (Sea) Convention, 1936 (No. 56)  
Certification of Ships' Cooks Convention, 1946 (No. 69)  
Medical Examination (Seafarers) Convention, 1946 (No. 73)  
Certification of Able Seamen Convention, 1946 (No. 74)  
Final Articles Revision Convention, 1946 (No. 80)
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<td>Slovenia (cont.)</td>
<td>Labour Inspection Convention, 1947 (No. 81)</td>
<td>9 June 1992</td>
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<td>Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)</td>
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<td>Employment Service Convention, 1948 (No. 88)</td>
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<td>Night Work (Women) Convention (Revised), 1948 (No. 89)</td>
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<td>Night Work of Young Persons (Industry) Convention, (Revised), 1948 (No. 90)</td>
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<td>Paid Vacations (Seafarers) Convention (Revised), 1949 (No. 91)</td>
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<td>Accommodation of Crews Convention (Revised), 1949 (No. 92)</td>
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<td>Migration for Employment Convention (Revised), 1949 (No. 97)</td>
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<td></td>
<td>Has excluded the provisions of Annex III.</td>
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<tr>
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<td>Right to Organise and Collective Bargaining Convention, 1949 (No. 98)</td>
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<td>Equal Remuneration Convention, 1951 (No. 100)</td>
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<td>Social Security (Minimum Standards) Convention, 1952 (No. 102)</td>
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<td>Maternity Protection Convention (Revised), 1952 (No. 103)</td>
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<td>Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)</td>
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</table>

*Parts II to VI, VIII and X. Part VI is no longer applicable as a result of the ratification of Convention No. 121.*
The Convention also applies to the establishments specified in Article 3, paragraph 1.

Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958 (No. 109) 9 June 1992 9 June 1992

Discrimination (Employment and Occupation) Convention, 1958 (No. 111) " "

Medical Examination (Fishermen) Convention, 1959 (No. 113) " "

Fishermen's Articles of Agreement Convention, 1959 (No. 114) " "

Final Articles Revision Convention, 1961 (No. 116) " "

Guarding of Machinery Convention, 1963 (No. 119) " "

Employment Injury Benefits Convention 1964 [Schedule I amended in 1980] (No. 121) " "

Employment Policy Convention, 1964 (No. 122) " "

Accommodation of Crews (Fishermen) Convention, 1966 (No. 126) " "

Labour Inspection (Agriculture) Convention, 1969 (No. 129) " "

Minimum Wage Fixing Convention, 1970 (No. 131) " "

Holidays with Pay Convention (Revised), 1970 (No. 132) " "

Length of holiday specified: 18 working days. Has accepted the provisions of Article 15, paragraph 1(a) and (b).

Workers' Representatives Convention, 1971 (No. 135) 9 June 1992 9 June 1992

Benzene Convention, 1971 (No. 136) " "

Minimum Age Convention, 1973 (No. 138) " "

Minimum age specified: 15 years.

Occupational Cancer Convention, 1974 (No. 139) " "

Paid Educational Leave Convention, 1974 (No. 140) " "

Human Resources Development Convention, 1975 (No. 142) " "
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<td>Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)</td>
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<td>Occupational Safety and Health Convention, 1981 (No. 155)</td>
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<td>Workers with Family Responsibilities Convention, 1981 (No. 156)</td>
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<td>Termination of Employment Convention, 1982 (No. 158)</td>
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<td>Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)</td>
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<td>Occupational Health Services Convention, 1985 (No. 161)</td>
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<td></td>
<td><strong>Following the admission of Slovenia to the International Labour Organisation, the Government of Slovenia recognised that it continued to be bound by the obligations arising under the above-mentioned Conventions which had been previously applicable to its territory.</strong></td>
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<tr>
<td>Switzerland</td>
<td>Guarding of Machinery Convention, 1963 (No. 119)</td>
<td>16 June 1992</td>
<td>16 June 1993</td>
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<td></td>
<td><strong>With reference to Article 13 the Government does not intend to take the opportunity of extending the application of the Convention to self-employed workers.</strong></td>
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</tbody>
</table>

**II. Denunciation and ratification of the same Convention**

The Director-General registered, on 13 February 1992, the denunciation of the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96), by the Netherlands which, in 1952 in accordance with Article 2, paragraph 2, of the Convention, accepted the provisions of Part II of the Convention which envisage the progressive abolition of fee-charging employment agencies conducted with a view to profit and the regulation of other agencies. At the same time, the Director-General registered the ratification and the acceptance, in accordance with the above provision of the Convention, of Part III, which provides for the regulation of fee-charging employment agencies, including those conducted with a view to profit.
III. Denunciations

Argentina

Night Work (Women) Convention, 1919 (No. 4) 3 March 1992 3 March 1993

The text of the communication concerning the denunciation by Argentina of this Convention reads as follows:

(Translation)

The denunciation of the international labour Convention mentioned in the previous note arises out of the promulgation of National Employment Act No. 24,013, which provides for the repeal of section No. 173 of the Act on contracts of employment which laid down restrictions in respect of hours for night work by women. This in turn entails the denunciation of Convention No. 4, adopted by Act No. 11,726.

The body of standards is an exceptional instrument for the Argentine Republic, which is trying to find a reasonable balance between the different interests of social actors who make up a community undergoing change and profound structural adjustment.

To balance both sides of the capital-employment equation in a country where these elements are scarce in relation to the labour supply, new formulas need to be adopted to find new and legitimate sources of employment and help hitherto informal employment relationships to be incorporated into the institutionalised labour market.

These dysfunctional legal situations result from social laws which set the scene for them, e.g. restrictive hours of work which prevented the standard from being adapted to real situations which arose due to the scarcity of resources and of employment, as previously mentioned, which are characteristic of an economy in crisis and led to clandestine forms of work.

Consequently, there is no question of trying to make the employment relationship more precarious, but rather an attempt to make maximum use of such a scarce resource as the job supply, and at the same time to safeguard the principles of labour law concerning the protection of workers.

The criterion as outlined in the standard is basically that established for many years by the fundamental instruments of the ILO concerning similar situations.

The study Necesidades esenciales y políticas de empleo en América Latina (Basic needs and employment policies in Latin America), published by the International Labour Office, maintained that the most direct relationship was between poverty (which implies that some basic needs linked to private consumption are not met) and underemployment.

Underemployment is one variant of poverty, and excessive regulation, as in the specific case of section 173, results in infringement, thus encouraging the existence of dysfunctional situations known as unemployment, with all the attendant problems caused by the “black economy”. Paradoxically, the standard was one further obstacle in the way of employment creation under balanced conditions.

This was so much the case that limiting working hours for women, as provided for in the legal provision, became a particular barrier to the active integration of women into the labour market, at a time when the Argentine Republic is making a special effort to encourage the widest possible entry of workers into the formal sector of the economy.

The circumstances described above and, basically, the search for ways to regularise employment relationships which have resulted from the crisis, have led the Argentine Republic to decide to denounce international labour Convention No. 4.
<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration of ratification/ denunciation/ declaration</th>
<th>Date on which ratification/ denunciation/declaration will take effect</th>
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<tbody>
<tr>
<td>Belgium</td>
<td>Night Work (Women) Convention (Revised), 1948 (No. 89)</td>
<td>27 February 1992</td>
<td>27 February 1993</td>
</tr>
</tbody>
</table>

The text of the communication concerning the denunciation by Belgium of this Convention reads as follows:

(Translation)

The Belgian Government has decided:
(1) to denounce Convention No. 89;
(2) to start the procedure of ratification of Convention No. 171;
(3) to propose new national legislation in the field of night work, and has proposed in this regard:

A. The setting up of a tripartite working group with the task of formulating a draft text to be laid before Parliament and to contain the following basic options: (a) maintenance of the principle of prohibition of night work by men and women; (b) exceptions to this prohibition must be based on precise criteria and have the consent of the social partners; (c) exceptions to the prohibition must respect the principle of equality of treatment between men and women; (d) the qualitative ambience of night work must be improved.

B. Regarding the formulation of this new legislation, a letter is being sent to all chairmen of joint committees, requesting an analysis of the legal and practical situation in their sector, so as to define those professions for which problems could arise in connection with night work.

In certain cases, night work is required because of the nature of the job. In others, the introduction of night work should be judged, inter alia, by such criteria as job and career possibilities.

| Finland | Fee-charging Employment Agencies Convention (Revised), 1949 (No. 96) | 30 June 1992 | 30 June 1993 |

The text of the communication concerning the denunciation by Finland of this Convention reads as follows:

The denunciation of the said Convention is necessary because the Government is preparing a Bill for submission to Parliament in order to reorganise the employment service. In this connection the Government is planning to propose to Parliament the liberalisation of the private fee-charging employment agencies to such an extent that the denunciation of the Convention would be inevitable.

| France | Night Work (Women) Convention (Revised), 1948 (No. 89) | 26 February 1992 | 26 February 1993 |

The text of the communication concerning the denunciation by France of this Convention reads as follows:

(Translation)

This decision calls for the following observations: As you know, ever since the Organisation came into existence, France has taken a keen interest in its standard-setting activities and has always tried to subscribe to international labour Conventions whenever possible.
It is only because of exceptional reasons, involving a serious risk of conflict between international commitments, that my country has been forced to denounce the Convention in question. A ruling of the Court of Justice of the European Communities (in re: Stoeckel, No. 345/89 of 25 July 1991) has, in fact, shown up the inconsistencies between French legislation on night work and Directive 76/207 on the implementation of the principle of equal treatment for men and women as regards working conditions. The Court made it clear that article 5 of Directive 76/207 could be directly invoked by individuals before national courts in order to prevent the application of any conflicting national provision. Moreover, in a letter of 18 December 1991, the Commission of the European Communities requested France to bring its legislation into line with Directive 76/207. This injunction marks the first phase of a procedure which would eventually bring France back before the Court of Justice of the European Communities where it would undoubtedly be found guilty once again. Consequently my country can no longer postpone amending its legislation and is left no option but to denounce the Night Work (Women) Convention (Revised), 1948 (No. 89). The Ministry of Labour, Employment and Vocational Training has just announced that a Bill on improving working conditions for all night workers is being drafted. At the same time, the Minister, following consultations with all representative trade union organisations, as well as the discussions of the tripartite ILO Advisory Committee, announced that France was going to denounce Convention No. 89 and that the procedure for approving the Night Work Convention, 1990 (No. 171), adopted by the International Labour Conference in June 1990 was going to be set in motion. These are the circumstances which have led the Government of the French Republic to denounce this Convention. It is well aware of the importance and seriousness of its action.

**Greece**


The text of the communication concerning the denunciation by Greece of this Convention reads as follows:

*(Translation)*

The Greek Government, in undertaking to bring national law into line with that of the European Communities, has decided to denounce the Night Work (Women) Convention (Revised), 1948 (No. 89), in order to adapt Greek law to the provisions of Directive 76/207/EEC which applies the principle of equal treatment for men and women in respect of access to employment, vocational training, promotion and working conditions. The Court of the European Communities, in its interpretation of article 5 of the above mentioned Directive, has declared as law that the prohibition of night work for women is contrary to the principle of equal treatment of men and women because there is no ban on night work for men. Moreover, since the aforementioned international Convention was adopted the view of society that warranted a ban on night work for women has changed radically, in Greece as elsewhere; at the same time the conditions under which services are rendered at night have improved considerably. Furthermore, since the number of women entering the labour market increases each year, as does unemployment, it stands to reason that workers of both sexes should be engaged on the same terms with equal chances. It should be added that the ban on night work for women has become less and less strict over the years, both in the public sector in the broad sense (telecommunications, hospitals, etc.) and in the private sector, particularly in traditional "women's work" (for example, the textile industry, where more and more women are being permitted to work at night).
<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration of ratification/denunciation/declaration</th>
<th>Date on which ratification/denunciation/declaration will take effect</th>
</tr>
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<td>Italy</td>
<td>Night Work (Women) Convention (Revised), 1948 (No. 89)</td>
<td>27 February 1992</td>
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<tr>
<td>Portugal</td>
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<td>27 February 1992</td>
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<tr>
<td>Spain</td>
<td>Night Work (Women) Convention (Revised), 1948 (No. 89)</td>
<td>27 February 1992</td>
<td>27 February 1993</td>
</tr>
</tbody>
</table>

The text of the communication concerning the denunciation by Italy of this Convention reads as follows:

(Translation)
I beg to inform you that the Court of Justice of the European Community has made known its formal opinion on the question of night work of women employed in industry.
In order to make the regulations of the International Labour Organisation compatible with those of the European Community, the Italian Government has decided to denounce ILO Convention No. 89 (San Francisco, 9 July 1948) pursuant to Article 15 of that Convention.
This decision has been taken by the Italian authorities after consultations with the parties concerned.

The text of the communication concerning the denunciation by Portugal of this Convention reads as follows:

(Translation)
Portugal ratified the Night Work (Women) Convention (Revised), 1948 (No. 89), and adopted provisions at the time considered appropriate which incorporated the Convention's terms into national law, specifically in sections 31 and 32 of Legislative Decree No. 409/71 of 27 September.
However, the Portuguese Government considers that the aforementioned provisions are no longer relevant and may even hinder application of the principle of equality of the sexes in respect of employment, vocational training, promotion and working conditions. Furthermore, Portugal's national legislation now has to be brought into line with Community law as interpreted by the Court of Justice of the European Communities.
I therefore wish to inform you that, in accordance with Article 15, paragraph 1, Portugal has decided to denounce the said Convention.

The text of the communication concerning the denunciation by Spain of this Convention reads as follows:

(Translation)
I have pleasure in informing you that the relevant consultations have been held between the most representative national trade union and employers' organisations concerned and that the formalities required under Spanish law vis-à-vis the competent authorities have been completed. As a result, it has been decided to approve the proposal duly submitted by the Spanish Government for the denunciation of the Night Work (Women) Convention (Revised), 1948 (No. 89).
The reason for this denunciation is that the provisions of the said Convention conflict with Article 14 of the Spanish Constitution (1978), which proclaims as a fundamental right "the prohibition of any kind of discrimination (...) on grounds of sex", - this Article is taken up in section 17.1 of the Workers' Charter, Act No. 8/1980, which prohibits in the strongest terms any discrimination in labour relations on grounds of sex - and with other subsequent provisions of law such as Royal Decree No. 2001/1983 regulating hours of work, special hours of work and rest periods. For this reason it is impossible under current Spanish law to endorse or apply the aforementioned Convention.

I therefore hereby convey to you, Mr. Director-General, Spain's formal denunciation of the Night Work (Women) Convention (Revised), 1948 (No. 89), in accordance with Article 15(1) of the Convention.

Please regard this as the formal instrument of denunciation of the Convention and notify the Secretary-General of the United Nations, the Governing Body of the International Labour Office and the member States of the ILO through publications in the Official Bulletin.

Sweden

Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96) 4 June 1992 4 June 1993

The text of the communication concerning the denunciation by Sweden of this Convention reads as follows:

(Translation)

The monopoly of employment agency services implies, in principle, that such services in Sweden are a public concern. Private agencies are also permitted, however, to a certain limited extent, and subject to carefully defined conditions. As from 1 January 1992, such agencies come under the provisions of the Private Employment Agencies and the Hiring Out of Labour Act (1991:746).

The organisation of Sweden’s public Employment Service is based on the Employment Service Convention, 1948 (No. 88) and Recommendation (No. 83). The Convention stipulates, among other things, the provision of a free public employment service. The activities of private employment agencies are mainly subject to the Fee-Charging Employment Agencies Convention (Revised) 1949 (No. 96), ratification of which by Sweden was registered in 1950. The provisions of Part II of the Convention, which have been accepted by Sweden, imply, in principle, a ban on the operation of private employment agencies for commercial gain. That Convention has also formed the basis of the new Act (1991:746), a report on which was made to the ILO in January 1992.

One important reason for the strict prohibitions in the ILO Convention and Swedish law against private employment agencies was the grave social consequences of private employment agencies apparent at the time of the Convention being framed. Conditions in the Swedish labour market today are considerably different. The emergence of strong trade union organisations and comprehensive labour law and social security legislation are today sufficient guarantees that abuses of the kind existing when the Convention came into being need not occur.

Questions concerning both the employment service monopoly in itself and the interpretation and scope of the Employment Service Act have been intermittent topics of discussion and the monopoly in particular has come in for growing criticism in recent years. A rapid development of service enterprises bordering on the employment service sector is founded on such activities being regarded as beneficial and desirable from the point of view of both employees and the service enterprises and their customers.

Competition in the employment service sector is also expected to have a salutary effect on the activities of the public Employment Service, and to stimulate the efficiency of the labour market. There is nothing to indicate that employment services
Sweden (cont.)

are best and most rationally provided solely in the form of public monopolies. There are many cases in which private or other independent exchanges present a good alternative. Services could be improved for both jobseekers and employers.

In order, therefore, to improve the efficiency of the labour market, the Government has decided to appoint a Commission which, after hearing the opinions of the labour market parties, is to submit proposals for a deregulation of the employment service monopoly. It is at the same time assumed that the public Employment Service will in future retain the task of providing good placement services, free of charge, throughout the labour market.

Switzerland

Night Work (Women) Convention (Revised), 1948 (No. 89) 24 February 1992 24 February 1993

The text of the communication concerning the denunciation by Switzerland of this Convention reads as follows:

(Translation)

Consultations. Although Switzerland has not ratified the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), the Federal Council none the less adheres to the principles it sets forth and makes a point of observing the guidelines adopted by the Governing Body at its 184th Session (November 1971).

The consultations were undertaken on 18 November 1991 by the Federal Labour Commission which was specially opened up to include representatives of the women's organisations concerned. It highlighted the differences in opinion between those for and against the denunciation of Convention No. 89. Employers' representatives, and the majority of cantons and scientific circles were in favour, whilst trade unions and most women's organisations were opposed to it.

Arguments. Switzerland needs leeway to be able to adapt its labour legislation to developments in the national and international situation. By denouncing the Convention, Switzerland is extricating itself from a long-term commitment which affects only industry and the women working in it.

Switzerland's main economic rivals, particularly the Member States of the European Economic Community, are either not bound by this Convention or are in the process of denouncing it. If we were to decline to denounce the Convention, this would thwart attempts to improve the conditions in which our economy functions and make the prospect of business within Switzerland less attractive, which would be detrimental to our international competitiveness.

Night work undoubtedly puts a strain on the health and welfare of workers. Nevertheless, under current working conditions, the inherent disadvantages can no longer be seen as concerning women only. In this context, it should also be borne in mind that the principle of equality between men and women is enshrined in the federal Constitution.

With these different factors in mind, the Federal Council intends to enhance the protection afforded to all persons working at night and compensate, as far as possible, for the drawbacks of night work through a package of protective measures. Moreover, the Federal Bill on equality provides for a considerable improvement in working conditions for women.

The denunciation of Convention No. 89 will not take effect in Swiss law until new revised labour legislation has come into force applying the principles of protection and compensation mentioned above. During the revision procedure, the principles and objectives set forth in the Night Work Convention, 1990 (No. 171), will be taken into account. The Federal Council will thus be able to analyse, in good time, whether the necessary conditions for ratifying the latter obtain. The revision procedure should start in 1992.
### IV. Declarations

<table>
<thead>
<tr>
<th>Country</th>
<th>Convention</th>
<th>Date Registered</th>
<th>Date Ratified</th>
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</thead>
<tbody>
<tr>
<td>United Kingdom</td>
<td>Weekly Rest (Industry) Convention, 1921 (No. 14)</td>
<td>6 March 1992</td>
<td>6 March 1992</td>
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<tr>
<td></td>
<td><strong>Applicable with modification: Hong Kong.</strong></td>
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<tr>
<td></td>
<td>The reservation for modification in respect of Article 2 has been removed. Modification in respect to Article 5 is amended to reflect the removal of the distinction between manual and non-manual employees. The amended modification is as follows: Adult male workers may work voluntarily on a rest day but there is no statutory requirement that a compensatory rest period should be granted. This declaration supersedes a former declaration of &quot;applicable with modification&quot; registered on 27 February 1985.</td>
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<tr>
<td>Hong Kong</td>
<td>Repatriation of Seamen Convention, 1926 (No. 23)</td>
<td>6 March 1992</td>
<td>6 March 1992</td>
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<td><strong>Applicable without modification: Hong Kong.</strong></td>
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<td>Hong Kong</td>
<td>Holidays with Pay (Agriculture) Convention, 1952 (No. 101)</td>
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<td><strong>Applicable without modification: Hong Kong.</strong></td>
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<td>Hong Kong</td>
<td>Accommodation of Crews (Fishermen) Convention, 1966 (No. 126)</td>
<td>6 March 1992</td>
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<td></td>
<td><strong>Not applicable: Hong Kong.</strong></td>
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<tr>
<td>Hong Kong</td>
<td>Labour Statistics Convention, 1985 (No. 160)</td>
<td>&quot;</td>
<td>6 March 1992</td>
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<td></td>
<td><strong>Applicable with modification: Hong Kong.</strong></td>
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<td></td>
<td><em>Article 1(c), Article 9(1)</em> Statistics of average earnings are not compiled. <em>Article 1(d), Article 10</em> Statistics of wage distributions are not compiled. <em>Article 1(e), Article 11</em> Statistics of labour costs are not compiled, though statistics of &quot;compensation of employees&quot; are obtained from the annual economic survey. <em>Article 17(1)</em> The agricultural sector is excluded from the application of this Convention.</td>
<td></td>
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</tbody>
</table>
Chart of ratifications of international labour Conventions

Readers are informed that the Chart of ratifications of international labour Conventions (as of 1 January), published until now at the beginning of each year, has been replaced by the Lists of ratifications by Convention and by country (as of 31 December), given in Report III (Part 5), published annually for the International Labour Conference. An updated version in leaflet form will also be published each year at the beginning of the International Labour Conference.
The Forestry and Wood Industries Committee of the International Labour Organisation, Having met in Geneva, in its Second Session, from 17 to 25 April 1991, Adopts this twenty-fifth day of April 1991 the following conclusions:

General considerations

1. The forestry and wood products industries are undergoing rapid technological change. This has had a major effect on employment levels, working conditions, safety and health in the workplace, job content and skill and training requirements. It has also resulted in changes in the structure of the industry, with increased specialisation and greater emphasis on product design and range. Technological change has also in many cases permitted a more complete and effective use of raw materials.

2. In many countries, one of the problems facing the forestry and wood products industries is their negative image with the general public, and the main reasons for this are: their perceived role in the depletion of the world's forests; the view that the industries have a poor safety and health record, declining employment opportunities, low wages, a high turnover of labour, unattractive terms and conditions of employment, and inadequate job security and career prospects. Therefore, in comparison with some industries, young job-seekers, particularly in industrialised countries, are not easily attracted to the industry.

3. The industry enjoys an inherent advantage in that its basic raw material is living, attractive, renewable and, with good management, sustainable. Without sustainable land use and good forest management policies, the world will continue to suffer deteriorating environmental conditions and a shrinking supply of wood. Forests should be maintained ecologically and economically.

Improving the image of the industry

4. Improving the image of the industry should be the responsibility of all the parties concerned. Campaigns should be carried out using all appropriate means to promote the positive aspects of the industry. Such campaigns should involve the community at large as well as representatives of the industry. Image-building should emphasise that wood is a natural, attractive, renewable, sustainable and environmentally friendly material. Campaigns should reach the general public and local populations. They should, in particular, provide accurate, up-to-date information about the industry, including the technological advances it
has made and the improvement in working conditions, in order to recruit adequately skilled workers in sufficient numbers.

5. Educational and training institutions, employment offices, trade unions and industry associations should be instrumental in building a positive image by providing accurate and objective information about the industry, particularly to potential young recruits.

6. Employers, industry associations, trade unions and governments in their respective fields of competence have a major responsibility to ensure that wood is harvested according to environmentally sound and sustainable forest management practices, integral components of which are reforestation and the protection of the rural environment. It should be made clear that a good market for wood products for internal consumption and export stimulates sound forest management.

7. It is of great importance to the image of the industries that the public be convinced that the wood products industries help, rather than harm, the environment. It is in the industry's self-interest if governments, employers and workers in their respective fields of competence exercise appropriate control to ensure that all forest harvesting is environmentally compatible.

8. Public information should also point out that the primary reason for forest depletion in the tropics is not a result of timber harvesting. Poverty, which arises from an inequitable access to resources, as well as stagnating productivity in agriculture in many countries have led the rural population to convert forests into agricultural land in some instances, in order to survive. In arid zones and around urban agglomerations the need for wood as a source of energy also contributes to the depletion of forests. A viable and responsible forestry and wood products industry can play a significant role in removing the causes of such depletion by providing employment opportunities, while at the same time protecting the environment through sound forest management practices.

9. The image of the industry is also dependent on the working conditions that it offers. Young persons can be attracted to the industry, and the skills of the workforce developed, if jobs are secure, wages are competitive and if opportunities are provided for technical training, retraining, upgrading and career development. To be able to utilise a high level of skills, the partners in the labour market must vigorously pursue more modern work organisation and work methods. In order to ensure that the working environment is safe and healthy, employers, in consultation with workers and their organisations, should ensure that safety and health standards keep pace with changes in work organisation, working methods and manufacturing processes, especially the introduction of new machinery and substances. Governments, in consultation with the representatives of employers and workers, are responsible for setting up-to-date safety and health standards and for ensuring that they are observed through monitoring procedures, such as adequate labour inspection systems, in accordance with national law and practice.

Employment

10. Employment levels can be maintained or increased in a viable, profitable industry. The industry should endeavour to increase the value of its products by emphasising the processing of wood, developing new and competitive products and stepping up its marketing efforts. Enterprises, including multinational enterprises, should aim to increase the added value of products in order to promote employment in the national wood industry of timber-producing countries.

11. Governments should encourage employment growth in the forestry and wood products industries by pursuing general and sectoral policies and providing basic research that seeks to achieve economic growth. Governments should also encourage growth in downstream industries, particularly in the building and construction sector. Governments can exert much influence on the industry through their investment policies and the development of public timber resources. Governments which have responsibility for the public resource should create confidence in the industry by ensuring a sustainable and steady supply of wood. Government policies should encourage diversification into higher value-added wood-processing activities, which offer good scope for employment opportunities. Government policies designed to promote employment in a healthy wood industry should be based on effective tripartite consultations.
12. Society is responsible for providing adequate employment, training and rehabilitation opportunities for people with disabilities. Employers should provide for the rehabilitation and occupational reintegration of victims of employment accidents in the forestry and wood products industries. Special measures may need to be considered in respect of the reintegration of such persons.

13. Governments should ensure that employment and training opportunities are available to workers in the forestry and wood products industries without discrimination on grounds of race, colour, sex, religion, political opinion, national extraction or social origin, and that such workers have access to equitable wages and conditions of employment. Particular emphasis should be placed on the employment opportunities available to women workers through training in the forest and wood products industries.

Training

14. Industry and employment growth can be assisted in great measure by a better-trained and more productive workforce. Skills development should be designed to benefit the individual, the employer and society at large.

15. Wherever possible, training needs and programmes should be determined through tripartite consultations where satisfactory training programmes do not exist.

16. Training policies should take account of career prospects, including, where appropriate, linking training, skills and wages.

17. Career development and the transfer of occupational skills in the industry are often limited by the inadequacy of competency standards and the lack of skills accreditation. Governments, in cooperation with employers' and workers' organisations should therefore, where appropriate, develop nationally recognised skills standards and accreditation, as well as the means to provide the required training.

18. Training should be broadly based and should include both theoretical education and practical training in skills that are job-specific but broad enough to be valid in other enterprises and industries. Irrespective of the provider of training programmes, they should observe the same standards and have the same objectives. Basic training should therefore be multidisciplinary, in order to facilitate occupational mobility and flexibility, as well as innovation at the workplace. For example, a combination of training in wood and engineering chemicals, backed by investment in research and development, would be conducive to the generation of new materials, the diversification of the industry and, therefore, to employment growth. The introduction of new technology should be preceded where possible by adequate training in the use of the equipment.

19. In order to keep pace with the rapid rate of technological change in the industry, efforts should be made to increase continuous and further general education and training activities in order to ensure that workers' skills keep up with the changing requirements of their jobs. This is particularly the case with training in management skills and the operation of computer-aided tools and systems. Training for new technology, automation and equipment must be complementary to the structural training existing within the industry.

20. Where appropriate, employers, industry associations and trade unions, in accordance with their respective responsibilities, have the responsibility to ensure that practical skill development programmes linked to career structures are provided for employees. These should be provided by the employer, in consultation with the workers and their organisations, in the enterprise or by external public or private institutions, depending on the existing national training system. This does not replace the employee's responsibility and initiative for his own personal career growth.

21. In view of the need for the industry's activities to be environmentally sustainable, training should be reoriented, where applicable, to include reforestation and plantation management skills.

22. Increased specialisation and the prevalence of subcontracting arrangements in the industry have generated an increase in the number of small firms, which are sometimes situated in remote areas without access to training establishments and which do not have the resources to provide their own training for their employees. In order to meet the training
needs of these enterprises, governments should promote the establishment of mobile training
centres and the introduction of innovative training methods, such as self-paced learning and
distance learning packages. This should be done in collaboration with training institutions
and in close consultation with employers' and workers' organisations.

The wood industry in developing countries

23. The wood industry in many developing countries suffers from low levels of education
and skills in the workforce, a lack of training facilities and materials, a shortage of qualified
trainers and a low level of managerial and marketing skills, combined with equipment and
techniques that are often outdated. As in some industrialised countries, forests in many
developing countries are not managed in a sustainable manner and little value is added to the
product before it is exported or placed on the home market.

24. Governments and aid organisations in the industrialised countries should be encour­
age to assist training institutions in the developing countries. Assistance should be based on
a thorough analysis of training needs and the local conditions, including tree species in the
country. Assistance can take the form of training trainers and trainees, either in the donor or
the recipient country, and the development of training materials. A particularly fertile area for
collaboration is the development of suitable training and materials for sustainable forest
management that takes into consideration local needs and conditions.

25. Enterprises from industrialised countries should promote the transfer of technology to
developing countries that is suited to their needs. The development and introduction of
technologies in local production should be encouraged by governments, employers and
workers alike. They should be encouraged to promote product quality and managerial skills
in developing countries in order to extend the industry's markets. Workers' organisations in
industrialised countries should also endeavour to assist workers' organisations in developing
countries.

The role of the ILO

26. The ILO should continue to emphasise the importance of tripartism in the wood
industry in seeking solutions to the problems of the industry, improving its performance and
working conditions and gaining recognition of its important role in environmental conserva­tion and employment promotion.

27. The ILO should continue to disseminate information on the Conventions and
Recommendations that are relevant to the wood industry and should promote their wide­
spread ratification and implementation.

28. The ILO should undertake studies, in collaboration with other international organisa­tions, as appropriate, on social and labour matters of concern to the wood industry, and in
particular on safety and health, including questions such as chemical products and strain
injury problems, technological advances, the real causes of the depletion of the world's forests
and sustainable forest management, and should publicise this information very widely.

29. The ILO should continue to develop, within its technical cooperation programme,
training and training methodologies applicable to the wood industry, based on an analysis of
the specific needs of the countries concerned.

Conclusions (No. 8) concerning Occupational Safety and Health in Forestry

The Forestry and Wood Industries Committee of the International Labour Organisation,
Having met in Geneva, in its Second Session, from 17 to 25 April 1991,
Having considered the report entitled Occupational safety and health in forestry which had
been prepared by the Office,
Adopts this twenty-fifth day of April 1991 the following conclusions:

1 Adopted unanimously.
General considerations

1. The pace of wood harvesting mechanisation, including increasingly mechanised logging systems, is rapidly gathering momentum in industrialised countries. In developing countries, the use of chainsaws and tractors is spreading. These processes result in higher productivity and reduce the physical effort needed but also change the working environment. Accidents in mechanised harvesting are less frequent than in motor-manual work. Motor-manual chainsaw operation and tractor skidding has increased the risk of serious accidents compared with traditional tools and animal traction, which still play an important role in the developing countries.

2. Forest operations other than harvesting are less mechanised and still involve manual methods although mechanisation and productivity are also increasing in planting, fertilising, weeding and clearing operations, especially in industrialised countries.

3. These developments are reflected in higher demand for the education and training of the workforce. Careful logging work is also an essential condition for the sustainable management of both tropical and temperate forests. The training of workers is therefore indispensable not only in order to avoid accidents and work-related and occupational diseases, but also to reduce wood waste in tree harvesting and damage to future tree crops and to the environment.

4. The reduction of fatal and other accidents and of occupational diseases remains a major issue both in industrialised and developing countries. However, accident reporting systems which form a solid statistical base for preventive action are still lacking in many developing countries.

5. While progress has been achieved in reducing accident hazards, noise and vibration caused by machines, further improvement of machinery design in this respect is essential. Musculo-skeletal complaints are occurring and increasingly being recorded in all types of forest work and require particular attention. In addition to preventing officially recognised occupational diseases, there is a growing awareness of the need also to avoid other work-related diseases. The increased use of contract labour has an impact on the safety and health of workers and on the natural environment.

6. The responsibility for safety and health rests with governments, employers, and workers. However, the main responsibility for safety and health rests with the employer but workers are expected to follow government as well as company safety regulations established by law or agreed upon with workers and/or their organisations. Bipartite company safety committees are an effective way of collaboration between employers and workers. At national level, tripartite collaboration on safety matters between governments, the forest industry and forest workers' representatives is essential.

Laws, regulations and standards

7. While the legal system may be quite comprehensive in industrialised countries, there are shortcomings in the majority of developing countries when it comes to ensuring minimum safety standards in the forest industry. Where this is the case, basic occupational health and safety regulations should be established taking into account national considerations and practical experience provided by other countries as well as the International Organization for Standardization (ISO) standards. Regulations should, before being promulgated, be subject to consultation with employers' and workers' organisations. Governments should ensure compliance with laws and regulations through safety inspectors. Inspectors must be properly trained in forestry safety matters in order to be able to provide advice and guidance and to enforce safety rules, including, if necessary, by legal procedures. In addition to regular consultation with and inspection by government safety inspectors, internal company inspection, jointly carried out by employers’ and workers’ representatives, would be of great value.

Machines and equipment

8. It is essential that machines and equipment, including personal protective equipment, meet internationally accepted safety standards before they are put into practical use. This implies the determination of safety standards for the equipment and compliance with the
standards by the designers, manufacturers and importers. Testing and approval of machines and equipment through official institutions and certification at the manufacturing and importation levels should ensure that the established safety standards are observed. Supplementary user information, such as instruction manuals in the language of the user, warning labels and training materials should also be made available. Employers should make sure that the above conditions are met when ordering machines and equipment and that operators are adequately instructed prior to their use. Workers should immediately report any detected deficiencies.

Further mechanisation and transfer of technology

9. Proper training in the use of new technology is a prerequisite for both higher productivity and safety. When introducing new mechanised methods, it is necessary to minimise excessive physiological and psychological stress resulting from ergonomic deficiencies of the machines, repetitive short work cycles and working in isolation. The introduction and use of chemicals should be in line with the ILO’s Chemical Convention, 1990 (No. 170). Special attention must be given to accident hazards during maintenance and servicing of machines. It is important that new technology to be transferred to developing countries is adapted to local conditions such as hot working environments or special anthropometric characteristics of the workforce. Manufacturers, exporters, importers and, where necessary, governments should collaborate to ensure that the required adaptation is carried out in a timely and adequate manner.

Statistics and studies of accidents and occupational diseases

10. There is an urgent need to introduce systems for the reporting, compilation and analysis of accidents and occupational diseases in the forestry sector of many developing countries. The ILO guidelines on ergonomic study in forestry can be of assistance in this respect. Data collection on accidents should preferably be linked to the workers’ compensation system (accident insurance). This has the additional advantage of encouraging the workers’ compensation system to be concerned about accident prevention. Additionally, care should be taken that the information collected is used to strengthen measures aimed at preventing accidents and occupational diseases. Dissemination of findings to all levels of forestry training institutions, as well as to respective governmental agencies, is essential. The statistics and studies should cover all types of work, including contractors and self-employed persons.

11. Special studies are also desirable on accident costs, on the economic benefits of occupational safety and health schemes, on the effectiveness of personal protective equipment and on early retirement due to disablement.

Preventive measures at national and company level

12. It is essential that all accidents be fully and rigorously investigated, causes identified and measures taken to avoid repetition. This is crucial in cases of fatal accidents.

13. Government safety inspectors, accident compensation boards, employers, workers and/or their representatives, and/or their organisations should closely cooperate in carrying out programmes for the prevention of occupational accidents and diseases. At company level, the prevention of accidents and occupational diseases should be integrated into the company management at all levels. Emphasis should be given to participatory safety management systems in which employers and workers cooperate. In larger enterprises, qualified safety officers should be appointed, safety stewards should be elected by workers and safety committees or other competent committees should be established.

14. Larger enterprises should also provide occupational health services – curative and preventive – whilst smaller enterprises could share facilities and arrange basic health services and first aid jointly with the public or private health services.

15. In the case of nuclear accidents such as the Chernobyl disaster, care must be taken at the national level to ensure protection of forest workers exposed to radiation. International collaboration involving the ILO is also necessary in this respect.

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Personal protective equipment for hot and humid environments

16. In some developing countries workers are not provided with adequate personal protective equipment. Even basic equipment such as helmets, safety boots and gloves are often missing. Currency restrictions and taxation should not be limiting factors when importing new items of personal protective equipment. Personal protective equipment should preferably be manufactured in the country of use and be adapted to local conditions.

17. Although some personal protective equipment exists that has been specifically designed for tropical conditions, further product development and practical studies should be carried out and receive funding and support by governments. Standardisation should take into account conditions in developing countries.

Training

18. Tripartite agreement to training in adequate planning and organisation as well as correct execution of work is the key to the prevention of occupational accidents and diseases. Training must involve all levels: managers, supervisors and workers. Workers require basic vocational training, preferably through government training institutions and additional updating and refresher training which may be organised at the company level. If effective training standards cannot be maintained, it will be difficult to ensure the availability of a qualified workforce capable of operating increasingly sophisticated machines.

19. Particular problems exist in the employment of untrained chainsaw operators not only in most developing countries, but also, in some cases, by contractors in industrialised countries. Efforts should be made to launch and expand work site instruction of such workers leading to certification at clearly defined skill levels.

Women workers

20. Women should be employed in forestry work under rights and conditions equal to those which apply to men, and care should be taken that specific physiological limits such as maximum permissible loads for lifting and carrying are not exceeded. This is likely to occur regularly in motor-manual wood harvesting. Living and pay conditions in silvicultural work are as important to women as they are to men. Efforts should be made to ensure that these are at an acceptable level.

Contract labour

21. Contract labour, in some cases, has resulted in poor safety and health conditions, long working hours and lack of social security protection. It is essential to ensure that the same safety standards apply for contract work as for directly employed workers. Safety regulations for directly employed workers should be extended to cover equally contract labour. Model contracts should be established for contract work and these should include the same terms and working conditions as those applied to regularly employed workers. Governments and employers should ensure that contractors or subcontractors employed should have the ability and stability to enable their workers to enjoy the same terms and conditions as regular employees, and that contractors fulfil their obligations.

Research and information

22. There is a need for continuing or initiating research on occupational safety and health problems in forestry and for the dissemination of research findings, particularly in developing countries. Such activities should primarily be carried out through government institutions but, preferably, be supported by employers and workers. In all research concerning development of work such as mechanisation and working methods, the possibilities and limitations of human beings should be considered in order to humanise the workplace. The ILO, in collaboration with the International Union of Forestry Research Organisations and the national organisations concerned, and in the context of technical cooperation projects,
promotes action-oriented research and studies wherever possible. Its main role, however, is to act as a clearing-house for information collection and dissemination. Information should reach all governments, employers, workers and workers' organisations concerned in an understandable form and language.

**Future ILO action**

23. The ILO should promote research and studies and collect and disseminate information on existing legislation, standards, codes, guidelines, risk-mapping, data sheets and research findings, as well as training materials. It should continue its collaboration in the FAO/ECE/ILO Joint Committee on Forest Technology, Management and Training in the same direction and ensure that relevant information from the ECE region reaches the developing countries.

24. Technical cooperation projects should be designed to help developing countries in improving their occupational safety and health situation while at the same time contributing to sustainable forest management. Great emphasis should be placed on assistance in the preparation of national safety codes for forestry work and support of training programmes for forest managers, supervisors and workers and for forest safety inspectors.

25. The ILO should undertake action leading to better accident information collection and support national efforts to set up statistics on occupational accidents and diseases in the forest industry.

26. The ILO should revise the List of Occupational Diseases, assist in the prevention of work-related diseases and encourage government, company and workplace health promotion programmes.

27. The ILO should further examine safety, health and working conditions of contract labour with a view to promoting practical improvements.

28. The ILO *Code of Practice on Safety and Health in Forestry Work* should be updated and reissued. The ILO should also study the possibility of preparing a Convention on safety and health in the forest industry. Within its regular programme of work, the ILO should give special priority to forestry.

**Resolution (No. 9) concerning Contract Labour in the Forestry and Wood Industries**

The Forestry and Wood Industries Committee of the International Labour Organisation, Having met in Geneva, in its Second Session, from 17 to 25 April 1991, Considering that all workers should enjoy freedom of association and the freedom to bargain collectively and should be protected by appropriate labour legislation and social security law,

Recalling that Conventions and Recommendations of the International Labour Organisation lay down principles to promote better working, living and social conditions;

Adopts this twenty-fifth day of April 1991 the following resolution:

The Forestry and Wood Industries Committee invites the Governing Body of the International Labour Office:

(1) to urge member States of the International Labour Organisation:

(a) to ensure compliance with appropriate labour legislation in the case of all forms of employment, including contract work;

(b) to take the necessary measures to ensure that:

(i) legislation concerning conditions of work should also cover contract workers;

(ii) appropriate national agencies monitor the working conditions of contract workers and enforce relevant national laws;

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1 Adopted unanimously.
(2) to request the Director-General of the International Labour Office:
(a) to carry out a study of all forms of contract work;
(b) to conduct regional seminars on contract labour.

Resolution (No. 10) concerning the Informal Sector of the Forestry and Wood Industries

The Forestry and Wood Industries Committee of the International Labour Organisation, Having met in Geneva, in its Second Session, from 17 to 25 April 1991, Recognising the need to improve conditions in the informal sector with a view to encouraging it eventually to merge with the formal sector, Noting that the Director-General of the International Labour Office has selected the informal sector as the central theme of discussion at the International Labour Conference in June 1991, Recognising the need for technical development assistance aimed at improving social protection and labour standards in the informal sector; Adopts this twenty-fifth day of April 1991 the following resolution:

The Forestry and Wood Industries Committee invites the Governing Body of the International Labour Office to request the Director-General to promote:

(1) measures designed to encourage village-based self-help organisations, small enterprises, cooperatives, community forestry and related projects in the forestry and wood industries with a view to promoting the creation of employment which is in line with the relevant international labour standards; 
(2) measures aimed at bringing the social protection and labour standards in the informal sector in line with conditions in the formal sector of the forestry and wood industries.

Resolution (No. 11) concerning Freedom of Association in the Forestry and Wood Industries

The Forestry and Wood Industries Committee of the International Labour Organisation, Having met in Geneva, in its Second Session, from 17 to 25 April 1991, Noting that freedom of association is a fundamental human right, Noting that a wide range of problems in respect of freedom of association exist in the forestry and wood industries; Adopts this twenty-fifth day of April 1991 the following resolution:

The Forestry and Wood Industries Committee invites the Governing Body of the International Labour Office:

(1) to instruct the Director-General to alert the Committee of Experts on the Application of Conventions and Recommendations to the need to pay particular attention to the forestry and wood industries when examining and reporting on the extent of application of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98);
(2) to encourage participation in and support for tripartite structures and meaningful consultation with a view to improving the freedom of association situation in all countries.

1 Adopted unanimously.
Resolution (No. 12) concerning Occupational Safety and Health in the Wood Industries

The Forestry and Wood Industries Committee of the International Labour Organisation. Having met in Geneva, in its Second Session, from 17 to 25 April 1991, Noting that there exist many hazards for workers' health and safety and the environment in the wood industries; Adopts this twenty-fifth day of April 1991 the following resolution:

The Forestry and Wood Industries Committee invites the Governing Body of the International Labour Office:

(1) to request the Director-General:
   (a) to undertake occupational safety and health studies for the wood industries covering all risk factors;
   (b) to promote the involvement of employers' and workers' representatives in occupational safety and health;
   (c) to promote meaningful consultation between employers' and workers' representatives in occupational safety and health;
   (d) to promote and assist the development and implementation of occupational safety and health education programmes for the wood industries in line with ILO standards;
(2) to convene regional tripartite workshops based on these studies;
(3) to promote the implementation of international occupational safety and health standards that are applicable in the wood industries.

Resolution (No. 13) concerning Multinational Enterprises in the Forestry and Wood Industries Sector

The Forestry and Wood Industries Committee of the International Labour Organisation, Having met in Geneva, in its Second Session, from 17 to 25 April 1991, Noting that, in view of the increased internationalisation of the forestry and wood industries sector, a further restructuring of companies in this sector could be expected in the future, Stressing the necessity of adequate information and meaningful consultation between management and workers' organisations in all enterprises including multinational enterprises; Adopts this twenty-fifth day of April 1991 the following resolution:

The Forestry and Wood Industries Committee invites the Governing Body of the International Labour Office:

(1) to call on member States:
   (a) to promote the implementation of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy;
   (b) to implement paragraphs 46 and 47 of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy concerning the holding of meetings of workers' representatives in multinational enterprises;
(2) to request the Director-General to ensure that the Office continues to promote the implementation of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy in the forestry and wood industries.

Resolution (No. 14) concerning Forestry, the Environment and Development

The Forestry and Wood Industries Committee of the International Labour Organisation, Having met in Geneva, in its Second Session, from 17 to 25 April 1991,

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1 Adopted by consensus.
2 Adopted unanimously.
Recalling the resolution (No. 5) concerning the effects of pollution and other man-made and natural hazards on the forestry and wood industries, adopted by the Committee at its First Session in September 1985,

Recognising the importance of forests, in tropical, temperate and boreal regions, as providers of a livelihood to millions, as well as the role of forests in the global ecological balance,

Recognising the ability of forests to provide multiple uses: for work, recreational and other tangible and intangible benefits for human beings, wildlife and plants,

Convinced of the importance of ecologically sustainable development and full utilisation of forest resources which will provide resource security and jobs for today as well as for future generations,

Considering that the forest sector is responsible for the stewardship of forest resources, and that efficient forest management planning sustains and develops forests,

Emphasising that the extent of forest decline will concern the future of wood as a resource material and the future of jobs in the forestry and wood industries,

Welcoming the ILO's efforts to harmonise the industry's interests with the socio-economic needs of human beings and the environment,

Noting that greater efforts are necessary in view of the ongoing deterioration of the environment;

Adopts this twenty-fifth day of April 1991 the following resolution:

The Forestry and Wood Industries Committee requests the Governing Body of the International Labour Office:

(1) in order that forests may provide employment and job security in line with developmental needs, bearing in mind the crucial role of the environment in the global ecosystem, to call upon governments, employers and workers and their organisations in member States:

(a) to promote ecologically sustainable development with full utilisation of forest resources;

(b) to promote policies that encourage active management of forest resources to their full multiple and sustainable use;

(c) to ensure employment for today and for tomorrow's generations through regeneration and replenishment of the world's forests;

(d) to support in principle all energy-saving measures and better utilisation of energy, such as promotion of safer alternative energy sources;

(e) to discourage the wasteful use of forest resources while maintaining their profitability;

(2) to instruct the Director-General:

(a) to undertake activities in collaboration with other United Nations agencies, in particular the UNEP, to intensify the interaction between the improvement of the external environment and the working environment in the forestry and wood industries sector for the mutual benefit of both these objectives;

(b) to promote forestry projects and increased development aid and to encourage environmentally sustainable management of forests.

Resolution (No. 15) concerning Future ILO Activities in the Field of Forestry and Wood Industries

The Forestry and Wood Industries Committee of the International Labour Organisation, Having met in Geneva, in its Second Session, from 17 to 25 April 1991,

Underlining the role which the forestry and wood industries sector plays as an essential source of employment,

1 Adopted unanimously.
Drawing attention to the problems faced in the industry (technological change and the need for improvement of working conditions),

Recognising that economic reform in the countries that are in transition to a market economy can only take place hand in hand with social reform, through the respect of human rights, the development of sound industrial relations systems, including the establishment of tripartite structures, and the application of appropriate international labour standards and that, in this process for the forestry and wood industries, the free and democratic trade union movement and employers' organisations will play an essential role as partners in this transition,

Considering the role of contract labour and subcontracting in the forestry and wood industries sector;

Noting that in order to remain viable the forestry and wood industries, like all other industries, must constantly adapt to the evolution of their market, and must seek to maximise every opportunity that will achieve product development and market expansion and that human resources must be actively involved in the work of the sector for the development of job creation initiatives and for employment expansion,

Recognising that the ability of these industries to continue to provide means of livelihood and incomes to millions of persons depends increasingly on the capacity to adapt,

Convinced that the ILO, with its experience in the promotion of social dialogue and the design and provision of training and advice to member States, can play a useful role in helping its members to minimise the negative effects of structural adjustment,

Considering that it would be useful for the ILO to study the nature of structural adjustment in the forestry and wood industries sector, and for the next session of the Forestry and Wood Industries Committee to discuss the subject;

Adopts this twenty-fifth day of April 1991 the following resolution:

The Forestry and Wood Industries Committee invites the Governing Body of the International Labour Office:

(1) to ensure that the ILO contributes particularly in areas such as the improvement or creation of modern social security systems, reformation of labour law, promotion of equality of treatment, establishment of occupational safety and health training and regulations, development of effective industrial relations systems (especially of tripartite structures at national and branch level), establishment of vocational training and retraining facilities with particular attention to the forestry and wood industries,

(2) to call on the ILO to play an active role in providing vocational training and assistance to workers and managers in the forestry and wood industries and to make them less dangerous and more competitive while promoting the dissemination of information on these activities,

(3) to invite the Director-General:
   (a) to conduct an extensive study and investigation on the extent of application and possible obstacles inhibiting the full application of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), in the forestry and wood industries;
   (b) to undertake research on multinational enterprises in the forestry and wood industries and the examination of conditions of employment including systems of remuneration;
   (c) to carry out studies on the way people can earn a livelihood in the forestry and wood industry, including contract labour, subcontracting and casual labour as well as direct employment in the sector;

(4) to place on the agenda of the next session of the Committee the following item: structural adjustment and its effects on all forms of employment, including contract work in the forestry and wood industries.
Classification of the Conclusions and Resolutions Adopted at the First Session of the Forestry and Wood Industries Committee and by the Previous Tripartite Technical Meetings for the Timber Industry and for the Woodworking Industries

(a) Classification of the conclusions and resolutions adopted by the Tripartite Technical Meetings for the Timber Industry

Section I: Conclusions and resolutions, or parts thereof, calling for action in the different countries

Group A: Conclusions and resolutions, or parts thereof, which are no longer of current concern

None.

Group B: Conclusions and resolutions, or parts thereof, which for the time being would not appear to call for further information

None.

Group C: Conclusions and resolutions, or parts thereof, on which further information is considered desirable

No.

2. Memorandum concerning living conditions in logging camps (paragraphs 17–24) (First Meeting, 1958) [2]

4. Memorandum concerning labour-management relations in the timber industry (paragraphs 1–21) (First Meeting, 1958) [2]

7. Conclusions concerning conditions of life and work in the timber industry (paragraphs 1–51) (Second Meeting, 1973) [3]


15. Conclusions concerning employment promotion and vocational training in the timber industry, with particular reference to developing countries (paragraphs 1–35) (Third Meeting, 1981) [1 FWI]

16. Resolution concerning improvement in the collection of statistical data on occupational accidents and diseases recognised by the ILO with a view to their prevention (paragraph 2) (Third Meeting, 1981) [1 FWI]

19. Resolution concerning the role of the timber industry in energy creation (paragraph 1) (Third Meeting, 1981) [1 FWI]

Section II: Conclusions and resolutions, or parts thereof, to which effect is to be given mainly by the Office

Group A: Conclusions and resolutions, or parts thereof, which are no longer of current concern to the Office

None.

Group B: Conclusions and resolutions, or parts thereof, which should continue to receive the attention of the Office

No.

4. Memorandum concerning labour-management relations in the timber industry (paragraph 22) (First Meeting, 1958) [2]

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1 Adopted unanimously.
2 Meeting at which the text was classified.
3 First Session of the Forestry and Wood Industries Committee.
7. Conclusions concerning conditions of life and work in the timber industry (paragraph 52) (Second Meeting, 1973) [3]
15. Conclusions concerning employment promotion and vocational training in the timber industry, with particular reference to developing countries (paragraphs 36–39) (Third Meeting, 1981) [1 FWI]
16. Resolution concerning improvement in the collection of statistical data on occupational accidents and diseases recognised by the ILO with a view to their prevention (paragraph 1) (Third Meeting, 1981) [1 FWI]
17. Resolution concerning freedom of association in the timber industry (subparagraph 2(b)) (Third Meeting, 1981) [1 FWI]
18. Resolution concerning multinational enterprises in the timber industry (paragraphs 1–3) (Third Meeting, 1981) [1 FWI]
19. Resolution concerning the role of the timber industry in energy creation (paragraph 2) (Third Meeting, 1981) [1 FWI]
20. Resolution concerning the future activities of the International Labour Organisation in the timber industry (subparagraphs 4(b) and 4(c)) (Third Meeting, 1981) [1 FWI]

(b) Classification of the conclusions and resolutions adopted by the Tripartite Technical Meetings for the Woodworking Industries

Section I: Conclusions and resolutions, or parts thereof, calling for action in the different countries

Group A: Conclusions and resolutions, or parts thereof, which are no longer of current concern

None.

Group B: Conclusions and resolutions, or parts thereof, which for the time being would not appear to call for further information

None.

