GENERAL INDEX FOR 1994

A

<table>
<thead>
<tr>
<th>Accidents:</th>
<th>Number and page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting of Experts on the Recording and Notification of Occupational Accidents and Diseases:</td>
<td></td>
</tr>
<tr>
<td>Agenda and composition</td>
<td>3—168</td>
</tr>
<tr>
<td>Report: decisions taken by the Governing Body at its 261st Session</td>
<td>3—186</td>
</tr>
<tr>
<td>See also Seafarers.</td>
<td></td>
</tr>
</tbody>
</table>

| Administrative Tribunal: | |
| Matters relating to the Administrative Tribunal of the ILO: decisions taken by the Governing Body: | |
| at its 258th Session | 1—5-6 |
| at its 259th Session | 3—163 |

| African Regional Conference: | |
| Appointment of Governing Body representatives | 1—16 |
| Conclusions and resolutions adopted | 3—203-217 |
| Date and place | 1—17 |
| Record | 3—159-161 |

1 The bold-face figures refer to the numbers of the Official Bulletin. The light-face figures indicate the pages.
Agreements:

European Agreement concerning the Social Security of Boatmen engaged in Inland Navigation:
- Final Act adopted by the Strasbourg Governmental Conference entrusted with the adoption of a European Agreement concerning the Social Security of Boatmen engaged in Inland Navigation (Strasbourg, 26 March 1993) 1—49
- Summary of deliberations of the Strasbourg Governmental Conference entrusted with the adoption of a European Agreement concerning the Social Security of Boatmen engaged in Inland Navigation (Strasbourg, 22-26 March 1993) 1—76

Apartheid:

Action to be taken on the conclusions of the Conference Committee on Action against Apartheid: decisions taken by the Governing Body at its 258th Session 1—9

Banking:

Tripartite Meeting on the Social Effects of Structural Change in Banking:
- Date and place 1—17
- Effect to be given to the conclusions of the Meeting 3—165

Building:

Building Subcommittee:
- Report: decisions taken by the Governing Body: at its 258th Session 1—4
- at its 259th Session 3—162
- at its 261st Session 3—183

Boatmen engaged in Inland Navigation:

See Agreements.

Budapest (ILO Office):

Agreement between the Government of the Republic of Hungary and the International Labour Organization concerning the establishment of an office in Budapest for the ILO multidisciplinary team for Central and Eastern Europe 1—37

CEART:

See Teachers.
CFA Franc:

Tripartite Meeting on the Socio-Economic Implications of the Devaluation of the CFA Franc for French-speaking African Countries:

Conclusions and recommendations adopted .......................... 3—246-251
Report: decisions taken by the Governing Body at its 261st Session .......................................................... 3—185
Resolution concerning the devaluation of the CFA Franc .......... 3—216

Chemical Industries:

Chemical Industries Committee (11th Session):

Appointment of Governing Body representatives ................. 3—198

Clothing Industry:

Tripartite Technical Meeting for the Clothing Industry (Fourth Meeting):

Appointment of Governing Body representatives ................. 3—197

Coal Mines:

Coal Mines Committee (13th Session):

Appointment of Governing Body representatives ................. 3—197

Complaints:

Complaint 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), made by the Employers' delegate of Sweden at the 78th Session (1991) of the International Labour Conference under article 26 of the Constitution of the ILO . 1—13

Conference, International Labour:

Standing Orders of the International Labour Conference: decisions taken by the Governing Body at its 258th Session .......... 1—7-8, 2—154-155

81st Session (1994):

Agenda .............................................................................. 2—121, 1—17
Conclusions adopted ............................................................... 2—142-150
Date and place ..................................................................... 1—18
Invitation of non-governmental international organizations .... 1—20

82nd Session (1995):

Date, place and agenda .......................................................... 1—3
Invitation of non-governmental international organizations .... 3—199

83rd Session (1996):

Proposals for the agenda ....................................................... 1—3
Date, place and agenda .......................................................... 3—159

84th Session (1997):

Proposals for the agenda ....................................................... 3—182
Work cycle adopted: from the 81st to the 90th Session of the International Labour Conference .................................................. 1—21

Work cycle of the International Labour Conference resulting from the reforms in its functioning and its implications for the agendas of its 82nd (1995) and 83rd Sessions (1996): decisions taken by the Governing Body at its 258th Session .................................................. 1—7

Constitution of the International Labour Organization:

Instrument for the Amendment of the Constitution of the International Labour Organization: ratification and rescission of a notice of acceptance .................................................. 1—23

Construction:

See Migrants.

Conventions, International Labour:

Convention (No. 175) concerning part-time work .................................................. 2—128-132

Notification of the coming into force of the Night Work Convention, 1990 (No. 171) .................................................. 1—29

Notification of the coming into force of the Protection of Workers’ Claims (Employers’ Insolvency) Convention, 1992 (No. 173) .................................................. 1—29

Ratifications of Conventions:

Austria, Australia, Barbados, Belarus, Belgium, Brazil, Cyprus, Dominican Republic, Estonia, Finland, Guatemala, Hungary, Republic of Korea, Latvia, Mauritius, Nigeria, Panama, Peru, Philippines, Portugal, Sri Lanka, Switzerland, Uganda, Ukraine .................................................. 1—24-28

Chile, Germany, Grenada, Pakistan, Sweden, Viet Nam .................................................. 3—201-202

Ratifications and denunciations of international labour Conventions and Declaration concerning the Application of a Convention to a Non-Metropolitan Territory:

Armenia, Brazil, Colombia, France, Latvia, Lithuania, United Kingdom .................................................. 2—124-127

Conventions and Recommendations:

Committee of Experts on the Application of Conventions and Recommendations:

Reappointments, new appointments .................................................. 1—14-15, 3—195

Date and place .................................................. 1—18

Report: decisions taken by the Governing Body at its 259th Session .................................................. 3—167

Cooperative Law:

Meeting of Experts on Cooperative Law:

Agenda and composition .................................................. 3—170
D

Director-General:

Report to the Governing Body:
  at its 258th Session ........................................ 1—13-14
  at its 259th Session ........................................ 3—166-167
  at its 260th Session ........................................ 3—176-177
  at its 261st Session ....................................... 3—191-192

Drug and Alcohol Problems:

  Tripartite Meeting of Experts on the Management of Drug and Alcohol
  Problems in the Workplace:
  Agenda and composition .................................. 3—169-170

E

Educational Personnel:

  See Teachers.

Electronics Industry:

  Meeting of Experts on the Safety and Health of Workers in the
  Electronics Industry:
  Agenda and composition ................................ 1—16
  Report: decisions taken by the Governing Body at its 261st
  Session .......................................................... 3—185

Electronic Voting:

  Electronic voting at the Conference ....................... 2—154, 3—165

Employment:

  Committee on Employment and Social Policy:
  Report: decisions taken by the Governing Body:
    at its 258th Session ....................................... 1—9
    at its 259th Session ....................................... 3—165
    at its 261st Session ..................................... 3—185
  Informal Tripartite Meeting at the Ministerial Level on Employment:
    Composition, date and place ............................. 3—167
  Second High-Level Meeting on Employment and Structural Adjustment:
    Proposals ....................................................... 1—14

European Regional Conference:

  Agenda ............................................................ 3—166
  Date and place .................................................. 3—167
  Organization of work ......................................... 3—194
Experts:

Joint IMO/ILO Group of Experts (Second Meeting):
Report: decisions taken by the Governing Body at its 258th Session .............................. 1—11

F

Fiscal Immunity:
Fiscal immunity of the ILO and its officials in France ......................... 3—192

Footwear, Textiles and Clothing Industries:
Tripartite Meeting on the Globalization of the Footwear, Textiles and Clothing Industries:
Composition and purpose .................................................. 3—189

Freedom of Association:
Committee on Freedom of Association:
291st Report: decisions taken by the Governing Body at its 258th Session .............................. 1—4
292nd and 293rd Reports: decisions taken by the Governing Body at its 259th Session .................. 3—161
294th Report: decisions taken by the Governing Body at its 260th Session .............................. 3—176
295th and 296th Reports: decisions taken by the Governing Body at its 261st Session .................. 3—182

G

Governing Body of the ILO:
Amendments to the Standing Orders of the Governing Body resulting from the reforms adopted at the 256th Session of the Governing Body .................................................. 1—7
Composition of the Governing Body of the ILO ............................................. 2—123
Election of the Officers of the Governing Body ............................................. 3—175
Report of the Advisory Meeting of Governing Body Members from Europe ........................................ 3—166
258th Session ................................................................. 1—1-22
259th Session ................................................................. 3—157-173
260th Session ................................................................. 3—174-179
261st Session ................................................................. 3—180-200
262nd, 263rd, 264th Sessions:
Dates and place ................................................................. 3—198-199
H

Harare (ILO Office):

Agreement between the International Labour Organization and the Government of the Republic of Zimbabwe concerning the subregional office in Harare and the decentralized services assigned to it .......................................................... 3—252-254

I

International Institute for Labour Studies:

Appointment of members ................................................................. 3—194

International Training Centre of the ILO in Turin:

Complementary agreement on the privileges and immunities of the International Training Centre of the ILO in Turin ..................... 1—31-36

L

Labour Statistics:

Meeting of Experts on Labour Statistics:
  Agenda and composition ............................................................... 3—197
  Date and place ............................................................................ 3—199

Legal Issues:

Committee on Legal Issues and International Labour Standards:
  Reports: decisions taken by the Governing Body:
    at its 258th Session ................................................................. 1—6-9
    at its 259th Session ................................................................. 3—164-165
    at its 261st Session ................................................................. 1—184-185

M

Maritime:

Joint Maritime Commission (27th Session):
  Agenda .......................................................................................... 3—168
  Appointment of Governing Body representatives ....................... 3—177

Tripartite Meeting on Maritime Labour Standards:
  Appointment of Governing Body representatives ....................... 3—177

See also Seafarers and Offshore Petroleum Installations.

Meetings:

Committee on Sectoral and Technical Meetings and Related Issues:
  Reports: decisions taken by the Governing Body:
    at its 258th Session ................................................................. 1—11-12
Composition and agenda of standing bodies and meetings: decisions taken by the Governing Body:

- at its 258th Session: 1—14-16
- at its 259th Session: 3—168-170
- at its 260th Session: 3—176-177
- at its 261st Session: 3—195-197

Programme of meetings: decisions taken by the Governing Body:

- at its 259th Session, for 1994 and 1995: 3—171-173
- at its 260th Session, for 1994 and 1995: 3—178-179
- at its 261st Session, for 1994 and 1995: 3—198-199

Membership of the International Labour Organization:

- Republic of South Africa: 2—122
- Sultanate of Oman: 2—122
- Republic of Tajikistan: 2—122
- Republic of Turkmenistan: 1—13, 22

Metal Trades Committee:

- Metal Trades Committee (13th Session):
  - Conclusions, resolutions and classification adopted: 3—218-226
  - Appointment of Governing Body representatives: 1—16
  - Effect to be given to the conclusions and resolutions: decisions taken by the Governing Body at its 261st Session: 3—186

Migrants:

- Tripartite Meeting on the Social and Labour Issues concerning Migrants Workers in the Construction Industry:
  - Composition and purpose: 3—188

Multinational:

- Subcommittee on Multinational Enterprises:
  - Reports: decisions taken by the Governing Body:
    - at its 258th Session: 1—13
    - at its 261st Session: 3—190

Obituary:

- Mr. Brehoi: 3—166
- Dr. J. Escobar Padrón: 1—13
- Mr. V.G. Gopoal: 1—13
- Mr. Y. Maruyama: 3—191

VIII
Occupational Accidents and Diseases:

See Accidents.

Occupational Health:

Joint ILO/WHO Committee on Occupational Health (12th Session):

Agenda and composition ........................................ 3—195-196

Occupied Arab Territories:

Draft resolution submitted by regular members of the Governing
Body: ................................................................. 1—17, 3—198

Report of the Director-General on the situation of workers of the
occupied Arab territories at the 81st Session of the International
Labour Conference: decisions taken by the Governing Body at
its 259th Session .................................................. 3—161

Offshore Petroleum Installations:

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

Conclusions adopted .............................................. 1—40

Effect to be given to the conclusions: decisions taken by the
Governing Body at its 258th Session .......................... 1—11

Oman (Sultanate of):

See Membership of the International Labour Organization.

Organizations:

International round table on the new role of employers’ organizations
in countries with economies in transition:

Agenda and composition ........................................ 3—196

P

Plantations:

Committee on Work on Plantations (Tenth Session):

Appointment of Governing Body representatives .......... 3—171

Port Industry:

Tripartite Meeting on Social and Labour Problems caused by
Structural Adjustments in the Port Industry:

Composition and purpose ...................................... 3—189

Professional Workers:

Committee on Salaried Employees and Professional Workers
(Tenth Session):
Appointment of Governing Body representatives ........................................ 3—170
Composition .......................................................................................... 1—12
Conclusions, resolutions, and classification adopted ................................. 3—235-251
Effect to be given to the conclusions and resolutions ................................. 3—187-188

Programme:

Programme, Financial and Administrative Committee:

Reports: decisions taken by the Governing Body:

at its 258th Session ........................................................................... 1—4-6
at its 259th Session ........................................................................... 3—161-164
at its 260th Session ........................................................................... 3—175
at its 261st Session ........................................................................... 3—182-184

Public Services:

Joint Committee on the Public Service (Fifth Session):

Appointment of Governing Body representatives .................................. 1—17
Composition ....................................................................................... 1—12
Conclusions, resolutions and classification adopted ............................... 3—227-234
Effect to be given to the conclusions and resolutions: decisions taken by the Governing Body at its 261st Session ........................................................................... 3—186-187

Meeting on the Impact of Structural Adjustment in the Public Services
(Effectiveness, Quality Improvement and Working Conditions):

Composition and purpose .................................................................... 1—12
Date and place ..................................................................................... 1—19
Invitations ............................................................................................ 3—190

R

Radiation:

International Basic Safety Standards for Protection against Ionizing Radiation and for the Safety of Radiation Sources:

New edition .......................................................................................... 3—190

Railways:

Tripartite Meeting on the Consequences for Management and Personnel of the Restructuring of Railways:

Purpose .................................................................................................. 1—12
Effect to be given to the conclusions: decisions taken by the Governing Body at its 261st Session ........................................................................... 3—187

Recommendations, International Labour:

Recommendation concerning part-time work (No. 182) ......................... 2—133-136
Representations:

Representation made by the Swedish Trade Union Confederation (LO), the Swedish Confederation of Professional Employees (TCO) and the International Confederation of Free Trade Unions (ICFTU) under article 24 of the ILO Constitution, alleging non-observance by Sweden of the Employment Injury Benefits Convention, 1964 (No. 121): Report of the Committee at the 258th Session of the Governing Body ........................................... 1—14

Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution, alleging non-observance by Brazil of the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105): decision taken by the Governing Body at its 258th and 260th Sessions ........................................... 1—14, 3—177

Representation made by the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) and Public Services International (PSI) under article 24 of the ILO Constitution, alleging non-observance by Guatemala of the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105): decision taken by the Governing Body at its 259th Session ........... 3—167

Representation made by the General Confederation of Labour “Force Ouvrière” (FO) under article 24 of the ILO Constitution, alleging non-observance by France of the Protection of Wages Convention, 1949 (No. 95), and the Minimum Wage Fixing Convention, 1970 (No. 131): decision taken by the Governing Body at its 259th Session ........................................... 3—168

Representation made by the Trade Union Association of Bohemia, Moravia and Silesia (OS-CMS) under article 24 of the ILO Constitution, alleging non-observance by the Czech Republic of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111): decision taken by the Governing Body at its 260th Session .............. 3—176

Representation made by the independent and autonomous trade union Solidarnosc under article 24 of the ILO Constitution, alleging non-observance by Poland of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87): decision taken by the Governing Body at its 260th Session .............. 3—176

Representation made by the International Confederation of Free Trade Unions (ICFTU) under article 24 of the ILO Constitution, alleging non-observance by Myanmar of the Forced Labour Convention, 1930 (No. 29): Report of the Committee at the 261st Session of the Governing Body ........................................... 3—191

Representation made by the International Energy and Mines Organization (IEMO) under article 24 of the ILO Constitution, alleging non-observance by Congo of the Protection of Wages Convention, 1949 (No. 95): decision taken by the Governing Body at its 261st Session ........................................... 3—192

Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution, alleging non-observance by Costa Rica of the Employment Policy Convention, 1964 (No. 122): decision taken by the Governing Body at its 261st Session ........................................... 3—192
Representation made by the World Federation of Trade Unions (WFTU) under article 24 of the ILO Constitution, alleging non-observance by France of the Labour Inspection Convention, 1947 (No. 81), and the Social Policy (Non-Metropolitan Territories) Convention, 1947 (No. 82): decision taken by the Governing Body at its 261st Session 3—193

Representation made by the Federation of Mines, Oil and Other Workers (FETRAMIP of Congo) and the International Energy and Mines Organization (IEMO) under article 24 of the ILO Constitution, alleging non-observance by Gabon of the Protection of Wages Convention, 1949 (No. 95): decision taken by the Governing Body at its 261st Session 3—193

Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution, alleging non-observance by Nicaragua of the Protection of Wages Convention, 1949 (No. 95), the Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117), and the Employment Policy Convention, 1964 (No. 122): decision taken by the Governing Body at its 261st Session 3—193

Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution, alleging non-observance by Paraguay of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26): decision taken by the Governing Body at its 261st Session 3—193

Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution, alleging non-observance by Peru of the Social Security (Minimum Standards) Convention, 1952 (No. 102): decision taken by the Governing Body at its 261st Session 3—193

Representation made by the Confederation of Turkish Trade Unions (TÜRK-IS) under article 24 of the ILO Constitution, alleging non-observance by Turkey of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87): decision taken by the Governing Body at its 261st Session 3—194

Representation made by the Inter-Union Assembly of Workers — National Convention of Workers (PIT — CNT) and the National Single Trade Union in Construction and Similar Activities (SUNCA) under article 24 of the ILO Constitution, alleging non-observance by Uruguay of the Safety Provisions (Building) Convention, 1937 (No. 62), the Labour Inspection Convention, 1947 (No. 81), the Labour Administration Convention, 1978 (No. 150), the Occupational Safety and Health Convention, 1981 (No. 155), and the Occupational Health Services Convention, 1985 (No. 161): decision taken by the Governing Body at its 261st Session 3—194

Resolutions adopted by the International Labour Conference at its 80th Session (1993):

Effect to be given: decisions to be taken by the Governing Body at its 258th Session 1—9
Resolutions adopted by the International Labour Conference
at its 81st Session (1994):

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Resolution to place on the agenda of the next ordinary session</td>
<td>2-136</td>
</tr>
<tr>
<td>of the Conference an item entitled: &quot;Safety and health in mines&quot;</td>
<td></td>
</tr>
<tr>
<td>II. Resolution concerning post-apartheid South Africa</td>
<td>2-137-139</td>
</tr>
<tr>
<td>III. Resolution concerning the 75th anniversary of the ILO and its</td>
<td>2-139-140</td>
</tr>
<tr>
<td>future orientation</td>
<td></td>
</tr>
<tr>
<td>IV. Resolution concerning the World Summit for Social Development</td>
<td>2-140-142</td>
</tr>
<tr>
<td>V. Resolution concerning the role of private employment agencies in the</td>
<td>2-142-150</td>
</tr>
<tr>
<td>functioning of labour markets</td>
<td></td>
</tr>
<tr>
<td>VI. Resolution concerning the assessment of contributions of new</td>
<td>2-150-151</td>
</tr>
<tr>
<td>member States</td>
<td></td>
</tr>
<tr>
<td>VII. Resolution concerning the scale of assessment of contributions for</td>
<td>2-151</td>
</tr>
<tr>
<td>1995</td>
<td></td>
</tr>
<tr>
<td>VIII. Resolution concerning an arrangement for the settlement of amounts</td>
<td>2-152</td>
</tr>
<tr>
<td>due by Viet Nam</td>
<td></td>
</tr>
<tr>
<td>IX. Resolution concerning an arrangement for the settlement of amounts</td>
<td>2-152</td>
</tr>
<tr>
<td>due by Albania</td>
<td></td>
</tr>
<tr>
<td>X. Resolution concerning the Financial Report and Audited Financial</td>
<td>2-152</td>
</tr>
<tr>
<td>Statements for 1992-93</td>
<td></td>
</tr>
<tr>
<td>XI. Resolution concerning the treatment of the 1992-93 cash surplus</td>
<td>2-152-153</td>
</tr>
<tr>
<td>XII. Resolution concerning the treatment of the amount received from</td>
<td>2-153</td>
</tr>
<tr>
<td>the Compagnie Générale de Climatisation et de Maintenance</td>
<td></td>
</tr>
<tr>
<td>XIII. Resolution concerning the composition of the Administrative</td>
<td>2-153</td>
</tr>
<tr>
<td>Tribunal of the International Labour Organization</td>
<td></td>
</tr>
</tbody>
</table>

Safety and Health:
See Electronics Industry.

Safety and Related Issues:
See Offshore Petroleum Installations.

Seafarers:
Joint ILO/WHO Committee on the Health of Seafarers (Seventh Session):
Conclusions and guiding principles adopted
Report: decisions taken by the Governing Body at its 258th Session
Meeting of Experts on Accident Prevention on Board Ship:
Report: decisions taken by the Governing Body at its 261st Session

Ship:
See Seafarers.
Social Development:
See World Summit.

Social Dimension:

Working Party on the Social Dimensions of the Liberalization of International Trade:
Constitution: decisions taken by the Governing Body at its 260th Session 3—175-176
Report: decisions taken by the Governing Body at its 261st Session 3—191

Social Policy:
See Employment.

Social Security:

Tripartite Regional Meeting of Experts on Social Security in the Americas:
Report: decisions taken by the Governing Body at its 258th Session 1—10
Tripartite Meeting of Experts on Social Security and Social Protection: Equality of Treatment between Men and Women:
Agenda and composition 3—168-169

South Africa (Republic of):
Resolution concerning South Africa 3—214-215
See also Membership of the International Labour Organization.

Standards:
See Legal Issues.

Standing Orders of the Conference:

Standing Orders of the Governing Body:
See Governing Body of the ILO.

Structural Adjustment:
See Public Services and Port Industry.

Tajikistan (Republic of):
See Membership of the International Labour Organization.
Teachers:

Joint ILO/UNESCO Committee of Experts on the Application of the Recommendation concerning the Status of Teachers (CEART):
Composition .................................................. 1—15, 3—176-177
Standing Technical Committee for Education Personnel (First Session):
Composition .................................................. 3—166

Technical Cooperation:

Committee on Technical Cooperation:
Report: decisions taken by the Governing Body at its 258th Session .................................................. 1—10

Training:

Joint IMO/ILO Committee on Training (Ninth and Tenth Sessions):
Agenda and composition .................................................. 1—15, 3—195

Turkmenistan (Republic of):
See Membership of the International Labour Organization.

W

Workers' Education:

International Symposium on the Role of Workers' Education in the Promotion of Trade Union Rights:
Agenda and composition .................................................. 3—169

Symposium on Workers' Education and Environment:
Report: decisions taken by the Governing Body at its 259th Session .................................................. 3—165

Working Time:

Meeting of Experts on Working Time:
Report: decisions taken by the Governing Body at its 258th Session .................................................. 1—9-10

World Summit:

Working Party on the World Summit for Social Development
Report: decisions taken by the Governing Body:
at its 258th Session .................................................. 1—13
at its 259th Session .................................................. 3—166
at its 261st Session .................................................. 3—190-191

Y

Yugoslavia (Federal Republic of):

Vol. LXXVII, 1994

CONTENT

Information

<table>
<thead>
<tr>
<th>Information</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>258th Session of the Governing Body of the International Labour Office (Geneva, 15-18 November 1993)</td>
<td>1</td>
</tr>
<tr>
<td>Membership of the International Labour Organization: Republic of Turkmenistan</td>
<td>22</td>
</tr>
<tr>
<td>Official Measures taken regarding Decisions of the International Labour Conference</td>
<td>23</td>
</tr>
<tr>
<td>Instrument for the Amendment of the Constitution of the International Labour Organization 1986: Ratification and rescission of a notice of acceptance</td>
<td>23</td>
</tr>
<tr>
<td>Ratifications of International Labour Conventions</td>
<td>24</td>
</tr>
<tr>
<td>Notification of the Coming into Force of the Night Work Convention, 1990 (No. 171)</td>
<td>29</td>
</tr>
<tr>
<td>Notification of the Coming into Force of the Protection of Workers' Claims (Employers' Insolvency) Convention, 1992 (No. 173)</td>
<td>29</td>
</tr>
</tbody>
</table>

Documents

<table>
<thead>
<tr>
<th>Documents</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complementary agreement on the privileges and immunities of the International Training Centre of the ILO in Turin</td>
<td>31</td>
</tr>
<tr>
<td>Agreement between the Government of the Republic of Hungary and the International Labour Organization concerning the establishment of an office in Budapest for the ILO multi-disciplinary team for Central and Eastern Europe</td>
<td>37</td>
</tr>
<tr>
<td>Seventh Session of the Joint ILO/WHO Committee on the Health of Seafarers (Geneva, 10-14 May 1993): Conclusions and guiding principles adopted</td>
<td>44</td>
</tr>
<tr>
<td>Final Act adopted by the Strasbourg Governmental Conference entrusted with the adoption of a European Agreement concerning the Social Security of Boatmen engaged in Inland Navigation (Strasbourg, 26 March 1993)</td>
<td>49</td>
</tr>
<tr>
<td>European Agreement concerning the Social Security of Boatmen engaged in Inland Navigation</td>
<td>51</td>
</tr>
<tr>
<td>Summary of deliberations of the Strasbourg Governmental Conference entrusted with the adoption of a European Agreement concerning the Social Security of Boatmen engaged in Inland Navigation, 22-26 March 1993 (extracts)</td>
<td>76</td>
</tr>
</tbody>
</table>

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.
258th Session of the Governing Body of the International Labour Office

(Geneva, 15-18 November 1993)

The 258th Session of the Governing Body of the International Labour Office was held from Monday 15 to Thursday 18 November 1993 under the chairmanship of Mr. J. Nkomo (Government representative, Zimbabwe).

The agenda was as follows:
1. Approval of the minutes of the 256th and 257th Sessions.¹
2. Date, place and agenda of the 82nd Session (1995) of the International Labour Conference.
5. Reports of the Programme, Financial and Administrative Committee.
6. Reports of the Committee on Legal Issues and International Labour Standards.
12. International Institute for Labour Studies.²

¹ The Governing Body approved the minutes.
² The Governing Body took note of the report of the 35th Session of the Board of the Institute.
Supplementary reports:
- Resolution concerning the 75th anniversary of the ILO adopted by the Inter-Parliamentary Council;¹
- Fiscal immunity of the ILO and its officials in France;¹
- Complaint concerning the observance by Sweden of the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), the Right to Organize and Collective Bargaining Convention, 1949 (No. 98), and the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147), made by the Employers' delegate of Sweden at the 78th Session (1991) of the International Labour Conference under article 26 of the Constitution of the ILO;
- Future activities in the occupied Arab territories;¹
- Report of the Committee set up to examine the representation made by the Swedish Trade Union Confederation (LO), the Swedish Confederation of Professional Employees (TCO) and the International Confederation of Free Trade Unions (ICFTU) under article 24 of the ILO Constitution, alleging non-observance by Sweden of the Employment Injury Benefits Convention, 1964 (No. 121);
- Proposals concerning the Second High-Level Meeting on Employment and Structural Adjustment.

Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution alleging non-observance by Brazil of the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105).

15. Composition and agenda of standing bodies and meetings.


Other business:
- Draft resolution submitted by regular members of the Governing Body in accordance with article 15 of the Standing Orders.

Matters on which the Officers of the Governing Body took decisions on its behalf:
- Meetings for the remainder of 1993 and for 1994 and advance information for 1995;
- Symposia, seminars and similar meetings;

* * *

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

¹ The Governing Body took note of this report.
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.
In accordance with the provisions it adopted at its 254th Session (November 1992), the Governing Body decided that the 82nd Session (1995) of the International Labour Conference should open on Tuesday 6 June 1995. This session will be held in Geneva.

The Governing Body also decided that, in addition to the standing items which the Conference would have before it, the following items should be placed on its agenda:

(a) Home work;
(b) Extension of the Labour Inspection Convention, 1947 (No. 81), to activities in the non-commercial services sector.

The Governing Body noted that, as a result of the above decision, and having regard to the standing items that would necessarily be before the Conference and the item likely to require a second discussion, the agenda of the 82nd Session would be as follows:

**Standing items**

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

**Items placed on the agenda by the Conference or the Governing Body**

- Safety and health in mines (*second discussion*);
- Home work (*first discussion*);
- Extension of the Labour Inspection Convention, 1947 (No. 81), to activities in the non-commercial services sector (*single discussion*).

The Governing Body noted that, subject to any decision which may be taken by the International Labour Conference in 1994, 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.

**Proposals for the agenda of the 83rd Session (1996) of the International Labour Conference**

The Governing Body agreed to include on the agenda of the 83rd Session (1996) of the Conference an item concerning a general discussion on employment policies in a global context, in the course of which the advisability of further standard setting or other forms of ILO action could be examined, and requested law and practice reports or detailed proposals on the following subjects to be submitted to it at its 259th Session (March 1994), on the understanding that the Office would add further topics to the list:

(a) the protection of workers' personal data;
(b) contract labour;
(c) the settlement of labour disputes;
(d) tripartite consultation at the national level on economic and social policy.

---

1 See p. 9 below.
REPORT OF THE COMMITTEE ON FREEDOM OF ASSOCIATION (291st Report)

The Governing Body considered and adopted the 291st Report of its Committee on Freedom of Association.1

REPORTS OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE

Programme and Budget for 1992-93

Regular budget account and Working Capital Fund

The Governing Body authorized the Director-General to submit proposals for any necessary transfers within the 1992-93 expenditure budget to the Chairman for his approval, in accordance with the usual practice, prior to the closing of the 1992-93 accounts in January 1994, subject to confirmation of such approval by the Governing Body at its 259th Session (March 1994).

Imbalance between budgetary income and expenditure

The Governing Body approved the additional expenditure in the 1992-93 biennium which had been proposed by the Office.

Report of the Building Subcommittee

The Governing Body decided:

(a) to give effect to the proposal to build new premises for the ILO office in Islamabad and, in accordance with the authority delegated to it by the Conference at its 80th Session (June 1993), to accept the gift by the Government of Pakistan of a plot of land for this purpose;

(b) that the cost of this construction work, estimated at $500,000 at cost levels in April 1993 but subject to revision for cost increases, should be charged to the Building and Accommodation Fund, in accordance with the provisions of article 11.3 of the Financial Regulations;

(c) to approve the organization of the Subcommittee’s next meeting in Islamabad in mid-February 1994 for familiarization and consultations with the local architect and to review the more precise plan and cost estimates that would be available at that time;

(d) that the cost of that meeting, estimated at $12,000, should be financed through savings in Part I of the Programme and Budget for 1994-95.

Amendments to the Rules for the payment of travel expenses of members of the Governing Body and of certain committees and other bodies

The Governing Body approved the amendments to the Rules for the payment of travel expenses of members of the Governing Body and of certain committees and other bodies. These amendments aim to replace first-class air travel by business class travel and to align the rules governing rest periods and stopovers with the ILO staff travel rules.

Financial questions relating to the International Institute for Labour Studies

The Governing Body endorsed the programme and approved the budget for the International Institute for Labour Studies for 1994-95. It also accepted the contributions and gifts received by the Institute.

1 The text of this report is reproduced in Official Bulletin, Series B.
Proposed 1994-95 budgets for extra-budgetary accounts

*International Occupational Safety and Health Information Centre (CIS)*

*Inter-American Research and Documentation Centre on Vocational Training (CINTERFOR)*

*Joint ILO/International Social Security Association Account (ILO/ISSA)*

The Governing Body approved the proposed 1994-95 income and expenditure budgets for the International Occupational Safety and Health Information Centre (CIS) extra-budgetary account, the Inter-American Research and Documentation Centre on Vocational Training (CINTERFOR) extra-budgetary account, and the Joint ILO/International Social Security Association (ILO/ISSA) extra-budgetary account.