Group C: Conclusions and resolutions, or parts thereof, on which further information is considered desirable

No.
2. Conclusions concerning safety, health and welfare in the woodworking industries (paragraphs 1–6, 8–10, 12, 13, 19–30, 32–36 and 38–46) (First Meeting, 1967) [2]
5. Conclusions concerning the woodworking industries and the creation of employment (paragraphs 1–10) (Second Meeting, 1975) [1 FWI]
6. Conclusions concerning the training of managers and workers in the woodworking industries (paragraphs 1–31) (Second Meeting, 1975) [1 FWI]

Section II: Conclusions and resolutions, or parts thereof, to which effect is to be given mainly by the Office

Group A: Conclusions and resolutions, or parts thereof, which are no longer of current concern to the Office

None.
Group B: Conclusions and resolutions, or parts thereof, which should continue to receive the attention of the Office

No.
1. Conclusions concerning technological changes in the woodworking industries (paragraphs 8 and 32) (First Meeting, 1967) [2]
2. Conclusions concerning safety, health and welfare in the woodworking industries (paragraph 17) (First Meeting, 1967) [2]
4. Resolution concerning systematic study of the measures appropriate for solving the social problems due to unemployment, underemployment and unused production capacity in the woodworking industries of developing countries (paragraphs (c) and (d)) (First Meeting, 1967) [2]
5. Conclusions concerning the woodworking industries and the creation of employment (paragraph 11) (Second Meeting, 1975) [1 FWI]
6. Conclusions concerning the training of managers and workers in the woodworking industries (paragraphs 32–38) (Second Meeting, 1975) [1 FWI]
7. Memorandum concerning the effect given and to be given to the conclusions and resolutions of tripartite technical meetings for the woodworking industries (subparagraph 6 (iii) concerning conclusions No. 1) (Second Meeting, 1975) [1 FWI]
8. Resolution concerning the improvement of protective devices for machinery in the woodworking industries in accordance with the demands of technological development (Second Meeting, 1975) [1 FWI]
9. Resolution concerning future ILO activities relating to the woodworking industries (Second Meeting, 1975) [1 FWI]
10. Resolution concerning the future ILO programme in the field of the woodworking industries (Second Meeting, 1975) [1 FWI]

(c) Classification of conclusions and resolutions adopted by the Forestry and Wood Industries Committee

Section I: Conclusions and resolutions, or parts thereof, calling for action in the different countries

Group A: Conclusions and resolutions, or parts thereof, which are no longer of current concern
None.

Group B: Conclusions and resolutions, or parts thereof, which for the time being would not appear to call for further information
None.

Group C: Conclusions and resolutions, or parts thereof, on which further information is considered desirable

No.
1. Conclusions concerning the achievement of full employment in the wood industries (paragraphs 1–18) (First Session, 1985) [2]
2. Conclusions concerning working, living and social conditions in forestry (paragraphs 1–21) (First Session, 1985) [2]
3. Resolution concerning freedom of association in the forestry and wood industries (paragraph 1) (First Session, 1985) [2]
5. Resolution concerning the effects of pollution and other man-made and natural hazards on forestry and wood industries (paragraph 1) (First Session, 1985) [2]
6. Resolution concerning multinational enterprises in the forestry and wood industries (paragraph 1 and subparagraph 2(a)) (First Session, 1985) [2]
Section II: Conclusions and resolutions, or parts thereof, to which effect is to be given mainly by the Office

Group A: Conclusions and resolutions, or parts thereof, which are no longer of current concern to the Office

None.

Group B: Conclusions and resolutions, or parts thereof, which should continue to receive the attention of the Office

No.

1. Conclusions concerning the achievement of full employment in the wood industries (paragraphs 19–21) (First Session, 1985) [2]

2. Conclusions concerning working, living and social conditions in forestry (paragraphs 22–25) (First Session, 1985) [2]

3. Resolution concerning freedom of association in the forestry and wood industries (paragraph 2) (First Session, 1985) [2]

4. Resolution concerning future activities of the International Labour Organisation in the forestry and wood industries (paragraphs 1 and 3) (First Session, 1985) [2]

5. Resolution concerning the effects of pollution and other man-made and natural hazards on forestry and wood industries (paragraph 2) (First Session, 1985) [2]

6. Resolution concerning multinational enterprises in the forestry and wood industries (subparagraph 2(b)) (First Session, 1985) [2]
Joint Committee for Postal and Telecommunications Services
(Second Session, Geneva, 8–16 May 1991)

CONCLUSIONS, RESOLUTIONS AND CLASSIFICATION ADOPTED

Conclusions (No. 9) concerning Technological Change and Workers’ Participation in Posts and Telecommunications

The Joint Committee for Postal and Telecommunications Services of the International Labour Organisation,
Having met in Geneva, in its Second Session, from 8 to 16 May 1991,
Adopts this sixteenth day of May 1991 the following conclusions:

General considerations

1. The postal and telecommunications sector is at the centre of technological change. In many cases this is taking place alongside far-reaching structural changes. These changes and the introduction of competition, in some countries, are having a profound impact on the sector's operations. Both management and the workforce should recognise and consider appropriate responses to new and changing circumstances.

2. The need to adopt new technologies and to exploit fully their vast potential is accepted by all concerned. Both management and workers' organisations have an interest in seeking to ensure that technological changes are introduced in a way which promotes the well-being of the workforce.

3. Notwithstanding the more commercial approach which has become prevalent in some countries, postal and telecommunications services throughout the world, whether public or private, remain subject to universal service and other prescribed standards. However, these differ on a national basis in terms of specific application. It is important that the introduction of new technologies should, consistent with these national requirements, be to the benefit of the community as a whole.

Early and meaningful consultation

4. Before and during the operational introduction of technological change, the change and its likely effects should be the subject of meaningful consultation between the management of postal and telecommunications services and the workers' organisations concerned. Consultation should start as early as possible and if the process is to work well, the parties should approach it with an open mind, endeavour to build a climate of trust and respect, and provide full and relevant information. Reasonable opportunity should be provided for views to be expressed, and full consideration should be given to any concerns expressed by either party. This process should be without prejudice to the right of workers to engage in collective bargaining on all the effects which technological change may have on employment and working conditions.

5. Discussions of new technology should be viewed in the broader context of the opportunities and challenges facing the industry, taking account of commercial and other pressures and of the need for the undertaking to maintain its financial viability. A fuller understanding by the workforce of these aspects may be achieved if workers' organisations are fully informed and closely associated in discussions regarding the long-term development and

1 Adopted unanimously.
future orientation of the industry. In this way there is a greater likelihood that not only technological changes, but also the organisational and structural changes which often accompany them, may be received positively by the workforce.

6. In the context of the consultative and collective bargaining process set out in paragraph 4 above, it is highly desirable that there be a participative approach, involving the workers affected and their representatives, in the implementation of technological change at the workplace level.

**New technology and working conditions**

7. The adoption of new technologies is an essential element in improving the range and quality of services provided and in raising efficiency and productivity. However, technological change should also serve, to the greatest extent possible, to improve employment and working conditions. In particular, it should be recognised that maintaining and improving job interest and job satisfaction are important elements in promoting efficiency, especially in an industry where employees are frequently in direct contact with customers. Good job design and training not only make for better performance by employees and project a better image of the service in the eyes of its users; they also help employees to improve their skills and to achieve satisfactory career development.

**Security of employment**

8. Early consultation with workers' organisations regarding technological changes plays a vital role in avoiding adverse effects on the workforce, particularly redundancies. If redundancies appear to be likely, full consultation or collective bargaining should take place as early as possible in accordance with national legislation or practices, with a view to minimising them and to finding alternative solutions wherever possible as specified in the Termination of Employment Convention, 1982 (No. 158).

**Occupational safety and health**

9. New technology cannot be presumed to be inherently safe or inherently unsafe. All appropriate measures should therefore be taken in advance to ensure that it forms part of a safe and, where applicable, ergonomically sound working environment and that it does not jeopardise the health and safety either of workers or of the public at large. Joint safety and health committees at the level of the workplace can play a vital role in obtaining active worker involvement in efforts to achieve a healthy working environment.

**Training and career development**

10. Employers must provide workers who are to be involved with new technologies with the training necessary to ensure the safe and successful introduction of new technologies. This will help safeguard the workers, contribute to their career development, and contribute to the achievement of higher levels of productivity. The likelihood of future technological change should be kept in mind when providing employees with their initial training.

**Conclusions (No. 10) concerning Working Time in Posts and Telecommunications**

The Joint Committee for Postal and Telecommunications Services of the International Labour Organisation,

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1 Adopted unanimously.
Having met in Geneva, in its Second Session, from 8 to 16 May 1991, 
Adopts this sixteenth day of May 1991 the following conclusions:

**General considerations**

1. Working time is seen as an increasingly important factor both for the efficiency and 
economic viability of postal and telecommunications services and for the well-being of the 
workers concerned. The fluctuating nature of customer-led service requirements necessitates a 
flexible approach to the arrangement of working time. For workers the length and organisa­
tion of working time is an essential element of their working and living conditions.

2. A number of countries have reduced normal hours of work and have increased the 
length of annual leave with pay in the postal and telecommunications services. Further 
progress on this trend will undoubtedly be sought in the light of international labour 
standards; any such further developments must remain a matter for collective bargaining 
within individual member countries paying due regard to national legislation and local 
circumstances, including service requirements.

3. The introduction of new technology offers positive opportunities in terms of better 
services to customers, work organisation and flexibility of working time. This introduction 
should benefit both employers and the workers concerned.

**Normal hours of work and annual leave**

4. Taking into account national conditions, the need to guarantee the efficiency of the 
postal and telecommunications services and the difficult nature of certain types of work in 
these services:

(a) appropriate measures should be considered to reduce progressively the normal weekly 
working time, particularly whenever the social objective of the 40-hour week laid down by 
the Reduction of Hours of Work Recommendation, 1962 (No. 116), has not been attained 
yet;

(b) taking into account national legislation, the length of annual holidays with pay and 
especially the three-week objective of the Holidays with Pay Convention (Revised), 1970 
(No. 132), should be a matter for collective bargaining.

**Overtime**

5. Overtime can be required to meet unforeseeable circumstances, daily, weekly or monthly 
variations in the volume of activities, or on a scheduled basis to fulfil service requirements. 
Such overtime should not be excessive and should be adequately compensated through either 
higher pay or compensatory time off and be subject to the bargaining process and national 
legislation.

**Organisation of working time**

6. Certain types of work, such as shift work, night work, work on weekends or public 
holidays and work at unsocial hours are necessary to ensure the continuity of the services. 
Such types of work should be limited as far as possible and when they are unavoidable should 
be adequately compensated and, as required by national legislation, should be the subject of 
collective bargaining.

7. Night work may require specific measures to protect workers' health and assist them 
with their family and social responsibilities. The Night Work Convention, 1990 (No. 171), 
draws attention to such measures. Cognizance should also be taken of the existence of the Night 
Work Recommendation, 1990 (No. 178), associated with the Convention.

8. The provision of rest breaks during the working day should take into account the 
specific nature of work in the postal and telecommunications services.
Part-time and temporary work

9. Part-time work, in the form of regular wage employment, can positively contribute to reconcile the personal needs and lifestyles of workers with the operational requirements of postal and telecommunications services.

10. In accordance with national legislation and practices, temporary workers should be used to meet service requirements deemed to be of a temporary nature.

11. The rights of part-time workers and, where applicable, temporary workers should be defined by collective bargaining, taking into account national legislation and practice.

Retirement

12. Wherever they exist, systems of early, delayed or phased retirement should aim at facilitating a smooth passage from working life to satisfactory retirement, opening new job opportunities, especially for young workers, and retaining a skilled workforce.

Workers with family responsibilities

13. Measures concerning working time should be taken, taking into account national legislation, practices and local needs, to enable workers to reconcile their work and family responsibilities. Within this context, particular attention should be given to international labour standards.

14. Part-time work is a key measure in reconciling work needs and family requirements. Where part-time staff are employed and vacancies exist, such staff should be able to be considered for such vacancies if they meet the job requirements.

15. Adequate maternity leave, parental leave and issues of child and elder care are seen as being of fundamental importance. Recognising the diversity of circumstances in respective countries, constructive dialogue to make such issues progress should take place.

Paid educational leave

16. Measures should be considered, taking account of national conditions and practice (and by stages, if necessary), to promote training (especially where this relates to the introduction of new technologies) and other appropriate forms of paid educational leave.

New forms of working time

17. The potential of innovative forms of working time, such as flexible working hours, modular working time arrangements, job-sharing, compressed work weeks and telework should be given careful consideration by governments, workers' and employers' organisations in view of improving the conditions of work and life of the workers concerned and achieving higher levels of flexibility and productivity in the postal and telecommunications services and enhancing services to the customers. Any such innovations should be subject to the collective bargaining process, taking account of national legislation and practices.

Resolution (No. 11) concerning Freedom of Association and the Right to Collective Bargaining in Postal and Telecommunications Services

The Joint Committee for Postal and Telecommunications Services of the International Labour Organisation,

Having met in Geneva, in its Second Session, from 8 to 16 May 1991,

1 Adopted unanimously.
Considering that the promotion and protection of the rights of freedom of association and collective bargaining are fundamental aims of the ILO,

Noting with grave concern that in certain countries postal and telecommunications workers are denied these rights and that in other countries these rights are severely restricted,

Reaffirming that the principles of the right to organise and bargain collectively, as enshrined in the Conventions of the International Labour Organisation, apply to all workers and therefore to all postal and telecommunications workers, in both the public and the private sectors,

Emphasising the important role which the International Labour Organisation has played, and must continue to play, in the protection and promotion of trade union rights;

Adopts this sixteenth day of May 1991 the following resolution:

The Joint Committee for Postal and Telecommunications Services invites the Governing Body of the International Labour Office:

(1) to call upon member States to ratify and effectively apply the following Conventions to postal and telecommunications workers, in accordance with the terms of the Conventions:

(a) the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87);
(b) the Right to Organise and Collective Bargaining Convention, 1949 (No. 98);
(c) the Labour Relations (Public Service) Convention, 1978 (No. 151);
(d) the Collective Bargaining Convention, 1981 (No. 154), and Recommendation, 1981 (No. 163);
(e) the Workers' Representatives Convention, 1971 (No. 135), and Recommendation, 1971 (No. 143);

(2) to invite the Director-General to use his good offices to protect freedom of association and the right to organise and to bargain collectively, and to promote these rights in the postal and telecommunications services.

Resolution (No. 12) concerning Multinational Enterprises in the Postal and Telecommunications Services

The Joint Committee for Postal and Telecommunications Services of the International Labour Organisation,

Having met in Geneva, in its Second Session, from 8 to 16 May 1991,

Noting the growing role of public and private multinational enterprises in the postal and telecommunications services,

Considering the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, which sets out principles in the fields of employment, training, working and living conditions, and industrial relations;

Adopts this sixteenth day of May 1991 the following resolution:

The Joint Committee for Postal and Telecommunications Services invites the Governing Body of the International Labour Office to:

(1) call on governments and national employers' organisations and, through them, on multinational enterprises, to give effect to the provisions of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy;

(2) take further measures to promote the full implementation of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, including measures to strengthen ILO procedures for the monitoring of the effect given to the Declaration and the settlement of disputes concerning its application;

1 Adopted unanimously.
(3) request the Director-General to include the postal and telecommunications services in ILO research on multinational enterprises, and to report to the Standing Technical Committee for Postal and Telecommunications Services at its first session on the social and labour practices of multinational enterprises in these services, in the light of the provisions of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy.

Resolution (No. 13) concerning Future ILO Activities in the Field of Postal and Telecommunications Services

The Joint Committee for Postal and Telecommunications Services of the International Labour Organisation,

Having met in Geneva, in its Second Session, from 8 to 16 May 1991,

Recalling that postal and telecommunications services are an important element in the economic and social infrastructure in all countries, influencing the development of the economy and the quality of life of all members of the community,

Considering the far-reaching changes in the structure and organisation of postal and telecommunications services at the national and international levels and the continuing changes in technology,

Considering that the training, retraining and further training of employees in terms of skills and motivation are of critical importance to the future success of postal and telecommunications services and the provision of rewarding careers,

Considering the resolution adopted at the First Session of the Joint Committee for Postal and Telecommunications Services on women and workers with family responsibilities and the significant proportion of women among workers employed in the sector;

Adopts this sixteenth day of May 1991 the following resolution:

The Joint Committee for Postal and Telecommunications Services invites the Governing Body of the International Labour Office to:

(1) convene the First Session of the Standing Technical Committee for Postal and Telecommunications Services in 1996;

(2) include the following items on the agenda of the First Session:
   (a) an examination of general developments in the postal and telecommunications services, in particular the labour and social implications of structural change (including a review of trade union rights);
   (b) training and retraining in the postal and telecommunications services;

(3) include the following studies in the ILO's programme of activities for posts and telecommunications and communicate the results of these studies to the First Session of the Standing Technical Committee:
   (a) national and regional case studies on the introduction and consequences of technological changes in posts and telecommunications;
   (b) conditions of work and employment of workers in postal and telecommunications services;
   (c) conditions of work and employment of professional and managerial employees in postal and telecommunications services;
   (d) conditions of work and employment of women and workers with family responsibilities in postal and telecommunications services;
   (e) the different types of working time arrangements and the resultant diversity of elements of remuneration in the postal and telecommunications services;

(4) organise, at the national, regional or international level, workshops or seminars to:
   (a) follow up the conclusions and resolutions of the Joint Committee and to examine the studies undertaken;

1 Adopted unanimously.
(b) promote the application in postal and telecommunications services of ILO standards, in particular those concerning freedom of association and the right to organise and bargain collectively;

(5) ensure participation of all the parties concerned, including employers as well as workers' organisations, in technical cooperation activities carried out by the ILO with member States concerning postal and telecommunications services, for example, in the field of vocational training.

Classification of the Conclusions and Resolutions Adopted by the Joint Committee for Postal and Telecommunications Services at its First Session

Section I: Conclusions and resolutions, or parts thereof, calling for action in the different countries

Group A: Conclusions and resolutions, or parts thereof, which are no longer of current concern

None.

Group B: Conclusions and resolutions, or parts thereof, which for the time being would not appear to call for further information

None.

Group C: Conclusions and resolutions, or parts thereof, on which further information is considered desirable

No.

1. Resolution concerning working hours in postal and telecommunications services (operative paragraph (1)).
2. Resolution concerning freedom of association and the right to collective bargaining in postal and telecommunications services.
3. Resolution concerning technological changes in postal and telecommunications services (operative paragraphs (1) and (2)).
4. Resolution concerning women and workers with family responsibilities employed in postal and telecommunications services.
5. Resolution concerning youth unemployment.
6. Conclusions concerning methods of wage determination in the postal and telecommunications services.
7. Conclusions concerning the working environment and safety and health.

Section II: Conclusions and resolutions, or parts thereof, to which effect is to be given mainly by the Office

Group A: Conclusions and resolutions, or parts thereof, which are no longer of current concern to the Office

No.

1. Resolution concerning working hours in postal and telecommunications services (operative paragraph (2)).
2. Resolution concerning technological changes in postal and telecommunications services (operative paragraph (3)).
3. Resolution concerning the ILO's activities in the field of posts and telecommunications (operative paragraphs (a) and (b)).

1 Adopted unanimously.
Group B: Conclusions and resolutions, or parts thereof, which should continue to receive the attention of the Office

No. 6. Resolution concerning the ILO's activities in the field of posts and telecommunications (operative paragraphs (c) and (d)).
ILO/UNIDO Working Arrangement

With a view to the implementation of the Agreement between the International Labour Organisation and the United Nations Industrial Development Organization, concluded on 14 September 1987, the Director-General of the ILO and the Director-General of UNIDO have agreed upon the following working arrangement to govern cooperation and coordination of the activities of the two organisations in the promotion of the industrial development of developing countries. They have agreed that this cooperation will take place with due regard to the tripartite nature of the ILO and its objectives, as set forth in its Constitution and the Declaration of Philadelphia, and to the central role of UNIDO in, and its responsibility for, reviewing and promoting the coordination of all activities of the United Nations system in the field of industrial development, in accordance with its Constitution.

I. Human resource development policies and strategies

1. In line with their respective mandates, the ILO will provide advice and assistance in the establishment of comprehensive human resource development policies, strategies and plans, while UNIDO, having the mandate for the development of the industrial sector, will be responsible for the activities in that sector. Both organisations will assist developing countries in their respective areas in building up coherent and sustainable systems for upgrading local technological skills and managerial and entrepreneurial capabilities and integrating them into the development process, in accordance with the national development strategies and priority plans of those countries. In carrying out these activities, the ILO and UNIDO will consult and cooperate as may be appropriate.

II. Training

2. The ILO will continue to develop policies and guidelines and carry out operational programmes in the field of vocational training, vocational guidance and rehabilitation in all economic sectors. The ILO's activities aim at initial and further training in vocational skills, meeting the requirements of undertakings and the aspirations of workers to vocational career building. The ILO's vocational training activities will be geared to sectoral development plans and targets established at the country level. Where the industrial development activities of UNIDO will require the training of workers or specific vocational skills development programmes, the ILO will endeavour to provide such training to UNIDO's specifications. The ILO will also provide, whenever requested and possible, vocational training advisers to participate in UNIDO's industrial development activities.

3. UNIDO will provide, where required, complementary activities in vocational training relating to specialised functional and technical training in the use of equipment and processes in industry including specialised quality control, and maintenance and repair.

4. UNIDO will continue to develop policies, strategies and methodologies and technical assistance programmes/projects for the training of middle and senior level technical and managerial personnel in industry or industry-related organisations and institutions. UNIDO will also develop and implement programmes/projects for the training of trainers related to the training methods and techniques as well as for the upgrading of technological and industrial management skills and know-how. Where the activities of the ILO require management training specifically geared to the manufacturing sector, UNIDO will endeavour to provide such training to the ILO's specifications.

5. Both organisations will cooperate in research and development of training systems and methods and in publishing the results of such research. The organisations will exchange information and advice on new industrial technologies and training methodologies as they affect their respective fields.
III. Management development

6. The ILO will be responsible for programmes for the development of managerial competence at all levels of supervision and for all sectors of economic activity irrespective of type of ownership. UNIDO will be responsible for these activities in the industrial sector. Both organisations will consult, cooperate and promote joint activities related to management development as appropriate.

IV. Maintenance and repair

7. As part of its training activities the ILO will provide vocational training in maintenance and repair operations. UNIDO will be responsible for the organisational, economic, technological and engineering aspects of maintenance and repair, including planned maintenance and repair systems, establishment of maintenance and repair centres/institutions, provision and manufacturing of spare parts, overhaul and repair of industrial equipment and training of middle and senior technical and managerial maintenance personnel.

8. Both organisations will continue to include in their respective field of activities the managerial and cost aspects of maintenance as a means of enhancing general managerial competence and effectiveness of maintenance programmes.

V. Small-scale enterprises

9. In view of the importance of small-scale enterprises to national economic development, both organisations recognise the need for a comprehensive and coherent approach to the development of small-scale enterprises in developing countries. To this end, they will exchange full information on their ongoing and projected activities, especially in connection with country programming exercises, and will devise joint or coordinated programmes of action.

10. Both organisations will closely cooperate in activities related to financial and fiscal policies designed to promote the development of small-scale enterprises, including the provision of incentives to entrepreneurs and assistance in drawing up requests for financing, the identification, motivation and development of potential entrepreneurs and the promotion of entrepreneurship.

VI. Industrial cooperatives

11. Both organisations recognise the need for a comprehensive and coherent approach to the development of industrial cooperatives and their support organisations in developing countries. To this end, they will exchange full information on their ongoing and projected activities, especially in connection with country programming exercises, and will devise joint or coordinated programmes of action.

VII. Industrial health and safety, working conditions and environment

12. UNIDO will pay due regard to the health, safety and working conditions aspects of its planned industrial activities and consult the ILO thereon. The ILO will make available to UNIDO, on a regular basis, all its standards, manuals and guidelines, and other publications relating to industrial health and safety, as well as to working conditions in industry. The ILO will also provide UNIDO, upon request, with information and advice on specific industrial health, safety and working conditions problems. Particular care will be taken to avoid conflicts in relation to erosion of standards.

13. When UNIDO is organising courses which include an industrial health and safety or working conditions component, the ILO will provide upon request the necessary information on and assistance in handling that component.

14. Both organisations will cooperate in the development of programmes and the planning of meetings dealing with industrial health and safety, working conditions and environment in the industrial sector.
VIII. Employment, income distribution and industrial development

15. The ILO will cooperate with UNIDO in identifying the employment and income distribution consequences of long-term industrialisation strategies, both domestically and as they affect the international division of labour, on which both agencies will undertake studies and research activities.

16. Whenever UNIDO undertakes survey missions on industrial development strategies and the ILO on employment promotion strategies, each organisation will provide the other with the appropriate required technical expertise.

IX. Choice, development and transfer of technology

17. UNIDO and the ILO will continue to collaborate in the development, dissemination and application of technology. In this domain the ILO will deal mainly with the socio-economic aspects, whereas UNIDO will deal mainly with the technological and engineering aspects. Such collaboration may take various forms, including joint missions, joint organisation of seminars and workshops, joint execution of field projects, joint research and joint publications. The two organisations will also improve links between UNIDO's INTIB (Industrial and Technological Information Bank) and the newly established ILO technological information service INSTEAD (Information Service on Technological Alternatives for Development).

X. Meetings and consultations on industrial activities

18. UNIDO and the ILO will regularly furnish each other with advance information on meetings and consultations in the industrial sector. Where relevant, UNIDO will invite the ILO's participation in and contribution to such meetings; similarly the ILO will invite UNIDO's participation and contribution.

XI. Measures of implementation

19. The ILO and UNIDO will keep each other informed of the development of their respective activities related to industrialisation, including but not limited to the specific arrangements provided herein, and will ensure that such activities are coordinated, complementary and mutually supporting. This refers particularly to early consultation at the planning and pipeline project-level stages.

20. For this purpose, the ILO and UNIDO will maintain a joint Working Party composed of one senior staff member from the secretariat of each organisation and such other officials as may be required for the consideration of any particular question. The joint Working Party will review all matters of mutual interest. If the cooperation proposed by one of the parties to the other entails expenditure beyond minor and ordinary expenditure, consultations shall be held to determine the most equitable way of meeting such expenditure.

21. The ILO and UNIDO recognise the importance of closer cooperation at the field level and the desirability of holding regular meetings between field representatives and, as appropriate, technical cooperation staff of the two organisations.

22. The Executive Head of each organisation will bring this Working Arrangement to the notice of his headquarters and field staff concerned.

XII. Final clauses

23. The present Working Arrangement, which supersedes the "Memorandum of Understanding concerning Co-operation between the ILO and UNIDO", signed at Geneva on 31 August 1976, shall enter into force upon signature by the Director-General of the ILO and the Director-General of UNIDO. This Working Arrangement may be modified by written agreement between the Director-General of the ILO and the Director-General of UNIDO and may be terminated by either party upon six months' written notice. If one of the parties
decides to terminate this Working Arrangement, obligations that have previously entered into force through projects implemented under this Working Arrangement shall not be affected.

For the International Labour Organisation:

(Signed) Michel Hansenne
Director-General,
International Labour Office
Geneva, 25 September 1991

For the United Nations Industrial Development Organization:

(Signed) Domingo L. Siazon, Jr.
Director-General
Vienna, 7 October 1991
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79th Session of the International Labour Conference

(Geneva, 3-23 June 1992)

The 79th Session of the International Labour Conference was held from Wednesday, 3 June, to Tuesday, 23 June 1992, under the presidency of Mr. Henrique Nascimento Rodrigues, Chairman of the Economic and Social Council of Portugal.

The agenda of the session was as follows:

Standing items
I. Reports of the Governing Body and of the Director-General.
II. Programme and budget proposals and other financial questions.
III. Information and reports on the application of Conventions and Recommendations.

Items placed on the agenda by the Conference or the Governing Body
IV. Protection of workers' claims in the event of the insolvency of their employer (second discussion).
V. The prevention of industrial disasters (first discussion).
VI. Adjustment and human resources development (general discussion).

The Conference also had before it a Special Report submitted by the Director-General in application of operative paragraph 5(a) of the Declaration concerning Action against Apartheid in South Africa adopted by the Conference in 1988, and

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1 The texts of the instruments, resolutions and other decisions adopted by the Conference appear on pp. 82-124 below. More detailed information on the proceedings of the Conference, including names of the participants, the verbatim record of plenary sittings, committee reports, etc., is to be found in the Record of Proceedings of the 79th Session, which consists of the 31 issues of the Provisional Record and the list of delegations published in the course of the session, and a complementary part published after its close and containing, inter alia, the table of contents, a list of corrigenda and an index of speakers in plenary sitting.
revised in 1991, as well as a report on the subject by the Governing Body Committee on Discrimination, submitted in pursuance of operative paragraph 5(b) of the Declaration.
Membership of the International Labour Organisation

**Republic of Kyrgyzstan**

On 31 March 1992 the Director-General of the International Labour Office received a communication dated 24 March 1992 from the President of the Republic of Kyrgyzstan informing him that the Government of Kyrgyzstan formally accepts the obligations of the Constitution of the International Labour Organisation in accordance with article 1, paragraph 3, of the Constitution and undertakes to fulfil them.

The Republic of Kyrgyzstan, which is a Member of the United Nations, accordingly became a Member of the International Labour Organisation on 31 March 1992, by virtue of article 1, paragraph 3, of the Constitution of the Organisation.

**Republic of Azerbaijan**

On 19 May 1992 the Director-General of the International Labour Office received two communications dated 7 May 1992 from the Chairman of the State Committee for Labour and Social Affairs of the Republic of Azerbaijan informing him that the Government of the Republic of Azerbaijan formally accepts the obligations of the Constitution of the International Labour Organisation in accordance with article 1, paragraph 3, of the Constitution and undertakes to fulfil them.

The Republic of Azerbaijan, which is a member of the United Nations, accordingly became a Member of the International Labour Organisation on 19 May 1992, by virtue of article 1, paragraph 3, of the Constitution of the Organisation.

**Republic of Slovenia**

On 29 May 1992 the Director-General of the International Labour Office received a communication dated 25 May 1992 from the Minister of Foreign Affairs of the Republic of Slovenia informing him that the Government of the Republic of Slovenia formally accepts the obligations of the Constitution of the International Labour Organisation in accordance with article 1, paragraph 3, of the Constitution and undertakes to fulfil them.

The Republic of Slovenia, which is a member of the United Nations, accordingly became a Member of the International Labour Organisation on 29 May 1992, by virtue of article 1, paragraph 3, of the Constitution of the Organisation.

**Republic of Moldova**

On 8 June 1992 the Director-General of the International Labour Office received a communication dated 28 May 1992 from the Prime Minister of the Repub-
lie of Moldova informing him that the Government of the Republic of Moldova formally accepts the obligations of the Constitution of the International Labour Organisation in accordance with article 1, paragraph 3, of the Constitution and undertakes to fulfil them.

The Republic of Moldova, which is a member of the United Nations, accordingly became a Member of the International Labour Organisation on 8 June 1992, by virtue of article 1, paragraph 3, of the Constitution of the Organisation.

SOCIALIST REPUBLIC OF VIET NAM

On 20 May 1992 the Director-General of the International Labour Office received a communication dated 19 May 1992 from the Ambassador, Permanent Representative of the Socialist Republic of Viet Nam to the United Nations Office and other international organisations in Geneva, informing him that the Socialist Republic of Viet Nam formally accepts the obligations of the Constitution of the International Labour Organisation in accordance with article 1, paragraphs 3 and 6, of the Constitution.

The Socialist Republic of Viet Nam, which is a member of the United Nations, accordingly resumed membership of the International Labour Organisation on 20 May 1992, by virtue of article 1, paragraphs 3 and 6, of the Constitution of the Organisation.
Composition of the Governing Body of the International Labour Office

The Employers' Electoral College met on Monday, 15 June 1992, on the occasion of the 79th Session of the International Labour Conference, in accordance with article 54, paragraphs 4 and 5, of the Standing Orders of the Conference.

Five vacancies had occurred in the Employers' group of the Governing Body since the 78th Session of the International Labour Conference, and they were filled as follows.

Concerning the European region, in March 1992 the Employers' group of the Governing Body had appointed Miss C. Hak (Netherlands) as regular member to replace Mr. von Holten (Sweden), who had died in November 1991. The Employers' group had further decided on that occasion to appoint Mr. G. Hultin (Finland) to replace Miss Hak as deputy member. These two appointments were confirmed by the Electoral College. Mr. R. Thüsing (Germany) was elected as regular member to replace Mr. Lindner (Germany) who had resigned. Following the resignation of Mr. Arets (Belgium), Mr. van Holm (Belgium) was elected as a substitute member.

In the Americas region Mr. D. Yankana (Guyana) was elected as deputy member to replace Mr. J. Williams (Barbados) who had resigned.

All the above elections were unanimous.

At their meeting on Tuesday, 16 June 1992, the Workers' delegates to the International Labour Conference unanimously endorsed the decisions previously taken by the Workers' group of the Governing Body to fill the vacancies following the resignation of four regular members and one deputy member of the Governing Body. The appointments concerning the regular Members were as follows: Mr. C. Gray (United States), to replace Mr. Baker; Mrs. U. Engelen-Kefer (Germany), to replace Mr. Muhr; Mr. K. Tapiola (Finland), to replace Mr. Svenningsen; Mr. W. Brett (United Kingdom) to replace Mr. Morton.

To fill the vacancy resulting from the appointment of Mr. N. L. Zimba as Minister of Home Affairs of Zambia in November 1991, Mr. A. Chirwa (Zambia) was appointed deputy member.

The new appointees will serve on the same committees as the members they replaced.
Official Measures Taken regarding Decisions of the International Labour Conference\(^1\)

Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986\(^2\)

Ratification

In accordance with Article 3 of the Instrument for the amendment of the Constitution of the International Labour Organisation, 1986, the following ratification has been communicated to the Director-General of the International Labour Office:

<table>
<thead>
<tr>
<th>State</th>
<th>Date received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cuba</td>
<td>31 August 1992</td>
</tr>
</tbody>
</table>

The total number of ratifications and acceptances has thus risen to eighty-four including three by States of chief industrial importance.

---


Ratifications and Denunciations of International Labour Conventions and Declarations concerning the Application of Conventions to a Non-Metropolitan Territory

Notice is hereby given that the Director-General of the International Labour Office has registered the below-mentioned ratifications and denunciations of International Labour Conventions and Declarations concerning the application of Conventions to a non-metropolitan territory. In pursuance of article 20 of the Constitution of the International Labour Organisation, particulars of these ratifications, denunciations and declarations have been communicated to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations.

The publication of information concerning action taken in respect of international labour Conventions and Recommendations does not imply any expression of view by the International Labour Office on the legal status of the State having communicated such information (including the communication of a ratification or declaration), or on its authority over the territories in respect of which such information is communicated; in certain cases this may present problems on which the ILO is not competent to express an opinion.

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration of ratification/denunciation/declaration</th>
<th>Date on which ratification/denunciation/declaration will take effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Côte d'Ivoire</td>
<td>Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96)</td>
<td>28 July 1992</td>
<td>28 July 1993</td>
</tr>
<tr>
<td></td>
<td>Has accepted the provisions of Part III.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cyprus</td>
<td>Asbestos Convention, 1986 (No. 162)</td>
<td>7 August 1992</td>
<td>7 August 1993</td>
</tr>
<tr>
<td>Mexico</td>
<td>Chemicals Convention, 1990 (No. 170)</td>
<td>17 September 1992</td>
<td>Twelve months after the date of registration of a second ratification.</td>
</tr>
<tr>
<td>State</td>
<td>Convention</td>
<td>Date of registration of ratification/denunciation/declaration</td>
<td>Date on which ratification/denunciation/declaration will take effect</td>
</tr>
<tr>
<td>--------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td><em>Acceptance of Articles 7, 8, 10, 12-15 of Part II has been specified pursuant to Article 16, paragraph 2, of the Convention.</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Switzerland</td>
<td>Holidays with Pay Convention (Revised), 1970 (No. 132)</td>
<td>9 July 1992</td>
<td>9 July 1993</td>
</tr>
<tr>
<td></td>
<td><em>Length of holiday specified: four weeks for workers and five weeks for workers under 20. Has accepted the provisions of Article 15, paragraph 2(a) and (b).</em></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**II. Denunciations**

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration of ratification/denunciation/declaration</th>
<th>Date on which ratification/denunciation/declaration will take effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Côte d'Ivoire</td>
<td>Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96)</td>
<td>15 July 1992</td>
<td>15 July 1993</td>
</tr>
<tr>
<td>Germany</td>
<td>Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96)</td>
<td>10 July 1992</td>
<td>10 July 1993</td>
</tr>
</tbody>
</table>

**III. Declarations**

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration of ratification/denunciation/declaration</th>
<th>Date on which ratification/denunciation/declaration will take effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>Dock Work Convention, 1973 (No. 137)</td>
<td>21 August 1992</td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Not applicable: Norfolk Island</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Human Resources Development Convention, 1975 (No. 142)</td>
<td>21 August 1992</td>
<td>21 August 1992</td>
</tr>
<tr>
<td></td>
<td><em>Applicable with modifications: Norfolk Island</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>The Convention applies to the Territory of Norfolk Island in respect of vocational training and guidance services provided for school-leavers.</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Not applicable: Norfolk Island</em></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Labour Administration Convention, 1978 (No. 150)  
Not applicable: Norfolk Island

Labour Statistics Convention, 1985 (No. 160)  
Applicable with modification: Norfolk Island

The Convention applies to the Territory of Norfolk Island in respect of retail price indices and other relevant statistics collected in Norfolk Island censuses.

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1 The text of the communication concerning the denunciation by Côte d'Ivoire of this Convention reads as follows:

(Translation)

“When ratifying ILO Convention No. 96 on 22 May 1961 the Côte d'Ivoire accepted the provisions of Part II concerning the progressive abolition of fee-charging employment agencies and regulation of other agencies.

However, in the context of the liberalisation of the labour market the Government has recently adopted:

- an Ordinance abolishing the placement monopoly of OMOCI and authorising the establishment of private employment offices, and
- a Decree which, pursuant to that Ordinance, regulates the activity of such private employment offices.

These two enactments are inconsistent with the provisions of Part II of the said Convention. With a view to bringing these new enactments into line with the international Convention, I have the honour to notify you of the denunciation of the Côte d'Ivoire and of its intention to ratify the Convention by accepting the provisions of Part III.”

---

2 The text of the communication concerning the denunciation by Germany of this Convention reads as follows:

(Translation)

“When on behalf of the Government of the Federal Republic of Germany, and with reference to Article 20 of the Convention concerning Fee-Charging Employment Agencies (Revised), 1949 (No. 96), of 16 July 1949, I have the honour to inform you of the denunciation of the said Convention by the Federal Republic of Germany, with effect as of today's date, 10 July 1992.

In this way the Government of the Federal Republic of Germany wishes to reserve its options as regards the form of the law concerning placement services before the next time for notice of denunciation (18 July 2001).

In conformity with Article 5, paragraph 1(e), of Convention No. 144, the Federation of German Employers' Associations, the Federation of German Trade Unions and the German Union of Salaried Employees have been consulted.”
Convention 173

Convention concerning the Protection of Workers' Claims in the Event of the Insolvency of Their Employer

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 79th Session on 3 June 1992, and
Stressing the importance of the protection of workers' claims in the event of the insolvency of their employer and recalling the provisions on this subject in Article 11 of the Protection of Wages Convention, 1949, and Article 11 of the Workmen's Compensation (Accidents) Convention, 1925, and
Noting that, since the adoption of the Protection of Wages Convention, 1949, greater value has been placed on the rehabilitation of insolvent enterprises and that, because of the social and economic consequences of insolvency, efforts should be made where possible to rehabilitate enterprises and safeguard employment, and
Noting that since the adoption of the aforementioned standards, significant developments have taken place in the law and practice of many Members which have improved the protection of workers' claims in the event of insolvency of their employer, and considering that it would be timely for the Conference to adopt new standards on the subject of workers' claims, and
Having decided upon the adoption of certain proposals with regard to the protection of workers' claims in the event of the insolvency of their employer, 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;

1 This section contains the decisions of the Conference, without details of the circumstances of their adoption except where they were the result of a formal vote. The comments or reservations by delegates or groups, subject to which the decisions were taken, will be found in detail in the Record of Proceedings of the 79th Session of the Conference.

2 Adopted on 23 June 1992 by 293 votes in favour, 52 against, with 48 abstentions.
adopts this twenty-third day of June of the year one thousand nine hundred and ninety-two the following Convention, which may be cited as the Protection of Workers' Claims (Employer's Insolvency) Convention, 1992.

PART I. GENERAL PROVISIONS

Article 1

1. For the purposes of this Convention, the term “insolvency” refers to situations in which, in accordance with national law and practice, proceedings have been opened relating to an employer's assets with a view to the collective reimbursement of its creditors.

2. For the purposes of this Convention, a Member may extend the term “insolvency” to other situations in which workers' claims cannot be paid by reason of the financial situation of the employer, for example where the amount of the employer's assets is recognised as being insufficient to justify the opening of insolvency proceedings.

3. The extent to which an employer's assets are subject to the proceedings referred to in paragraph 1 above shall be determined by national laws, regulations or practice.

Article 2

The provisions of this Convention shall be applied by means of laws or regulations or by any other means consistent with national practice.

Article 3

1. A Member which ratifies this Convention shall accept either the obligations of Part II, providing for the protection of workers' claims by means of a privilege, or the obligations of Part III, providing for the protection of workers' claims by a guarantee institution, or the obligations of both Parts. This choice shall be indicated in a declaration accompanying its ratification.

2. A Member which has initially accepted only Part II or only Part III of this Convention may thereafter, by a declaration communicated to the Director-General of the International Labour Office, extend its acceptance to the other Part.

3. A Member which accepts the obligations of both Parts of this Convention may, after consulting the most representative organisations of employers and workers, limit the application of Part III to certain categories of workers and to certain branches of economic activity. Such limitations shall be specified in the declaration of acceptance.

4. A Member which has limited its acceptance of the obligations of Part III in accordance with paragraph 3 above shall, in its first report under article 22 of the Constitution of the International Labour Organisation, give the reasons for limiting its acceptance. In subsequent reports it shall provide information on any extension of the protection under Part III of this Convention to other categories of workers or other branches of economic activity.

5. A Member which has accepted the obligations of Parts II and III of this Convention may, after consulting the most representative organisations of employers and workers, exclude from the application of Part II those claims which are protected pursuant to Part III.

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6. Acceptance by a Member of the obligations of Part II of this Convention shall *ipso jure* involve the termination of its obligations under Article 11 of the Protection of Wages Convention, 1949.

7. A Member which has accepted only the obligations of Part III of this Convention may, by a declaration communicated to the Director-General of the International Labour Office, terminate its obligations under Article 11 of the Protection of Wages Convention, 1949, in respect of those claims which are protected pursuant to Part III.

**Article 4**

1. Subject to the exceptions provided for in paragraph 2 below, and to any limitations specified in accordance with Article 3, paragraph 3, this Convention shall apply to all employees and to all branches of economic activity.

2. The competent authority, after consulting the most representative organisations of employers and workers, may exclude from Part II, Part III or both Parts of this Convention specific categories of workers, in particular public employees, by reason of the particular nature of their employment relationship, or if there are other types of guarantee affording them protection equivalent to that provided by the Convention.

3. A Member availing itself of the exceptions provided for in paragraph 2 above shall, in its reports under article 22 of the Constitution of the International Labour Organisation, provide information on such exceptions, giving the reasons therefor.

**PART II. PROTECTION OF WORKERS' CLAIMS BY MEANS OF A PRIVILEGE**

**PROTECTED CLAIMS**

**Article 5**

In the event of an employer's insolvency, workers' claims arising out of their employment shall be protected by a privilege so that they are paid out of the assets of the insolvent employer before non-privileged creditors can be paid their share.

**Article 6**

The privilege shall cover at least:

(a) the workers' claims for wages relating to a prescribed period, which shall not be less than three months, prior to the insolvency or prior to the termination of the employment;

(b) the workers' claims for holiday pay due as a result of work performed during the year in which the insolvency or the termination of the employment occurred, and in the preceding year;

(c) the workers' claims for amounts due in respect of other types of paid absence relating to a prescribed period, which shall not be less than three months, prior to the insolvency or prior to the termination of the employment;

(d) severance pay due to workers upon termination of their employment.
LIMITATIONS

Article 7

1. National laws or regulations may limit the protection by privilege of workers’ claims to a prescribed amount, which shall not be below a socially acceptable level.

2. Where the privilege afforded to workers’ claims is so limited, the prescribed amount shall be adjusted as necessary so as to maintain its value.

RANK OF PRIVILEGE

Article 8

1. National laws or regulations shall give workers’ claims a higher rank of privilege than most other privileged claims, and in particular those of the State and the social security system.

2. However, where workers’ claims are protected by a guarantee institution in accordance with Part III of this Convention, the claims so protected may be given a lower rank of privilege than those of the State and the social security system.

PART III. PROTECTION OF WORKERS’ CLAIMS BY A GUARANTEE INSTITUTION

GENERAL PRINCIPLES

Article 9

The payment of workers’ claims against their employer arising out of their employment shall be guaranteed through a guarantee institution when payment cannot be made by the employer because of insolvency.

Article 10

In giving effect to this Part of the Convention, a Member may, after consulting the most representative organisations of employers and workers, adopt appropriate measures for the purpose of preventing possible abuse.

Article 11

1. The organisation, management, operation and financing of wage guarantee institutions shall be determined pursuant to Article 2.

2. The preceding paragraph shall not prevent a Member, in accordance with its particular characteristics and needs, from allowing insurance companies to provide the protection referred to in Article 9, as long as they offer sufficient guarantees.

CLAIMS PROTECTED BY A GUARANTEE INSTITUTION

Article 12

The workers’ claims protected pursuant to this Part of the Convention shall include at least:
(a) the workers' claims for wages relating to a prescribed period, which shall not be less than eight weeks, prior to the insolvency or prior to the termination of the employment;

(b) the workers' claims for holiday pay due as a result of work performed during a prescribed period, which shall not be less than six months, prior to the insolvency or prior to the termination of the employment;

(c) the workers' claims for amounts due in respect of other types of paid absence relating to a prescribed period, which shall not be less than eight weeks, prior to the insolvency or prior to the termination of employment;

(d) severance pay due to workers upon termination of their employment.

**Article 13**

1. Claims protected pursuant to this Part of the Convention may be limited to a prescribed amount, which shall not be below a socially acceptable level.

2. Where the claims protected are so limited, the prescribed amount shall be adjusted as necessary so as to maintain its value.

**Final provisions**

**Article 14**

This Convention revises the Protection of Wages Convention, 1949, to the extent provided for in Article 3, paragraphs 6 and 7 above, but does not close that Convention to further ratifications.

**Article 15**

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

**Article 16**

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 17**

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 18

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications 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 19

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 and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 20

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 21

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 17 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 22

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

IN FAITH WHEREOF we have appended our signatures this twenty-fifth day of June 1992.

The President of the Conference,
HENRIQUE NASCIMENTO RODRIGUES

The Director-General of the International Labour Office,
MICHEL HANSENNE
Recommendation 180

Recommendation concerning the Protection of Workers' Claims in the Event of the Insolvency of Their Employer

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 79th Session on 3 June 1992, and
Stressing the importance of the protection of workers’ claims in the event of the insolvency of their employer and recalling the provisions on this subject in Article 11 of the Protection of Wages Convention, 1949, and Article 11 of the Workmen's Compensation (Accidents) Convention, 1925, and
Noting that, since the adoption of the Protection of Wages Convention, 1949, greater value has been given to the rehabilitation of insolvent enterprises and that, because of the social and economic consequences of insolvency, efforts should be made where possible to rehabilitate enterprises and safeguard employment, and
Noting that since the adoption of the aforementioned standards, significant developments have taken place in the law and practice of many Members which have improved the protection of workers' claims in the event of the insolvency of their employer, and considering that it would be timely for the Conference to adopt new standards on the subject of workers' claims, and
Recognising that guarantee institutions, if properly designed, afford greater protection of workers' claims, and
Having decided upon the adoption of certain proposals with regard to the protection of workers’ claims in the event of the insolvency of their employer, which is the fourth item on the agenda of the session, and
Having determined that these proposals shall take the form of a Recommendation supplementing the Protection of Workers’ Claims (Employer’s Insolvency) Convention, 1992;
adopts this twenty-third day of June of the year one thousand nine hundred and ninety-two the following Recommendation, which may be cited as the Protection of Workers’ Claims (Employer’s Insolvency) Recommendation, 1992.

I. Definitions and methods of application

1. (1) For the purposes of this Recommendation, the term “insolvency” refers to situations in which, in accordance with national law and practice, proceedings have been opened relating to an employer’s assets with a view to the collective reimbursement of its creditors.

(2) For the purposes of this Recommendation, Members may extend the term “insolvency” to other situations in which workers’ claims cannot be paid by reason of the financial situation of the employer, and in particular to the following:

(a) where the enterprise has closed down or ceased its activities or is voluntarily wound up;

1 Adopted on 23 June 1992 by 281 votes in favour, 65 against, with 42 abstentions.
(b) where the amount of the employer's assets is insufficient to justify the opening of insolvency proceedings;
(c) where, in the course of proceedings to recover a worker's claim arising out of employment, it is found that the employer has no assets or that these are insufficient to pay the debt in question;
(d) where the employer has died and his or her assets have been placed in the hands of an administrator and the amounts due cannot be paid out of the estate.

(3) The extent to which an employer's assets are subject to the proceedings referred to in subparagraph (1) should be determined by national laws, regulations or practice.

2. The provisions of this Recommendation may be applied by means of laws or regulations or by any other means consistent with national practice.

II. PROTECTION OF WORKERS' CLAIMS BY MEANS OF A PRIVILEGE

PROTECTED CLAIMS

3. (1) The protection afforded by a privilege should cover the following claims:
(a) wages, overtime pay, commissions and other forms of remuneration relating to work performed during a prescribed period prior to the insolvency or prior to termination of the employment. This period should be fixed by national laws or regulations and should not be less than 12 months;
(b) holiday pay due as a result of work performed during the year in which the insolvency or the termination of the employment occurred, and in the preceding year;
(c) amounts due in respect of other types of paid absence, end-of-year and other bonuses provided for by national laws or regulations, collective agreements or individual contracts of employment, relating to a prescribed period, which should not be less than 12 months, prior to the insolvency or prior to the termination of the employment;
(d) payments due in lieu of notice of termination of employment;
(e) severance pay, compensation for unfair dismissal and other payments due to workers upon termination of their employment;
(f) compensation payable directly by the employer in respect of occupational accidents and diseases.

(2) The protection afforded by a privilege might cover the following claims:
(a) contributions due in respect of national statutory social security schemes, where failure to pay adversely affects workers' entitlements;
(b) contributions due in respect of private, occupational, inter-occupational or enterprise social protection schemes independent of national statutory social security schemes, where failure to pay adversely affects workers' entitlements;
(c) benefits to which the workers were entitled prior to the insolvency by virtue of their participation in enterprise social protection schemes and which are payable by the employer.

(3) Claims enumerated in subparagraphs (1) and (2) that have been awarded to a worker through an adjudication or arbitration within 12 months prior to the insolvency should be covered by the privilege regardless of the time-limits specified in those subparagraphs.
LIMITATIONS

4. Where the amount of the claim protected by a privilege is limited by national laws or regulations, in order that this amount should not fall below a socially acceptable level it should take into account variables such as the minimum wage, the part of the wage which is unattachable, the wage on which social security contributions are based or the average wage in industry.

CLAIMS WHICH FALL DUE AFTER THE INSOLVENCY PROCEEDINGS HAVE BEEN OPENED

5. Where, in accordance with national laws and regulations, an enterprise in respect of which insolvency proceedings have been opened is authorised to continue its activities, workers' claims arising out of work performed as from the date when the continuation was authorised should not be subject to the proceedings and should be paid, out of the funds available, as and when they fall due.

ACCELERATED PAYMENT PROCEDURES

6. (1) Where the insolvency proceedings cannot ensure rapid payment of workers' privileged claims, there should be a procedure for accelerated payment to ensure that the claims are paid, without awaiting the end of the proceedings, out of available funds or as soon as funds become available, unless the rapid payment of workers' claims is ensured by a guarantee institution.

(2) Accelerated payment of workers' claims may be ensured as follows:
(a) the person or institution responsible for administering the employer's assets should pay such claims as soon as it has been determined that they are genuine and payable;
(b) if the claim is contested, the worker should be able to have its validity determined by a court or any other body with jurisdiction over the matter, so as to have it paid in accordance with clause (a).

(3) The accelerated payment procedure should cover the totality of the claim protected by a privilege, or at least a part of it to be fixed by national laws or regulations.

III. PROTECTION OF WORKERS' CLAIMS BY A GUARANTEE INSTITUTION

SCOPE

7. The protection of workers' claims by a guarantee institution should have as wide a coverage as possible.

OPERATING PRINCIPLES

8. Guarantee institutions might operate according to the following principles:
(a) they should be administratively, financially and legally independent of the employer;
(b) employers should contribute to financing these institutions, unless this is fully covered by the public authorities;
(c) they should assume their obligations vis-à-vis protected workers irrespective of whether any obligation the employer may have of contributing to their financing has been met;

(d) they should assume a subsidiary responsibility for the liabilities of insolvent employers in respect of claims protected by the guarantee and should, by way of subrogation, be able to act in place of the workers to whom they have made payments;

(e) the funds managed by guarantee institutions, other than those from general revenues, may only be used for the purpose for which they were collected.

CLAIMS PROTECTED BY THE GUARANTEE

9. (1) The guarantee should cover the following claims:

(a) wages, overtime pay, commissions and other forms of remuneration relating to work performed during a prescribed period, which should not be less than three months, prior to the insolvency or prior to the termination of the employment;

(b) holiday pay due as a result of work performed during the year in which the insolvency or the termination of the employment occurred, and in the preceding year;

(c) end-of-year and other bonuses provided for by national laws or regulations, collective agreements or individual contracts of employment, relating to a prescribed period, which should not be less than 12 months, prior to the insolvency or prior to the termination of the employment;

(d) amounts due in respect of other types of paid absence relating to a prescribed period, which should not be less than three months, prior to the insolvency or prior to the termination of the employment;

(e) payments due in lieu of notice of termination of employment;

(f) severance pay, compensation for unfair dismissal and other payments due to workers upon termination of their employment;

(g) compensation payable directly by the employer in respect of occupational accidents and diseases.

(2) The guarantee might cover the following claims:

(a) contributions due in respect of national statutory social security schemes, where failure to pay adversely affects workers' entitlements;

(b) contributions due in respect of private, occupational, inter-occupational, or enterprise social protection schemes independent of national statutory social security schemes, where failure to pay adversely affects workers' entitlements;

(c) benefits to which the workers were entitled prior to the insolvency by virtue of their participation in enterprise social protection schemes and which are payable by the employer;

(d) wages or any other form of remuneration consistent with this Paragraph, awarded to a worker through adjudication or arbitration within three months prior to the insolvency.

LIMITATIONS

10. Where the amount of the claim protected by means of a guarantee institution is limited, in order that this amount should not fall below a socially
acceptable level, it should take into account variables such as the minimum wage, the part of the wage which is unattachable, the wage on which social security contributions are based or the average wage in industry.

IV. PROVISION COMMON TO PARTS II AND III

11. Workers or their representatives should receive timely information and be consulted with regard to insolvency proceedings which have been opened and to which the workers' claims pertain.

IN FAITH WHEREOF we have appended our signatures this twenty-fifth day of June 1992.

The President of the Conference,
HENRIQUE NASCIMENTO RODRIGUES

The Director-General of the International Labour Office,
MICHEL HANSENNE

RESOLUTIONS

I

Resolution concerning the procedure at the Thirteenth Conference of American States Members of the ILO

The General Conference of the International Labour Organisation,

Recalling that, in the light of the reforms introduced on an experimental basis at the Eleventh Asian Regional Conference to reduce the length and cost of regional conferences provided for in the 1992-93 budget, the Governing Body has decided that it is necessary to introduce certain other changes for the Thirteenth Conference of American States Members of the International Labour Organisation and that, pending revision of the Rules concerning the Powers, Functions and Procedure of Regional Conferences Convened by the International Labour Organisation, authority should be given to the said Conference to derogate from them, as required, to implement these changes on an experimental basis before deciding on a possible revision of the above-mentioned Rules;

Hereby authorises the Thirteenth Conference of American States Members of the International Labour Organisation, by way of derogation from the applicable Rules, (a) to consider the business carried out at preliminary group meetings preceding the formal opening of the Conference as having been carried out in official group meetings;

1 Adopted on 4 June 1992.
(b) to dispense with the appointment of a Selection Committee and entrust its functions (except in respect of resolutions for which a Resolutions Committee may be appointed under article 13, paragraph 3, of the Rules) to the Officers of the Conference;

(c) to limit the composition of the Resolutions Committee to not more than five members from each group;

(d) to authorise, in case of need, any drafting subcommittee or other subsidiary body set up by a committee of the Conference to report direct to the plenary of the Conference instead of through the Committee;

(e) to suspend the requirement that reports on technical items on the agenda be dispatched by the Office so as to reach governments at least three months before the opening of the Conference if any such report is included in a single volume with other reports of the Director-General, which would thus be required to reach governments two months beforehand;

(f) to reduce the time-limit for addresses to the Conference from 15 to ten minutes.

II

Resolution concerning adjustment and human resources development

The General Conference of the International Labour Organisation,
Having taken note of Report VI on adjustment and human resources development:
1. Adopts the following conclusions;

2. Invites the Governing Body to request the Director-General:

(a) to bring these conclusions to the attention of member States and of employers' and workers' organisations;

(b) to take these conclusions into account in preparing future activities of the International Labour Organisation.

Conclusions concerning adjustment and human resources development

INTRODUCTION

1. All countries need to pursue policies that enable adjustment to the changing conditions of an interdependent world economy. Such policies should contribute to an international effort to promote growth, increase investment and overcome the debt crisis. There can, of course, be no general or universal prescription for the achievement of these goals; each country's situation is different and policies need to be designed that are specific to national problems and perspectives. For example, rising interest rates have had a particularly adverse impact on developing countries. Countries at all levels of development, however, have been reviewing and changing policies that have led to stagnation, unemployment and declining competitiveness. They also have had to adjust their economic structures in re-

1 Adopted on 23 June 1992.
response to the trend towards democracy, as well as to changes in technology, changes in international trading patterns and to new market forces. Structural adjustment is a corrective process aimed at achieving improved living standards, full employment, competitive and profitable undertakings, and sustainable, non-inflationary economic growth. The magnitude and intensity of these adjustments have varied according to the initial conditions of an economy. Economies that are competitive, and have well-functioning markets, responsive economic and social institutions, and effective social protection have tended to adjust most smoothly. Those countries without these advantages face difficult challenges of adjustment, including the need for major policy and institutional reforms as well as special policies to mitigate the social costs of adjustment. In all countries, securing the highest possible level of education and training for all workers is vital for structural adjustment as well as for economic and social progress.

2. Both the nature of adjustment and its effects differ amongst countries at different levels of development and among regions. In industrialised and newly industrialising economies, adjustment consists primarily of the adaptation of the industrial structure to technological change; improved work organisation and practices; shifts in the international division of labour; new characteristics of work; and the successful development of an entrepreneurial spirit in the economy. In transition economies, the adjustment process is more complex, involving the formulation of new policies to cope with the closure of many uncompetitive industries and the development of institutions necessary for a market economy. In developing countries, adjustment often has to be implemented against a background of a heavy burden of external debt and widespread poverty. This imposes severe constraints on their ability to bring about major reforms necessary for economic recovery and long-term growth while having at the same time to prevent an aggravation of already high levels of poverty. These countries often require external assistance to achieve the objectives of their structural adjustment programmes. Such programmes need to pay special attention to the social dimensions of adjustment and the pace and intensity of reforms have to be framed with these considerations in mind. In all countries, structural adjustment policies should be formulated in agreement with the conclusions of the High-Level Meeting on Employment and Structural Adjustment held in 1987, which suggested, among other things, appropriate measures to encourage sustained, non-inflationary growth, increase the adaptability of the labour force and economic enterprise, overcome the debt burden of developing countries, promote international trade, stimulate fuller employment, promote dialogue and cooperation with employers' and workers' organisations, reduce poverty and mobilise the support of international organisations to facilitate action by governments to these ends.

3. In this context, the conclusions of the ILO's High-Level Meeting on Employment and Structural Adjustment need to be re-emphasised. In particular, it is important to recall the principles which should guide the formulation and implementation of structural adjustment programmes. These include: the need to protect the poorest and most vulnerable groups from the negative effects of adjustment programmes; the maintenance and extension of an open world trading system recognising that protectionism in all its various forms delays needed adjustment; the need to reduce debt; the promotion of tripartite consultation and cooperation; respect for basic ILO standards; and the promotion of collective bargaining.

4. Adjustment programmes should be implemented on the basis of full respect for democratic principles, human rights and social consensus. They should also attempt to ensure a fair distribution of the costs and rewards of the process of
adjustment. Successful adjustment requires policies that are complementary and economically, politically and socially sustainable. Labour standards should not be violated and changes in these standards should be introduced only after full tripartite consultations on the issue. Every effort should be made to prevent any excessive widening of social inequalities.

5. Education and training are preconditions for achieving economic growth and vital ingredients for the success of adjustment programmes. In addition, they enhance the ability of enterprises to respond more effectively to their customers’ needs. The education process, for which governments have the primary responsibility, should have as one of its main outputs an increase in the ability and motivation of all individuals to learn and to acquire the level of education necessary to play a full and active part in the democratic process. By providing workers with the skills required in new industries education and training support the growth of these industries while at the same time facilitating the redeployment of redundant workers. In addition, by upgrading the skills of the workforce, training enhances the capacity of an economy to adopt new technologies and new forms of work organisation, thereby raising the productivity and international competitiveness of industries. Training can also make a crucial contribution to enterprise creation, including productive and freely chosen self-employment, a strategic component of economic growth.

6. Raising the general level of education and improving basic skills such as literacy, numeracy, problem-solving ability and communication skills are important social and economic objectives. Governments should consequently endeavour to ensure universal free access to basic education since this is a fundamental human right and an obligation of government. Workers should also be given opportunities for personal development, education and skill upgrading at appropriate stages in their working lives. Education and training also contribute importantly to the attainment of social objectives such as the advance of democracy, broader social participation, greater industrial democracy, improved industrial relations and social stability. Well-educated and trained workers are more employable, better equipped to assume responsibility and accountability, more easily change jobs, and are better able to participate effectively in the affairs of enterprises and society.

7. To realise these potential benefits, education and training policies have to be guided by several important considerations. One basic requirement is that the education and training system should be flexible and responsive to changing labour market conditions. This maximises both the individual and social benefits derived from investments in education and training. Individuals find employment appropriate to their skills, enterprises obtain the types of workers they need and society benefits from fuller employment and higher productivity. However, education and training policies also have to meet important social objectives. Consequently, market forces should not be the only determinant of the educational and training needs of society. These needs should be defined through a democratic process that takes full account of the long-term goals of society, the development of national culture and the preferences of individuals. Equitable and non-discriminatory access to training opportunities is a precondition for equal employment opportunities. Training is also a potentially powerful instrument for improving the integration of disadvantaged groups into economic and social life. Training policies focused on women, the poor, the unemployed, older workers, youth, minority groups and disabled persons can significantly enhance their employability. Training in occupational safety and health is an important component of an integrated national training programme.
8. Structural adjustment programmes, especially in their early phase, have often caused declines in levels of economic activity, lower tax receipts and reductions in government expenditures. As a result, many countries have been forced to cut their public expenditures, including expenditures on education and training. The results of those cuts have often been negative, contributing to the erosion of countries' endowment of skills and knowledge and thereby jeopardising their prospects of recovery and sustained, long-term economic development. In some circumstances, budget cuts for education and training may have disproportionately affected poorer groups who have seen their access to education and training and prospects for future employment and income earning opportunities reduced. In some countries, the lack of appropriate investments in education and training and the failure to encourage investment, especially in skill-intensive industry, have contributed to the increase in the number of low-skilled, low-wage jobs and to job loss.

9. It is important for governments to avoid these negative effects and to strengthen the positive contribution that education and training can make to support successful adjustment. Education provides the general literacy, numeracy, communication, scientific and problem-solving skills that improve the individual's ability to adapt to change and learn new skills. Training, when responsive to the changing needs of the labour market, can facilitate the adjustment process by equipping workers with the specific skills needed to shift from declining to expanding sectors of economic activity. It can provide skills necessary to become productively self-employed. By raising the productivity and adaptability of workers, education and training increase enterprises' competitiveness and their ability to adjust to rapidly changing markets and consumer preferences. By increasing the occupational, regional and functional mobility of workers, education and training increase the efficiency of labour markets and allow workers to orient themselves vocationally and choose jobs in which they will be most productive. Experience shows that investments in a good educational system, followed by appropriate training efforts for workers, when combined with appropriate national policies and enterprise structures, contribute significantly to rapid economic and social development, even in circumstances when natural resources are limited. Education and training therefore constitute an essential element in a virtuous circle consisting of training and skill development, higher work motivation, higher productivity, continuous adjustment of enterprises and workers to change, higher employment and increased incomes and well-being.

10. Governments should have the political will to mobilise all appropriate human, material and financial resources to reverse the negative impact that stabilisation and adjustment have had on education and training in many countries. For example, the reduction of military spending should enable governments to channel substantial resources to productive and socially beneficial activities, such as education and training. Improved targeting and greater cost-effectiveness in the use of public expenditures will also make an important contribution to boosting education and training programmes to adequate levels. Governments should mobilise resources for education and training on the grounds of both equity and impact on the economy: equity because the burden of adjustment should not fall disproportionately on the least educated and least able to pay, and economically because increased investment in human resources would have an expansionary effect on the economy and increase the availability of skills. Where cost recovery measures
have been introduced the effect has often been to limit the access of low-income groups to education and training. Safeguards should therefore be established to ensure that the fees charged do not constitute an insurmountable barrier to the poor.

11. The mobilisation of non-governmental sources of funding for education and training should be given high priority. Adjustment has encouraged a variety of actors, including enterprises, trade unions, national and local governments, non-governmental organisations and community groups, to develop innovative responses to the need for education and training in order to cope with adjustment. Government and the social partners should encourage enterprises to engage in business-education partnerships, promote community training institutions and undertake other activities conducive to expanding access to training opportunities. Education and training institutions should be encouraged to support adjustment by expanding their training programmes for business creation and promotion and distance learning. Employers, workers and, where appropriate, their representative organisations should cooperate in establishing comprehensive training programmes, including improvements of existing schemes.

12. The use of low-cost, innovative training methods offers another means of maximising the impact of limited training resources and overcoming the effects of budgetary restrictions. Most conventional training methods are expensive for developing countries and can reach only a small proportion of the population needing access to education and training. Large numbers of workers in the urban informal and rural sectors, as well as the growing number of unemployed workers, require access to training in order to improve their situation. Governments, enterprises, education and training institutions, workers’ and employers’ organisations and other training providers should therefore give priority to developing and disseminating low-cost training methods that save on scarce resources without compromising the quality of training. These would include audio-visual training methods, training by correspondence, distance learning and new, cost-effective instructional technologies.

COMPREHENSIVE HUMAN RESOURCES DEVELOPMENT POLICIES

13. Comprehensive human resource development policies should be formulated by governments in consultation with the social partners. Governments and the social partners may consider vesting in a tripartite national training authority or other nationwide board the tasks of formulating and reviewing national training policies. A basic objective should be to promote the creation of an institutional framework and infrastructure for implementing these policies.

14. Comprehensive human resources policies should be formulated and implemented within the framework of adherence to democratic principles, tripartism, and consultation between the government, the social partners and community groups. This will ensure maximum popular support for these policies and create a collective ownership of solutions to problems of training and skill development.

15. Under the overall umbrella of comprehensive human resources development policies, a new division of roles in training should be envisaged among governments, training institutions and the social partners. It is incumbent on governments to create an economic and social climate favourable to learning and skill development, as well as to ensure basic education and training. Governments are responsible for providing the economic and social framework that promotes
long-term growth. They should make training policy and investments in education and training an integral element of long-term strategic planning and economic policy-making. Governments should mobilise public and private resources for education and training and create a supportive policy environment that encourages enterprises, training institutions and other actors to invest in training and that promotes and supports the individual's desire for learning and skill development.

16. In the context of comprehensive human resources policies, governments should ensure an effective and supportive infrastructure for training. This infrastructure should be capable of responding quickly to the specific needs of local labour markets by promoting training that meets the demand of enterprises and individuals for skills and employment-related qualifications. Governments should maintain a system of certification of skills and accreditation of institutions in order to ensure the quality and comparability of training. They should also define the desired core competencies required for improved economic and enterprise performance and ensure that vocational qualifications provide links to career advancement by giving workers access to higher levels of education. Governments should provide incentives for firms and individuals to engage in training activities, offer vocational guidance and counselling services, and also provide training support to small and medium-sized firms and the self-employed, often lacking the resources to organise and finance their own training. While preserving their role as catalyst and regulator of national laws affecting training, they may, where adequate alternatives exist, consider reducing their role in providing training programmes.

17. Structural and technological change creates demand for new skills and make it necessary to develop new forms of training. Training and education in today's rapidly changing labour markets cannot take place only in schools and training institutions. Theoretical instruction combined with practical training is widely recognised as an effective means of facilitating the transition between school and the world of work. There is therefore a need increasingly to make use of the enterprises that are capable of organising this kind of training. It is also important to exploit innovative training schemes that in various forms combine school-based education with practical training and which offer a variety of choices in career and skill development. The best prospects for adapting training is therefore in the development of various links between schools, public and private training institutions and enterprises.

18. An important objective of human resources development policies should be to make training respond better to the demand for skills and knowledge of the economy, enterprises and individuals. This can be achieved by strengthening tripartite consultations on training objectives and content, decentralising training decisions from central training authorities to regional and local community bodies and by linking enterprises, unions and training institutions in activities related to curriculum development, enrolment planning, vocational guidance and student placement. These measures are likely to improve the ability of training institutions and individual programme managers to adjust their training programmes to enterprises' and the economy's needs for skills and qualifications. They are also likely to contribute to greater equity in access to education and training.

19. Successful adjustment depends on improved company performance, which cannot be achieved without a more skilled workforce and the creation of an enterprise culture that can harness the creative and productive potential of workers and prepare them for change. It can be promoted by enterprise reforms that would increase staff participation in matters affecting their daily work, improve work organisation and practices and promote positive attitudes to change. In particular,
education and training to upgrade staff skills will contribute to breaking down
those hierarchical working relations that stifle initiative and prevent mobility and
career advancement. The social partners should pursue these objectives through
negotiations and improve wages and working conditions as a consequence.

20. Enterprises benefit greatly from training and have a responsibility to make
a financial contribution to its costs. Many experiences around the world demon­
strate that there are several ways in which governments can encourage enterprises
to improve the quantity and quality of training. Measures which have been in­
troduced successfully in different countries include levy schemes on enterprise
payrolls to finance training, tax rebates based on expenses incurred in training,
subsidiising part of training costs, and the channelling of public funds through
national, regional and local bodies on which the social partners are represented. It
is also argued that, if properly managed, a levy can contribute to a more equitable
sharing of the costs of training, raise employers’ awareness about the importance
of training for enterprise success and encourage them to review their investments
and provisions for training. In undertaking these measures governments should
ensure that they are not just financing bureaucratic institutions, but that funding is
effectively used to promote skill development activities for enterprises. Govern­
ments can encourage employers to undertake training through financing innova­
tive promotion schemes, workplace reforms, training awards, and the exchange of
information about best practices in training.

21. Policy-makers, training institutions and enterprises require accurate, up-to-
date information about the demand for and supply of skills in order to design
relevant training programmes. Training institutions, the social partners and policy­
makers should collaborate in developing such information systems. Regular sur­
veys of skill needs should be instituted to support the planning of training and
retraining programmes and to increase labour capabilities.

CONTAINING THE SOCIAL COSTS OF ADJUSTMENT

22. In developing countries undergoing structural adjustment, the initial phase
is often associated with recession; a consequent rise in unemployment; a decline in
real wages and the earnings of the self-employed; and reduced social expenditures.
This is often exacerbated by the retrenchment of civil servants and employees of
state enterprises as a result of cuts in public budgets and the phasing out of unprof­
itble state enterprises. These developments can be of long duration in cases
where structural adjustment measures are ineffective, incomplete or are slow in
producing the anticipated revival of economic growth. In these circumstances,
special measures should be considered to mitigate the social costs of adjustment.
These measures include the retraining of retrenched workers; the promotion of
productive and freely chosen self-employment through training, credit and other
support programmes; and targeted social assistance for the most vulnerable.

23. In many developing countries such measures are part of structural ad­
justment programmes and are usually implemented through social funds which are
partly financed by external assistance. While this is a welcome development, there
is significant room for improvement. The resources available under such social
funds are often meagre in relation to the scale of the needs. Increased external
assistance is called for, especially in the case of least developed countries. Where
the social costs of adjustment are particularly acute, it may be necessary to recon­
sider the pace of implementation of certain aspects of structural adjustment
programmes.
24. These social funds are normally implemented without the involvement of the social partners. They can be made more effective, more relevant and enjoy wider support if the social partners are consulted in their management. Tripartite consultations on programme priorities, project design, implementation and evaluation will ensure greater sensitivity to the needs of potential beneficiaries and result in more participative forms of programme implementation. In addition, national tripartite consultation on the design of overall structural adjustment programmes would make a significant contribution to minimising the social costs of structural adjustment.

25. Active policies focused on vulnerable groups and depressed regions should be implemented in all countries undergoing economic restructuring. The loss of unproductive jobs is an inevitable consequence of economic restructuring and anticipatory policies for retraining and redeployment of displaced workers should constitute an integral part of adjustment programmes. Retraining programmes must respond to the new demands in the labour market and the intervention must be as early as possible and accompanied by a full range of services such as assistance in job search, vocational guidance and placement. Countries that provide unemployment benefits should ensure that they provide a basic income. However, the level and duration of benefits should encourage an early return to work and thereby increase the effectiveness of retraining programmes. It is also important to integrate training and retraining policy with employment, welfare and income support policies since these policies are interrelated and should be mutually compatible and supportive.

26. Apart from government-run programmes, retraining opportunities can also be expanded by providing incentives to private enterprises to organise retraining programmes. These incentives have taken different forms in different countries, depending on national law and practice, and have included grants drawn from training levies, tax rebates and tax credits as well as relevant community-based training initiatives.

EQUITY IN TRAINING

27. Equality of access to training is a requirement for the elimination of discrimination in economic and social life. Every effort should therefore be made to ensure equitable and non-discriminatory access to training opportunities. Equity issues assume a heightened significance during structural adjustment because disadvantaged groups are particularly vulnerable to a deterioration in their economic condition and reduced opportunities for training. Special measures to prevent this are therefore required.

28. Governments have the primary responsibility for ensuring equal and non-discriminatory access to training and consequently should establish an appropriate body to ensure that this is done. Equal opportunity commissions should, where appropriate, be established. These commissions can make an important contribution to the elimination of discrimination in training and employment on the grounds of gender, religion, ethnic origins, age or disability. Such commissions can stimulate the introduction of equal opportunity legislation and monitor its enforcement. They can also promote voluntary action to reduce discrimination through funding research and action programmes in this area. Furthermore, they can undertake research to identify systemic barriers to the integration of the disadvantaged into mainstream training and employment and to formulate measures to remove these barriers.
29. In most societies, the employment opportunities for women are substantially less than those for men, and programmes to eliminate discrimination against women in education, training and employment merit special attention. A comprehensive set of measures needs to be introduced and executed to ensure gender equality. Equal opportunity legislation needs to be supplemented by measures such as the creation of equal parental rights, the provision of child-care facilities, campaigns against sexual harassment, and information programmes to change the attitudes of employers and workers and break cultural stereotypes that are detrimental to women. Special measures to promote equal access to educational and training opportunities are also important. These include the provision of vocational guidance and other measures to encourage women to enter non-traditional fields of training. The design of training programmes should make allowance for the time constraints women face because of family responsibilities.

30. Special training programmes should be provided for other disadvantaged groups such as ethnic minorities, migrant workers, older workers, marginalised youth and disabled persons. These programmes should aim at integrating such disadvantaged groups into the mainstream of economic and social life. In order to maximise their effectiveness, the design of these programmes has to take into account the special needs of particular groups. Measures such as training in language and numeracy skills may have to precede vocational training, and institutional support in the form of child-care and other facilities may be required to encourage participation. It is also desirable to design customised training initiatives based on an assessment of individual and enterprise needs. Although governments have the main responsibility for financing and organising these programmes, initiatives by employers' organisations, enterprises, trade unions, international and national NGOs and community organisations should be encouraged. Where possible these organisations should be used as implementing agencies of training programmes.

31. Among these disadvantaged groups, migrant workers deserve special attention in view of their growing numbers and the severe difficulties they face in gaining access to training opportunities. These difficulties often spring from their insecure status in host countries and their unfamiliarity with local languages and cultures.

32. Developing countries face a major challenge in extending training opportunities to large numbers of the poor, who are normally illiterate or semi-literate, in rural areas and in the urban informal sector. Intensive programmes need to be organised that involve basic literacy training and supporting measures to boost income-generating opportunities, provide basic social protection and promote collective action by informal sector producers and workers. In view of the large numbers that must be reached, audio-visual and other innovative and low-cost alternatives to conventional training programmes should be used. Special attention should be given to encouraging an entrepreneurial approach and developing the necessary skills for enterprise development.

33. Training and other programmes directed at the informal sector in developing countries should have as a basic objective the progressive integration of this sector into the formal sector. Training programmes have to be supported by the provision of basic infrastructure and credit. Special efforts should be made to remove constraints to the integration of small informal sector enterprises into the formal sector by increasing their productivity and ability to meet accepted business practices in the formal sector. Basic social protection should be provided to informal sector producers and workers placing particular emphasis on freedom of asso-
ciation and freedom from forced labour, the development of some elementary forms of social security, and providing information and training to informal sector enterprises on measures that can be taken to reduce exposure to occupational safety and health risks. Governments should support the initiatives to improve social protection in the informal sector undertaken by producer cooperatives, trade unions and other groupings in that sector.

**ROLE OF THE SOCIAL PARTNERS**

34. Employers’ and workers’ organisations should participate actively in the formulation of national and sectoral training policies and in the implementation of training programmes at the national, regional and local levels. Workers’ organisations have a major role in encouraging their members to undertake training. Both employers’ and workers’ organisations have an important role to play in defining the current and future training needs of the economy and thereby ensuring that the training system is fully responsive to market needs. Employers’ and workers’ organisations have a contribution to make in ensuring that training policies and programmes are sensitive to training needs broader than those solely determined by the market as well as to equity issues.

35. Employers’ and workers’ organisations should be consulted in determining national systems of skill certification and the content of training courses. They can also contribute to the monitoring and evaluation of training policies. Of particular importance is the feedback they can provide to policy-makers on whether the current policy environment provides sufficient incentives for enterprises to train and for workers to undertake training. In addition they can provide regular feedback on performance to training institutions.

36. Employers’ organisations have an important role to play in stimulating training by enterprises through the provision of information and technical services on the design and implementation of industry and plant-level courses that would facilitate the access of workers to training. These services will be particularly useful for small enterprises. Management training and entrepreneurship development programmes run or supported by employers’ organisations are particularly useful additions to national training efforts. Similarly, initiatives by enterprises such as the setting up of training centres for deprived urban youth and the organisation of retraining programmes for displaced workers contribute significantly to the attainment of social objectives. Employers can also stimulate training through promoting work organisation and payments systems that value and reward skill acquisition. Collaboration between enterprises and training institutions in training initiatives should be encouraged.

37. Workers’ organisations play an important role in organising training programmes for their members and in negotiating better training by enterprises, its extension to workers not adequately covered, and the provision of adequate incentives and assistance for workers to acquire additional skills. Workers’ organisations can also play a very important role in providing training in occupational safety and health and in ensuring that training programmes in enterprises are sensitive to the special needs of women workers and young workers. They can also make a significant contribution to poverty alleviation through training programmes for rural and urban informal sector workers.

38. Industrial relations approaches that allow for consultation and cooperation can play an important role in facilitating the introduction of new, more flexible,
forms of work organisation and production technologies that permit enterprises to adjust to rapidly changing and increasingly competitive markets; and to encourage the integration of training into the overall enterprise strategy.

**Action by the ILO**

39. The activities of the ILO in the promotion of human resources development must be seen in the context of national circumstances and relevant international labour standards, particularly the Human Resources Development Convention, 1975 (No. 142), the Human Resources Development Recommendation, 1975 (No. 150), the Employment Policy Convention, 1964 (No. 122), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). They also need to be planned and developed within the framework established by the High-Level Meeting on Employment and Structural Adjustment held in 1987. In addition these activities need to be sharply focused to make the best use of limited ILO resources to promote human resources development. Outputs should be assessed and the cost-effectiveness of specific activities and projects evaluated. There are four areas described in paragraphs 40-43 below which the ILO should continue to emphasise in its efforts to ensure the critical importance of human resources development in economies faced with the demands of structural adjustment. In continuing to emphasise these efforts the ILO should:

40. In respect of human resources development policies:

(a) strengthen its leadership role in advocating that investment in human resources development and especially in basic education and in vocational training is a priority of governments and the social partners during structural adjustment; not only to facilitate the process of adjustment but, in addition, to ensure the equal participation of all individuals and the social groups in the labour market and to maintain or increase the skills of workers necessary for long-term economic and social development;

(b) intensify continuing dialogue between the ILO and the Bretton Woods institutions in order to maintain expenditures in education and training during adjustment programmes. This advocacy should be supported by in-depth analytic studies, information dissemination, advisory services and, where appropriate, participation in structural adjustment missions;

(c) encourage and facilitate consultation with the social partners when structural adjustment programmes are being designed and negotiated. The ILO should encourage and assist the social partners to participate fully in such consultations by helping them to develop their capacity to analyse structural adjustment issues within the framework of broad national social, especially educational, and economic objectives;

(d) assist governments and the social partners in designing training and retraining activities as part of programmes to compensate for the social costs of adjustment. In circumstances where many new employment opportunities are located in the informal sector, the ILO should assist member States to develop innovative, low-cost training methods for helping informal sector workers to improve their productivity and working conditions. The ILO also should prepare for policy-makers a compendium of approaches to mitigate the social costs of adjustment, particularly for use in countries in transition and in developing countries;
(e) intensify its assistance to policy-makers to improve their capacity to design training activities that are linked to and benefit from general educational programmes. The ILO also should assist the social partners in developing their own capacity to analyse adjustment;

(f) encourage and assist policy-makers to evaluate training needs and plan appropriate responses within a broad educational, economic and social framework;

(g) assist in the organisation of national tripartite conferences to evaluate adjustment programmes with a view to promoting successful responses;

(h) consider organising a follow-up meeting to the High-Level Meeting on Structural Adjustment held in 1987;

(i) give policy advice to governments, based on in-depth research concerning training and education, in line with the policy priorities identified by the conclusions of this Committee;

(j) assist member States in examining means to ensure equal access to education and training for all groups of the population.

41. In respect of national capacities to implement human resources development programmes:

(a) intensify its technical cooperation programmes with developing countries and with countries shifting from centrally planned to more market-oriented economies. These technical cooperation activities normally should be managed by national organisations rather than donors and should draw on national expertise, including employers’ and workers’ organisations, so as to ensure enhanced national capacity and not merely the achievement of relatively narrow project objectives. In implementing technical cooperation activities, emphasis should be put on the promotion of international labour standards, tripartite cooperation, collective bargaining and safety and health in the workplace;

(b) give priority to strengthening the capacity of employers, especially in small and medium firms, to design and implement training programmes that increase the productivity of their enterprises and contribute to the personal development of their employees, particularly where such programmes are based on a strong collaborative partnership between employers and trade unions;

(c) collaborate with member States in developing guidelines, procedures and training materials that increase opportunities for productive and freely chosen self-employment and that raise the productivity of workers, especially those working in the informal sector, leading to improved wages, living and working conditions;

(d) develop a programme for promoting partnerships between education and training institutions and the social partners. This programme would, in particular, endeavour to link employers’ and workers’ organisations, where they exist, with such institutions in jointly developing and implementing training programmes;

(e) encourage and promote developed and developing country dialogue leading to closer cooperation, the development of the interchange of information, the transfer of technology, the provision of training programmes and skills, and the analysis of markets on a continuing basis, leading to closer forms of partnership.

42. In respect of research and information dissemination:

(a) undertake applied and practical research that will assist countries to develop appropriate human resources development responses to the challenges posed
by structural adjustment. For example, the ILO should compile and publicise information on the impact of various structural adjustment policies on national populations, workers, and vulnerable social groups. Secondly, given the widespread interest in finding the most effective means of encouraging employers to provide training, the ILO should conduct a comparative study of the costs and benefits of different approaches, including tax rebates, enterprise-based training levies and the channelling of public funds for training through accountable bodies in which the social partners are represented. The study should provide countries with practical means of assessing the effectiveness and relevance of these different approaches to their own particular national circumstances, and guidelines for their implementation;

(b) strengthen the capabilities of national statistical offices, national training authorities, individual training institutions and enterprises to collect and analyse data on the demand and supply of training, including training for informal sector activities. This information will provide the basis for designing and implementing training policies and programmes in support of formal and informal sector training activities so as to improve the income earning abilities, living and working conditions of producers and workers, including the strengthening and modernisation of traditional apprenticeship training;

(c) reinforce its role as an international clearing-house for the collection, analysis and dissemination of information about training policy developments, institutional reforms in training, including the effects of privatisation of training institutions, incentive systems that encourage private sector training and innovations in extending training to groups that have been particularly hard hit by structural adjustment and have limited access to training. A particularly important objective of the ILO should be to publicise innovative local approaches to human resource development by enterprises, non-governmental and community organisations, employers' organisations and trade unions, as well as activities conducted jointly by the social partners. An important means of strengthening its clearing-house role is through the establishment of networking arrangements with educational and training institutions, especially at the regional level;

(d) prepare and disseminate a synopsis of research findings of national training experiences contained in the ILO's publications on training;

(e) undertake a programme of national and regional tripartite workshops and seminars that provide opportunities for the social partners to share their experiences in human development, especially the results of innovative responses to structural adjustment. The International Training Centre of the ILO should play an important role in this area, both in the conduct of such activities, at the Centre or in the regions, and in the preparation of appropriate background and instructional materials;

(f) undertake comparative analytical studies of the institutional framework for training in different countries. These studies should identify different institutional mechanisms and policies that have been employed for adjusting training programmes to meet better enterprises' skill demand and the skill needs of the informal sector, while ensuring equity in training. They should also endeavour to identify the technical, managerial and financial means by which traditional apprenticeship training could be strengthened and modernised to meet the skill and development needs of the informal sector. Based on these evaluations, effective strategies for undertaking training policy reforms should be developed.
43. In respect of special programmes:

(a) exercise vigorously its unique role among international organisations as the advocate of tripartite collaboration and as champion of the most vulnerable social groups. This responsibility is greater today than ever because of the difficult world economic conditions and the necessity for many countries to undergo substantial restructuring of their economies. The ILO must continue to assert its message concerning social equity and the development and efficient utilisation of human resources both in international forums and in its collaborative activities with the Bretton Woods institutions and regional development banks. The ILO should continue to reiterate that structural adjustment should emphasise social justice and the sharing of the burdens of adjustment, the improvement in working and living conditions which will result from structural adjustment, and tripartite consultation and cooperation on adjustment to improve the probability of its success;

(b) intensify its efforts to improve opportunities for women to participate on an equal basis in all human resource development and labour market programmes. In addition, it must strengthen technical cooperation programmes that promote the full economic social equality of women and improve the working and living conditions of the poorest groups of women, especially in rural areas, who have not had the opportunity to attend school and who, in addition to family responsibilities, are burdened with heavy work responsibilities outside the home;

(c) reinforce its programmes, consistent with the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), to make sure that disabled persons, one of the most vulnerable social groups, are not unfairly impacted by structural adjustment programmes, reduction in social expenditures and privatisation. The ILO should assist countries moving to more market-oriented economies to develop policies and programmes that demonstrate methods of providing equal opportunities for disabled persons in competitive labour markets;

(d) strengthen the role of the International Training Centre of the ILO, which represents a substantial potential to advance the ILO's efforts in human resources development. The Centre should continue to intensify its programmes aimed at enhancing the capacity of training organisations to develop effective managerial and professional skills, especially through training of senior managers and trainers of trainers. The Centre should also develop innovative, low-cost instructional methods and materials for use in developing and transitional economies. The Centre has a key role to play in the functioning of information networks. Its management training and workers' education programmes should be strengthened.

III

Resolution to place on the agenda of the next ordinary session of the Conference an item entitled: "Prevention of major industrial accidents"1

The General Conference of the International Labour Organisation,
Having adopted the report of the Committee appointed to consider the fifth item on the agenda,

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1 Adopted on 22 June 1992.
Having in particular approved as general conclusions, with a view to the consultation of governments, proposals for a Convention and a Recommendation concerning prevention of industrial disasters;

Decides that an item entitled “Prevention of major industrial accidents” shall be included in the agenda of its next ordinary session for second discussion with a view to the adoption of a Convention and a Recommendation.

IV

Resolution concerning the role of enterprises in employment growth and the creation of full, productive and freely chosen employment

The General Conference of the International Labour Organisation,

Recalling the obligation of the ILO to further programmes which will achieve, inter alia, full employment, the raising of standards of living, and a just share of the fruits of progress to all,

Recalling the Employment Policy Convention, 1964 (No. 122), and Recommendation, 1964 (No. 122), and the Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169),

Recalling also the conclusions of the High-Level Meeting on Employment and Structural Adjustment, held in November 1987,

Recalling that the standards of the ILO relating to employment address all forms of productive activity which provide means of earning a livelihood,

Considering that continuing structural adjustment in the context of technological developments and changes in world markets requires intensified efforts to maximise employment opportunities in all countries,

Recognising that a key element in solving the problems of unemployment and underemployment faced by many countries lies in the creation of a favourable climate for the efficient utilisation of human skills including entrepreneurial and management skills, and the exercise of these skills by individuals, within the framework of policies that encourage the creation and growth of enterprises, especially small and medium-sized ones, that are competitive nationally, regionally and internationally,

Considering that there is a need for tripartite cooperation in the creation of an environment that would stimulate enterprise and investment, and through that, employment growth and improved living standards and working conditions, freedom of association and free collective bargaining,

Considering also that the full use of consultation between governments and the social partners, at all appropriate levels, greatly facilitates such cooperation and the achievement of these objectives,

Convinced of the need for government policies which provide the appropriate infrastructure and framework for economic and employment growth, investment and active labour market policies;

1. Calls upon governments and employers' and workers' organisations to:

(a) promote economic, industrial, investment and employment policies, including active labour market policies, that provide an environment in which enterprise can develop and flourish and new small and medium-sized enterprises are

1 Adopted on 22 June 1992.
established, so that self-sustaining new jobs, offering full, productive and freely chosen employment can be created, and living standards and working conditions can be improved;

(b) make full use of consultation in the formulation of such policies;

(c) encourage constructive industrial relations systems, including collective bargaining systems where relevant, in order to facilitate the implementation of these policies;

(d) improve employment services and training and retraining programmes;

(e) take appropriate measures to encourage an entrepreneurial approach and the necessary skills for enterprise development, in particular through training and retraining programmes;

(f) devote particular attention to measure which will assist the most marginalised sections in society, such as women and rural workers, to find employment opportunities.

2. Invites the Governing Body of the ILO to instruct the Director-General:

(a) to give special emphasis, when implementing the programme of the ILO and when planning future activities, to:

(i) activities that promote the development of appropriate economic and employment policies that would:

- encourage an entrepreneurial approach and the necessary skills for enterprise development, especially in small and medium-sized enterprises, with a view to expanding sustainable and productive employment;

- enhance the potential of enterprise in the creation of full productive, and freely chosen employment; and

- help to improve living standards and working conditions;

(ii) training and retraining programmes directed towards enabling unemployed people, including new entrants to the workforce, those displaced by structural adjustment and those in marginalised sections of society, to acquire the necessary skills and qualifications to find employment or re-employment or to start their own economic activities;

(iii) activities fostering the creation of new enterprises as a significant means of re-employing people who may lose their jobs in the process of structural adjustment, as well as providing employment for new entrants to the workforce;

(b) to promote and organise exchanges of experience among countries adopting as essential elements of their economic and employment policies, in order to increase opportunities for sustainable and productive employment:

- a diversified and efficient market economy;

- the promotion and encouragement of the creation and development of enterprises without unnecessary regulation and excessive bureaucratic interference;

- the promotion of freedom of association and free and voluntary collective bargaining;

- facilities for, and the promotion of, adequate consultations between the social partners, at all appropriate levels, on how to cope with and facilitate the implementation of structural adjustment in the labour market;

- the full incorporation of adequate social considerations into economic programmes.
Resolution concerning employment promotion as an essential component of overall development

The General Conference of the International Labour Organisation,
Considering that the Universal Declaration of Human Rights provides that "everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment",
Recalling the ILO's responsibility, according to the Declaration of Philadelphia, to promote programmes which will achieve full employment, and the fact that the Preamble to the Constitution of the Organisation advocates the prevention of unemployment and the provision of an adequate living wage, and reaffirming continuous support for the Employment Policy Convention, 1964 (No. 122),
Considering that the International Labour Organisation affirmed in the Declaration of Philadelphia that "the attainment of the conditions in which this shall be possible must constitute the central aim of national and international policy", and further affirmed that it was the responsibility of the Organisation "to examine and consider all international economic and financial policies and measures in the light of this fundamental objective",
Recalling the conclusions of the High-Level Meeting on Employment and Structural Adjustment held in November 1987,
Recalling also ILO standards on employment policy,
Noting with concern the decline in employment opportunities in various regions of the world and the increase in unemployment and underemployment in several industrialised countries as well as in developing countries and countries in transition,
Recognising the need to ensure respect for the principles contained in the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Workers' Representatives Convention, 1971 (No. 135), and the Rural Workers' Organisations Convention, 1975 (No. 141),
Recognising the responsibility of governments in the field of development policy and in the promotion of an environment which stimulates growth and employment and the importance of consultation with employers' and workers' organisations in the formulation of relevant policies in these areas;
1. Urges governments and, where appropriate, employers' and workers' organisations:
(a) to formulate and apply, as a matter of priority, an active policy to promote full, productive and freely chosen employment, through sustained economic growth and development, and thereby raise the standard of living of the population;
(b) to adopt policies which encourage job-creative economic activities, in line with national policies and development criteria; to develop employment and vocational guidance services so as to facilitate access to the labour market;
(c) to continue and intensify efforts to devise coherent training systems and policies;

1 Adopted on 22 June 1992.
(d) to develop social, employment and training programmes that would help to prepare the entry of young people into working life and the reintegration in the labour market of the long-term unemployed, workers displaced by restructuring or reconversion and workers who have interrupted their working life for various reasons, such as family responsibilities;

(e) to take appropriate measures to ensure that employment conditions in all categories of establishments respect the principles of ILO labour standards;

(f) to increase economic cooperation between countries which are at different stages of economic development;

(g) to promote long-term development of world trade on a fair basis, as a means of increasing economic activity and thus to increase employment opportunities, improve living standards and eliminate hunger and poverty;

(h) to develop a market-oriented macroeconomic environment as a means of solving problems of unemployment and developing overall growth.

2. Invites the Governing Body of the International Labour Office to instruct the Director-General to:

(a) encourage member States to establish a framework for substantial employment growth, in both quantitative and qualitative terms, and to take the appropriate economic and social policy measures at the national and international levels and, for this purpose, to advise member States on the means of achieving their objectives as regards employment and the meeting of basic needs;

(b) assess the developments since the adoption of the World Employment Programme, taking especially into account the conclusions of the High-Level Meeting on Employment and Structural Adjustment held in November 1987, and submit relevant proposals for action to the Governing Body at an early date;

(c) continue and strengthen training activities at the national and regional levels, ensuring the optimum distribution and enhanced effectiveness of these programmes;

(d) cooperate fully with other organisations of the United Nations system in the search for solutions to problems of employment and the meeting of basic needs.

VI

Resolution concerning the role of the ILO in the protection and promotion of the rights of migrant workers and their families

The General Conference of the International Labour Organisation,
Guided by the recognition in the Preamble to the ILO Constitution of the urgent need to protect the interests of workers when employed in countries other than their own,
Noting the standards embodied in the relevant ILO Conventions, including the Migration for Employment Convention (Revised), 1949 (No. 97), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Equality of Treatment (Social Security) Convention, 1962 (No. 118), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and the Maintenance of Social Security Rights Convention, 1982 (No. 157), and by the accompanying Recommendations,

1 Adopted on 22 June 1992.
Noting the resolution on migrant workers in Asia adopted by the 11th Asian Regional Conference of the ILO (Bangkok, 26 November-2 December 1991),

Recalling previous relevant resolutions concerning migrant workers adopted by the Conference in 1967 and 1971,

Recalling also the adoption by the United Nations General Assembly in December 1990 (resolution 45/158) of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which the ILO made a positive contribution,

Noting the terms of the Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169), which calls on Members to create more employment opportunities and better conditions of work in countries of emigration so as to reduce the need to migrate to find employment, and to ensure that international migration takes place under conditions designed to promote full, productive and freely chosen employment,

Considering that with increasing economic integration and the movement of workers between countries, countries should consider questions relating to migrant workers and may need to cooperate more effectively in tackling any problems,

Concerned that migration can embody practices which are not in keeping with the principles embodied in relevant ILO standards and considering that there is need to ensure that the conditions of recruitment and employment of migrant workers are in line with those principles,

Expressing concern about acts of racism and xenophobia and the discrimination in employment to which migrant workers may sometimes be exposed,

Calling for effective means to eliminate illegal migration for employment, including through effective measures against labour-recruiting agents, intermediaries and employers of illegal migrant workers,

Convinced that the ILO has an important and valuable role to play in international efforts, including those of the United Nations system, concerning the welfare and the fundamental rights of all migrant workers and their families,

Stressing the need for employers’ and workers’ organisations to be associated, wherever relevant, in the work of all national, regional and international bodies concerned with questions affecting migrant workers and members of their families;

1. Invites governments and, where appropriate, employers’ and workers’ organisations:

(a) to take all appropriate measures to ensure that the terms and conditions of employment of migrant workers respect the principles of freedom of association and non-discrimination, and the provisions of the relevant ILO instruments;

(b) to consider ratification of relevant ILO Conventions concerning the rights of migrant workers and their families;

(c) to take appropriate national measures and to cooperate effectively in the field of international assistance, designed to eradicate migrationary pressures;

(d) to take duly into account all pertinent national and international standards when concluding bilateral agreements on migration;

(e) to take appropriate action which may include legislation to combat all acts of racism and xenophobia against migrant workers, and to intensify information and educational activities to this end;
(f) to ensure that migrant workers have access to information on their rights, including, where necessary, in their own languages;

(g) to involve, through appropriate means, workers' and employers' organisations in the formulation and monitoring of the effects of policies which cover recruitment, employment and the working conditions of migrant workers.

2. Requests the Governing Body of the International Labour Office to instruct the Director-General:

(a) to make the necessary provision in his programme and budget proposals for the 1994-95 biennium for activities which appropriately address the need for the protection and promotion of migrant workers' rights;

(b) to present to an early session of the Governing Body a report on the conditions of migrant workers, to make proposals regarding any appropriate action to be taken when these are not in conformity with the principles embodied in relevant ILO instruments and to keep the Governing Body informed at regular intervals on matters pertaining to these issues;

(c) to continue and, where appropriate, intensify ILO cooperation with other international institutions concerned, including the International Organisation for Migration (IOM), on policies affecting migrant workers, including social and economic policies and employment creation in all countries and to consider appropriate measures to provide the necessary tripartite guidance for the ILO input in this area;

(d) to provide adequate advisory services, monitoring and technical cooperation on migration issues, with the aim of helping governments and, where appropriate, employers' and workers' organisations to formulate and apply effectively policies to protect the rights of migrant workers and to promote their welfare;

(e) to promote the dissemination of information on the rights of migrant workers and members of their families that are recognised in the relevant international instruments, and specifically on their right to freedom of association;

(f) to cooperate closely with the United Nations Compensation Commission so as to ensure that the work already undertaken by the ILO to register migrant workers displaced by the Gulf conflict of 1990-91 is put to use in ensuring that proper compensation reaches the largest possible number of those with just entitlements and to draw conclusions from this experience for situations which may arise in the future;

(g) to continue to examine relevant migration issues and problems, and ways of tackling them, in all the appropriate forums of the ILO.

VII

Resolution concerning the granting to Paraguay of permission to vote under paragraph 4 of article 13 of the Constitution of the International Labour Organisation

The General Conference of the International Labour Organisation,

Having regard to the terms of the financial arrangement adopted by the Conference at its 78th Session (1991) for the settlement of the arrears of Paraguay,

1 Adopted on 11 June 1992.
Having regard further to the fact that Paraguay has brought itself up to date within the terms of the financial arrangement by payment of the balance of the amounts due in 1991 on 13 January 1992;

Decides that Paraguay be permitted to vote in accordance with paragraph 4 of article 13 of the Constitution of the International Labour Organisation.

VIII

Resolution concerning appointments to the Administrative Board (ILO Staff Pensions Fund) and the ILO Staff Pension Committee (United Nations Joint Staff Pension Fund)

The General Conference of the International Labour Organisation;

Appoints to the Administrative Board of the ILO Staff Pensions Fund and the ILO Staff Pension Committee (United Nations Joint Staff Pension Fund), for a period of three years until 8 October 1995, the following members and substitute members of these bodies, namely:

Members: Mr. Y. Chotard (France)
Miss A. M. Mackie (United Kingdom)
Mr. R. Vanni (Italy)

Substitute members: Mr. D. Pelekanos (Cyprus)
Mr. R. M. Schibli (Switzerland)
Mr. W. M. Yoffee (United States).

IX

Resolution concerning the Statute of the Administrative Tribunal of the ILO

The General Conference of the International Labour Organisation;

Decides:

(a) to amend article III, paragraph 1, of the Statute of the Administrative Tribunal of the International Labour Organisation to read as follows:

The Tribunal shall consist of [three judges and four deputy] seven judges, who shall all be of different nationalities;

(b) to delete the words “and deputy judges” from article III, paragraph 2;

(c) to amend article III, paragraph 4, as follows:

A meeting of the Tribunal shall be composed of three members [, of whom one at least must be a judge] or, in exceptional cases, five, or seven, to be designated by the President.

(d) to delete (as being no longer relevant) article III, paragraph 3, of the Statute which reads as follows:

The terms of office of the judges and deputy judges who were in office on 1 January 1940 are prolonged until 1 April 1947 and thereafter until otherwise decided by the appropriate organ of the International Labour Organisation. Any vacancy which occurs during the period in question shall be filled by the said organ.

1 Adopted on 11 June 1992.
X

Resolution concerning the composition of the Administrative Tribunal of the ILO

The General Conference of the International Labour Organisation;

In accordance with article III of the Statute of the Administrative Tribunal of the International Labour Organisation;

Decides to appoint as judge of the Administrative Tribunal, for a term of three years, with effect from 18 November 1992:

Mr. Michel Gentot (France);

Decides to appoint as judge of the Administrative Tribunal, for a term of three years and with immediate effect:

Mr. Mark Fernando (Sri Lanka);

Decides to extend the term of office of Mr. Pierre Pescatore by a further period of three years;

Declares that, as from the adoption by the Conference of the proposed amendment to article III of the Statute of the Administrative Tribunal repealing the distinction between judges and deputy judges, all deputy judges in office will be considered as judges for the remaining part of their term of office.

XI

Resolution concerning the contributions of the Republic of Korea

The General Conference of the International Labour Organisation;

In accordance with article 9, paragraph 2, of the Financial Regulations, fixes for the period of its membership in 1991 an annual assessment rate of 0.68 per cent for the contribution of the Republic of Korea to the 1990-91 Programme and Budget of the International Labour Organisation;

In accordance with article 9, paragraph 2, of the Financial Regulations, fixes for 1992 an annual assessment rate of 0.68 per cent for the contribution of the Republic of Korea to the 1992-93 Programme and Budget of the International Labour Organisation.

XII

Resolution concerning the contributions of Viet Nam

The General Conference of the International Labour Organisation;

In accordance with article 9, paragraph 2, of the Financial Regulations, fixes for 1992 an annual rate of 0.01 per cent for the contribution of Viet Nam to the 1992-93 Programme and Budget of the International Labour Organisation.
XIII

Resolutions concerning the contributions of Azerbaijan, Estonia, Kyrgyzstan, Latvia, Lithuania and Slovenia, and the scale of assessment of contributions for 1993

A. The General Conference of the International Labour Organisation,

Following the practice of harmonising the rates of assessment of ILO member States with their rates of assessment in the United Nations,


Decides, in accordance with article 9, paragraph 2, of the Financial Regulations, that consideration of the rates of assessment of Azerbaijan, Estonia, Kyrgyzstan, Latvia, Lithuania and Slovenia for their periods of membership in the Organisation in 1991 and 1992, together with those of any other new member States for which rates of assessment have not been established in the 1992-94 United Nations scale of assessments, be deferred to the 80th Session (June 1993) of the International Labour Conference.

B. The General Conference of the International Labour Organisation,

Following the practice of harmonising the rates of assessment of ILO member States with their rates of assessment in the United Nations,


Decides, in accordance with article 9, paragraph 2, of the Financial Regulations:

(a) to adopt the draft scale of assessments for 1993 as set out in column 1 of Appendix I to this document;

(b) that the rates of assessment of Azerbaijan, Estonia, Kyrgyzstan, Latvia and Lithuania for 1993 be the same as the rates at which they would be assessed for 1993 in the United Nations, and that the total of their rates of assessment be deducted from the rate of assessment of the Russian Federation in the draft scale;

(c) that the rates of assessment for 1993 of any other States which formed part of the former USSR and may become Members of the ILO before 1 January 1993 be the same as the rates at which they would be assessed for 1993 in the United Nations, and that the total of their rates of assessment be deducted from the rate of assessment of the Russian Federation in the draft scale;

(d) that consideration of the rate of assessment in 1993 for Slovenia be deferred to the 80th Session (June 1993) of the International Labour Conference;

(e) that consideration of the rates of assessment for 1993 of any other new member States for which rates of assessment have not been established in the 1992-94 United Nations scale of assessments be deferred to the 80th Session (June 1993) of the International Labour Conference.

1 Adopted on 11 June 1992.

2 See the first report of the Finance Committee of Government Representatives in Provisional Record No. 11.
XIV

Resolutions concerning the operation of the Working Capital Fund and proposals to amend the Financial Regulations¹

A. The General Conference of the International Labour Organisation,

Decides that, in accordance with article 19, paragraphs 2 (a) and 4, of the Financial Regulations, the amounts standing to the credit of member States in Part I of the Working Capital Fund on 31 December 1991 shall be liberated and applied to reduce regular budget contributions payable by member States for 1993, without prejudice to the amendment of the Financial Regulations referred to in the following resolution;

Decides that interest accruing for the year ended 31 December 1992 on the amount so liberated shall be credited to the Working Capital Fund.

B. The General Conference of the International Labour Organisation,

Recalling that, at the 248th Session (November 1990) of the Governing Body, the Programme, Financial and Administrative Committee had set up a Working Party to review the current arrangements governing the Working Capital Fund,

Recognising that amendments to the Financial Regulations are required in order to implement the recommendations of the Governing Body concerning the operation of the Working Capital Fund,

Recalling that the 78th Session (1991) of the International Labour Conference decided that amendments to the Financial Regulations required to establish the incentive scheme for early payment of member States' assessed contributions would be introduced at the same time,

Recognising that the 77th Session (1990) of the International Labour Conference decided that one-half of any net premium earned for a biennium on forward purchasing transactions between US dollars and Swiss francs should be distributed to the Incentive Fund, but did not define specific criteria for the distribution of this half of the net premium to member States;

Decides to approve in principle the amendments set out in Appendix III,² on the understanding that it will be for the Governing Body, after having had an opportunity to consider more closely at its next session their possible interrelationships with other amendments and proposals still pending, to bring them into effect definitively as from 1 January 1993, and to make proposals for any amendments as may appear appropriate.

XV

Resolution concerning the Financial Report and Audited Financial Statements for 1990-91¹

The General Conference of the International Labour Organisation;

Decides to adopt the Financial Report and Audited Financial Statements for 1990-91 in accordance with article 29 of the Financial Regulations.

¹ Adopted on 11 June 1992.
² See the first report of the Finance Committee of Government Representatives in Provisional Record No. 11.
Resolution concerning the treatment of the 1990-91 cash surplus

The General Conference of the International Labour Organisation,
Noting that for the 1990-91 biennium an excess of regular budget income over regular budget expenditure has resulted in a cash surplus of 19,369,458 Swiss francs;

1. Decides, as an exceptional one-time measure and in derogation of article 18 of the Financial Regulations, to set aside 10,324,000 Swiss francs of the 1990-91 cash surplus in a special account, to be used for the purpose of financing the purchases of capital equipment itemised in Appendix II to this report, and 2 million Swiss francs to be transferred to the Building and Accommodation Fund, thereby reducing by corresponding amounts the sum which would otherwise be available for reducing member States’ assessed contributions for 1993.

2. Notes that, taking account of the above appropriations, the amount available under article 18 of the Financial Regulations for reducing the assessed contributions of member States for 1993 will be 7,045,458 Swiss francs.

Additional texts and decisions

Excerpt from the Report of the Committee on Action against Apartheid

The Conference had before it the report of its Committee on Action against Apartheid which contained the following conclusions, to which were appended the conclusions of the Tripartite Conference on Southern Africa (Harare, 5-8 May 1992).

49. . . .

(1) The Conference notes with concern that the negotiations on CODESA II have failed to lead, as yet, to an agreement on a new Constitution for South Africa. The Conference further expresses concern at recent developments in South Africa since the holding of the All-White referendum of 17 March 1992 which are not conducive to the negotiations called for by United Nations General Assembly resolution No. 46/79A of 13 December 1991. It urges the parties concerned to make every effort to conclude such an agreement and to set up as soon as possible a non-racial democratic interim government.