Other financial and general questions

**Amendments to the Financial Rules**

The Governing Body approved the amendments to Financial Rules 3.30 and 3.31 which aimed to align these rules with the amendments made to the Financial Regulations and approved by the International Labour Conference at its 80th Session (1993).

**Personnel questions**

**Rewards for meritorious performance and long service**

The Governing Body authorized the Director-General to implement the following measures:

(a) steps beyond the top of the common system scales would no longer be applicable to officials recruited on or after 1 January 1994, and the Staff Regulations would be amended accordingly;

(b) the modalities for phasing out the extra steps beyond the scale based on long service and for discontinuing the award of the extra steps based on merit for serving staff, as described in the Director-General’s proposals, would be the subject of further negotiations between the staff and the administration, and the date for implementation of the new modalities should be 1 January 1995;

(c) a paper for decision would be submitted to the Governing Body at its 261st Session (November 1994).

**Salaries and allowances for General Service category staff in Geneva**

*Interim adjustment as of 1 January 1994*

The Governing Body authorized the Director-General to implement, with effect from 1 January 1994, the revised salary scale and any revised rates of family allowances for General Service staff in Geneva, in accordance with the agreed methodology for interim adjustments.

**Recommended new scales resulting from Judgments Nos. 1265 and 1266 of the ILO Administrative Tribunal**

The Governing Body —

(a) authorized the Director-General to amend, with effect from 1 January 1991, the net and gross salary scales and language allowance of staff in the General Service category in Geneva, in accordance with the recommendation of the Chairman of the International Civil Service Commission, and to implement the revised scales according to the modalities generally followed by the Geneva-based organizations;
(b) decided that the additional unbudgeted cost in 1992-93 of the introduction of these scales for the years 1991 to 1993, estimated at $1.2 million, be financed from savings in Part I of the budget; and
(c) decided that the unbudgeted additional cost in 1994-95 of the introduction of these scales, estimated at $850,000, 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.

Other personnel questions

Recognition by the Customs Cooperation Council of the jurisdiction of the Administrative Tribunal of the ILO

The Governing Body approved the recognition of the Tribunal’s jurisdiction by the Customs Cooperation Council.

REPORTS OF THE COMMITTEE ON LEGAL ISSUES AND INTERNATIONAL LABOUR STANDARDS

Introduction and legal issues

Appointment of the Subcommittee on Multinational Enterprises

The Governing Body noted that the Committee had appointed the Subcommittee as follows:

Government members

Australia  
Canada  
India  
Italy  
Russian Federation  
United States

Substitutes

Chile  
China  
United Kingdom

Employer members

Mr. Décosterd  
Miss Hak  
Mr. Imoisili  
Mr. Katz  
Miss Mackie  
Mr. Tsujino

Substitutes

Mr. Halliwell  
Mr. de Regil  
Mr. Santos Neves  
Mrs. Sasso-Mazzufferi  
Mr. Tabani  
Mr. Thüising

Worker members

Mr. Ferguson  
Mr. Gray  
Mr. Rampak  
Mr. Sanchez Madariaga  
Mr. Sibanda  
Mr. Tapiola

Substitutes

Mr. Agyei  
Mr. Ahmed  
Mr. Briesch  
Mr. Falbr  
Mr. Parrot  
Mr. Vanni
Work cycle of the International Labour Conference resulting from the reforms in its functioning and its implications for the agendas of its 82nd (1995) and 83rd Session (1996)¹

The Governing Body decided:

(a) that in principle any second discussion of an item placed on the agenda of the Conference for revision in place of a general discussion, in the framework of the new work cycle of the Conference resulting from the reform approved in 1993, should be undertaken at the next budget session following the first discussion;

(b) that any consequent adjustment in the time-limits laid down in paragraphs 6 and 7 of article 39 of the Conference Standing Orders could be made by the Conference on an ad hoc basis, with article 39, paragraph 8, of the Conference Standing Orders being amended at a later stage in the light of experience.

Amendments to the Standing Orders of the Governing Body and the Conference resulting from the reforms adopted at the 256th Session of the Governing Body

The Governing Body took note that in future article 10, paragraph 2, of the Standing Orders of the Governing Body would be applied in a more flexible manner than at present, and that a statement "of existing laws and practice" would not in future be submitted systematically, but only where the nature of the subject required it, on the understanding that in all cases the paper submitted as a basis for discussion by the Governing Body would be so designed as to supply information on the problems and needs in the subject-area being considered, as well as an indication of the contribution that could be made to them through the adoption of standards and a fuller outline than at present of the possible content of such standards.

The Governing Body decided to delete article 10, paragraphs 3 and 4, of its Standing Orders.

Furthermore, the Governing Body decided to propose to the Conference that it amend article 38, paragraphs 1 and 3, and article 39, paragraphs 1 and 2, of the Conference Standing Orders as follows.²

ARTICLE 38

Preparatory stages of single-discussion procedure

1. When a question is governed by the single-discussion procedure, the International Labour Office shall communicate to the governments, so as to reach them not less than 18 months before the opening of the session of the Conference at which the question is to be discussed, a summary report upon the question containing a statement of the law and practice in the different countries and accompanied by a questionnaire drawn up with a view to the preparation of Conventions or Recommendations. This questionnaire shall request governments to consult the most representative organizations of employers and workers before finalizing their replies and to give reasons for their replies. Such replies should reach the Office as soon as possible and not less than 11 months before the opening of the session of the Conference at which the question is to be discussed. In the case of federal countries and countries where it is necessary to translate questionnaires into the national language the period of seven months allowed for the preparation of replies shall be extended to eight months if the government concerned so requests.

¹ See Appendix, p. 21, below.
² The words in italics replace those in brackets.
3. These arrangements shall apply only in cases in which the question has been included in the agenda of the Conference not less than 26 months before the opening of the session of the Conference at which it is to be discussed. If the question has been included in the agenda less than 26 months before the opening of the session of the Conference at which it is to be discussed, a programme of reduced intervals shall be approved by the Governing Body; if the Officers of the Governing Body do not consider it practicable for the Governing Body to approve a detailed programme, it shall be in their discretion to agree on a programme of reduced intervals with the Director-General.

**ARTICLE 39**

**Preparatory stages of double-discussion procedure**

1. When a question is governed by the double-discussion procedure, the International Labour Office shall prepare as soon as possible a preliminary report setting out the law and practice in the different countries and any other useful information, together with a questionnaire. The report and the questionnaire requesting the governments to consult the most representative organizations of employers and workers before finalizing their replies and to give reasons for their replies shall be communicated by the Office to the governments so as to reach them not less than 18 months before the opening of the session of the Conference at which the question is to be discussed.

2. The replies should reach the Office as soon as possible and not less than eight months before the opening of the session of the Conference at which the question is to be discussed. In the case of federal countries and countries where it is necessary to translate questionnaires into the national language, the period of seven months allowed for the preparation of replies shall be extended to eight months if the government concerned so requests.

Finally, the Governing Body decided to delete the first sentence of paragraph 6 of article 14 of its Standing Orders.

**Complementary Agreement on the Privileges and Immunities of the International Training Centre of the ILO in Turin**

The Governing Body approved the Complementary Agreement on the Privileges and Immunities of the International Training Centre of the ILO in Turin.

**International labour standards and human rights**

**Adjustment of regular supervisory procedures**

The Governing Body adopted the provisions regarding the adjustment of procedures for requesting reports on the application of ratified Convention, and the changes in dates of the meeting of the Committee of Experts on the Application of Conventions and Recommendations, to take effect as from 1995.

**Form for reports on the application of ratified Conventions (article 22 of the Constitution): Prevention of Major Industrial Accidents Convention, 1993 (No. 174)**

Choice of Conventions and Recommendations on which reports should be requested in 1995 and 1996 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 1995: the Labour Administration Convention (No. 150) and Recommendation (No. 158), 1978;

in 1996: the Vocational Rehabilitation and Employment (Disabled Persons) Convention (No. 159) and Recommendation (No. 168), 1983.

Action to be taken on the conclusions of the Conference Committee on Action against Apartheid

The Governing Body decided: (a) to suspend the application of the Declaration on Action against Apartheid, with immediate effect, in order to allow for the implementation of a plan of action; (b) to place on the agenda of the 81st Session (1994) of the International Labour Conference, for consideration by the Conference Committee on Action against Apartheid, a question concerning the review of the Declaration; (c) to approve the plan of action for ILO technical assistance to South Africa based on the Office paper and on the discussions in the Committee, and asked the Office also to provide assistance on voter education.

REPORT OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL POLICY

Effect to be given to resolutions adopted by the International Labour Conference at its 80th Session (1993)

Resolution concerning social protection and the alleviation of unemployment and poverty, and the social dimension of structural adjustment and transition to a market economy

The Governing Body requested the Director General: (a) when communicating the resolution to the governments of member States and, through them, to employers' and workers' organizations, to draw attention to operative paragraph 1 of the resolution; (b) to take fully into account the requests made in paragraph 2 of the resolution in implementing current and future activities.

Resolution concerning exposure to and safety in the use of biological agents at work

The Governing Body requested the Director-General to take fully into account, when drawing up future programme proposals, the requests made in the operative part of the resolution.

Report of the Meeting of Experts on Working Time (Geneva, 11-19 October 1993)

The Governing Body took note of the report and: (a) authorized the Director-General to communicate the report of the meeting to the governments of member States and, through them, to the most representative employers' and workers' organizations, and to transmit it to the intergovernmental and non-governmental international organi-

1 For the text of these resolutions see Official Bulletin, Vol. LXXVI, 1993, Series A, No. 2.
zations concerned; (b) requested the Director-General to take the conclusions of the meeting into account in drawing up future programme proposals.

Report of the Tripartite Regional Meeting of Experts on Social Security in the Americas (Mexico City, 18-22 October 1993)

The Governing Body took note of the report and: (a) authorized the Director-General to communicate it to the governments of member States and, through them, to the employers' and workers' organizations concerned, to the intergovernmental organizations concerned, to the non-governmental organizations having full consultative status, as well as to other bodies and organizations concerned; (b) requested the Director-General to take report of the meeting into account in drawing up future programme proposals.

Report of the Committee on Technical Cooperation

ILO technical cooperation in 1992-93, including action to be taken on the resolution concerning the role of the ILO in technical cooperation, adopted by the Conference at its 80th Session (1993)1

The Governing Body requested the Director-General to report to the next meeting of the Committee on Technical Cooperation on the progress made: (a) in integrating environmental issues into ILO technical cooperation with respect to the ILO’s contribution to the implementation of Agenda 21, which was adopted by the United Nations Conference on Environment and Development (1992); (b) in the implementation of the active partnership policy as it related to the technical cooperation programme, with special emphasis on the assistance the new multidisciplinary teams had been able to give in this respect.

The Governing Body requested the Director-General: (a) to communicate the resolution concerning the role of the ILO in technical cooperation to the governments of member States, and through them to employers' and workers' organizations, and to draw their special attention to the conclusions appended thereto; (b) when making proposals for the agenda of the Conference in the future, to bear in mind the request made in paragraphs 6 and 52 of the conclusions for the Conference to conduct a review of the ILO's technical cooperation programme every five years; (c) to take full account of the resolution and the conclusions in the future development of the technical cooperation programme, to keep the Committee informed of the follow-up action taken through the periodic report submitted to it, and to seek the Committee's guidance on relevant issues as necessary.

The Governing Body requested the Director-General: (a) when communicating the resolution and conclusions to governments and to the international organizations concerned, to draw their attention to the provisions contained in paragraphs 20 and 21 of the conclusions; (b) to ensure that the strategy paper described in paragraph 23 of the conclusions was submitted to the Committee on Technical Cooperation at its next meeting; (c) to submit at regular intervals, and if feasible on a yearly basis, a progress report to the Governing Body, through its Committee on Technical Cooperation, highlighting the principal measures taken by the ILO with a view to the progressive implementation of United Nations General Assembly resolution 47/199.

1 For the text of the resolution and the conclusions appended to it, see Official Bulletin, Vol. LXXVI, 1993, Series A, No. 2.
REPORT OF THE COMMITTEE ON SECTORAL AND TECHNICAL MEETINGS AND RELATED ISSUES

Tripartite Meeting on Safety and Related Issues Pertaining to Work on Offshore Petroleum Installations: Effect to be given to the conclusions of the meeting

The Governing Body authorized the Director-General to communicate the report and the conclusions of the Tripartite Meeting on Safety and Related Issues Pertaining to Work on Offshore Petroleum Installations: (a) to governments, requesting them to communicate these texts to the employers’ and workers’ organizations concerned; (b) to the international employers’ and workers’ organizations concerned; (c) to the international organizations concerned.

The Governing Body requested the Director-General to bear in mind, when drawing up proposals for the future programme of work of the Office, the wishes expressed by the meeting in paragraph 16 of the conclusions.

Report of the Second Meeting of the Joint IMO/ILO Group of Experts
(London, 8-12 March 1993)

The Governing Body: (a) took note of the report of the Joint IMO/ILO Group of Experts, including its annexes; (b) authorized the Director-General to enter into consultations with the Secretary-General of the IMO on the following questions: (i) collaboration between the two organizations in collecting and analysing data concerning fatigue; (ii) establishing a joint group of experts, with no budgetary implications for the Office, with a view to developing guidelines for the investigation of human factors in maritime accidents.

Report of the Seventh Session of the Joint ILO/WHO Committee on the Health of Seafarers
(Geneva, 10-14 May 1993)

The Governing Body: (a) took note of the report of the Joint ILO/WHO Committee on the Health of Seafarers, including the conclusions and guiding principles adopted; (b) authorized the Director-General to communicate the report, including the conclusions and guiding principles adopted; (i) to governments, indicating that the Governing Body had taken note of the report and requesting them to communicate it to the employers’ and workers’ organizations concerned; (ii) to the international organizations of employers and workers concerned, indicating that the Governing Body had taken note of the report; (iii) to the WHO, drawing its attention particularly to the views expressed by the Joint Committee on training programmes for trainers and medical officers, personality profile and mental aptitude, the collection of statistics and information on national examination standards (paragraphs 2, 19, 21, and 24 of the conclusions), and to both the WHO and IMO on the views expressed on a revision of the International Medical Guide for Ships (paragraph 23 of the conclusions); (c) authorized the Director-General to publish and distribute widely the “Guiding principles on drug and alcohol testing procedures for worldwide application in the maritime industry”, as agreed by the Joint Committee (paragraph 18 and Annex II of the report); (d) requested the Director-General to bear in mind, when drawing up proposals for the future programme of work of the Office, the conclusions adopted by the Joint Committee.

---

1 For the text of the conclusions adopted by the meeting, see pp. 40-43 below.
2 For the text of the conclusions and guiding principles, see pp. 44-48 below.
Meeting on the Impact of Structural Adjustment in the Public Services
(Effectiveness, Quality Improvement and Working Conditions):
Composition and purpose

The Governing Body: (a) decided that the scope of the Meeting on the Impact of Structural Adjustment in the Public Services should cover the public service proper; (b) decided that the following countries should be invited to be represented at the meeting: Bolivia, China, Czech Republic, Denmark, Ghana, Hungary, Lithuania, Madagascar, New Zealand, Nicaragua, Pakistan, Sao Tome and Principe, Saudi Arabia, Senegal, United Republic of Tanzania, United Kingdom, United States, Uruguay, Viet Nam and Zimbabwe; (c) placed the following countries on the reserve list: Burkina Faso, Côte d'Ivoire, Gabon and Kenya (Africa), Brazil, Canada, Cuba, Trinidad and Tobago (Americas), Bangladesh, Indonesia, Nepal, Papua New Guinea (Asia), Ireland, Poland, Portugal, Romania (Europe); (d) decided that the Government members should be appointed by the governments selected to be invited and the Worker members should be nominated on the basis of consultations with the Workers' group of the Governing Body; (e) decided that the purpose of the meeting should be to adopt conclusions on the impact of structural adjustment in the public services (efficiency, quality improvement and working conditions) and a report on its deliberations; (f) set the closing date for the acceptance of invitations at 15 November 1994.

Tripartite Meeting on the Consequences for Management and Personnel
of the Restructuring of Railways:
Purpose of the Meeting

The Governing Body decided that the purpose of the Tripartite Meeting on the Consequences for Management and Personnel of the Restructuring of Railways should be to develop and adopt conclusions together with a report on its discussions.

Other questions

Membership of the Czech Republic and Slovakia in the ILO's sectoral committees

The Governing Body appointed the Czech Republic as a member of the Coal Mines Committee, the Iron and Steel Committee and the Textiles Committee, and Slovakia as a member of the Metal Trades Committee and the Forestry and Wood Industries Committee.

Fifth Session of the Joint Committee on the Public Service:
Invitation of a non-governmental international organization

The Governing Body authorized the Director-General to invite the International Alliance of Women to be represented by observers at the Session.

Tenth Session of the Committee on Salaried Employees and Professional Workers:
Invitation of a non-governmental international organization

The Governing Body authorized the Director-General to invite the European Union of Local Authority Staffs to be represented by observers at the Session.
REPORT OF THE SUBCOMMITTEE ON MULTINATIONAL ENTERPRISES

Follow-up on and promotion of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy

Consideration of the draft questionnaire for the sixth survey on the effect given to the Declaration

The Governing Body: (a) approved the draft text of the report form (questionnaire) for the sixth survey on the effect given to the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy; (b) endorsed the unanimous recommendations of the Subcommittee to carry out four-year surveys on the effect given to the Tripartite Declaration, starting with the sixth survey which would cover the years 1992, 1993, 1994 and 1995; (c) invited the Director-General to despatch the approved report form (questionnaire) to governments and to employers’ and workers’ organizations by May 1994, so that their replies could be communicated to the Office by 29 February 1996.

REPORT OF THE WORKING PARTY ON THE WORLD SUMMIT FOR SOCIAL DEVELOPMENT

Statement by the Governing Body concerning the outcome of the Summit

The Governing Body decided that the draft statement appended to the report should be transmitted to the Preparatory Committee for the World Summit for Social Development at its first substantive session, to be held from 31 January to 11 February 1994.

REPORT OF THE DIRECTOR-GENERAL

Obituary

The Governing Body paid tribute to the memory of Mr. N. G. Mensah, Mr. V. G. Gopal and Dr. J. Escobar Padrón. It requested the Director-General to convey its sympathy: (a) to the family of Mr. Nathanaël G. Mensah and to the Government of Benin; (b) to the family of Mr. V. G. Gopal, to the Tata Workers’ Union and to the Indian National Trade Union Congress; (c) to the family of Dr. Jairo Escobar Padrón and to the National Association of Industrialists of Colombia.

Membership of the International Labour Organization

The Governing Body took note that the Republic of Turkmenistan had become a Member of the ILO.1

Complaint concerning the observance by Sweden of the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), the Right to Organize and Collective Bargaining Convention, 1949 (No. 98), and the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147), made by the Employers’ delegate of Sweden at the 78th Session (1991) of the International Labour Conference under article 26 of the Constitution of the ILO

The Governing Body took note of the information provided by the Government concerning consultations entered into and measures taken in relation to the complaint, and, taking due account of the views of all interested parties, decided to await further

---

1 See also page 22 below.
information from the Government on the results of the investigation referred to in paragraph 3 of the report before deciding on any further course of action.

Report of the Committee set up to examine the representation made by the Swedish Trade Union Confederation (LO), the Swedish Confederation of Professional Employees (TCO) and the International Confederation of Free Trade Unions (ICFTU) under article 24 of the ILO Constitution, alleging non-observance by Sweden of the Employment Injury Benefits Convention, 1964 (No. 121)

The Governing Body: (a) approved the report, and in particular the conclusions and recommendations made in it; (b) declared closed the procedure initiated before the Governing Body as a result of the representation made by the Swedish Trade Union Confederation (LO), the Swedish Confederation of Professional Employees (TCO) and the International Confederation of Free Trade Unions (ICFTU).

Proposals concerning the second High-Level Meeting on Employment and Structural Adjustment

The Governing Body requested its Officers to consider organizing an informal meeting, to be held during the 81st Session (1994) of the International Labour Conference, involving ministers and representatives of employers and workers attending the Conference.

Report of the Officers of the Governing Body

Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution alleging non-observance by Brazil of the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105)

The Governing Body decided that the representation was receivable, and set up a committee with the following composition to examine it:

Government member: Mr. Mayoral (Argentina)
Employer member: Mrs. Sasso-Mazzufferi
Worker member: Mr. Falbr

Composition and Agenda of Standing Bodies and Meetings

Standing bodies

Committee of Experts on the Application of Conventions and Recommendations

Reappointments

The Governing Body reappointed, for a period of three years, the following members of the Committee of Experts on the Application of Conventions and Recommendations: Professor Roberto Ago (Italy); Mr. Cassio Mesquita Barros (Brazil); Mr. Tan Boon Chiang (Singapore); Mr. Toshio Yamaguchi (Japan).

---

1 The names, titles and functions of the persons appointed by the Governing Body, as well as the names of the organizations and other entities invited to be represented at meetings, are given in the papers submitted to the Governing Body under the fifteenth item on its agenda.
The Governing Body asked the Director-General to convey to Mr. Semion Ivanov and Mr. Antti Johannes Suviranta its deep gratitude for the services they had rendered to the ILO.

New appointments

In order to fill the seats vacated as a result of the expiry of the terms of office of Mr. Ivanov and Mr. Suviranta, the Governing Body appointed the following persons as members of the Committee for a period of three years:

— Mr. Roman Zinovievich Livshitz (Russian Federation), born in 1929; Doctor of Law, Professor at the Moscow International (Russian-American) University, author of numerous publications in the fields of labour law and legal theory, recently co-Chairman of the working group which drafted a new Labour Code of the Russian Federation.

— Ms. Robyn A. Layton (Australia), born in 1945; Doctor of Law, Chairperson of the Australian Health Ethics Committee of the National Health and Medical Research Council, former Honorary Solicitor for the South Australian Council for Civil Liberties, former Solicitor for the Central Aboriginal Land Council, former Judge and Deputy President of the South Australian Industrial Court and Commission, Barrister-at-Law.

Meetings


Composition

The Governing Body approved the following nomination to replace Dr. Costa Souza until the expiry of the current term of office on 31 December 1994:

— Dr. (Ms.) Maria Antonia Teresa Gallart (Argentina), Principal Researcher, Centre for Population Studies (CENEP); Research Professor, Latin American Faculty of Science, Graduate School of Social Sciences; Member, National Council of Technical Education, Buenos Aires.

The Governing Body asked the Director-General to convey to Dr. P. R. Souza its gratitude for his interest in and contribution to the work of the Joint Committee.

Ninth and Tenth Sessions of the Joint IMO/ILO Committee on Training (London, 24-28 January 1994: Ninth Session)

Agenda

The Governing Body approved the following agenda: Revision of the International Convention on Standards of Training, Certification and Watchkeeping, 1978. The Governing Body noted that the agenda of the Tenth Session would be finalized after the Ninth Session.

Composition

The Governing Body approved the following composition formula: 14 ILO members — seven Shipowner members and seven Seafarer members — and six IMO members, the same as that approved for the Eighth Session.
Meeting of Experts on the Safety and Health of Workers in the Electronics Industry
(Geneva, 16-20 May 1994)

Agenda

The Governing Body approved the following agenda for the meeting:

(1) Examination and discussion of a report on appropriate work methods and practices for safeguarding the safety and health of workers in the electronics industry.

(2) The role of governments, employers, workers and the ILO in safety and health in the electronics industry.

The Governing Body decided that the meeting should be attended by 18 experts, six nominated after consultations with governments, six after consultations with the Employers' group, and six 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 consult the Governments of Brazil, Germany, Japan, Sweden, the United States and Zimbabwe, and that, should any of those governments prove unable to nominate a participant, he would approach the Governments of the Republic of Korea, Mexico and the United Kingdom.

The Governing Body also noted that the Director-General intended to invite nine intergovernmental organizations and programmes to be represented at the meeting and authorized him to invite eight non-governmental international organizations to be represented at the meeting.

APPOINTMENT OF GOVERNING BODY REPRESENTATIVES ON VARIOUS BODIES

Thirteenth Session of the Metal Trades Committee
(Geneva, 12-20 January 1994)

The Governing Body appointed the following of its members to represent it at the session:

Government member and Chairman of the Committee: Mr. Simanjuntak (Indonesia)

Employer member: Mr. Pierides

Worker member: Mr. Briesch

Eighth African Regional Conference
(Mauritius, 19-26 January 1994)

The Governing Body appointed the following of its members, in addition to its Chairman, to represent it at the Conference:

Government member: Mr. Palma (Philippines)

Employer member: Miss Hak

Worker member: Mr. Trotman
Fifth Session of the Joint Committee on the Public Service
(Geneva, 26 January-3 February 1994)

The Governing Body appointed the following of its members to represent it at the session:

**Government member and Chairman of the Committee:** Mr. Tsomambet (Congo)

**Employer member:** Mr. Décosterd

**Worker member:** Mr. Brett

**OTHER BUSINESS**

*Draft resolution concerning the Instrument of Amendment to the Constitution of the ILO adopted by the International Labour Conference in 1986, in relation to the 75th anniversary of the ILO and the 50th anniversary of the Declaration of Philadelphia, submitted in accordance with article 15 of the Standing Orders of the Governing Body*

The Governing Body requested the Office to prepare an information paper on the matters raised in the resolution and in the discussion concerning it.

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


**MATTERS ON WHICH THE OFFICERS OF THE GOVERNING BODY TOOK DECISIONS ON ITS BEHALF**

**Programme of meetings**

The Officers of the Governing Body approved the following programme of meetings:

<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23 November-12</td>
<td>Tripartite Meeting on the Social Effects of Structural Change in Banking</td>
<td>Geneva</td>
</tr>
<tr>
<td>1 December</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13-17 December</td>
<td>FAO/IAEA/ILO/PAHO/WHO/OECD-NEA Technical Committee on Basic Safety Standards for Protection against Ionizing Radiation and for the Safety of Radiation Sources</td>
<td>Vienna</td>
</tr>
<tr>
<td>1994</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12-20 January</td>
<td>Metal Trades Committee (Thirteenth Session)</td>
<td>Geneva</td>
</tr>
<tr>
<td>19-26 January</td>
<td>Eighth African Regional Conference</td>
<td>Mauritius</td>
</tr>
<tr>
<td>24-28 January</td>
<td>IMO/ILO Joint Committee on Training (Ninth Session)</td>
<td>London</td>
</tr>
<tr>
<td>26 January-3</td>
<td>Joint Committee on the Public Service (Fifth Session)</td>
<td>Geneva</td>
</tr>
<tr>
<td>3 February</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>Title of meeting</td>
<td>Place</td>
</tr>
<tr>
<td>-------------------</td>
<td>----------------------------------------------------------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td><strong>1994 (cont.)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10-25 February</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>Geneva</td>
</tr>
<tr>
<td>17-31 March</td>
<td>259th Session of the Governing Body and its committees</td>
<td>&quot;</td>
</tr>
<tr>
<td>25 March</td>
<td>Advisory Meeting of Governing Body Members from Europe</td>
<td>&quot;</td>
</tr>
<tr>
<td>12-20 April</td>
<td>Tripartite Meeting on the Consequences for Management and Personnel of the Restructuring of Railways</td>
<td>&quot;</td>
</tr>
<tr>
<td>4-12 May</td>
<td>Committee on Salaried Employees and Professional Workers (Tenth Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>16-20 May</td>
<td>Meeting of Experts on the Safety and Health of Workers in the Electronics Industry</td>
<td>&quot;</td>
</tr>
<tr>
<td>2-3 June</td>
<td>Governing Body Committee on Freedom of Association</td>
<td>&quot;</td>
</tr>
<tr>
<td>7-24 June</td>
<td>81st Session of the International Labour Conference</td>
<td>&quot;</td>
</tr>
<tr>
<td>25 June</td>
<td>260th Session of the Governing Body</td>
<td>&quot;</td>
</tr>
<tr>
<td>12-20 July</td>
<td>Joint ILO/UNESCO Committee of Experts on the Application of the Recommendation concerning the Status of Teachers (CEART)</td>
<td>&quot;</td>
</tr>
<tr>
<td>21-29 September</td>
<td>Committee on Work on Plantations (Tenth Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>10-18 October</td>
<td>Meeting of Experts on the Recording and Notification of Occupational Accidents and Diseases</td>
<td>&quot;</td>
</tr>
<tr>
<td>19-25 October</td>
<td>Tripartite Meeting on Productivity and Employment in Commerce and Offices</td>
<td>&quot;</td>
</tr>
<tr>
<td>3-17 November</td>
<td>261st Session of the Governing Body and its committees</td>
<td>&quot;</td>
</tr>
<tr>
<td>28 November-9 December</td>
<td>Tripartite Meeting on Maritime Labour Standards</td>
<td>&quot;</td>
</tr>
<tr>
<td>Second half</td>
<td>International Symposium on the Role of Workers' Education in the Promotion of Trade Union Rights</td>
<td>&quot;</td>
</tr>
<tr>
<td>Second half</td>
<td>IMO/ILO Joint Committee on Training (Tenth Session)</td>
<td>London</td>
</tr>
<tr>
<td>To be determined</td>
<td>Tripartite Meeting of Experts on Social Security and Social Protection: Equality of Treatment between Men and Women</td>
<td>Geneva</td>
</tr>
<tr>
<td><strong>1995</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11-19 January</td>
<td>Coal Mines Committee (Thirteenth Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>23-31 January</td>
<td>Tripartite Meeting of Experts on Standard Rules concerning Drugs and Alcohol in the Workplace</td>
<td>&quot;</td>
</tr>
<tr>
<td>1-9 February</td>
<td>Fourth Tripartite Technical Meeting for the Clothing Industry</td>
<td>&quot;</td>
</tr>
<tr>
<td>16 February-3 March</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>&quot;</td>
</tr>
<tr>
<td>20 March-6 April</td>
<td>262nd Session of the Governing Body and its committees</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

18
<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>On the occasion of</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>the Governing Body session</td>
<td></td>
</tr>
<tr>
<td>19-27 April</td>
<td>Advisory Meeting of the Governing Body Members from Asia</td>
<td>Geneva</td>
</tr>
<tr>
<td>10-16 May</td>
<td>Chemical Industries Committee (Eleventh Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>22-26 May</td>
<td>Meeting of Experts on Cooperative Law</td>
<td>&quot;</td>
</tr>
<tr>
<td>1-2 June</td>
<td>Governing Body Committee on Freedom of Association</td>
<td>&quot;</td>
</tr>
<tr>
<td>6-23 June</td>
<td>82nd Session of the International Labour Conference</td>
<td>&quot;</td>
</tr>
<tr>
<td>24 June</td>
<td>263rd Session of the Governing Body</td>
<td>&quot;</td>
</tr>
<tr>
<td>3-5 July</td>
<td>Fifteenth Ordinary Session of the Intergovernmental Committee of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention, 1961) (ILO/UNESCO/WIPO)</td>
<td>&quot;</td>
</tr>
<tr>
<td>20-27 September</td>
<td>Tripartite Meeting on Social and Labour Issues concerning Migrant Workers in the Construction Industry</td>
<td>&quot;</td>
</tr>
<tr>
<td>18-26 October</td>
<td>Standing Technical Committee for Educational Personnel (First Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>30 October-3 November</td>
<td>Meeting of Experts on Labour Statistics on the Measurement of Underemployment</td>
<td>&quot;</td>
</tr>
<tr>
<td>2-16 November</td>
<td>264th Session of the Governing Body and its committees</td>
<td>&quot;</td>
</tr>
<tr>
<td>22-29 November</td>
<td>Tripartite Meeting on Globalization of the Footwear, Textiles and Clothing Industries: Effects on Employment and Working Conditions</td>
<td>&quot;</td>
</tr>
<tr>
<td>30 November-15 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>&quot;</td>
</tr>
<tr>
<td>6-12 December</td>
<td>Tripartite Meeting on Social and Labour Problems caused by Structural Adjustments in the Port Industry</td>
<td>&quot;</td>
</tr>
<tr>
<td>Second half</td>
<td>Meeting of Experts on Workers’ Privacy</td>
<td>&quot;</td>
</tr>
<tr>
<td>Second half</td>
<td>Fifth European Regional Conference</td>
<td>To be determined</td>
</tr>
</tbody>
</table>
Symposia, seminars and similar meetings

The Officers of the Governing Body approved proposals for a number of symposia, seminars and similar meetings.