(2) The Conference once again expresses its strong aversion to violence, and notes with concern that violence in South Africa, in particular the tragic loss of life, is still continuing. The Conference is concerned that a climate of free political activity cannot exist in such an atmosphere of violence. The situation will remain volatile until the South African Government takes stringent measures to demonstrate that it is determined to accept its ultimate responsibility for bringing peace and security to the country. The Conference therefore calls on all constituent members of the ILO to press the South African Government to take its full responsibility, as a signatory of the National Peace Accord, for the enforcement of the measures agreed upon to curb the violence that still prevails.

1 Adopted on 11 June 1992.
2 See the first report of the Finance Committee of Government Representatives in Provisional Record No. 11.
The Conference regrets that a substantial number of political prisoners remain incarcerated. Therefore the Conference calls with renewed urgency for all constituent members of the ILO to continue to put pressure on the South African authorities to ensure the immediate release of all remaining political prisoners. It also calls for the unhindered return of political refugees and exiles in conformity with the agreements reached in this regard.

The Conference takes note of the report of the ILO Tripartite Conference on Southern Africa, held from 5 to 8 May 1992 in Harare, and in particular endorses the conclusions contained in paragraph 62 of that report. (The conclusions are attached hereto as an appendix to this report.)

Developments since the Harare Conference in May 1992 reinforce the need for certain action and assistance set out in the conclusions of that Conference. Specifically, the Conference is therefore asked to endorse the following supplementary conclusions:

(i) The Conference urges the ILO to increase its support and assistance to neighbouring and front-line States to ensure that there is sustained economic growth to counter the effects of previous policies and actions of the South African Government. The Conference further calls on the Government of South Africa to review its policies and actions in the southern African region in order to ensure mutually good relations with its neighbours, founded on the principle of mutual benefit for sovereign States.

(ii) In line with conclusion No. 25 of the Harare Conference, the Conference urges the Director-General of the ILO to respond effectively and rapidly to requests from the democratic and non-racial South African employers' and workers' organisations for technical cooperation in areas within the field of competence of the ILO, on condition that this does not constitute a breach of the policy of sanctions.

(iii) The Conference recognises the vital role of education and training in the transition process towards a democratic South Africa. The Conference urges accelerated skills training and education for the Black population; cooperation from employers and flexibility in adjusting to changing needs. Further, this training and education should be conducted in consultation with the democratic and non-racial employers' and workers' organisations. The Conference urges the Government of South Africa to strengthen the process of immediate and rapid desegregation of all existing and future education and training facilities.

(iv) The Conference notes that investment will be needed to stimulate economic growth and job creation in South Africa during the transition and the post-apartheid period. The Conference, in line with conclusion No. 23 of the Harare Conference, encourages the South African tripartite bodies to develop policies and procedures for investors in the South African economy. Therefore, the Conference emphasises the need for a comprehensive code of investment for South Africa to be negotiated by the parties concerned in that country. This should be part of a broader economic and social programme.

(v) The Conference draws particular attention to the maintenance of sanctions as set out in paragraph 11 of the conclusions of the Harare Conference.

Recognising the importance of the recommendations contained in the updated Declaration of June 1991 and the Programme of Action appended to it, the Conference calls on all governments and employers' and workers' organisations, as well as the ILO, to make all efforts and take such actions as are required to bring about the total eradication of apartheid.

South African citizenship should be enjoyed by all the people of South Africa, including those of Transkei, Ciskei, Venda and Bophuthatswana. The Conference notes that the Government of South Africa is committed to the repeal of the Bantu Homelands Citizenship Act which made people living in the so-called homeland republics (bantustans) foreigners in their own country. The Conference conveys to the Government of South Africa with a sense of renewed urgency its request to accelerate the process of repeal. Bantustans constitute a basic subsystem of apartheid. Their elimination is a key component of the current process of the eradication of the whole system of apartheid. The reincorporation of each bantustan into the South African State is the sole responsibility of the central Government.

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(8) The Conference expresses its appreciation of the work of the Group of Independent Experts to follow up on and monitor the implementation of sanctions and other action against apartheid, whose findings have considerably helped the work of the Committee on Action against Apartheid. The Conference supports the decision of the Governing Body taken at its 253rd Session in May 1992 to extend the term of office of the Group of Independent Experts by one year with a renewed mandate focusing on the monitoring of the Declaration concerning Action against Apartheid in South Africa. The Conference recognises that the Governing Body will review its position, as indicated in paragraph 38 (b) of the report of the Committee on Discrimination at the 253rd Session of the Governing Body, and, should the conditions then exist that would allow for the termination of the work of the group, there would remain a residual amount of budgeted expenditure. The Conference expresses the wish that, in that event, such funds be spent on the preparation of technical cooperation projects as described in paragraph 25 of the conclusions of the Harare Conference in May 1992.

(9) The Conference notes with interest that the Governing Body of the ILO took note of the report of the Fact-Finding and Conciliation Commission on Freedom of Association concerning the complaint by COSATU against the Government of South Africa. The Conference recommends that the Governing Body decide what follow-up should be given to the recommendations in the report following its examination by the Economic and Social Council of the United Nations. The Conference expresses the hope that the conclusions and recommendations contained in the report will be implemented expeditiously by the South African authorities in consultation with the non-racial and democratic employers’ and workers’ organisations.

50. In addition, the Committee recommends that the Conference should send the following message to the Government of Malawi:

The International Labour Conference, currently in session in Geneva, is gravely concerned at the arrest on 6 April, and the continued detention of Chakufwa Chihana, Secretary-General of the Southern African Trade Union Coordinating Council, and for many years Secretary of the Workers’ Group of the Committee on Action against Apartheid, and the closure of SATUCC offices in Lilongwe, Malawi. These are gross violations of fundamental human and trade union rights and the Conference demands the immediate release of Chakufwa Chihana, and that SATUCC offices be reopened. The Conference, noting that Malawi is a member of the United Nations and of the ILO, calls on the Government of Malawi to honour its commitments to human and trade union rights guaranteed under the Constitution of the International Labour Organisation and the Charter of the United Nations.

APPENDIX

Conclusions of the Tripartite Conference on Southern Africa

(Harare: 5-8 May 1992)

Social, economic and labour aspects of subregional integration in post-apartheid southern Africa

1. Good relations should prevail between all States in the subregion, founded on the principle of mutual respect between sovereign States. The Conference calls on the South African Government to refrain from any actions which harm stability in the southern African subregion.

2. In southern Africa, priority should be given to supporting efforts aimed at balanced policies for economic and social growth, social justice, and basic human and trade union rights in all the countries, to the benefit of the whole region.

3. The Conference expresses the hope that – in line with further positive political developments in South Africa – the integration of South Africa in SADCC, PTA and SALC will be favourably considered by governments of the countries in the subregion, in cooperation with employers’ and workers’ organisations.

5. The following areas should be covered by the ILO Programme of Action in southern Africa: (i) job creation; (ii) promotion of small business and cooperatives; (iii) vocational education, training and retraining; (iv) improvement of labour laws and upgrading of labour standards; (v) promotion of equality of opportunity; (vi) improving working and living conditions and organisation of rural workers; (vii) occupational health and safety; (viii) migration of labour.

6. The ILO should continue to support assistance to migrant workers in southern Africa and provide more resources to technical and vocational training and the creation of employment opportunities for returning migrant workers. Such programmes should be conducted in conjunction with trade union organisations of the subregion and particularly through the coordination and cooperation of the Southern African Trade Union Coordination Council. The governments in the subregion should also give immediate priority to the initiation of specific programmes providing job opportunities for migrant workers and provide for regular consultation and collaboration with workers' and employers' organisations in the formulation and implementation of policies affecting migrant workers.

7. The ILO should effectively assist the countries in the subregion in setting up adequate mechanisms for social and economic dialogue; for constructive industrial relations and for tripartite consultation and cooperation. They are essential pillars in the building up of national infrastructure, which is indispensable for the preparation and implementation of economic and social programmes.

8. The ILO should play its full role with the international financial institutions as well as with the national governments in the subregion, to make sure that the concerns of workers and employers are effectively taken into account and that their organisations are involved when programmes and policies for structural adjustment are planned and implemented.

9. The Conference urges governments and employers' and workers' organisations and multinational and national enterprises operating in southern Africa to observe the principles embodied in the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy. In this respect, particular attention is drawn to the provisions in the Declaration on employment, training, equality of opportunity and treatment, conditions of work and life, safety and health, freedom of association and the right to organise and collective bargaining.

Recent development concerning apartheid in South Africa

10. The Conference considers that it is premature to repeal or revise the ILO Declaration concerning Action against Apartheid in South Africa. It expresses the hope that future developments in South Africa will, in due time, make the content of the Declaration obsolete.

11. Sanctions should be maintained on South Africa to speed up the process of change, in line with the decisions of the United Nations.

12. The ILO should continue to support the democratic trade unions' struggle to extend basic trade union rights to all workers in South Africa. Particular attention should be given to farm, domestic and public sector workers and to those in bantustans who continue to be denied basic trade union rights.

13. The ILO should continue to support the efforts of the democratic trade unions to ensure that basic human and trade union rights, such as the right of workers to belong to trade unions, trade union independence from government, employers and political parties, the right to resort to strike action, and freedom of association and expression, are entrenched in a new South African Constitution and should urge the Government of South Africa and all political groups to respond positively to this demand.

14. The Conference strongly urges full implementation in South Africa of the principles laid down in the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). The removal of all discrimination and the promotion of equality are of particular interest to the further development of a non-racial South Africa.

15. The Conference notes with appreciation that the IOE, PEC and their members have undertaken the effort – in line with the conclusions of the 78th Session of the ILO annual Conference – to convene a meeting with the South African employers' organisations, i.e. FABCOS, NAFCOC and SACCOLA. At a meeting which took place in Harare in January 1992, FABCOS, NAFCOF and SACCOLA "expressed their agreement on the principle of the creation of a unified and representative non-racial umbrella employers' organisation in South Africa able to represent and defend the common interests of its constituents while preserving their specificity and identity". The Conference expresses the hope that the creation of such an organisation will pave the way for the inclusion of South African employers in the ILO, once South Africa becomes a member State of the ILO.

16. The Conference stresses the importance of education and training so that the transition process can lead to improved working and living conditions, equality and social stability. In particular, the Black population should be able to occupy positions crucial to the building of non-racial democratic institutions throughout society. They must be equipped with the skills needed for an expanding economy, which should include basic literacy education, technical and vocational training and retraining.
17. Employers and employers' organisations are requested to provide adequate in-house training in order to upgrade the skills of workers.

18. The democratic trade unions have an important role to play in this area and have to be involved at the planning and implementation stages.

19. Assistance programmes on workers' education should be expanded and adapted to the needs of the transition and post-apartheid period. Maximum support should be given to the non-racial democratic trade union movement through ILO workers' education activities. Assistance programmes should also be developed for non-racial, democratic employers' organisations.

20. The Conference strongly urges that measures should be taken to ensure that domestic and farmworkers and workers in the public sector are covered by labour legislation. This legislation should be in accordance with the principles laid down in ILO instruments.

21. The Conference regrets that the National Manpower Commission is at present not able to function in a proper way.

22. The Conference recommends that the creation in South Africa of a tripartite economic and social body should be seriously and expeditiously considered.

23. The Conference recommends that in this tripartite body negotiations be held on an investment code for South Africa, which could be part of a broader economic and social programme.

24. The Conference deplores the practice whereby the South African Government recruits skilled and semi-skilled workers, particularly from Eastern Europe and Hong Kong, as well as the preferential treatment and job opportunities given by employers to White immigrant workers even in circumstances where local workers are qualified and available or could be readily trained; in addition, immigrant workers are paid more than local workers, the latter being subjected to strict tests when applying for jobs. The Conference recalls the conclusion adopted in this regard by the International Labour Conference at its 78th Session (1991) (paragraph 64 (i)) of the report of the Conference Committee on Action against Apartheid.

25. The Conference recommends that the 79th Session of the International Labour Conference (June 1992) takes the following decision:

The ILO should – in line with other UN agencies – prepare projects for technical assistance to South African employers' and workers' organisations, on the understanding that these organisations are non-racial, democratic and are willing to accept international labour standards. For this purpose the ILO should, in accordance with the usual procedure for consultation with workers and employers, respectively, meet with representatives of these organisations and consult with them on the nature and content of proposed projects in South Africa. Such projects could then be implemented after the creation of an interim government.

Standing Orders of the Conference

The Conference adopted the following amendments to its Standing Orders.

PART I

General Standing Orders

ARTICLE 4

Selection Committee

Paragraph 2

This provision now reads as follows:

2. It shall be the duty of the Selection Committee to arrange the programme of the Conference, to fix the time and agenda for the plenary sittings, and to report to the Conference on any other questions requiring a decision for the proper conduct of its business, in accordance with the Conference Standing Orders. Where appropriate, the Committee may delegate any of these functions to its Officers.
ARTICLE 9

This article now reads as follows:

Adjustments to the membership of committees

The following rules shall apply to all committees appointed by the Conference with the exception of the Selection Committee, the Credentials Committee, the Finance Committee of Government Representatives and the Drafting Committee:

(a) once the various committees have been established and their initial membership appointed by the Conference, it shall be for the Selection Committee to propose to the Conference, for its approval, subsequent changes in the composition of such committees;

(b) if a delegate has not been nominated by his group to sit on any committee, he may bring the matter to the notice of the Selection Committee which shall have power to place him on one or more committees, enlarging the number of members of such committee or committees accordingly. Any such request shall be made to the Chairman of the Selection Committee;

(c) in accordance with article 18 of the Constitution of the Organisation, the Conference may add to any committee to which these rules apply technical experts who shall have the right to take part in the discussions but not to vote.

ARTICLE 14

Right to address the Conference

Paragraph 6

The first sentence of this paragraph now reads as follows:

6. Except with the special consent of the Conference no speech, whether by a delegate, a visiting minister or a representative of an international organisation, shall exceed ten minutes exclusive of the time for translation.

PART II

Standing Orders concerning special subjects

Section A

Order of business at the opening of each session

ARTICLE 25

This article now reads as follows:

1. The Conference shall be opened by the Chairman of the Governing Body of the International Labour Office, assisted by the other Officers of the Governing Body. These provisional Officers shall continue to act until the President of the Conference has assumed office.

2. In his opening address, the Chairman of the Governing Body shall present the report of the Governing Body on its work.

3. The first business of the Conference shall be the election of the President. The Conference shall then receive the nominations made by the groups and shall proceed to elect the three Vice-Presidents and to set up the various committees and appoint their members on the basis of proposals from the groups.

1 Formerly entitled "Procedure for the appointment of committees".
4. (1) In order to facilitate the choice of Officers of the Conference who are all of different nationalities as required by article 3, paragraph 1, of the Standing Orders, the three groups share priority of nomination for the designation of Vice-Presidents of the Conference in the rotation indicated in the following table:

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<thead>
<tr>
<th>Session</th>
<th>1st priority group</th>
<th>2nd priority group</th>
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<tbody>
<tr>
<td>80th</td>
<td>Employers’</td>
<td>Workers’</td>
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<tr>
<td>81st</td>
<td>Workers’</td>
<td>Government</td>
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<tr>
<td>85th</td>
<td>Government</td>
<td>Employers’</td>
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and so forth.

(2) If a group nominates a Vice-President of the same nationality as the Vice-President nominated by a group possessing priority of nomination, such nomination shall be void.

5. In accordance with article 4, paragraph 1, of the Standing Orders, the Government group shall nominate twenty-eight members for the Selection Committee and the Employers' and Workers' groups shall each nominate fourteen members. In none of these groups shall any Member of the Organisation have more than one member.

**ARTICLE 72**

**Official meetings**

**Paragraph 1**

The first sentence of this paragraph now reads as follows:

1. Each group shall hold official meetings for the transaction of the following business, in accordance with the Conference Standing Orders:

**Paragraph 2**

This provision now reads as follows:

2. At the first official meeting of each group a representative of the Secretariat shall be present, if the group so desires, to inform the group as to procedure.

**ARTICLE 75**

**Procedure for the nomination of members of committees by the Government group**

**Paragraph 2**

This provision now reads as follows:

2. At the first official meeting of the group the delegates of each government shall inform the Secretary of the group, in writing, upon which committees their government desires representation and in what order of preference.

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1 Correction of the English text only.
Appointment of members of the Appeals Board Panel

On 3 June 1992 the Conference, adopting – on the recommendation of its Selection Committee – the recommendation made to it by the Governing Body pursuant to section III, paragraph 5(a), of the proposals relating to the procedure for the appointment of committees, adopted by the Conference in 1959, decided to reappoint for a period of three years, expiring on 30 June 1995, Mr. Georges Abi-Saab (Egypt), Mr. Carlos Calero Rodrigues (Brazil) and Mr. Luigi Cottafavi (Italy) and to appoint Mr. Winfrid Haase (Germany) for a period of three years from 1 June 1992 to the panel from which the members of the Conference Appeals Board are selected.
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Office Publications and Documents

To ensure that all regular readers of the Official Bulletin receive full and up-to-date information on
Office publications and documents, the quarterly ILO Publications list will be sent to them free of charge.
A complete catalogue is available on request and books may be purchased from: ILO Publications,
International Labour Office. CH-1211 Geneva 22, Switzerland.

The General Index for 1992 will be printed separately and distributed with the
first issue for 1993 of the Official Bulletin (Series A)
The 252nd Session of the Governing Body of the International Labour Office was held from Monday, 2 to Thursday, 5 March 1992 under the chairmanship of Mr. Y. Chotard (Government representative, France).

The agenda was as follows:

1. Approval of the minutes of the 251st Session.\(^1\)

\(^1\) The Governing Body approved the minutes.
8. Consideration of the Director-General's Report on the situation of workers of
the occupied Arab territories at the 79th Session (1992) of the International
Labour Conference.


10. Reports of the Programme, Financial and Administrative Committee.


12. Report of the Committee on Standing Orders and the Application of Conven­
tions and Recommendations.


International Labour Conference.

15. International labour standards and technical cooperation.¹


Supplementary reports:
— Activities of the International Occupational Safety and Health Information
Centre (CIS) in 1990–91.²
— Incomplete delegations at tripartite meetings.²
— Composition of the Governing Body of the International Labour Office.²
— Proposal for the reform of regional conferences.
— Procedure for the appointment of Conference committees.
— Report of the Committee set up to examine the representations made by the
Trade Union Association of Bohemia, Moravia and Slovakia and by the
Czech and Slovak Confederation of Trade Unions under article 24 of the ILO
Constitution alleging non-observance by the Czech and Slovak Federal
Republic of the Discrimination (Employment and Occupation) Convention,
1958 (No. 111).
— Representation at the 79th Session (1992) of International Labour Confer­
ence: non-member States; non-governmental international organisations.

17. Composition and agenda of standing bodies and meetings.

18. Symposia, seminars and similar meetings.¹

19. Appointment of Governing Body representatives on various bodies.

20. Programme of meetings.

* * *

The following is an account of the action taken by the Governing Body on the
above agenda.³

¹ The Governing Body took note of the Office paper.
² The Governing Body took note of the report.
³ For a more detailed account see the set of papers and reports examined by the Governing Body, together with
the approved minutes of the sittings, which contain a record of how decisions were taken.
REPORT OF THE MEETING OF MEMBERS OF THE PANEL OF CONSULTANTS ON WORKERS' EDUCATION

(Geneva, 23–27 September 1991)

The Governing Body, having taken note of the report and conclusions adopted by the Committee, authorised the Director-General to communicate the report to the governments of member States and, through them, to employers' and workers' organisations, to the intergovernmental and non-governmental organisations concerned, including the non-governmental international organisations with consultative status, and to any other interested bodies. The Governing Body further requested him to take account of the Committee's suggestions when drafting proposals for ILO action in workers' education.

REPORT OF THE 26TH SESSION OF THE JOINT MARITIME COMMISSION


Resolution concerning the convening of a Preparatory Technical Maritime Conference and a Maritime Session of the International Labour Conference

The Governing Body took note of the request of the Joint Maritime Commission that a Preparatory Technical Maritime Conference be held in 1995 to be followed by a Maritime Session of the International Labour Conference in 1996, as well as of the Commission's request concerning the agendas of these conferences and the composition of the Preparatory Technical Maritime Conference, and decided to consider it in connection with the Programme and Budget proposals for 1994–95. It also took note of the Commission's request that, should there be any unforeseen delay in the convening of the Preparatory Technical Maritime Conference and the Maritime Session of the International Labour Conference, the Governing Body should consider convening the Joint Maritime Commission urgently to carry on the technical work required to assist the development and updating of ILO maritime standards.

Changes in the shipboard environment and in the characteristics of seafarers' employment

The Governing Body requested the Director-General to bear in mind, when planning the future programme of the Office, the operative paragraphs of the resolutions concerning structural changes in the shipping industry, the revision of existing maritime instruments, maritime standards, and drugs and alcohol in the maritime industry. It also took note of the resolutions concerning the revision of existing maritime instruments, maritime standards and the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958 (No. 109) and Recommendation, 1958 (No. 109). It further authorised the Director-General to communicate the text of the resolution concerning maritime standards to the governments of member States, drawing their special attention to the operative paragraph of the resolution, and to request governments to transmit the text of the resolution to the employers' and

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1 For the texts of the resolutions adopted by the Commission, see below, p. 171.
workers' organisations concerned; and to seek funds, if necessary from extra-budgetary sources, for a meeting of experts on drugs and alcohol and an action programme.

Review of the application and implementation of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)

The Governing Body requested the Director-General to bear in mind, when planning the future programme of the Office, the operative paragraph of the resolution concerning the ratification of Convention No. 147 calling for a partial revision of that Convention. It authorised the Director-General to consult the leaders of the Seafarers' and Shipowners' groups of the Joint Maritime Commission as to how, without any budgetary consequences to the Office, they could be represented as advisers to the ILO representative at meetings of the Memorandum of Undertaking on Port State Control and to communicate to the governments of member States the text of the resolution concerning the promotion of the principle of port state control, reminding them of the resolution concerning the more widespread ratification of Convention No. 147 as set out in a resolution adopted at the 74th (Maritime) Session of the International Labour Conference.

Report of the Tripartite Subcommittee on Seafarers' Welfare

The Governing Body authorised the Director-General to communicate the texts of the three resolutions concerning the international coordination of welfare activities for seafarers and welfare services for seafarers' families; the provision of social and welfare services; and the protection of wages and stranded seafarers, to the governments of member States, drawing their attention to the operative paragraphs of those resolutions, and authorised the Director-General to communicate them to the international employers' and workers' organisations having consultative status. It requested governments to transmit the texts of those resolutions to the employers' and workers' organisations concerned. The Governing Body authorised the Director-General to communicate the text of the resolution concerning the provision of social and welfare services to the United Nations Development Programme and the International Monetary Fund, drawing their attention to the relevant operative paragraphs. It requested the Director-General to bear in mind, when planning the future programme of the Office, the operative paragraphs of the resolutions concerning the international coordination of welfare activities for seafarers and welfare services for seafarers' families, and the provision of social and welfare services.

Resolution concerning the Wages, Hours of Work and Manning (Sea) Recommendation, 1958 (No. 109)

(a) mechanism and procedure for the periodic revision of the minimum basic wage for able seamen;
(b) minimum pay or wages for able seamen in ships employing extra numbers of ratings;
(c) possible updating of wage figures.

The Governing Body authorised the Director-General to enter into consultations with the leaders of the Shipowners' and Seafarers' groups of the Joint Maritime Commission for the setting up of a bipartite wage committee and to communicate the
text of the resolution concerning the ILO minimum wage for able seamen to the
Governments of Member States, drawing their attention to the operative paragraph of
the resolution concerning the wage figures which should be applied in substitution for
those contained in Recommendation No. 109, as well as to the international
Employers’ and workers’ organisations having consultative status. The Governing
Body requested governments to transmit the text of the resolution to the employers’
and workers’ organisations concerned.

Resolution concerning freedom of association, collective bargaining
and tripartite consultation

The Governing Body requested the Director-General to bear in mind, when
planning the future programme of the Office, the operative paragraph of the
resolution concerning freedom of association, collective bargaining and tripartite
consultation.

Resolution concerning cooperation between the International Labour Organisation and
other United Nations organisations

The Governing Body authorised the Director-General to communicate the text of
this resolution to United Nations organisations such as the International Maritime
Organization (IMO), the United Nations Economic and Social Commission for Asia
and the Pacific and the United Nations Economic and Social Commission for Latin
America and the Caribbean, drawing their attention to the relevant operative
paragraphs of the resolution. It further authorised him to review the technical
assistance programme of the Office in the maritime field and especially maritime
training, including the existing cooperation arrangements with the IMO and other
United Nations organisations.

Resolution concerning maritime mobile offshore units

The Governing Body requested the Director-General to bear in mind, when
planning the future programme of the Office, the operative paragraph of the
resolution concerning maritime mobile offshore units.

Report of the Tripartite Symposium on the Future of Social Security
in Industrialised Countries

(Geneva, 28–31 October 1991)

The Governing Body, having taken note of the report, authorised the Director-
General to communicate it to Governments of Member States and, through them, to
the employers’ and workers’ organisations concerned, to the intergovernmental
organisations concerned, to the non-governmental international organisations with
consultative status and to the other bodies and organisations concerned and, further,
requested him to take into account the views expressed at the symposium when
preparing future programme proposals.
REPORT OF THE TRIPARTITE EUROPEAN MEETING ON THE IMPACT OF TECHNOLOGICAL CHANGE ON WORK AND TRAINING

(Geneva, 28 October–2 November 1991)

The Governing Body, having taken note of the report, authorised the Director-General to transmit it to the governments of European member States and, through them, to the national employers' and workers' organisations, to the intergovernmental organisations concerned, to the non-governmental international organisations having consultative status, as well as to other non-governmental international organisations concerned and, further, requested him to bear in mind the experts' conclusions in drawing up future programme proposals.

RECORD OF THE ELEVENTH ASIAN REGIONAL CONFERENCE

(Bangkok, 26 November–2 December 1991)

The Governing Body requested the Director-General to express its appreciation to the Government of Thailand for the facilities provided to the Conference, as well as to the Government and employers' and workers' organisations of Thailand for the hospitality they extended to the participants in the Conference.

Conclusions and resolutions adopted by the Conference and measures suggested to the Governing Body

The Governing Body authorised the Director-General to transmit the texts to the governments of member States and, through them, to the national employers' and workers' organisations, as well as to the international organisations concerned, including the non-governmental international organisations having consultative status.

Conclusions concerning growth and structural adjustment in the Asian region

The Governing Body requested the Director-General to draw the attention of the governments of member States of the Asian region and, through them, the attention of national employers' and workers' organisations, to the conclusions relating to growth and structural adjustment, so that they might take measures, as appropriate, to give effect to the principles and recommendations set out therein, and to bear in mind the requests contained in paragraphs 21 and 22 of the conclusions in carrying out ongoing activities and drawing up future programme proposals.

Conclusions concerning occupational safety and health

The Governing Body requested the Director-General to draw the attention of the governments of member States of the Asian region and, through them, that of the

1 See p. 183 below.
national employers' and workers' organisations to the conclusions relating to occupational safety and health, so that they might take measures, as appropriate, to give effect to the principles and recommendations set out therein, and to bear in mind the requests contained in paragraphs 40 to 47 of the conclusions in carrying out ongoing activities and drawing up future programme proposals.

Resolution on the promotion of freedom of association in Asia

The Governing Body requested the Director-General to draw the attention of the governments of member States of the Asian region to the appeals contained in operative paragraphs 1 and 2 of the resolution, and to bear in mind the recommendations contained in operative paragraph 3 of the resolution in carrying out ongoing programmes and in drawing up future programme proposals.

Resolution on migrant workers in Asia

The Governing Body requested the Director-General to draw the attention of the governments of member States of the Asian region and, through them, that of employers' and workers' organisations concerned, to the appeals contained in operative paragraph 1 of the resolution, and to bear in mind the recommendations contained in operative paragraph 2 of the resolution in carrying out ongoing programmes and in drawing up future programme proposals.

Complaint Submitted by Mr. von Holten, Employers' Delegate of Sweden to the 78th (1991) Session of the International Labour Conference, under Article 26 of the ILO Constitution, concerning the Observance by Sweden of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)

The Governing Body postponed consideration of this item to a forthcoming session, on the understanding that in the meanwhile contacts could be established with the Swedish Government in order to verify a number of factual elements mentioned in the observations which it submitted.

Consideration of the Director-General's Report on the Situation of Workers of the Occupied Arab Territories at the 79th Session (1992) of the International Labour Conference

The Governing Body, having taken note of the Office paper, decided in favour of the proposal to hold a special sitting at the 79th Session (1992) of the International Labour Conference to consider the Director-General's Report on the situation of workers of the occupied Arab territories. It invited the Director-General to submit proposals to the Selection Committee of the Conference—provided that the conditions for the holding of such a sitting set out in the Office paper were met—relating to the holding of this special sitting, based on the arrangements worked out at the 77th Session (1990) and adjusted at the 78th Session (1991) of the Conference, subject to any further changes or additions which might be made thereto in the light of the Governing Body's discussion.
The Governing Body considered and adopted the 281st and 282nd Reports of its Committee on Freedom of Association.¹

REPORTS OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE

Programme and Budget for 1990–91

Regular budget account and Working Capital Fund as at 31 December 1991 (including transfers between budget items)

The Governing Body approved, in accordance with article 16 of the Financial Regulations, the transfers between budget items reported by the Office.

Other financial and general questions

Governing Body representation at the United Nations Conference on Environment and Development

The Governing Body decided that, should it decide to appoint a tripartite delegation to represent it at the United Nations Conference on Environment and Development, its cost, estimated at US$18,000, should be financed from savings in Part I of the budget.

Personnel questions

Decisions of the United Nations General Assembly on the recommendations of the International Civil Service Commission

The Governing Body:
(a) recalled that it had endorsed the recommendation of the ICSC to increase the base/floor salary scale by 8.6 per cent, subject to its approval by the United Nations General Assembly, and had authorised the Director-General to give effect in the ILO to the measures decided by the General Assembly in this regard;
(b) noted that the General Assembly had subsequently decided to increase the base/floor salary by 6 per cent; and
(c) amended its previous decision concerning the unbudgeted additional costs related to the base/floor salary scale, and decided instead that the reduced unbudgeted additional cost in 1992–93 of this decision, estimated at US$45,000, be financed in the first instance from savings in Part I of the budget on the understanding that, should this subsequently prove impossible, the Director-General would propose alternative methods of financing at a later stage in the biennium.

¹ The texts of the reports are reproduced in Series B of the Official Bulletin.
REPORT OF THE ALLOCATIONS COMMITTEE

Assessment of contributions of new member States

Assessment of the contribution of the Republic of Korea

The Governing Body decided to propose to the Conference that the contributions of the Republic of Korea to the ILO budget for the period of its membership of the Organisation during 1991 and for 1992 be based on an annual assessment rate of 0.68 per cent.

Assessment of the contributions of Estonia, Latvia and Lithuania

The Governing Body decided to propose to the Conference that, in accordance with the established practice of harmonising the rates of assessment of ILO member States with the rates of assessment in the United Nations, and taking into account the fact that the assessment rates of Estonia, Latvia and Lithuania for their periods of membership in the United Nations in 1991 and 1992 would not be approved by the General Assembly of the United Nations until later in 1992, consideration of the rates of assessment of these three States for the periods of their membership in the ILO in 1991 and 1992 be deferred to the 80th Session (1993) of the International Labour Conference.

Scales of assessment of contributions to the budget for the 1992–93 financial period

The Governing Body decided, in accordance with the established practice of harmonising the rates of assessment of ILO member States with the rates of assessment in the United Nations, and taking into account the fact that the assessment rates of Estonia, Latvia and Lithuania in the United Nations scale of assessment for the years 1992, 1993 and 1994 would not be approved by the General Assembly until later in 1992, to propose to the Conference:

(a) the adoption of a draft scale of assessments for 1993, subject to such adjustments as might be necessary following any further change in the membership of the Organisation before the Conference was called upon to adopt the recommended scale;

(b) that the rates of assessment of Estonia, Latvia and Lithuania for 1993 be the same as the rates at which they were assessed for 1993 in the United Nations, and that the total of their rates of assessment be deducted from the rate of assessment of the Russian Federation in the draft scale.

Procedure for the possible continuation of the work of the Allocations Committee during the Conference

The Governing Body authorised the Committee to continue its work, if necessary, after the Governing Body had finished its business on 30 May 1992 and to submit its report direct to the Finance Committee of Government representatives of the Conference.
Standing Orders

Duration of speeches in plenary

The Governing Body decided to propose to the Conference that it amend article 14, paragraph 6, of its Standing Orders by replacing the words “15 minutes” by the words “ten minutes”, on the understanding that, pending the approval of the amendment by the Conference during its 1992 Session, the practice adopted at the 78th Session (1991) should continue.

Constitution of Conference committees

The Governing Body decided to propose to the Conference a number of amendments to its Standing Orders.¹


Restatement of the mandate and methods of work of the Joint Committee

The Governing Body noted that the proposed restatement of the mandate and methods of work of the Joint Committee on the Application of the Recommendation concerning the Status of Teachers had been examined by the Committee on Standing Orders and the Application of Conventions and Recommendations, as requested, and that the Committee had endorsed the proposed text as an appropriate basis for the future work of the Joint Committee.

Application of Conventions and Recommendations

Forms for reports on unratified Conventions and on Recommendations (article 19 of the Constitution)

The Governing Body approved the report forms for the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

Report of the International Organisations Committee

Forthcoming issues of concern to the ILO and its constituents arising within the United Nations system


The Governing Body endorsed the ILO’s continued participation in the preparations for the United Nations Conference on Environment and Development,

¹ The text of these amendments is reproduced in the Official Bulletin, 1992, Series A, No. 2.
decided to appoint a tripartite Governing Body delegation to participate in the Conference and requested the Office to consult the Officers of the Governing Body concerning ILO contributions to the Conference. It also endorsed the initiatives for expanded collaboration between the ILO and the United Nations Environment Programme in the 1992–93 biennium.

**International Year for the World’s Indigenous People (1993)**

The Governing Body endorsed the activities outlined in the Office paper submitted to the Committee on this subject with a view to promoting the ratification and implementation of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), and contributing to the International Year for the World’s Indigenous People (1993).

**ILO-UNIDO Working Arrangement**

The Governing Body took note of the signature of a working arrangement between the ILO and UNIDO.¹

**Recent events in the United Nations system**

**UNESCO proposal concerning the possible establishment of an International Centre for Technical and Vocational Education**

The Governing Body adopted the following resolution:

The Governing Body of the International Labour Office,

Aware of the need for the ILO and UNESCO to cooperate closely in matters concerning education and training;

Requests the Office to contact the organisers of the UNEVOC project in order to reach agreement on the modalities for cooperation with the ILO and its International Training Centre in Turin, in the spirit of the resolution adopted by the General Conference of UNESCO in October 1991, and in particular on the conditions for their participation in the UNEVOC Advisory Council.


The Governing Body decided to make arrangements for a further meeting of the Working Party during its 254th Session (November 1992), of at least the same duration as that held during the 252nd Session.

**Report of the Director-General**

**Obituary**

The Governing Body, apprised of the death of Mr. Walter James Knox, former Worker substitute member of the Governing Body and Workers’ delegate of New Zealand to the International Labour Conference, asked the Director-General to convey its sympathy to his family and to the New Zealand Council of Trade Unions.

Composition of the Governing Body, Governing Body committees and other bodies

The Governing Body noted that, following the death of Mr. J. von Holten, and in accordance with article 5, paragraph 5, of the Standing Orders of the Governing Body, the Employers' group had appointed Miss C. Hak as a titular member of the Governing Body, and Mr. G. Hultin, Director of the Finnish Employers' Confederation, as a deputy member.

The Governing Body also noted that, following the resignation of Mr. N. L. Zimba, and in accordance with the same article of the Standing Orders, the Workers' group had appointed Mr. A. J. Chirwa, Secretary-General, Zambia Congress of Trade Unions, as a deputy member of the Governing Body and as a member of the committees of which Mr. Zimba had been a member.

Proposal for the reform of regional conferences

The Governing Body approved the proposed reforms and authorised the Director-General to implement them, on a trial basis, at the Thirteenth Conference of American States Members of the ILO, which would be held from Wednesday, 30 September to Wednesday, 7 October 1992, subject to the approval of the International Labour Conference, which would have before it at its 79th Session (1992) a draft resolution\(^1\) to that effect prepared by the Committee on Standing Orders and the Application of Conventions and Recommendations.

Procedure for the appointment of Conference committees

The Governing Body recommended that the Conference reappoint Mr. Abi-Saab, Mr. Calero Rodrigues and Mr. Cottafavi to the panel from which the members of the Conference Appeals Board were selected for further periods of three years, and to appoint Mr. Winfrid Haase (Germany) for a period of three years from 1 June 1992. It appointed the following three persons to serve on the Appeals Board, should it be required to meet for the 79th Session (1992) of the Conference: Mr. G. Abi-Saab (Egypt); Mr. C. Calero Rodrigues (Brazil); Mr. L. Cottafavi (Italy).

Furthermore, the Governing Body authorised the Director-General, if the Board was required to meet and any of the above-mentioned persons was unable to serve, to convene Mr. P. Gottret (Switzerland) or Mr. Haase so as to ensure that the Appeals Board was duly constituted.

Report of the Committee set up to examine the representations made by the Trade Unions Association of Bohemia, Moravia and Slovakia (OS-CMS) and by the Czech and Slovak Confederation of Trade Unions (CS-KOS), under article 24 of the ILO Constitution, alleging non-observance by the Czech and Slovak Federal Republic of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

The Governing Body:
(a) approved the report, and in particular the conclusions and recommendations made in it; and

\(^1\) Adopted by the Conference on 4 June 1992.
(b) invited the Government of the Czech and Slovak Federal Republic, taking into account the conclusions contained in the report:

(i) to refer the matter to the Constitutional Court of the CSFR at the earliest date for a ruling on Act No. 451/1991, with due regard to the provisions of Convention No. 111;

(ii) to take the necessary measures, in consultation with employers' and workers' organisations, to repeal or modify Act No. 451/1991 in conformity with the requirements of Convention No. 111;

(iii) to take the necessary measures to enable any person unjustly affected by the Act to obtain redress;

(iv) to have appropriate consultation with and recourse, if necessary, to the cooperation of the International Labour Office in carrying out the above recommendations;

(v) to provide complete information in the reports due, under article 22 of the Constitution, on the measures taken in accordance with the above recommendations, in order to enable the Committee of Experts on the Application of Conventions and Recommendations to follow up on the matters as from its session of March 1993;

(c) declared closed the procedure initiated as a result of the representations made by the OS-CMS and the CS-KOS.

Representation at the 79th Session (1992) of the International Labour Conference

Non-governmental international organisations

The Governing Body authorised the Director-General to invite one employers' organisation, nine workers' organisations and 12 other non-governmental organisations to be represented at the 79th Session of the Conference, it being understood that it would be for the Selection Committee of the Conference to consider their requests to participate in the work of the Committees dealing with the agenda items in which they had expressed a special interest. It further authorised the Director-General to inform the 22 organisations concerned that they might nominate one person only for each of the agenda items in respect of which their interest had been recognised by the Selection Committee.

Composition and Agenda of Standing Bodies and Meetings

Meetings

Meeting of Experts on Safety in the Use of Chemicals at Work
(Geneva, 24 March–1 April 1992)

The Governing Body noted that, in view of the proximity of the meeting, its Officers had approved on its behalf the nomination of one participant made by the Director-General after consultations with the Government of India and had au-

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1 The names, titles and functions of the persons appointed by the Governing Body, as well as the names of the organisations invited to be represented at meetings, are given in the papers submitted to the Governing Body under item 17 of its agenda.
thorised the Director-General to invite the Government of Canada to be represented at the meeting by an observer.

**Tripartite Symposium on New Perspectives for Tripartism in Europe** *(Brussels, 7–8 April 1992)*

The Governing Body approved the nominations of 30 participants, 15 made after consultations with the Employers' group and 15 after consultations with the Workers' group of the Governing Body. The Governing Body noted that, in addition to the non-governmental international organisations with general consultative status, which were invited by the Governing Body to attend the symposium at its 251st Session, in view of the proximity of the symposium its Officers had authorised the Director-General to invite three more such organisations to be represented at the symposium.

**Joint ILO/WHO Committee on Occupational Health** *(Eleventh Session, Geneva, 27–29 April 1992)*

The Governing Body authorised the Director-General to invite three non-governmental international organisations to be represented at the session by observers.

**Standing Technical Committee for Health and Medical Services** *(First Session, Geneva, 23 September–1 October 1992)*

The Governing Body approved the nominations of four participants plus nine substitutes made after consultations with the Employers' group. It also approved the nominations of 19 participants plus 14 substitutes made after consultations with the Workers' group. It authorised the Director-General to invite a non-governmental international organisation to be represented at the session by an observer.


The Governing Body approved the nominations of 15 participants plus 16 substitutes made after consultations with the Employers' group of the Governing Body.

**Technical Committee Meeting on the Revision of the Basic Safety Standards for Radiation Protection**

The Governing Body noted that, in view of the proximity of the meeting, its Officers had approved the nomination of one participant made by the Director-General after consultations with the Employers' group of the Governing Body.

**Panel of Consultants on Occupational Cancer**

The Governing Body approved the nominations of two additional participants made after consultations with governments.

**Tripartite Advisory Meeting on Environment and the World of Work**

The Governing Body approved the following agenda for the meeting:

1. review of ILO activities in the field of environment and the world of work;
2. future ILO activities relating to the environment and the world of work, and particularly follow-up by the ILO on the United Nations Conference on Environment and Development.
It decided that nine participants should be nominated after consultations with governments, nine after consultations with the Employers' group and nine after consultations with the Workers' group of the Governing Body. Furthermore, the Governing Body noted that, in order to obtain the government nominations, the Director-General intended to consult the Governments of Brazil, Côte d'Ivoire, Czechoslovakia, Germany, India, Japan, Nigeria, Norway and the United States. In the event that any of these governments was unable to nominate a participant, the Director-General would consult the Governments of France, Malaysia, Mexico or Zimbabwe. The Governing Body further noted that the Director-General intended to invite 12 intergovernmental organisations to be represented at the meeting.

**APPOINTMENT OF GOVERNING BODY REPRESENTATIVES ON VARIOUS BODIES**

*Iron and Steel Committee (Twelfth Session, Geneva, 1–9 April 1992)*

The Governing Body appointed the following delegation to represent it at the session:

**Government member and Chairman of the session:** Mr. Y. G. Zvenigorodsky (*Russian Federation*)

**Employer member:** Mr. W. D. Lindner

**Worker member:** Mr. V. G. Gopal

*Standing Technical Committee for Health and Medical Services (First Session, Geneva, 23 September–1 October 1992)*

The Governing Body appointed the following delegation to represent it at the session:

**Government member and Chairman of the session:** Mr. D. Willers (*Germany*)

**Employer member:** Mr. M. Nasr

**Worker member:** Mr. Y. Maruyama


The Governing Body noted that the Government group had decided not to nominate a Government member of the delegation, appointed Mr. Brett as the Worker member of the delegation and noted that the Employer member would be nominated at a later stage.

**PROGRAMME OF MEETINGS**

The Governing Body approved the following programme of meetings for the first half of 1992:

1. See below, pp. 155–156, for the decisions taken by the Governing Body at its 253rd Session concerning the second half of 1992 and 1993.
<table>
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<th>Date</th>
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<tr>
<td>12–25 March</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>Geneva</td>
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<tr>
<td>24 March–1 April</td>
<td>Meeting of Experts on Safety in the Use of Chemicals at Work</td>
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<tr>
<td>1–9 April</td>
<td>Iron and Steel Committee (Twelfth Session)</td>
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<td>7–8 April</td>
<td>Tripartite Symposium on New Perspectives for Tripartism in Europe</td>
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<td>21–30 May and</td>
<td>253rd Session of the Governing body and its committees</td>
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<td>the Conference</td>
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<tr>
<td>3–23 June</td>
<td>79th Session of the International Labour Conference</td>
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253rd Session of the Governing Body of the International Labour Office

(Geneva, 28–29 May and 24 June 1992)

The 253rd Session of the Governing Body of the International Labour Office was held on Thursday, 28 and Friday, 29 May, and on Thursday, 24 June 1992, under the chairmanship of Mr. Y. Chotard (Government representative, France) and subsequently of Mr. M. Vargas Campos (Government representative, Mexico), elected Chairman for 1992–93.

The agenda was as follows:

1. Approval of the minutes of the 252nd Session.¹
3. Annual report of the Governing Body to the Conference.²

Supplementary Reports:

— Reduction of the length of the main sessions of the Governing Body (November and February–March) by one day.

¹ The Governing Body approved the minutes.
² The Governing Body approved the report.
³ The Governing Body took note of the report.
— Agreement between the ILO and the European Bank for Reconstruction and Development.
— World Congress on the Elimination of Child Labour.¹
— Complaint concerning the observance by Côte d'Ivoire of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), presented by Mr. José E. Pinzón, Workers' delegate of Guatemala and Mr. Willy Peirens, Workers' delegate of Belgium at the 79th Session (1992) of the International Labour Conference under article 26 of the Constitution of the ILO.

16. Composition and agenda of standing bodies and meetings.
17. Symposia, seminars and similar meetings.²
18. Questions arising out of the 79th Session of the International Labour Conference.³
19. Appointment of Governing Body representatives on various bodies.
20. Programme of meetings.

* * *

The following is an account of the action taken by the Governing Body on the above agenda.⁴

AGENDA OF THE 81ST SESSION (1994) OF THE INTERNATIONAL LABOUR CONFERENCE

The Governing Body requested that law and practice reports or more detailed proposals be prepared on the following subjects:
(1) Extension of the Labour Inspection Convention, 1947 (No. 81), to activities in the non-commercial services sector.
(2) Revision of the list of occupational diseases appended to the Employment Injury Benefits Convention, 1964 (No. 121).
(3) The prevention of accidents in underground mines.
(4) The role of private employment agencies in the functioning of labour markets (general discussion).
(5) The settlement of labour disputes (general discussion), it being understood that the question of the right to strike would be covered by this item.
(6) Tripartite consultation at the national level on economic and social policy (general discussion).

¹ The Governing Body took note of the report.
² The Governing Body took note of the Office paper.
³ The Governing Body had no paper before it under this item.
⁴ For a more detailed account see the set of papers and reports examined by the Governing Body, together with the approved minutes of the sittings, which contain a record of how decisions were taken.

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The protection of workers’ basic rights in the face of technological development (general discussion), it being understood that the Office would be unable to prepare a law and practice report on this subject for the 254th Session of the Governing Body.

REPORT OF THE MEETING OF EXPERTS ON LABOUR STATISTICS

(Geneva, 28 January–6 February 1992)

The Governing Body took note of the report and authorised the Director-General to communicate it to the governments of member States and, through them, to national employers’ and workers’ organisations, as well as to the intergovernmental organisations concerned, the non-governmental international organisations having consultative status and the other institutions and services concerned.

REPORT OF THE ADVISORY MEETING OF GOVERNING BODY MEMBERS FROM AFRICA

(Geneva, 29 February 1992)

The Governing Body, having taken note of the report, adopted the following agenda for the Eighth African Regional Conference:
1. Entrepreneurship and small enterprise development in urban and rural sectors (technical subject).
2. Social security and social protection during periods of structural change (wider policy issue).

REPORT OF THE MEETING OF EXPERTS ON SAFETY IN THE USE OF CHEMICALS AT WORK

(Geneva, 24 March–1 April 1992)

The Governing Body took note of the report and authorised the Director-General to publish the Code of practice on safety in the use of chemicals at work.

REPORT OF THE TRIPARTITE SYMPOSIUM ON NEW PERSPECTIVES FOR TRIPARTISM IN EUROPE

(Brussels, 7–8 April 1992)

The Governing Body—
(a) requested the Director-General to express its gratitude to the Government of Belgium for the facilities generously provided to the symposium, the warm hospitality extended to participants and all the efforts made to ensure that the symposium was a resounding success;
(b) authorised the Director-General to communicate the report to the governments of European member States and, through them, to employers’ and workers’ organisations, to the intergovernmental and non-governmental international organisations concerned, including the non-governmental organisations with consultative status and to any other interested bodies.
REPORT OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

(283rd Report)

The Governing Body considered and adopted the 283rd Report of its Committee on Freedom of Association.¹

REPORT OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE

Programme and Budget for 1990-91

The Governing Body took note of the information provided concerning the implementation of the Programme and Budget for the 1990-91 biennium and the follow-up given to the External Auditor's Report on the accounts for 1988-89.

It decided to submit the final accounts for the 62nd financial period (1990-91) to the 79th Session (June 1992) of the International Labour Conference for consideration and adoption.

Programme and Budget for 1992-93


It decided to propose to the International Labour Conference for adoption a draft resolution concerning the treatment of the 1990-91 cash surplus.²


The Governing Body decided to submit to the Conference a draft resolution concerning the operation of the Working Capital Fund.² The Governing Body also decided to submit to the Conference a draft resolution concerning amendments to the Financial Regulations.²

Delegation of authority under Article 18 of the Standing Orders of the Conference

The Governing Body delegated to its Officers, for the period of the 79th Session of the Conference, the authority to carry out its responsibilities under Article 18 of the Standing Orders of the Conference in relation to proposals involving expenditure in the 63rd financial period ending 31 December 1993.

Other financial and general questions

Proposals for the use of the Programme flexibility reserve

The Governing Body authorised the activities proposed by the Director-General relating to the establishment of an ILO interdisciplinary team for Central and Eastern Europe, the design of employment policies for transition to a market economy in the five new Central Asian republics and the holding of a workshop on tripartism and

¹ The text of the report is reproduced in Series B of the Official Bulletin.
² The resolution was adopted by the Conference at its 79th Session. See Official Bulletin, 1992, Series A, No. 2.
social dialogue for the Arab States region. It decided that the necessary funds, estimated at US$641,790, should be made available from programme 140.5 (Programme flexibility reserve), it being understood that further proposals on the use of the reserve would be submitted to the Governing Body at forthcoming sessions.

**Pensions questions**

*Appointments to the Administrative Board of the ILO Staff Pensions Fund and to the ILO Staff Pension Committee (United Nations Joint Staff Pension Fund)*

The Governing Body decided to submit to the Conference a draft resolution proposing the appointment of three members and three substitute members to the Administrative Board of the ILO Staff Pensions Fund and to the ILO Staff Pension Committee (United Nations Joint Staff Pension Fund), for a period of three years until 8 October 1995.

*Matters relating to the Administrative Tribunal of the ILO*

**Statute of the Tribunal**

The Governing Body decided to submit to the Conference a draft resolution proposing amendments to the statute of the Administrative Tribunal of the ILO.

**Composition of the Tribunal**

The Governing Body decided to invite the Conference at its 79th Session to join it in expressing deep appreciation to Mr. J. Ducoux, as well as to Tun Suffian, respectively President and Vice-President of the Tribunal since 1987, for the devotion with which both of them had fulfilled their important duties in the service of the international community, and for their outstanding contribution to the development of the law relating to the international civil service. The Governing Body also decided to submit to the Conference a draft resolution proposing the appointment of Mr. Michel Gentot (France) and Mr. Mark Fernando (Sri Lanka) as judges of the Administrative Tribunal, each for a period of three years, and the extension of the term of office of Mr. Pierre Pescatore by a further period of three years. The draft resolution further provided that, as from the adoption by the Conference of the proposed amendment to article III of the Statute of the Administrative Tribunal repealing the distinction between judges and deputy judges, all deputy judges in office will be considered as judges for the remaining part of their term of office.

**REPORT OF THE ALLOCATIONS COMMITTEE**

**Assessment of the contributions of new member States**

*Assessment of the contribution of Viet Nam*

The Governing Body decided to propose to the Conference that the contribution of Viet Nam to the ILO budget for the period of its membership of the Organisation during 1992 be based upon an annual assessment rate of 0.01 per cent.

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1 The resolution was adopted by the Conference at its 79th Session. See Official Bulletin, 1992, Series A, No. 2.

2 A resolution to that effect was adopted by the Conference at its 79th Session. See Official Bulletin, 1992, Series A, No. 2.
Assessment of the contributions of Azerbaijan, Estonia, Kyrgyzstan, Latvia and Lithuania

In accordance with the established practice of harmonising the rates of assessment of ILO member States with their rates of assessment in the United Nations, and taking into account the fact that the assessment rates of Azerbaijan and Kyrgyzstan for their periods of membership in the United Nations in 1992 would not be approved by the General Assembly until later in 1992, the Governing Body decided to propose to the Conference that consideration of the rates of assessment of Azerbaijan and Kyrgyzstan for the period of their membership in the Organisation in 1992, together with those of any other new member States for which rates of assessment had not been established in the 1992–94 United Nations scale of assessments, be deferred to the 80th Session (June 1993) of the International Labour Conference.

In accordance with the same practice, and taking into account the fact that the assessment rates of Azerbaijan, Estonia, Kyrgyzstan, Latvia and Lithuania in the United Nations scale of assessments for the years 1992, 1993 and 1994 would not be approved by the General Assembly until later in 1992, the Governing Body decided to propose to the Conference:

(a) the adoption of a draft scale of assessments for 1993, subject to such adjustments as might be necessary following any further change in the membership of the Organisation before the Conference was called upon to adopt the recommended scale;

(b) that the rates of assessment of Azerbaijan, Estonia, Kyrgyzstan, Latvia and Lithuania for 1993 be the same as the rates at which they would be assessed for 1993 in the United Nations, and that the total of their rates of assessment be deducted from the rate of assessment of the Russian Federation in the draft scale;

(c) that the rates of assessment for 1993 of any other States which formed part of the former USSR and may become Members of the ILO before 1 January 1993 be the same as the rates at which they were assessed for 1993 in the United Nations, and that the total of their rates of assessment be deducted from the rate of assessment of the Russian Federation in the draft scale;

(d) that consideration of the rates of assessment for 1993 of any other new member States for which rates of assessment had not been established in the 1992–94 United Nations scale of assessments be deferred to the 80th Session (June 1993) of the International Labour Conference.¹

1 REPORT OF THE COMMITTEE ON STANDING ORDERS AND THE APPLICATION OF CONVENTIONS AND RECOMMENDATIONS

Standing Orders

Thirteenth Conference of American States Members of the ILO: Interim procedural reform

The Governing Body decided to submit to the Conference at its 79th Session a draft resolution authorising the Thirteenth Conference of American States Members of the ILO to adopt a series of interim procedural reforms.²

¹ A resolution to that effect was adopted by the Conference at its 79th Session. See Official Bulletin, 1992, Series A, No. 2.

² The resolution was adopted by the Conference at its 79th Session. See Official Bulletin, 1992, Series A, No. 2.
REPORT OF THE INDUSTRIAL ACTIVITIES COMMITTEE

Periodic reports on the effect given by the Office to the requests of established or regular sectoral committees and meetings

The Governing Body decided that, with a view to making the best use of the resources available to the Office, the preparation of periodic reports on the effect given by the Office to requests of Industrial Committees and similar bodies be suspended. The proposed evaluation of the functioning of Industrial Committees and meetings would address, inter alia, the practice of producing periodic reports and any alternatives to it.