81st Session (June 1994) of the International Labour Conference:
Invitation of non-governmental international organizations

The Officers of the Governing Body authorized the Director-General: (a) to invite one workers' organization and 14 other organizations to be represented at the 81st Session (1994) of the International Labour 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 stated a special interest; (b) to inform the organizations concerned that they may nominate one person only for each of the agenda items in respect of which their interest was recognized.
## Appendix — International Labour Conference: Work cycle adopted

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Budgetary year</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resolutions</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General discussion</td>
<td>Private employment agencies</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revision of standard</td>
<td>Convention No. 81 (single discussion)</td>
<td>First discussion</td>
<td>Second discussion</td>
<td>First discussion</td>
<td>Second discussion</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New standards:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>— First discussion</td>
<td>Safety and health in mines</td>
<td>Item A (Home work)</td>
<td>Item B</td>
<td>C</td>
<td>D</td>
<td>E</td>
<td>F</td>
<td>G</td>
<td>H</td>
<td>I</td>
</tr>
<tr>
<td>— Second discussion</td>
<td>Part-time work</td>
<td>Safety and health in mines</td>
<td>Item A (Home work)</td>
<td>B</td>
<td>C</td>
<td>D</td>
<td>E</td>
<td>F</td>
<td>G</td>
<td>H</td>
</tr>
</tbody>
</table>

1 This appendix is a version of Appendix IV to document GB.258/LILS.3/3, modified to take account of the decision of principle adopted by the Governing Body on the basis of paragraph 15 of the report of the Committee on Legal Questions and International Labour Standards and the Governing Body's decision concerning the agenda of the 82nd Session (1995) of the Conference.

2 Apart from 1995, for which the Governing Body decided that the revision item would be the subject of a single discussion, this work cycle takes account of the possibility that the revision items would be the subject of a double discussion.
Membership of the International Labour Organization

By virtue of article 1, paragraph 3, of the Constitution of the ILO and article 27 of the Standing Orders of the International Labour Conference, a member of the United Nations may become a Member of the International Labour Organization by communicating to the Director-General its formal acceptance of the obligations under the Constitution.

REPUBLIC OF TURKMENISTAN

By a letter of 14 August 1993, received on 24 September 1993, the Government of the Republic of Turkmenistan, which is a member of the United Nations, communicated to the Director-General its formal acceptance of the obligations under the Constitution of the International Labour Organization. The Republic of Turkmenistan accordingly became a Member of the International Labour Organization on 24 September 1993.
Official Measures taken regarding Decisions of the International Labour Conference\(^1\)

Instrument for the Amendment of the Constitution of the International Labour Organization, 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>Guatemala</td>
<td>20 May 1994</td>
</tr>
</tbody>
</table>

**Rescission of a notice of acceptance**

<table>
<thead>
<tr>
<th>State</th>
<th>Date received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Russian Federation</td>
<td>22 April 1994</td>
</tr>
</tbody>
</table>

On 11 April 1994, the Ambassador, Permanent Mission of the Russian Federation to the United Nations Office in Geneva and other international organizations, addressed the following communication to the Director-General of the International Labour Office, which was received on 22 April 1994:

*(Unofficial translation)*

"In accordance with the Decree of the Government of the Russian Federation, I have the honour to inform you that, as far as the Russian Federation is concerned, the notice of the acceptance by the Soviet Union of the Instrument for the Amendment of the Constitution of the International Labour Organization, 1986, has been rescinded."

The total number of ratifications and acceptance has thus risen to eighty-six including two by States of chief industrial importance.

---


Notice is hereby given that the Director-General of the International Labour Office has registered the below-mentioned ratifications of international labour Conventions. Pursuant to Article 20 of the Constitution of the International Labour Organization, 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>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172)</td>
<td>2 May 1994</td>
<td>2 May 1995</td>
</tr>
<tr>
<td>Australia</td>
<td>Protection of Workers’ Claims (Employer’s Insolvency) Convention, 1992 (No. 173)</td>
<td>8 June 1994</td>
<td>8 June 1995</td>
</tr>
<tr>
<td></td>
<td>Pursuant to Article 3, paragraph 1, the Government has accepted the provisions of Part II.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Barbados</td>
<td>Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)</td>
<td>16 May 1994</td>
<td>16 May 1995</td>
</tr>
<tr>
<td>Belgium</td>
<td>Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)</td>
<td>1 June 1994</td>
<td>1 June 1995</td>
</tr>
<tr>
<td>Brazil</td>
<td>Accommodation of Crews (Fishermen) Convention, 1966 (No. 126)</td>
<td>12 April 1994</td>
<td>12 April 1995</td>
</tr>
<tr>
<td>Cyprus</td>
<td>Night Work Convention, 1990 (No. 171)</td>
<td>4 January 1994</td>
<td>4 January 1994</td>
</tr>
<tr>
<td></td>
<td>Protocol to the Night Work (Women) Convention (Revised), 1948</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>Estonia</td>
<td>Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)</td>
<td>22 March 1994</td>
<td>22 March 1995</td>
</tr>
<tr>
<td></td>
<td>Right to Organize and Collective Bargaining Convention, 1949 (No. 98)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>Country</td>
<td>Convention</td>
<td>Acceptance Dates</td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>-----------------------------------</td>
<td></td>
</tr>
<tr>
<td>Finland</td>
<td>Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Acceptance of the provisions of Part III has been specified pursuant to Article 3, paragraph 1, of the Convention.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Workers with Family Responsibilities Convention, 1981 (No. 156)</td>
<td>6 January 1994 6 January 1995</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)</td>
<td>5 April 1994 5 April 1995</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Employment Service Convention, 1948 (No. 88)</td>
<td>&quot; &quot;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Abolition of Forced Labour Convention, 1957 (No. 105)</td>
<td>&quot; &quot;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maximum Weight Convention, 1967 (No. 127)</td>
<td>&quot; &quot;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Labour Inspection (Agriculture) Convention, 1969 (No. 129)</td>
<td>&quot; &quot;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rural Workers’ Organizations Convention, 1975 (No. 141)</td>
<td>&quot; &quot;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)</td>
<td>&quot; &quot;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)</td>
<td>&quot; &quot;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Labour Relations (Public Service) Convention, 1978 (No. 151)</td>
<td>&quot; &quot;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Collective Bargaining Convention, 1981 (No. 154)</td>
<td>&quot; &quot;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Occupational Safety and Health Convention, 1981 (No. 155)</td>
<td>&quot; &quot;</td>
<td></td>
</tr>
<tr>
<td>Latvia</td>
<td>Hours of Work (Industry) Convention, 1919 (No. 1)</td>
<td>15 August 1994 15 August 1995</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maternity Protection Convention, 1919 (No. 3)</td>
<td>3 June 1926 3 June 1926</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Minimum Age (Industry) Convention, 1919 (No. 5)</td>
<td>&quot; &quot;</td>
<td></td>
</tr>
<tr>
<td>State</td>
<td>Convention</td>
<td>Date of registration of ratification</td>
<td>Date on which ratification will take effect</td>
</tr>
<tr>
<td>-------</td>
<td>------------</td>
<td>-------------------------------------</td>
<td>-------------------------------------------</td>
</tr>
<tr>
<td>Latvia (cont.)</td>
<td>Night Work of Young Persons (Industry) Convention, 1919 (No. 6)</td>
<td>3 June 1926</td>
<td>3 June 1926</td>
</tr>
<tr>
<td></td>
<td>Minimum Age (Sea) Convention, 1920 (No. 7)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8)</td>
<td>29 August 1930</td>
<td>29 August 1930</td>
</tr>
<tr>
<td></td>
<td>Placing of Seamen Convention, 1920 (No. 9)</td>
<td>3 June 1926</td>
<td>3 June 1926</td>
</tr>
<tr>
<td></td>
<td>Right of Association (Agriculture) Convention, 1921 (No. 11)</td>
<td>9 September 1924</td>
<td>9 September 1924</td>
</tr>
<tr>
<td></td>
<td>Workmen's Compensation (Agriculture) Convention, 1921 (No. 12)</td>
<td>29 November 1929</td>
<td>29 November 1929</td>
</tr>
<tr>
<td></td>
<td>White Lead (Painting) Convention, 1921 (No. 13)</td>
<td>9 September 1924</td>
<td>9 September 1924</td>
</tr>
<tr>
<td></td>
<td>Weekly Rest (Industry) Convention, 1921 (No. 14)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Minimum Age (Trimmers and Stokers) Convention, 1921 (No. 15)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Workmen's Compensation (Accidents) Convention, 1925 (No. 17)</td>
<td>29 May 1928</td>
<td>29 May 1928</td>
</tr>
<tr>
<td></td>
<td>Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18)</td>
<td>29 November 1929</td>
<td>29 November 1929</td>
</tr>
<tr>
<td></td>
<td>Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)</td>
<td>29 May 1928</td>
<td>29 May 1928</td>
</tr>
<tr>
<td></td>
<td>Sickness Insurance (Industry) Convention, 1927 (No. 24)</td>
<td>29 November 1929</td>
<td>29 November 1929</td>
</tr>
</tbody>
</table>

Following the admission of the Republic of Latvia to the International Labour Organization, the Government of the Republic of Latvia has recognized that it continues to be bound by Conventions that it ratified in 1924, 1925, 1926, 1929 and 1930.

Radiation Protection Convention, 1960 (No. 115) | 8 March 1993 | 8 March 1994 |

Holidays with Pay Convention (Revised), 1970 (No. 132) | 10 June 1994 | 10 June 1995 |

Length of holiday specified: 4 weeks. Has accepted the provisions of Article 15, paragraph 1 (a) and (b).


Acceptance of Articles 7, 12 and 13 of Part II has been specified pursuant to Article 16, paragraph 2, of the Convention.
<table>
<thead>
<tr>
<th>Country</th>
<th>Convention</th>
<th>Date Accepted 1</th>
<th>Date Accepted 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mauritius. Labour Statistics Convention, 1985 (No. 160)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Acceptance of Articles 7-10 and 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></td>
<td>Nigeria. Occupational Safety and Health Convention, 1981 (No. 155)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>In accordance with Article 2, paragraphs 1-3, of the Convention, the obligations of the Convention have been accepted.</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>In accordance with Article 2 (b) of the Convention, the obligations of the Convention have been accepted in respect of Parts II to X.</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ukraine</td>
<td>Ukraine. Unemployment Convention, 1919 (No. 2)</td>
<td>16 May 1994</td>
<td>16 May 1994</td>
</tr>
<tr>
<td>State</td>
<td>Convention</td>
<td>Date of registration of ratification</td>
<td>Date on which ratification will take effect</td>
</tr>
<tr>
<td>-----------</td>
<td>---------------------------------------------------------------------------</td>
<td>--------------------------------------</td>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>Ukraine (cont.)</td>
<td>Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)</td>
<td>17 March 1994</td>
<td>17 March 1995</td>
</tr>
<tr>
<td></td>
<td>Termination of Employment Convention, 1982 (No. 158)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
</tbody>
</table>
Notification of the Coming into Force of the Night Work Convention, 1990 (No. 171)

Article 13 of the Night Work Convention, 1990 (No. 171), 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 Organization have been registered.

The ratification by the Dominican Republic and Cyprus were registered by the Director-General of the International Labour Office on 3 March 1993 and 4 January 1994 respectively. The Convention will accordingly come into force on 4 January 1995.

The present notification is made in accordance with the provisions of Article 15 of the Convention.

In conformity with Article 20 of the Constitution of the International Labour Organization, 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.

Notification of the Coming into Force of the Protection of Workers' Claims (Employers' Insolvency) Convention, 1992 (No. 173)

Article 16 of the Protection of Workers' Claims (Employers' Insolvency) Convention, 1992 (No. 173), adopted by the International Labour Conference at its 79th Session on 23 June 1992, provides that the Convention shall come into force twelve months after the date on which the ratifications of two Members of the International Labour Organization have been registered.

The ratifications by Mexico and Australia were registered by the Director-General of the International Labour Office on 24 September 1993 and 8 June 1994 respectively. The Convention will accordingly come into force on 8 June 1995.

The present notification is made in accordance with the provisions of Article 18 of the Convention.

In conformity with Article 20 of the Constitution of the International Labour Organization, 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.
Complementary agreement on the privileges and immunities of the International Training Centre of the ILO in Turin

The Government of the Italian Republic and the International Labour Organization;

Considering the Agreement dated 24 October 1964 between the Italian Government and the International Labour Organization on the International Centre for Advanced Technical and Vocational Training, since renamed International Training Centre of the International Labour Organization, in Turin (hereinafter called “the Centre”);

Whereas Article 3, paragraph 1, of the said Agreement provides that “the Centre will enjoy in Italy, for itself, the members of the Board and for the Advisory Board on Programmes of the Centre as well as for the members of its staff, the privileges and immunities granted to the International Labour Organization by the Convention on the Privileges and Immunities of the Specialized Agencies as adopted by the General Assembly of the United Nations on 21 November 1947 and accepted in the name of the International Labour Organization by the International Labour Conference on 10 July 1948”;

Reaffirming that the International Training Centre of the ILO, just as the ILO as a whole, enjoys, without restrictions in Italy, for itself, the Members of the Board and its subsidiary organs, as well as for the members of its staff the privileges and immunities recognized by the above-mentioned Convention, as accepted by Italy on 30 August 1985 by an instrument of accession duly registered by the Secretary-General of the United Nations;

Noting that the Centre, like the ILO as a whole, provides for appropriate modes of settlement for disputes referred to in Article IX, section 31, of the aforementioned Convention;

Have agreed to complement the above-mentioned Agreement and Convention as follows:

**Article 1**

In accordance with Article 1 of the Agreement of 24 October 1964, the Centre shall have its headquarters in Turin and shall not be transferred elsewhere unless the Centre should so decide.

**Article 2**

1. The Centre and its property, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except insofar as in any particular case the Centre shall have expressly waived its immunity.

2. The property, funds and assets of the Centre intended for the furtherance of its institutional aims, wherever located and by whomsoever held, shall be immune from search, requisition, expropriation, confiscation and any other form of interference, whatever its nature or origin. The Centre shall reach agreement with the competent Italian authorities to make available to them, at their request, such premises or land as may be necessary for the performance of public safety operations.

3. Any waiver of immunity from legal process shall not include the waiver of immunity from measures of execution, for which an express waiver shall be required.

4. The immunity from legal process shall not apply in cases where a civil action is brought by a third party for damage arising from an accident caused by a vehicle belonging to the Centre or being used on its behalf, nor in the case of any breach of the traffic regulations in which the said vehicle is involved. With regard to the provisions of paragraph 3 above, the Centre undertakes to take out insurance policies for the purpose of ensuring total reparation of damage caused to third parties by a vehicle belonging to the Centre or being used on its behalf.
Article 3

1. The premises, the archives of the Centre and its documents, wherever located and by whomsoever held, shall be inviolable.

2. No agent or official of the Italian Republic, or other person exercising any public function on the territory of the Italian Republic, shall enter the headquarters of the Centre to perform their duties therein without the consent of the Director.

3. The consent of the Director shall be presumed in the event of natural calamities, fire or any other circumstance requiring the undertaking of immediate action to protect public safety, as well as in cases requiring the pursuit of criminal acts committed outside the exercise of the Centre’s official activities.

4. The Director shall exercise due diligence to prevent the headquarters from being used as a refuge by persons attempting to avoid arrest under any law of the Italian Republic, required for extradition to another country, or endeavouring to evade service of legal process.

Article 4

1. The competent Italian authorities shall exercise due diligence to ensure that the tranquility of the headquarters is not disturbed by any person or group of persons attempting unauthorised entry or creating disturbance in the immediate vicinity of the headquarters. For this purpose, they shall provide on the boundaries of the headquarters such protection as is required.

2. If so requested, with reasons, by the Director, the competent Italian authorities shall provide the necessary assistance to ensure or maintain order inside the headquarters of the Centre.

Article 5

1. The Centre, its assets, income and other property shall be exempt from any form of direct taxation.

2. The operations and transactions undertaken by the Centre within the framework of its institutional aims shall be exempt from any form of direct or indirect taxation and shall enjoy the same exemptions and facilities as may be accorded to Italian government administrations. In addition, the Centre shall be exempt from the value added tax (VAT) on all goods and services supplied to it if their value exceeds one hundred thousands lire, this figure being subject to revaluation within the framework of the relevant Italian legislation. Similar exemption from the value added tax shall be accorded to imports of goods whose value exceeds the said limit effected by the Centre within the framework of its institutional aims.

3. The Centre shall be exempt from customs duties and other levies, prohibitions and restrictions on imports and exports in respect of articles imported or exported for its official use. The Centre shall also be exempt from customs duties and prohibitions and restrictions on imports and exports in respect of publications, still pictures, films and any other material required for its official training activities. Articles imported under such exemptions may be sold by the Centre on Italian territory, account being taken of its own interests, the purposes of such exemptions and the Italian legislation in force.

4. The Centre shall be exempt from customs duties, levies and restrictions on the purchase or import of not more than five motor vehicles for official use, the same being registered in its name, as represented by the Director pro tempore. The Centre may renew such vehicles at reasonable intervals. The Italian Government shall accord each vehicle for official use by the Centre registration with diplomatic plates, exemption from vehicle property taxes and an allotment of gasoline or other required fuels and lubricating oils in quantities and at rates prevailing for heads of foreign diplomatic missions in the Italian Republic.

5. The exemptions provided by this Article do not apply to taxes and duties constituting the payment for services rendered.

Article 6

1. Without being restricted by any financial controls, regulations or moratoria, the Centre may obtain, hold and dispose freely of funds and currencies, and hold bank accounts in any currency.

2. The Centre may freely transfer its funds and currencies within and outside the Italian Republic, and into and from any other country, and convert any currency into any other currency.
3. The Italian Government shall assist the Centre to obtain the most favourable conditions as regards exchange rates and banking commissions.

Article 7

1. The Centre shall enjoy, for its communications, rates not less favourable than those accorded by the Italian Government to any other government or international organization.

2. All communications directed to the Centre, or to any of its officials at headquarters, and all outward communications of the Centre, by whatever means or in whatever form transmitted, shall be immune from censorship and from any other form of interception or interference. The provisions of this paragraph shall extend, inter alia, to publications, computer data, still pictures and films, sound and film recordings.

3. The Centre shall have the right to use codes and to dispatch and receive official communications by courier or in sealed bags, which shall have the same privileges and immunities as diplomatic couriers and bags.

Article 8

1. The competent Italian authorities shall take all such steps as may be useful to facilitate the entry into, sojourn within and exit from the Italian territory of all persons summoned to the Centre in an official capacity, and in particular:

— members of the Centre's collective bodies;

— officials of the Centre and members of their families entitled to the family allowances under the Staff Regulations;

— experts and consultants engaged in official missions for the Centre, together with the holders of fellowships and any other person designated by the Centre to participate in its programs.

2. Visas which may be required by the said persons shall be granted without charge and as promptly as possible, subject to Article 13, paragraph 5.

Article 9

1. The members of the Board of the Centre, the Programme Advisory Committee and the advisory bodies shall be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity; this immunity shall continue even after the persons concerned have ceased to exercise their functions.

2. The persons referred to in the preceding paragraph shall benefit, during travel to and from the Centre, from the relevant provisions of the Convention on the Privileges and Immunities of the Specialized Agencies approved by the General Assembly of the United Nations on 21 November 1947 and enjoy, during their sojourn, all other privileges and immunities provided for by that Convention and, in particular, the exemption in respect of any exchange restriction.

3. The immunity from legal process conferred by paragraph 1 of this Article shall not apply in cases where a civil action is brought by a third party for damage arising from an accident caused by a vehicle belonging to a member of the Board of the Centre, the Programme Advisory Committee or the advisory bodies, or being used on their behalf, nor in the case of any breach of the traffic regulations in which the said vehicle is involved.

Article 10

Subject to the application of the provisions of Article VI of the Convention on the Privileges and Immunities of the Specialized Agencies and in keeping with constant practice in these matters, the officials of the Centre shall enjoy within and with respect to the Italian Republic the following privileges:

(a) complete immunity from legal process with respect to words spoken or written, and all acts performed by them, in their official capacity, it being understood that such immunity shall continue even after the persons concerned have ceased to be officials of the Centre;

(b) immunity from seizure of their official baggage;

(c) immunity from inspection of their official baggage and, if the official is included among those referred to in Article 11, immunity from inspection of their personal baggage, with the exception of such checks as may be required for reasons of public safety;
(d) immunity from any form of preventive custody, except where the official is found *in flagrante delicto* for a crime punishable under Italian law with a maximum sentence of more than three years, in which case the competent Italian authorities shall immediately notify the Director;

(e) exemption from any form of direct taxation on salaries, emoluments and indemnities paid to them by the Centre;

(f) exemption for officials of other than Italian nationality from any form of direct taxation on income derived from sources outside the Italian Republic;

(g) exemption, with respect to themselves, their spouses and relatives as referred to in Article 8, from immigration restrictions and alien registration;

(h) exemption from national service obligations, provided that, with respect to Italian citizens, such exemption shall be confined to officials whose names have, by reason of their duties, been placed upon a list compiled by the Director and approved by the Government; provided further that, should officials who are Italian citizens, but who are not included in that list, be called up for national service, the Government shall, upon request of the Director, grant such temporary deferments in the call up of such officials as may be necessary to avoid interruption of essential work;

(i) freedom to maintain within the Italian Republic or elsewhere foreign securities, foreign currency accounts and other movable and immovable property on the same conditions as Italian citizens. Officials shall be free to transfer their foreign securities and foreign currency outside the Italian Republic, and may also make transfers abroad from their accounts held in Italian lire of amounts not exceeding one-third of the salaries and emoluments they receive from the Centre in the course of that year. In addition, at the termination of their employment at the Centre, and through the authorized channels, officials shall have the right to take out of the Italian Republic without prohibition or restriction their funds in the same currency and up to the same amounts as they have received from the Centre or brought into the Italian Republic through authorized channels;

(j) the same repatriation facilities and protection by the Italian authorities with respect to themselves, their spouses and relatives referred to in Article 8, as are accorded to members of diplomatic missions in time of international tension;

(k) the right to import free of duty and other levies, prohibitions and restrictions on imports, at the time of taking up their posts, their furniture and personal effects, including one vehicle, either in a single shipment or in two or more separate shipments over the course of one year, and thereafter to import reasonable quantities of necessary additions to, or replacements of, the same;

(l) officials in the Professional category and above shall have the right to:
   
   (i) purchase or import, free of duty and other levies, prohibitions and restrictions on imports, one vehicle every four years and to nationalize and sell, free of duty, the said vehicle within the Italian Republic four years after the date of the import certificate issued by the competent Italian authorities;
   
   (ii) exemption from vehicle property taxes;
   
   (iii) an allotment of gasoline or other required fuels and lubricating oils in quantities and at rates prevailing for members of diplomatic missions of comparable rank accredited to the Italian Republic.

*Article 11*

In addition to the privileges and immunities specified in Article 10:

(a) the Director of the Centre shall be accorded the privileges and immunities, exemptions and facilities accorded to Ambassadors who are heads of diplomatic missions;

(b) the Deputy Directors or the official acting on behalf of the Director during his absence shall be accorded the privileges, immunities, exemptions and facilities accorded to members of diplomatic missions of comparable rank;

(c) other senior officials, whose names shall be notified to the Italian Government by the Director at the beginning of each calendar year, shall be accorded the privileges, immunities and facilities accorded to diplomatic personnel of missions accredited to the Italian Republic. The number of those officials, who shall be designated by the Director by reference to
their responsibilities at the Centre, shall be fixed by common agreement between the Government and the Director of the Centre.

**Article 12**

1. All officials of the Centre, their spouses and relatives referred to in Article 8 shall be issued by the Italian Government with a special identity card attesting to their status.
2. The Centre shall forward a list of its officials to the Government each year. Any changes shall be notified in due course to the Italian Government.

**Article 13**

1. The privileges and immunities accorded under this Agreement are granted in the interest of the Centre and not for the personal benefit of the individuals themselves.
2. Without prejudice to the privileges and immunities provided under this Agreement, all those benefiting from the same have a duty to respect the laws and regulations of the Italian Republic and to refrain from interfering in the domestic affairs of the said Republic.
3. The Director of the Centre shall waive the immunity of any official in any case where, in his opinion, the immunity would prevent the Italian Government from acting in the interests of justice or safety and where the immunity could be waived without prejudice to the interests of the Centre. Decisions relating to the waiver of the immunity of the Director or any member of a collective body shall be taken by the Board of the Centre.
4. The Centre and its officials shall cooperate with the competent Italian authorities to facilitate the proper administration of justice, secure the observance of police regulations, and to prevent the occurrence of any abuses in connection with the privileges and immunities granted by this Agreement.
5. None of the provisions of this Agreement shall prejudice the right of the Italian Government to take such measures as may prove indispensable for reasons of public safety. In such cases, the Italian Government shall remain in close contact with the Director of the Centre for the purpose of the application of the said measures in order that the interests of the Centre can be safeguarded by common agreement.

**Article 14**

The Centre shall make provision for, and notify the Italian Government of, appropriate modes of settlement of:
(a) disputes arising out of contracts or other disputes of private character to which the Centre is a party;
(b) disputes involving any official or expert of the Centre who by reason of his official position enjoys immunity, if immunity has not been waived in accordance with Article 13, paragraph 3.

**Article 15**

Any dispute between the International Labour Organization and the Italian Government concerning the interpretation or application of this agreement, which is not settled by negotiation or other mode of settlement agreed between the parties, shall be referred for final decision to a tribunal of three arbitrators; one to be chosen by the Minister of Foreign Affairs of the Italian Republic, one to be chosen by the Director-General of the International Labour Office, and the third, and shall be chairman of the tribunal, to be chosen by the first two arbitrators by common agreement or, in the absence of agreement, by the President of the International Court of Justice.

**Article 16**

This Agreement shall enter into force on the first day of the month following its approval by the Governing Body of the International Labour Office and the deposit of the instrument of ratification of the Italian Government with the Director-General of the ILO.
Done at Rome on 20 April 1993 in two copies in French and Italian, both texts being equally authoritative.

For the International Labour Organization:
(Signed) Michel HANSENNE
Director-General
International Labour Office

For the Government of the Italian Republic:
(Signed) Emilio COLOMBO
Minister of Foreign Affairs
Agreement between the Government of the Republic of Hungary and the International Labour Organization concerning the establishment of an office in Budapest for the ILO multi-disciplinary team for Central and Eastern Europe

Whereas the International Labour Organization (hereinafter referred to as the "ILO") has decided to establish a multi-disciplinary team for Central and Eastern Europe in Budapest to carry out such programmes and projects as may be assigned to it by the Director-General of the ILO; and

Whereas the Government of the Republic of Hungary (hereinafter referred to as the "Government") has informed the International Labour Organization of its readiness to provide an office and facilities for such a team (hereinafter referred to as the "Budapest Office");

The Government and the International Labour Organization have agreed as follows:

Article 1

The Government shall afford every assistance within its power in securing the necessary facilities for the Budapest Office of the ILO.

Article 2

The Government shall grant to the Budapest Office and to its Personnel (hereinafter referred to as the "Personnel") and to their property, funds and assets, the privileges and immunities and exemptions provided for in the New York Convention of 1947 on the Privileges and Immunities of the Specialized Agencies (hereinafter referred to as the "Convention"), except where under this Agreement provisions more advantageous to the ILO have been agreed between the parties.

Article 3

1. The Director of the Budapest Office and his/her deputy shall enjoy while in the country, in respect of themselves, their spouses and dependent relatives, the immunities, privileges and facilities normally accorded to persons of comparable diplomatic rank. For this purpose the Ministry of Foreign Affairs shall include their names in the List of Members of Diplomatic Missions and other Representative Offices.

2. Other officials, experts and consultants assigned to the Budapest Office as members of the Personnel by the Director-General of the ILO shall enjoy the following immunities and privileges in the territory of the Republic of Hungary, except locally employed Hungarian citizens and persons with permanent residence in Hungary:

   (a) immunity from legal process in respect of words spoken or written and acts performed by them in their official capacity, such immunity to continue even after termination of employment with the ILO;

   (b) immunity from inspection and seizure of their official baggage;

   (c) exemption from tax on, or in respect of, salaries and emoluments paid by the ILO to the same extent that this exemption is granted to officials, experts and consultants recruited by international organizations of comparable rank;

   (d) immunity, extended to their spouse and dependent members of their families, from all immigration restrictions and alien registration;

   (e) exemption from any form of direct taxation on income derived from sources outside the Republic of Hungary and the freedom to maintain within the Republic of Hungary foreign accounts in local currency, and foreign currency accounts; such freedom to own in the Republic of Hungary foreign securities and other property as is accorded to staff and officers of diplomatic missions and international organizations of comparable rank; and, while employed as a member of the Personnel and upon the termination of such employment, the
right to transfer out of the Republic of Hungary funds in any foreign currency without any restriction or limitation, provided that the officials concerned can show good cause for their lawful possession of such funds;

(f) the same right to import their furniture and effects, including motor vehicles and spare parts therefor, on first taking up their posts as a member of the Personnel, and thereafter, the privileges and immunities of the same character as regards goods, as are accorded in the Republic of Hungary to the resident members of diplomatic missions and international organizations of comparable rank, including the right to import reasonable quantities of certain articles for personal use of consumption and not for gift or sale;

(g) the same repatriation facilities for themselves and dependent members of their families and household, and the same right to protection by the authorities of the Republic of Hungary in time of international crisis or national emergency, as members of diplomatic missions;

(h) immunity from any military service obligations or any other obligatory service; and

(i) other privileges and exemptions which are or may be accorded by the Government to officials, experts and consultants of comparable rank of other international organizations.

3. Officials, experts and consultants of the ILO, not serving as members of the Personnel but engaged upon official business, shall enjoy in the territory of the Republic of Hungary the immunities, exemptions and privileges specified in paragraph 2 (a), (c), and (d) above.

4. Locally employed officials, who are either Hungarian citizens or have their permanent residence in Hungary, shall enjoy the privileges provided by paragraph 2 (a) and (c) above. Personnel contracted locally to work in the Budapest Office and paid by the hour, and who are either Hungarian citizens or have their permanent residence in Hungary, shall enjoy the entitlements ensured to them in paragraph 2 (a) above.

Article 4

Arrangements relating to social security of locally employed officials who are either Hungarian citizens or have their permanent residence in Hungary, which shall provide protection at least equivalent to that accorded under Hungarian law, as well as to office accommodation and to the provision of furniture, facilities and services by the Government to the Budapest Office, shall be established in separate Exchanges of Letters between the Government and the ILO.

Article 5

The Government shall facilitate the entry into, and stay in, Hungary of persons invited to the Budapest Office for official purposes, as well as their departure from the country.

Article 6

According to section 18 of Article VI of the Convention, the Director-General of the ILO shall inform the Government of the officials, experts and consultants assigned as members of the Personnel to the Budapest Office. On the basis of this information, all officials, experts and consultants of the ILO assigned to the Budapest Office as members of the Personnel shall be provided by the Ministry of Foreign Affairs of the Republic of Hungary with an identity card certifying their status and that they are entitled to the immunities, exemptions and privileges provided by this Agreement.

Article 7

The Director-General of the ILO shall have the duty to waive the immunity of any such person in any case where, in his opinion, such immunity would impede the course of justice and may be waived without prejudice to the overriding interests of the ILO.

Article 8

The Personnel shall cooperate at all times with the Government to facilitate the proper administration of justice, secure the observance of legal regulations and prevent the occurrence of any abuse in connection with the immunities, exemptions and privileges accorded by this Agreement. Should the Government consider that an abuse has occurred, the Director-General of the ILO shall consult with the appropriate authorities without delay.
**Article 9**

The Government shall, at its own expense, provide appropriate office accommodation consonant with the status of the Budapest Office, as well as security related thereto.

**Article 10**

The Government shall assist the Personnel in finding suitable housing to the extent possible.

**Article 11**

1. This Agreement shall come into force on a date to be established in the Letters referred to in Article 4 above.

2. The Agreement shall remain in force as long as the ILO Office and its staff remain established at Budapest.

3. The Agreement may be modified by mutual agreement between the two parties, and each party shall give full and sympathetic consideration to any request for such modification.

In witness whereof the undersigned duly authorized representatives of the Government of the Republic of Hungary, and of the International Labour Organization, respectively, have signed the present Agreement.

Done at Geneva, this twenty-third day of September 1992, in two originals in the English language, both texts being equally authentic.

For the Government of the Republic of Hungary:  
(Signed) Gyula KISS  
Minister of Labour

For the International Labour Organization:  
(Signed) Michel HANSENNE  
Director-General
Tripartite Meeting on Safety and Related Issues Pertaining to Work on Offshore Petroleum Installations

(Geneva, 20-28 April 1993)

CONCLUSIONS ADOPTED

Conclusions concerning safety and related issues pertaining to work on offshore petroleum installations

The Tripartite Meeting on Safety and Related Issues Pertaining to Work on Offshore Petroleum Installations,
Having been convened by the Governing Body of the International Labour Office,
Having met in Geneva from 20 to 28 April 1993;
Adopts this twenty-eighth day of April 1993 the following conclusions:

General considerations

1. Governments and employers’ and workers’ organizations bear the responsibility to ensure continuous progress in preventing occupational hazards and diseases related to offshore exploration and production of oil and gas. This covers work on fixed and mobile installations, transport of personnel between the onshore assembly points and offshore installations and between installations, and related activities carried out from vessels. These conclusions are commended to the governments and employers’ and workers’ organizations as items for action and, where necessary, cooperation, and to the ILO for future work in this field.

Accident statistics

2. The collection, collation and analysis of statistical information by governments at national level on the nature and extent of accidents should be improved in order to contribute to improving offshore safety performance. Efforts should build on systems and databases that already exist. Pending progress in developing better official figures, efforts should be made to enhance data collected by employers’ organizations such as the Oil Industry International Exploration and Production Forum (E&P Forum). The usefulness of such systems should be enhanced by bringing oil companies and contractors not already participating into their coverage.

---

1 Adopted unanimously subject to the following explanations and expressed reservations:

The Workers’ group stressed that when their group or its members used the term “workers’ organization” they meant “trade union”, and that when they used the term “workers’ representatives” the term was used in accordance with a footnote to the conclusions (No. 75) concerning occupational safety and health and the working environment in the petroleum industry, as adopted at the Tenth Session of the ILO’s Petroleum Committee in April 1986:

For the purpose of these conclusions, the term “representatives of workers” is to be defined by reference to Article 3 of the ILO Convention (No. 135) concerning protection and facilities to be afforded to workers’ representatives in the undertaking (1971). Article 3 states that the term “workers’ representatives” means persons who are recognized as such under national law or practice, whether they are:

(a) trade union representatives, namely, representatives designated or elected by trade unions or by the members of such unions; or

(b) elected representatives, namely, representatives who are freely elected by the workers of the undertaking in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognized as the exclusive prerogative of trade unions in the country concerned.

The representative of the Government of Malaysia expressed reservations with respect to the second sentence of paragraph 14 of the conclusions.

The representatives of several governments (Egypt, Malaysia, Nigeria, Qatar and the United Arab Emirates) expressed reservations with respect to subparagraph 16 (vi) of the conclusions because they had not had the opportunity to consult the appropriate authorities in their governments on this particular point.

40
3. In collecting data as the basis for international comparison the approach should be usable and understandable, and concentrate on a high degree of coverage for the essential parameters — fatalities and lost time injuries — to enhance harmonization internationally. In deciding on accident definitions and classifications, governments should have regard to the desirability of international standardization to facilitate comparisons. All accident statistics relevant to safety on and in transit between the onshore assembly point and offshore installations, including those pertaining to mobile offshore units, should be covered. The same applies to particular occupational groups such as divers. In time, and to the extent possible, the exchange of information on dangerous occurrences should be encouraged, and the relevance of contextual information such as the type of regulatory system, environmental conditions, hours of work, schedules and other working conditions, etc., should be analysed. This analysis should include the determination of possible causes.

4. Governments and employers’ and workers’ organizations should take steps to create conditions and remove disincentives to report accidents and incidents. In particular, accident reporting should be compulsory; proper confidentiality of the data source should be assured; workforce involvement should be encouraged through appropriate safety training and the creation of an environment which encourages free discussion of safety issues; the bonus systems which have the perverse effect of discouraging or distorting accident reporting should be avoided. Accident data should be made readily available to relevant employers’ and workers’ organizations and representatives.

Approaches to safety regulation

5. There is a clear advantage in the principle of self-regulation within a framework of goal-setting regulations and the use of safety management systems. Such regimes are commended to all countries with offshore petroleum activities. To be effective these regimes must provide for the full participation in safety matters of the workforce and, where relevant, workers’ organizations and their representatives. These regimes also require a competent regulatory authority able to evaluate the formal safety assessments and audit the safety management systems of the operators. Regulators should cooperate internationally to promote the adoption of the regime and to develop their competence in applying it.

6. Safety performance objectives and scope should be set at the same high level in all countries. They should be applied to all workers without discrimination. While the self-regulatory regime is in principle a more attractive option than prescriptive regimes for all countries, its requirements in terms of company procedures and resources for safety management and for government supervisory capacity are demanding. A prescriptive regime also presents demands in the form of a corps of trained inspectors. All countries should take account of that in considering their regulatory arrangements. Employers and employers’ organizations should develop guidelines and training programmes to assist developing countries in this regard. Trade unions in industrialized countries should assist their counterparts in other countries in relation to safety matters.

Institutional arrangements

7. It is in principle desirable that government responsibility for supervising offshore safety matters should be vested in a single agency, although alternative arrangements have proved workable in some countries. It is important that the agency should have a large measure of independence and professional competence. There are advantages in separating administrative responsibility for safety supervision from that pertaining to the economic aspects of resource management, notwithstanding the existence of some national systems which do not divide these responsibilities and which appear to function satisfactorily. When not divided, the separate responsibilities should be made clear in fact, through appropriate lines of authority, and in perception, through suitable information programmes. Proper definition of the separate roles is especially important when they are combined in an operational organization such as a government-owned oil company.

Safety implications of work schedules

8. Certain features of offshore work are different from onshore conditions in ways that could have safety implications. Among these are long working hours including overtime where worked, periods of absence from home, and unusual or irregular work schedules. Governments and
employers' and workers' organizations should study the possible safety aspects of such working conditions, for example through research and when preparing formal safety assessments. If warranted by the results of such analysis, special rules pertaining to offshore work should be considered. There should be proper arrangements for offshore personnel who, because of the stringent medical requirements for offshore work, are declared unfit to work offshore and are not yet of retirement age.

Drugs and alcohol

9. Drug and alcohol abuse is a potential problem on offshore installations as in other industrial worksites, in view of the demonstrated ability of these substances to impair work performance. However, the size of the problem should not be exaggerated. Illegal drugs and alcohol are in general prohibited on offshore installations, and the need for that prohibition is widely accepted, but potential problems can also arise caused by impairment during offshore work periods due to consumption while on leave and due to withdrawal symptoms. Policies and programmes to deal with these matters should emphasize prevention and should be based on certain principles, including the following: they should apply to all employees, including management; they should aim at counselling and rehabilitation rather than punishment, and they should protect the privacy of the individual. Testing should be applied fairly, taking into consideration the rights of the employee. Consideration of drug and alcohol issues should be integrated into safety management systems.

Contractors

10. In proportions that vary from country to country and within countries, offshore work is performed by employees of contractor companies. The safety performance of contractors varies, but is a cause for concern. The reasons include the hazardous and often itinerant nature of their work, the varied character and size of the enterprises and the adequacy of training of their staff.

11. Employers who are contractors and their organizations should continue the efforts already begun to upgrade their safety performance, inter alia, by developing and applying appropriate guidelines and good practice, and training and certification (i.e. competence assurance) programmes. Employers who are operators should also give due weight to safety performance in deciding whether to use contractors and in evaluating and selecting the contractors which they use, and should work with their contractors to improve safety performance. Governments should assure that companies' safety management systems make clear how safety responsibility is divided; responsibility for the overall safety management system should rest with the operator.

Workforce involvement

12. To promote safety in offshore activities, especially in a system of self-regulation, full use should be made of the knowledge and skills of all members of the workforce. The safety management system (SMS) should include provisions for workforce involvement in all safety matters and, in auditing the SMS, the regulator should ensure that this actually takes place. Such provisions should include mechanisms, such as safety committees or their equivalent, for the participation of all categories of workers (and/or their representatives), including those working for contractors. Workforce involvement should be encouraged through the provision of relevant information, appropriate safety training, and the creation of an environment which encourages free discussion of safety issues without any threat of victimization. Recruitment and training practices should ensure that all workers are competent to perform safely the tasks assigned to them.

13. Tripartite consultation should take place through appropriate channels at national level in respect of national policies governing offshore safety regulations. At the level of the enterprise and the installation, employers should give effect to the above principles through consultation with workers and/or workers' organizations. In consultations regarding safety, health and related working conditions, the principles of freedom of association and of collective bargaining embodied in the Freedom of Association and Protection of the Right to Organize Convention (No. 87), 1948, and the Right to Organize and Collective Bargaining Convention (No. 98), 1949, should be respected.
Scope of application of labour legislation

14. Governments which license offshore petroleum exploration and production operations should apply their safety and related labour legislation and regulations to fixed and mobile installations engaged in such operations and to all personnel employed thereon and in connected activities. Such legislation should be in accordance with relevant international law and labour standards.

Mobile offshore units

15. Governments should take action to promote safety on mobile drilling units by endorsing the recommendations for design criteria, construction standards and other safety measures contained in the International Maritime Organization (IMO) Code for the Construction and Equipment of Mobile Offshore Drilling Units (MODU Code), 1979 and 1989 editions, and their subsequent amendments. The 1989 Code applies to units constructed after May 1991. Operators should take action to achieve a level of safety at least equivalent to that intended by the recommendations contained in the 1979 or 1989 Code as appropriate. Governments and employers' and workers' organizations should take note of the IMO's work concerning maritime safety and emergency preparedness training for personnel working on mobile offshore units and should clarify what additional safety training and other requirements are necessary on such units for safety matters not covered by IMO resolutions or other standards.

ILO action

16. The ILO should undertake the following actions, in order of priority:

(i) promote the adoption on a worldwide basis of the principle of self-regulation based on safety management systems within a framework of goal-setting regulations, and full workforce involvement at national and company level in safety matters in the offshore petroleum industry;

(ii) assist in the development of a consistent system of accident statistics by developing a code of practice for the notification of occupational injuries, in particular fatalities and lost time injuries, by facilitating the exchange of information on occupational diseases and dangerous occurrences, and by providing technical advisory services in these areas;

(iii) prepare a code of practice or similar guidelines on safety and health management systems in offshore petroleum operations for use by countries undertaking such operations for the first time or considering revision of their safety arrangements; such guidelines should reflect those principles of self-regulation as set out in the Cullen Report which are applicable to all countries;

(iv) facilitate the acquisition of expertise for the management of offshore safety by government agencies in countries which request assistance, according to the principles contained in these Conclusions, through assistance in the training of inspectors, the dissemination of information and by other appropriate means;

(v) make provision in its programme of work on occupational safety and health for studying and disseminating information on causes of past offshore accidents; working conditions on installations in the polar areas; the effect of specific features of offshore work on occupational health;

(vi) carry out a comparative study on the law and practice of a selected number of countries which have offshore petroleum installations within their jurisdictions concerning safety and health matters covered by relevant international labour standards in respect of those installations, and any problems that may have arisen in this regard.
CONCLUSIONS AND GUIDING PRINCIPLES ADOPTED

Guiding principles on drug and alcohol testing procedures for worldwide application in the maritime industry

The Joint ILO/WHO Committee on the Health of Seafarers, Having met in Geneva, in its Seventh Session, from 10 to 14 May 1993; Adopts this fourteenth day of May 1993 the following guiding principles:

Testing biological samples to detect the presence of certain drugs and alcohol is a process which raises many important and sensitive moral, legal and ethical questions. For this reason, it is important that the procedures are thorough, tactful, discreet and maintain the individual's right to privacy, medical confidentiality and ensure accuracy of the results with minimum inconvenience and distress to the individuals subject to the tests.

Testing procedures which achieve these objectives should be developed, preferably subject to the approval of the appropriate national administration in the flag State or the national administration in the country of origin of the seafarers.

In introducing and implementing a testing programme, it is essential to ensure the individuals to be tested are aware of the reasons for its introduction, the safeguards developed to maintain personal privacy and medical confidentiality are explained, and the rights of the individual to receive, on request, the results of the tests are emphasized.

Alcohol testing

In accordance with the objective of developing procedures respecting personal privacy and minimizing inconvenience, it is recommended that evidential breathalysers should be used wherever possible for initial screening purposes. Positive results which may arise from this initial screening should result in more detailed blood analysis before further action is taken. The maximum blood-alcohol concentration (BAC) level should be the subject of internationally agreed standards.

Urine specimen collection and testing procedures

Integrity and identity of specimens

A collection site should be designated which must have the material, equipment, supervision and privacy necessary to allow the sample to be collected, temporarily stored and transported to the testing laboratory and which must ensure security. Procedures for collecting urine samples must ensure:

— personnel involved in the collection of samples must have successfully completed training to perform these functions;
— personal privacy commensurate with the need to preserve the security of the sample;
— the identity of the individual providing the sample is confirmed and the sample is correctly labelled as having been collected from that person;
— use of legally prescribed medication by the individual is properly recorded;
— adequate security arrangements are in force to prevent adulteration of the sample;
— the sample is adequate in quantity for testing purposes and the temperature of the sample is taken and recorded;

1 Adopted unanimously.
— the container(s) used for storing and transporting the sample will prevent contamination, will not leak or break during transportation and will be secure.

**Laboratory requirements**

Laboratories used for the analysis of samples should, where applicable, be licensed or accredited by the appropriate national or international bodies, comply with such detailed requirements and procedures as may be specified by such bodies and the laboratory management responsible for the analysis must have specifically documented qualifications in analytical forensic toxicology. The laboratory must have documented procedures governing the integrity of the samples, the proper performance of each test and the preservation of acceptable analytical performance and controls to appropriate standards.

The laboratory must perform an initial screening test consisting of an immunoassay technique with initial cut-off levels to determine positive or negative results for specified drugs or classes of drugs to agreed specified standards.

In the event of a specimen being identified as positive on the initial test, a confirmatory test using a different technique and chemical principle must be performed.

**Chain of custody**

Each sample must be subject to a secure chain of custody from its point of collection to the site of its final disposal. The chain of custody must be documented with records of the date and purpose of each operation, including handling of the sample and transportation, and every individual involved in the chain must be identified. The chain of custody procedures should include a record of the receipt of the sample by the laboratory, test results and final disposal.

**Review of results**

A Medical Review Officer (MRO) should be appointed to review positive results. The MRO should be a licensed physician with a sound knowledge of substance abuse disorders. As a positive result does not automatically identify an individual as an illegal drug user, the role of the MRO is to review, verify and interpret positive test results. In carrying out his/her responsibilities, the MRO should examine alternative medical explanations for a positive test result, where possible conduct a medical interview with the individual tested, review available medical records and take into account the extent to which the positive result might be due to the use of legally prescribed medication. If the MRO determines that there is a legitimate medical explanation or other reason for the positive test, no further action should be taken.

**Conclusions**

The Joint ILO/WHO Committee on the Health of Seafarers,

Having met in Geneva, in its Seventh Session, from 10 to 14 May 1993;
Adopts this fourteenth day of May 1993 the following conclusions: 1

**Occupational accidents among seafarers resulting in personal injuries, damage to their general health and fatalities**

1. Comparable statistics concerning occupational accidents and health problems of seafarers are required in order to improve the understanding of these matters and to improve accident and disease prevention. All parties — governments, shipowners, seafarers' trade unions, protection and indemnity clubs and others — should be encouraged to collect such information and make it widely available. The ILO should actively collect and disseminate such information. Doctors should use the Internationally Statistical Classification of Diseases in order to provide consistency in the statistics.


---

1 Adopted unanimously.
3. Many doctors providing treatment to seafarers are unaware of shipboard occupational hazards and do not fully appreciate the unique characteristics of seafaring life (e.g. limited port time, long voyages, etc.). This creates problems with regard to the provision of long-term, effective medical care. Furthermore, health services for seafarers, particularly in some developing countries, have not always been satisfactory. The ILO and WHO are, therefore, urged to support training activities which will lead to the improvement of this situation. This might include organizing training programmes on maritime occupational health for trainers and medical officers from these countries. The World Maritime University should be encouraged to include health topics in its programme and, in doing so, should utilize the resources available from WHO Collaborating Centres on the Health of Seafarers.

4. Shipboard noise is not only the cause of hearing impairment and other disorders resulting from long-term exposure but may also be a contributory factor in occupational accidents because of its negative effect on shipboard communication. Existing ILO and other international standards concerning noise levels should be complied with and hearing protection equipment should be provided where appropriate.

5. Company, flag state and port state control inspectors should pay particular attention to food hygiene, the quality of drinking water (in terms of chemical and bacterial contents) and the contents and condition of medicine chests, hospital spaces and other relevant medical equipment and facilities. Inspectors should ensure that each ship has on board a person or persons appropriately trained to provide medical assistance.

6. Governments, shipowners’ and seafarers’ organizations must work together to improve the occupational safety and health of seafarers. National and international agencies should ensure that any educational materials produced are widely distributed. Flag state and port state administrations, trade union representatives, port chaplains and others in direct contact with ships — particularly ships which appear to be deficient with respect to occupational safety and health — should be provided with occupational safety and health literature and should distribute such materials to the crews. Individual seafarers have a responsibility to use protective equipment, where provided.

7. The ILO should initiate a survey or determine by other means why the Health Protection and Medical Care (Seafarers) Convention, 1987 (No. 164), has not been more widely ratified, and then it should conduct regional and national seminars to assist member States to ratify and implement that instrument. Shipowners’ organizations, trade unions and medical organizations concerned with seafarers’ health should encourage countries to ratify and implement the Convention.

8. Radio medical advisory services are critically important in ensuring seafarers’ health and are irreplaceable. Such services should be readily available and provided free of charge to all ships, as called for in Convention No. 164.

9. Governments, in keeping with the provisions of Convention No. 164, should ensure that proper medical care is available to seafarers visiting ports. Such medical care should be provided, whenever possible, by doctors who have received special training in the medical problems of seafarers, including such matters as limited port time. Seafarers’ hospitals provide a valuable service and should be supported. Governments should be encouraged to assist in the evacuation by helicopter and other appropriate means of seriously ill or injured seafarers.

10. When requesting treatment ashore, seafarers should be encouraged to provide their medical records to medical professionals. Shipping companies and masters should be encouraged to maintain seafarers’ health records on board ship and to ensure that the seafarer carries copies of the record ashore when seeking medical treatment. Medical professionals ashore should provide seafarers with a written record of medical treatment, including any instructions regarding medication or action to be taken, and should provide the seafarer with sufficient copies for the seafarers’ own records and the master’s and company’s requirements. As far as practical, the seafarer’s confidentiality and privacy should be ensured.

Guidance to seafarers on the risk and prevention of infection from blood-borne and sexually transmitted diseases

11. Prior to port calls, masters and those officers with responsibility for providing medical treatment on board ship should instruct seafarers of the risks and preventive measures associated with sexually transmitted diseases. Literature and other preventive materials should be carried on board ship and made easily and confidentially available to the crew.
12. Vaccinations for hepatitis-B should be offered to seafarers who should be encouraged, but not necessarily required, to receive such vaccinations.

13. Governments, shipowners' and seafarers' organizations should request the WHO's Global Programme on Aids to take action on the recommendations contained in the Consensus Statement from the Consultation on AIDS and Seafarers held by WHO, in association with the ILO, in 1989.

14. Seafarers should be motivated to take action to protect themselves from sexually transmitted diseases. Training institutions, registration bodies, doctors conducting pre-sea medical examinations and doctors performing periodic examinations on seafarers all have a responsibility to advise seafarers of the risks and appropriate preventive measures on a personal basis. Shipowners, doctors, trade unions and others should use imaginative approaches to raising the awareness and understanding of seafarers concerning sexually transmitted diseases, particularly AIDS.

Education of seafarers in the dangers to both their health and professional careers arising from abuse of drugs and alcohol

15. More research is needed in order to determine the extent of both alcohol and drug abuse problems in the shipping industry. The ILO should collect data from drug-testing companies and others and compile international statistics. Shipowners should assist the ILO in obtaining such information.

16. It is important to establish an international standard for a maximum acceptable BAC level for seafarers on duty on board ship. In this regard the Committee took note of the recent work of the 24th Session of the IMO's Standards of Training and Watchkeeping Sub-Committee to establish such a standard.

17. Trained counsellors should be made available to seafarers, either as members of the crew or through trade unions or social agencies, in order to assist in the early identification of drug and alcohol problems.

18. The ILO should publish and widely distribute the Guiding Principles on Drug and Alcohol Testing Procedures for Worldwide Application in the Maritime Industry, as agreed by the Committee.

Incidence of mental diseases and psycho-social disturbances associated with work on board ship and the seafaring profession generally

19. More research was necessary into the personality profile and mental aptitude of those persons best suited for a career at sea, although national and other characteristics made it difficult to envisage the development of relevant standards in this area in the near future. The ILO and WHO should collect published research in this area and should distribute this material for the information of those concerned in order to promote a greater understanding of these issues.

20. Some mental health problems may be related to the particular characteristics of seafaring life. Reduced crew sizes, shortened port visits, increased mixing of nationalities on board ship and other factors may result in the need for shorter periods on board, longer and more frequent leave periods, better recreational facilities and other means of compensation for possible increases in psychological stress.

21. The ILO, with the support of WHO, should collect statistics on the results of medical examinations carried out in accordance with the ILO Medical Examination (Seafarers) Convention, 1946 (No. 73), and the Health Protection and Medical Care (Seafarers) Convention, 1987 (No. 164). To determine the extent and reasons for the rejection of potential or existing seafarers on psychological grounds. Institutions and persons who might assist in this study should be identified, contingency plans for financing developed and a report prepared for consideration by a tripartite body at a later date.

Mechanism for periodic updating of the International Medical Guide for Ships

22. The Guide or an equivalent national guide should be carried on board every merchant ship. However, the Guide should not be considered as a replacement for radio consultations between shipboard medical officers and shoreside maritime medical advisory services.

23. The Guide should be revised in order to take into account recent changes in medical science and technology. A committee consisting of nautical doctors and shipowner and seafarer
representatives should be established for the purpose of revising the IMGS. In carrying out their work, they should bear in mind recommendations on the need for a symptom index, the need to update the document concerning advances in communications and the desirability of including questions which assist the user in revealing a patient’s medical history. The Guide should be written in clear, concise language and be similar in size and style to the current edition.

Harmonization of medical examination requirements of seafarers

24. Fitness standards for seafarers vary widely. It is, therefore, desirable that an international standard be developed for pre-sea and periodic examinations. Doctors performing such examinations should have a clear understanding of the special requirements of seafaring life. The WHO, in collaboration with the ILO, should serve as a repository for information on national examination standards and should conduct research in this area. A report on these standards should be prepared for discussion at the next session of the Joint Maritime Commission.

25. The Committee took note of the work concerning international minimum standards on the eyesight of deck personnel undertaken by IMO.
Final Act adopted by the Strasbourg Governmental Conference entrusted with the adoption of a European Agreement concerning the Social Security of Boatmen engaged in Inland Navigation

(Strasbourg, 26 March 1993)

1. The Strasbourg Conference entrusted with the adoption of a European Agreement concerning the Social Security of Boatmen engaged in Inland Navigation, organized by the Administrative Centre for the Social Security of Rhine Boatmen with the support of the International Labour Office, was held in Strasbourg from 22 to 26 March 1993, for the purpose of adopting the text of the Agreement prepared on the basis of discussions at the Vienna Conference of 1991.

2. The Governments of the following States were represented:
   - the Federal Republic of Germany,
   - the Republic of Austria,
   - the Kingdom of Belgium,
   - the Republic of Bulgaria,
   - the Republic of Croatia,
   - the French Republic,
   - the Republic of Hungary,
   - the Grand Duchy of Luxembourg,
   - the Republic of Moldova,
   - the Kingdom of the Netherlands,
   - the Republic of Poland,
   - Romania,
   - the Russian Federation,
   - the Slovak Republic,
   - the Republic of Slovenia,
   - the Swiss Confederation,
   - the Czech Republic (as observer),
   - the Ukraine.

The following organizations also attended the Conference:
   - Central Commission for Rhine Navigation,
   - Danube Commission

and as observers:
   - Council of Europe,
   - International Transport Workers’ Federation,
   - European Boatmen’s Organisation,
   - Trade-Union International of Transport Workers.

3. The Conference adopted the text of the European Agreement concerning the Social Security of Boatmen engaged in Inland Navigation on 26 March 1993; it was signed by the Chairman of the Conference.

The Conference recognized that this Agreement has the objective of guaranteeing the continuity and improvement of social protection for boatmen travelling in Europe. This Agreement provides arrangements with respect to equality of treatment and with respect to the coordination of social security schemes covering illness, maternity, occupational accidents and diseases and death. It also defines the legislation applicable in order to resolve possible conflicts of law.
4. This Agreement shall be applied and interpreted according to the summary of the deliberation of the Governmental Conference.

In particular, the Conference considered that the definition of "auxiliary worker" should be interpreted restrictively and should only concern possible engagements for the purpose of temporarily completing the crew due to exceptional circumstances. Exceptional circumstances may mean for example an illness, an accident, or a serious family incident but also a difficult voyage or local regulations requiring a pilot for a particular stretch of water. The notion of auxiliary worker also covers a boatman engaged in handling a ship in port.

In addition, the Conference agreed to entrust the Secretariat of the Administrative Centre to the Secretariat of the Central Commission for Rhine Navigation and to the Secretariat of the Danube Commission if the latter deemed it appropriate. By their act of signature, the two organizations undertake to fulfil the functions incumbent on them under the Agreement.

5. This Agreement is open for signature and ratification by the States represented on the Central Commission for Rhine Navigation, by Luxembourg, by the States represented on the Danube Commission as well as by any other European State whose inland waterways connect with the Rhine or the Danube.

It shall be signed in Geneva by the plenipotentiaries of the Governments and ratification under the conditions foreseen by the said Agreement should follow in the shortest possible time.

The text of the Agreement shall be deposited with the Director-General of the International Labour Office who shall communicate duly certified copies to each of the States represented on the Central Commission for Rhine Navigation, to Luxembourg as well as to each State represented on the Danube Commission and to the said Commissions.

In witness to which the undersigned representatives have signed the present final Act.

Done at Strasbourg on 26 March 1993, in one original copy, in German, in English and in French. A translation into Russian will be made.

For the Federal Republic of Germany: A. Bokeloh.
For the Republic of Austria: H. Siedl.
For the Kingdom of Belgium: M. Crop.
For the Republic of Bulgaria: N. Nikolov.
For the Republic of Croatia: K. Tamhina.
For the French Republic: N. Laroque.
For the Republic of Hungary: G. Mattyasovszky.
For the Grand Duchy of Luxembourg: G. Schroeder.
For the Republic of Moldova: N. Aleinov.
For the Kingdom of the Netherlands: A. Bloemheuvel.
For the Republic of Poland: J. Maciejewska.
For Romania: D. Mustatea.
For the Russian Federation: V. Dratchinsky.
For the Slovak Republic: O. Herec.
For the Republic of Slovenia: A. Cicercov.
For the Swiss Confederation: M. V. Brombacher.
For the Czech Republic: J. Bauer.
For the Ukraine: B. G. Aleinik.
For the Danube Commission: M. Orechnikov.
European Agreement concerning the Social Security of Boatmen engaged in Inland Navigation

The Federal Republic of Germany, the Republic of Austria, the Kingdom of Belgium, the Republic of Bulgaria, the Republic of Croatia, the Russian Federation, the French Republic, the Republic of Hungary, the Grand Duchy of Luxembourg, the Republic of Moldova, the Kingdom of the Netherlands, the Republic of Poland, Romania, the Slovak Republic, the Republic of Slovenia, the Swiss Confederation, the Czech Republic and the Ukraine,

Having decided to conclude an Agreement concerning the Social Security of Inland Waterway Boatmen and having, for this purpose, appointed their plenipotentiaries whose powers have been found to be in good and due order, have adopted the following provisions:

TITLE I. GENERAL PROVISIONS

Article 1

Definitions

For the purpose of this Agreement —

(a) the term “Contracting Party” means any State which has deposited an instrument of ratification, of acceptance or of accession, in accordance with the provisions of Article 51, paragraph 2, or of Article 53, paragraph 2;

(b) the term “territory of a Contracting Party” is defined in Annex I; each Contracting Party shall give notice, in accordance with the provisions of Article 57, paragraph 1, of any amendment to be made to Annex I;

(c) the term “legislation” means, for each Contracting Party, any laws, regulations or other statutory rules concerning social security which are in force at the time of signature of this Agreement or may enter into force subsequently in the whole or any part of the territory of each Contracting Party;

(d) the term “social security agreement” means any bilateral or multilateral instrument by which two or more Contracting Parties are, or may subsequently be, bound exclusively, and any multilateral instrument by which at least two Contracting Parties and one or more third States are, or may subsequently be, bound in the field of social security in respect of all or of part of the social security branches and schemes specified in Article 3, paragraphs 1 and 3, as well as any agreements concluded pursuant to the said instruments;

(e) the term “competent authority” means the Minister, Ministers or other corresponding authority responsible for the social security schemes applicable to boatmen in all or any part of the territory of each Contracting Party;

(f) the term “institution” means the body or authority responsible for applying all or part of the legislation of each Contracting Party;

(g) the term “competent institution” means —

(i) in relation to a social insurance scheme, either the institution with which the person concerned is insured when he claims benefit, or the institution from which he is entitled to receive benefit, or would be entitled to receive benefit, if he were resident in the territory of the Contracting Party where that institution is situated, or the institution designated by the competent authority of the Contracting Party concerned;

(ii) in relation to a scheme other than a social insurance scheme the institution designated by the competent authority of the Contracting Party concerned;

(iii) in relation to a scheme concerning an employer’s liability in respect of benefits referred to in Article 3, paragraph 1, either the employer or his insurer or, in default thereof, the body or authority designated by the competent authority of the Contracting Party concerned;

(h) the term “competent State” means the Contracting Party in whose territory the competent institution is situated;
(i) the term "residence" means ordinary residence;
(j) the term "temporary residence" means temporary stay;
(k) the term "institution of the place of residence" means the institution empowered under the Contracting Party's legislation which it applies, to provide the benefits in question at the place of residence or, where no such institution exists, the institution designated by the competent authority of the Contracting Party concerned;
(l) the term "institution of the place of temporary residence" means the institution empowered, under the Contracting Party's legislation which it applies, to provide the benefits in question at the place of temporary residence or, where no such institution exists, the institution designated by the competent authority of the Contracting Party concerned;
(m) the term "boatman" means an employed person or a self-employed person, as well as any person treated as such under the legislation applicable, who works on board a vessel engaged in commercial inland navigation;
(n) the term "auxiliary worker" means a boatman engaged in order to complete the crew on a temporary basis due to exceptional circumstances or for the purpose of handling a ship in port;
(o) the term "members of family" means persons defined or recognized as such, or designated as members of the household, by the legislation applied by the institution responsible for providing benefits, or in the cases referred to in Article 16, paragraph 1, subparagraph (a), by the legislation of the Contracting Party in whose territory they reside; where, however, that legislation regards only persons living with the person concerned as members of the family or members of the household, that condition shall be deemed to be satisfied if such persons are mainly maintained by the person concerned; where such legislation does not permit the members of the family to be determined, the institution of the place of temporary residence or the institution of the place of residence shall refer to the legislation which the competent institution applies;
(p) the term "survivors" means the persons defined or recognized as such by the legislation under which the benefits are granted; where, however, this legislation regards as survivors only persons who were living with the deceased, this condition shall be deemed to be satisfied if the persons concerned were mainly maintained by the deceased;
(q) the term "periods of insurance" means periods of contributions, employment, occupational activity or residence as defined or recognized as periods of insurance by the legislation under which they were completed, and include, as appropriate, those which were not completed in the occupation of boatman, and any other periods in so far as they are regarded by that legislation as equivalent to periods of insurance;
(r) the terms "periods of contribution", "periods of employment" and "periods of occupational activity" mean periods defined or recognized as such by the legislation under which they were completed, and any other periods in so far as they are regarded by that legislation as equivalent to periods of contribution, employment or occupational activity;
(s) the term "periods of residence" means periods of residence defined or recognized as such by the legislation under which they were completed;
(t) the term "benefits" means all benefits in kind and in cash, and pensions, provided in respect of the contingency concerned, and includes —
   (i) benefits in kind, and benefits aimed at prevention, rehabilitation and occupational retraining;
   (ii) benefits in cash, pensions and all components thereof, provided out of public funds and all increases, adjustment allowances or supplementary allowances unless otherwise specified in this Agreement, and any benefits awarded for the purpose of maintaining or improving earning capacity, lump sum benefits which may be paid in lieu of pensions and, as appropriate, any payments made by way of refund of contributions;
(u) the term "death grant" means any lump sum payable in the event of death, other than the lump sum benefits mentioned in subparagraph (i) (ii) of this Article;
(v) the term "contributory" applies to benefits, the award of which depends either on direct financial participation by the persons protected or by their employer, or on a qualifying period of occupational activity, and to legislation or schemes which provide for such benefits; benefits the award of which does not depend on direct financial participation by the persons protected or by their employer, or on a qualifying period of occupational activity,
and the legislation or schemes under which they are exclusively awarded, are said to be "non-contributory";

(w) the term "Administrative Centre" means the Administrative Centre for the Social Security of European Boatmen referred to in Article 32.