Twelfth Session of the Textiles Committee

Effect to be given to the conclusions and resolutions of the Committee

The Governing Body—

(1) authorised the Director-General to communicate the conclusions and resolutions adopted by the Committee to governments, informing them that the Governing Body had taken note of the texts and requesting them to communicate these texts to the employers' and workers' organisations concerned; to the international organisations of employers and workers concerned;

(2) requested the Director-General:

(a) to draw the special attention of governments and, through them, that of the employers' and workers' organisations concerned, as well as that of the international employers' and workers' organisations concerned, to the report and conclusions (No. 92) concerning working conditions in the textile industry in the light of technological changes; to the report and conclusions (No. 93) concerning vocational training and retraining in the textile industry;

(b) to draw the attention of governments and, through them, that of the employers' and workers' organisations concerned, as well as that of international employers' and workers' organisations concerned, to the conclusions and resolutions mentioned in section I, group C, of the Classification adopted by the Committee; and

(c) when planning the future programme of the Office, to continue to bear in mind the wishes expressed by the Committee in the conclusions and resolutions listed in section II, group B, of the Classification, with a view to giving effect to the requests contained therein and addressed to the Office;

(3) agreed to bear in mind the wishes expressed by the Committee in its resolutions Nos. 94 to 104;

(4) requested the Director-General to bear in mind, when planning the future programme of work of the Office, the wishes expressed by the Committee in its conclusions Nos. 92 and 93 and its resolutions Nos. 94 to 104.

1 For the texts of the conclusions and resolutions adopted by the Committee, see p. 197 below.
Second Joint Meeting on Conditions of Work of Teachers

Effect to be given to the conclusions and resolutions adopted by the Meeting

The Governing Body authorised the Director-General to communicate the Report of the Second Joint Meeting on Conditions of Work of Teachers to governments, requesting them to communicate it to the employers' and workers' organisations concerned; to the international employers' and workers' organisations concerned; and to the intergovernmental international organisations concerned. It requested the Director-General to bear in mind, when preparing future programme and budget proposals, the requests contained in the resolutions adopted by the Meeting.

Second Session of the Food and Drink Industries Committee

Effect to be given to the conclusions and resolutions of the Committee

The Governing Body—

authorized the Director-General to communicate the texts mentioned in paragraph 48 of the report, which were adopted by the Food and Drink Industries Committee at its Second Session, to governments, informing them that the Governing Body had taken note of the texts and requesting them to communicate these texts to the employers' and workers' organisations concerned; and to the international organisations of employers and workers concerned;

(2) requested the Director-General:

(a) to draw the special attention of governments and, through them, that of the employers' and workers' organisations concerned, as well as that of the international employers' and workers' organisations concerned, to the report and conclusions (No. 27) concerning freedom of association and the right to organise, industrial relations and collective bargaining in the food and drink industries; and to the report and conclusions (No. 28) concerning skill requirements, vocational training and retraining in the food and drink industries;

(b) to draw the attention of governments and, through them, that of the employers' and workers' organisations concerned, as well as that of the international employers' and workers' organisations concerned, to the conclusions and resolutions mentioned in section I, group C, of the Classification adopted by the Committee;

(c) when planning the future programme of the Office, to continue to bear in mind the wishes expressed by the Committee in the conclusions and resolutions listed in section II, group B, of the classification, with a view to giving effect to the requests contained therein and addressed to the Office; and

(d) when preparing the next publication of the collection of conclusions and resolutions adopted concerning the food and drink industries, to present them in chronological order, by subject;

(3) agreed to bear in mind the wishes expressed by the Committee in its resolutions Nos. 29 to 35;

(4) requested the Director-General to bear in mind, when planning the future programme of work of the Office, the wishes expressed by the Committee in its conclusions Nos. 27 and 28 and resolutions Nos. 29 to 35.

1 For the texts of the conclusions and resolutions adopted by the Committee, see p. 227 below.

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Fifth Session of the Joint Committee on the Public Service

As regards the composition of the meeting, the Governing Body—
(a) authorised the Director-General to invite the Governments of the following 24 member States to be represented at the Fifth Session of the Joint Committee on the Public Service: Egypt, Mali, Mauritius, Namibia, Nigeria, Zambia (Africa); Argentina, Chile, Jamaica, Mexico, United States, Venezuela (Americas); Australia, India, Japan, Republic of Korea, Malaysia, Yemen (Asia); Czechoslovakia, France, Germany, Russian Federation, Spain and Sweden (Europe);
(b) placed the following countries on the reserve list: Burundi, United Republic of Tanzania, Tunisia (Africa); Brazil, Canada, Costa Rica (Americas); New Zealand, Sri Lanka, Thailand (Asia); Bulgaria, Israel, United Kingdom (Europe); and
(c) decided that the closing date for acceptance of invitations should be 30 March 1993.

First Session of the Standing Technical Committee for Health and Medical Services

The Governing Body authorised the Director-General to invite nine non-governmental international organisations, in addition to those having full consultative status, to be represented by observers at the meeting.

Tripartite Meeting on Social and Labour Issues in the Pulp and Paper Industry

The Governing Body authorised the Director-General to invite eight non-governmental international organisations, in addition to those having full consultative status, to be represented by observers at the meeting.

Twelfth Session of the Building, Civil Engineering and Public Works Committee

The Governing Body authorised the Director-General to invite 13 non-governmental international organisations, in addition to those having full consultative status, to be represented by observers at the meeting.

Other Questions

Change in the title of the Advisory Committee on Salaried Employees and Professional Workers

The Governing Body decided that the established sectoral committee dealing with commerce and office workers should be entitled as follows: Committee on Salaried Employees and Professional Workers.

First Session of the Standing Technical Committee for Health and Medical Services

Concerning the composition of the Committee, the Governing Body added the following countries to the reserve list for the First Session of the Standing Technical Committee for Health and Medical Services: Mozambique, Nigeria, Zaire, Zimbabwe (Africa); Brazil, Chile, Colombia, Peru (Americas); Indonesia, Republic of Korea, New Zealand, Sri Lanka (Asia).
Programme of sectoral meetings, 1994–95

Major meetings

The Governing Body decided that the programme of sectoral meetings for the 1994–95 biennium should include the following major meetings:

— Coal Mines Committee (Thirteenth Session);
— Chemical Industries Committee (Eleventh Session);
— Committee on Work on Plantations (Tenth Session);
— Hotel, Catering and Tourism Committee (Second Session);
— First Tripartite Technical Meeting on Conditions of Employment and Work in the Rural Sector;
— Fourth Tripartite Technical Meeting for the Clothing Industry.

Technical agenda item of the major meetings

The Governing Body noted that the Committee had decided to postpone to November 1992 the selection of the technical agenda item for each of the major meetings scheduled for the 1994–95 biennium.

Other meetings

The Governing Body noted that the Committee had agreed to defer consideration of the possibility of holding a tripartite meeting on maritime labour standards and the selection of up to nine standing technical committees and ad hoc meetings to be held in 1994–95 until its meeting in November, when it would have before it a revised paper prepared by the Office.

REPORT OF THE COMMITTEE ON DISCRIMINATION

Term of office of the Group of Independent Experts to follow up on and monitor the implementation of sanctions and other action against apartheid

The Governing Body decided that the term of office of the Group of Independent Experts should be extended by one year, with a renewed mandate focusing on the monitoring of the implementation of the Declaration concerning Action against Apartheid in South Africa, and that it should carefully monitor developments in South Africa in this context, particularly as regards the establishment of an interim government, consider all related implications for the work of the Group of Independent Experts and take note of the financial implications.

REPORT OF THE DIRECTOR-GENERAL

Composition of the Organisation

The Governing Body noted that Azerbaijan, Kyrgyzstan and Viet Nam had joined the Organisation.¹

¹ See also Official Bulletin, 1992, Series A, No. 2.
Composition of the Governing Body, Governing Body committees
and various bodies

The Governing Body noted that, as a result of elections held during the 79th Session of the International Labour Conference, the following appointments had been made by the Employers' group: subsequent to the resignation of Mr. Lindner (Germany), Mr. Thiising (Germany) had been elected as a regular member of the Governing Body; following the resignation of Mr. Williams (Barbados), Mr. Yankana (Guyana) had been elected as a deputy member of the Governing Body.

Mr. van Holm (Belgium) had been elected as a substitute member of the Governing Body to replace Mr. Arets (Belgium) who had resigned.

The Governing Body noted that, in accordance with article 5, paragraph 5, of the Standing Orders, following the resignation of Mr. El-Ammawy (Egypt) and Mr. Scherbakov (Russian Federation), the Workers' group had appointed respectively Mr. El-Sayed Rashed (Egypt) and Mr. I. E. Klochkov (Russian Federation) as regular members of the Governing Body and of the committees of which the former had respectively been members, with effect from the 253rd Session of the Governing Body; and that, following the resignation of Sir Frank Walcott (Barbados), the Workers' group had appointed Mr. L. Trotman (Barbados) as a deputy member of the Governing Body and of the committees of which the former had been a member.


The Governing Body took note of the report and requested the Director-General to transmit it to the Economic and Social Council of the United Nations; requested the Director-General to include in the annual report of the International Labour Organisation to the United Nations an account of the work of the Commission; and took note of the comments received from the Government of South Africa on the report.

Reduction of the length of the main sessions of the Governing Body (November and February-March) by one day

The Governing Body decided, on a trial basis, to reduce the duration of the 254th Session (November 1992) by one day along the lines indicated in the report and to assess the outcome at the end of that session.

Representation at the 79th Session (1992) of the International Labour Conference

Non-member State

The Governing Body authorised the Director-General to invite the Democratic People's Republic of Korea to be represented at the 79th Session (1992) of the Conference, in accordance with Article 2, paragraph 3(e), of the Standing Orders of the Conference.

Non-governmental international organisations

Upon the recommendation of its Officers, the Governing Body authorised the Director-General to invite two employers', 31 workers' and 11 other organisations to
be represented at the 79th Session of the Conference, it being understood that it 
would be for the Selection Committee of the Conference to consider their requests to 
participate in the work of the Committee dealing with the agenda items in which they 
had stated a special interest. It also authorised the Director-General to inform the 
organisations concerned that they might nominate one person only for each of the 
agenda items in respect of which their interest had been recognised.

*Agreement between the ILO and the European Bank for Reconstruction 
and Development*¹

Upon the recommendation of its Officers, the Governing Body approved the text 
of the Agreement and authorised the Director-General (or his representative) to sign 
it on behalf of the ILO.

*Report of the Committee set up to examine the representation made by the International 
Confederation of Free Trade Unions under article 24 of the ILO Constitution alleging 
non-observance by the Socialist Federal Republic of Yugoslavia of the Discrimination 
(Employment and Occupation) Convention, 1958 (No. 111)*

The Governing Body noted that, pending a decision by the United Nations, it was 
not possible to identify the government concerned for the purpose of applying article 
7 of the Standing Orders concerning the procedure for the examination of representa­
tions made under articles 24 and 25 of the Constitution, and that it was therefore not 
yet in a position to set a date for the examination of the report.

*Complaint concerning the observance by Côte d'Ivoire of the Freedom of Association 
and Protection of the Right to Organise Convention, 1948 (No. 87), presented by Mr. 
José E. Pinzón, Workers' delegate of Guatemala and Mr. Willy Peirens, Workers' 
delegate of Belgium at the 79th Session (1992) of the International Labour Conference 
under article 26 of the Constitution of the ILO*¹

The Governing Body decided, upon the recommendation of its Officers—

(a) that the Government of Côte d'Ivoire should be requested by the Director-
General to communicate its observations on the complaint so as to reach him not 
later than 10 September 1992;

(b) in accordance with article 26, paragraph 5, of the Constitution, to invite the 
Government of Côte d'Ivoire to send a representative to take part in the 
proceedings of the Governing Body concerning this matter at its future sessions; 
when so inviting the Government of Côte d'Ivoire, the Director-General should 
inform it that the Governing Body intended to continue its discussion of this case 
at its 254th Session, which would take place in Geneva in November 1992;

(c) at its 254th Session to consider whether the complaint should be referred to a 
Commission of Inquiry, in the light of the recommendations of its Committee on 
Freedom of Association in respect of the complaint received and the information 
which may be furnished by the Government of Côte d'Ivoire, as well as the 
recommendations of the Committee on Freedom of Association concerning the 
case pending before it.

¹ For the text of the Agreement, see p. 240 below.
COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS

Standing Bodies

Standing Technical Committee for Health and Medical Services (First Session, Geneva, 23 September–1 October 1992)

The Governing Body authorised the Director-General to invite three non-governmental international organisations to be represented at the session.

Thirteenth Conference of American States Members of the ILO (Caracas, 30 September–7 October 1992)

The Governing body authorised the Director-General to invite six intergovernmental organisations to be represented at the Conference.

Meetings


The Governing Body approved the nominations of 15 participants and 19 substitutes made after consultations with the Workers’ group.


The Governing Body approved the nominations of five participants made after consultations with the Government group, of nine participants and 16 substitutes, made after consultations with the Employers’ group, as well as of nine participants and 11 substitutes made after consultations with the Workers’ group.

Seventh Session of the Joint ILO/WHO Committee on the Health of Seafarers (Geneva, 10–14 May 1993)

Agenda

The Governing Body approved the following agenda for the session:
1. Occupational accidents among seafarers resulting in personal injuries, damage to their general health and fatalities.
2. Guidance to seafarers on the risk and prevention of infection from blood-borne and sexually transmitted diseases.
3. Education of seafarers in the dangers to both their health and professional careers arising from abuse of drugs and alcohol.
4. Incidence of mental illness and psycho-social disturbances associated with work on board ship and the seafaring profession generally.
6. Harmonisation of the medical examination requirements of seafarers.

1 The names, titles and functions of the persons appointed by the Governing Body, as well as the names of the organisations and other entities invited to be represented at meetings, are given in the papers submitted to the Governing body under the 16th item on its agenda.
Composition

The Governing Body decided that, as provided in the Programme and Budget for 1992–93 and in accordance with the arrangements for the last session of the Committee, held in 1981, the Committee should be composed of four members appointed by the ILO (two Shipowner and two Seafarer members), and four (Government) members appointed by the WHO.

Meeting of Experts on Cooperatives

Agenda

The Governing Body approved the following agenda for the meeting:

1. Review of the impact of the Recommendation concerning the role of cooperatives in the economic and social development of developing countries.
2. The role of human resources development in the economic viability, efficient management and democratic control of cooperatives.
3. The role of cooperatives in the promotion of employment and incomes in the rural and informal sectors.

Composition

The Governing Body decided that the meeting should be attended by 15 experts from cooperative movements, research and training institutions and supporting services, two participants nominated after consultations with the Employers’ group and two participants nominated after consultations with the Workers’ group of the Governing Body. The experts would be drawn from such institutions in all regions.

The Governing Body noted that, taking account of the need for geographical distribution and the selecting of participants from institutions particularly active in the field of cooperatives, in order to obtain nominations the Director-General would consult institutions of the kind described above in Argentina, Cameroon, Canada, Colombia, Egypt, Finland, Germany, Hungary, India, Italy, Japan, Kenya, Singapore, the United Kingdom and the United States. Should any of the institutions in these countries approached prove unable to nominate a consultant, the Director-General would approach institutions in Costa Rica, Côte d’Ivoire, France, Indonesia, Malaysia, the Philippines, Senegal, Spain, Trinidad and Tobago or Uganda.

The Governing Body noted that the Director-General intended to invite seven intergovernmental organisations to be represented at the meeting. It also authorised the Director-General to invite four non-governmental international organisations as well as seven national organisations to be represented at the meeting at their own expense. The Governing Body further noted that a limited number of additional national organisations may be invited after consultation of the Officers of the Governing Body.

Appointment of Governing Body Representatives on Various Bodies

Thirteenth Conference of American States Members of the ILO
(Caracas, 30 September–7 October 1992)

In addition to the Chairman of the Governing Body, who would be an ex-officio member of its delegation, the Governing Body appointed the following delegation to represent it at the Conference:
Government member: Mr. Dejong (Australia)
Employer member: Mr. Tabani
Worker member: Mr. Khurshid Ahmed

Twelfth Session of the Building, Civil Engineering and Public Works Committee (Geneva, 2-10 December 1992)

The Governing Body appointed the following members of its delegation to the session:

Government member and Chairman of the Session: Mr. Wakaki (Japan)
Employer member: Mr. Pierides

Programme of Meetings

The Governing Body approved the following programme of meetings for the remainder of 1992 and for 1993:

<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
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<tbody>
<tr>
<td>1992</td>
<td></td>
<td></td>
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<tr>
<td>23 September-1 October</td>
<td>Standing Technical Committee for Health and Medical Services (First Session)</td>
<td>Geneva</td>
</tr>
<tr>
<td>30 September-7 October</td>
<td>Thirteenth Conference of American States Members of the ILO</td>
<td>Caracas</td>
</tr>
<tr>
<td>2-4 November</td>
<td>Tripartite Advisory Meeting on Environment and the World of Work</td>
<td>&quot;</td>
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<tr>
<td>5-19 November</td>
<td>254th Session of the Governing Body and its committees</td>
<td>&quot;</td>
</tr>
<tr>
<td>2-10 December</td>
<td>Building, Civil Engineering and Public Works Committee (Twelfth Session)</td>
<td>&quot;</td>
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<tr>
<td>14-18 December</td>
<td>Technical Committee Meeting on the Revision of the Basic Safety Standards for Radiation Protection</td>
<td>Vienna</td>
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<tr>
<td>1993</td>
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<tr>
<td>19-28 January</td>
<td>Fifteenth International Conference of Labour Statisticians</td>
<td>Geneva</td>
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<tr>
<td>15 February-5 March</td>
<td>255th Session of the Governing Body and its committees</td>
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<tr>
<td>On the occasion of the Governing Body session</td>
<td>Advisory Meeting of Governing Body members from Europe</td>
<td>&quot;</td>
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<tr>
<td>11-24 March</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>&quot;</td>
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<tr>
<td>29 March-2 April</td>
<td>Meeting of Experts on Cooperatives</td>
<td>&quot;</td>
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<tr>
<td>30 March-5 April</td>
<td>Tripartite Meeting of Experts on Social Security and Social Protection: Equality of Opportunity between Men and Women</td>
<td>&quot;</td>
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<tr>
<td>20-28 April</td>
<td>Tripartite Meeting on Safety and Related Issues Pertaining to Work on Offshore Petroleum Installations</td>
<td>&quot;</td>
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<tr>
<td>5-13 May</td>
<td>Committee on Salaried Employees and Professional Workers (Tenth Session)</td>
<td>&quot;</td>
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<tr>
<td>10-14 May</td>
<td>Seventh Session of the Joint ILO/WHO Committee on the Health of Seafarers</td>
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<tr>
<td>20-29 May</td>
<td>256th Session of the Governing Body and its committees</td>
<td>&quot;</td>
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<tr>
<td>2-22 June</td>
<td>80th Session of the International Labour Conference</td>
<td>&quot;</td>
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<tr>
<td>Immediately after the Conference</td>
<td>257th Session of the Governing Body</td>
<td>&quot;</td>
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</table>
### Election of the Officers of the Governing Body for 1992–93

**Election of the Chairman**


**Election of the Vice-Chairmen**

The Governing Body elected Mr. Oechslin as Employer Vice-Chairman and Mrs. Carr as Worker Vice-Chairwoman for the year 1992–93.
Observations of the International Labour Office concerning the Request for an Opinion Submitted to the Court of Justice of the European Communities by the Commission with Regard to the Competence of the Community to "Conclude the Chemicals Convention, 1990 (No. 170)"

On the basis of article 228, paragraph 1, clause 2, of the EEC Treaty, the Commission of the European Communities requested on 26 July 1991 an opinion of the Court of Justice of the European Communities (CJEC) concerning the competence of the Community to conclude, that is, essentially, to ratify Convention No. 170 concerning Safety in the Use of Chemicals at Work (1990).

In support of its request, the Commission noted that issues dealt with by Convention No. 170 were the subject of directives adopted on the basis of Articles 100, 100A and 118A of the EEC Treaty. Consequently, following the case law of the CJEC according to which member States may not assume international obligations vis-à-vis third parties once the Community has laid down community standards in a specific field, only the Community would be competent to ratify such a Convention.

After examining the problems which would result from the ratification of the Convention by the Community itself, taking into account the specificity of the ILO, the Commission concluded that they should not present any obstacle to the exercise by the Community of its exclusive competence in the field.

Following a request made to the International Labour Office by a certain number of member States of the Community to make known its observations on this latter point, the Office transmitted the following note on 12 November 1991.

The submission made by the Commission to the Court seeks to demonstrate, inter alia, the competence of the Community to "conclude" the Chemicals Convention, 1990 (No. 170). The relevant arguments are based on considerations of Community law, which obviously fall outside the competence of the International Labour Office. They also concern developments related to the ILO's Constitution, constitutional practice and standard-setting system (including more specifically Convention No. 170), for which certain member States of the Community have requested comments from the ILO. It is fully in line with the latter's constitutional functions, as they have developed in practice, to provide member States or any other interested bodies with clarifications which they may consider useful as regards the meaning or scope of the provisions of the Constitution or of international labour Conventions. However, these clarifications are given with the usual proviso that, in accordance with article 37 of the ILO Constitution, only the International Court of Justice is competent to give an authoritative interpretation of the obligations deriving from the Constitution or a subsequent Convention.

The matters brought before the Court by the Commission concern the relationships between two legal systems which have been established by treaty. Whatever internal differences there may be between these two systems, in international law they are placed on an equal footing, and the law of treaties, apart from the general principles which can be found in article 234 of the Treaty of Rome itself, does not offer a clear-cut solution to establish an order of

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3 Judgement of 31 March 1971, Case 22/70, in re E.R.T.A., Reports of Cases before the Court of Justice, 1971, p. 263.
4 In this connection it should be noted that while it is generally up to the (tripartite) Governing Body of the ILO to request an advisory opinion of the ICJ under article 96 of the United Nations Charter, it has been maintained that under article 37 of the Constitution, a member State which disagrees with the Organisation's position may submit a matter to the Court.
priority between them. Furthermore, and in contrast perhaps to the impression given by certain references to the Office's "pragmatism" (page 6 of the submission), the provisions of the Constitution of the International Labour Organisation are not more "flexible" than those of the Treaty of Rome. In this connection, as shown by the documents appended to the Commission's submission, 1 while the International Labour Office has admittedly spared no efforts to propose practical solutions to the various problems affecting relations between the ILO and the Communities (these proposals have not yet been endorsed by the representative bodies of the Organisation), these efforts were made solely to ensure that the rules of these two systems were applied and interpreted so as to reconcile as far as possible the obligations deriving from each of them.

From this point of view, in order to have a better understanding of the problem, it seems important to place the various specific questions raised in the request for an opinion in relation to a more general analysis of the nature and the particular characteristics of the obligations of member States under the ILO Constitution.

In this regard the following four points should be analysed separately: the obligations for member States deriving from their membership of the ILO; tripartism; international labour Conventions; and supervisory procedures.

A. Nature of the obligations resulting from the membership of the ILO

In accordance with article 1 of the Constitution, the ILO is called upon to work towards the implementation of the programme set out in the Preamble to the Constitution and in the Declaration concerning the aims and purposes of the ILO which is annexed to it. This programme aims at the constant improvement of working conditions and social protection as well as the dissemination of information on progress in these fields throughout the world. "Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries", the Organisation seeks to achieve progress in social conditions by a system of "levelling upwards". From the outset article 19 of the Constitution was conceived as the key instrument in this approach. The obligations deriving from it should be considered from this point of view.

Thus, a State which becomes a Member of the Organisation is not a more or less passive subject of particular rights and obligations. It agrees to participate, actively and in good faith, in the implementation of the programme in question. With regard to standard-setting work, this means a substantive contribution, on the basis of national experience, to the technical preparation of Conventions as well as the implementation of adopted standards once national conditions make this possible. Although the Constitution does not establish a formal duty to ratify Conventions, States are still legally bound, particularly under article 19.5 of the Constitution, to help the Organisation fulfil its mission by endeavouring in good faith to ratify the Conventions which can be implemented at the national level, without waiting for other States to do the same. It may be said in this regard that, in the interest of ensuring the greatest possible respect for the obligations incumbent on the Twelve by virtue of their ILO membership, the action of the competent body at the European level should not be such as to prevent those EC member States that are able to accept obligations under an international labour Convention from doing so.

B. Tripartism

In accordance with the Constitution of the ILO, complemented by the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), as well as the specific provisions of other Conventions, the social partners play a fundamental role at all stages of the

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1 It should be pointed out in this connection that the documents which appear in Annex 5 of the Commission's submission as "ILO documents to the Conference", are in fact a combination of a document prepared for the Governing Body's Committee on Standing Orders (where it had been the subject of some reservations) and a quite unofficial working paper prepared for a tripartite meeting of Community members held outside the framework of the Constitution and Standing Orders of the ILO.
Organisation's standard-setting activities. Thus, they are consulted during the technical preparation of standards (Convention No. 144); they participate fully in their adoption (articles 3, 4 and 19 of the Constitution); they are consulted on the proposals to be submitted to the competent authority in accordance with paragraph 5(b) of article 19 of the Constitution (Convention No. 144); and they play an active part in the supervisory system (articles 23, 24 and 26 of the Constitution and Convention No. 144).

In doing so the representatives of the employers and workers act quite independently of their governments. The statement, in paragraph 5(c) of the Commission's request for an opinion, that when participating in the negotiation of international Conventions the representatives of the social partners are not acting as such, but as representatives of member States, is in direct contradiction to the express stipulations of the Constitution. At the International Labour Conference Employers and Workers are part of a national delegation, but they represent only their constituents (article 3, paragraph 1, of the Constitution); they are required to be chosen in agreement with the most representative industrial organisations (article 3, paragraph 5, of the Constitution) and are entitled to vote individually (article 4 of the Constitution). There are even cases where a non-governmental delegate to the Conference exercises his power under article 26, paragraph 4, of the Constitution to submit a complaint against the Government of his country.

Consultation with the social partners, as laid down by the Constitution, by Convention No. 144 or by the provisions of particular Conventions (such as Articles 3 and 4 of Convention No. 170), is not simply a formal requirement as the request for an opinion suggests. Rather, it means regular and ongoing involvement of the social partners in the implementation of standards. The evolution of the terminology used over the years is significant in this regard: while the first few instruments of the ILO provided that member States should take measures "following consultation" with industrial organisations, the current wording (see the example in Article 4 of Convention No. 170) provides that measures should be taken "in consultation" with these bodies. Convention No. 144, by referring to "effective consultations", is along the same lines.

There is no doubt that the tripartite structure of the ILO represents the major obstacle to the opening up of the Organisation to entities other than States, such as regional integration organisations, and that it gives rise to so-far-unresolved difficulties with regard to the implementation at the supranational level of member States' obligations under the ILO Constitution.

C. The specific nature of international labour Conventions

An outline of the principal aspects of this specificity seems indispensable in order to determine correctly to what extent a conflict may actually arise between the obligations to which one State may be subject under an ILO Convention and under Community law.

ILO Conventions do not aim as such to promote the harmonisation of the legislation of the various member countries (even if they contribute to this); they seek to establish standards that are intrinsically valid, taking into account the level of a country's development. As a rule the standards adopted are not an obstacle to the application of a higher standard in social terms. The Organisation's Constitution (article 19, paragraph 8) thus expressly safeguards what has already been gained at the national level in the form of more favourable conditions than those provided for in the Conventions. Moreover, ILO Conventions are only rarely considered "self-executing" and more often than not leave a wide margin of freedom to member States as to the manner in which they should attain the objective sought.

In these circumstances it is difficult to see from a strictly legal point of view how the ratification of a Convention by States which are members both of the ILO and of the Communities would be such as to "impair future advances in Community law". Indeed, it is through article 19.8 that member States bound by ILO Conventions may incorporate in their legal system advances resulting from Community law.

From a more practical point of view, it may be asked whether the (slight) risk of incompatibility with Community law really poses a problem. The case of the dispute con-
cerning the night work of women in France, cited by the Commission, is instructive in this regard: there was no Community standard on the subject of night work, while the former ILO Convention, by which France was still bound, protected working women. The Court of Justice of the European Communities, basing its opinion on the 1976 Directive concerning equality of treatment, considered that the aim of protection no longer justified a distinction between men and women in this field. At almost the same time the ILO was adopting new standards in the field which applied to both sexes. Thus, the Court’s decision will receive full effect with the denunciation of the former Convention and, if considered appropriate, the ratification of the new one. And if, in the final analysis, it is the ILO standard which has to give way, at the appropriate time (that is, the time at which denunciation is possible), it may be asked to what extent Community law would really be “affected” by the adherence of a member of the Community to an ILO Convention.

D. The supervisory system

A brief reminder of this system is necessary in order to have a precise appraisal of the implications of a possible ratification by the “competent authority” of the Community.

The ILO Constitution has established a very sophisticated system for the supervision of the application of standards adopted within the Organisation. Even before a Convention is ratified, every Member is bound to submit the text to the competent authority and to inform the Director-General of the ILO of measures taken in this regard. To avoid any misunderstanding it should be recalled that the constitutional practice of the Organisation recognises that these obligations have a dual objective: that of mobilising public opinion and that of taking measures to give effect to the standard in question. In this regard the Office has accepted that the “competent authority” under article 19, paragraph 5, of the ILO Constitution may, in the case of a regional integration organisation, be the same as the body in the grouping to which legislative authority in this field has been transferred, but this does not mean that submission to such a body exhausts all the constitutional obligations of the member State under article 19.5, having regard to this practice. It should also be emphasised that if a Convention cannot be ratified in the short term, the Member is still under an obligation to report periodically to the Director-General, stating the difficulties which prevent or delay this ratification. Once the Convention has been ratified, the Member is obliged to report regularly on the measures taken to implement the Convention. These reports are examined by a special Committee of Experts as well as by the General Conference. Moreover, articles 24 et seq of the Constitution provide for procedures for making representations and complaints concerning an alleged failure by a Member to secure the effective observance of a Convention to which the Member is a party.

In the context of a possible regionalisation of adherence to a Convention, under the formula envisaged by the Commission and the Office, several problems concerning the supervisory system would still have to be resolved. The responsibility for implementing the Convention in the territory of a member State would no doubt remain essentially with that State. Similarly, the substantive content of the reports on the application of the Convention, as well as the contribution of the social partners, should in all likelihood continue to be prepared at the national level. Normally the “party accused” in any representation or complaint could be none other than the party at fault—that is generally the State. It is of course possible to envisage arrangements whereby any report and any procedure would go through the regional body, but it would then be necessary to ensure that this does not entail an excessive complication of the supervisory system or the weakening of its efficiency. Finally, it should be recalled that, under article 26, paragraph 1, of the ILO Constitution, only a member State that has ratified a Convention is entitled to lodge a complaint alleging the non-observance of the Convention by another ratifying State.

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1 A decision in 1986 of the Italian Constitutional Court on the subject of night work of women demonstrates that a possible conflict with the Community standard is not the only circumstance in which a State may not be in a position to fully implement an ILO Convention which it has ratified.
It can be seen from the foregoing observations that the matter is highly complex and it is no coincidence that it has been under consideration for some ten years. This complexity should, however, not make one lose sight of two essential considerations which it seems useful to recall in conclusion.

First, the impasse in which the apparent conflict of obligations could place the Community members of the Organisation would not be in the interest of either organisation:

— it would certainly not be in the ILO’s interest because the European States have traditionally played a catalytic role in the Organisation and it is important for the latter not to see a decline in ratifications from these countries:

— neither does it seem to coincide with the interest which the Community should logically have, if only from the point of view of competition, to promote throughout the world social standards which bear as great a resemblance as possible to its own, as is precisely the case of the Chemicals Convention, for which the Commission’s submission rightly illustrates the relationship with certain Community Directives. It is quite clear that the process of “levelling upwards” may very likely be hampered if the Community States are prevented from ratifying Conventions as a result of such an impasse.

Secondly, in the light of the foregoing considerations, it seems that such an impasse is in no sense an inevitable consequence of the Community system. Quite apart from the obligations which are binding on the States of the Community by virtue of their membership of the ILO, these considerations in fact stress the very specific nature of ILO standards and suggest that it would not be possible blindly to extrapolate in their regard principles or methods of reasoning that have been developed in connection with international instruments of a very different nature and purpose.
Agreement concerning the Social Security of Rhine Boatmen (Revised)
Adopted at Geneva on 30 November 1979

NOTIFICATION BY THE GOVERNMENT OF THE NETHERLANDS ON THE AMENDMENTS TO
ANNEX VIII (APPLICATION OF THE NETHERLANDS LEGISLATION) OF THE AGREEMENT
CONCERNING THE SOCIAL SECURITY OF RHINE BOATMEN (REVISED),
ADOPTED AT GENEVA ON 30 NOVEMBER 1979.

(Corrigendum)

On 9 September 1992 the Netherlands Government notified the Director-General
of the International Labour Office, of a discrepancy in the English translation of the
notification in the Official Bulletin of the ILO, Volume LXXII, 1989, Series A. No. 2,
of the amendment of Annex VIII (application of the Netherlands legislation) of the
Agreement concerning the Social Security of Rhine Boatmen (Revised), which

I. Point 1, paragraph (a) the English translation of the Dutch word “verstrekkingen”
is ambiguous. “Benefits” may in English apply to benefits in kind or in money-
terms. The Dutch word “verstrekkingen” means only “benefits in kind”. To avoid
misconceptions it would be preferable to insert “benefits in kind” in the text. In the
last sentence of paragraph (a) the word “such” should be inserted before “benefits in
kind”.

II. Point 2, paragraph (f), penultimate sentence ends “... it being understood
that this income is spent in the Netherlands”. This is an incorrect translation. The
sentence should end “... subject to the condition that his or her income shall be
deemed to have been received in the Netherlands.”

II. Point 2, paragraph (g), last sentence reads “In the case of spouses of salaried
or self-employed workers subject to compulsory insurance on 1 April 1985 or soon
thereafter ...”. An important part of the sentence was omitted. The sentence should
read “For the spouse of a salaried or self-employed worker who was compulsorily
insured immediately prior to or on 1 April 1985 ...”

NOTIFICATION BY THE GOVERNMENT OF THE NETHERLANDS TO AMEND ANNEX VII
[APPLICATION OF SECTION 1 OR 2 OF CHAPTER 6 OF TITLE III (ARTICLE 61, PARAGRAPH 1,
of the Agreement)] AND ANNEX VIII (APPLICATION OF THE NETHERLANDS LEGISLATION)
TO THE AGREEMENT CONCERNING THE SOCIAL SECURITY OF RHINE BOATMEN (REVISED),
OPENED FOR SIGNATURE AT GENEVA ON 30 NOVEMBER 1979

(Translation)

I. Annex VII to the Agreement concerning the Social Security of Rhine Boatmen
(Revised) of 30 November 1979 is hereby amended to state that the Netherlands
applies section 2 of Chapter 6 of Title III.

This amendment shall be retroactive to 1 December 1987.

II. In Annex VIII to the Agreement concerning the Social Security of Rhine
Boatmen (Revised) of 30 November 1979, under the heading “Application of
Netherlands Legislation”, the following paragraphs shall be amended:
1. The text of paragraph 1, Sickness insurance, shall be amended to read as follows:

“(a) With regard to entitlement to benefits in kind under the Netherlands legislation, the expression “persons entitled to benefits in kind” shall mean, for the purposes of the application of Chapter 1 of Title III of this Agreement, persons who are insured or co-insured under the insurance scheme governed by the Netherlands law concerning sickness insurance funds (Ziekenfondswet).

“(b) For the purposes of the application of articles 21 and 22 of this Agreement, the following shall be treated as pensions payable under the legislation referred to in subparagraph (b) (disability benefits) and subparagraph (c) (old-age pensions) of article 3, paragraph 1, of this Agreement:

— pensions pursuant to the Act of 6 January 1966 (Staatsblad 6) containing new regulations concerning the pensions of civil servants and their survivors (Algemene burgerlijke pensioenwet)
— pensions pursuant to the Act of 6 October 1966 (Staatsblad 6) containing new regulations concerning the pensions of military personnel and their survivors (Algemene militaire pensioenwet);
— pensions pursuant to the Act of 15 February 1967 (Staatsblad 138) containing new regulations concerning the pensions of staff members of Netherlands Railways (N. V. Nederlandse Spoorwegen) and their survivors (Spoorwegpensioenwet);
— pensions pursuant to the Regulations concerning Conditions of Service on the Netherlands Railways RDV (Reglement Dienstvoorwaarden Nederlandse Spoorwegen 1964 NS);

or

— benefits in virtue of the grant of a pension below the age of 65 years pursuant to pension regulations designed to cover workers and former workers in old age, or
— benefits in virtue of early retirement pursuant to regulations concerning early retirement laid down by the State or by or under a collective agreement or regulations to be designated by the Sickness Insurance Funds Council.”

2. The text of paragraph 2, General Old-Age Pensions Act, subparagraph (h), shall be amended to read as follows:

“2(h) The provisions of subparagraphs (a), (b), (c), (d) and (f) shall not apply to periods coinciding with periods which may be taken into consideration in the calculation of a pension pursuant to the statutory regulations concerning old-age pensions of a State other than the Netherlands or to periods during which the person concerned was in receipt of a pension pursuant to such regulations.”

3. The following shall be added to paragraph 2, General Old-Age Pensions Act:

“(i) Only periods of insurance completed under the General Old-Age Pensions Act after attainment of the age of 15 years shall be taken into consideration as periods of insurance for the purposes of the application of article 33, paragraphs 2–5, of this Agreement.”

4. In paragraph 3, General Widows and Orphans Act, subparagraph (a) shall be relettered (a) (ii). A new provision 3 (a) (i), reading as follows, shall be inserted:

“(i) Only periods of insurance completed under the General Widows and Orphans Act after attainment of the age of 15 years shall be taken into consideration as periods of insurance for the purposes of the application of article 33, paragraphs 2–5, of this Agreement.”

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EXPLANATORY STATEMENT ATTACHED TO THE NOTICE OF THE GOVERNMENT OF THE NETHERLANDS TO AMEND ANNEX VII [APPLICATION OF SECTION 1 OR 2 OF CHAPTER 6 OF TITLE III (ARTICLE 61, PARAGRAPH 1, OF THE AGREEMENT)] AND ANNEX VIII (APPLICATION OF NETHERLANDS LEGISLATION) TO THE AGREEMENT CONCERNING THE SOCIAL SECURITY OF RHINE BOATMEN (REVISED), OPENED FOR SIGNATURE AT GENEVA ON 30 NOVEMBER 1979

Ad I—Children’s allowance

Article 61, paragraph 1, of the Agreement concerning the Social Security of Rhine Boatmen (Revised) of 30 November 1979 provides that annex VII shall specify for each Contracting Party which of sections 1 and 2 of Chapter 6 of Title III it chooses to apply. It is now determined that the Netherlands legislation on the children’s allowance will not be amended and that children’s allowance in respect of children resident outside the Netherlands will continue to be paid in accordance with the rules laid down in the Netherlands General Children’s Allowance Act in the event that the Rhine boatman is subject to the Netherlands social insurance legislation. This means that it must be stated in Annex VII that the Netherlands applies section 2 of Chapter 6 of Title III.

Ad II. 1—Sickness insurance schemes

The purpose of the provision laid down in Annex VIII (under the heading “Netherlands”), paragraph 1, Sickness insurance, subparagraph (b), up to the date of entry into force of the present amendment, is to prevent persons resident in the Netherlands who are in receipt of two or more pensions under the legislation of two or more Contracting Parties, including the Netherlands, and who are not insured in the Netherlands under the Netherlands statutory sickness expenses insurance scheme from becoming a charge on the other Contracting Party as regards the provision of medical care. This did not create a Netherlands entitlement to statutory social sickness expenses insurance either. The persons concerned thus found themselves directed to the private market for sickness expenses insurance, access to which is guaranteed under the Act concerning Access to Sickness Expenses Insurance. For such a guaranteed insurance contract, however—the so-called “standard insurance” referred to in article 2, paragraph 1, of the Act concerning Access to Sickness Expenses Insurance—the insured must pay a relatively high premium. For these reasons the Netherlands Parliament deemed it appropriate to create, for the category of insured persons in question here, a special legal basis for compulsory insurance under the Netherlands statutory social sickness expenses insurance scheme: the Sickness Insurance Funds Act, which came into force on 1 September 1990.

At the same time a compulsory insurance scheme has been created for persons aged 65 years or over who, in consequence of the definition of a “member of the family” given in article 1, subparagraph (o), of the Agreement, read in conjunction with the provisions concerning family membership in the Netherlands legislation on sickness expenses insurance, could no longer remain enrolled as members of the family in a Netherlands sickness insurance fund at the expense of the competent agency of another Contracting Party. These persons too were confronted with the relatively high premium payable for the standard insurance. In addition to the above measure, mention should also be made of the fact that, pursuant to the Netherlands regulations concerning sickness expenses insurance, persons in receipt of an early retirement benefit are compulsorily insured, in conjunction therewith, pursuant to the Sickness Insurance Funds Act. The Netherlands Government considers it necessary that the protection afforded them by that insurance in the territory of another Contracting Party should be maintained for this category of persons also.
As a result of the above-mentioned measures, in Annex VIII, under the heading "Application of Netherlands Legislation", paragraph 1, Sickness Insurance, subparagraph (b) has to be scrapped, subparagraph (c) is relettered (b) and a new category of benefits is added to it.

Ad II. 2—General Old-Age Pensions Act

In accordance with the procedure laid down in article 87, paragraph 2, article 88, paragraph 2, and article 97 of the Agreement concerning the Social Security of Rhine Boatmen (Revised) of 30 November 1979, the amendment to Annex VIII (Application of Netherlands Legislation), paragraph 1, Sickness insurance, paragraph 2, General Old-Age Pensions Act, paragraph 4, Disability insurance, and paragraph 5, Optional continued insurance, proposed by the Netherlands came into force on 13 October 1989. The changes concerned were necessitated by a revision of the Netherlands system of sickness expenses insurance and the enactment of new legislation on the subject of old-age pensions.

Under the rules now laid down, the special provisions of point 2, General Old-Age Pensions Act, subparagraphs (a)-(d), do not apply if the periods in question have already been taken into consideration under the old-age pension regulations of a State other than the Netherlands, or for periods during which a pension is already in payment pursuant to those regulations. The reference to subparagraph 2 (f) was omitted in error from the list in subparagraph 2 (h).

Ad II. 3—General Old-Age Pensions Act, and 4, General Widows and Orphans Act

On 1 January 1990 some significant changes took effect in the system of Netherlands industrial life insurance schemes. We are referring here to the General Old-Age Pensions Act, the General Widows and Orphans Act, the General Disability Act and the General Act on Special Sickness Expenses. The changes relate to the structure of the scale of contributions and the removal of the age limits to the obligation to contribute based on the insurance scheme. Up to 1 January 1990 only persons aged 15 years or over were insured and liable for contributions under the General Old-Age Pensions Act and the General Widows and Orphans Act. As from 1 January 1990, every national is insured and becomes liable for contributions at birth. Although insurance under these two Acts thus begins at birth, this insurance does not create any entitlement as from that moment; periods completed below the age of 15 years no longer count towards building up a pension. In this respect, therefore, nothing has changed in the situation prevailing before 1 January 1990.

In the process of adding together periods of insurance under the Agreement concerning the Social Security of Rhine Boatmen (Revised), therefore, only periods completed after attainment of the age of 15 years will be taken into consideration, on the same footing as for nationals. The section on Application of Netherlands Legislation in Annex VIII has also to be adapted to this.
Official Measures Taken regarding Decisions of the International Labour Conference

Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986

Ratification

In accordance with Article 3 of the Instrument for the amendment of the Constitution of the International Labour Organisation, 1986, the following ratification has been communicated to the Director-General of the International Labour Office:

<table>
<thead>
<tr>
<th>State</th>
<th>Date received</th>
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<tbody>
<tr>
<td>Burkina Faso</td>
<td>30 November 1992</td>
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</tbody>
</table>

The total number of ratifications and acceptances has thus risen to 85, including three by States of chief industrial importance.

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Notice is hereby given that the Director-General of the International Labour Office has registered the undermentioned ratifications of international labour Conventions. In pursuance of article 20 of the Constitution of the International Labour Organisation, particulars of these ratifications have been communicated to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations.

The publication of information concerning action taken in respect of international labour Conventions and Recommendations does not imply any expression of view by the International Labour Office on the legal status of the State having communicated such information (including the communication of a ratification or declaration), or on its authority over the territories in respect of which such information is communicated; in certain cases this may present problems on which the ILO is not competent to express an opinion.

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration of ratification</th>
<th>Date on which ratification will take effect</th>
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<tbody>
<tr>
<td>Ireland</td>
<td>Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)</td>
<td>16 December 1992</td>
<td>16 December 1993</td>
</tr>
<tr>
<td>Republic of Korea</td>
<td>Medical Examination (Seafarers) Convention, 1946 (No. 73)</td>
<td>9 December 1992</td>
<td>9 June 1993</td>
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<td></td>
<td>Labour Inspection Convention, 1947 (No. 81)</td>
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<td>Employment Policy Convention, 1964 (No. 122)</td>
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<tr>
<td>Romania</td>
<td>Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)</td>
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<td>Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168)</td>
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<tr>
<td>Sweden</td>
<td>Chemicals Convention, 1990 (No. 170)</td>
<td>4 November 1992</td>
<td>4 November 1993</td>
</tr>
<tr>
<td>Turkey</td>
<td>Minimum Age (Underground Work) Convention, 1965 (No. 123)</td>
<td>8 December 1992</td>
<td>8 December 1993</td>
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</tbody>
</table>

Minimum age specified: 18 years and total prohibition on women.
ADDENDUM

Ratifications and Denunciation of International Labour Conventions

Since for technical reasons the ratifications and denunciation corresponding to the period 16 October–31 December 1991 were not published in the appropriate issue of the *Official Bulletin*, they are reproduced in the table hereunder.

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration of ratification/denunciation</th>
<th>Date on which ratification/denunciation will take effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Egypt</td>
<td>Labour Administration Convention, 1978 (No. 150)</td>
<td>5 December 1991</td>
<td>5 December 1992</td>
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<tr>
<td>Lithuania¹</td>
<td>Hours of Work (Industry) Convention, 1919 (No. 1)</td>
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<td>Night Work (Women) Convention, 1919 (No. 4)</td>
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<td>Night Work of Young Persons (Industry) Convention, 1919 (No. 6)</td>
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<td>Weekly Rest (Industry) Convention, 1921 (No. 14)</td>
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<td></td>
<td>Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)</td>
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<td>Sickness Insurance (Industry) Convention, 1927 (No. 24)</td>
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<td>Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No. 27)</td>
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<tr>
<td>Poland</td>
<td>Rural Workers’ Organisations Convention, 1975 (No. 141)</td>
<td>29 November 1991</td>
<td>29 November 1992</td>
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<tr>
<td>Sri Lanka</td>
<td>Minimum Age (Agriculture) Convention, 1921 (No. 10)</td>
<td>29 November 1991</td>
<td>29 November 1991</td>
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</table>
By a letter dated 28 November 1991, the Government of the Republic of Lithuania informed the Director-General that Lithuania continues to be bound by the Conventions that it ratified in 1931 and 1934.

The text of the communication concerning the denunciation by Cuba of this Convention reads as follows:

Translation

"The Executive Committee of the Council of Ministers, in accordance with the provision in paragraph ch) of Article 96 of the Constitution of the Republic of Cuba, decided, on 19 December 1991, to approve and submit for ratification to the Council of State the denunciation by the Republic of Cuba of Convention No. 89 of the International Labour Organisation, concerning Night Work of Women Employed in Industry (revised), adopted by the ILO on 9 July 1948.

The Council of State, by virtue of the powers given to it under paragraph m) of Article 88 of the Constitution of the Republic, decided, on 27 December 1991, to ratify the aforementioned decision of the Council of Ministers.

For the purpose of such denunciation by the Republic of Cuba, and in accordance with the provision in Article 15 of the aforesaid Convention, the present instrument of denunciation is hereby issued under the Great Seal of the Republic, in the Palace of the Revolution, in the City of La Habana (Havana) on 27 December 1991."
Notification of the Coming into Force of the Chemicals Convention, 1990 (No. 170)

Article 21 of the Chemicals Convention, 1990 (No. 170), adopted by the International Labour Conference at its 77th Session on 25 June 1990, provides that the Convention shall come into force twelve months after the date on which the ratifications of two Members of the International Labour Organisation have been registered.

The ratifications by Mexico and Sweden were registered by the Director-General of the International Labour Office on 17 September 1992 and 4 November 1992 respectively. The Convention will accordingly come into force on 4 November 1993.

The present notification is made in accordance with the provisions of Article 23 of the Convention.

In Conformity with article 20 of the Constitution of the International Labour Organisation, this Convention will be communicated to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations.
Joint Maritime Commission  

RESOLUTIONS ADOPTED

Resolution concerning Structural Changes in the Shipping Industry

The Joint Maritime Commission of the International Labour Organisation,
Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,
Considering the report prepared by the International Labour Office on changes in the
shipboard environment and in the characteristics of seafarers' employment,
Noting that in recent years the shipping industry has experienced considerable and
profound structural changes as regards ship registration and management,
Requests the Governing Body of the International Labour Office to ask the Director-
General to:
(1) undertake a study of the effects of "second" or international register shipping on seafarers' working and living conditions;
(2) undertake a study of the effects of external ship management as against in-house ship's husbandry with a view to determining whether, and if so, to what extent such management operations could adversely affect the employment conditions of seafarers; and
(3) refer the results of the above studies to an early session of the Joint Maritime Commission with a view to determine what action, if any, should be taken by the ILO.

Resolution concerning the Revision of Existing Maritime Instruments

The Joint Maritime Commission of the International Labour Organisation,
Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,
Noting that the report submitted by the International Labour Office for discussion under item 1 of the Joint Maritime Commission's agenda indicates that many of the instruments in the maritime sector were adopted at a time when the industry was operated differently from today with fewer seafarers serving in foreign flag vessels and with different crew complements,
Noting also that there is an indication in the report that the shipping industry has been subjected to major structural changes and accelerated process of internationalisation,
Considering that the International Labour Office has recently undertaken a general study of the need to revise ILO instruments, among them maritime instruments,
Requests the Governing Body of the International Labour Office to place on the agenda of an early maritime session of the International Labour Conference an item dealing with the revision of existing maritime instruments with a view to keeping the International Labour Organisation abreast of the rapid changes which have occurred in the shipping industry and, in the intervening period, convene a meeting of experts to identify the specific areas where revision may be called for.
Resolution concerning Maritime Standards

The Joint Maritime Commission of the International Labour Organisation,
Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,
Noting that since its inception the International Labour Organisation has recognised the unique character of the maritime industry which is also recognised in many countries through special maritime legislation,
Noting that this recognition has resulted in a special procedure for the identification of issues appropriate for standard setting through specially convened maritime sessions of the International Labour Conference,
Noting also that this procedure has made it possible for the particular problems and features of working and labour conditions at sea to receive special consideration by the industry concerned,
Noting further that such procedure ensures that shipowners and seafarers are covered by appropriate standards set by maritime sessions of the International Labour Conference which are directly relevant to their working and labour conditions,
Believing that the present maritime procedures must continue to be followed for standards of specific maritime application,
Considers that the maritime industry should be fully consulted about standards designed for general application at an early stage to avoid conflicts with existing maritime standards,
Urges the Governing Body of the International Labour Office to recognise the need to maintain the present maritime procedures to develop standards of specific maritime application and to ask the Director-General to request governments and national organisations of employers and workers to ensure that the industry is consulted as early as possible in the consideration of proposed instruments of general application so that the industry's view may be taken fully into account at this formative stage.

Resolution concerning the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958 (No. 109), and the Wages, Hours of Work and Manning (Sea) Recommendation, 1958 (No. 109)

The Joint Maritime Commission of the International Labour Organisation,
Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,
Considering the report prepared by the International Labour Office on changes in the shipboard environment and in the characteristics of seafarers' employment,
Noting that many of the changes referred to in the report concerned the effects of changes in the manning of ships, particularly with regard to reductions in the numbers of seafarers required for manning ships as a result of technological developments,
Recalling the Joint IMO/ILO Committee on Training, at its 8th Session (held in 1990), concluded that consideration should be given to a revision of ILO Convention No. 109 to bring it into line with modern work practices since it was inadequate, in particular in the areas of hours of work and manning, and to ensure that it reflected the importance of the fatigue factor in the manning and safety of ships; that consideration should also be given to a revision of the ILO Recommendation No. 109; and that certain principles embodied in resolutions adopted by the IMO, notably Assembly Resolution A. 481 (XII) on the principles of safe manning, should be incorporated in any revision of ILO Convention No. 109,
Considering that the report submitted by the ILO with regard to item 1 of the present Joint Maritime Commission agenda shows that wide-ranging changes in shipboard environment and the characteristics of seafarers' employment have taken place in recent years affecting areas such as work scheduling, hours of work and safety and health,
Noting further that Convention No. 109 has not entered into force, nor have the preceding three instruments adopted in 1936, 1946 and 1949 which dealt with similar issues, on account of difficulties which were experienced by member States,
Requests the Governing Body of the International Labour Office to place the revision of Convention No. 109 and the accompanying Recommendation No. 109 on the agenda of the next maritime session of the International Labour Conference with a view to the adoption of a modern instrument.