**Article 2**

**Persons covered**

1. This Agreement applies, in the territory of the Contracting Parties, to all persons who are or have been subject, in the capacity of boatmen, to the legislation of one or more of the Contracting Parties, as well as to members of their families and their survivors.

2. This Agreement does not apply to persons who exercise their occupational activity on board a sea-going vessel recognized as such by the legislation of the State whose flag it flies.

**Article 3**

**Matters covered**

1. This Agreement applies to all legislation governing the branches of social security concerning —
   (a) sickness and maternity benefits;
   (b) benefits in respect of occupational injuries and diseases;
   (c) death grants.

2. This Agreement does not affect the provisions of the legislation of a Contracting Party which establish liability for contributions to other branches of social security.

3. This Agreement applies to all general social security schemes and special schemes, whether contributory or non-contributory, including employers' liability schemes in respect of the benefits referred to in paragraph 1 of this Article.

4. This Agreement does not apply to social or medical assistance schemes or to benefit schemes for victims of war or its consequences.

**Article 4**

**Legislation and schemes referred to in Article 3**

1. Annex II specifies, in respect of each Contracting Party, the legislation and schemes referred to in Article 3, paragraphs 1 and 3.

2. Each Contracting Party shall give notice, in accordance with the provisions of Article 57, paragraph 1, of any amendment to be made to Annex II as a result of the adoption of new legislation. Such notice shall be given within three months of the date of publication of such legislation or, in the case of legislation published before the date of ratification or acceptance of this Agreement, on the date of ratification or acceptance.

**Article 5**

**Relationship between this Agreement and other international instruments**

1. The provisions of this Agreement shall not affect obligations under Conventions adopted by the International Labour Conference.

2. The provisions of this Agreement shall not apply, in respect of branches and persons to whom it is applicable and in fields which it governs, when the following are applicable:
   (a) the provisions of the Agreement concerning the Social Security of Rhine Boatmen (revised) of 30 November 1979,
   (b) the provisions relating to social security of the Treaty of 25 March 1957 establishing the European Economic Community and of the Agreement of 2 May 1992 on the European Economic Area,
   (c) provided they have been mentioned in Annex III by mutual agreement between the Contracting Parties concerned, the provisions of any social security agreement binding:
      (i) two or more Contracting Parties exclusively, or
      (ii) at least two Contracting Parties and one or more third States, in respect of cases calling for no action on the part of an institution of one of the latter States.
3. Two or more Contracting Parties may, by mutual agreement, make appropriate amendments to Annex III by giving notice thereof in accordance with the provisions of Article 57, paragraph 1.

**Article 6**

**Possible supplementary agreements**

1. Two or more Contracting Parties may, if need be, conclude with each other supplementary agreements founded on the principles of this Agreement.

2. Each Contracting Party shall give notice in accordance with the provisions of Article 57, paragraph 1, of any Agreement which it concludes by virtue of the preceding paragraph, and of any subsequent amendments or denunciation of such an Agreement. Such notice shall be given within three months of the date of entry into force of that Agreement or of its amendment, or of the date on which its denunciation takes effect.

**Article 7**

**Equality of treatment**

1. Unless otherwise specified in this Agreement, persons who are on board a vessel referred to in Article 1, subparagraph (m), or who are resident in the territory of a Contracting Party and to whom this Agreement is applicable, shall have the same rights and obligations under the legislation of every Contracting Party as the nationals of such Party.

2. The provisions of paragraph 1 of this Article shall not affect the legislation of any Contracting Party in so far as it concerns participation in social security administration or membership of social security tribunals.

**Article 8**

**Admission to voluntary or optional continued insurance**

1. The provisions of the legislation of a Contracting Party which make admission to voluntary insurance or optional continued insurance conditional upon residence in the territory of that Party shall not apply to persons to whom this Agreement is applicable and who reside in the territory of another Contracting Party, provided that they were last subject to the legislation of the first Party as boatmen.

2. Where a boatman applies for admission to voluntary or optional continued insurance by virtue of the legislation of a Contracting Party which makes admission to voluntary or optional continued insurance conditional upon the completion of periods of insurance, the periods of insurance which he completed under the legislation of any other Contracting Party shall be taken into account, to the extent necessary, as if they were periods of insurance completed under the legislation of the first Party.

**Article 9**

**Waiving of residence clauses restricting the provisions of benefits**

1. Unless otherwise specified in this Agreement, neither pensions in respect of occupational injuries or diseases, nor death grants, payable under the legislation of one or more Contracting Parties, shall be liable to reduction, modification, suspension, suppression or forfeiture by reason of the fact that the beneficiary is resident in the territory of a Contracting Party other than that in which the institution liable for payment is situated.

2. The provisions of the preceding paragraph shall not affect the provisions of the legislation of a Contracting Party, or those of any social security convention binding a Contracting Party with a third State, which provide for the payment of the benefits referred to in that paragraph to beneficiaries residing outside the territories of the Parties to this Agreement.

**Article 10**

**Adjustment of benefit rates**

The rules governing adjustment of benefit rates laid down in the legislation of a Contracting Party shall be applicable to benefits payable under such legislation in accordance with the provisions of this Agreement.
Title II. Provisions which determine the legislation applicable

Article 11

General rules

1. A boatman shall be subject to the legislation of one Contracting Party only.

2. A boatman shall be subject to the legislation of the Contracting Party in whose territory the undertaking which operates the vessel on board which the boatman engages in his occupation has its principal place of business, whether or not it is the owner of the vessel. If the principal place of business of that undertaking is not situated in the territory of a Contracting Party, the boatman shall be subject to the legislation of the Contracting Party in whose territory there is a branch or permanent representative of the undertaking. If the undertaking has neither its principal place of business, nor a branch or a permanent representative in the territory of a Contracting Party, the applicable legislation shall be that of the Contracting Party in the territory of which the owner of the vessel has his principal place of business.

3. A boatman who operates his own vessel shall be subject to the legislation of the Contracting Party in whose territory his undertaking has its principal place of business. If the principal place of business of his undertaking is not situated in the territory of any Contracting Party, he, and any other boatmen who engages in their occupation on that vessel, shall be subject to the legislation of the Contracting Party in whose territory the place of registration or the home port of the vessel is located.

4. A boatman who is an auxiliary worker shall be subject to the legislation of the Contracting Party in whose territory he is resident. However, in the case of residence in the territory of a third State —
   (a) an auxiliary worker who is engaged to complete the crew on a temporary basis due to exceptional circumstances is subject to the legislation of the Contracting Party determined in accordance with paragraph 2 or 3 of this Article;
   (b) an auxiliary worker who is engaged for the purpose of handling a ship in port is subject to the legislation of the Contracting Party in whose territory the port is situated.

Article 12

Rules concerning voluntary insurance or optional continued insurance

1. The provisions of Article 11 shall not apply to voluntary insurance or optional continued insurance, except where, in respect of any of the branches of social security referred to in Article 3, paragraph 1, there exists only a scheme of voluntary insurance under the legislation of the Contracting Party concerned.

2. Where the application of the legislation of two or more Contracting Parties would result in affiliation to a compulsory insurance scheme and at the same time permit membership of one or more voluntary insurance or optional continued insurance schemes, the person concerned shall be subject exclusively to the compulsory insurance scheme.

3. Where the application of the legislation of two or more Contracting Parties would result in the possibility of membership of two or more voluntary insurance or optional continued insurance schemes, the person concerned shall be admitted solely to the voluntary insurance or optional continued insurance scheme of the Contracting Party in whose territory he is resident or of which he is a national.

Article 13

Possible exceptions to Articles 11 and 12

1. The competent authorities of two or more Contracting Parties may, by agreement, provide for exceptions to the provisions of Articles 11 and 12 in the interests of boatmen affected thereby.

2. The application of the provisions of the preceding paragraph shall, if need be, be subject to a request by the boatmen concerned and, where appropriate, by their employers. Moreover, such application shall be the subject of a decision by which the competent authority of the Contracting Party whose legislation should be applicable confirms that the said boatmen are no longer subject to that legislation and will henceforth be subject to the legislation of another Contracting Party.
**Article 14**

*Waiving of territorial clauses restricting the application of legislation*

Where, under the provisions of this Title, a boatman is subject to the legislation of a Contracting Party in whose territory he does not engage in an occupational activity or is not resident, that legislation shall be applicable to him as if he engaged in an occupational activity or as if he were resident in the territory of that Party.

**TITLE III. SPECIAL PROVISIONS GOVERNING THE VARIOUS CATEGORIES OF BENEFITS**

**Chapter 1. Sickness and maternity**

**Article 15**

*Adding periods together*

Where the legislation of a Contracting Party makes the acquisition, maintenance or recovery of entitlement to benefits conditional upon the completion of periods of insurance, the institution which applies that legislation shall, to that end, for the purpose of adding periods together, take account, to the extent necessary, of periods of insurance completed under the legislation of any other Contracting Party as if they were periods completed under the legislation of the first Party.

**Article 16**

*Temporary residence in or transfer of residence to the territory of a Contracting Party other than the competent State*

1. A boatman who satisfies the conditions for entitlement to benefits under the legislation of the competent States, regard being had, where appropriate, to the provisions of Article 15, and

(a) whose condition necessitates the immediate provision of benefits during temporary residence in the territory of a Contracting Party other than the competent State, or

(b) who, having become entitled to benefits payable by the competent institution, has obtained the agreement of that institution to maintain the provision of benefits in case of transfer of residence to the territory of another Contracting Party other than the competent State,

shall receive —

(i) benefits in kind, provided at the expense of the competent institution by the institution of the place of residence or temporary residence, in accordance with the provisions of the legislation applied by the latter institution, as if he were affiliated to it, for a period not exceeding any period which may be prescribed by the legislation of the competent State;

(ii) cash benefits, paid by the competent institution in accordance with the provisions of the legislation which it applies, as if he were in the territory of the competent State. However, by agreement between the competent institution and the institution of the place of residence or temporary residence, cash benefits may be paid through the latter institution, on behalf of the competent institution.

2. The agreement referred to in subparagraph (b) of the preceding paragraph may be refused only if the transfer of residence might prejudice the health or the course of medical treatment of the person concerned.

3. The provisions of the preceding paragraphs of this Article shall apply, by analogy, to the members of the family in respect of benefits in kind.

**Article 17**

*Residence in the territory of a Contracting Party other than the competent State*

1. A boatman who resides in the territory of a Contracting Party other than the competent States and who satisfies the conditions for entitlement to benefits prescribed by the legislation of the latter States, regard being had, where appropriate, to the provisions of Article 15, shall receive, in the territory of the Contracting Party in which he is resident —

(a) benefits in kind, provided at the expense of the competent institution by the institution of the place of residence, in accordance with the legislation which the latter institution applies, as if he were affiliated to it;
(b) cash benefits, paid by the competent institution in accordance with the provisions of the legislation which it applies, as if he resided in the territory of the competent State. However, by agreement between the competent institution and the institution of the place of residence, cash benefits may also be paid through the latter institution on behalf of the competent institution.

2. The provisions of the preceding paragraph shall apply, by analogy, in respect of benefits in kind to members of the family of a boatman who are resident in the territory of a Contracting Party other than the competent State, in so far as they are not entitled to those benefits under the legislation of the Contracting Party in whose territory they reside. However, where the members of the family reside in the territory of a Contracting Party under whose legislation the right to receive benefits in kind is not subject to conditions of insurance or employment, benefits in kind which they receive shall be considered as being on behalf of the institution with which the boatman is insured unless his spouse or the person having legal custody of the child or the children engages in an occupation in the territory of the said Contracting Party.

3. Where a boatman or the members of his family referred to in paragraphs 1 and 2 of this Article are temporarily resident in the territory of the competent State, they shall be entitled to benefits in kind in accordance with the provisions of the legislation of that State, as if they were resident in its territory, even if they have already received such benefits for the same case of sickness or maternity before beginning their temporary residence.

4. Where a boatman or the members of his family referred to in paragraphs 1 and 2 of this Article transfer their residence to the territory of the competent State, they shall be entitled to benefits in kind in accordance with the provisions of the legislation of that State, even if they have already received such benefits for the same case of sickness or maternity before transferring their residence.

Article 18
Calculation of cash benefits

1. Where the legislation of a Contracting Party provides that the calculation of cash benefits shall be based on average earnings, the competent institution of that Party shall determine those average earnings exclusively on the basis of the earnings recorded during the periods of insurance completed under the said legislation.

2. Where the legislation of a Contracting Party provides that the amount of cash benefits shall vary with the number of members of the family, the competent institution of that Party shall take account also of members of the family resident in the territory of another Contracting Party, as if they were resident in the territory of the first Party.

3. Where the legislation of a Contracting Party provides that the amount of cash benefits shall vary with the duration of periods of insurance, the competent institution of that Party shall take account, for the purpose of adding periods together and to the extent necessary, of periods of insurance completed under the legislation of any other Contracting Party as if they were periods completed under the legislation of the first Contracting Party.

Article 19
Plurality of schemes in the country of residence or temporary residence — Previous illness — Institution to which major benefits in kind are chargeable

1. Where the legislation applied by the institution of the place of residence or temporary residence provides for two or more sickness and maternity insurance schemes, the rules to be applied in respect of the provision of benefits in kind in the cases covered by Article 16, paragraphs 1 and 3, and Article 17, paragraphs 1 and 2, shall be those of the scheme for employed boatmen.

2. Where the legislation of a Contracting Party makes the provision of benefits in kind dependent on the origin of the sickness, that condition shall not apply to persons covered by the Agreement, irrespective of the territory of the Contracting Party in which they reside.

3. Where it is acknowledged that a boatman is entitled, for himself or in respect of members of his family, to a prosthetic appliance, a major aid or other major benefits in kind by the institution of a Contracting Party prior to his new affiliation to the institution of another Contracting Party, he shall be entitled to such benefits at the expense of the first institution, even if they were granted when the person concerned was already affiliated to the second institution.
Article 20
Reimbursement between institutions

1. The competent institution shall be bound to refund the full cost of benefits in kind provided on its behalf by the institution of the place of residence or of temporary residence under the provisions of this Chapter.

2. For the purposes of the refunds referred to in the preceding paragraph, charges shall not be higher than those applicable by the creditor institution in respect of the provision of benefits in kind to persons protected under the legislation which it applies.

3. The refunds referred to in paragraph 1 of this Article shall be determined and made in the manner prescribed by the administrative arrangement referred to in Article 56, paragraph 1, either on proof of actual expenditure, or by lump sums.

4. Two or more Contracting Parties, or their competent authorities, may agree on other arrangements for refunds, or agree that there shall be no refunds between the institutions in their jurisdictions.

5. The Contracting Parties shall notify the Administrative Centre within three months of any agreement concluded under the provisions of the preceding paragraph.

Chapter 2. Occupational injuries and diseases

Article 21
Temporary residence in or transfer of residence to the territory of a Contracting Party other than the competent State

1. A boatman who has sustained an occupational injury or contracted an occupational disease,

(a) who is temporarily resident in the territory of a Contracting Party other than the competent State, or

(b) who, having become entitled to benefits payable by the competent institution has obtained the agreement of that institution to maintain the provision of benefits in case of transfer of residence to the territory of a Contracting Party other than the competent State,

shall receive —

(i) benefits in kind, provided at the expense of the competent institution by the institution of the place of residence or temporary residence in accordance with the provisions of the legislation applied by the latter institution, as if he were affiliated to it, for a period not exceeding any period which may be prescribed by the legislation of the competent State;

(ii) cash benefits, paid by the competent institution, in accordance with the provisions of the legislation which it applies, as if he were in the territory of the competent State. However, by agreement between the competent institution and the institution of the place of residence or temporary residence, cash benefits may be paid through the latter institution on behalf of the competent institution.

2. The agreement referred to in subparagraph (b) of the preceding paragraph may be refused only if the transfer of residence might prejudice the health or the course of medical treatment of the person concerned.

Article 22
Residence in the territory of a Contracting Party other than the competent State

1. A boatman who resides in the territory of a Contracting Party other than the competent State and who sustains an occupational injury or contracts an occupational disease shall be entitled to receive in the territory of the Contracting Party in which he is resident —

(a) benefits in kind, provided at the expense of the competent institution by the institution of the place of residence, in accordance with the provisions of the legislation which the latter institution applies, as if he were affiliated to it;
(b) cash benefits, paid by the competent institution in accordance with the provisions of the
legislation which it applies, as if he were resident in the territory of the competent State.
However, by agreement between the competent institution and the institution of the place of
residence, cash benefits may also be paid through the latter institution on behalf of the
competent institution.

2. Where a boatman to whom the preceding paragraph applies is temporarily resident in the
territory of the competent State, he shall be entitled to benefits in kind in accordance with
the provisions of the legislation of that State as if he were resident in its territory, even if he
was already receiving such benefits before taking up his temporary residence.

3. Where a boatman to whom paragraph 1 of this Article applies transfers his residence to
the territory of the competent State, he shall be entitled to benefits in kind according to the
provisions of the legislation of that State, even if he was already in receipt of such benefits before
transferring his residence.

Article 23

Accident on the way to and from work

An accident on the way to or from work which happens in the territory of a Contracting Party
other than the competent State shall be regarded as having happened in the territory of the
competent State.

Article 24

Benefits for an occupational disease where the person concerned has been exposed
to the same risk under the legislation of several Contracting Parties

1. If a boatman having contracted an occupational disease has exercised an occupation,
under the legislation of two or more Contracting Parties, which is liable to cause such a disease,
the benefits to which he or his survivors may be entitled shall be awarded exclusively under the
legislation of the last of the said Parties the conditions of which he fulfils or they fulfil, regard
being had, where appropriate, to the provisions of paragraphs 2, 3 and 4 of this Article.

2. Where the legislation of a Contracting Party makes entitlement to benefits for occupa­tional
diseases conditional upon the disease in question being first diagnosed in its territory, that
condition shall be deemed to have been fulfilled if this disease was first diagnosed in the territory
of another Contracting Party.

3. Where the legislation of a Contracting Party makes entitlement to benefits for occupa­tional
diseases conditional upon the disease in question being diagnosed within a specified period
after the termination of the last occupation liable to have caused it, the competent institution of
that Party, when ascertaining the time at which the occupation in question was engaged in, shall
take account, to the extent necessary, of any occupation of the same kind engaged in under the
legislation of any other Contracting Party, as if it had been engaged in under the legislation of the
first Party.

4. Where the legislation of a Contracting Party makes entitlement to benefits for occupa­tional
diseases conditional upon an occupation liable to cause the disease in question having been
engaged in for a specified period, the competent institution of that Party shall take account, to the
extent necessary, for the purpose of adding periods together, of periods during which such an
occupation was engaged in in the territory of any other Contracting Party.

Article 25

Aggravation of an occupational disease

Where a boatman having contracted an occupational disease has received or is receiving
benefits paid by the institution of a Contracting Party, and, in the event of an aggravation of his
condition, claims benefits from the institution of another Contracting Party, the following
provisions shall apply:

(a) where the boatman, since the award of such benefits, has not engaged in an occupation, under
the legislation of the second Party, which is liable to cause or to aggravate the disease in
question, the competent institution of the first Party shall bear the cost of the benefits, taking
the aggravation into account, in accordance with the provisions of the legislation which it
applies, even if the boatman is no longer subject to that legislation or does not reside in the
territory of that Party;
(b) where the boatman, since the award of such benefits, has engaged in such an occupation under the legislation of the second Party, the competent institution of the first Party shall bear the cost of the benefits, leaving the aggravation out of account, in accordance with the provisions of the legislation which it applies; the competent institution of the second Party shall award to the boatman concerned a supplementary benefit the amount of which shall be equal to the difference between the amount of benefits due after the aggravation and the amount of the benefits which would have been due before the aggravation, in accordance with the provisions of the legislation which that institution applies, if the disease in question had been contracted under the legislation of that Party;

(c) where, in the case referred to in the preceding subparagraph, the boatman concerned is not entitled to benefits under the legislation of the second Party, the competent institution of the first Party shall pay the benefits, taking into account the aggravation, in accordance with the provisions of the legislation which it applies, even if the boatman is no longer subject to that legislation or does not reside in the territory of that Party.

Article 26
Calculation of cash benefits

1. Where the legislation of a Contracting Party provides that the calculation of cash benefits shall be based on average earnings, the competent institution of that Party shall determine those average earnings exclusively on the basis of earnings recorded during the periods of insurance completed under the said legislation.

2. Where the legislation of a Contracting Party provides that the amount of cash benefits shall vary with the number of members of the family, the competent institution of that Party shall take account also of members of the family resident in the territory of another Contracting Party, as if they were resident in their territory of the first Party.

Article 27
Cost of transport of the injured boatman or of his body

1. Where the legislation of the competent State provides for the payment of the cost of transporting the injured boatman to his place of residence or to hospital, the cost of transport to the corresponding place in the territory of another Contracting Party where he is resident shall be borne by the competent institution, in accordance with the provisions of the legislation which it applies, provided that it has given prior authorization for the said transport, due account being taken of the reasons justifying it.

2. Where the legislation of the competent State provides for the payment of the cost of transporting the body of a deceased boatman to the place of burial, the cost of transport to the corresponding place in the territory of another Contracting Party where the deceased was resident shall be borne by the competent institution, in accordance with the provisions of the legislation which it applies.

Article 28
Special features of some legislation

1. Where no insurance scheme covering occupational injuries or diseases exists in the territory of the Contracting Party where the boatman happens to be, or where an insurance scheme exists but has no institution responsible for the provision of benefits in kind, such benefits shall be provided by the institution of the place of residence or temporary residence responsible for providing benefits in kind in the event of sickness under the scheme to which employed boatmen belong.

2. Where the legislation of the competent State embodies an employer's liability scheme in respect of compensation for industrial accidents, the benefits in kind provided in the cases referred to in Article 21, paragraph 1, and in Article 22, paragraph 1, shall be deemed to have been provided at the request of the competent institution.

3. Where the legislation applied by the institution of the place of residence or temporary residence embodies two or more compensation schemes, the rules to be applied in respect of the provision of benefits in kind, in the cases referred to in Article 21, paragraph 1, and in Article 22, paragraph 1, shall be those of the scheme for employed boatmen.
4. Where the legislation of the competent State provides that benefits in kind shall not be completely free unless use is made of the medical service organized by the employer, the benefits in kind provided in the cases referred to in Article 21, paragraph 1, and in Article 22, paragraph 1, shall be deemed to have been provided by such medical service.

5. Where the legislation of one Contracting Party provides that previous occupational injuries or diseases shall be taken into account for entitlement to benefits or in the assessment of the degree of incapacity, the competent institution of that Party shall also take into account for this purpose occupational injuries or diseases previously recognized in accordance with the legislation of any other Contracting Party, as if they had occurred under the legislation which that institution applies.

Article 29
Reimbursement between institutions

1. The competent institution shall refund the full costs of benefits in kind provided on its behalf by the institution of the place of temporary residence or residence as defined in this Chapter.

2. For the purposes of the refunds referred to in the preceding paragraph, charges shall not be higher than those applicable by the creditor institution in respect of the provision of benefits in kind to persons protected under the legislation which it applies.

3. The refunds referred to in paragraph 1 of this Article shall be determined and made in the manner prescribed by the administrative arrangement referred to in Article 56, paragraph 1, either on proof of actual expenditure or by lump sum.

4. Two or more Contracting Parties or their competent authorities may agree on other arrangements for refunds or agree that there shall be no refunds between the institutions in their jurisdictions.

5. The Contracting Parties shall notify the Administrative Centre within three months of any agreement concluded between them by virtue of the preceding paragraph.

Chapter 3. Death (grants)

Article 30
Adding periods together

Where the legislation of a Contracting Party makes the acquisition, maintenance or recovery of entitlement to death grants conditional upon the completion of periods of insurance, the institution which applies that legislation shall, to that end, for the purpose of adding together periods of insurance take account, to the extent necessary, of periods of insurance completed under the legislation of any other Contracting Party, as if they were periods completed under the legislation of the first Party.

Article 31
Occurrence of death or residence of the beneficiary in the territory of a Contracting Party other than the competent State

1. Were a boatman or a member of his family, to whom this Agreement applies, dies in the territory of a Contracting Party other than the competent State, the death shall be deemed to have occurred in the territory of the latter State.

2. The competent institution shall provide death grants due under the legislation which it applies, even if the beneficiary is in the territory of a Contracting Party other than the competent State.

3. The provisions of the preceding paragraphs of this Article shall apply also where death results from an occupational injury or disease.
TITLE IV. ADMINISTRATIVE CENTRE FOR THE SOCIAL SECURITY OF EUROPEAN BOATMEN

Article 32

Setting up of an Administrative Centre

1. An Administrative Centre for the Social Security of European Boatmen shall be set up, consisting, for each Contracting Party, of two representatives of the Government, one representative of the employers of the water transport system and one representative of the employed boatmen. It shall establish its own regulations. The chairmanship of the Administrative Centre shall be held by a Government representative by rotation.

2. The non-governmental representatives shall be appointed by the Governments in agreement with the most representative organizations of water transport employers and of employed boatmen.

3. The Administrative Centre shall receive technical assistance from the International Labour Office.

4. The headquarters of the Administrative Centre shall be established at Strasbourg and accommodated in offices put at its disposal by the Central Commission for Rhine Navigation.

5. The secretariat of the Administrative Centre shall be established by the General Secretariat of the Central Commission for Rhine Navigation and the Secretariat of the Danube Commission, if the latter considers it appropriate. The Secretary responsible for the secretariat of the Administrative Centre shall be appointed by agreement between the Administrative Centre, the Central Commission for Rhine Navigation and the Danube Commission.

6. The Administrative Centre shall be financed by contributions from Contracting Parties. These contributions shall be calculated according to the per capita gross national product of each of the Contracting Parties.

Article 33

Tasks of the Administrative Centre

The Administrative Centre shall be responsible for —

(a) all questions of interpretation or application of the provisions of this Agreement, of the administrative arrangement referred to in Article 56, paragraph 1, and of any agreement or arrangement concluded within the framework of those instruments, without prejudice to the right or to the obligation of the authorities, institutions and persons concerned to have recourse to the procedures and to the jurisdictions provided under the legislation of the Contracting Parties and this Agreement;

(b) assisting persons concerned with the application of this Agreement, in particular boatmen and members of their families, with a view to the practical settlement of individual cases, in liaison with the competent authorities and institutions of the Contracting Parties concerned;

(c) exercising any other function falling within its competence by virtue of the provisions of this Agreement and of the administrative arrangement referred to in Article 56, paragraph 1, and of any other agreement or arrangement concluded within the framework of these instruments;

(d) presenting proposals to the competent authorities of the Contracting Parties for revision of this Agreement and of the administrative arrangement referred to in Article 56, paragraph 1, in particular with a view to supplementing this Agreement as regards invalidity benefits, old-age benefits, survivors’ benefits, unemployment benefits and family benefits;

(e) adopting the budget of the Administrative Centre and deciding the allocation of the respective share of the contributions to be paid by the Contracting Parties in accordance with Article 32, paragraph 6;

(f) identifying the possibilities for cooperation and technical assistance in order to enable the Contracting Parties to implement the provisions of the Agreement under the best possible conditions.

Article 34

Rules for taking decisions

1. Decisions on the questions of interpretation referred to in subparagraph (a) of Article 33 must be unanimous.
2. Questions of application referred to in subparagraph (a) of Article 33 shall be decided by a majority, with the agreement of all the Contracting Parties concerned.

**TITLE V. MISCELLANEOUS PROVISIONS**

**Article 35**

*Prevention of overlapping of benefits — general rules*

1. Except for benefits in respect of occupational disease which are paid by the institutions of two or more Contracting Parties in accordance with the provisions of Article 25, subparagraph (b), this Agreement shall not confer or maintain entitlement to several benefits of the same nature relating to one and the same period of compulsory insurance.

2. Provisions in the legislation of a Contracting Party for the reduction, suspension or termination of benefits where there is overlapping with other benefits or other income, or because of an occupational activity, shall apply also to a beneficiary in respect of benefits acquired under the legislation of another Contracting Party or in respect of income obtained, or occupation followed, in the territory of another Contracting Party. This rule shall not, however, apply to benefits of the same payable in respect of occupational disease by the institutions of two or more Contracting Parties in accordance with the provisions of Article 25, subparagraph (b).

**Article 36**

*Simultaneous application of provisions in the legislation of two or more Contracting Parties to prevent the overlapping of benefits*

Where a person in receipt of benefit under the legislation of one Contracting Party is also entitled to benefits under the legislation of one or more of the other Contracting Parties, the following rule shall apply. Where the application of the provisions of Article 35, paragraph 2, would entail the concomitant reduction, suspension or termination of such benefits, none of them may be reduced, suspended or terminated to an extent greater than the amount which would be obtained by dividing the sum affected by the reduction, suspension or termination in accordance with the legislation under which benefit is due by the number of benefits subject to reduction, suspension or termination to which the beneficiary is entitled.

**Article 37**

*Prevention of overlapping of maternity benefits*

Where a boatman or a member of his family has a claim to maternity benefits under the legislation of two or more Contracting Parties, such benefits shall be provided solely under the legislation of the Party in whose territory the birth took place, or, if the birth did not take place in the territory of any of those Parties, solely under the legislation to which that boatman was last subject.

**Article 38**

*Prevention of overlapping of death grants*

1. Where death occurs in the territory of a Contracting Party, only entitlement to a death grant acquired under the legislation of that Party shall be recognized, to the exclusion of any right acquired under the legislation of any other Contracting Party.

2. Where death occurs in the territory of a Contracting Party and entitlement to a death grant has been acquired solely under the legislation of two or more Contracting Parties, only the entitlement acquired under the legislation of the Contracting Party to which the boatman was last subject shall be recognized, to the exclusion of any entitlement acquired under the legislation of any other Contracting Party.

3. Where death occurs outside the territory of the Contracting Parties and entitlement to death grant has been acquired under the legislation of two or more Contracting Parties, only the entitlement acquired under the legislation of the Contracting Party to which the boatman was last subject shall be recognized, to the exclusion of any entitlement acquired under the legislation of any other Contracting Party.
Article 39

Administrative assistance

1. The competent authorities of the Contracting Parties shall communicate to each other —
   (a) all information regarding measures taken by them for the application of this Agreement;
   (b) all information regarding changes made in their legislation which may affect the application
       of this Agreement.

2. For the purpose of applying this Agreement, the authorities and institutions of the
   Contracting Parties shall assist one another as if it were a matter of applying their own legislation.
   In principle the administrative assistance furnished by the said authorities and institutions to one
   another shall be free of charge. However, the competent authorities of the Contracting Parties
   may agree to reimburse certain expenses.

3. The authorities and institutions of the Contracting Parties may, for the purpose of
   applying this Agreement, communicate directly with one another and with the individuals
   concerned or their representatives.

4. The authorities, institutions and jurisdictions of one Contracting Party may not reject
   claims or other documents submitted to them by reason of the fact that they are written in the
   official language of another Contracting Party.

5. Where, under this Agreement, the authorities or institutions of a Contracting Party
   communicate personal data to the authorities or institutions of another Contracting Party, that
   communication shall be subject to the legal provisions governing protection of data laid down by
   the State providing the data. Any subsequent transmission as well as the storage, alteration and
   destruction of the data shall be subject to the provisions of the legislation on data protection of the
   receiving State. The use of personal data for purposes other than those of social security shall be
   subject to the approval of the person concerned or in accordance with the other guarantees
   provided by national legislation.