Resolution concerning Drugs and Alcohol in the Maritime Industry

The Joint Maritime Commission of the International Labour Organisation,
Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,
Having considered the need for international action to address the question of drug and alcohol usage in the maritime industry,
Recognising that this question can involve the safety, health and welfare of seafarers and others on board ship; the safety and security of the ship and cargo and the protection of the environment; the efficiency of shipping operations; the quality of shipboard life; and human rights and confidentiality,
Noting that the Health Protection and Medical Care (Seafarers) Convention, 1987 (No. 164), specifically calls for the adoption of preventive health-care measures and for particular attention to be directed to the development of health promotion and health education programmes,
Bearing in mind also the resolution concerning measures against drug and alcohol abuse in working and social life adopted by the International Labour Conference at its 73rd (1987) Session,
Noting that at its 238th Session (November 1987) the Governing Body decided that the Office should develop a wide range of programmes focusing on special problems and needs of specific industries and further noting the considerable work that has been carried out by the Office in response to that decision,
Recalling that the 17th Special Session of the General Assembly of the United Nations which met in 1990 declared 1991-2000 as the United Nations Decade against Drug Abuse,
Recognising that in 1987 the 74th (Maritime) Session of the International Labour Conference adopted the Seafarers' Welfare Recommendation, 1987 (No. 173), which calls for all suitable measures to be taken to make known to seafarers entering port "the dangers arising from the use of narcotics and alcohol"
Recognising that the Joint ILO/WHO Committee on the Health of Seafarers will meet in 1993 and that the Committee has on its tentative agenda the issue of education of seafarers in the dangers to both health and professional careers arising from the abuse of alcohol and the use of narcotics,
Recognising further that an international coordinated industry approach to drug and alcohol policies would be beneficial to all concerned,
Agreeing that efforts made to prevent and control drug and alcohol abuse in the maritime industry, as well as efforts to rehabilitate personnel with these and related problems, may best be developed through tripartite cooperation, that they must bear in mind the particular needs of the industry, that they must operate in an atmosphere of trust and shared commitment, that they may need to be accompanied by control procedures and regulations, that they must pay particular attention to the issue of human rights and confidentiality, and that they should be addressed to all levels in shipping operations,
Recommends to the Governing Body of the International Labour Office:
(1) that a tripartite meeting of experts on drugs and alcohol in the maritime industry be convened to meet as early as practicable in 1992;
(2) that representatives of the International Maritime Organization, the World Health Organization and the United Nations International Drug Control Programme, as well as experts in the field of drug and alcohol abuse prevention and reduction programmes, be invited to participate in the meeting and collaborate in the development of the programme;
that the agenda of the meeting include the following items:

(a) identification of the main problems and issues;
(b) drafting of guiding principles on drug and alcohol policies and programmes in the maritime industry, with particular emphasis on prevention;
(c) provision of guidance to the Office on an ILO programme for the prevention of drug and alcohol abuse in the maritime industry including the development of guidelines and educational material for prevention and control and guidelines on the rehabilitation of industry personnel;

(4) that the results of this tripartite meeting be placed on the agenda for the next session of the Joint Maritime Commission for its consideration;

(5) that a study be undertaken on the techniques adopted in drug and alcohol control procedures so as to allow the development of guidelines for the conduct of such procedures to ensure their medical confidentiality and privacy, accuracy, reliability and medical acceptability;

(6) that the Director-General be asked to seek financing including the use of extra-budgetary resources for the funding of the meeting and the programme.

Resolution concerning Placing of Seafarers

The Joint Maritime Commission of the International Labour Organisation,
Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,
Considering that, since the adoption of the Placing of Seamen Convention, 1920 (No. 9), there have been significant changes in the method of recruiting seamen, and that many of the problems with the recruitment of seafarers which Convention No. 9 was designed to eliminate are still prevalent,
Recalling the report of the ILO Regional Seminar on the Recruitment and Placement of Asian Seafarers (Manila, November 1989), which considered that new ILO standards of recruitment and placement of seafarers should be adopted as a matter of urgency to cover all seafarers and all bodies providing employment for such seafarers, and that any new standards should be supplemented by an accompanying Recommendation or guidelines, and which also felt that measures to protect seafarers from recruitment malpractices and abuse were of major importance,
Firmly believes that the provision of Convention No. 9 which seeks to abolish fee-charging agencies is no longer relevant but, if properly supervised, agencies that recruit seafarers may fill a practical and useful purpose of benefit to both seafarers and shipowners,
Requests the Governing Body of the International Labour Office to include the revision of Convention No. 9 on the agenda of the next maritime session of the International Labour Conference with a view to adopting a revised Convention and a set of guidelines to include, inter alia, the following:
— agencies, whether public or private, which provide recruitment services for seafarers should be covered, but without prejudice to the right of any government ratifying the Convention to determine the types of agencies operating in its own country;
— ratifying governments shall adopt and enforce laws and/or regulations to control, with appropriate penalties, the operation of seafarer recruitment services in their own country based on principles as laid down in the Fee-Charging Employment Agencies Convention, 1949 (No. 96);
— masters, officers and ratings should be covered;
— the fundamental principle that a seafarer must not pay for a job;
— a seafarer should also not be required to pay for pre-employment medical examinations, visas or discharge books of other countries;
— freedom of choice of ship and freedom of choice of crew;
— the principle that only appropriately qualified and properly documented seafarers should be supplied by a recruitment agency;
— agencies and/or shipping companies that are involved in the establishment of an employment contract shall ensure that both the seafarer and the employer are fully aware of all relevant terms and conditions at the time of engagement.

Resolution concerning revision of the Labour Inspection (Seamen) Recommendation, 1926 (No. 28)

The Joint Maritime Commission of the International Labour Organisation, Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991, Noting the changes in the nature of the shipping industry and, as a consequence thereof, the changes in seafaring employment since Recommendation No. 28 was adopted, Considering that the replies to the questionnaire addressed by the International Labour Office on 9 April 1990 to the member States of the International Labour Organisation revealed a diversity of views, Considering that a number of maritime instruments concerning seafarers also provide for arrangements for inspection, Requests the Governing Body of the International Labour Office to place the revision of Recommendation No. 28 on the agenda of an early Maritime Session of the International Labour Conference with a view to adopting a Convention on labour inspection and, in addition thereto, guidelines supplementing the various existing instruments to provide for inspections, especially in those cases where one or more inspection authorities are involved.

Resolution concerning the Ratification of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)

The Joint Maritime Commission of the International Labour Organisation, Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991, Recognising the importance of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147), in the promotion of improved labour standards for seafarers, Noting the General Survey on Labour Standards on Merchant Ships prepared by the Committee of Experts on the Application of Conventions and Recommendations and considered by the Committee on the Application of Standards at the 77th Session of the International Labour Conference in 1990, Aware that Convention No. 147 has to date been ratified by 23 States together accounting for some 53 per cent of world merchant tonnage, Conscious of the continuing efforts of the International Labour Organisati0n to urge administrations which have not yet done so to ratify the Convention, Believing that more widespread ratification of the Convention, particularly by States with significant maritime interests, would be of great benefit to the maritime community at large, Urges the Governing Body of the International Labour Office to request the Director-General to concentrate the efforts of the Office towards encouraging ratification by the following groups of countries: — major flag States; — major port States; — maritime labour supply States.

Resolution concerning the Identification of Any Possible New Conventions to be added by a Protocol to the Appendix of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)

The Joint Maritime Commission of the International Labour Organisation, Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,
Recalling the resolution adopted at its 25th Session held in Geneva on 6 October 1987, which identified new Conventions to be added to the Appendix of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147),

Recalling also that the document prepared at the time by the Office (1987 JMC/25/2) drew the attention of the Commission to three additional Conventions which could also be added to the Appendix of Convention No. 147,

Noting that the 74th (Maritime) Session of the International Labour Conference held in Geneva in 1987 adopted four modern Conventions which could also be added to the Appendix of Convention No. 147,

Invites the Governing Body of the International Labour Office to include in the agenda of the next maritime session of the International Labour Conference the question of the partial revision of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147), and that such partial revision be carried out by means of a Protocol to Convention No. 147, listing in a supplementary Appendix the Conventions to be added to those already listed, unless in the interim the question of the adoption of such a Protocol has been included in the agenda of an earlier general session of the Conference.

Resolution concerning the Promotion of the Principle of Port State Control

The Joint Maritime Commission of the International Labour Organisation,

Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,

Recalling the resolution adopted at the 74th (Maritime) Session of the International Labour Conference concerning the more widespread ratification of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147),

Noting that the International Labour Office published in 1990 guidelines for procedure on the inspection of labour conditions on board ships,

Considering that the Memorandum of Understanding on Port State Control, which promotes the objectives of Convention No. 147, is an important vehicle for coordinating national efforts to comply with the Convention’s standards,

Invites the Governing Body of the International Labour Office:

(1) to request the Director-General to take the necessary steps in order to enable seafarers’ and shipowners’ organisations to be directly represented, as advisers to the ILO participant, at meetings of the member States of the Memorandum of Understanding on Port State Control;

(2) to remind ILO member States of the resolution concerning the more widespread ratification of Convention No. 147.

Resolution concerning the International Coordination of Welfare Activities for Seafarers and Welfare Services for Seafarers’ Families

The Joint Maritime Commission of the International Labour Organisation,

Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,

Having considered the report prepared by the Tripartite Subcommittee on Seafarers’ Welfare, concerning the international coordination of welfare activities for seafarers and welfare services for seafarers’ families,

Recognising the role of the International Committee on Seafarers’ Welfare (ICSW) as a coordinating body, whose main objective is to promote and foster on an international basis the provision of welfare services for seafarers of all nationalities, race, colour and creed,

Recognising also the progress achieved through the adoption by the 74th (Maritime) Session of the International Labour Conference of the Seafarers’ Welfare Convention, 1987 (No. 163), and Recommendation, 1987 (No. 173),
Noting that Convention No. 163 entered into force on 3 October 1990,
Believes that priority should be given to securing the widespread ratification and application of Convention No. 163 and the implementation of Recommendation No. 173,
Believes also that urgent attention should be given to the provision of seafarers' welfare facilities and services on a wider geographical basis, particularly in developing countries, based on ILO standards, and that the offer of the ICSW to tender advice as to where such facilities should be established or enhanced should be accepted,
Recommend that appropriate personal counselling services should be provided on problems encountered by seafarers visiting foreign ports, and that the offer of the ICSW to coordinate this work at the international level should be accepted,
Urges the Governing Body of the International Labour Office to request the Director-General to:
(i) request ILO member States to ensure the easy distribution of welfare materials with due regard to the application of the Customs Convention concerning Welfare Material for Seafarers, 1964;
(ii) request member States to urge all interested parties, countries of origin of seafarers, flag States and particularly all shipowners, to provide welfare materials, e.g. video cassettes, films, books and newspapers in a language understood by the seafarers concerned, to ships and to seafarers' centres;
(iii) ensure that the excellent secretarial services provided by the ILO to the ICSW are continued at a level appropriate to the workload of the Committee, and to ensure that resources are found to support specific projects;
(iv) develop guidelines for the use of governments, shipowners, trade unions and all other interested parties on the implementation of Convention No. 163 and Recommendation No. 173, with the assistance and cooperation of the ICSW;
(v) develop guidelines for the use of governments, shipowners, trade unions and all other interested parties on the provision of welfare services for seafarers' families. Such guidelines should be developed in consultation with organisations of seafarers' spouses, where they exist, and with the assistance and cooperation of the ICSW.

Resolution concerning the Provision of Social and Welfare Services

The Joint Maritime Commission of the International Labour Organisation,
Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,
Having considered the report prepared by the Tripartite Subcommittee on Seafarers' Welfare, concerning the international coordination of welfare activities for seafarers and welfare services for seafarers' families,
Recognising that the provision of specialised social and welfare services for seafarers and their families is undertaken by the relevant maritime agencies, notably the government and voluntary welfare bodies, shipowners, seafarers and their organisations,
Recognising also that these specialised services should build on basic levels of social and welfare protection provided through state social security systems,
Noting that the 74th (Maritime) Session of the International Labour Conference in 1987 adopted the Social Security (Seafarers) Convention (Revised) (No. 165),
Noting with concern that despite ILO standard-setting activities and technical assistance, the majority of the world's seafarers come from countries of the developing world where there are frequently no social security systems or where, at best, they are only at basic levels,
Urges the Governing Body of the International Labour Office to request the Director-General to:
(i) request member States of the developing world in particular to take action including the ratification of Convention No. 165 so as to improve the living and working conditions of workers through the establishment of social security systems where they do not presently exist or are rudimentary;
(ii) consider directing financial resources where the need for assistance is greatest through United Nations agencies such as the United Nations Development Programme, or through the International Monetary Fund towards assisting developing countries in establishing proper and adequate social security systems;
(iii) ensure that the particular requirements of occupational sectors, such as seafarers, are properly accommodated by such systems.

Resolution concerning the Protection of Wages and Stranded Seafarers

The Joint Maritime Commission of the International Labour Organisation,
Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,
Noting that the Repatriation of Seamen Convention, 1926 (No. 23), which has been ratified by 36 States and came into force on 16 April 1928, provides that the expenses of repatriation shall not be a charge on the seaman if he has been left behind by reason of discharge for any cause for which he cannot be held responsible,
Noting also that the public authority of the country in which the vessel is registered shall be responsible for supervising the repatriation of any crew member covered by the said Convention and, where necessary, for giving him his expenses in advance,
Noting further that the Repatriation of Seafarers Convention (Revised), 1987 (No. 166), provides that in the event of the shipowner not being able to continue to fulfil his or her legal or contractual obligations as an employer of the seafarer, e.g., by reason of bankruptcy, a seafarer shall be entitled to repatriation at the shipowner's expense, or where a shipowner fails to make arrangements to meet the cost of repatriation, either the flag State or the port State (in that order) shall meet the cost,
Noting finally that the flag State and port State responsibilities in this regard are also the subject of the Repatriation of Seafarers Recommendation, 1987 (No. 174),
Aware that, notwithstanding the aforesaid provisions and obligations on flag and port States, seafarers are still stranded without recourse to paid repatriation following the abandonment by shipowners of their vessels on account of bad finance or for other reasons and thus become a charge on the already stretched resources of voluntary agencies and charities,
Recognises the problem of stranded seafarers who could be subject to considerable hardships consequent upon the shipowner going bankrupt,
Further recognises that in such situations timely help may not be forthcoming through the medium of the flag State or port State because of bureaucratic delays or because of the absence of ratification or non-entry into force of the ILO Conventions concerned,
Recalling the report of the Joint Maritime Commission's Tripartite Subcommittee on Seafarers' Welfare which made mention of the need for special provisions to cover such situations,
Urges the Governing Body of the International Labour Office to request the Director-General to recommend to member States that legislation and practical measures be adopted to protect the wages and other entitlements of seafarers where the shipowner/manager becomes insolvent, and especially in cases where seafarers are left stranded in an outport.

Resolution concerning the ILO Minimum Wage for Able Seamen

The Joint Maritime Commission of the International Labour Organisation,
Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,
Considering the report prepared by the International Labour Office on Wages, Hours of Work and Manning (Sea) Recommendation, 1958 (No. 109),
Considering also that criticism has been expressed on several previous occasions by the seafarers and by the shipowners as to the formula which has been used to revise the minimum wage figure contained in Recommendation No. 109,
Noting also that currency fluctuations have again rendered use of the current formula an even more unreliable exercise,

Considers that the formula used to revise the minimum wage should be amended,

Requests therefore the Governing Body of the International Labour Office to take action on the following proposals agreed by the Shipowner and Seafarer members of the Joint Maritime Commission, with regard to a revised formula for dealing with the updating of the minimum wage for able seamen:

**Revised formula**

The mechanism and procedure for the periodic revision of the minimum basic wage for able seamen shall be revised:

(a) to provide a more representative list of 44 countries and areas including nations which have at least 2 million gross tons of shipping or countries and areas which are major suppliers of seafarers. The new list of countries and areas is:

- Argentina
- Australia
- Bahamas
- Bangladesh
- Belgium
- Bermuda
- Brazil
- Canada
- China
- Cyprus
- Denmark
- France
- Germany
- Gibraltar
- Greece
- Hong Kong
- India
- Indonesia
- Iran
- Israel
- Italy
- Japan
- Korea (Rep. of)
- Liberia
- Malaysia
- Malta
- Myanmar
- Pakistan
- Panama
- Philippines
- Poland
- Portugal
- Romania
- Saudi Arabia
- Singapore
- Spain
- Sri Lanka
- Turkey
- United Kingdom
- United States
- USSR
- Yugoslavia
- Korea (Rep. of)
- Liberia
- Malaysia
- Malta
- Myanmar
- Pakistan
- Panama
- Philippines
- Poland
- Portugal
- Romania
- Saudi Arabia
- Singapore
- Spain
- Sri Lanka
- Turkey
- United Kingdom
- United States
- USSR
- Yugoslavia

(b) to minimise the short-term effect of drastic fluctuations in currency exchange rates. The formula is to utilise an averaging of the three latest months of US dollar equivalent exchange rates (e.g. for the 26th Session, March–May 1991 averaging);

(c) the formula is to measure the changes in consumer prices for a four-year period up to the month of the most current data (e.g. for the 26th Session, where available, May 1987 shall be the base month and May 1991 shall be the period of measurement). In the future, the period of measurement shall equal the full period of time between adjustments;

(d) the formula is to include a weighting on the basis of the total number of seafarers in different countries, on a scale equal to one for countries with fewer than 10,000 seafarers, and two for countries with 10,000 or more seafarers, the numbers to be determined by an ILO Office survey;

(e) the issue of productivity should be addressed when the Joint Maritime Commission or the bipartite wage committee meets and if by common reasoning the two parties have found productivity increases have taken place since the last adjustment was made, a relevant percentage should be agreed upon and added to the new wage figure calculated according to the formula.

**Periodic review**

It is agreed that a small bipartite wage committee composed of six Shipowner representatives and six Seafarer representatives will be convened every alternate year between sessions of the Joint Maritime Commission for the purpose of updating the ILO minimum wage for able seamen in accordance with the prescribed formula, it being understood that such a committee should not be convened in the year before a Joint Maritime Commission session.

**Updating of minimum wage figures**

Resolution concerning Freedom of Association, Collective Bargaining and Tripartite Consultation

The Joint Maritime Commission of the International Labour Organisation,
Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,
Noting political developments in many countries which are paving the way to new social and economic structures and the establishment of democratic institutions in these countries,
Considering that these developments will assist employers and workers to establish free and independent organisations to represent them, to engage in collective bargaining and to promote effective consultation between these organisations and the national authorities in accordance with the ILO's Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144),
Recognising that several of the countries so concerned have significant merchant fleets and substantial numbers of merchant seafarers in their labour force,
Recognising also that the establishment of effective organisations to represent employers and workers and the promotion of negotiations between employers' and workers' organisations will require help and assistance from the International Labour Organisation and from non-governmental organisations which are experienced in the principles embraced by the Constitution of the International Labour Organisation,
Requests the Governing Body of the International Labour Office to convene regional seminars to consider the promotion and ratification of international labour standards for the maritime industry with a special reference to the freedom of association, collective bargaining and tripartite consultation.

Resolution concerning Cooperation between the International Labour Organisation and Other United Nations Organisations

The Joint Maritime Commission of the International Labour Organisation,
Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,
Noting that the International Labour Organisation has provided considerable advice and assistance on the adoption and implementation of labour standards, particularly in the maritime field, to many member States through its technical assistance programme and regional activities,
Noting also that other United Nations organisations such as the International Maritime Organization and the Economic and Social Commission for Asia and the Pacific and the United Nations Economic Commission for Latin America and the Caribbean are also responsible in their own spheres of interest for providing technical resources and assistance,
Noting further that seafarers are increasingly recruited from developing countries and newly emerging democratic countries in Central and Eastern Europe, and that many of these countries are in particular need of technical assistance to develop their maritime training facilities and infrastructure and to adopt international maritime labour standards,
Considering that, whilst the spheres of interest of the different organisations are properly distinguished, there are occasions where the subjects covered by technical assistance programmes may be of relevance to more than one organisation,
Considering that continuing and strengthening the cooperation between these organisations might prove beneficial in particular for developing countries,
Urges the Governing Body of the International Labour Office to request the Director-General to:
(i) review the technical assistance programme of the International Labour Organisation in the maritime field to ensure that it is in particular directed to those countries which will gain the most benefit from such assistance given the extent of their maritime interests;
(ii) discuss with other relevant United Nations agencies whether increased cooperation and coordination might be achieved so as to make most cost-effective use of resources in the field of technical assistance programmes against the background of these changing needs;

(iii) review the existing cooperation arrangements between the International Labour Organization and the International Maritime Organization on maritime training to ensure appropriate involvement by the International Labour Organisation in this area.

Resolution concerning Maritime Mobile Offshore Units

The Joint Maritime Commission of the International Labour Organisation,
Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,
Noting with concern the recent disasters on offshore units and in particular those on board the "Ocean Odyssey" and the "Piper Alpha", which had implications for mobile offshore units,
Noting further that, although some progress has been made within the International Maritime Organization as regards the training and qualifications of offshore personnel, there is still an urgent need to ensure that such personnel are adequately trained and qualified and, in particular, a need to achieve higher standards of safety and competency,
Requests the Governing Body of the International Labour Office to convene an early session of the Joint IMO/ILO Committee on Training with a view to reviewing the development of standards and to consider the need for possible new standards for qualifications, certification and training for all persons on board maritime mobile offshore units.

Resolution concerning the Convening of a Preparatory Technical Maritime Conference and a Maritime Session of the International Labour Conference

The Joint Maritime Commission of the International Labour Organisation,
Having met in Geneva, in its Twenty-Sixth Session, from 17 to 25 October 1991,
Noting recent developments in the shipping industry, such as changes in maritime trade and the demand for ships, changes in the size and composition of national fleets, the continued advance of technology, management changes, new manning requirements, government involvement and international shipping agreements, which have greatly affected the employment conditions of seafarers including their working and living conditions,
Reaffirming its support for the special maritime machinery of the International Labour Organisation, which has ensured that maritime instruments take account of the international nature of shipping and the particular characteristics of seafaring as a way of life,
Noting that a number of resolutions have been adopted by the present session of the Commission, requesting the revision of existing ILO maritime standards and preparation of new standards,
Recalling that, at its 25th Session held in Geneva on 6 October 1987, the Commission adopted a resolution requesting that the Governing Body include, in the agenda of a maritime session of the International Labour Conference, the question of the partial revision of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147), and that such a partial revision be carried out by means of a Protocol to Convention No. 147 listing, in a supplementary appendix, the Conventions to be added to those already listed,
Decides to recommend to the Governing Body of the International Labour Office:
(1) that a Tripartite Preparatory Technical Maritime Conference be convened to meet in 1995, the exact date and place to be decided subsequently (with the following composition: States Members of the International Labour Organisation with at least 1 million gross tonnes of registered shipping). In addition, the Governing Body should invite, at its discretion, a limited number of countries to ensure an adequate geographical representation. In this connection, the Commission wishes to draw the attention of the Governing Body to those countries, from which there are titular and deputy members of the Joint Maritime Commission, which would not be represented under the tonnage criteria mentioned above;
(2) that the following items be placed on the agenda of the proposed Preparatory Technical Maritime Conference:

(a) revision of the Labour Inspection (Seamen) Recommendation, 1926 (No. 28);
(b) revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised) (No. 109), and the Wages, Hours of Work and Manning (Sea) Recommendation, 1958 (No. 109);
(c) revision of the Placing of Seamen Convention, 1920 (No. 9);
(d) partial revision of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147);
(e) revision of ILO maritime standards;

(3) that a maritime session of the International Labour Conference be convened to meet in 1996, the exact date and place to be decided subsequently;

(4) that the following items be placed on the agenda of the proposed maritime session of the Conference:

(a) Report of the Director-General;
(b) revision of Recommendation No. 28;
(c) revision of Convention No. 109 and Recommendation No. 109;
(d) revision of Convention No. 9;
(e) partial revision of Convention No. 147;
(f) revision of ILO maritime standards;

(5) that if there should be any unforeseen delay in the convening of the Preparatory Technical Maritime Session and the Maritime Session of the International Labour Conference, consideration should be given by the Governing Body to convene the Joint Maritime Commission on an urgent basis to carry on the technical work required to assist the development and updating of ILO maritime standards.
CONCLUSIONS AND RESOLUTIONS ADOPTED

Conclusions concerning Growth and Structural Adjustment

I. General considerations

1. The Plenary of the Eleventh Asian Regional Conference of the ILO had on its agenda a technical item on Growth and Structural Adjustment. As background to its deliberations, the Conference took into consideration the renewed ILO mandate given by the High-Level Meeting on Employment and Structural Adjustment, held in Geneva in November 1987, and the continuing promotional role envisaged for the Employment Policy Convention, 1964 (No. 122).

2. Asian and Pacific countries have, in general, achieved significant economic progress and performed well in alleviating poverty during the 1980s. Despite these positive developments, the region as a whole still contains, in absolute terms, the largest number of poor people in the world. Enormous variations exist across the region in the rates of economic growth and the standards of living attained. While some countries have grown spectacularly in recent years and have attained the status of newly industrialising economies, some ASEAN and most South Asian countries still have vast numbers of people seeking a threshold standard of living.

3. The second oil price shock of 1979, which triggered off a global recession during the early 1980s, aggravated the large budget and current account imbalances that already existed in most of the Asian and Pacific countries. These countries resorted to a number of adjustment measures that included both short-term stabilisation policies to restore imbalances, and medium-term structural adjustment policies to bring about greater efficiency in the structure of investment, production and trade. The structural adjustment programmes essentially contained measures to liberalise trade, set exchange rates at realistic levels, rationalise public sector expenditure, privatise public sector undertakings, and bring about financial and fiscal reforms to mobilise and allocate resources more efficiently.

4. The overall growth of countries in Asia and the Pacific has been better than that of other regions in the 1980s, a period during which substantial structural adjustment occurred. However, economies in the region will need to adjust further in the 1990s in the face of the continuing impact of economic difficulties and technological changes. Formerly centrally planned economies will have to implement the difficult transition to a market economy, while many other countries will need to persevere with structural adjustment programmes initiated in the 1980s. For both groups of countries, depending on their initial circumstances, the process of adjustment will include varying extents of economic liberalisation, the privatisation of previously public functions, deregulation and increased reliance on market forces.

5. This process of structural adjustment should aim at greater efficiency in resource use and increased productivity at the enterprise level. It should lead to higher rates of economic growth which is an important pre-condition for raising living standards and achieving broad social progress in countries in the region. If the growth process is combined with policies to ensure a high level of employment creation then it will also be a powerful means of eradicating poverty. An employment-intensive pattern of growth will ensure increasing opportunities for the labour force, including the poor and other disadvantaged groups, to be absorbed into productive employment at higher levels of income. Policies for promoting rural development and the growth of self-employment and productive employment in the informal sector will be important elements of an employment-intensive growth strategy. Similarly, policies to encourage market forces and to promote flexible, efficient and equitable functioning of markets will
support the attainment of growth and employment objectives. In particular, policies to improve the functioning of labour markets through the removal of unwarranted barriers to labour mobility will be important for achieving successful structural adjustment.

6. Attainment of the objectives of higher overall economic efficiency and output will also require a competitive and profitable enterprise sector as a major engine of economic and employment growth. In this respect, small- and medium-sized enterprises (SMEs) can play a particularly important role in view of their ability to combine resilience and flexibility with high potential for relatively low-cost job creation. It is thus clear that, in addition to a facilitative policy environment, one of the important prerequisites for successful structural adjustment is well-trained, competent and motivated managers and workers at all levels of the economy.

7. These moves towards greater efficiency will have to take place in an environment of full respect for trade union rights, a full commitment to ILO labour standards and a consultative approach to change. In this respect, the observance of Conventions Nos. 87 and 98 on freedom of association and collective bargaining will assist workers and employers to participate in such consultations. Other important factors for structural adjustment are the existence of a sound system of industrial relations and provision for improved working conditions. Structural adjustment will have the best chance of success where it is based on social consensus and an equitable sharing of the burden of adjustment.

8. It is also important that structural adjustment programmes be framed in the context of a country's long-term objectives for economic and social development. Ad hoc and hastily conceived adjustment measures will be counter-productive and may prevent the attainment of longer-term development objectives. These longer-term objectives include the attainment of sustained economic growth, social progress which is both broadly based and equitable and the elimination of poverty, especially rural poverty. The elimination of discrimination against women and other disadvantaged groups and the abolition of child labour are also important objectives. In addition, the impact of population and labour force growth on the employment problem will have to be taken into account.

9. The experience of the 1980s has shown that even with reasonable rates of economic growth the process of adjustment is accompanied by social costs which will have to be addressed through special policies and programmes designed to provide a safety net for those social groups disadvantaged by the process. The social costs of adjustment have, in several countries, been manifested in the difficulty of maintaining an adequate rate of growth in productive employment, in the rise of employment insecurity in labour markets and in the increased exposure of vulnerable groups to economic insecurity and poverty. In some countries the employment problem arose as a result of reduced rates of labour absorption in agriculture and manufacturing, in spite of respectable rates of growth in output. It was aggravated by retrenchments from the public sector and uncompetitive industries. In many cases this was followed by an expansion of low productivity and low-income employment in the informal sector. In these countries there has been an increase of employment insecurity. There has also been an increase in self-employment, casual employment and atypical forms of employment such as out-working. At the same time there has been an increase in economic insecurity and poverty as vulnerable groups, such as women workers, those in precarious jobs, and marginal producers in the informal sector, suffered the effects of inflation, price deregulation, the removal of subsidies and cut-backs in public expenditure on social programmes.

10. Given the importance of ameliorating the adverse employment impact of structural adjustment measures, and the role played by SMEs in generating productive employment, it is essential to consider ways and means of creating environments conducive to their sustained and accelerated growth. Structural adjustment involves reforms aimed at economic liberalisation. Such measures should remove any existing discrimination against SMEs. In this respect, the policy environment for SMEs in the Asian countries has varied considerably, ranging from deliberate promotion and protection to benign neglect.

11. Apart from the difficulties arising from the overall policy environment, the SME sector is often faced with a number of specific constraints. Despite a range of SME credit programmes introduced in many countries, it is often difficult for SMEs to benefit fully from these schemes due to excessively complicated procedures or a lack of commitment from the banks or other financial institutions involved. Many countries still do not have institutional structures to
provide effectively integrated support to SMEs in such areas as training, consultancy, technology, marketing and extension services. Existing programmes aimed at skill development will need to be specifically designed to meet the needs of SMEs, particularly with regard to support services. These promotional measures should be accompanied by special efforts to improve working conditions, social protection and earnings in SMEs. It should be noted in this context that SMEs are often characterised by low rates of unionisation which increases the vulnerability of employees in such enterprises. The same imperative to improve employment conditions, earnings and social protection applies to self-employment and the informal sector.

12. In the face of challenges posed by structural change and new technologies, a significant element in the development strategies of Asian and Pacific countries will be human resources development. Developments in labour markets will need to be monitored closely in order to identify emerging skill requirements and to assess training and retraining needs. An active labour market policy, including an important component for retraining and labour redeployment, will be important in this context.

13. In order to increase and improve the opportunities available for acquiring occupational skills related to the introduction and adoption of new technology, the tripartite constituents of the countries in the region should work together to develop policies and improve capabilities for the planning and coordination of all forms of vocational training, such as job-entry training, retraining and upgrading conducted by institutions, enterprises and communities. This should be done within the framework of the Human Resources Development Convention, 1975 (No. 142).

14. Many developing countries in the region are attempting to accelerate rural transformation through industrialisation, technology transfer and increases in non-farm employment. Since rural people have low educational attainments, innovative approaches will be needed to train them in the skills required to increase productive employment through technology transfer. The active participation of rural workers' organisations, in pursuance of the Rural Workers' Organisations Convention, 1975 (No. 141), will be an important part of this process.

II. Recommendations for action at the international and regional levels

15. Further progress in the liberalisation of international trade and expanding world markets will ease the external constraints on structural adjustment in individual countries. Industrialised countries are encouraged to take the necessary measures to expand international trade and provide greater access to their markets. Throughout the 1980s the countries of the region were, to varying degrees, affected by the worldwide recession, mounting protectionism, declining commodity prices, trade deficits and external indebtedness. Successful adjustment and poverty alleviation can be much more readily attained within a healthy world economy.

16. The experience of the past decade in the Asian and Pacific region has demonstrated that successful structural adjustment is possible. While it remains true that adjustment programmes have to be tailored to the specificity of the economy and the level of development of each country, the lessons learnt have to be carefully understood and incorporated in policy-making. To this end, there is a need for increased inter-country cooperation and exchange of information on how to manage adjustment successfully. This would include dialogue on issues such as: (a) the framing of stabilisation and structural adjustment policies which are consistent with a country's long-term development objectives as well as the objective of minimising the social costs of adjustment; (b) the creation of an incentive structure conducive to employment intensive growth patterns; (c) the development of active labour market policies which include social protection for workers and others experiencing adjustment difficulties; (d) the formulation of policies and measures to create an economic environment that will promote investment, competition and enterprise growth, especially in SMEs and the informal sector; and (e) the gearing of training policies and systems to meet skill requirements emanating from industrial restructuring and technological changes.

17. There is a need to conduct comparative studies on alternative development strategies for coping with rapid changes in the world economy. Individual country experiences with
different emphasis on an inward or outward orientation should be analysed and lessons for policy should be distilled.

18. Technical cooperation among developing countries (TCDC) within the region should be directed towards employment promotion and the encouragement of small and medium enterprises, with a view to alleviating poverty. Countries with the best performance record in these areas could provide assistance to those which have lagged behind. Similarly, regional networks should be established for the exchange of information and advice on the institutions and policies for promoting SMEs.

19. The High-Level Meeting on Employment and Structural Adjustment stressed the important role to be played in promoting effective growth-oriented adjustment programmes by a number of international organisations, including the World Bank and the International Monetary Fund (IMF). The Meeting called upon all such organisations, including the ILO, to assist developing countries in the design and implementation of policies and programmes which take into account the needs and problems of the poor and can be carried out with minimum social cost. This recommendation remains highly valid today and should be given renewed emphasis, with the ILO taking further initiatives to participate effectively in this process.

III. **Recommendations for action at the national level**

20. The following actions are recommended at the national level:

(i) Governments should play a positive role in facilitating structural reforms and creating a more conducive environment for economic growth, employment generation, poverty alleviation and human resources development. Adjustment measures have to comprise a comprehensive and properly sequenced package of reforms and to be consistent with long-term development objectives.

(ii) With a view to obtaining the commitment of employers' and workers' organisations to the adjustment process, mechanisms should be available for their effective participation in programme formulation and implementation. These should include the necessary machinery for tripartite consultation on the major decisions affecting the social partners and suitable communication channels with the government for the ongoing exchange of information and views on relevant policy matters. The members of employers' and workers' organisations should have access to education and training programmes that would better equip them to monitor and assess the economic and social aspects of structural adjustment programmes and to articulate their views in policy debates aimed at achieving social consensus.

(iii) Careful consideration should be given to the employment implications of alternative policy packages at the macro-economic, as well as sectoral, levels. Governments need to build up appropriate mechanisms and institutions to monitor the impact of structural adjustment on employment and incomes, especially of the relatively vulnerable groups. Such monitoring mechanisms would be required in designing and formulating macro-economic and sectoral policies that would address the needs of such groups.

(iv) In introducing austerity measures, governments should be sensitive to their social impact. The restructuring of government expenditure should take account of the need for the poor to have access to essential social services. Special employment and income generating schemes have to be provided in countries where adjustment programmes have not had a positive impact on unemployment and falling household incomes. Social or employment funds could be set up to finance such employment schemes and serve as a social safety net for vulnerable groups.

(v) In restructuring government expenditure, consideration should be given to the role of the public sector in developing physical infrastructure (e.g., roads, electricity, etc.) without which private sector investment would be sub-optimal. Also, the public sector has to play a crucial role in providing basic needs services, such as health and education, and should ensure that the poor, especially in rural areas, have access to them.

(vi) Governments and the social partners should collaborate in adapting labour market and social protection policies with a view to introducing greater labour mobility and job
flexibility while mitigating employment insecurity arising, inter alia, from privatisation and labour market deregulation. Actions are required to facilitate redeployment and promote labour mobility while offering a threshold level of protection, including social security, during the transition.

(vii) Individual countries should review and change, where necessary, the policy framework at macro and sectoral levels to encourage the growth of SMEs and maximise support for this sector. Effective support mechanisms should be developed to promote SMEs in both urban and rural areas. The need for an integrated range of services (credit, markets, technology, training and extension services) should be assessed, and means explored to ensure how SME support programmes could develop a degree of self-reliance. In this respect attention should be given to mobilising private sector resources and expertise, and to using trade unions and NGOs as delivery channels for programmes.

(viii) Employers' organisations should help their members adapt to a more competitive environment by creating greater awareness of sound management practices, market opportunities, technological advances that are suitable to national conditions, and measures aimed at enhancing productivity. Where possible, they should make a special effort to assist small- and medium-sized enterprises, in both urban and rural areas, by facilitating access to credit and a range of support services, and by promoting subcontracting arrangements between SMEs and large enterprises.

(ix) Through their participation in the formulation and implementation of adjustment policies and programmes, workers' organisations will contribute to ameliorating the social consequences of adjustment. This will include awareness raising through training, research and information programmes and performance of a wider advocacy role. With a view to facilitating the adjustment process, they should support active labour market policies which they deem appropriate. They also should explore the possibilities for providing a range of support services to small and micro-enterprises, including cooperatives, and could also contribute to raising the level of organisation of workers in this sector. In addition, they should further develop their expertise in the area of occupational safety and health so as to better inform and train their members and to work effectively with employers in overcoming problems in this area.

(x) Individual countries should carefully design and formulate a national training policy in the light of changing skill needs owing to the introduction of new technologies and industrial structures. There will be a rapidly changing demand for training of new workers, as well as for upgrading the skills of and retraining existing workers.

(xi) Given the increased emphasis on privatisation, governments should encourage private sector initiatives in skills development in the country. In this regard, establishing joint private-public sector training facilities should be explored. Mechanisms should also be devised to support the special entrepreneurial and skills requirements of small firms.

(xii) Governments should plan for greater resource allocation to research and development (R&D) facilities for developing the higher skills required to facilitate the adoption of new technologies.

IV. Role of the ILO

21. Against the background of a strengthening of ILO field operations, arising principally from an increased emphasis on devolution of responsibility, accountability and resources from head office to regional and area offices, the ILO should undertake the following actions in support of structural adjustment programmes in countries in the Asian and Pacific region:

(i) Review the impact of structural adjustment programmes on employment, incomes and wages, especially of the relatively vulnerable groups. In addition, the comparative experience of structural adjustment programmes should be examined to identify the more successful strategies and mechanisms. Given the significant role of SMEs in generating growth and employment during adjustment, comparative evaluation of the policy environment, delivery mechanisms and promotional programmes for SMEs should be undertaken.
(ii) Provide technical advice to promote and strengthen viable tripartite structures to facilitate their involvement in the planning and implementation of structural adjustment policies and programmes. Such support should include measures to promote greater social consensus in respect of the country's adjustment programme focusing, in particular, on wages, employment/income security, labour standards, efficiency, productivity and training.

(iii) Provide advisory services and technical assistance in the formulation and design of a structural adjustment programme that would ensure growth with minimal social cost. These would include incorporating employment concerns into the formulation, implementation and monitoring of development programmes and projects.

(iv) Provide advisory services and technical assistance in formulating and designing effective social safety net policies that would include employment and income generating programmes for target groups, training and other compensatory measures. Tripartite consultations involving member countries of the region should be undertaken with a view to strengthening social protection measures, which is a prime need in the context of structural adjustment.

(v) Provide technical assistance in strengthening the data base for monitoring the employment and income impact of structural adjustment programmes. Such a system could also be developed to generate appropriate data for effective monitoring of labour market trends.

(vi) Initiate regional network building in relation to SMEs and provide advisory services and technical assistance in the areas of: (a) policy formulation at macro and sectoral levels; (b) institution building and strengthening; (c) training of SME trainers and consultants; (d) introduction of entrepreneurship elements into educational and vocational training systems, and (e) productivity improvement through better working conditions.

(vii) Conduct inter-country studies to review comparative experience of the human resources development implications of industrial restructuring. In this regard, there should be increased efforts to facilitate the exchange of information that would assist governments to evaluate and undertake steps to reduce human resources constraints on industrial restructuring. Based on the above, advisory services and technical assistance could be provided in the design and formulation of training policies and efficient and cost-effective mechanisms for providing technical and vocational training. Alternative methods of financing vocational training, especially for new technologies, also need to be explored.

(viii) Provide technical assistance in developing appropriate strategies and policies for the promotion of self-employment and micro-enterprises in the informal sector, especially targeted at the most vulnerable groups, such as women and youth. Such assistance should aim at retaining the dynamism of the sector and ensuring better security and working conditions for workers.

(ix) Collaborate with the World Bank and the IMF with a view to influencing these agencies to (a) take action to mitigate the social costs of adjustment; (b) introduce social aspects in the design stage of adjustment programmes and (c) take more fully into account the social and labour concerns of the ILO's tripartite constituency.

22. In carrying out the role envisaged above, the ILO can fruitfully draw on the expertise and services of its regional advisers and regional centres, especially the Asian Regional Team for Employment Promotion (ARTEP) and the Asian and Pacific Skill Development Programme (APSDEP).

Conclusions on Improving Occupational Safety and Health

General considerations

1. The Asian and Pacific region has experienced remarkable but varied economic growth over the past decade. Countries of the region have undergone rapid industrialisation and moved the modernisation of agriculture. Modern industrialisation usually involving technology transfer and new agricultural techniques has made extensive use of chemicals, many of
which, unfortunately, can have harmful effects. Industrial and socio-politic changes have caused a growth in the number of small and medium-sized enterprises. In spite of economic growth, the employment of children in hazardous conditions remains a serious problem in a number of countries. Many of these developments are more pronounced than others in the region, which still shares some common problems with Latin America and Africa, but is at a more advanced stage of development and, as a whole, is the fastest developing region in the world. Accordingly, occupational safety and health must form an integral part of growth strategies for the region.

2. Given the essential need for improved occupational safety and health to match the anticipated growth and to deal with existing and emerging problems, countries of the region need to achieve common occupational safety and health standards based on the principles embodied in ILO Conventions, particularly the Occupational Safety and Health Convention, 1981 (No. 155), the Occupational Health Services Convention, 1985 (No. 161), and the Chemicals Convention, 1990 (No. 170). There is unanimous agreement between governments, employers and workers and their organisations that these objectives should be pursued and that all three parties have inter-related and distinct roles in the successful achievement of improved safety and health.

3. Member States should make it an aim of national economic and social development to improve occupational safety and health. In view of the long-term economic and social benefits to be gained from appropriate preventive action, the improvement of safety, health and working conditions should be assigned a high level of priority within national development plans.

4. The effective protection and enhancement of occupational safety and health require the active participation of employers and workers and their organisations.

National policies and programmes

5. Member States should, with the active participation of employers' and workers' organisations, define occupational safety and health policies and programmes, monitor their implementation and revise them, as appropriate, in the light of experience. Efforts should be made to identify safety and health problems that require priority attention within a long-term strategy, and to initiate mutually supportive measures in order to achieve maximum impact.

6. Occupational safety and health policies and related programmes should aim to extend protection to all workers. Priority objectives should include:
   (a) the reduction of the incidence and severity of occupational accidents and diseases, with particular reference to specially hazardous occupations (including those in construction, mining, transport, agriculture and forestry);
   (b) the prevention of work-related diseases, including musculoskeletal disorders, cardiovascular and respiratory diseases and stress-induced ill-health;
   (c) the protection of workers, the public and the environment against industrial disasters;
   (d) the safe use of technology, including new and transferred technology;
   (e) the improvement of safety and health standards in small and medium-sized enterprises;
   (f) the improvement of occupational safety and health and living conditions for rural workers;
   (g) the protection of children who have to work and the ultimate abolition of child labour.

7. The policies and programmes so defined should apply without distinction to both men and women workers, bearing in mind the need to protect maternity.

8. The principles contained in international labour standards, in particular the Occupational Safety and Health Convention (No. 155) and Recommendation (No. 164), 1981, and the Occupational Health Services Convention (No. 161) and Recommendation (No. 171), 1985, should be applied and serve as the basis for updating legislation and for sustained action at both national and enterprise levels.

9. Member States should strengthen relevant institutional mechanisms, including the training of inspectors and the development of technical facilities, to ensure the effective enforcement of legislation and the provision of advisory services. Where applicable, resources
available to other government welfare agencies, including workmen's compensation schemes, should be utilised in preventive action.

10. Tripartite national mechanisms should be created or strengthened to foster and promote improvements in occupational safety and health.

11. Education, training and information services should be strengthened.

12. Public awareness-raising activities should be developed.

Industry- and enterprise-level action

13. The development and promotion of action at the level of the industry should be considered when promulgating policies and strategies for the improvement of occupational safety and health in specific industries.

14. Tripartite mechanisms should be established or strengthened in order to promote improvements in occupational safety and health at the level of the industry. This should include the provision of guidance and advisory services for enterprise-level action.

15. The active commitment and involvement of managerial and supervisory personnel in the promotion of safety and health at the workplace should be encouraged through the assignment of responsibilities and the provision of adequate training.

16. Awareness of occupational safety and health among workers and their organisations should be raised. Workers should be able to participate actively in occupational safety and health programmes; they should receive all necessary information on workplace hazards and corresponding preventive measures and should be trained in safe work practices.

17. Enterprises should be encouraged to set up consultative mechanisms, such as safety and health committees, in order to involve the representatives of management and workers in decision-making and the implementation and monitoring of programmes for the prevention of accidents and diseases at the workplace. The objectives of such committees should include the formulation of long-term policies and strategies for the improvement of occupational safety and health.

Transfer of technology

18. In view of the extensive reliance, within countries of the region, on the transfer of technology, and of the varying levels achieved in these countries as regards occupational safety and health, every effort should be made to maximise the opportunities offered by technology to improve working conditions and the safety, health and welfare of workers, and to minimise any negative impacts. The ILO code of practice on Safety, health and working conditions in the transfer of technology to developing countries should be used to provide an adequate framework for the safe transfer of technology. In particular,

(a) governments should endeavour to prevent the transfer of technologies which involve processes or equipment that are prohibited in their countries of origin;

(b) countries of the region should not allow different standards to develop in the countries that produce and those that receive technology;

(c) care should be taken to ensure that the process of technology transfer includes the provision of adequate training, if necessary in the country of origin, for user staff; where appropriate, the training of inspectors should also be provided;

(d) use should be made of technologies that are adapted to local socio-economic, cultural, geographic and climate conditions.

19. Governments should take the necessary steps, including the setting-up of adequate mechanisms for consultation between employers' and workers' organisations, to ensure safety and health and good working conditions in the transfer of technology. Measures should in particular be taken to provide not only transfer specifications but also a full understanding of technology, including safety and health implications, arrangements for installation, mainten-
ance and repair, and all necessary information and training. Where appropriate, incentives should be given to encourage employers to properly maintain the equipment, using approved parts, and to encourage suppliers to provide such parts.

20. Efforts should be made to recognise and control new hazards arising from the transfer and use of new processes, substances and agents, including computer-controlled machinery, chemicals, biological agents and nuclear energy. The principles embodied in the Chemicals Convention, 1990 (No. 170), should be implemented in the countries of the region.

21. Governments should develop systems for the prevention of major industrial accidents. These should include all the principles contained in the ILO code of practice on the Prevention of major industrial accidents.

Action for specific sectors and groups

22. In view of the many technical and financial constraints which hamper the application of adequate safety and health standards in small and medium-sized enterprises, member States should take all necessary measures to facilitate action for the improvement of working conditions, including financial incentives, the provision of practical advice and technical support and the promotion of voluntary action programmes. Special promotional campaigns should be organised to raise awareness of the relationship between occupational safety and health and productivity among small and medium-sized enterprises.

23. Governments should also adopt special measures to ensure that the health and safety of particular groups of workers, such as those in cottage industries and homeworkers, are duly protected.

24. Improvements in the safety and health of rural workers should be actively pursued through all available means. In particular, efforts should be made to develop and disseminate easily understood educational materials on the safe use of agricultural machinery, agrochemicals and non-farm equipment and tools, using local languages, visual aids and the mass media. The role of rural organisations, including rural workers’ organisations, should also be recognised.

25. Programmes should be developed to promote occupational safety and health in sectors and occupations where women predominate.

26. Member States should take measures to ensure that migrant workers have access to information appropriate to their language and literacy level, training, health and welfare services and occupational safety and health protection.

Child labour

27. The abolition of child labour should be the ultimate objective of social policy. Pending its attainment, member States should give priority to the enforcement of legislation which protects children from work which jeopardises their health, safety and morals.

28. Awareness campaigns should be launched to mobilise public opinion and political and community support for the effective enforcement of legislation and the promotion of local initiatives to assist and protect children who have to work. Employers’ and workers’ organisations and non-governmental organisations, which can play an important role, should be involved.

29. Recognising the important role of the educational system in combating child labour, member States should implement support programmes that facilitate school attendance, improve the quality of teaching curricula and methods and ensure that education and training programmes are clearly related to job opportunities and to the aspirations of children and parents.

30. Innovative health protection systems should be designed, especially for working children in small enterprises and the informal sector.
Training and information

31. Training and retraining should be recognised as essential components of occupational safety and health programmes.

32. The curricula of primary and secondary schools, of tertiary education and vocational training institutions, and of adult education programmes should integrate basic principles of occupational safety and health along with other job-related elements.

33. Practical action-oriented training programmes should be developed to train managers, workers and their representatives, inspectors, occupational safety and health specialists, personnel involved in the delivery of occupational health services and other groups directly concerned with the improvement of working conditions and environment.

34. Training at the level of the enterprise should not only promote an awareness of the basic principles of occupational safety and health but also be geared to job performance and facilitate direct action by managers and workers. The training of trainers should be emphasised.

35. Training and retraining programmes should take into account the increasing complexity of work processes and the need for effective improvement action in order to provide a full understanding of the technical and physical requirements of the job. Training methodologies should focus on action-learning adapted to local needs.

36. Practical and effective training materials should be developed to support the learning process, particularly in respect of poorly protected sectors, occupations and groups of workers.

37. Effective safety and health information services and the information capability of national and regional institutions, including safety and health centres, factory inspection services, government agencies and training and educational institutes, should be developed or strengthened. These should be able to meet the information needs of specific target groups.

38. The information to be provided should be readily usable as a tool to analyse existing conditions and identify feasible solutions. In particular, chemical safety data sheets setting out the properties and inherent dangers of chemicals, necessary precautions, emergency measures and treatment should be available.

39. The information to be provided should be adapted to local needs and be available in local languages.

ILO action

40. The ILO should intensify its efforts within the International Programme for the Improvement of Working Conditions and Environment (PIACT) to help member States achieve sustained improvements in safety, health and working conditions.

41. The ILO should emphasise the coordination of programmes to assist countries of the region in the implementation of improvements in occupational safety and health. To this end, the ILO should, in cooperation with member States, promote networking arrangements in order to strengthen the coordination of occupational safety and health activities undertaken by governments, employers and workers and their organisations, and other relevant institutions. In particular, arrangements should be made to develop regional or subregional strategies to promote coordination in priority areas of action. Such coordination should cover, as far as possible, existing bilateral and multilateral programmes. Coordination should be particularly encouraged in training and the exchange of information, and in action geared to achieving progress in implementing the principles of key ILO Conventions in the countries of the region. Joint action by member States, including the organisation of regional campaigns, should be promoted. Urgent consideration should be given by the ILO and member States to the development of appropriate long-term administrative arrangements to support a network of relevant national occupational safety and health institutions and programmes in the region. Such a network should make the fullest possible use of available expertise and training and information facilities.
42. The provision of technical cooperation or technical advisory services to governments and employer’s and workers’ organisations should emphasise:
(a) the design and adoption of national occupational safety and health policies in line with ILO standards;
(b) the strengthening of national mechanisms and the capacities of employers’ and workers’ organisations in the field of occupational safety and health;
(c) the development of prevention programmes in particularly hazardous occupations such as construction, mining, transport, agriculture and forestry;
(d) the prevention of work-related diseases;
(e) the establishment of major hazard control systems;
(f) the promotion of suitable and effective programmes for the improvement of working conditions in small and medium-sized enterprises;
(g) the promotion of action programmes for the abolition of child labour in hazardous employment, the protection of working children and the ultimate elimination of child labour.

43. Measures should be taken to encourage training activities at national and enterprise levels using codes of practice, guides and manuals in support of the application of safety and health standards.

44. The ILO should intensify its work on the harmonisation of the classification and labelling of hazardous chemicals.

45. The ILO should devote more resources to the promotion of the exchange of information and experience within the region through the organisation of meetings, both tripartite and for governments, employers’ and workers’ organisations separately, and the provision of fellowships.

46. The dissemination of practical, ready-to-use information through various channels, including the International Occupational Safety and Health Information Centre (CIS), the network of national CIS centres and employers’ and workers’ organisations, should be enhanced. CIS should collect and disseminate simple and practical training and information materials in the languages appropriate to the region. It should endeavour to reflect experiences and developments in member States of the region and to assist in the publication of information in local languages.

47. The ILO should identify or develop appropriate training packages aimed at different target groups, promote their translation into local languages and their adaptation to local conditions, encourage and facilitate their use.

Resolution on the Promotion of Freedom of Association in Asia

The Eleventh Asian Regional Conference of the International Labour Organisation,
Recalling the resolution concerning the protection and promotion of freedom of association and trade union rights in the Asian region, adopted by the Tenth Asian Regional Conference,
Affirming that constructive industrial relations and tripartite cooperation have a key role to play in the national development process and that independent and effective employers’ and workers’ organisations are to be regarded as indispensable elements in this context,
Reiterating the fundamental and universally recognised principle that all employers and workers are entitled to the right to freedom of association irrespective of the economic and political circumstances that exist in their country,
Welcoming the fact that the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), are amongst the most ratified of ILO Conventions,
Noting with concern that in a number of ILO member States in the Asian region the free development of independent workers’ organisations still meets with serious obstacles, in some cases even impediments of a legal nature,
Recalling recent findings and conclusions of the ILO's supervisory bodies which indicate that violations of trade union rights and of the principles of freedom of association occur in some countries in the region,

Affirming that in the context of freedom of association and collective bargaining, the promotion of workers' education, including that for rural workers, is an important element of social development in countries in the Asian region,

Observing with concern that, in some cases, governments have not taken the necessary action to implement the recommendations of the Committee on Freedom of Association and other supervisory bodies,

Noting that recent developments in the world and in some parts of the Asian region have sharply increased awareness of the need for democratic structures and institutions at all levels,

Expressing the firm hope that the ILO will play an increasingly helpful role in this process, in particular by offering its services and technical assistance to achieve sound labour legislation and improved industrial relations practices consistent with the ILO's principles concerning freedom of association and collective bargaining;

Requests the Governing Body of the International Labour Office:

1. to call on governments of all member States in the Asian region:
   a. to create actively a positive climate and develop adequate and effective structures for tripartite cooperation in national economic and social development issues, based on the full participation of independent employers' and workers' organisations;
   b. to ensure the full respect for and application of basic human and trade union rights as enunciated in the Universal Declaration of Human Rights, in the various United Nations Covenants and in the relevant Conventions of the ILO;
   c. to refrain from any action which could undermine the basic rights of employers' and workers' organisations to organise, represent their members and bargain collectively;
   d. to respect the right of all employers' representatives and trade unionists to personal security, protection against arbitrary arrest and detention, as well as to freedom of expression;
   e. to ensure that national legislation adequately protects the right to organise and to bargain collectively of all types of workers, taking into account Conventions Nos. 87 and 98 as well as the Rural Workers' Organisations Convention, 1975 (No. 141);

2. to call on governments of those member States in the Asian region which have not yet done so to ratify and apply fully ILO Conventions Nos. 87, 98 and 141;

3. to instruct the Director-General:
   a. to intensify the ILO's technical assistance activities in order to promote the ratification and implementation of ILO Conventions related to freedom of association, in particular by means such as education, training and advisory services and, to that end, to pay special attention to ensure that national legislation is consistent with the principles of freedom of association;
   b. to carry out further studies and research work concerning the application of the principles of freedom of association in Asia in all areas, taking particular account of those areas in respect of which concerns have been expressed regarding the right to organise and bargain collectively.

Resolution on Migrant Workers in Asia

The Eleventh Asian Regional Conference of the International Labour Organisation,

Noting the increasing flows of migrant labour involving many Asian member States, both as sending and receiving countries,

Guided by the recognition in the Preamble to the ILO Constitution of the urgent need to protect the interests of workers when employed in countries other than their own,

Recognising that migrant workers are particularly vulnerable and may need specific measures for the protection of their rights,
Noting the protection guaranteed by the ILO's Migration for Employment Convention (Revised) 1949 (No. 97), the Equality of Treatment (Social Security) Convention, 1962 (No. 118), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), the Maintenance of Social Security Rights Convention, 1982 (No. 157) and the accompanying Recommendations,

Being aware that migration for employment frequently takes place as a consequence of adverse social and economic conditions and the lack of employment opportunities in sending countries,

Concerned with the serious problems posed by the continued influx of illegal immigrants,

Noting that problems are believed to exist in the area of migrant recruitment and employment and recognising the need to ensure that such practices conform to internationally recognised standards,

Expressing deep concern about the grave social consequences of the Gulf crisis on the situation of Asian migrants and their families, in particular the lost revenues and property, their unpaid wages and service benefits, as well as forced repatriation without employment prospects,

Recognising the responsibility of the ILO to take the lead in promoting the rights and welfare of the large numbers of migrant workers and their families displaced as a result of recent hostilities in the Gulf region, and welcoming the initiatives already taken by the Director-General to this end,

Welcoming the adoption by the United Nations General Assembly in December 1990 of the International Convention on the Protection of the Rights of all Migrant Workers and their Families and the important role of the ILO in its preparation;

Requests the Governing Body of the International Labour Office:

(1) to call on governments and, where appropriate, employers' and workers' organisations:

(a) to take all necessary measures to ensure that the terms and conditions of employment of migrant workers respect the principles of freedom of association and non-discrimination, and the provisions of ILO instruments;

(b) to consider ratification and implementation of ILO Conventions, in particular Nos. 97, 118, 143 and 157, and the International Convention on the Protection of the Rights of all Migrant Workers and their Families;

(c) to pursue actively the objectives of the Employment Policy Convention, 1964 (No. 122), and the Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169);

(d) to respond positively to the Director-General's appeal for the pledging of funds for the financing of ILO activities in favour of migrant workers and members of their families adversely affected by the conflict in the Gulf.

(2) to instruct the Director-General:

(a) to give due attention in his programme and budget proposals for the 1994–95 biennium to the need to strengthen the activities of the ILO aimed at the protection and promotion of the rights and interests of migrant workers and, in particular, to allocate the resources required for the Organisation to play a full role in supervision of the International Convention on the Protection of the Rights of all Migrant Workers and their Families;

(b) to take the initiative in drawing to the attention of member States cases in which the recruitment and employment of migrant workers are not in conformity with international labour standards, and in the provision of advisory services and technical cooperation necessary to correct such situations;

(c) to carry out a study and provide advisory services as well as training programmes for government officials on the question of settling the problems of illegal migration, e.g. through the conclusion of bilateral migration agreements and other methods in which the ILO has acquired considerable knowledge and experience;

(d) to explore possible ways and means to step up the ILO's assistance in relation to the problems arising from the accelerated return of Asian migrants to their countries of
origin, particularly in connection with the serious consequences of the Gulf war for Asian migrants and their home countries;

(e) to cooperate closely, in this context, with the competent authorities of concerned countries and with the United Nations, particularly in the implementation of Security Council resolution No. 687, to ensure the protection and recovery of the entitlements and personal belongings of migrant workers and their families adversely affected by the Gulf conflict and to report to the Governing Body on the outcome of such contacts;

(f) to undertake an in-depth survey of the major features of the recruitment and employment of migrants and, if necessary, present to an early session of the Governing Body the results thereof as well as proposals concerning action required to bring them into conformity with international labour standards;

(g) to convene, at the earliest possible date, a tripartite advisory meeting involving the participation of all relevant United Nations agencies, to provide guidance on the future policies and activities of the ILO in the field of migration;

(h) to allocate adequate resources to achieve awareness of the ILO's Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and the Migrant Workers Recommendation, 1975 (No. 151), through the holding of educational and training activities for workers' and employers' organisations of receiving and sending countries.
Textiles Committee

CONCLUSIONS, RESOLUTIONS AND CLASSIFICATION ADOPTED

Conclusions (No. 92) concerning Working Conditions in the Textile Industry in the Light of Technological Changes

The Textiles Committee of the International Labour Organisation, Having met in Geneva, in its Twelfth Session, from 25 September to 3 October 1991; Adopts this third day of October 1991 the following conclusions:

General considerations

1. In the industrialised market economy countries, the textile industry has undergone rapid modernisation during the past few years, incorporating new technical progress and new forms of working time arrangements. On the other hand, in many developing countries, as well as in Central and Eastern European countries that are in transition towards a market economy, technological changes have taken place much more slowly and have not resulted in substantial changes in the organisation and content of work.

2. The opening up of national economies to international competition and the general outlook for technological innovations seem to indicate that over the next few years the textile industries will begin to incorporate new, improved manufacturing processes. If the present ways of diffusing textile innovations in the international sphere were to continue, differences in the productivity levels of countries that innovate rapidly and countries that cannot avail themselves of the latest technologies could become more extreme. The competitive capacity of the latter countries should be based on the better use of the latest technologies and on a proper organisation of work, in conformity with ILO standards and in keeping with national law and practice.

Organisation, content of work and similar matters

3. The introduction of new technologies is frequently changing the content of work, the skills required, the responsibilities of workers and career opportunities in the textile industry. The magnitude and intensity of these changes increase the need for cooperation between employers and workers through information, consultation and the exchange of views in order to establish a climate of mutual trust between the social partners.

4. When employers decide to introduce new technologies, information, consultation and exchanges of views should take place with workers, in conformity with national law and practice, with regard to repercussions on the organisation and content of work. Information, consultation and exchange of views should endeavour to ensure that the introduction of the new technologies will take place in the best possible social conditions.

5. Technological changes should help to improve the general conditions of work, safety and health in the textile industry. Should these changes lead to new hazards or disadvantages, appropriate measures should be taken to avoid them, as far as possible, or to minimise their impact. In particular, the design of the premises, equipment and workstations should obey

1 Adopted unanimously.
ergonomic criteria. Efforts should also be made to reduce dust and noise, to use chemicals only under safe conditions, and to provide protection against extreme temperatures.

6. In some countries systems of remuneration have been developed based partly or entirely on the results or the quality of individual or group work. However, it should be ensured that they do not give rise to longer working hours nor cause more fatigue or stress.

7. Women generally make up a substantial proportion, and at times the majority, of the workforce in the textile industry. The introduction of new technologies may provide new opportunities for women but should not result in any form of discrimination against women workers, in accordance with the provisions of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Workers with Family Responsibilities Convention, 1981 (No. 156), which deals with equality of opportunity and treatment between men and women workers, and the Equal Remuneration Convention, 1951 (No. 100).

8. Textile enterprises resort to temporary work, seasonal or casual work, and subcontracting in order to cope with the fluctuations involved in their activities for technical and market reasons, in order to make full use of their production capacity or for a variety of other reasons. Hiring workers on this basis can have positive effects, in that it gives enterprises more functional flexibility. However, in places where these forms of work have not been duly regulated, increased attention should be paid to the working conditions and social protection of such workers.

9. Governments and employers’ and workers’ organisations should adopt measures in keeping with the prevailing conditions in each country, in order to promote the development of procedures, including collective bargaining, to determine the employment and working conditions of temporary, seasonal and casual workers, as well as to draft regulatory provisions to guarantee them sufficient and adequate social protection.

Working time

10. As the reduction of working time is an important factor in improving the quality of working life in countries where textile workers do not yet benefit from 40-hour working week as stipulated in the Reduction of Hours of Work Recommendation, 1962 (No. 116), nor from the right to take three weeks’ annual leave as stipulated in the Holidays with Pay (Revised) Convention, 1970 (No. 132), measures should be considered in order to achieve these aims within reasonable time-limits and in accordance with national law and practice.

11. The use of overtime should remain within the authorised limits and be in accordance with national legislative and regulatory provisions. When the scarcity of qualified manpower due to the introduction of new technologies is one of the reasons for having recourse to overtime in the textile industry, the employers’ and workers’ organisations concerned should make every effort, together with governments, to identify and apply the appropriate measures to provide the necessary training and retraining and to update workers’ skills.

Working time arrangements

12. Bearing in mind the ever more pressing demands of the market and the need to amortise increasingly high investments within specific time-limits, the use of night work and shift work has increased considerably over the past few years. The employers and workers should, flexibly and realistically, inform and consult one another and exchange points of view, in accordance with national law and practice, on issues in connection with the duration, the organisation and the various forms of night work and shift work.

13. The working conditions of nightworkers in the textile industry should be reconsidered in the light of the principles set out in the Night Work Convention, 1990 (No. 171), and Recommendation (No. 178), which were adopted at the 77th Session of the International Labour Conference.

14. Part-time work allows more flexibility with regard to the organisation of tasks and offers certain categories of workers the possibility to continue working. However, the condi-
tions of employment and social protection of part-time workers are far from satisfactory in many countries. For this reason, where necessary, governments and employers' and workers' organisations should adopt measures in keeping with the prevailing conditions in each country, in order to promote the development of procedures, including collective bargaining, to regulate the use of this form of work and to provide pro rata remuneration equivalent to that paid to full-time workers for the same qualifications and functions.

15. Flexible working hours are an additional way of adapting production to fluctuations in demand. However, its use should not give rise to excessively long working hours nor inappropriate starting or rest periods, and it should not have negative repercussions on workers' wages.

The role of the ILO

16. The ILO should continue promoting the exchange and dissemination of information concerning the effects of new technologies on working conditions in the textile industry.

17. The systematic collection of statistical data by the ILO on overtime, part-time, casual and temporary work, on subcontracting, as well as on night work, shift work, home work, flexible working hours and the employment of women and minors, as well as on systems of remuneration and paid leave, would allow valid comparisons to be made in these areas.

18. The ILO should grant an important role in its technical cooperation programmes to assisting the developing countries in the field of the introduction of new textile technologies, in particular with respect to new forms of work organisation that ensure better working conditions.

Conclusions (No. 93) concerning Vocational Training and Retraining in the Textile Industry

The Textiles Committee of the International Labour Organisation,
Having met in Geneva, in its Twelfth Session, from 25 September to 3 October 1991,
Having considered the report on "Vocational training and retraining in the textile industry".

Recalling the Equal Remuneration Convention, 1951 (No. 100), and Recommendation (No. 90),
Recalling the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and Recommendation (No. 111),
Recalling the Paid Educational Leave Convention, 1974 (No. 140), and Recommendation (No. 148),
Recalling the Human Resources Development Convention, 1975 (No. 142), and Recommendation (No. 150);
Adopts this third day of October 1991 the following conclusions:

General observations

1. There was consensus about the vital importance of training at all levels in the textile industry. Governments consider a qualified workforce a major factor in maintaining an efficient textile sector with a significant employment potential contributing to the national product. Employers are aware that well-trained workers are instrumental in raising the productivity of enterprises and are needed to operate and maintain increasingly complex machinery. Workers and their organisations are conscious that broader and higher qualifications increase employment security and job satisfaction and generate higher incomes.

1 Adopted unanimously.
However, there is also agreement that investment in training the textile labour force does not always meet present and future requirements and that frequently training programmes are not adapted to the actual job requirements in the industry.

**Structural change and training policies**

2. In the face of structural change resulting from globalisation of markets and production, new trade patterns and technological progress which are affecting the textile industry in all countries regardless of the stage of development, there is a need everywhere to strengthen and improve training at all levels. The training systems should become more responsive to the requirements of industry and the workers therein and obsolete programmes should be reviewed and updated. Governments, employers, workers and their representative organisations should cooperate in the design of measures to improve existing training schemes and in establishing new ones. This cooperation could extend to planning and the implementation of such schemes. Training institutions should maintain close links with the industry so as to enable them to adjust their programmes when the need arises.

3. Employers should have a key responsibility in providing training as it is recognised that the performance of the enterprise depends, among other factors, on an adequately qualified workforce. However, not all enterprises are able to invest sufficiently in the development of their human resources or contribute equally to the training of the textile workforce. In order to stimulate the training efforts of enterprises and promote burden sharing, governments should commit themselves to establishing appropriate financial and other incentives, particularly those already referred to in ILO Conventions. These specific incentives, and their financing, should be determined with the goal of improving national training systems. Tripartite consultations should take place with regard to the type and scope of such incentives which should form an integral part of a national training policy.

4. Key responsibility for training the textile workforce rests with employers who are in the best position to know the requirements of enterprises. Workers and their organisations should, in accordance with national law and practice, participate in the formulation of training provisions (e.g. apprenticeship rules, safety and health provisions, syllabi, testing, certification). In those countries where this is practised, workers and their organisations should participate in training boards and commissions, joint committees, advisory bodies and tripartite bodies or through collective bargaining.

5. The textile industry of countries in a transition to market economies faces major problems of organising the relocation of large numbers of workers to productive jobs in or outside the textile sector. Although in these countries textile workers generally may possess good general education and basic skills, many should receive further training to enable them to master advanced technologies which will be introduced in the coming years. Where textile workers become redundant in countries in transition, governments should intensify their efforts to provide such workers with access to the necessary retraining to enable them to find employment in other industries and occupations. As managerial skills are often in particularly short supply emphasis should also be put on management development. Governments should allocate adequate resources for this purpose. Tripartism should be promoted in these countries.

The impact of technological change on training in the textile industry

6. Occupational change, new qualifications and skill requirements, as well as job displacement are inherent to technological change. Textile workers need a much better preparation for the new automated production processes than hitherto to be able to cope with such changes which put the jobs of lesser qualified workers at risk. A continuous training effort in the form of updating or further training for career development should prepare a well-qualified workforce which is essential for enterprises in the competitive environment of textile markets.

7. Such continuous training should be based on adequate general education including good grounding in basic literacy and numeracy, and broad initial vocational training. Such continuous training should facilitate rotation and redeployment of workers within the enter-
prise and thus enhance security of employment and income. More general transferrable skills, more technical and theoretical knowledge should make workers more adaptable and improve their chances in the labour market. In view of the decline of employment opportunities in the textile industry due to technical and structural change, emphasis should be put on such broadening of qualifications.

8. The textile industry in industrialised countries and the modern sector of the industry in developing countries is changing progressively from a labour-intensive to a capital-intensive industry in which efficient and intensive capacity utilisation is required. As a result, the occupational structure and the training needs are also changing rapidly. Workers at all levels should acquire more technical know-how to plan work and to operate the more complex machinery and equipment in order to avoid costly downtime and unnecessary stress. Government labour services in collaboration with the social partners should keep these developments under constant observation in order to initiate training measures facilitating the adjustment process.

Training requirements of the textile industry

9. In the textile industry a great deal of training is provided on-the-job. Such training should be broadened and systematised to make workers more versatile and enhance the functional flexibility of enterprises.

10. Training in textile occupations which is imparted in special training centres, vocational schools or technical colleges and not directly by industry often suffers from poor links with the industry. Curricula and equipment tend to be out of date and instructors out of touch with evolution in the industry. Consequently, training may not be relevant to textile factories and trainees may not be motivated as their placement in enterprises is not assured. Tripartite consultations should make it possible to remedy this state of affairs. Various approaches have been used with success such as the constitution of joint advisory committees to training institutions, training contracts between institutions and enterprises, delegation of instructors to centres by enterprises, joint sponsoring of training centres by industry and workers’ organisations, supply of training material and equipment by industry and by manufacturers of textile machinery. Such and similar approaches should be used in accordance with national training systems.

11. Teaching staff of training institutions and centres providing instruction in textile subjects should be encouraged to keep close links with the industry, follow technical developments and update their course material. Practice periods in enterprises on a regular basis have proven an excellent way for maintaining and updating the technical knowledge of trainers. Governments, employers and workers and their representative organisations should collaborate in facilitating such practice periods.

12. The more traditional artisanal and small-scale sector of the textile industry remains rather labour-intensive and low skilled. In this sector, training should be geared to enhancing entrepreneurial and managerial skills. The objective should also be the improvement of productivity, higher quality of production of marketable products, generation of higher incomes and the raising of labour standards in this sector.

13. Textile workers should be encouraged to participate in training programmes in the interests of their advancement in the enterprise, and with a view to official recognition of acquired qualifications (certification), allocation of more responsibility, higher pay, more secure jobs, and career prospects. Efforts should be made to satisfy such aspirations to the greatest possible extent.

The contribution of equipment manufacturers

14. Equipment manufacturers should be prevailed upon to provide textile training centres and schools with up-to-date equipment free of charge in order to enable instructors and trainees to become familiar with such machines. These centres might at the same time operate
as regional demonstration centres for equipment manufacturers thus giving them an opportunity to enhance their goodwill. These centres and the equipment manufacturers should assist the industry and in particular small and medium-sized enterprises through the development of teaching aids.

15. Equipment manufacturers are an important source of on-site training in particular as regards maintenance. Where appropriate, care should be taken that purchase contracts with manufacturers contain training clauses which ensure that equipment users receive adequate training on newly installed machinery.

Special training measures

16. While training should, in principle, extend to all categories of workers at all levels, it was recognised that women returning to the workforce after a long period of being absorbed by family responsibilities encounter special problems. A high proportion of such women in the textile industry require updating training as their knowledge and skills may have become partly obsolete. Such training should enable them to resume a career and give them access to the higher wage groups. For women textile workers particular attention should be paid to the principle of equal pay for work of equal value to reflect the skills they have acquired.

17. Older and middle-aged workers in the textile industry generally have a great deal of experience but their skills tend to become obsolete when computerised machines and other advanced equipment is introduced. As the average age of the textile workforce in many countries is increasing, it must be expected that there will be a growing necessity to retrain such workers and keep them in the production process. Training methods adapted to these age groups should be used which may have to include remedial general education subjects designed to cope with fairly widespread functional illiteracy in these age groups.

18. A better qualified workforce should make it possible to alter work organisation and to make it more flexible. In this way, jobs are enriched, and quality and productivity increase. With modern equipment and a better qualified workforce it should be possible to improve the quality of working life and obtain a higher degree of commitment of the workers and as a result reduce absenteeism.

Training issues in developing countries

19. In many countries, and particularly so in developing ones, the low level of general education of textile workers constitutes a serious handicap for their training and further training. Governments should make universal primary education effective and strengthen their programmes for the eradication of adult illiteracy. The social partners should encourage workers to participate in such courses.

20. In developing countries there is an urgent need to raise the educational level of the textile workforce through functional literacy programmes. This is a pre-condition for improved vocational and technical training and for raising productivity and thus for improving workers' income in the industry.

21. In some developing countries a large proportion of the textile labour force is employed in the informal sector. It is a rather ill-defined sector, consisting—as regards the textile industry—of self-employed persons, family units, cottage industry and small enterprises active mainly in spinning, handloom weaving, knitting, sericulture and finishing operations mostly producing for local markets. This sector is beset with numerous social and economic problems. Among them are low productivity, insufficient entrepreneurial and managerial skills, child labour, poor quality production and inadequate marketing. Specially designed training programmes can help to overcome these shortcomings. The principal objective should be to gradually achieve social and economic progress and better working conditions through better productivity, higher quality, better management and improved marketability. With this objective in mind governments should require these small textile firms to respect labour standards.
22. The ILO should within the limits of its resources:

— continue to study the development of the textile industry in all its member States in keeping with national priorities and identify the specific training needs at all levels in order to provide timely and relevant information to assist in the design of training strategies and programmes for the textile occupations;

— strengthen its textile training activities in the regions through its network of regional vocational training advisers and its regional training centres; and encourage increased tripartite involvement in textile training activities in member States;

— support existing textile training institutions in member States and introduce textile curricula in existing ILO-assisted training centres;

— conduct special studies on the informal sector of the textile industry with a view to identifying successful training for this sector;

— disseminate widely the findings of such studies.

23. Moreover, the ILO's International Centre for Advanced Vocational and Technical Training in Turin should offer special courses for training personnel and managers, in particular from countries in transition to market economies, to equip them for the tasks ahead in the textile industry.

Resolution (No. 94) concerning the Contribution of the Textile Industry to Employment and Development

The Textiles Committee of the International Labour Organisation,
Having met in Geneva, in its Twelfth Session, from 25 September to 3 October 1991,
Considering that the textile industry is a major source of jobs and incomes in countries all over the world,
Considering that governments should create an economic and legislative framework that would encourage investment and the development of the textile industry,
Considering that in order to enhance the contribution of the textile industry to national development, employment and incomes, enterprises in the industry must be efficient and competitive.
Considering that there is an urgent need to take measures to improve productivity in the textile sector in many countries in order to enhance the competitiveness of enterprises and their contribution to a growth in real wages and to national development,
Recognising that good industrial relations based on full respect of the right to organise and collective bargaining also play an important role in ensuring the success of the enterprise, upon which depend its future and the incomes and security of employment of its workforce;
Adopts this third day of October 1991 the following resolution:
The Textiles Committee invites the Governing Body of the International Labour Office:
(1) to call on employers' and workers' organisations and governments in member States:
(a) to work to improve productivity, competitiveness, wages and working conditions in the textile industry;
(b) to promote good industrial relations practices as a means to improve the competitiveness of enterprises and the earnings of employers and workers;
(2) to request the Director-General to extend the training and management development programme to the textile sector, including assisting developing countries with productivity and quality control.

1 Adopted unanimously.
Resolution (No. 95) concerning the Observance of International Labour Standards Related to Basic Human Rights in the Textile Industry

The Textiles Committee of the International Labour Organisation,
Having met in Geneva, at its Twelfth Session, from 25 September to 3 October 1991,
Emphasising the basic principle that respect for human rights is an essential condition for social justice, balanced economic development and the establishment of lasting peace,
Accepting that economic development and expansion must lead to social progress and better living standards for all,
Considering that freedom of association constitutes a vital and integral part of human rights and basic freedoms and that, at the same time, the full exercise of trade union rights is only possible when basic human rights are respected,
Recalling the principles enshrined in the Universal Declaration of Human Rights, in the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights as well as the Constitution and relevant Conventions of the International Labour Organisation,
Reiterating the fundamental principle that all workers without distinction are entitled to trade union rights and freedoms,
Noting that the textile industry exists in virtually every member State of the ILO, is frequently the engine of development and then often a significant segment of the local economy,
Recognising the important role the ILO has played since its foundation in 1919 for the protection and promotion of freedom of association and trade union rights, the improvement of working and living conditions and the furtherance of social justice throughout the world,
Emphasising that the tripartite structure of the ILO is only meaningful if employers' organisations and trade unions can act independently of their governments,
- Emphasising the importance of adequate consultation with the most representative organisations of employers and workers when nominating employers' and workers' delegates to participate in Industrial and analogous Committee meetings,
Noting the need to protect the fundamental human rights of all textile workers, including those in the informal sector and employed as casual labour,
Noting that the Committee on Freedom of Association has recognised that some "solidarista" associations have undermined independent and democratic trade unions,
Considering that the textile industry, being a labour intensive manufacturing industry, is particularly concerned with all of these issues;
Adopts this third day of October 1991 the following resolution:
The Textiles Committee invites the Governing Body of the International Labour Office:
(1) to call on governments in all member States:
(a) to respect fully the obligations deriving from the Constitution of the ILO and its Declaration of Philadelphia and in particular to ratify and implement all ILO Conventions relating to human rights;
(b) to honour fully the commitments entered into in respect of tripartite participation in ILO meetings;
(c) to protect the exercise of freedom of association and the right to organise and bargain collectively;
(d) to ensure that activities of government or employer-sponsored organisations do not infringe on the role or privileges of trade unions;
(2) to request the Director-General:
(a) to urge governments to cooperate in the expeditious examination of complaints concerning violations of freedom of association and other fundamental rights, and to give full publicity to the findings and conclusions of the supervisory bodies;

1 Adopted by consensus.
(b) to take adequate action in cases where member States infringe ILO standards relating to freedom of association in order to secure their full implementation;

c) to use the ILO's technical cooperation programmes and activities in the textile sector to assist member States in the application of ILO standards and to require effective involvement of employers' and workers' organisations in the elaboration and implementation of ILO projects;

d) to produce proposals to increase further the ILO's capacity to support workers' education activities in the textile sector;

e) to take steps to strengthen ILO cooperation with the international organisations responsible for economic, financial and trade policies with a view to ensuring that these organisations take full account of the employment and social policy objectives of the ILO in the formulation and implementation of their policies and activities;

(f) to carry out, if possible as part of the project on casual, migrant and contract labour in the construction, plantations and forestry and wood industries, already included in the ILO's Programme and Budget for 1992–93, further research work on the growth of small-scale enterprises, subcontracting, casual labour and the expansion of the informal sector in the textile industry with a view to producing proposals and programmes aimed at improving conditions for those affected by the expansion of these activities.

**Resolution (No. 96) concerning Women Workers in the Textile Industry**

The Textiles Committee of the International Labour Organisation,

Having met in Geneva, at its Twelfth Session, from 25 September to 3 October 1991,

Recalling the Equal Remuneration Convention, 1951 (No. 100),

Emphasising that, although that Convention has been ratified by many member States, many problems of implementation exist,

Noting the increase in the number of women employed in the textile industry across the world and where women now frequently account for the majority of the workforce.

Concerned that the majority of women in the textile industry are still concentrated in unskilled and low-paying tasks and often do not enjoy equal educational and training opportunities,

Noting that positive action is needed to overcome barriers to equality and to compensate for the effects of past and present discrimination,

Noting further that positive action programmes, which have been instrumental in opening up employment opportunities for women, have been adopted by several governments and the European Community and have also been promoted and negotiated by trade unions;

Adopts this third day of October 1991 the following resolution:

The Textiles Committee invites the Governing Body of the International Labour Office:

(1) to call on governments in all member States:

(a) to ratify and effectively implement the Equal Remuneration Convention, 1951 (No. 100), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Workers with Family Responsibilities Convention, 1981 (No. 156), and to apply the provisions contained in the accompanying Recommendations Nos. 90, 111 and 165;

(b) to accelerate the adoption and effective implementation of adequate legislation and other measures for the creation of conditions of equal opportunities and remuneration between male and female workers in the textile industry, including taking all necessary measures to eliminate discrimination in the labour market and to ensure full access for women to employment, promotion and educational and training opportunities;

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1 Adopted unanimously.
(2) to call on employers' organisations to encourage employers worldwide to ensure that:
   (a) every worker receives equal pay for work of equal value in the textile industry;
   (b) discrimination against women in the textile workplace is eliminated and that women
       have full access to employment, promotion and educational and training opportunities;
(3) to call on trade union organisations worldwide to include positive action in their bar-
   gaining strategies and to negotiate positive action programmes at textile workplaces in
   order to identify and eliminate patterns of discrimination in employment, wages and
   training through a range of actions linked to good employment practice, including:
   (a) an audit of the workforce by sex and occupation to identify patterns of discrimination;
   (b) revision of recruitment and promotion procedures in order to increase the employment
       of women in jobs where they are under-represented, including setting of targets and
       timetables;
   (c) revaluing of jobs where mainly women are employed, using gender neutral job
       evaluation schemes based on level of skill, training, responsibility and working condi-
       tions;
   (d) reviewing job qualifications and descriptions to see if they act as barriers to women's
       employment;
   (e) job advertisements which specifically encourage women to apply;
   (f) special information on training programmes to enable women to enter non-traditional
       areas of work in the textile industry;
   (g) other support measures including the elimination of sexual harassment in the textile
       workplace, provision of maternity and paternity leave and child-care subsidies;
(4) to request the Director-General:
   (a) to liaise with member States to establish what are the obstacles to their ratifying
       Conventions Nos. 100, 111 and 156 and to ascertain what assistance the ILO can render
       to secure such ratification and implementation of the Conventions concerned;
   (b) to undertake research in the textile industry, including as a part of the Inter-
       departmental Project on Equality for Women in Employment already included in the
       ILO's Programme and Budget for 1992-93, to establish the views of women them­
       selves on what steps are needed to secure their rights in relation to the provisions of
       Convention No. 100 and to non-discrimination at work.

Resolution (No. 97) concerning Child Labour in the Textile Industry

The Textiles Committee of the International Labour Organisation,
Having met in Geneva, at its Twelfth Session, from 25 September to 3 October 1991,
Recalling the provisions contained in the Minimum Age Convention, 1973 (No. 138), and
Recommendation (No. 146), aimed at the elimination of child labour,
Noting with regret that in the 18 years that have elapsed since ILO Convention No. 138 was
adopted in 1973, only about one quarter of ILO member States have ratified the Convention,
Concerned with the existence of child labour in the textile industry, often in situations
where the textile-worker-parents of the children involved are themselves unemployed,
Aware that future economic and social development depends on the quality of human
resources,
Noting with concern that child workers are particularly vulnerable to health hazards and
denied education and vocational training opportunities to the detriment of their adult
employment prospects,
Concerned that children form an important part of the home-based labour force,
Acknowledging that while the overriding objective is to abolish child labour through the
gradual raising of the minimum age for admission to employment, it is at the same time

1 Adopted unanimously.
necessary to provide sustained protection and assistance to those children currently in employment,

Recalling the United Nations Convention on the Rights of the Child adopted at its 44th Session in November 1989,

Recognising that these measures need to be implemented, including in the textile industry;

Adopts this third day of October 1991 the following resolution:

The Textiles Committee invites the Governing Body of the International Labour Office:

(1) to call on governments in all member States:

(a) to ratify and strictly implement the United Nations Convention on the Rights of the Child, and the Minimum Age Convention, 1973 (No. 138), and related Conventions and Recommendations as a matter of priority;

(b) to establish effective inspection and follow-up procedures and investigate abuses of children in the workplace, with serious penalties for violations;

(c) to develop and promote economic and social policies to eradicate poverty;

(d) to expand educational opportunities through all appropriate measures;

(e) to provide children who are working with the opportunity to acquire occupational qualifications and basic education;

(f) to disseminate information designed to create greater public awareness of the problems associated with child labour;

(g) to establish where necessary national coordination bodies with a view to exerting pressure within government for the abolition of child labour and the protection of children who currently work;

(h) pending the elimination of child labour, to take all the necessary social and legislative action for the progressive elimination of child labour and, in the meantime, to regulate it and to give particular attention to the implementation of special standards for children relating to medical examination, night work, working hours, weekly rest, paid annual leave and certain types of hazardous and dangerous work embodied in ILO instruments;

(i) to ensure that appropriate protective labour legislation applies to all children at work and for the benefit of the child;

(j) to support non-governmental child welfare initiatives at community level and national organisations dedicated to the protection of working children and the abolition of child labour;

(2) to request the Director-General:

(a) to strongly promote the ratification and implementation of the relevant ILO Conventions and Recommendations and ensure that the ILO plays the fullest possible role in the monitoring of the implementation of the United Nations Convention on the Rights of the Child;

(b) to continue to liaise closely with other United Nations agencies, such as UNICEF, in the campaign against child labour;

(c) to establish ILO programmes specifically designed for children to inform them of their rights;

(d) to allocate the necessary resources to expand and intensify the ILO's activities in the field of child labour in the textile sector and, if possible, to include textiles as one of the industries for study in the Interdepartmental Project on the Elimination of Child Labour already set down in the ILO's Programme and Budget for 1992-93;

(e) to carry out further research work focusing specifically on the problems of children involved in industrial work at home;

(f) to continue to alert public opinion to the need for urgent and massive action against child labour;

(g) to produce proposals for the provision of greater assistance for projects designed to improve the conditions and prospects of children who work.
Resolution (No. 98) concerning the Protection and Promotion of the Rights of Migrant Workers in the Textile Industry

The Textiles Committee of the International Labour Organisation,
Having met in Geneva, at its Twelfth Session, from 25 September to 3 October 1991,
Guided by the recognition in the Preamble to the ILO Constitution of the urgent need to protect the interests of workers when employed in countries other than their own,
Aware that migrant workers are particularly vulnerable and in need of specific measures for the protection of their basic rights,
Noting the protection guaranteed to migrant workers by the Migration for Employment Convention (Revised), 1949 (No. 97), the Equality of Treatment (Social Security) Convention, 1962 (No. 118), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), the Maintenance of Social Security Rights Convention, 1982 (No. 157), and by the accompanying Recommendations,
Welcoming the adoption by the United Nations General Assembly in December 1990 of the International Convention on the Protection of the Rights of All Migrant Workers and Their Families and the important role of the ILO in its preparation,
Noting the growth in migrant labour employed in the textile industry, and the possible migratory pressure in various regions of the world;
Adopts this third day of October 1991 the following resolution:
The Textiles Committee requests the Governing Body of the International Labour Office:
(1) to call on governments in all member States:
(a) to ensure that the terms and conditions of employment of migrant textile workers in their territories respect the principles of freedom of association and non-discrimination and the provisions of all relevant ILO instruments;
(b) to ratify and implement, in particular, ILO Conventions Nos. 97, 118, 143 and 157 and the International Convention on the Protection of the Rights of All Migrant Workers and Their Families;
(2) to request the Director-General:
(a) to provide for an increase in the activities of the ILO in the protection and promotion of the rights and interests of migrant workers in the textile industry in future programmes and budgets of the ILO;
(b) to conduct, if possible, as part of the project on casual, migrant and contract labour in the construction, plantations and forestry and wood industries already included in the ILO's Programme and Budget for 1992–93, an in-depth study of the major features of the recruitment and employment of migrant workers in the textile industry;
(c) to convene at the earliest possible date a tripartite advisory meeting, involving the participation of all relevant United Nations agencies, to provide guidance on the future policies and activities of the ILO in the field of migration.

Resolution (No. 99) concerning Industrial Home Work in the Textile Industry

The Textiles Committee of the International Labour Organisation,
Having met in Geneva, at its Twelfth Session, from 25 September to 3 October 1991,
Noting that home work is a growing phenomenon, including in the textile industry, with enterprises in industrialised countries increasingly using homeworkers to process their specialty textile items in small batches to give them maximum flexibility in rapidly changing markets,
Noting the report and conclusions of the ILO Meeting of Experts on the Social Protection of Homeworkers (Geneva, 1990);

1 Adopted unanimously.
2 Adopted by consensus.
Adopts this third day of October 1991 the following resolution:

The Textiles Committee invites the Governing Body of the International Labour Office:

(1) to call on all ILO member States:
   (a) to implement adequate measures with a view to regulating home work, with the objective of establishing a legal status for homeworkers;
   (b) with the active participation of employers' and workers' organisations, to put special emphasis on the elimination of abuses that occur in connection with home work;

(2) to request the Director-General:
   (a) to prepare a comparative study on the situation of homeworkers and all other workers in the textile industry;
   (b) to produce proposals for a more effective means of establishing the true extent of homeworking, particularly in the textile industry;
   (c) to liaise with member States and employers' and workers' organisations to facilitate tripartite approaches to develop and implement programmes to assist homeworkers in the textile industry to adopt safe work practices and provide healthier working and living conditions, for example, by seconding selected workers from the textile industry for short periods of time to travel in homeworking communities as advisers on safe work practices and healthy work procedures;
   (d) to encourage and foster the creation of facilities, including cooperative initiatives, that would help homeworkers.

Resolution (No. 100) concerning Occupational Safety and Health in the Textile Industry

The Textiles Committee of the International Labour Organisation,
Having met in Geneva, at its Twelfth Session, from 25 September to 3 October 1991,
Acknowledging that occupational safety and health hazards continue to be of serious concern in the textile industry,
Aware that new occupational safety and health problems in the textile industry are arising as a result of the introduction of new technology, the growing use of chemicals and the changing working environment,
Noting that specific issues relating to the employment of women, child labour and homeworkers add to the complexity of safety and health problems facing those employed in the textile industry,
Further noting that night work is increasingly used to increase plant utilisation with negative effects on the health and family life of workers involved,
Acknowledging that exposure limits set by national standards are often insufficient, and noting that there are international standards and codes of practice in this respect that are based upon scientific criteria, drafted in order to ensure more adequate protection of workers,
Recognising that governments, employers' and workers' organisations share responsibility in seeking to improve safety and health in the industry,
Noting, however, that these parties have separate responsibilities, with governments having the responsibility to legislate and enforce safety and health standards and provide guidance and support, employers having the responsibility to maintain a safe workplace free of health hazards and workers' organisations having the responsibility to cooperate in and actively promote effective organised worker participation in such efforts,
Considering that minimising and eliminating occupational hazards benefits both workers and employers, since plant productivity and quality of work are invariably linked to the quality of the working environment,

1 Adopted by consensus.
Conscious of the need to adopt urgent and effective measures to ensure the protection of workers' safety and health interests and rights, including ensuring that employers establish, recognise and cooperate with joint or workers' safety and health committees in each enterprise,

Recognising the complementary relationship between the elimination of toxic chemical hazards within the workplace and the release of toxic emissions into the community at large,

Agreeing that the dissemination of safety and health information and the training of both workers and management should continue to be key elements in the prevention of industrial accidents, the protection of health and the improvement of the working and general environment,

Concerned at the poor level of ratification and implementation of ILO instruments by member States and, in particular, the Occupational Safety and Health Convention, 1981 (No. 155), which only 14 member States have ratified;

Adopts this third day of October 1991 the following resolution:

The Textiles Committee invites the Governing Body of the International Labour Office:

(1) to call on governments in all member States:

(a) to adopt up-to-date health, safety and environmental legislation aimed at eliminating occupational hazards in the textile industry, including strict standards relating to exposure limits based on scientific criteria for the protection of all workers;

(b) to fully implement such legislation through stringent enforcement programmes of regular inspections by a fully trained and staffed inspectorate, through the creation of enterprise-based worker-management committees and other appropriate mechanisms for full worker participation in safety, health and environmental programmes in each enterprise, and professional advisory services;

(c) to liaise with employers' and workers' organisations to encourage the prevention of occupational hazards in the textile industry through coordinated training programmes, medical care and other appropriate means;

(d) to examine the impact of night work on the health and family life of workers employed in the textile industry and, where night work is carried on, to provide the fullest protection for all nightworkers by application of the Night Work Convention, 1990 (No. 171), and by encouraging employers' and workers' organisations to negotiate agreements including provisions relating to safety and health and family and social responsibilities, in accordance with national law and practice;

(e) to fully investigate complaints from workers and workers' organisations regarding specific health and safety hazards;

(2) to request the Director-General:

(a) to liaise closely with the relevant employers' and workers' organisations in the preparation and implementation of all ILO safety and health activities which have repercussions on the textile industry;

(b) to allocate the necessary resources to expand and intensify the ILO's activities in the field of occupational safety and health for textile workers, particularly in the areas of information and training;

(c) to investigate further remedial measures for the control and prevention of industrial accidents, injuries and diseases in the textile industry, including direct contacts with the major textile machinery manufacturers to promote the development of better ergonomic design of spinning and weaving machinery;

(d) to develop and apply a standard reporting system on working conditions, occupational hazards and resultant accidents, injuries and diseases, aimed at the creation of a database and evaluation system for all occupational safety and health programmes in the industry;

(e) to prepare and disseminate a specific occupational safety and health educational manual for the textile industry;

(f) to promote follow-up to the ILO report on Safety and Health Problems in Small and Medium-Scale Textile Enterprises in Five Developing Countries, particularly by further
encouraging technical cooperation activities aimed at strengthening the capacities of national employers’ and workers’ occupational safety and health programmes;

(g) to urge governments and employers to observe the provisions on occupational safety and health contained in the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy;

(h) to pay special attention to promoting the ratification and full implementation of already existing instruments by member States, in particular the Occupational Safety and Health Convention, 1981 (No. 155), and the Chemicals Convention, 1990 (No. 170);

(i) to seek the full implementation by member States of the conclusions and resolutions concerning occupational safety and health adopted by the Textiles Committee at its previous sessions;

(j) to continue to liaise closely with development and lending agencies to ensure that industrial development aid to the textile industry includes specific allocations for the enhancement of occupational safety and health;

(k) to convene a tripartite meeting of experts on occupational safety and health issues in the textile industry;

(l) to liaise with the appropriate national and international environmental protection organisations to promote the joint development of safety and health protection inside and outside the workplace, including the dissemination of case studies demonstrating the feasibility of substituting less- or non-toxic chemicals for the many highly toxic chemicals currently used in the textile and synthetic fibre industries.

Resolution (No. 101) concerning Multinational Enterprises in the Textile Industry

The Textiles Committee of the International Labour Organisation,

Having met in Geneva, at its Twelfth Session, from 25 September to 3 October 1991,

Considering that the ILO Governing Body adopted in 1977 the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy,

Reconfirming that multinationals as well as national enterprises must observe adequate minimum standards with respect to social conditions, terms of employment, freedom of association and the protection of the working environment,

Considering the need for the ILO to continue its research on the social and labour practices and effects of multinational enterprises, particularly in the textile industry;

Adopts this third day of October 1991 the following resolution:

The Textiles Committee invites the Governing Body of the International Labour Office:

(1) to call on governments of all member States:

(a) to give effect to the provisions of the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy;

(b) to put special emphasis in this regard, as far as the textile industry is concerned, on the provisions related to tripartite consultation, freedom of association, collective bargaining and the protection of the working and general environment, as well as on the introduction of technology that generates employment and is in full harmony with the national development needs of the host country;

(c) to implement Paragraphs 46 and 47 of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, regarding the holding of meetings of workers’ representatives in multinational enterprises;

(d) to institute procedures to ensure that multinational enterprises are made fully aware of all labour and social legislation in the host country and of the terms of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy;

1 Adopted unanimously.
(2) to request the Director-General:
(a) to seek from governments and employers' and workers' organisations in each of the member States details of important developments concerning multinational enterprises in the textile industry;
(b) to continue the promotion and follow-up activities relating to the implementation of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy in the textile industry;
(c) to report to the Textiles Committee at its next session on the application of the Declaration in the industry;
(d) to conduct an in-depth study of the growth of multinational enterprises in the textile industry and their labour practices.

Resolution (No. 102) concerning Structural Adjustment in the Textile Industry

The Textiles Committee of the International Labour Organisation,
Having met in Geneva, at its Twelfth Session, from 25 September to 3 October 1991,
Recalling the conclusions of the High-Level Meeting on Employment and Structural Adjustment held in 1987, which stressed the major contribution to be made by free and independent organisations of workers and employers in the formulation of general economic policies and placed emphasis on the importance of collective bargaining as well as on the value of strengthened tripartite discussion for the creation of social cohesion and of broad-based support for policies of national development,
Reiterating that full respect for freedom of association for workers and employers and for the unconditional right to free collective bargaining, as codified in the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), is an essential prerequisite for enabling workers and employers to play a constructive role in the economic and social development of their country,
Conscious of the major structural changes currently under way in all parts of the world regardless of their previous economic and social systems or levels of development, including Central and Eastern Europe which is embarked on a period of transition from a centrally planned to a market economy,
Noting that the textile industry accounts for a considerable share of the economic activities and employment in free trade zones, and acknowledging the need to protect workers' rights in view of the violations of these rights in certain zones, as identified by the Committee of Experts on the Application of Conventions and Recommendations,
Aware that the textile industry is of major importance in the countries concerned, often being the main sector of manufacturing and frequently state-run, thus putting it in the forefront of changes arising from structural adjustment,
Further aware that, without attention to the social dimension, textile workers may suffer adverse consequences from the economic and political changes currently under way which include economic integration within and between continents;
Adopts this third day of October 1991 the following resolution:
The Textiles Committee requests the Governing Body of the International Labour Office:
(1) to call on member States:
(a) to broaden internal markets, particularly those of developing countries, to enable workers to purchase more of their production;
(b) to ensure the full application of relevant ILO standards in their respective countries regardless of the location of workplaces and including export processing zones and export industries, especially the Freedom of Association and Protection of the Right to
Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy;

(c) to provide vocational training courses for workers employed in free trade zones, especially women, to upgrade their skills and expand their employment possibilities, and apply relevant ILO standards on equality of opportunity and treatment;

(d) to provide for full participation by workers' and employers' organisations in discussions relating to structural adjustment to ensure that this process and the process of economic integration benefit the peoples of the nations concerned;

(e) to encourage and promote actively the creation of effective industrial relations mechanisms, such as collective bargaining structures at various levels, impartial national conciliation bodies and procedures to be available to the social partners in case of need, as well as national forums for tripartite consultation and cooperation in relation to the elaboration and successful implementation of programmes for structural adjustment, economic growth and development;

(2) to request the Director-General:

(a) to promote research to assist member States in formulating policies of structural adjustment to ensure that workers' interests, including those in the textile industry, are not overlooked;

(b) to strengthen the ILO's advisory services and technical assistance for the development of adequate national structures for industrial relations, collective bargaining and tripartite cooperation, in line with conclusions of the High-Level Meeting in 1987 and the relevant national labour standards on the subject and, in this respect and within the context of the Interdepartmental Project on Employment Promotion and Structural Adjustment: Labour Policies for Adjustment already included in the ILO's Programme and Budget for 1992-93, consider using the textile industry as the background for the formulation of practical proposals on the social dimensions of adjustment, protection for those most at risk in the adjustment process, appropriate labour market policies and genuine tripartite consultation and commitment during structural adjustment;

(c) to make special efforts in this regard in countries that are undergoing profound changes in their economic, political and social systems;

(d) to continue to impress upon other relevant international organisations and agencies the key role of active cooperation of the social partners in the successful introduction and implementation of programmes for structural adjustment, economic growth and development and economic integration.

Resolution (No. 103) concerning the Employment Implications of International Trade in the Textile Industry

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The Textiles Committee of the International Labour Organisation,
Having met in Geneva, at its Twelfth Session, from 25 September to 3 October 1991,
Considering the importance of the textile industry to employment in manufacturing in both developed and developing countries,
Stressing the significance of trade in the textile sector,
Recognising the need for full respect for freedom of association and the right to free collective bargaining in all areas of the textile industry;
Adopts this third day of October 1991 the following resolution:
The Textiles Committee invites the Governing Body of the International Labour Office to request the Director-General to examine the employment implications of international trade for the labour force in the textile industry and to establish a dialogue with appropriate international organisations on these implications.

1 Adopted by consensus.
The Textiles Committee of the International Labour Organisation,
Having met in Geneva, at its Twelfth Session, from 25 September to 3 October 1991,
Recognising the importance of the textile industry for overall economic and social
development, and the major changes taking place in the industry,
Considering the usefulness of compiling into one volume all the currently relevant
resolutions and conclusions adopted by the Textiles Committee and those of the Tripartite
Technical Meetings for the Clothing Industry;
Adopts this third day of October 1991 the following resolution:
The Textiles Committee invites the Governing Body of the International Labour Office:
(1) to give consideration to the following subject as the technical item for examination by the
Thirteenth Session of the Textiles Committee: employment, income protection and pro­
ductivity in the textile industry;
(2) to compile into one volume all the currently relevant resolutions and conclusions of the
Textiles Committee and those of the Tripartite Technical Meetings for the Clothing
Industry under the title of "Textile and Clothing Workers' Charter: Compilation of
Conclusions and Resolutions adopted by the Textiles Committee and the Tripartite
Technical Meetings for the Clothing Industry";
(3) to request the Director-General:
(a) to continue to monitor the social impact of free trade zones on workers in the textile
industry;
(b) to continue to promote awareness and application of international standards con­
cerning trade union rights among all parties involved in export processing zones;
(c) to use the Office's influence through its technical cooperation, advisory services and
other activities which could provide the basis for promoting awareness and observance
of international labour standards in export processing zones;
(d) to propose convening a meeting of experts to examine the situation of workers in free
trade zones.

Classification of the Conclusions and Resolutions Adopted at the Previous Sessions
of the Textiles Committee

Section I: Conclusions and resolutions, or parts thereof, calling for action
in the different countries

Group A: Conclusions and resolutions, or parts thereof, which are no longer of current concern
None.

Group B: Conclusion and resolutions, or parts thereof, which for the time being would not appear
to call for further information
None.

Group C: Conclusions and resolutions, or parts thereof, on which further information is con­
sidered desirable

No.

31 Memorandum concerning women's employment in the textile industry (Fourth Session,

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1 Adopted unanimously.
2 Meeting at which the text was classified.
33 Resolution concerning international trade and social standards in the textile industry (paragraph 2) (Fourth Session, 1953). [5]
35 Memorandum concerning productivity in the textile industry (Fifth Session, 1955). [6]
48 Conclusions concerning problems of apprenticeship, vocational training and retraining in the textile industry (Seventh Session, 1963). [8]
49 Conclusions concerning conditions of employment and related problems in the textile industry in countries in the course of industrialisation (Seventh Session, 1963). [8]
55 Conclusions concerning labour problems in the textile industry in developing countries (Eighth Session, 1968). [9]
56 Conclusions concerning structural and technological changes in the textile industry (Eighth Session, 1968). [9]
59 Resolution concerning freedom of association in the textile industry (subparagraph (b)) (Eighth Session, 1968). [9]
63 Resolution concerning the wages of women employed in the textile industry (Eighth Session, 1968). [9]
64 Resolution concerning paid educational leave to enable workers in the textile industry to raise their standard of education and to facilitate their retraining and vocational readjustment (subparagraph (a)) (Eighth Session, 1968). [9]
65 Conclusions concerning the role of the textile industry in the expansion of employment in developing countries (Ninth Session, 1973). [10]
69 Resolution concerning the obtaining, by the International Labour Organisation, of information on the conditions of life and work of textile workers (paragraphs (a) and (c)) (Ninth Session, 1973). [10]
72 Conclusions concerning conditions of work in the textile industry, including problems related to organisation of work (Tenth Session, 1978). [11]
75 Resolution concerning implementation of the conclusions and resolutions adopted at the previous sessions of the Textiles Committee (paragraph 1) (Tenth Session, 1978). [11]
79 Resolution concerning statistical data for the textile industry (paragraph (a)) (Tenth Session, 1978). [11]
82 Conclusions concerning security of employment and income in the light of structural changes in the textile industry (Eleventh Session, 1984). [12]
83 Conclusions concerning occupational safety and health in the textile industry (Eleventh Session, 1984). [12]
86 Resolution concerning multinational enterprises in the textile industry (paragraph 1) (Eleventh Session, 1984). [12]
88 Resolution concerning technological change in the textile industry (Eleventh Session, 1984). [12]
89 Resolution concerning equal pay for work of equal value (Eleventh Session, 1984). [12]
Section II: Conclusions and resolutions, or parts thereof, to which effect is to be given mainly by the Office

Group A: Conclusions and resolutions, or parts thereof, which are no longer of current concern to the Office

No.
77 Resolution concerning trade union rights and the right to organise and to bargain collectively in the textile industry (paragraph 3) (Tenth Session, 1978). [11]


Group B: Conclusions and resolutions, or parts thereof, which should continue to receive the attention of the Office

No.
33 Resolution concerning international trade and social standards in the textile industry (paragraph 1) (Fourth Session, 1953). [5]
48 Conclusions concerning problems of apprenticeship, vocational training and retraining in the textile industry (Seventh Session, 1963). [8]
49 Conclusions concerning conditions of employment and related problems in the textile industry in countries in the course of industrialisation (Seventh Session, 1963). [8]
50 Resolution concerning tripartite action concerning technical assistance in the textile industry (Seventh Session, 1963). [8]
52 Resolution concerning expanding trade and the social effects of technological developments (Seventh Session, 1963). [8]
53 Resolution concerning the social consequences of the instability of textile raw material prices (Seventh Session, 1963). [8]
55 Conclusions concerning labour problems in the textile industry in developing countries (paragraph 43) (Eighth Session, 1968). [9]
56 Conclusions concerning structural and technological changes in the textile industry (paragraphs 14 and 42) (Eighth Session, 1968). [9]
58 Resolution concerning the increase in the incidence of byssinosis (Eighth Session, 1968). [9]
59 Resolution concerning freedom of association in the textile industry (subparagraph (a)) (Eighth Session, 1968). [9]
75 Resolution concerning implementation of the conclusions and resolutions adopted at the previous sessions of the Textiles Committee (paragraph 2) (Tenth Session, 1978). [11]
77 Resolution concerning trade union rights and the right to organise and to bargain collectively in the textile industry (paragraphs 1, 2 and 4) (Tenth Session 1978). [11]
82 Conclusions concerning security of employment and income in the light of structural changes in the textile industry (paragraphs 23, 24) (Eleventh Session, 1984). [12]
86 Resolution concerning multinational enterprises in the textile industry (paragraph 2) (Eleventh Session, 1984). [12]
87 Resolution concerning free trade zones and the textile industry (Eleventh Session, 1984). [12]
Second Joint Meeting on Conditions of Work of Teachers
(Geneva, 20–28 November 1991)

CONCLUSIONS AND RESOLUTIONS ADOPTED

Conclusions concerning Conditions of Work of Teachers

The Second Joint Meeting on Conditions of Work of Teachers,
Having met in Geneva from 20 to 28 November 1991;
Adopts, this twenty-eighth day of November 1991, the following conclusions:

Education and teachers: General considerations

1. Education is a fundamental human right, and in all countries is the basis for individual, social and economic development. Governments should, therefore, ensure the widest possible access to a quality education, and especially strive to meet the goal of a basic education for all. In order to do this, a sufficient supply of highly qualified teaching personnel should be recruited into and retained in the teaching profession.

2. To meet the twin objectives of ensuring access and quality, a high status for teachers, measured in terms of many factors—professional qualifications, salary levels and working conditions—is a necessary, though not always sufficient condition.

3. Another important condition is that investment in education should be accorded priority in decisions related to national budget allocations. At the same time, such investment needs to be used effectively.

4. Various approaches and programmes might assist in the process of managing resources, though they should be carefully examined in close cooperation between the competent authorities, teachers' organisations, employers and workers and parents, before implementation. This should include the assessment of the effectiveness of all components of the school environment and the development of decision-making processes in close cooperation with all concerned.

5. In the consideration of options for constructing a high quality educational system, government has the fundamental responsibility to provide free education for all. Public and private education should be considered complementary. The existence of private education provides freedom of choice to parents. Where public funds are provided to subsidise private schools, the same educational standards and accountability of funds required of public schools should be met.

Educational reform and structural adjustment

6. Many countries face hard choices in the provision of educational services, arising from financial restrictions imposed by economic difficulties, including effects of structural adjustment programmes and debt payment obligations. Education should, however, be considered a priority in the allocation of national resources, and exempted from any reductions in government budgets where this proves necessary.

7. The effects of structural adjustment programmes in many countries negatively impact on education, teachers, social relations and human rights by, among others, inhibiting human

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1 Adopted unanimously.
resource development, including adequate training and retraining of teachers; and restricting employment and salaries in the teaching profession, as well as the necessary conditions for quality teaching, such as school construction and maintenance, and provision of teaching materials.