Article 40

Fiscal facilities — exemption from authentification

1. Any exemption from, or reduction of taxes, stamp duty, legal dues or registration fees
   provided for in the legislation of one Contracting Party in connection with certificates or
   documents required to be produced for the purposes of the legislation of that Party shall be
   extended to similar certificates and documents required to be produced for the purposes of the
   legislation of another Contracting Party or of this Agreement.

2. All official instruments, documents or certificates of any kind that are required to be
   produced for the purposes of this Agreement shall be exempt from authentication or any similar
   formality.

Article 41

Claims, declarations or appeals submitted to an authority, institution or jurisdiction
of a Contracting Party other than the competent State

1. Where a claimant is resident in the territory of a Contracting Party other than the
   competent State he may validly present his claim to the institution of his place of residence, which
   shall refer it to the competent institution or institutions mentioned in the claim.

2. Any claim, declaration or appeal that should have been submitted, under the legislation of
   a Contracting Party, within a specified time to an authority, institution or jurisdiction of that Party
   shall be admissible if it is submitted within the same period to an authority, institution or
   jurisdiction of another Contracting Party. In such an event, the authority, institution or jurisdiction
   receiving the claim, declaration or appeal shall forward it without delay to the competent
   authority, institution or jurisdiction of the first Party, either directly or through the intermediary
   of the competent authorities of the Contracting Parties concerned. The date on which any claim,
   declaration or appeal was submitted to an authority, institution or jurisdiction of the second
   Contracting Party shall be deemed to be the date of its submission to the authority, institution or
   jurisdiction competent to deal with it.

64
Article 42
Medical examinations

Medical examinations prescribed by the legislation of one Contracting Party may be carried out at the request of the institution which applies that legislation, in the territory of the place of temporary residence or residence, under the conditions prescribed by the administrative arrangement referred to in Article 56, paragraph 1.

Article 43
Recovery of benefits which were not due

If the institution of a Contracting Party has paid to a beneficiary a sum in excess of his entitlement, that institution may, under the conditions and to the extent permissible under the legislation it applies, request the institution of any other Contracting Party responsible for payment of benefits to that person to deduct the amount overpaid from the payments it is making to him. The latter institution shall withhold that amount to the extent to which such a deduction is permissible under the legislation it applies, as if the overpayment had been made by it, and transfer the amount so withheld to the creditor institution.

Article 44
Currencies in which liabilities are expressed and discharged

1. Where, under this Agreement, the institution of a Contracting Party is liable to pay cash benefits to a beneficiary who is in the territory of another Contracting Party, its liability shall be expressed in the currency of the first Party. That institution may validly discharge its liability in the currency of the second Party.

2. Where, under this Agreement, the institution of a Contracting Party is liable to pay sums in refund of benefits provided by the institution of another Contracting Party, its liability shall be expressed in the currency of the second Party. The first institution may validly discharge its liability in that currency, unless the Contracting Parties concerned have agreed on other arrangements.

3. Transfers of funds which result from the application of this Agreement shall be effected in accordance with the relevant agreements in force between the Contracting Parties concerned at the date of transfer. Failing such agreements the arrangements for effecting such transfers shall be agreed between the said Parties.

Article 45
Basis of calculation and recovery of contributions

1. For the calculation of the amount of contributions due to the institution of a Contracting Party, account shall be taken, where appropriate, of any income received in the territory of any other Contracting Party.

2. The recovery of contributions due to the institution of one Contracting Party may be effected in the territory of another Contracting Party in accordance with the administrative procedure and subject to the guarantees and privileges applicable to the recovery of contributions due to a corresponding institution of the latter Party, or, in the absence of such a procedure, with the guarantees and privileges applicable to the recovery of funds intended for the financing of the social security system of the said Party.

3. The arrangements for the application of the provisions of the preceding paragraphs of this Article shall be regulated, in so far as may be necessary, by the administrative arrangement referred to in Article 56, paragraph 1, or by way of bilateral or multilateral agreements between two or more Contracting Parties. These arrangements may also deal with the legal procedure for recovery.

Article 46
Claims against liable third parties

1. Where a person is receiving benefits under the legislation of one Contracting Party in respect of an injury caused or sustained in the territory of another Contracting Party, the rights of
the institution liable to pay benefits against the third party liable to pay damages shall be regulated in the following manner:

(a) where the said institution, under the legislation applicable to it, is substituted for the beneficiary in any rights which he may have against the third party, such substitution shall be recognized by every other Contracting Party; and

(b) where the said institution has a direct right against the third party, such right shall be recognized by every other Contracting Party.

2. The rules governing the liability of employers or their agents in the case of occupational injuries, or accidents on the way to or from work, which happen in the territory of a Contracting Party other than the competent State shall be determined by agreement between the Contracting Parties concerned.

Article 47
Settlement of disputes

1. Any dispute arising between two or more Contracting Parties as to the interpretation or application of this Agreement, of the administrative arrangement referred to in Article 56, paragraph 1, and of any other agreement, or arrangement concluded within the framework of these instruments, which cannot be settled by negotiation between the Contracting Parties concerned, shall be submitted to the Administrative Centre, which shall make a recommendation to the Parties to the dispute.

2. If the Parties to the dispute fail to accept the recommendation of the Administrative Centre, the dispute shall be submitted to a permanent arbitration board; that board shall establish its own procedure.

3. The permanent arbitration board shall consist of a member nominated by each of the Contracting Parties. A deputy member nominated by each of the Contracting Parties shall take over the duties of the titular member should the latter be unable to attend.

4. The decision of the permanent arbitration board, which shall conform to the principles of this Agreement, shall be binding and final.

Article 48
Particular measures for the application of some legislation

1. Annex IV specifies for each Contracting Party concerned the particular measures for the application of its legislation.

2. Each Contracting Party concerned shall give notice, in accordance with the provisions of Article 57, paragraph 1, of any amendment to be made to Annex IV. If such an amendment results from the adoption of new legislation, notice shall be given within three months from the date of publication of the said legislation, or if that legislation is published before the date of ratification or acceptance of this Agreement, from the date of that ratification or acceptance.

Article 49
Legal nature of the annexes and procedure for amending them

1. The annexes referred to in Article 1, subparagraph (b), in Article 4, paragraph 1, in Article 5, paragraph 2, subparagraph (c), and in Article 48, paragraph 1, as well as any subsequent amendments to those annexes, shall be an integral part of this Agreement.

2. Any amendment to the annexes referred to in the preceding paragraph shall be considered as adopted if, within the six months following the notification provided for in Article 57, paragraph 2, subparagraph (d), no Contracting Party or signatory State has opposed it by notification addressed to the Director-General of the International Labour Office.

3. In the event of notification of such opposition, the matter shall be submitted to the Administrative Centre which will make a recommendation to the Parties concerned. If the Parties concerned fail to accept the recommendation of the Administrative Centre, the dispute shall be settled in accordance with the procedure prescribed in Article 47, paragraphs 2 to 4.
TITLE VI. TRANSITIONAL AND FINAL PROVISIONS

Article 50
Transitional provisions

1. This Agreement shall confer no rights to benefits for any period before its entry into force in respect of the Contracting Party or the Contracting Parties concerned.

2. All periods of insurance completed under the legislation of a Contracting Party before the date on which this Agreement enters into force shall be taken into account for the purpose of determining rights to benefits arising from this Agreement.

3. Subject to the provisions of paragraph 1 of this Article, rights to benefits may arise under this Agreement even in respect of a contingency which arose before its entry into force.

4. Any benefit which has not been provided or which has been suspended on account of the nationality of the person concerned, or of his residence in the territory of a Contracting Party other than that in which the institution liable to pay the benefits is situated shall, at the request of the person concerned, be provided or resumed with effect from the date on which this Agreement enters into force, unless the rights to benefits previously extinguished have given rise to the payment of a lump sum.

5. Where the request referred to in paragraph 4 of this Article is submitted within two years of the date on which this Agreement enters into force, the rights to benefits arising in accordance with the provisions of the Agreement shall be acquired as from that date, and those provisions of the legislation of any Contracting Party which concern the loss or the extinction of rights to benefits by lapse of time shall not be raised against the person concerned.

6. Where the request referred to in paragraph 4 of this Article is submitted more than two years after the date on which this Agreement enters into force, such rights to benefits which have not lapsed or have not been extinguished by lapse of time shall be acquired only with reference to the date on which the request was submitted, unless there are more favourable provisions in the legislation of the Contracting Party concerned.

Article 51
Signature and ratification or acceptance

1. This Agreement shall be open for signature by the States represented on the Central Commission for Rhine Navigation, by the States represented on the Danube Commission and by Luxembourg as well as by any European State whose inland waterways are connected with the Rhine or the Danube.

2. This Agreement shall be subject to ratification or acceptance. All instruments of ratification or acceptance shall be deposited with the Director-General of the International Labour Office.

Article 52
Entry into force

1. This Agreement shall enter into force on the first day of the third month following that in which the sixth of the instruments of ratification or acceptance by States including at least three States represented on the Central Commission for Rhine Navigation, or two of such States and Luxembourg, and three States represented on the Danube Commission, is deposited.

2. In respect of any other signatory State ratifying or accepting it subsequently, the Agreement will enter into force on the first day of the third month following that in which the instrument of ratification or acceptance is deposited.

Article 53
Accession

1. After the entry into force of this Agreement, a State other than those referred to in Article 51, paragraph 1, may accede to the Agreement subject to the unanimous consent of the Contracting Parties. Accession to the Agreement shall confer the same rights and entail the same obligations as ratification or acceptance.
2. Each instrument of accession shall be deposited with the Director-General of the International Labour Office.

3. This Agreement shall enter into force in respect of any State which subsequently accedes to it, on the first day of the third month following that in which the instrument of accession is deposited.

Article 54
Duration of the Agreement

1. This Agreement shall remain in force without limitation of time.

2. However each Contracting Party may denounce it after the expiration of a period of five years from its initial entry into force, by notifying this denunciation in accordance with the provisions of Article 57, paragraph 1. The denunciation shall take effect one year after the date of receipt of such notification.

Article 55
Maintenance of rights in case of denunciation

1. In the event of denunciation of this Agreement all rights acquired under its provisions shall be maintained.

2. Rights in process of acquisition in respect of periods before the date on which the denunciation takes effect shall not lapse as a result of the denunciation; their subsequent continued recognition shall be determined by agreement or, failing such agreement, by the legislation which the institution concerned applies.

Article 56
Administrative arrangement

1. An administrative arrangement shall determine the arrangements for the application of this Agreement.

2. The Contracting Parties or, if the constitutional provisions of those Parties permit, their competent authorities, shall make all other arrangements necessary for the application of this Agreement.

Article 57
Notifications

1. The notification referred to in Article 1, subparagraph (b), Article 4, paragraph 2, Article 5, paragraph 3, Article 6, paragraph 2, Article 48, paragraph 2, and Article 54, paragraph 2, shall be addressed to the Director-General of the International Labour Office.

2. The Director-General of the International Labour Office shall notify the Contracting Parties, the signatory States and, in any case, each State represented on the Central Commission for Rhine Navigation and Luxembourg, and each State represented on the Danube Commission, as well as the aforesaid Commissions, of —
   (a) the deposit of any instrument of ratification, acceptance or accession;
   (b) any date of entry into force of this Agreement in accordance with the provisions of Article 52 and Article 53;
   (c) any notification of denunciation received in pursuance of the provisions of Article 54, and the date on which denunciation takes effect;
   (d) any modification received in pursuance of the provisions of paragraph 1 of this Article.

Article 58
Authoritative texts — certified copies — notifications to the United Nations

1. The English, French, German and Russian texts of this Agreement shall be equally authoritative. They shall be deposited in the archives of the International Labour Office.
2. On the entry into force of this Agreement, the Director-General of the International Labour Office shall, in accordance with Article 102 of the Charter of the United Nations, send certified copies thereof to the Secretary-General of the United Nations for the purposes of registration.

3. The Director-General of the International Labour Office shall also send certified copies to the Contracting Parties, the signatory States, and in any case, to each of the States represented on the Central Commission for Rhine Navigation and Luxembourg, and to each of the States represented on the Danube Commission, as well as to the aforesaid Commissions.

4. In accordance with Article 102 of the Charter of the United Nations, the Director-General of the International Labour Office shall send to the Secretary-General of the United Nations, for the purposes of registration, any ratification, any acceptance, any accession to, and any denunciation of this Agreement of which he has been notified.

Done at Strasbourg this twenty-sixth day of March 1993, in a single copy in English, French, German and Russian.

(Signed) Michel LAROQUE
Chairman of the Conference

In witness whereof the undersigned, having deposited their respective credentials, have signed this agreement.

For the Federal Republic of Germany: A. Bokeloh.
For the Republic of Austria: H. Siedl.
For the Kingdom of Belgium: M. Crop.
For the Republic of Bulgaria: N. Nikolov.
For the Republic of Croatia: K. Tamhina.
For the French Republic: N. Laroque.
For the Republic of Hungary: G. Mattyasovszky.
For the Grand Duchy of Luxembourg: G. Schroeder.
For the Republic of Moldova: N. Aleinov.
For the Kingdom of the Netherlands: A. Bloemheuvel.
For the Republic of Poland: J. Maciejewska.
For Romania: D. Mustatea.
For the Russian Federation: V. Dratchinsky.
For the Slovak Republic: O. Herec.
For the Republic of Slovenia: A. Cicerov.
For the Swiss Confederation: M. V. Brombacher.
For the Czech Republic: J. Bauer.
For the Ukraine: B. G. Aleinik.
ANNEX I

DEFINITIONS OF TERRITORIES OF THE CONTRACTING PARTIES
(Article 1, subparagraph (b))

Germany

Austria
The territory of the Republic of Austria.

Belgium
The territory of Belgium.

Bulgaria
The territory of the Republic of Bulgaria.

Croatia
The territory of the Republic of Croatia.

France
The territory of the French Republic.

Hungary
The territory of the Republic of Hungary.

Luxembourg
The territory of the Grand Duchy of Luxembourg.

Moldova
The territory of the Republic of Moldova.

Netherlands
The territory of the Kingdom of the Netherlands in Europe.

Poland
The territory of the Republic of Poland.

Romania
The territory of Romania.

Russian Federation

Slovak Republic
The territory of the Slovak Republic.

Slovenia
The territory of the Republic of Slovenia.

Switzerland
The territory of the Swiss Confederation.

Czech Republic
The territory of the Czech Republic.

Ukraine
The territory of the Ukraine.
ANNEX II

LEGISLATION AND SCHEMES TO WHICH THIS AGREEMENT APPLIES
(Article 4, paragraph 1)

Germany
Legislation concerning—
(a) statutory sickness insurance;
(b) statutory accident insurance.

Austria
Legislation concerning—
(a) sickness insurance;
(b) accident insurance.

Belgium
Legislation concerning—
(a) sickness and invalidity insurance (sickness, maternity, death);
    (i) scheme for employed persons in general;
    (ii) scheme for self-employed persons;
(b) compensation for occupational injuries for employed persons;
(c) compensation for occupational diseases.

Bulgaria
Legislation concerning—
(a) sickness insurance, including maternity benefits;
(b) occupational injuries insurance (including occupational diseases);
(c) death grants.

Croatia
Legislation concerning—
(a) sickness insurance and health services;
(b) the old age and invalidity insurance scheme insofar as it concerns benefits in respect of occupational injuries and diseases.

France
Legislation concerning—
(a) the organization of social security;
(b) the provisions establishing the social insurance scheme applicable to employed persons in the non-agricultural occupations: sickness insurance, maternity and death;
(c) the prevention of and compensation for occupational injuries and diseases;
(d) the sickness and maternity insurance of self-employed persons in non-agricultural occupations;
with the exception of those provisions which extend the possibility of voluntary insurance to persons of French nationality working outside the territory of France.

Hungary
Act No. II/1975 on social security.

Luxembourg
Legislation concerning—
(a) sickness insurance (sickness, maternity and death);
(b) insurance against occupational injuries and diseases.

Moldova
Legislation concerning—
(a) sickness and maternity benefits;
(b) benefits in respect of occupational injuries and diseases;
(c) death grants.
Netherlands

Legislation concerning—
(a) sickness and maternity benefits;
(b) benefits in respect of incapacity for work.

Poland

Legislation concerning—
(a) sickness and maternity benefits;
(b) benefits in respect of occupational injuries and diseases;
(c) death grants.

Romania

Legislation concerning—
(a) sickness and maternity benefits;
(b) benefits in respect of occupational injuries and diseases;
(c) death grants.

Russian Federation

Legislation concerning—
(a) sickness and maternity benefits;
(b) benefits in respect of occupational injuries and diseases;
(c) death grants.

Slovak Republic

Legislation concerning—
(a) sickness and maternity benefits;
(b) benefits in respect of occupational injuries and diseases;
(c) death grants.

Slovenia

Legislation concerning—
(a) sickness insurance and health services;
(b) the old age and invalidity insurance scheme insofar as it concerns benefits in respect of occupational injuries and diseases.

Switzerland

Federal legislation concerning—
(a) sickness insurance, including maternity benefits;
(b) statutory accident insurance (including occupational diseases).

Czech Republic

Legislation concerning—
(a) sickness and maternity benefits;
(b) benefits in respect of occupational injuries and diseases;
(c) death grants.

Ukraine

Legislation concerning—
(a) sickness and maternity benefits;
(b) benefits in respect of occupational injuries and diseases;
(c) death grants.

ANNEX III

PROVISIONS REMAINING IN FORCE
(Article 5, paragraph 2, subparagraph (c))

Germany – Austria

Germany – Croatia
The Agreement on Social Security between Germany and Yugoslavia of 12 October 1968, as modified by the Agreement of 30 September 1974, continues to apply.

Germany – Slovenia
The Agreement on Social Security between Germany and Yugoslavia of 30 September 1974 continues to apply.

Austria – Germany
See Germany – Austria.

Austria – Belgium
Agreement on Social Security of 4 April 1977.

Austria – Croatia
Agreement on Social Security of 11 March 1993.

Austria – Slovenia

Austria – Switzerland

Belgium – Austria
See Austria – Belgium.

Belgium – Slovenia
The Agreement on Social Security between Belgium and Yugoslavia of 1 November 1954, as modified by the Supplementary Agreement of 11 March 1968, continues to apply.

Croatia – Germany
See Germany – Croatia.

Croatia – Austria
See Austria – Croatia.

Croatia – Switzerland
The Convention on Social Security between Yugoslavia and Switzerland of 8 June 1962, as modified by the Supplementary Convention of 9 July 1982, continues to apply.

Slovenia – Germany
See Germany – Slovenia.

Slovenia – Austria
See Austria – Slovenia.

Slovenia – Belgium
See Belgium – Slovenia.

Slovenia – Switzerland
The Convention on Social Security between Yugoslavia and Switzerland of 8 June 1962, as modified by the Supplementary Convention of 9 July 1982, continues to apply.

Switzerland – Austria
See Austria – Switzerland.

Switzerland – Croatia
See Croatia – Switzerland.

Switzerland – Slovenia
See Slovenia – Switzerland.
ANNEX IV

PARTICULAR MEASURES FOR THE APPLICATION OF THE LEGISLATION OF THE CONTRACTING PARTIES

(Article 48, paragraph 1)

Germany

1. The provisions of Article 21 of this Agreement shall not affect the provisions of German legislation by virtue of which occupational injuries sustained or occupational diseases contracted outside the territory of the Federal Republic of Germany and periods completed outside that territory do not give rise, or give rise only under certain conditions, to the payment of benefits to beneficiaries outside the territory of the Federal Republic of Germany.

2. If the application of this Agreement entails exceptional expenses for certain sickness insurance institutions, those expenses may be totally or partially compensated. The Federal Association of Local Sickness Funds, in its capacity as liaison body (sickness insurance), shall decide on that compensation by agreement with the other central associations of sickness insurance institutions. The necessary resources for the compensation shall be provided by means of taxes levied on the whole body of sickness insurance institutions, proportionally to the average number of members during the preceding year, excluding pensioners.

3. If the application of the Agreement entails expenses for the accident insurance institution which acts on behalf of the competent institution, the German liaison body for accident insurance may share these expenses between the statutory accident insurance institutions. The sharing of expenses shall be based on the average number of occupational injuries compensated for the first time during the preceding year.

Austria

In Austria the provisions of Article 16, paragraph 1, and Article 21, paragraph 1, subparagraph (a), are applicable only to the following persons in respect of medical care provided by physicians and dentists who practice privately—

(a) persons residing temporarily in Austria for their work and accompanying members of their family;
(b) persons visiting their family residing in Austria;
(c) persons residing temporarily in Austria for other reasons if they have received out-patients' care at the expense of the competent regional sickness fund at their place of temporary residence.

Any more favourable provisions of social security agreements shall not be affected.

Belgium

1. If a boatman, who is subject to Belgian legislation applicable to self-employed persons, is concurrently engaged in an occupational activity as an employed person in the territory of another Contracting Party, that latter activity shall be deemed to be a wage-earning activity in Belgium with a view to the assessment of the obligations for the purposes of determining the obligations under Belgian legislation concerning the status of self-employed persons.

2. The provisions of Title III, Chapter I, of this Agreement shall apply to persons whose entitlement to benefits in kind under sickness insurance derives from the provisions of the Belgium compulsory sickness and invalidity insurance scheme for self-employed persons, under the following conditions:

(a) in the case of temporary residence in the territory of a Contracting Party other than Belgium, the persons concerned shall be entitled—
   (i) in respect of medical care in the event of hospitalisation, to the benefits in kind provided under the legislation of that Party;
   (ii) in respect of other benefits in kind provided under Belgian legislation, to the reimbursement of the amount of those benefits by the competent Belgian institution, at the rates specified by the legislation of that Party;
(b) in the case of residence in the territory of a Contracting Party other than Belgium, the persons concerned shall be entitled to the benefits in kind specified by the legislation of that Party, on the condition that they pay to the competent Belgian institution the supplementary contribution prescribed for that purpose by the Belgian legislation.

Netherlands

(a) With respect to the entitlement to benefits under the Netherlands legislation the beneficiary of benefits in kind shall be considered to be, for the purpose of the application of Title III, Chapter I, of this Agreement, the person insured or co-insured under the insurance referred to in the Netherlands Sickness Fund Act (Ziekenfondsrecht).

(b) The principle of equality of treatment set forth in article 7 of this Agreement shall not apply to old-age and survivors' optional continued insurance with regard to the payment of reduced contributions.
Switzerland

For the application of Article 15 of this Agreement to the members of the family of a boatman, the competent Swiss sickness fund shall take into account the insurance periods which have been completed by the boatman under the legislation of other Contracting Parties, and during which those persons have enjoyed social protection under that legislation as members of the family.
Summary of Deliberations of the Strasbourg Governmental Conference entrusted with the adoption of a European Agreement concerning the Social Security of Boatmen engaged in Inland Navigation

(22-26 March 1993)

(Extracts)

IV. Examination of the Draft European Agreement concerning the Social Security of Boatmen engaged in Inland Navigation

The Conference adopted amendments of an editorial nature as well as substantive amendments and agreed to record the following comments:

**Article 1 (m): definition of “boatman”**

The concept of a person who “works on board a vessel” covers the members of the crew as well as any other person working on board a vessel.

**Article 1 (n): definition of “auxiliary worker”**

The term “auxiliary worker” means a boatman engaged in order to complete the crew on a temporary basis due to exceptional circumstances or for the purpose of handling a ship in port.

The Conference considered that the definition of the auxiliary worker should be interpreted restrictively and should only cover cases in which a worker is recruited on a temporary basis to complete the crew due to exceptional circumstances.

Exceptional circumstances may mean for example sickness, accident or a serious family incident, but also a difficult voyage or local regulations requiring a pilot for a particular stretch of water.

The term “auxiliary worker” also means a boatman engaged for the purpose of handling a ship in port.

**Article 3: Material scope of the Agreement**

The Conference adopted the French delegation’s alternative proposal to the draft, limiting the material scope of the Agreement, including Title II, to short-term benefits (sickness, maternity, occupational accidents and diseases, death). It was specified that the Agreement does not affect the provisions of the legislation of a Contracting Party which establish liability for contributions to other branches of social security.

**Article 5: Relationship between the Agreement and other international instruments**

The Conference adopted a proposal by the Netherlands delegation to the effect that the European Agreement would not apply in cases where the provisions of the Agreement concerning the Social Security of Rhine Boatmen and provisions relating to social security in the Treaty establishing the European Economic Community and in the Agreement on the European Economic Area of 2 May 1992 apply already. Social security agreements binding exclusively two or more Contracting Parties must be mentioned in Annex III if they are to apply instead of the Agreement.

**Article 8, paragraph 2, Article 15, Article 18, paragraph 3, Article 30 and Article 50, paragraph 2: Adding together of periods of insurance**

The Conference agreed that the term “periods of insurance” should be understood in accordance with the provisions of Article 1, subparagraph q, of the Agreement.

**Article 11, paragraph 4: Legislation applicable to auxiliary workers**

In the case of a boatman who is an auxiliary worker, the Conference stated the principle of the applicability of the legislation of his place of residence except where the residence is in the territory of a third State. In such a case, reference is made to the general rules in Article 11, paragraph 2 or 3, of the Agreement, or to the legislation which governs the port.
Article 12: Rules concerning voluntary insurance or optional continued insurance

The delegate of Austria proposed the deletion of paragraphs 2 and 3, since their application may result in the restriction of boatmen's rights. The Conference considered that the rules of coordination of the Agreement, identical to the relevant provisions of Community regulations, should be maintained, it being understood that in Annex IV it is possible to specify the conditions under which the national legislation allows access to voluntary or optional continued insurance.

Article 24: Occupational diseases

The Conference retained Alternative A of the draft which makes provision for benefits for occupational disease, in case of exposure to the risk under the legislation of several Contracting Parties, to be awarded exclusively under the legislation and at the expense of the single legislation specified as competent by the Agreement and declined to stipulate a sharing of the expense of benefits proportional to the length of insurance periods.

Article 32: Administration Centre

Paragraph 1: The Conference decided to insert in the Agreement the principle of rotation of the Chairmanship. It was agreed that the rotation should be annual and that the rules of procedure should specify the modalities.

Paragraph 4: The proposal by the delegation of Austria to delete paragraph 4 and to replace paragraph 5 by a provision asking the European Administrative Centre to take the measures necessary for the fulfilment of its functions was not supported. The Austrian delegation drew attention to the need for a flexible rule concerning the management of the Secretariat of the Administrative Centre, in order to be able to take account of future developments.

The proposal by France that the headquarters should be established at Strasbourg and in premises put at its disposal by the Central Commission for Rhine Navigation was accepted by all delegations, with the exception of Austria, which abstained.

It was stated that the establishment of the headquarters at Strasbourg would not prevent meeting being held in other cities.

Paragraph 5: In accepting the amended proposal of the French delegation, according to which “the Secretariat of the Administrative Centre shall be established by the General Secretariat of the Central Commission for Rhine Navigation together with the Secretariat of the Danube Commission, if the latter considers it appropriate”, the Conference considered that this did not presume the agreement of the Danube Commission.

A consensus was reached within the Conference to consider that the European Administrative Centre should be autonomous. The Secretary responsible for the Administrative Centre would therefore only be dependent on the Administrative Centre and its President. A rule of procedure should lay down the modalities by which the Administrative Centre would function. In addition, at the request of the Netherlands delegation, the Conference agreed to mention in the Final Act that by signing the Final Act the Central Commission for Rhine Navigation and the Danube Commission undertake to fulfil the functions which are incumbent on them under the Agreement.

Paragraph 6: The Conference reached an agreement on the financing of the Administrative Centre by contributions from the Contracting Parties. While certain delegations expressed a preference for the criterion of equality in sharing the cost, the Conference accepted that contributions should be calculated according to the per capita gross national product in each of the countries. The criterion of per capita gross national product allows the relative economic situations to be taken into account and to reduce contributions of the countries of Central and Eastern Europe accordingly. It was also agreed to refer to the most recent statistics, published by the OECD.

The Conference did not wish to make provision in the text of the Agreement for an exemption, even of limited duration, from Contracting Parties’ contributions of the States of Central and Eastern Europe. However, to respond to the wish expressed by the representatives of certain Contracting Parties, in particular Romania and Moldova, who wish to fulfil their obligations arising from the Agreement but wish to be able to be exempted for a specified period from paying contributions, the Conference agreed that the Administrative Centre should examine all appropriate measures in order to make allowances for special circumstances or financial difficulties encountered by the Contracting Parties in fulfilling their obligations.
Article 33: Functions of the Administrative Centre

At the request of the Romanian delegation, the Conference agreed to include in the duties of the Secretariat that of identifying the possibilities for cooperation and technical assistance in order to enable the Contracting Parties to implement the provisions of the Agreement under the best possible conditions.

Article 58: Authentic texts

The Belgian delegation submitted an amendment requesting that the Dutch language should be an official language of the Agreement. However, in view of the absence of general support and of the cost involved, the delegation agreed to withdraw its proposal.

Annex III

The Conference accepted on a provisional basis a number of provisions mentioned in Annex III, as a certain number of States needed to carry out consultations in order to determine whether they should mention their bilateral conventions in this Annex.

(Signed) Michel LAROQUE
Chairman of the Conference
If this address is wrong, please return this sheet to the sender or, at least, the part bearing the address

Pour tout changement d'adresse, prière de renvoyer à l'expéditeur cette feuille ou, du moins, la partie comportant l'adresse

Sírvase indicar el cambio de dirección del destinatario y enviar esta hoja al remitente, o al menos la parte en que está escrita la dirección
CONTENTS

Information

81st Session of the International Labour Conference (Geneva, 7-24 June 1994) ........................................... 121
Membership of the International Labour Organization:
  Republic of South Africa ................................................................. 122
  Sultanate of Oman ....................................................................... 122
  Republic of Tajikistan ................................................................. 122
Composition of the Governing Body of the International Labour Office ........................................... 123
Official Measures Taken regarding Decisions of the International Labour Conference:
  Ratifications and Denunciations of International Labour Conventions and Declaration
    concerning the Application of a Convention to a Non-Metropolitan Territory .......... 124

Documents

Convention, Recommendation, resolutions, additional texts and decisions adopted
by the International Labour Conference at its 81st Session
(Geneva, 1994)

Convention and Recommendation

Nos.
175 Convention concerning part-time work ................................................................. 128
182 Recommendation concerning part-time work ......................................................... 133

Resolutions

I. Resolution to place on the agenda of the next ordinary session of the Conference an
  item entitled: “Safety and health in mines” ........................................... 136
II. Resolution concerning post-apartheid South Africa ........................................... 137
III. Resolution concerning the 75th anniversary of the ILO and its future orientation .. 139
IV. Resolution concerning the World Summit for Social Development ..................... 140
V. Resolution concerning the role of private employment agencies in the functioning of
  labour markets ................................................................................. 142
VI. Resolutions concerning the assessment of contributions of new member States .... 150
VII. Resolution concerning the scale of assessment of contributions for 1995 .......................... 151
VIII. Resolution concerning an arrangement for the settlement of amounts due by Viet Nam 152
IX. Resolution concerning an arrangement for the settlement of amounts due by Albania 152
XI. Resolution concerning the treatment of the 1992-93 cash surplus .............................. 152
XII. Resolution concerning the treatment of the amount received from the Compagnie Générale de Climatisation et de Maintenance ........................................ 153
XIII. Resolution concerning the composition of the Administrative Tribunal of the International Labour Organization ................................ 153

Additional texts and decisions

Electronic voting at the Conference .......................................................... 154
Standing Orders of the Conference ......................................................... 154

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.
INFORMATION

81st Session of the International Labour Conference\(^1\)
(Geneva, 7-24 June 1994)

The 81st Session of the International Labour Conference was held from Tuesday, 7 June, to Friday, 24 June 1994, under the presidency of Mr. Charles Gray, Workers' delegate, United States.