8. Where the effects of structural adjustment programmes have a potential negative impact, international institutions which influence the adoption of such programmes should be encouraged to establish greater dialogue with all sectors affected, including, national educational authorities, teachers, employers, parents, students, etc., in accordance with ILO principles.

9. Where reforms in education are undertaken to meet changing expectations of societies or national needs, users, administrators, parents, employers, teachers and their organisations should work in close cooperation at both national and local levels. New forms of cooperative decision-making between management, teachers' and employers' organisations at school level should also be encouraged.

10. In the continuing search to define the proper criteria for assessing the various components of quality education, the relationship between investments in education and measurements of administrative and teaching performance, including the proper ratio of expenditure on administration and teaching, and the best means of evaluating students' progress, merit careful consideration.

Employment of teachers

11. Shortages of qualified teachers, especially in certain subjects or by geographic area, have emerged in recent years in many countries. These shortages are due, among other factors, to budgetary restrictions or a lack of planning. As a remedy, medium- and long-term planning for a sufficient supply of qualified teachers should be linked with adequate budgetary provisions for all facets of teachers' preparation, employment and terms of service. This is particularly important in view of the difficulties in competing with business and industry for highly skilled individuals in certain shortage areas.

12. Such investment and planning decisions should be taken in close cooperation between the competent authorities, organisations of teachers, of employers and workers, and of parents.

13. Moreover, governments should also seek adequate solutions to these acute and persistent shortages, while guaranteeing the level of qualifications and acquired rights (salaries, class size and workload).

Career structure

14. Appropriate training and qualifications, ongoing professional development and meaningful career development for teachers are all necessary elements of effective teaching. The successful development and implementation of these and associated measures requires constructive contacts through consultation or negotiations between government, and employers' and teachers' organisations according to national laws and practice and ILO Conventions.

15. Entry into the teaching profession, based primarily on teaching qualifications, should be maintained at a high level in recognition of the complexity of teaching, and to avoid a decline in quality. Flexibility in recruitment processes should allow qualified individuals with experience in other professions or occupations, in the public or private sector, to enter the teaching profession, provided measures are put in place to help them attain the required qualifications.

16. Security of tenure provides important guarantees of stability and status in the teaching profession, and it should be established through mutually agreed upon processes, notably collective bargaining. Such processes should aim to enhance standards and quality and consider the requirements of nationally or locally agreed regulations.

17. There must be far-sighted and comprehensive measures, including lateral career opportunities, to ensure professional development to meet the needs of education, provided they respect the mutually agreed upon guarantees set out above.

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18. Teacher training should be seen as a continuum of pre-service and in-service training and it should be improved in quality and accessibility. Its functions are to train new teachers and to enhance professional development for classroom quality, including motivating teachers to participate in their own development. Training of administrators of schools and teachers is also important to ensure that high-quality leadership is available in schools. It is, therefore, necessary to devote greater resources to training.

19. One of the most difficult but vital aspects of a sound career structure which is geared towards teaching quality consists in defining the most appropriate forms and criteria for teacher appraisal. It should be objective and not mechanistic. Appraisal should be oriented principally towards enhancing overall professional development of teachers. A holistic approach, whereby the entire school environment is assessed and the inclusion of peer assessment in the process should also be taken into account.

Equality of opportunity and treatment for men and women teachers

20. Although women teachers constitute the majority of the teaching force in many countries, women teachers are generally underrepresented in senior positions. New educational and social policies increase the need for more participation of women at all levels of education.

21. One means to avoid low status associated with the prevalence of women in the teaching profession is to improve the status of the teaching profession generally, including raising salaries to a level comparable to that of other professions requiring equivalent training, qualifications and experience.

22. To ensure better access of women to the profession and to senior positions in particular, legislative, administrative, social and cultural barriers will need to be removed. Strategies which should be adopted to this end include:
(a) structuring and rewarding teaching jobs so that child-bearing and child-rearing responsibilities do not impede the ability to remain and progress in the teaching profession;
(b) access to special training and retraining programmes for women to upgrade their qualifications and gain experience necessary to occupy senior positions;
(c) the provision of child-care facilities and maternity leave, in line with the Workers with Family Responsibilities Convention, 1981 (No. 156).

Labour relations

23. Teachers, whatever their status, should enjoy the same rights as other workers to freedom of association and the right to organise which are set out in ILO Conventions No. 87 (Freedom of Association and Protection of the Right to Organise, 1948) and No. 98 (Right to Organise and Collective Bargaining, 1949) and in the Universal Declaration on Human Rights. Nevertheless, these rights are not respected in practice in many countries around the world, given the evidence of considerable increases in complaints made to the ILO in recent years. Much progress still remains to be achieved in the observance of ILO standards on these matters.

24. It is important for ILO member States to guarantee respect for the full range of teachers' rights in both the public and private sectors, in developed and developing countries.

25. Respect for these rights is the key to ensuring the full participation of teachers in educational decision-making processes, which is a basic characteristic of democratic societies. Full respect for these rights in turn encourages teachers to assume their full responsibilities towards the profession. The two concepts—rights and responsibilities—are inseparable.

26. ILO Conventions and Recommendations define teachers' rights to collective bargaining. While the specific processes or mechanisms by which these rights are exercised and responsibilities may differ widely among nations, and while great diversity in national experience makes it difficult to conclude that one system is the sole guarantor of good labour relations practices, fundamental principles defined in ILO Conventions must be respected.
27. Limits are imposed in some countries on collective bargaining in education and the right to strike, sometimes in order to respect other basic rights, including that of the right to education and freedom of choice by students and parents, or to avoid social instability. Both the joint ILO/UNESCO Committee of Experts set up to review the application of the 1966 Recommendation concerning the Status of Teachers and the ILO’s Committee on Freedom of Association have consistently viewed the relevant provisions as supporting the right of teachers to engage in strike action as part of the normal labour relations process.

28. Other countries, while accepting the basic premise of collective bargaining, do not apply it because of limitations placed on teachers as civil servants, or because more flexibility in negotiating arrangements is desired to address educational issues. The ILO’s Committee on Freedom of Association has consistently reaffirmed the principles embodied in the relevant Conventions on collective bargaining which uphold the rights of teachers, public or private, to engage in collective bargaining to determine terms and conditions of employment, and to have the resulting collective agreements respected by the appropriate authorities.

29. To preserve the rights of parents, students and teachers alike, good labour relations in education are beneficial. Mechanisms for cooperation and consultation can play a positive role in averting confrontation and resolving conflict, but may not be sufficient to ensure the fixing of adequate terms and conditions of employment. While dialogue and alternative forms of dispute resolution, such as mediation or arbitration, are desirable, such processes are not a substitute for the right to strike. The latter represents a means of last resort for teachers to defend their interests.

Remuneration

30. There is widespread agreement that salary levels of teachers have deteriorated in recent years, with the most dramatic declines occurring in developing countries undertaking structural adjustment programmes. Remedial measures should be taken by governments and other employers to improve teachers’ salaries generally, with special attention to entry-level teachers. A salary level corresponding to the qualifications, knowledge, skills and further training of teachers is considered one of the keys to the retention of qualified teachers in the profession.

31. Moreover, teaching salaries should be periodically adjusted to take account of various factors, including the cost of living. Additional salary or allowances should be paid for teachers assuming extra responsibilities in the classroom, those obliged to fulfil heavier than average workloads or those working in remote rural or disadvantaged urban areas. This should not be transformed, however, into a pattern of expanding allowances as a substitute for base salary, which could provoke inequalities among teachers especially upon retirement.

32. Comparing salaries of teachers to those of other public and private sector professionals with similar qualifications may be one avenue to improving pay levels of teachers. However, in the absence of a foolproof methodology to assess the interrelationship between salary levels and improvements in the quality of education, more research at national and international level should be undertaken to fill this gap.

33. Similarly, given the present state of knowledge, merit pay as a component of teachers’ remuneration is considered too subjective and the source of a destabilising competition within the profession. The concept of merit may still appear to be too narrowly defined. There is, therefore, the need to formulate a strategy which seeks to establish material incentives sufficiently broad to motivate all teachers. Modern management techniques may, however, help to provide objective assessment criteria of teachers’ work.

Workload

34. Teachers’ workload has increased and changed in nature, requiring teachers to assume more administrative and extracurricular duties, especially as a result of counselling and guidance activities, social problems of students and the need to ensure discipline at the school. They have also had to alter their teaching methodology to adapt to growing differentiation of
learning abilities among students, adaptations that should continue if education is to respond to the continuing diversification of many societies. These changes, some positive for teaching quality, others negative, have nevertheless created a certain amount of discouragement and hastened departures from the profession among both experienced and young teachers, which should be taken into account in planning government policies to improve teachers’ conditions.

35. The question of class size remains an important issue as much for workload as for the quality of teaching. There have been marginal improvements (decreases) in average class size in most high-income countries, while in less developed countries many classes have remained too large for one teacher to manage reasonably. With little time left for important pedagogical activities, teachers often give way to widespread demoralisation. Governments are urged to take feasible measures to redress this serious situation.

36. Changes in educational management towards more decentralised forms of decision-making aimed at reinforcing the effectiveness of education should be pursued, provided they are undertaken without undue haste and in close cooperation with organisations of teachers, of employers and workers, and of parents. Once they are begun, they should be given sufficient time to prove their worth, and they should be carefully evaluated in order to be sure that they promote broad access to quality education.

Status of teachers in the future

37. To respond to the acknowledged need to enhance the status of teachers, a variety of measures should be adopted, including the following:

(a) recognition of the high status of teachers, in accordance with their contribution to society and the promotion of democracy;

(b) offering teachers increased opportunity for participation in educational planning and in decisions concerning them or affecting schools;

(c) the education of teachers in graduate programmes linked to professional development schools and other pre-service alternatives;

(d) emphasis on pedagogy and on pre-service training in subject areas, field experience and effective use of new technologies;

(e) updating training also for administrators, instructional support staff and other non-teaching personnel;

(f) offering more posts at different responsibility levels so that teachers have career prospects;

(g) formulating higher standards for superior teaching performance;

(h) alternative certification for career changers and individuals with greater mastery of subject matter but without teaching credentials.

Resolution concerning Future ILO Activities for Teachers

The Second Joint Meeting on Conditions of Work of Teachers,
Having met in Geneva from 20 to 28 November 1991,
Recognising the vital importance of education as an indispensable tool for the development and well-being of society, and the special role which teachers play to this end,
Recognising the vital role and responsibilities of the ILO regarding the well-being of teachers, in particular in the fields of working conditions, employment, trade union rights and freedom of association, wages, occupational safety and health, and the development of human resources,
Considering that future activities of the Office should continue to be deployed to cover these different areas which are within its competence, and to ensure the promotion of and support to the application of international labour standards in the teaching sector, in particular the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87);

1 Adopted unanimously.
the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); the Workers’ Representatives Convention, 1971 (No. 135); the Labour Relations (Public Service) Convention, 1978 (No. 151); and the Collective Bargaining Convention, 1981 (No. 154), as well as other relevant provisions.

Noting that the profession includes 40 million workers and has a particularly important role for the future and for the development of every country,

Recalling the conclusions of the first Joint Meeting held in 1981;

Adopts this twenty-eighth day of November 1991 the following resolution:

The Second Joint Meeting on Conditions of Work of Teachers:

(1) invites the Governing Body of the International Labour Office to request the Director-General to carry out studies in the following areas:

(a) problems related in the public and private sectors to, and difficulties experienced with, the application of all aspects of freedom of association, the right to collective bargaining, and trade union rights of teachers;

(b) specific problems and their impact on the conditions of work of teachers in developing countries, as well as in remote rural areas, and when working with deprived and migrant populations;

(c) the conditions of teachers in higher education and the trade union situation in that sector;

(d) occupational safety and health, occupational stress, workload, and actual hours of work;

(e) the barriers that prevent women teachers from advancement to positions of added responsibility, suggesting remedies that would help to redress the current imbalance and including the results in the general report to the first session of the Standing Technical Committee for Educational Personnel;

(2) invites the Governing Body of the ILO to request the Director-General, when preparing the next programme and budget, to give consideration to providing sufficient resources to convene regional and subregional ILO seminars on the specific problems of educational personnel, especially those highlighted in the Second Joint Meeting on Conditions of Work of Teachers;

(3) welcomes the decision of the Governing Body of the ILO to include educational personnel as one of the Standing Technical Committees and to convene these meetings once every five years;

(4) invites the Governing Body of the ILO to request the Director-General, when preparing future programme and budget proposals, to:

(a) consider making provision for sufficient financial resources for the needs of this sector; and

(b) continue and strengthen research as well as the collection and dissemination of information and statistics in all relevant areas of the profession;

(5) invites the Governing Body of the ILO to consider “Training, retraining and further training of teachers” as a possible technical item of the next session of the Standing Technical Committee for Educational Personnel.

Resolution concerning the Effects of Structural Adjustment Policies on Teachers’ Working Conditions

The Second Joint Meeting on Conditions of Work of Teachers,

Having met in Geneva from 20 to 28 November 1991,

Recalling and endorsing the terms of the resolution concerning structural adjustment, industrial relations and economic and social development, adopted by the 78th Session of the

1 Adopted unanimously.
International Labour Conference (1991), believing it to have particular significance for education and teachers' working conditions,

Concerned that structural adjustment programmes implemented in a number of countries have had social consequences and that education has been one of the sectors affected,

Considering the difficult situation teachers experience in the existing economic circumstances,

Noting the possible effects of structural adjustment policies on teachers,

Noting that structural adjustment policies are affecting a large and growing number of countries, including the developing countries as well as the countries of Central and Eastern Europe whose economies are in a state of transition, and furthermore, that the industrialised countries are also undertaking certain adjustments and budgetary restrictions which impact social budgets, and that this set of policies has an effect on teaching and the conditions of teachers, and on public services as a whole,

Convinced that development and social progress begin with the development of the human person, to which teaching makes an essential contribution, that education has the potential to promote national economic growth and social development and, therefore, that any reduction in the resources allocated to education entails a medium- and long-term impoverishment of human resources, with unfortunate consequences for developing countries,

Regretting the absence of a social component or safety net in some adjustment policies, and the fact that budgetary restrictions generally affect social budgets more than others,

Considering that the purpose of the economy is to ensure that the basic economic, social and cultural needs of the populations of each country are met;

Adopts this twenty-eighth day of November 1991 the following resolution:

The Second Joint Meeting on Conditions of Work of Teachers:

(1) requests the Governing Body of the International Labour Office to include questions of vocational training and employment of teachers among the priorities for ILO action;

(2) requests the Director-General:

(a) in relation and cooperation with the other organisations of the United Nations family, to contribute to the promotion, as a matter of priority, of development programmes aimed at improving teachers' training and skills;

(b) to call upon member States to ratify and, meanwhile, to take into consideration in their laws and regulations, ILO international labour standards on social policy, employment promotion and human resources development;

(c) in order to minimise potential effects of structural adjustment in relation to educational personnel, to call upon the governments of the ILO member States to encourage and promote actively, at all the various and appropriate levels, the creation of effective industrial relations mechanisms such as collective bargaining structures, impartial conciliation bodies and procedures available to the social partners in case of need, as well as forums for tripartite consultation and cooperation in relation to the elaboration and successful implementation of programmes for structural adjustment, economic growth and development;

(d) to continue to impress upon other relevant international agencies and institutions the key role of sound industrial relations and the active cooperation of the social partners in the successful introduction and implementation of national programmes for structural adjustment, economic growth and development, with particular reference to education and educational personnel;

(e) to pursue the dialogue with the international monetary and financial institutions and other appropriate specialised institutions on the social impact of structural adjustment, in particular as it affects education and educational personnel.
Resolution concerning Teachers' Trade Union Rights Worldwide

The Second Joint Meeting on Conditions of Work of Teachers,
Having met in Geneva from 20 to 28 November 1991,
Welcoming progress achieved in many countries in the area of trade union rights for teachers, but concerned that in a number of countries teachers' organisations are being deprived of their right to collective bargaining on teachers' working conditions and their right to freedom of association,
Recognising that no teachers should be subject to discrimination on the grounds of their trade union activities,
Reaffirming its conviction that the respect of trade union rights is an essential condition for social justice, balanced economic development and the establishment of lasting peace,
Convinced that teachers, like other employees, should benefit fully from all civil, political and trade union rights and, in addition, be allowed close cooperation in determining educational policies,
Recognising that the promotion and protection of freedom of association and the right to organise and bargain collectively are among the fundamental aims of the ILO,
Reaffirming that the right to organise and bargain collectively is a basic human right as contained in international labour Conventions which apply to all workers, and therefore to all teachers,
Recalling that the ILO Committee on Freedom of Association has expressed its disapproval of measures which might constitute a threat to peaceful relations and the free exercise of trade union rights and its belief that harmonious labour relations can only be developed if there is a peaceful social climate,
Stressing the importance and the need to strengthen the role the ILO plays in the protection and promotion of trade union rights;
Adopts this twenty-eighth day of November 1991 the following resolution:
The Second Joint Meeting on Conditions of Work of Teachers:
(1) invites the Governing Body of the International Labour Office to draw the attention of member States to its report and conclusions, and to invite them to ratify the following international labour Conventions, where this has not already been done, and to apply in full the provisions thereof in respect of all teachers:
(a) the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87);
(b) the Right to Organise and Collective Bargaining Convention, 1949 (No. 98);
(c) the Equal Remuneration Convention, 1951 (No. 100);
(d) the Discrimination (Employment and Occupation) Convention, 1958 (No. 111);
(e) the Workers' Representatives Convention, 1971 (No. 135);
(f) the Labour Relations (Public Service) Convention, 1978 (No. 151); and
(g) the Collective Bargaining Convention, 1981 (No. 154);
(2) teacher organisations should be accorded legal status and the right to negotiate terms and conditions of work and employment, to represent their members and to defend their interests, and members should not be discriminated against or repressed because of their trade union activities.

1 Adopted unanimously.
Resolution concerning the Twenty-Fifth Anniversary of the Recommendation concerning the Status of Teachers, 1966¹

The Second Joint Meeting on Conditions of Work of Teachers,
Having met in Geneva from 20 to 28 November 1991,
Noting that after a quarter of a century the Recommendation concerning the Status of Teachers, which is a reference document for teaching policy as regards the status of staff, is still valid and provides guidance both for governments, employers and for the action programmes and demands of teachers' organisations,
Concerned that, in many countries which are trying to implement the provisions of the Recommendation, progress achieved is being jeopardized by reductions in educational budgets, the consequences of which will be felt in the long term in the areas of training and the status of staff as well as in effectiveness of education and equality of opportunity,
Noting with regret that the conditions set out in the Recommendation remain to be achieved in a number of countries and that the conditions of teachers have even deteriorated in some cases, particularly regarding trade union rights, wages and working conditions,
Considering the importance for teachers of the relevant international labour Conventions, which are referred to in the Recommendation concerning the Status of Teachers, 1966, and the essential role played by the supervisory bodies of the ILO in monitoring their application,
Certain that the effective implementation of the Recommendation and its extension to all teaching and training sectors is timely;
Adopts this twenty-eighth day of November 1991 the following resolution:
The Second Joint Meeting on Conditions of Work of Teachers:
(1) thanks the ILO and UNESCO for 25 years of joint action to promote and implement the Recommendation and invites them to continue this work within their respective areas of competence;
(2) appreciates the studies carried out since the first Joint Meeting, at the Office's initiative, concerning working conditions and salaries of teachers;
(3) requests the Director-General to continue to promote the Recommendation and to that end to work in close cooperation with governments and employers' organisations as well as with teachers' organisations;
(4) invites the Governing Body of the International Labour Office to consider ways of enabling the Office to carry out sustained and enhanced activities for teachers and their organisations in order to contribute to the implementation of the Recommendation and the effective application of the relevant ILO standards in the teaching sector;
(5) requests the Director-General to draw the attention of governments to the provisions of the Recommendation for legislative purposes.

¹ Adopted unanimously.
Conclusions (No. 27) concerning Freedom of Association and the Right to Organise, Industrial Relations and Collective Bargaining in the Food and Drink Industries 

The Food and Drink Industries Committee of the International Labour Organisation, Having met in Geneva, in its Second Session, from 4 to 12 December 1991; Adopts this twelfth day of December 1991 the following conclusions:

General considerations

1. The food and drink industries have undergone rapid changes since the First Session of the ILO Food and Drink Industries Committee was held in 1984. The main factors fostering these changes have been growing competition, globalising markets, economic concentration, a slow-down in economic growth, technological innovation and new state regulations. The parties involved in industrial relations in these industries should therefore adapt, where necessary, their mutual relationship to the new conditions created by these changes.

2. The food and drink industries are characterised by the diversity in their products and production methods, as well as in the size of enterprises. A major challenge confronting employers and workers in these industries is to reconcile the need for effective business management and the protection of the fundamental rights of workers.

Freedom of association

3. Freedom of association is a basic human right, and constitutes an essential element of any democratic society. The use of intimidation or violence constitutes a violation of freedom of association. The right of workers and employers to form and join organisations of their choice as well as to bargain collectively, as enshrined in the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and Right to Organise and Collective Bargaining Convention, 1949 (No. 98), should be fully respected and protected by all governments, employers and workers. The governments, in particular, should pass laws which enshrine these rights and ensure the effective enforcement of those laws. In relation to the Solidarismo movement, all the parties endorsed the report, conclusions and recommendations of the Freedom of Association Committee of the Governing Body of the ILO, in particular those contained in Case No. 1483 in Report 278.

4. The mechanisms used to implement the principle of freedom of association in industries and enterprises in ILO member States may vary with national laws, cultures and customs. However, these factors should not be invoked as pretexts for eluding compliance with ILO Conventions concerning freedom of association, as laid down in the conclusions and recommendations of the ILO Committee on Freedom of Association.

5. Employers’ and workers’ organisations in the food and drink industries can play a crucial role in promoting the application of international standards concerning freedom of association in their own countries and enterprises. When the government violates the relevant ILO Conventions, employers’ and workers’ organisations should not remain neutral; they should do the utmost to promote compliance with such standards, where appropriate through the ILO supervisory machinery.

Adopted unanimously.

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Collective bargaining

6. The recognition of the right of employers and workers to bargain collectively is a fundamental element of any democratic society. In those countries which are in the process of democratisation, collective bargaining can be a very effective instrument for facilitating this process. Collective bargaining should therefore be promoted in the food and drink industries of all countries in line with Convention No. 98, the Collective Bargaining Convention, 1981 (No. 154), and Recommendation (No. 163).

7. The scope of collective bargaining, to be promoted through national law or practice, should be comprehensive both from the point of view of the levels at which it is conducted and from the point of view of the subjects it covers. The level at which collective bargaining can be conducted most effectively should be determined mutually by the parties concerned, taking into account the issues to be negotiated.

8. Governments, employers and workers should adopt a well-balanced approach to the promotion of collective bargaining, while at the same time fully respecting the provisions of Convention No. 154 and Recommendation No. 163.

9. The existence of representative and effective employers' and workers' organisations in the food and drink industries, independent from each other and from government, is fundamental for mutually productive collective bargaining. Also fundamental should be the mutual respect between the parties as well as their commitment to refrain from opting out of mutually agreed decisions.

10. While recognising that industrial relations and especially collective bargaining are the responsibility of employers and workers, governments can make important contributions to the improvement of industrial relations in the food and drink industries. They should, where necessary, offer voluntary and neutral dispute resolution mechanisms to assist the parties in reaching agreement on contentious issues, and improving the relationship of the parties. Where statutory rules exist for the conduct of collective bargaining, governments should ensure that such rules are complied with. Governments should refrain from intervening in a restrictive or repressive manner, fully respecting the autonomy of the parties in the collective bargaining process.

11. For the collective bargaining process to be effective, it is necessary that the employers' and workers' organisations involved have adequate access to information as outlined in Paragraph 7 of Recommendation No. 163.

Joint consultation and other forms of workers' participation

12. If properly conducted, joint consultation and dialogue between employers' and workers' representatives on issues which are not the subject of collective bargaining can contribute to the improvement of industrial relations. Such consultation and dialogue should be clearly distinguished from collective bargaining, and should not be a substitute for, or used to undermine collective bargaining.

13. If by mutual agreement or national law and practice joint consultation is conducted, it should be conducted between employers' and workers' representatives prior to decision-making. These representatives should enjoy the full protection and facilities afforded in accordance with the Workers' Representatives Convention, 1971 (No. 135). It should be conducted in a spirit of mutual respect. In no case should it be used as a means of undermining the role of workers' organisations. Where joint consultation does not exist, the employers and workers' organisations should jointly examine the feasibility of establishing such consultative bodies.

Dispute settlement

14. Collective bargaining is one of the most appropriate methods of settling labour disputes. Employers and workers in the food and drink industries should, therefore, do their utmost to solve their differences through voluntary negotiations. They should also attempt to
establish, through negotiations between them, voluntary mechanisms for the settlement of labour disputes.

15. Governments may also assist the parties in resolving their disputes through the establishment of voluntary institutions or procedures for the settlement of labour disputes. Such institutions and procedures should be so designed as to encourage the workers' representatives and the employers to seek a solution to their differences through negotiation.

16. The creation and the maintenance of a good climate of industrial relations is conducive to the peaceful solution of differences between employers and workers through voluntary means. Employers and workers should do their best to maintain such a good climate. Employers should do their utmost to avoid permanently replacing workers involved in legal strikes, because such a practice is not conducive to good industrial relations.

International dimensions

17. Since the adoption of the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy in 1977, there has been a marked expansion of multinational enterprises in the food and drink industries. The consequences of their expansion have in some cases been positive for industrial relations in these industries. Some of the multinational enterprises in the industries have developed various arrangements for dialogue with workers’ organisations at various levels to the benefit of all the parties involved. Other multinational enterprises in the industries are encouraged therefore to examine carefully these experiences with a view to promoting sound industrial relations practices at various levels.

18. Multinational enterprises in the food and drink industries should observe the principles laid down in the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy.

19. Information on experiences in industrial relations in the food and drink industries is useful to employers and workers in other industries. The ILO should, therefore, promote the collection and dissemination of such information among different industrial sectors with a view to exchanging information on examples of industrial relations in multinational and national enterprises, and promoting good practice for all.

20. Because of the importance of freedom of association for industrial relations, the ILO should strengthen its educational activities with respect to freedom of association in order to heighten awareness of those concerned of the rights established by the relevant Conventions.

Conclusions (No. 28) concerning Skill Requirements, Vocational Training and Retraining in the Food and Drink Industries

The Food and Drink Industries Committee of the International Labour Organisation, Taking into account Conclusions Nos. 17 and 18 adopted at its First Session (December 1984), Noting also the Human Resources Development Convention, 1975 (No. 142), and Recommendation (No. 150), Having met in Geneva, in its Second Session, from 4 to 12 December 1991; Adopts this twelfth day of December 1991 the following Conclusions:

General considerations

1. The importance of having a well-trained workforce in the food and drink industries and their roles and interests in providing such training were recognised by the three parties. It was

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1 Adopted unanimously.
also recognised, however, that additional training in certain areas is required. Technological
and other changes have had crucial repercussions with regard to job content, skill require­
ments, as well as to training and retraining. New technologies should be accompanied by an
assessment of new job requirements and by the formulation of appropriate training and
retraining policies for workers at all skills and levels.

2. It was recognised that it is in the interest of the enterprises and the workers that
investments in training should be directed towards ensuring that requirements for workers at
all levels can be met.

3. One of the problems facing the food and drink industries in many countries, developed
as well as developing, is illiteracy, particularly but not exclusively among migrant workers.
Illiteracy inhibits progress for the workers, the enterprises, and the economy as a whole. Basic
education remains the responsibility of the State. Governments, employers’ and workers’
organisations also have a role to play in ensuring that basic skills are imparted to workers and
potential workers.

4. Women account for a significant proportion of employment in a number of branches of
the food and drink industries, and in some cases they are highly represented among part-time
workers. They have, however, often been disadvantaged as far as the acquisition of skills is
concerned. This has inhibited their progress in the food and drink industries, and has often left
them less qualified and concentrated in low-paid and vulnerable jobs. Governments, employ­
ners’ and workers’ organisations should ensure that women have access to training that meets
their needs and the enterprise’s skill requirements.

5. Governments, employers’ and workers’ organisations all share in the responsibility for
human resources development at the national level. The three parties should cooperate to
promote effective training processes including the formulation and implementation of training
schemes. Employers have a key responsibility in providing job-specific training in the interest of
enhancing the performance of their enterprises. In view of the heterogeneous nature of the food
and drink industries, governments should provide incentives to stimulate training by enter­
prises.

6. Governments have the responsibility to ensure that national training policies and goals
are set and implemented. Governments, employers’ and workers’ organisations should be an
integral part of the policy-making process, and they should discuss and cooperate with a view
to achieving consensus on what types and levels of education and skills are needed. This should
ensure that national education and training systems and programmes more closely serve the
needs of the food and drink industries and its workers, and that training opportunities are open
and equal to all groups of workers. It is important that training programmes are non­
discriminatory and that any barrier to the training of particular groups be removed.

Basic skills

7. Basic and general education, notably reading, writing and arithmetic, are a precondition
for any vocational training or retraining, and remain the primary responsibility of govern­
ments. Employers’ and workers’ organisations should work closely with governments and
training institutions to ensure that the basic skills attained by workers are relevant to the
requirements of the industry.

8. While practical on-the-job training is an essential component of training, it should be
complemented by theoretical training. This should be implemented in conformity with national
law and practice. Formal recognition of the successful completion of training is an important
factor for the industry and for the trainee’s self-esteem. It provides proof of skills acquired,
thereby enhancing employment and career opportunities.

9. Training programmes should take into account the needs of both the enterprise and its
workers. Branch or sector training, and that which is job or site-specific, should be discussed
with a view to achieving consensus between employers’ and workers’ representatives and/or
organisations. Where standardised national training guidelines and procedures exist, they
should be adapted, where necessary, to meet individual needs, particularly as far as small and
medium-sized enterprises are concerned.

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10. The question of training leave and associated financial compensation should be
developed cooperatively by employers' and workers' representatives and/or organisations.

Training for skilled workers

11. Skilled workers are a cornerstone of the industry. As a result of technological and other
changes, certain skills have disappeared, and new skills have emerged. As a consequence, in
certain fields there is a shortage of skilled workers. New occupations do emerge, however.
Close cooperation between governments, employers' and workers' organisations is imperative
in order to develop high-quality training, retraining and further training. There is a need to
ensure that the quality of training for skilled workers is adequate and that it reflects
requirements in the industry. Furthermore, such training should be knowledge- and com­
petence-based. Apprenticeship training should also be accessible to women and mature
workers. Standards for each skilled occupation should be established on the basis of tripartite
consultation and cooperation.

Skills for state-of-the-art technologies

12. The use of state-of-the-art technologies assumes that a high level of education and
training will be widely available, and that the necessary infrastructure will be in place. In order
to ensure a smooth introduction of state-of-the-art technologies in the food and drink
industries, employers' and workers' organisations should promote the availability of the
necessary technical, managerial and marketing skills. Furthermore, in order to maintain the
momentum of technological change, curricula should, with the participation of employers' and
workers' representatives and/or organisations, be continually amended in order for training to
remain abreast of developments.

13. The introduction of new technologies may change job content, occupational structure
and training needs. Lower-skilled or underskilled workers and elderly workers are often the
most vulnerable to the effects of technological change. Workers at all levels, and without
discrimination, should have access to the necessary technical know-how and training to master
the technologies, and to cope with the consequential changes.

14. Most technologies require considerable human involvement in their introduction,
operation and maintenance. The development of socio-technical approaches to technology
should include both employers' and workers' representatives and/or organisations, with the
cooperation of equipment manufacturers. As the demand for new skills becomes apparent,
employers' and workers' representatives and/or organisations should ensure timely consulta­
tions on the development of appropriate training programmes to enable their smooth
introduction.

15. Technologies have led to the loss of certain traditional jobs and the creation of new
ones. Job losses have been particularly marked in the case of routine and repetitive jobs. The
introduction of new technologies should take place after due consideration of the training
needs of all workers concerned. It is important that training programmes are non-discrimi­
natory and that any barrier to the training of particular groups be removed. In particular,
special training is required for workers who have had career interruptions.

16. When introducing state-of-the-art technologies, it is particularly important that train­
ing institutions should maintain close links with the sector so as to enable them to provide
training and further training that is relevant to enterprises and workers.

17. New demands on enterprises and the workforce as a result of new foods and
technologies should be, within the framework of national guidelines, a matter of discussion and
cooperation between employers' and workers' representatives and/or organisations. This
should lead to a proper assessment of training needs and to the provision of an adequately
skilled and efficient workforce that can contribute to improved competitiveness and efficiency
and safe and healthy work practices.

18. Employers should ensure that all workers are fully informed of any potentially
hazardous effects of new technologies. Discussions should take place with workers' representa-
tives and/or organisations prior to the introduction of new technologies in order to prevent negative consequences arising from their use. In order to achieve this objective, workers' representatives and/or organisations should be kept informed of all social and labour implications of new technologies.

19. Innovation in the food and drink industries might be associated with public risk since a number of new technologies might have environmental or health consequences. Therefore, quality control is essential in the food and drink industries, where workers' and consumers' health, or even lives, might be at risk. A knowledge of food safety and hygiene, toxic agents and their effects on the environment and health, should always be part of the basic training of the workers concerned. As the pace of innovation quickens, action should be taken by the parties involved to ensure that the industry has access to sufficient people who have the necessary health, environmental and technological skills for the safe introduction of new products, processes and equipment.

Informal sector

20. In some countries a proportion of the food and drink labour force is employed in the growing informal sector. It is a rather ill-defined sector, consisting of self-employed persons, family units, cottage industry and small enterprises, mostly producing for local markets. This sector is beset with numerous social and economic problems. Among them are insufficient skills, child labour, poor-quality production and inadequate marketing. It is a major responsibility of governments to design programmes that can help overcome these shortcomings. A prime objective of governments' programmes should be the progressive integration of the informal sector into the formal sector. A principal objective should be to achieve gradually social and economic progress through better efficiency, higher quality and improved marketing ability. The long-term objective should be that governments require these small food and drink operations to respect basic ILO standards.

The role of the ILO in training for the food and drink industries

21. The ILO should, within the limits of its resources:

— strengthen its role in technical cooperation, particularly the exchange of information and the identification of training needs at all levels, including the training of trainers;
— assist employers and their organisations to improve their training programmes;
— assist workers' organisations in their educational programmes;
— conduct regional meetings to improve vocational training and retraining in the food and drink industries;
— undertake research on training in the food and drink industries and disseminate the results widely;
— conduct special studies on the informal sector of the food and drink industry with a view to refining its definition and identifying training possibilities to assist the move from the informal to the formal sector;
— disseminate widely the findings of such studies.

Resolution (No. 29) concerning the Impact of Environment Issues on the Food and Drink Industries

The Food and Drink Industries Committee of the International Labour Organisation,
Having met in Geneva, in its Second Session, from 4 to 12 December 1991,
Noting with satisfaction the priority accorded to environmental issues in the ILO programme and budget for 1990–91 and 1992–93,

1 Adopted unanimously.
Noting the resolution adopted by the International Labour Conference in June 1990, concerning environment, development, employed and the role of the ILO, which is of general application and therefore applies to the food and drink industries,

Noting with concern that damage continuously caused to our natural environment seriously and increasingly threatens future prospects for economic activity, workers' health and employment in the food and drink industries,

Noting that the food and drink industries have a particular interest in this field, where it uses natural resources, and recalling that the food and drink industries have an interest in ensuring their continued ability to produce food free from contaminants and pollutants in the raw materials they use,

Drawing attention to the particular role that the food and drink industries may play in developing activity in rural areas;

Adopts this twelfth day of December 1991 the following resolution:

The Food and Drink Industries Committee invites the Governing Body of the International Labour Office to:

(1) encourage members States and, as appropriate, employers' and workers' organisations, to:
   (a) promote policies for the development of the food and drink sector which are compatible with the protection of the natural environment;
   (b) take necessary measures to ensure full collaboration with all concerned, including employers' and workers' organisations, in the formulation and implementation of integrated policies aimed at a clean and healthy environment, particularly the working environment in the food and drink industries;
   (c) encourage food and drink sector enterprises to work towards best practice in environmental protection, including modification where necessary;
   (d) take specific measures to ensure the safe use of pesticides and chemical fertilizers;
   (e) develop education and training strategies for all parties, in particular workers involved in environmental protection in the food and drink industries;
   (f) encourage research on questions of environmental protection in the food and drink industries;
   (g) encourage food and drink enterprises to give full consideration to their important role in rural areas;
   (h) encourage the food and drink industries, in cooperation with public authorities and others concerned, to develop recycling arrangements;
   (i) enact and enforce specific measures to encourage environmentally sound activities and to minimise polluting activities;

(2) requests the Director-General of the International Labour Office to:
   (a) continue to incorporate environmental questions into ILO activities, and ensure that such activities are compatible with the requirements of environmentally sound development;
   (b) undertake studies on the relationship between the environment, employment and training in the food and drink industries and stimulate the exchange of relevant information among the ILO constituents;
   (c) make available to developing countries policy advice, advisory services and technical assistance in regard to the working environment, environmentally sound technologies and training on questions of environmental protection.
Resolution (No. 30) concerning Occupational Safety and Health in the Food and Drink Industries

The Food and Drink Industries Committee of the International Labour Organisation, Having met in Geneva, in its Second Session, from 4 to 12 December 1991, Recalling the continuing relevance of conclusions (No 18) adopted by the Committee as its First Session (1984), Noting that the Occupational Cancer Convention, 1974 (No. 139), the Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148), the Occupational Safety and Health Convention, 1981 (No. 155), the Occupational Health Services Convention, 1985 (No. 161), the Asbestos Convention, 1986 (No. 162), the Chemicals Convention, 1990 (No. 170), and the Night Work Convention, 1990 (No. 171), are applicable to the food and drink industries, Noting the importance in this sector of training, information and inspection in the field of safety and health, Stressing the importance of government consultation with employers’ and workers’ organisations in drawing up occupational safety and health policies in the food and drink industries, Reaffirming the essential role of employers, workers and their respective organisations in protecting the safety and health of workers, Noting that repetitive strain injuries in some processes have been a growing concern in recent years; Adopts this twelfth day of December 1991 the following resolution: The Food and Drink Industries Committee invites the Governing Body of the International Labour Office to: (1) encourage member States and, as appropriate, employers’ and workers’ organisations to: (a) ratify the relevant Conventions and, in particular, Conventions Nos. 148, 170 and 171; (b) promote the application of the safety and health provisions of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy; (c) ensure the effective supervision of safety and health standards applicable in the food and drink industries by means of an adequately staffed and well-trained inspectorate; (d) promote, where necessary, appropriate structures (safety and health delegates, safety and health committees) to ensure the observance of safety and health standards in the food and drink industries; (e) respond to the growing concern about repetitive strain injuries in some processes by encouraging the food and drink industries to undertake pro-active efforts aimed at minimising such injuries; (f) encourage the safe use of products at all stages in the processing of food and drink products, in particular in preserving them; (2) requests the Director-General of the International Labour Office to: (a) continue to disseminate the conclusions (No. 18) of the First Session of the Food and Drink Industries Committee (December 1984); (b) prepare a study on possible occupational diseases due to repetitive strain injuries in the food and drink industries; (c) continue and strengthen activities in the field of safety and health in the ILO’s education and training activities; (d) draw the attention of member States in particular to the importance of applying safety and health standards in small enterprises.

1 Adopted unanimously.
Resolution (No. 31) concerning Multinational Enterprises in the Food and Drink Industries¹

The Food and Drink Industries Committee of the International Labour Organisation,
Having met in Geneva, in its Second Session, from 4 to 12 December 1991,
Having carefully examined the new developments in the food and drink industries since the First Session of the Committee, in particular changes in the structure and size of some multinational enterprises in the food and drink sector,
Noting the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, adopted in 1977,
Noting with interest the information contained in the study published by the ILO in 1989 on social and labour practices of multinational enterprises in the food and drink industries,
Considering the important role that multinational enterprises play in the production and distribution of food and drink products and consequently in matters of employment, working conditions and labour relations, especially in developing countries;
Adopts this twelfth day of December 1991 the following resolution:

The Food and Drink Industries Committee invites the Governing Body of the International Labour Office to:

(1) call on governments and national employers’ organisations and, through them, on multinational enterprises to give effect to the provisions of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, especially those related to freedom of association, the right to organise and collective bargaining;
(2) encourage member States and, as appropriate, employers’ and workers’ organisations, to promote the establishment of appropriate procedures to minimise the possible adverse social consequences to which mergers and acquisitions of enterprises may give rise;
(3) request the Director-General of the International Labour Office to disseminate widely the ILO study on social and labour practices of multinational enterprises in the food and drink industries and to continue the research on this topic.

Resolution (No. 32) concerning Various Forms of Employment (Temporary, Casual, Part-time, Seasonal and Contract workers) in the Food and Drink Industries¹

The Food and Drink Industries Committee of the International Labour Organisation,
Having met in Geneva, in its Second Session, from 4 to 12 December 1991,
Noting the various forms of employment (temporary, casual, part-time and seasonal workers) in the food and drink industries,
Noting the use of subcontracting in the food and drink industries,
Taking into consideration the Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168),
Recalling the resolution (No. 7) adopted by the First Tripartite Technical Meeting for the Food Products and Drink Industries (December 1963) and the conclusions (No. 11) adopted by the Second Tripartite Technical Meeting for the Food Products and Drink Industries (October 1978),
Recognising the importance of freely chosen employment for all workers in the food and drink industries;
Adopts this twelfth day of December 1991 the following resolution:

The Food and Drink Industries Committee invites the Governing Body of the International Labour Office to:

¹ Adopted unanimously.
(1) encourage member States of the International Labour Organisation to:
   (a) ensure the observance of appropriate labour legislation in the case of temporary, casual, part-time, seasonal and contract workers;
   (b) ensure that the rights of such workers can be defined by collective bargaining, taking into account national legislation and practices, as appropriate;
(2) request the Director-General of the International Labour Office to:
   (a) encourage ILO member States to apply resolution (No. 7) on seasonal employment adopted by the First Tripartite Technical Meeting for the Food Products and Drink Industries (1963);
   (b) prepare a study on the various forms of employment in the food and drink industries, including subcontracting.

Resolution (No. 33) concerning the Informal Sector in the Food and Drink Industries

The Food and Drink Industries Committee of the International Labour Organisation, Having met in Geneva, in its Second Session, from 4 to 12 December 1991, Noting that the informal sector has developed in the food and drink industries in some countries, Recalling the resolution concerning self-employment promotion adopted by the International Labour Conference in June 1990 and the report submitted by the Director-General of the International Labour Office to the International Labour Conference in June 1991, entitled "The dilemma of the informal sector"; Adopts this twelfth day of December 1991 the following resolution:
The Food and Drink Industries Committee invites the Governing Body of the International Labour Office to:
(1) encourage member States and, as appropriate, employer's and workers' organisations, to create the conditions and develop the means to integrate the informal sector into the formal sector so that laws and regulations and, as appropriate, collective agreements are applicable to all workers in the food and drink industries;
(2) request the Director-General of the International Labour Office to:
   (a) continue the ILO's programme of studies on the informal sector planned for the 1992–93 biennium;
   (b) call on member States, on the basis of the resolution of June 1990 and the discussion of the International Labour Conference in 1991, to focus continued attention on the informal sector and to apply the suggestions contained in the resolution of June 1990 as regards ILO action;
   (c) consult the employers' and workers' organisations concerned in the preparation of ILO activities for the informal sector.

Resolution (No. 34) concerning Equality between Women and Men in the Food and Drink Industries

The Food and Drink Industries Committee of the International Labour Organisation, Having met in Geneva, in its Second Session, from 4 to 12 December 1991, Noting the increase in the number of women workers in the food and drink industries, Noting that women often hold low-skilled jobs and often have various forms of employment (temporary, part-time, casual, seasonal and contract work) in these industries,

1 Adopted unanimously.
Deploring that, notwithstanding significant and welcome progress in many countries, sex discrimination in employment, training, working conditions and remuneration is still to be found in too many countries,

Recalling that the Equal Remuneration Convention, 1951 (No. 100), the Maternity Protection Convention (Revised), 1952 (No. 103), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Workers with Family Responsibilities Convention, 1981 (No. 156), are applicable in the food and drink industries,

Noting the adoption by the International Labour Conference of the Night Work Convention, 1990 (No. 171), and Recommendation (No. 178),

Considering that resolution No. 4 adopted by the First Tripartite Technical Meeting for the Food Products and Drink Industries (1963), resolution No. 15 adopted by the Second Tripartite Technical Meeting for the Food Products and Drink Industries (1978) and resolution No. 24 adopted at the First Session of the Food and Drink Industries Committee are still totally up to date;

Adopts this twelfth day of December 1991 the following resolution:

The Food and Drink Industries Committee invites the Governing Body of the International Labour Office to:

(1) encourage members States and, as appropriate, employers’ and workers’ organisations, to:
(a) adopt policies to promote equality between women and men in the areas of remuneration, working conditions, promotion and vocational training;
(b) promote the inclusion of questions of equality in collective bargaining;
(c) help make available child-care facilities, information and resources close to the place of work where appropriate;

(2) request the Director-General of the International Labour Office to:
(a) encourage governments to ratify the Equal Remuneration Convention, 1951 (No. 100), the Maternity Protection Convention (Revised), 1952 (No. 103), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Workers with Family Responsibilities Convention, 1981 (No. 156);
(b) draw the attention to member States to the importance of ratifying the Night Work Convention, 1990 (No. 171);
(c) prepare a study on the extent and the forms of sex discrimination in employment, training, working conditions and remuneration in the food and drink industries of member States.

Resolution (No. 35) concerning Future ILO Activities in the Food and Drink Industries Sector

The Food and Drink Industries Committee of the International Labour Organisation, having met in Geneva, in its Second Session, from 4 to 12 December 1991,

Noting the importance of food and drink industries in the economies of most countries, and the opportunities for employment creation that they may offer,

Noting the development of new forms of employment in the food and drink industries,

Recalling the terms of the Tripartite Consultation (Activities of the International Labour Organisation) Recommendation, 1976 (No. 152),

Taking into consideration the developments seen in the food and drink industries since the First Session of the Committee in terms of the constitution of increasingly large enterprises, increases in global employment levels, and the introduction of new technologies;

Adopts this twelfth day of December 1991 the following resolution:

The Food and Drink Industries Committee invites the Governing Body of the International Labour Office to request the Director-General of the International Labour Office to:

1 Adopted unanimously.
(1) hold the Third Session of the Food and Drink Industries Committee as soon as feasible;
(2) include on the agenda of the Third Session of the Committee the following technical item: "Developments in employment and working conditions in the food and drink industries";
(3) invite member States to study the possibility of arranging tripartite consultations at national level—as provided under the Tripartite Consultation (Activities of the International Labour organisation) Recommendation, 1976 (No. 152)—with a view to examining the problems of the food and drink industries;
(4) request governments of member States, when they send information to future sessions of the Committee and consider the measures to be taken with respect to the resolutions and conclusions of the Committee, to consult the national employers' and workers' organisations concerned, in accordance with the provisions of Recommendation No. 152;
(5) pay special attention to developing countries when considering the activities for this sector;
(6) study the impact of food and drink enterprises on the process of social development, including employment creation.

Classification of the Conclusions and Resolutions Adopted at the First Session of the Food and Drink Industries Committee and by the Previous Tripartite Technical Meetings for the Food Products and Drink Industries

Section I: Conclusions and resolutions, or parts thereof, calling for action in the different countries

Group A: Conclusions and resolutions, or parts thereof, which are no longer of current concern
None.

Group B: Conclusions and resolutions, or parts thereof, which for the time being would not appear to call for further information
None.

Group C: Conclusions and resolutions, or parts thereof, on which further information is considered desirable

No.
1 Conclusions concerning the social consequences of technological developments in principal branches of the food products and drink industries (First Meeting, 1963). [2]
2 Conclusions concerning health, hygiene and safety in the food products and drink industries (First Meeting, 1963). [2]
11 Conclusions concerning labour and social problems arising out of seasonal fluctuations of the food products and drink industries (Second Meeting, 1978). [1 FDI]
12 Conclusions concerning appropriate technology for employment creation in the food-processing and drink industries of developing countries (Second Meeting, 1978). [1 FDI]
17 Conclusions concerning the social effects of technological developments in the food and drink industries, including those arising from new production methods, and the need for training and retraining (First Session, 1984). [2 FDI]
18 Conclusions concerning occupational safety and health and working environment in the food and drink industries (First Session, 1984). [2 FDI]

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1 Adopted unanimously.
2 The following resolutions are superseded or implemented and are eliminated from the classification: Nos. 4, 8, 16 and 20.
3 Meeting at which the text was classified.
4 First Session of the Food and Drink Industries Committee.
Section II: Conclusions and resolutions, or parts thereof, to which effect is to be given mainly by the Office

**Group A: Conclusions and resolutions, or parts thereof, which are no longer of current concern to the Office**

1. Resolution on future action of the International Labour Organisation in the food products and drink industries (paragraphs 6, 12, 14, 16, 17 and 18) (Second Meeting, 1978). [1 FDI]

2. Conclusion concerning future ILO action in the food and drink industries sector (paragraphs (c) and (f)) (First Session, 1984). [2 FDI]


4. Resolution concerning the world food problem (First Session, 1984). [2 FDI]

5. Resolution concerning the definition of the scope of the Food and Drink Industries Committee (First Session, 1984). [2 FDI]

6. Resolution concerning the role of producer-owned food and drink industries (First Session, 1984). [2 FDI]

**Group B: Conclusions and resolutions, or parts thereof, which should continue to receive the attention of the Office**


2. Conclusions concerning health, hygiene and safety in the food products and drink industries (paragraphs 4 and 12) (First Meeting, 1963). [2]

3. Resolution on world food problems and technical assistance to developing countries in the food products and drink industries (paragraphs 2–9) (First Meeting, 1963). [2]


7. Resolution on future action of the International Labour Organisation in the food products and drink industries (paragraph (d)) (Second Meeting, 1978). [1 FDI]

8. Resolution concerning labour and social problems arising out of seasonal fluctuations of the food products and drink industries (paragraph 11, 28, 29 and 30) (Second Meeting, 1978). [1 FDI]


11. Resolution on world food problems and technical assistance to developing countries in the food products and drink industries (paragraphs 2–9) (First Meeting, 1963). [2]


15. Conclusion concerning future ILO action in the food products and drink industries (paragraph (d)) (Second Meeting, 1978). [1 FDI]

16. Resolution concerning the ratification and application of ILO Conventions Nos. 87, 98 and 135 (Second Meeting, 1978). [1 FDI]

17. Resolution concerning the employment of women (paragraphs (b) and (c)) (Second Meeting, 1978). [1 FDI]

18. Conclusions concerning the social consequences of technological developments in the food and drink industries, including those arising from new production methods, and the need for training and retraining (paragraphs 19–22(a)) (First Session, 1984). [2 FDI]


20. Resolution concerning future ILO action in the food and drink industries sector (paragraphs (c) and (f)) (First Session, 1984). [2 FDI]


22. Resolution concerning the world food problem (First Session, 1984). [2 FDI]

23. Resolution concerning multinational enterprises in the food and drink industries (paragraphs 2 and 3) (First Session, 1984). [2 FDI]

24. Resolution concerning the problems of women workers employed in the branches of the food and drink industries (First Session, 1984). [2 FDI]

25. Resolution concerning the role of producer-owned food and drink industries (First Session, 1984). [2 FDI]
Agreement between the European Bank for Reconstruction and Development and the International Labour Organisation

Whereas the purpose of the European Bank for Reconstruction and Development (the Bank) is to foster the transition towards open market-oriented economies and to promote private and entrepreneurial initiative in the Central and Eastern European countries committed to and applying the principles of multiparty democracy, pluralism and market economics;

And whereas the aim of the International Labour Organisation (the ILO) is to achieve social justice through the improvement of conditions of labour and the protection of workers, the promotion of full employment, the organisation of vocational and management training, the recognition of the principle of freedom of association, tripartite dialogue and other measures designed to protect various fundamental human rights as laid down in International Labour Standards;

Now therefore, the two organisations, being desirous of cooperating with each other within the framework of the Agreement Establishing the Bank and the Constitution of the ILO, have agreed as follows:

I. Exchange of information and documents

1.1 Each organisation will keep the other appropriately informed of developments in its work which may be of mutual interest.

1.2 The Bank and the ILO will agree on the exchange of non-confidential information and documents concerning matters of mutual interest, including their annual reports and other published documents on specific matters.

II. Mutual consultation

2.1 Whenever necessary, consultations will take place between representatives of the two organisations concerning any specific questions of mutual interest.

2.2 Meetings between senior officials of the Bank and the ILO may be arranged as required to examine questions of mutual interest in specific fields, to exchange information on each other’s programmes and to review the status of cooperation on any projects of mutual interest.

III. Attendance at meetings

3.1 The ILO may invite the Bank to attend annual meetings of the General Conference. The ILO may also, whenever appropriate and subject to such conditions as may be agreed upon, invite representatives of the Bank to participate in meetings organised by the ILO in which the Bank has expressed an interest.

3.2 The Bank may invite the ILO as a guest to annual meetings of the Board of Governors. The Bank may also, whenever appropriate and subject to such conditions as may be agreed upon, invite representatives of the ILO to participate in the work of any committees of experts or advisory groups established by the Bank that may be of mutual interest.

IV. Technical cooperation

4.1 In order to achieve effective cooperation and liaison between officials of the two organisations working in fields of mutual interest, each organisation will designate a senior official to follow the progress of cooperation and to act as a point of contact.
4.2 The Bank and the ILO may agree to convene under their auspices, according to arrangements to be made in each particular case, joint meetings of technical experts concerning matters of mutual interest.

4.3 Each organisation may ask the other for its assistance in the technical study of matters of mutual interest. Any such request will be examined by the other organisation which, within the framework of its policies, programmes and rules, will make every effort to give appropriate assistance in such a manner and along such lines as may be agreed upon by the two organisations.

V. Implementation

5.1 The Bank and the ILO may make any other appropriate administrative arrangements necessary to ensure effective cooperation and liaison between the two organisations.

5.2 The organisations may make such supplementary arrangements for the implementation of this Agreement as may appear desirable in the light of experience.

VI. Entry into force and duration

6.1 This Agreement, having previously been approved by both the Board of Governors of the Bank and the Governing Body of the ILO, shall enter into force as of the date on which it is signed by the authorised representatives of the Bank and the ILO.

6.2 Either organisation may terminate the Agreement by giving six months' notice in writing to the other organisation.

Signed at Geneva this 18th day of November 1992

For the European Bank for
Reconstruction and Development

(Signed) Bart LE BLANC
Secretary General

For the International Labour Organisation

(Signed) Heribert MAIER
Deputy Director-General,
International Labour Office