The agenda of the session was as follows:

**Standing items**

I. Reports of the Chairman of the Governing Body and of the Director-General.

II. Programme and budget and other financial questions.

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

**Items placed on the agenda by the Conference**

IV. Part-time work (*second discussion*).

V. Safety and health in mines (*first discussion*).

VI. The role of private employment agencies in the functioning of labour markets (*general discussion*).

VII. Review of the Declaration concerning Action against Apartheid in South Africa.

---

\(^1\) The texts of the instruments, resolutions and other decisions adopted by the Conference appear on pp. 128-155 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 81st Session which consists of the 28 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.
Membership of the International Labour Organization

By virtue of article 1, paragraph 3, of the Constitution of the International Labour Organization and of article 27 of the Standing Orders of the International Labour Conference, a member of the United Nations may become a member of the International Labour Organization, by communicating to the Director-General its formal acceptance of the obligations under the Constitution.

**REPUBLIC OF SOUTH AFRICA**

By a letter dated 26 May 1994, received on that day, the Government of South Africa, which is a member of the United Nations, communicated to the Director-General its formal acceptance of the obligations under the Constitution of the International Labour Organization. The Republic of South Africa thus resumed membership of the ILO on 26 May 1994.

**SULTANATE OF OMAN**

By a letter dated 12 January 1994, received on 31 January 1994, the Government of the Sultanate of Oman, which is a member of the United Nations, communicated to the Director-General its formal acceptance of the obligations under the Constitution of the International Labour Organization. The Sultanate of Oman thus became a Member of the ILO on 31 January 1994.

**REPUBLIC OF TAJIKISTAN**

By a letter dated 18 November 1993, received on 26 November 1993, the Government of the Republic of Tajikistan, which is a member of the United Nations, communicated to the Director-General its formal acceptance of the obligations under the Constitution of the International Labour Organization. The Republic of Tajikistan thus became a Member of the ILO on 26 November 1993.
Composition of the Governing Body
of the International Labour Office

In March 1994, the Government of Indonesia and the Government of the Philippines advised the Government group of the Governing Body that they had decided to cease to occupy their respective seats of titular member and deputy member of the Governing Body. At the request of the two aforementioned Governments, at its meeting held on 28 March 1994, taking into account the provisions of article 5, paragraph 2, of the Standing Orders of the Governing Body, the Government group appointed the Government of the Philippines and the Government of Indonesia to occupy, respectively, the seats of titular member and deputy member which had become vacant on the Governing Body.

Consequently, at its meeting on 6 June 1994, the Government Electoral College confirmed, in accordance with article 54, paragraph 2, of the Standing Orders of the Conference, the appointment of the Philippines as titular member and that of Indonesia as deputy member of the Governing Body. The Conference was notified of these two appointments on 8 June 1994.
Official Measures Taken regarding Decisions of the International Labour Conference 1

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

Notice is hereby given that the Director-General of the International Labour Office has registered the undermentioned ratifications and denunciations of International Labour Conventions, as well as a declaration concerning the application of a Convention to a non-metropolitan territory. In pursuance of article 20 of the Constitution of the International Labour Organization, particulars of these ratifications, denunciations and declaration 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, denunciation 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>Armenia</td>
<td>Equal Remuneration Convention, 1951 (No. 100)</td>
<td>29 July 1994</td>
<td>29 July 1995</td>
</tr>
<tr>
<td></td>
<td>Discrimination (Employment and Occupation) Convention, 1958 (No. 111)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Employment Policy Convention, 1964 (No. 122)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Workers’ Representatives Convention, 1971 (No. 135)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Labour Relations (Public Service) Convention, 1978 (No. 151)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Rural Workers’ Organizations Convention, 1975 (No. 141)</td>
<td>27 September 1994</td>
<td>27 September 1995</td>
</tr>
<tr>
<td></td>
<td>Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>Country</td>
<td>Convention Description</td>
<td>Date</td>
<td>Date</td>
</tr>
<tr>
<td>-----------</td>
<td>----------------------------------------------------------------------------------------</td>
<td>------------</td>
<td>------------</td>
</tr>
<tr>
<td>Colombia</td>
<td>Safety and Health in Construction Convention, 1988 (No. 167)</td>
<td>6 September 1994</td>
<td>6 September 1995</td>
</tr>
<tr>
<td></td>
<td>Chemicals Convention, 1990 (No. 170)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>France</td>
<td>Occupational Cancer Convention, 1974 (No. 139)</td>
<td>24 August 1994</td>
<td>24 August 1995</td>
</tr>
<tr>
<td></td>
<td>Labour Inspection (Agriculture) Convention, 1969 (No. 129)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>In accordance with Article 5, paragraph 1 (b), of the Convention, the Government has undertaken also to cover by labour inspection persons participating in a collective economic enterprise, such as members of a cooperative.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Collective Bargaining Convention, 1981 (No. 154)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Occupational Safety and Health Convention, 1981 (No. 155)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Termination of Employment Convention, 1982 (No. 158)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>Lithuania</td>
<td>Right of Association (Agriculture) Convention, 1921 (No. 11)</td>
<td>26 September 1994</td>
<td>26 September 1994</td>
</tr>
<tr>
<td></td>
<td>Forced Labour Convention, 1930 (No. 29)</td>
<td>&quot;</td>
<td>26 September 1995</td>
</tr>
<tr>
<td></td>
<td>Forty-Hour Week Convention, 1935 (No. 47)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 79)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Final Articles Revision Convention, 1946 (No. 80)</td>
<td>&quot;</td>
<td>26 September 1994</td>
</tr>
<tr>
<td></td>
<td>Labour Inspection Convention, 1947 (No. 81)</td>
<td>&quot;</td>
<td>26 September 1995</td>
</tr>
<tr>
<td></td>
<td>Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Employment Service Convention, 1948 (No. 88)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Right to Organize and Collective Bargaining Convention, 1949 (No. 98)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Equal Remuneration Convention, 1951 (No. 100)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

1 Period covered: 1 July to 30 September 1994.
<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></td>
<td>Discrimination (Employment and Occupation) Convention, 1958 (No. 111)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Final Articles Revision Convention, 1961 (No. 116)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maximum Weight Convention, 1967 (No. 127)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Minimum Wage Fixing Convention, 1970 (No. 131)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Workers' Representatives Convention, 1971 (No. 135)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Human Resources Development Convention, 1975 (No. 142)</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>Collective Bargaining Convention, 1981 (No. 154)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Night Work Convention, 1990 (No. 171)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Protection of Workers' Claims (Employer's Insolvency) Convention, 1992 (No. 173)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Pursuant to Article 3, paragraph 1, the Government has accepted the provisions of Part II.</strong></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>United Kingdom</td>
<td>Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99)(^1)</td>
<td>16 August 1994</td>
<td>16 August 1995</td>
</tr>
<tr>
<td></td>
<td>Holidays with Pay (Agriculture) Convention, 1952 (No. 101)(^1)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

\(^1\) Denosition.
III. Declaration

United Kingdom Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99) 22 August 1994 22 August 1995

Declaration terminating the acceptance of the obligations: Guernsey

1 The text of the communication concerning the denunciation by the United Kingdom of these Conventions reads as follows:

"The United Kingdom Government has considered carefully the results of the consultation process concerning the future operation of the Agricultural Wages Boards. Although no final decision has yet been reached on this matter, the Government is aware that the window for the denunciation of Convention 99 is due to close soon. In order not to hamper any final decision on arrangements for the agricultural industry and to ensure the maximum flexibility as regard possible future changes in this area, the Government considers it essential that the ILO Conventions should not present obstacles to any such changes. Since the terms of both of these Conventions could restrict flexibility in this area and since the Government considers that their provisions are no longer appropriate for the United Kingdom in the long term - statutory control of pay and related conditions is inconsistent with its commitment to deregulation in this area - the Government proposes to denounce ILO Conventions No. 99 and No. 101. The denunciations will take effect 12 months after the date on which they are registered with the ILO."

127
Convention concerning part-time work

The General Conference of the International Labour Organization,
Having been convened at Geneva by the Governing Body of the International
Labour Office, and having met in its 81st Session on 7 June 1994, and
Noting the relevance, for part-time workers, of the provisions of the Equal
Remuneration Convention, 1951, the Discrimination (Employment and
Occupation) Convention, 1958, and the Workers with Family Responsibilities
Convention and Recommendation, 1981, and
Noting the relevance for these workers of the Employment Promotion and
Protection against Unemployment Convention, 1988, and the Employment
Policy (Supplementary Provisions) Recommendation, 1984, and
Recognizing the importance of productive and freely chosen employment for
all workers, the economic importance of part-time work, the need for em­
ployment policies to take into account the role of part-time work in facili­
tating additional employment opportunities, and the need to ensure protection
for part-time workers in the areas of access to employment, working condi­
tions and social security, and
Having decided upon the adoption of certain proposals with regard to part­
time work, which is the fourth item on the agenda of the session, and
Having determined that these proposals shall take the form of an international
Convention;
adopts this twenty-fourth day of June of the year one thousand nine hundred and
ninety-four the following Convention, which may be cited as the Part-Time Work
Convention, 1994:

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 81st Session of the
Conference.

2 Adopted by the Conference on 24 June 1994 by 258 votes in favour, 88 against, with 43 abstentions.
Article 1

For the purposes of this Convention:

(a) the term “part-time worker” means an employed person whose normal hours of work are less than those of comparable full-time workers;

(b) the normal hours of work referred to in subparagraph (a) may be calculated weekly or on average over a given period of employment;

(c) the term “comparable full-time worker” refers to a full-time worker who:
   (i) has the same type of employment relationship;
   (ii) is engaged in the same or a similar type of work or occupation; and
   (iii) is employed in the same establishment or, when there is no comparable full-time worker in that establishment, in the same enterprise or, when there is no comparable full-time worker in that enterprise, in the same branch of activity,

as the part-time worker concerned;

(d) full-time workers affected by partial unemployment, that is by a collective and temporary reduction in their normal hours of work for economic, technical or structural reasons, are not considered to be part-time workers.

Article 2

This Convention does not affect more favourable provisions applicable to part-time workers under other international labour Conventions.

Article 3

1. This Convention applies to all part-time workers, it being understood that a Member may, after consulting the representative organizations of employers and workers concerned, exclude wholly or partly from its scope particular categories of workers or of establishments when its application to them would raise particular problems of a substantial nature.

2. Each Member having ratified this Convention which avails itself of the possibility afforded in the preceding paragraph shall, in its reports on the application of the Convention under article 22 of the Constitution of the International Labour Organization, indicate any particular category of workers or of establishments thus excluded and the reasons why this exclusion was or is still judged necessary.

Article 4

Measures shall be taken to ensure that part-time workers receive the same protection as that accorded to comparable full-time workers in respect of:

(a) the right to organize, the right to bargain collectively and the right to act as workers’ representatives;

(b) occupational safety and health;

(c) discrimination in employment and occupation.

Article 5

Measures appropriate to national law and practice shall be taken to ensure that part-time workers do not, solely because they work part time, receive a basic wage which, calculated proportionately on an hourly, performance-related, or piece-rate basis, is lower than the basic wage of comparable full-time workers, calculated according to the same method.
Article 6

Statutory social security schemes which are based on occupational activity shall be adapted so that part-time workers enjoy conditions equivalent to those of comparable full-time workers; these conditions may be determined in proportion to hours of work, contributions or earnings, or through other methods consistent with national law and practice.

Article 7

Measures shall be taken to ensure that part-time workers receive conditions equivalent to those of comparable full-time workers in the fields of:
(a) maternity protection;
(b) termination of employment;
(c) paid annual leave and paid public holidays; and
(d) sick leave,
it being understood that pecuniary entitlements may be determined in proportion to hours of work or earnings.

Article 8

1. Part-time workers whose hours of work or earnings are below specified thresholds may be excluded by a Member:
   (a) from the scope of any of the statutory social security schemes referred to in Article 6, except in regard to employment injury benefits;
   (b) from the scope of any of the measures taken in the fields covered by Article 7, except in regard to maternity protection measures other than those provided under statutory social security schemes.

2. The thresholds referred to in paragraph 1 shall be sufficiently low as not to exclude an unduly large percentage of part-time workers.

3. A Member which avails itself of the possibility provided for in paragraph 1 above shall:
   (a) periodically review the thresholds in force;
   (b) in its reports on the application of the Convention under article 22 of the Constitution of the International Labour Organization, indicate the thresholds in force, the reasons therefor and whether consideration is being given to the progressive extension of protection to the workers excluded.

4. The most representative organizations of employers and workers shall be consulted on the establishment, review and revision of the thresholds referred to in this Article.

Article 9

1. Measures shall be taken to facilitate access to productive and freely chosen part-time work which meets the needs of both employers and workers, provided that the protection referred to in Articles 4 to 7 is ensured.

2. These measures shall include:
   (a) the review of laws and regulations that may prevent or discourage recourse to or acceptance of part-time work;
   (b) the use of employment services, where they exist, to identify and publicize possibilities for part-time work in their information and placement activities;
(c) special attention, in employment policies, to the needs and preferences of specific groups such as the unemployed, workers with family responsibilities, older workers, workers with disabilities and workers undergoing education or training.

3. These measures may also include research and dissemination of information on the degree to which part-time work responds to the economic and social aims of employers and workers.

Article 10

Where appropriate, measures shall be taken to ensure that transfer from full-time to part-time work or vice versa is voluntary, in accordance with national law and practice.

Article 11

The provisions of this Convention shall be implemented by laws or regulations, except in so far as effect is given to them by means of collective agreements or in any other manner consistent with national practice. The most representative organizations of employers and workers shall be consulted before any such laws or regulations are adopted.

Article 12

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

Article 13

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

2. It shall come into force 12 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 12 months after the date on which its ratification has been registered.

Article 14

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 15

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications and denunciations communicated to him by the Members of the Organization.
2. When notifying the Members of the Organization of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention will come into force.

Article 16

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 denunciations registered by him in accordance with the provisions of the preceding Articles.

Article 17

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 18

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 14 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 19

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

The foregoing is the authentic text of the Convention duly adopted by the General Conference of the International Labour Organization during its Eighty-first Session which was held at Geneva and declared closed the twenty-fourth day of June 1994.

IN FAITH WHEREOF we have appended our signatures this twenty-fifth day of June 1994.

The President of the Conference,

C. D. GRAY

The Director-General of the International Labour Office,

M. HANSENNE
Recommendation

Recommendation 182

Recommendation concerning part-time work

The General Conference of the International Labour Organization,
Having been convened at Geneva by the Governing Body of the International
Labour Office, and having met in its 81st Session on 7 June 1994, and
Having decided upon the adoption of certain proposals with regard to part-
time work, which is the fourth item on the agenda of the session, and
Having determined that these proposals shall take the form of a Recommen­
dation supplementing the Part-Time Work Convention, 1994;
adopts this twenty-fourth day of June of the year one thousand nine hundred and
ninety-four the following Recommendation, which may be cited as the Part-Time
Work Recommendation, 1994:

1. The provisions of this Recommendation should be considered in conjunc­
tion with those of the Part-Time Work Convention, 1994 (hereafter referred to as
“the Convention”).

2. For the purposes of this Recommendation:
   (a) the term “part-time worker” means an employed person whose normal hours
       of work are less than those of comparable full-time workers;
   (b) the normal hours of work referred to in clause (a) may be calculated weekly or
       on average over a given period of employment;
   (c) the term “comparable full-time worker” refers to a full-time worker who:
       (i) has the same type of employment relationship;
       (ii) is engaged in the same or a similar type of work or occupation; and
       (iii) is employed in the same establishment or, when there is no comparable
           full-time worker in that establishment, in the same enterprise or, when
           there is no comparable full-time worker in that enterprise, in the same
           branch of activity,
       as the part-time worker concerned;
   (d) full-time workers affected by partial unemployment, that is by a collective and
       temporary reduction in their normal hours of work for economic, technical or
       structural reasons, are not considered to be part-time workers.

3. This Recommendation applies to all part-time workers.

4. In accordance with national law and practice, employers should consult the
   representatives of the workers concerned on the introduction or extension of part-
time work on a broad scale, on the rules and procedures applying to such work and
   on the protective and promotional measures that may be appropriate.

5. Part-time workers should be informed of their specific conditions of
   employment in writing or by any other means consistent with national law and
   practice.

---

1 Adopted by the Conference on 24 June 1994 by 291 votes in favour, 35 against, with 71 abstentions.
6. The adaptations to be made in accordance with Article 6 of Convention to statutory social security schemes which are based on occupational activity should aim at:

(a) if appropriate, progressively reducing threshold requirements based on earnings or hours of work as a condition for coverage by these schemes;

(b) as appropriate, granting to part-time workers minimum or flat-rate benefits, in particular old-age, sickness, invalidity and maternity benefits, as well as family allowances;

(c) accepting in principle that part-time workers whose employment has come to an end or been suspended and who are seeking only part-time employment meet the condition of availability for work required for the payment of unemployment benefits;

(d) reducing the risk that part-time workers may be penalized by schemes which:

(i) subject the right to benefits to a qualifying period, expressed in terms of periods of contribution, of insurance or of employment during a given reference period; or

(ii) fix the amount of benefits by reference both to the average of former earnings and to the length of the periods of contribution, of insurance or of employment.

7. (1) Where appropriate, threshold requirements for access to coverage under private occupational schemes which supplement or replace statutory social security schemes should be progressively reduced to allow part-time workers to be covered as widely as possible.

(2) Part-time workers should be protected by such schemes under conditions equivalent to those of comparable full-time workers. Where appropriate, these conditions may be determined in proportion to hours of work, contributions or earnings.

8. (1) As appropriate, threshold requirements based on hours of work or earnings as specified under Article 8 of the Convention in the fields referred to in its Article 7 should be progressively reduced.

(2) The periods of service required as a condition for protection in the fields referred to in Article 7 of the Convention should not be longer for part-time workers than for comparable full-time workers.

9. Where part-time workers have more than one job, their total hours of work, contributions or earnings should be taken into account in determining whether they meet threshold requirements in statutory social security schemes which are based on occupational activity.

10. Part-time workers should benefit on an equitable basis from financial compensation, additional to basic wages, which is received by comparable full-time workers.

11. All appropriate measures should be taken to ensure that as far as practicable part-time workers have access on an equitable basis to the welfare facilities and social services of the establishment concerned; these facilities and services should, to the extent possible, be adapted to take into account the needs of part-time workers.
12. (1) The number and scheduling of hours of work of part-time workers should be established taking into account the interests of the worker as well as the needs of the establishment.

(2) As far as possible, changes in the agreed work schedule and work beyond scheduled hours should be subject to restrictions and to prior notice.

(3) The system of compensation for work beyond the agreed work schedule should be subject to negotiations in accordance with national law and practice.

13. In accordance with national law and practice, part-time workers should have access on an equitable basis, and as far as possible under equivalent conditions, to all forms of leave available to comparable full-time workers, in particular paid educational leave, parental leave and leave in cases of illness of a child or another member of a worker's immediate family.

14. Where appropriate, the same rules should apply to part-time workers as to comparable full-time workers with respect to scheduling of annual leave and work on customary rest days and public holidays.

15. Where appropriate, measures should be taken to overcome specific constraints on the access of part-time workers to training, career opportunities and occupational mobility.

16. Provisions of statutory social security schemes based on occupational activity that may discourage recourse to or acceptance of part-time work should be adapted, in particular those which:

(a) result in proportionately higher contributions for part-time workers unless these are justified by corresponding proportionately higher benefits;

(b) without reasonable grounds, significantly reduce the unemployment benefits of unemployed workers who temporarily accept part-time work;

(c) overemphasize, in the calculation of old-age benefits, the reduced income from part-time work undertaken solely during the period preceding retirement.

17. Measures should be considered by employers to facilitate access to part-time work at all levels of the enterprise, including skilled and managerial positions where appropriate.

18. (1) Where appropriate, employers should give consideration to:

(a) requests by workers for transfer from full-time to part-time work that becomes available in the enterprise; and

(b) requests by workers for transfer from part-time to full-time work that becomes available in the enterprise.

(2) Employers should provide timely information to the workers on the availability of part-time and full-time positions in the establishment, in order to facilitate transfers from full-time to part-time work or vice versa.

19. A worker's refusal to transfer from full-time to part-time work or vice versa should not in itself constitute a valid reason for termination of employment, without prejudice to termination, in accordance with national law and practice, for other reasons such as may arise from the operational requirements of the establishment concerned.

20. Where national or establishment-level conditions permit, workers should be enabled to transfer to part-time work in justified cases, such as pregnancy or the need to care for a young child or a disabled or sick member of a worker's immediate family, and subsequently to return to full-time work.
21. Where obligations on employers depend on the number of the workers they employ, part-time workers should be counted as full-time workers. Nevertheless, where appropriate, part-time workers may be counted proportionately to their hours of work, it being understood that where such obligations refer to the protection mentioned in Article 4 of the Convention, they should be counted as full-time workers.

22. Information should be disseminated on the protective measures that apply to part-time work and on practical arrangements for various part-time work schemes.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organization during its Eighty-first Session which was held at Geneva and declared closed the twenty-fourth day of June 1994.

IN FAITH WHEREOF we have appended our signatures this twenty-fifth day of June 1994.

The President of the Conference,

C. D. GRAY

The Director-General of the International Labour Office,

M. HANSENNE

RESOLUTIONS

I

Resolution to place on the agenda of the next ordinary session of the Conference an item entitled: “Safety and health in mines”1

The General Conference of the International Labour Organization,

Having adopted the report of the Committee appointed to consider the fifth item on the agenda,

Having in particular approved as general conclusions, with a view to the consultation of Governments, proposals for a Convention and a Recommendation concerning safety and health in mines;

Decides that an item entitled “Safety and health in mines” 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.

1 Adopted on 24 June 1994.
II

Resolution concerning post-apartheid South Africa

The General Conference of the International Labour Organization,

Acclaiming the holding of the first free and democratic elections in the Republic of South Africa from 26 to 28 April 1994, resulting in the installation of a government of national unity, and the unanimous election on 9 May 1994 of Mr. Nelson Mandela as President of the Republic of South Africa,

Welcoming the readmission of South Africa as a Member of the International Labour Organization,

Noting with satisfaction the intention expressed by the Government of South Africa to recommend the immediate ratification of the ILO Conventions on freedom of association, collective bargaining, discrimination and forced labour,

Paying tribute to the important role played by the ILO and its constituents in the long and arduous struggle for the dismantling of apartheid,

Noting the decision taken by the ILO Governing Body at its 258th Session (November 1993) to suspend the application of the Declaration concerning Action against Apartheid, and to adopt a plan of action on assistance to South Africa in the transition to full democracy and in overcoming the effects of apartheid,

Noting further the resolution concerning South Africa adopted by the Eighth African Regional Conference of the ILO in Mauritius from 19 to 26 January 1994,

Conscious that the legacy of apartheid will take many years to eradicate and that vast resources will be required to provide for basic needs and to promote equality for all the people in South Africa,

Noting that technical assistance to South Africa for the purpose of overcoming the legacy of apartheid must be developed in consultation with the tripartite constituents in South Africa, and will be provided at their request, jointly or individually,

Underlining the need for the ILO to develop, in consultation with the tripartite constituents of South Africa, a programme of action aimed at assisting in the removal of the inherent and deep-seated inequalities in the structures of South African society,

Recognizing that the democratic exigencies of the transformation process from apartheid to a free, united and democratic society place a heavy responsibility on the shoulders of the tripartite South African social partners in the rebuilding and development of the country,

Convinced of the urgent need for the international community to commit itself to support fully the process of reconstruction and development in South Africa as that country enters the first stage of the post-apartheid era,

Considering that the recent political democratic developments have paved the way for the full respect of freedom and dignity of all human beings in South Africa, irrespective of race, creed or sex;


---

1 Adopted on 22 June 1994.
2. Invites the Governing Body of the International Labour Office to instruct the Director-General:

(a) to adapt, in consultation with the tripartite constituents in South Africa, the plan of action approved by the Governing Body at its 258th Session (November 1993) to the social and economic development needs of post-apartheid South Africa, with special attention, inter alia, to the following:

- the promotion of trade union and human rights;
- capacity-building for employers’ and workers’ organizations;
- employment creation;
- promotion of small and medium-sized enterprises;
- reform and restructuring of labour market institutions and labour administration;
- labour relations and collective bargaining;
- the effective use of all factors of production;
- improvement of labour legislation and upgrading of labour standards;
- improvement of working and living conditions in the rural areas and for farmworkers;
- education and training, in particular vocational training;
- human resources development and management training;
- promotion of equality of opportunity and treatment; and
- occupational health and safety;

(b) to consult with the South African Government and employers’ and workers’ organizations to ensure that all appropriate action is taken to bring about the implementation of the ILO plan of action, and to report at regular intervals to the Governing Body on its follow-up;

(c) to coordinate with the agencies of the United Nations system in the planning and execution of programmes of socio-economic assistance to South Africa, particularly in the areas of human resources development, entrepreneurship development, social protection, health, housing, education, employment, promotion of equality and other basic needs;

(d) to encourage the Government of South Africa and the employers’ and workers’ organizations to implement the principles laid down in the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy to attract new investment;

(e) to provide the necessary support and assistance for the strengthening of tripartite structures, and of independent, strong and non-racial employers’ and workers’ organizations;

(f) to provide the necessary support and assistance to the tripartite constituents in South Africa to assist them in the adoption of labour legislation and other measures which are compatible with international labour standards, and to allow them to consider ratification of appropriate Conventions; in particular, to assist them to comply with those recommendations of the Fact-Finding and Conciliation Commission on Freedom of Association concerning South Africa which have not yet been implemented, in accordance with the conclusions and recommendations of the Governing Body Committee on Freedom of Association.
3. Invites the Governing Body of the International Labour Office to call upon member States:
(a) to continue to support South Africa in its efforts for the total elimination of the consequences of apartheid; and
(b) to cooperate with and provide the necessary resources to the ILO in the implementation of the plan of action for technical assistance aimed at the social reconstruction and the long-term economic development of post-apartheid South Africa, through the regular budget, and from the international financial institutions of the United Nations system, and appropriate regional organizations, and from multi-bilateral donors.

III

Resolution concerning the 75th anniversary of the ILO and its future orientation

The General Conference of the International Labour Organization,
On the occasion of the 75th anniversary of the International Labour Organization and the 50th anniversary of the Declaration of Philadelphia,
Reaffirming the principles and fundamental values upon which the ILO was founded and which retain their relevance in the world today, including the promotion of social justice as the basis of universal peace,
Reaffirming also that because of its mandate and tripartite structure, the ILO has a unique role to play within the UN system,
Noting the particular importance of ILO Conventions covering fundamental rights, including Conventions Nos. 87, 98, 100, 29 and 105, and 111,
Mindful of the provisions contained in paragraph 3 of article 19 of the ILO Constitution,
Recognizing that the world has undergone considerable social and economic changes in recent years and anticipating that these will continue and will have varying effects on different countries,
Considering also that all institutions and structures need to be reviewed from time to time and where necessary strengthened, in order to ensure that their activities remain relevant to the needs of their members in a changing environment,
Acknowledging that structural change profoundly affects the world of work which requires the ILO efficiently to pursue its mandate and objectives concerning social justice, including the promotion of full, freely chosen and productive employment and the continued enhancement of working conditions,
Noting that the Governing Body of the ILO has already taken steps to improve the functioning of the International Labour Conference and the regional conferences, and to improve its own methods of work,
Thanking the Director-General for his Report to the current Conference entitled Defending values, promoting change – Social justice in a global economy: An ILO agenda, and taking note of the ideas and proposals it contains on the ILO’s future orientation and activities of the ILO,
Further noting with interest the views expressed in the debate at the 81st Session of the International Labour Conference, as well as the recent contributions of several governments and of the social partners in the ILO to the discussion of the ILO’s future;

1 Adopted on 22 June 1994.
1. Calls upon member States, and employers’ and workers’ organizations to reaffirm the principles and fundamental values upon which the ILO was founded and to contribute to a strengthening, where necessary, of the ILO’s policy-making structures.

2. Encourages also member States, and employers’ and workers’ organizations, to work together with a view to a renewal of the means of action of the ILO, and with a view to improving and optimizing the benefits it offers to its constituents in the light of changes in the world.

3. Requests the Director-General, in the light of the views expressed in the debate on his report to the 81st Session of the International Labour Conference, to present his views on the options available and to facilitate the discussion of these options by the Governing Body.

4. Requests the Governing Body of the International Labour Office:
(a) to examine the ideas and proposals of the Director-General with a view to revitalizing further the ILO, adapting its means of action to the changing world environment and increasing its effectiveness;
(b) to keep the Conference informed of the outcome.

IV

Resolution concerning the World Summit for Social Development

The General Conference of the International Labour Organization,
Welcoming the convening by the United Nations General Assembly of the World Summit for Social Development in Denmark in 1995,
Considering the vital importance of peace, economic growth and social justice as the essential components necessary for social development,
Underlining the critical importance for the expansion of full, freely chosen and productive employment, reduction of unemployment, reduction and elimination of poverty and promotion of social integration, which have been chosen as the Summit’s core issues,
Considering that the social and living conditions of people become particularly vulnerable during periods of profound structural change,
Convinced that economic efficiency and growth, and their interaction with adequate social protection, are important prerequisites for successful national development, and that economic reforms should also lead to sustainable social progress,
Mindful of the need to address the social consequences that may arise from structural adjustment policies including those promoted by the International Monetary Fund and the World Bank,
Recognizing the importance of international cooperation to support and complement national efforts to promote social development,

1 Adopted on 22 June 1994.
Recognizing the urgent need for a major initiative by the international community to tackle global social problems, and the opportunity that the Summit offers for the preparation of an appropriate comprehensive programme of action for the United Nations system,

Considering that issues to be examined by the Summit are central to the mandate and the competence of the ILO,

Considering therefore that the ILO has a primary responsibility and role to play in the preparation and conduct of the Summit and in the consideration and implementation of the conclusions which fall within its competence,

Stressing the need for appropriate tripartite inputs at all stages of the Summit process,

Also stressing the importance of the participation of workers' and employers' organizations, as appropriate, in the development of policies for economic growth and employment generation which will contribute to the strengthening of social protection systems, especially for the most vulnerable groups of the populations,

Noting the work of the Governing Body Working Party on the World Summit for Social Development and the inputs by the ILO Secretariat to the Summit preparation,

Also noting that discussions took place at the Informal Tripartite Meeting at the Ministerial Level on Employment held on 10 June 1994 on issues to be addressed in connection with the Summit;

1. Invites all member States, and where appropriate, workers' and employers' organizations:
   (a) to prepare for the World Summit for Social Development taking into consideration the competence, mandate and work of the ILO;
   (b) to adopt and implement a declaration and a programme of action which should effectively address the issues of expansion of productive employment and reduction of unemployment, reduction and elimination of poverty and promotion of social integration;
   (c) to promote the appropriate involvement of employers' and workers' organizations in the preparations for, conduct of, and follow-up to the Summit by:
      (i) involving employers' and workers' organizations in the national preparations for the Summit;
      (ii) considering including representatives of employers' and workers' organizations as advisers in the national delegations to the Summit;
      (iii) considering the practical arrangements for an active participation by the representatives of employers' and workers' organizations at the Summit;
   (d) to recognize the primary competence of the ILO regarding core themes in the preparation for, conduct of and follow-up to the Summit;
   (e) to strengthen the active participation of workers' and employers' organizations in the formulation of follow-up action to deal with the issues arising out of the Summit.

2. Invites the Governing Body of the International Labour Office to instruct the Director-General:
   (a) to continue to make the necessary provisions for a full ILO input to the Summit process;
   (b) to take all opportunities to promote tripartite inputs to that process;
(c) to take fully into account the need for the ILO to play a leading role in the follow-up to the Summit when preparing the programme and budget proposals for 1996-97 and in convening the second High-Level Meeting on Employment and Structural Adjustment;

(d) to continue, in this context, to address the problems of structural adjustment, bearing in mind the persistent problems of developing countries, and especially the particular needs of the least developed countries, as well as the problems of countries in transition to a market economy.

V

Resolution concerning the role of private employment agencies in the functioning of labour markets

The General Conference of the International Labour Organization, meeting at its 81st Session (1994),

Having undertaken a comprehensive review of the functions and practices of employment agencies on the basis of Report VI entitled “The role of private employment agencies in the functioning of labour markets”,

Recalling that the Governing Body at its 254th Session (November 1992) decided to place the item on the agenda of the 81st Session of the International Labour Conference as a general discussion item,

Having regard to the Employment Service Convention, 1948 (No. 88), and its accompanying Recommendation, 1948 (No. 83), as well as the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96);

Takes note of the following conclusions and invites the Governing Body of the International Labour Office to request the Director-General to give due consideration to them:

Conclusions concerning the role of private employment agencies in the functioning of labour markets

INTRODUCTION

1. The Committee discussed the role of private employment agencies in the functioning of labour markets against the background of widespread concern with unemployment and poverty. The ILO strived to make full and productive employment the top priority on the agenda of policy-makers. This social objective should be supported by public, economic and financial policies which enhance sustainable economic development. Developing countries were not alone in facing increasing difficulties to ensure that there was support for the unemployed, those out of the labour force, the working poor and those having to face poor conditions of work. Social and economic issues, as well as policy options, were closely interrelated and had both short- and longer-term dimensions. It was in this wider framework that the Committee had reviewed the contributions made by public and private employment agencies.

1 Adopted on 23 June 1994.
2. The Committee had grouped its conclusions under 12 headings ordered in sequence from A to L as follows: (A) definition of a well-functioning labour market; (B) labour-market policy and actors in the labour market; (C) the role of public employment services (PES); (D) definition and typology of private employment agencies (PREA); (E) place and role of PREA; (F) practices of PREA; (G) objective and scope of regulations; (H) means for sound practice by PREA other than traditional regulation; (I) relationship between PES and PREA; (J) the case for better and increased cooperation; (K) relevant ILO standards; (L) prospects for future ILO standards.

A. Definition of a well-functioning labour market

3. The deliberations in the Committee clearly showed that all those involved in the activities of the labour market — workers, their representatives, employers and governments — took great interest in the functioning of the labour market and were concerned about the developments and ongoing changes in that market. The Committee found that all these interests and concerns formed a solid basis for the pursuit of the goal of improving the functioning of labour markets throughout the world, to create new jobs, to help jobseekers to find suitable jobs so that they could support themselves and their families and to help employers to develop their businesses through the recruitment of skilled and suitable workers. The Committee also found that there was still total consent on the fundamental principle, laid down in the Constitution of the International Labour Organization, that labour is not a commodity and that the freedom of jobseekers to search for jobs and the right for employers to take decisions concerning the recruitment of workers were fundamental elements in free market and mixed economies. The Committee also stressed the principles of freedom of association and collective bargaining as well as the promotion of employment creation in an industrial relations context that was effective, and in which workers’ rights were fully respected.

4. These principles, however, did not exclude the possibility that measures might be needed to improve the functioning of labour markets and to look closely into the present international standard, namely Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96). The Committee thoroughly discussed the activities of the labour market and examined in depth the actions of those who operated in the labour market.

5. There was general consent that labour markets were no longer stable, that changes in international and national economies had a great impact on labour markets and that there was a general acceleration in those changes which could have enormous consequences, both for enterprises and not least for workers and their families. The conditions which prevailed at the beginning of the twentieth century, and which influenced the labour standard under discussion in the Committee, no longer existed in most countries, whereas they were still present in others. There seemed to be a general worldwide trend to recognize the need to respond to change by employers, workers and governments when it came to forms of employment, interventions to influence the markets and the organization of workplaces.

6. Three fundamental functions could be identified in the labour market. First, it was a market-place where jobseekers and employers had the opportunity to find each other. Secondly, it was a source of information about jobseekers and vacancies which could be used by jobseekers, employers and governments to follow changes in the market in order to take necessary decisions concerning that market. Thirdly, it was a place where States could introduce the necessary programmes and incentives to influence the functioning of the market.
B. Labour-market policy and actors in the labour market

7. When looking at the labour market and its function as a market-place, the Committee found that a wide range of activities took place to help jobseekers and employers to find each other and conclude contracts of employment. In many countries, public employment agencies were predominant whereas private actors, both those working for profit and non-profit organizations, appeared more frequently in others. Very few countries seemed to comply with the general principles of Convention No. 96 that public agencies should be the rule and private employment agencies should be abolished as soon as possible.

8. The ILO report defined at least 16 different varieties of private employment agencies. It was clear that economic change would cause other kinds of agencies to develop in the future. The Committee recognized the freedom of employers, subject to national law and practice, to fulfil their recruitment needs through the use of these agencies.

9. The Committee also found that it was time to recognize the need for a wide variety of activities to be undertaken to help jobseekers and employers to find each other and to increase the activities on the market-place for jobs. Both public and private actors complemented each other in the market-place.

10. The Committee found, however, that it was a fundamental responsibility of States to see to it that the labour market was functioning well and to assume that responsibility by guaranteeing that there was an adequately-funded and well-functioning public employment service free of charge for jobseekers.

11. When it came to information about the labour market, the Committee found that it should be the responsibility of States to guarantee that information about jobseekers and vacancies was available to employers and workers, and that adequate statistical information existed to meet the need for action on the labour market. Whether the gathering and distribution of information should be public or private was not an issue to be determined by international labour standards, since traditions, legal frameworks and national practices varied between member States. In the upgrading of national employment market information systems and networking it seemed desirable, however, that the ILO and other international agencies should, upon request, provide assistance to developing countries and to those countries undergoing transformation to market economies. This would enable them to collect, analyse and disseminate accurate and timely labour market information in establishing and developing databanks.

12. The Committee firmly believed that States must take care to guarantee the right of individuals to have their personal integrity protected when information was processed on the labour market.

13. The Committee found that it was an important role for States, through employment programmes and other means, to influence the labour market in order to improve its functioning and facilitate employment for all jobseekers, including the unskilled and the vulnerable jobseekers such as workers with family responsibilities, on the basis of non-discrimination and freedom of access to the labour market. The importance of government activities to create new jobs and to improve possibilities for jobseekers and employers to enter into contracts of employment remained totally undisputed.

14. The background for the conclusions as drawn up by the Committee were further discussed in the following sections.
C. The role of public employment services (PES)

15. The Committee expressed its continuing support for the principles set out in Employment Services Convention, 1948 (No. 88), and, in particular, the duty of the employment services to ensure, where necessary, in cooperation with other public and private bodies concerned, the best possible organization of the labour market.

16. Having recognized this essential role, governments had generally given these services the financial and other means to plan and implement their labour-market policies. In order to implement these policies, they had mainly concentrated on placement, guidance, employment training, labour market information, programmes for job, skill and geographical mobility, promotion and management of subsidized employment schemes, unemployment insurance, etc. In some countries, these programmes had been placed under the responsibility of several public institutions but remained coordinated by the PES.

17. For a very long time some countries were split among those which proceeded on the assumption that the labour market worked best when it was managed exclusively by public entities, mainly the PES, and those which took the view that the labour market worked best when it permitted PREA to operate side by side with PES.

18. Standards adopted by the ILO on the subject in 1949 clearly showed that the predominant view was that the labour market works best in the absence, or with the very limited presence, of PREA. That view also seemed to have been supported by the number of governments which had ratified the relevant ILO Conventions in this field.

19. Given the dynamic conditions of the labour market in recent years, it had become clear that the growing role and place of well-functioning PREA could be positive and that the essential role played by the PES had been and must be maintained. It was the general view that only a public entity such as the PES could be made responsible for such functions as management of unemployment insurance, labour-market information, management of special programmes to lead the most vulnerable jobseekers to the threshold of employability, and the management of subsidized job-promotion schemes.

20. For those reasons, the Committee believed that any consideration of the role and functions of PREA would be incomplete if considered in isolation from those of PES or outside the context of an effective labour market policy. Moreover, in view of their overall responsibilities for the labour market, the Committee found that some States might want to maintain a monopoly in those functions which they considered appropriate.

D. Definition and typology of private employment agencies (PREA)

21. PREA may be defined as private firms directly or indirectly providing a service in the labour market. The definition proposed in Chapter 2 of the ILO report could be considered as being both too extensive and too restrictive when referring to specific national conditions. Similarly, only national situations could give precise substance to the notion of private, which could relate to the nature of the capital, the type of law governing its activities or to whether the agency was profit or non-profit making. However, the definition in the ILO report was a useful reference for national circumstances.
22. Similar considerations applied concerning the typology proposed in the ILO report. In some countries some of the agencies listed were irrelevant or nonexistent, or classified as service firms outside the employment field. In other countries, PREA were grouped into two categories, those providing a service (brokers or otherwise) in a one-to-one contractual relationship and those establishing a triangular contractual relationship, such as in the case of temporary work agencies. In other countries a legal distinction was made according to whether agencies, whatever their activity, were profit or non-profit making. The Committee considered it useful, however, for the ILO to continue to build on the classification provided in the report in order to make available for permanent future reference, at the request of governments, employers or workers organizations, an updated description of the agencies contained in the typology. This should not, however, preclude the pursuit of a more generic approach of describing PREA when considering a revised standard.

23. Temporary work agencies were one of the major types of firms mentioned in the ILO typology. The role that these agencies played in the market, the very particular nature of the triangular relationship which they entered into, and the legal problems deriving therefrom, explained why some governments had enacted special laws to regulate their activities. In some of these cases temporary work agencies were dealt with as quite distinct agencies.

24. The Committee considered that certain types of agency that were scarcely mentioned in the ILO report, and which operated in markets of developing countries, deserved special attention and possible regulation by national governments in relation to abuses which are committed, particularly in the case of contract labour agencies which hire home workers for processing particular goods (e.g. cigarette rolling, hides, etc.) or those that charge fees from jobseekers in exchange for the promise of employment abroad. These agencies should be considered in any future ILO discussion of private employment agencies.

E. Place and role of PREA

25. The Committee acknowledged that in a rapidly changing world, PREA had increased spectacularly in size and importance and had acquired growing recognition as important elements in labour markets.

26. The Committee concluded that well-functioning PREA could most certainly contribute to the effective functioning of the labour market. PREA could in many instances:
- reduce the time needed to fill vacancies;
- bring vacancies to the surface in the open market;
- sense changes in labour-market requirements and react quickly, avoiding delays and imbalances;
- match supply and demand of skills through relevant selection and recruitment methods, thus saving waste due to avoidable manpower turnover;
- satisfy needs not satisfactorily covered by public agencies due to the growing complexity in demand and supply of skills;
- build a bridge between unemployment and permanent employment by providing, mainly through temporary work assignments, gradual incorporation of jobseekers (especially new entrants or re-entrants) into the labour market;
- multiply the sources of information on job opportunities, thus increasing the overall stock of available information on the job market;
reduce the time of deployment from one job to the other through outplacement techniques, thus contributing to a better labour force mobility;
provide short-term employment training thus contributing to bridge the gap between the supply and demand of skills.

27. Overall, PREA activities added value to the labour market as marketplace forces had shown through the growing demand for the services they provided. The fact that the activities of PREA had grown in quantity and quality and that governments had acknowledged that growth in their legislation, as shown in Chapter 3 of the ILO Report dealing with this question, were indicators of their contribution to the formation of wealth and of the value attributed by the market to the services offered by these agencies.

28. The Committee also noted that both workers' and employers' organizations might operate successfully as PREA.

F. Practices of PREA

29. The Committee acknowledged the fact that there were numerous concerns regarding the ethics of PREA, and that PREA were sometimes singled out for poor practices in relation to the interests of workers and jobseekers. During the Committee's deliberations this perception was frequently directed at temporary work agencies (TWAs). Whatever the circumstances, the behaviour of PREA called for rules to prevent or discourage them from engaging in conduct or practices that undermined workers' rights, be they in the areas of wages, general conditions of work, industrial relations or safety and health.

30. Misconduct in the field of employment must be underscored because it was there that people's jobs and people's professional lives were at stake. Means must be available to deal with PREA which were found to be in violation of laws and regulations.

31. The circumstances in which PREA operated and the employment relationships they entered into with jobseekers could often lead to exploitation and improper conduct. The Committee had listened to allegations from Workers' members describing how some PREA had circumvented laws to help employers reduce workers' wages, to render trade union organization difficult or impossible, to ignore regulations concerning equal opportunities, to avoid paying benefits to which workers were legally entitled and to aid in the process of replacing permanent with temporary jobs.

32. The Committee's recognition of the importance and relevance of the role of PREA in labour markets should in no way be interpreted as an endorsement of any infringements they might commit of the laws that exist to protect workers' rights and interests. If new international standards were to be drawn up on this subject, special care should be taken to include provisions ensuring adequate protection against such abuses for workers and jobseekers alike to the extent that these were not guaranteed by other ILO standards.

33. Special attention should be given to those agencies which did placements abroad due to the serious consequences of some unfair practices for both workers and employers.

G. Objective and scope of regulations

34. The Committee acknowledged that PREA should not and might not wish to operate in an environment without rules. The Committee agreed that there might be several sources of rules governing the activities of PREA. These possible sources were: common business law, labour law, business and labour jurispru-
dence, collective agreements, specific laws and rules dealing with PREA, professional codes of conduct adopted by associations of PREA, internal rules of these agencies as well as ILO Conventions and Recommendations.

35. Each national context determined the nature of the rules governing PREA. The mix of rules originating from different sources depended on the maturity of the labour market, the culture and behaviour of its actors, existing traditions and practice in collective bargaining, etc. In some labour markets, when the risk of unprofessional behaviour was high, specific rules directed at PREA and the adoption of a licensing system might be recommended. In others, where a tradition of fair practice was well established, common business law complemented by codes of professional ethics could form a satisfactory regulatory framework. In others still, collective agreements could provide a reliable legal basis.

36. The Committee was well aware of the dangers of over-regulation. The worst that could happen was for PREA to be governed by several redundant, incompatible or contradictory rules emanating from different legal sources. For example, a law on the protection of confidentiality and a specific law on some PREA could be contradictory in regulating the treatment of computerized personal files. Similarly, different PREA competing in the same segment of the market and offering similar services could be regulated by different laws: common business law for one, a specific law for the other.

37. The general approach that the Committee supported was for governments to adopt a pragmatic attitude concerning the regulation of PREA. Governments should rely on the laws and rules in force, whenever possible, before considering specific regulations.

38. In all cases, regulations concerning PREA should be designed in consultation with representatives of the business concerned and with workers’ organizations.

H. Means for sound practice by PREA other than traditional regulations

39. The Committee recognized that governments might seek other means than the traditional legal or regulatory instruments to establish fair practice by those who had a role in the labour market. Some of these means consisted in setting common professional codes of conduct governing the following: professionals from the public or private sectors dealing with jobseekers; certification of the profession of employment adviser (in the same way as was done in some countries for translators or accountants); common job classification within the employment service sector, as well as social partner-based councils to discuss policy and performance.

40. Similarly, the Committee believed that both PES and PREA could agree, in a more or less formal way, on common standards of fair practice such as the fair use of appropriate selection tests, vacancy advertisements, interviewing and investigation methods prior to hiring.

I. Relationship between PES and PREA

41. In many countries PES and PREA tended to operate separately. PES were generally available to all jobseekers and served in particular the disadvantaged and the lower-skilled jobseekers. PREA addressed the market of the rare, specialized or higher skills where prior selection was crucial to hiring, the temporary job market, or specific segments of the market requiring particular services such as outplacement. Overlapping on the same market by PES and PREA was more the exception than the rule.
42. The Committee believed that there was scope for increased cooperation between the PES and PREA. Many PES could not afford to enter into direct competition, even where such competition might be beneficial. PES must, however, endeavour to offer the best range of services possible, in order to ensure that they fulfilled their social duties towards all jobseekers, including the disadvantaged, and offered the common employer a means to satisfy his staffing needs. Labour-market cooperation between all the actors would assist in the provision of the broadest scope of services.

43. For this relationship to work effectively, the Committee would, for the most part, agree that fee charging by PES would not apply in relation to access to job vacancies.

J. The case for better and increased cooperation

44. The Committee expressed its firm support for all attempts to establish permanent cooperation between PES and PREA. It was indeed the Committee's opinion that cooperation was a desirable institutional form of behaviour.

45. Cooperation between public institutions and private employment firms was not normally established by law. Rather, it was the result of tradition, administrative culture and behaviour by all actors in the labour market.

46. Yet, measures could be taken by governments to promote cooperation. For example, the practice of using private firms to implement labour-market schemes could lead to more and better cooperation. Similarly, the decision to advertise vacancies in each other's premises, or to allow mutual access to computerized vacancy files could also be conducive to improved working relations. In some countries, inviting staff from PREA to specialized training or seminars conducted by PES can develop a spirit of cooperation and understanding. Exchanging staff or sharing premises can be other unconventional and efficient ways of building beneficial personal contacts among staff of both organizations.

47. In general, cooperation could best be achieved when the PES recognized its value and coordinated with PREA to build the broadest possible spectrum of programmes.

48. For some countries a network of PREA complementing the activities of the PES could best be established through joint planning, delegation of specific duties and sharing of information.

K. Relevant ILO standards

49. Three main ILO standards dealt, directly or indirectly, with the activities of PREA. These were the Employment Services Convention, 1948 (No. 88), and its corresponding Recommendation No. 83 and the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96).

50. Most Committee members found that the principles underlying Convention No. 96 were not relevant to their national situations. It appeared obvious that this Convention had been adopted in line with the provisions contained in the previous standard adopted on this question, namely the Fee-Charging Employment Agencies Convention, 1933 (No. 34), which openly opposed these institutions. The overt objective of Convention No. 96 was either to ban PREA or to place them under tight supervision by government authorities. As suggested in the preceding sections of this document, the Committee believed that all these principles, except the one referred to in paragraph 53 below, no longer corresponded to today's reality in modern labour markets.
51. Part II of Convention No. 96 appeared to be removed from current practice in most labour markets. The Committee was convinced that the four recent denunciations of this part of the Convention were only partial evidence of a more general loss of credibility toward the contents of this part of the standard.

52. Part III of Convention No. 96 in a number of respects did not reflect current realities: narrow scope (only the job brokerage service was considered); inflexible type of supervision (only the licensing system was envisaged); constraining (yearly renewal of licenses) or obsolete provisions in regard to current functioning of modern labour markets (notification to supervisory authority of fees charged to clients).

53. The Committee believed, however, that one provision contained in Convention No. 96 should be maintained, namely that concerning the payment of services offered by PREA. It was indeed essential to recall that, with very few exceptions such as services provided to high-level professionals and executives, the Committee remained in favour of the principle that fees should not be charged to the jobseeker.

L. Prospects for future ILO standards

54. The Committee held the view that the ILO should proceed to revise Convention No. 96.

55. It was the Committee's view that the revised standard should pursue the following objectives:
- set the pattern for response to the dynamics of changing labour-market functions and recall the role of its actors;
- draw up general parameters to describe the main actors, namely, the PES and PREA, as well as the nature of the relationship both between themselves and with their clients;
- establish general principles and provide guidance that protect:
  (i) labour markets against poor and unethical practices;
  (ii) workers' interests including where the stability of industrial relations' systems might be affected by some practices of PREA (these principles should consider the concerns of some (but not all) Committee members with regard to triangular employment relationships, including contract labour, TWAs and staff-leasing arrangements);
  (iii) workers recruited in one country for work in another;
- create environments that allow for the improved functioning of all employment agencies;
- ensure that national governments would be free to determine how the above objectives would be met.

VI

Resolutions concerning the assessment of contributions of new member States

The General Conference of the International Labour Organization,
Decides, in accordance with article 9, paragraph 2, of the Financial Regulations, that the contribution of South Africa to the ILO budget for the period of

1 Adopted on 20 June 1994.
its membership in the Organization in 1994 be based on an annual assessment rate of 0.40 per cent.

The General Conference of the International Labour Organization,
Decides, in accordance with article 9, paragraph 2, of the Financial Regulations, that the rates of assessment of the contributions of Georgia, Tajikistan and Turkmenistan for 1994 be 0.21 per cent, 0.05 per cent and 0.06 per cent respectively.

The General Conference of the International Labour Organization,
In accordance with article 9, paragraph 2, of the Financial Regulations:
(a) decides that the contributions of Eritrea and the former Yugoslav Republic of Macedonia for the periods of their membership in the Organization in 1993 be based on annual assessment rates of 0.01 per cent and 0.02 per cent respectively, and that the resulting assessment for 1993 of the former Yugoslav Republic of Macedonia be deducted from that of Yugoslavia for 1993;
(b) decides that the rates of assessment for 1994 of Eritrea and the former Yugoslav Republic of Macedonia be 0.01 per cent and 0.02 per cent respectively and that the rate of assessment of the former Yugoslav Republic of Macedonia be deducted from that of Yugoslavia for 1994 of 0.16 per cent.

The General Conference of the International Labour Organization,
In accordance with article 9, paragraph 2, of the Financial Regulations:
(a) decides that the contributions of the Czech Republic and Slovakia for their periods of membership in the Organization in 1993 be based on annual assessment rates of 0.42 per cent and 0.13 per cent respectively;
(b) decides that the total credits that were due to the former Czechoslovakia in 1993 of 267,332 Swiss francs be allocated to the Czech Republic and Slovakia as credits against their assessments for the periods of their membership in 1993 proportionate to their respective rates of assessment for 1993 proposed in subparagraph (a);
(c) decides that the definitive rates of assessment of the Czech Republic and Slovakia for the year 1994 be 0.42 per cent and 0.13 per cent respectively;
(d) decides that the total credits due to the former Czechoslovakia of 2,109 Swiss francs in 1994 and 1,230 Swiss francs in 1995 be allocated to the Czech Republic and Slovakia as credits against their assessments for the 1994 and 1995 years proportionate to their respective rates of assessment for those years.

The General Conference of the International Labour Organization,
Decides, in accordance with article 9, paragraph 2, of the Financial Regulations, that the contribution of Oman to the ILO budget for the period of its membership in the Organization in 1994 be based on an annual assessment rate of 0.03 per cent.

VII

Resolution concerning the scale of assessment of contributions for 1995

The General Conference of the International Labour Organization,
Decides, in accordance with article 9, paragraph 2, of the Financial Regulations, to adopt the draft scale of assessments for the 1995 year as set out in column 3 (headed "Percentage 1995") of Appendix I to this report.

1 Adopted on 20 June 1994.
VIII
Resolution concerning an arrangement for the settlement of amounts due by Viet Nam

The General Conference of the International Labour Organization,
Having regard to paragraph 7 of article 10 of the Financial Regulations,
Approves the arrangement with the Government of Viet Nam for the settlement of the amount of 182,960 Swiss francs due in respect of its previous period of membership of the ILO by the payment of 15 annual instalments made up of 14 equal annual instalments of 12,190 Swiss francs and a final fifteenth instalment of 12,300 Swiss francs, beginning in 1993.

IX
Resolution concerning an arrangement for the settlement of amounts due by Albania

The General Conference of the International Labour Organization,
Having regard to paragraph 7 of article 10 of the Financial Regulations;
Accepts the proposal of the Government of Albania for the settlement of the amount of 135,142 Swiss francs due in respect of its previous period of membership of the ILO by the payment of 12 annual instalments made up of 11 equal annual instalments of 11,262 Swiss francs and a final twelfth instalment of 11,260 Swiss francs, and agrees that this arrangement should come into force retroactively as from 1 January 1994, with the first of the 12 annual instalments being payable in 1994.

X

The General Conference of the International Labour Organization;

XI
Resolution concerning the treatment of the 1992-93 cash surplus

The General Conference of the International Labour Organization,
Noting that for the 1992-93 biennium an excess of regular budget income over regular budget expenditure has resulted in a cash surplus of 24,230,334 Swiss francs (equivalent to $16,710,574 at the 1994-95 budget rate of exchange of 1.45 Swiss francs to the US dollar);

1 Adopted on 20 June 1994.
Decides, as an exceptional one-time measure and in derogation of article 18 of the Financial Regulations, to finance expenditure itemized in Appendix IV to the First Report of the Programme, Financial and Administrative Committee (reproduced as Appendix II to this Report), amounting to 21,729,700 Swiss francs from the cash surplus, thereby reducing by a corresponding amount the sum which would otherwise be available for reducing member States' contributions for 1994-95,

Notes that, taking into account the above appropriation, the amount available under article 18 of the Financial Regulations for reducing the assessed contributions of member States for 1995 will be 2,500,634 Swiss francs.

XII

Resolution concerning the treatment of the amount received from the Compagnie Générale de Climatisation et de Maintenance

The General Conference of the International Labour Organization;

Decides, in derogation of article 11.1 of the Financial Regulations, that the amount of 3,668,185 Swiss francs received from the Compagnie Générale de Climatisation et de Maintenance be paid into the Building and Accommodation Fund for the maintenance of the headquarters building's technical installations.

XIII

Resolution concerning the composition of the Administrative Tribunal of the International Labour Organization

The General Conference of the International Labour Organization,

In accordance with article III of the Statute of the Administrative Tribunal of the International Labour Organization;

Decides to extend the terms of office of Sir William Douglas (Barbados), Mr. Edilbert Razafindralambo (Madagascar), and Mr. José Maria Ruda (Argentina) as judges by a further period of three years, with effect from June 1994.

1 Adopted on 20 June 1994.
**ADDITIONAL TEXTS AND DECISIONS**

**Electronic voting at the Conference**

The Conference had before it the recommendation of the Governing Body to the effect that it should adopt the following decision\(^1\) at the beginning of its session:

Unless the Officers of the Conference otherwise decide for a given question or a given sitting, the different methods of voting set out in article 19 of the Standing Orders shall be implemented in the plenary by means of the electronic system of voting outlined in Appendix I [of the first report of the Selection Committee]. This system of voting may also be used for the Resolutions Committee in the framework of article 17 of the Standing Orders if the necessary facilities are available.

**STANDING ORDERS OF THE CONFERENCE**

The Conference adopted the following amendments to its Standing Orders.\(^2\)

**PART II**

**Standing Orders concerning special subjects**

**SECTION E**

**Convention and Recommendation procedure**

**ARTICLE 38**

*Preparatory stages of single-discussion procedure*

1. When a question is governed by a single-discussion procedure, the International Labour Office shall communicate to the governments, so as to reach them not less than [12] *18* months before the opening of the session of the Conference at which the question is to be discussed, a summary report upon the question containing a statement of the law and practice in the different countries and accompanied by a questionnaire drawn up with a view to the preparation of Conventions or Recommendations. This questionnaire shall request governments to consult the most representative organizations of employers and workers before finalizing their replies and to give reasons for their replies. Such replies should reach the Office as soon as possible and not less than [eight] *11* months before the opening of the session of the Conference at which the question is to be discussed. In the case of federal countries and countries where it is necessary to translate questionnaires into the national language the period of [four] *seven* months allowed for the preparation of replies shall be extended to [five] *eight* months if the government concerned so requests.

... 3. These arrangements shall apply only in cases in which the question has been included in the agenda of the Conference not less than [18] *26* months before the opening of the session to the Conference at which it is to be discussed. If the question has been included in the agenda less than [18] *26* months before the opening of the session of the Conference at which it is to be discussed, a pro-

---

\(^1\) Adopted on 8 June 1994.

\(^2\) The words in square brackets are to be replaced by those in italics.
gramme of reduced intervals shall be approved by the Governing Body; if the Officers of the Governing Body do not consider it practicable for the Governing to approve a detailed programme, it shall be in their discretion to agree on a programme of reduced intervals with the Director-General.

**ARTICLE 39**

*Preparatory stages of double-discussion procedure*

1. When a question is governed by the double-discussion procedure, the International Labour Office shall prepare as soon as possible a preliminary report setting out the law and practice in the different countries and any other useful information, together with a questionnaire. The report and the questionnaire requesting the government to consult the most representative organizations of employers and workers before finalizing their replies and to give reasons for their replies shall be communicated by the Office to the governments so as to reach them not less than [12] 18 months before the opening of the session of the Conference at which the question is to be discussed.

2. The replies should reach the Office as soon as possible and not less than [eight] 11 months before the opening of the session of the Conference at which the question is to be discussed. In the case of federal countries and countries where it is necessary to translate questionnaires into the national language, the period of [four] seven months allowed for the preparation of replies shall be extended to [five] eight months if the government concerned so requests.
If this address is wrong, please copy and return this sheet to the sender or, at least, the part bearing the address.

Pour tout changement d'adresse, prière de renvoyer à l'expéditeur une copie de cette feuille ou, du moins, la partie comportant l'adresse.
CONTENTS

Information


Documents

Eighth African Regional Conference (Mauritius, 19-26 January 1994): Conclusions and resolutions adopted .................................................................................. 203
Metal Trades Committee (Thirteenth Session, Geneva, 12-20 January 1994): Conclusions, resolutions and Classification adopted ........................................ 218
Joint Committee on the Public Service (Fifth Session, Geneva, 26 January-3 February 1994): Conclusions, resolutions and Classification adopted ................ 227
Committee on Salaried Employees and Professional Workers (Tenth Session, Geneva, 4-12 May 1994): Conclusions, resolutions and Classification adopted .................................................. 235
Tripartite Meeting on the Socio-Economic Implications of the Devaluation of the CFA Franc for recommendations adopted ........................................................................... 246
Agreement between the International Labour Organization and the Government of the Republic of Zimbabwe concerning the subregional office in Harare and the decentralized services assigned to it .................................................................................. 252

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. These publications and documents may be purchased from: ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland, where a general catalogue of ILO publications is also available.

Notice to readers

As from 1995 the decisions taken by the Governing Body at its March, June and November Sessions will be published in the Official Bulletin, Series A, Nos. 1, 2 and 3, respectively.
259th Session of the Governing Body of the International Labour Office
(Geneva, 28-31 March 1994)

The 259th Session of the Governing Body of the International Labour Office was held from Monday, 28 to Thursday, 31 March 1994 under the chairmanship of Mr. J.L. Nkomo (Government representative, Zimbabwe).

The agenda was as follows:

1. Approval of the minutes of the 258th Session.¹
2. Date, place and agenda of the 83rd Session (1996) of the International Labour Conference.
3. Preliminary consultation on the Programme and Budget proposals for 1996-97.²

Addendum: Report by the members of the Governing Body delegation at the Eighth African Regional Conference.³
5. Developments in the United Nations in 1993.²
8. Reports of the Programme, Financial and Administrative Committee.
9. Reports of the Committee on Legal Issues and International Labour Standards.

¹ The Governing Body approved the minutes.
² The Governing Body took note of the Office paper.
³ The Governing Body took note of the report.

Supplementary reports:
— Questions concerning the entry into force of the Instrument for the Amendment of the Constitution of the ILO, 1986;
— Participation of non-metropolitan territories as observers in the 81st Session (1994) of the International Labour Conference;
— Activities in the Gaza Strip and the West Bank;
— Activities of the International Occupational Safety and Health Information Centre (CIS) in 1992-93;
— Incomplete delegations at tripartite meetings;
— Appointment of Assistant Directors-General;
— Fiscal immunity of the ILO and its officials in France;
— Informal Tripartite Meeting at the Ministerial Level on Employment;
— Report of the Committee of Experts on the Application of Conventions and Recommendations (Geneva, 10-25 February 1994);
— Voters’ education in South Africa.

15. Reports of the Officers of the Governing Body:
— Representation made by the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations (IUF) and Public Services International (PSI) under article 24 of the ILO Constitution, alleging non-observance by Guatemala of the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105);
— Venue of the Fifth European Regional Conference;
— Representation made by the General Confederation of Labour “Force Ouvrière” (FO) under article 24 of the ILO Constitution alleging non-observance by France of the Protection of Wages Convention, 1949 (No. 95), and the Minimum Wage Fixing Convention, 1970 (No 131).

16. Composition and agenda of standing bodies and meetings.

17. Appointment of Governing Body representatives on various bodies.

Matters on which the Officers of the Governing Body took decisions on its behalf:
— Programme of meetings;
— Symposia, seminars and similar meetings;
— Requests from non-governmental international organizations wishing to be represented at the 81st Session (1994) of the International Labour Conference.

* * *

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

---

1 The Governing Body took note of the Office paper.
2 For a more detailed account see the 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.

In accordance with the provisions it adopted at its 254th Session (November 1992), the Governing Body decided that the 83rd Session (1996) of the Conference should be held in Geneva and should open on Tuesday, 4 June 1996.

The Governing Body confirmed its decision of principle, taken at its 258th Session (November 1993), to include on the agenda an item for general discussion concerning employment policies in a global context.

In a vote by a show of hands, the Governing Body rejected, by 17 votes in favour and 36 against, with no abstentions, a proposal to include an item for standard setting concerning tripartite consultation at the national level on economic and social policy, and decided by consensus to include it as an item for general discussion.

The Governing Body noted that, as a result of the above decisions, and having regard to the standing items that would necessarily be before the Conference and the item likely to require a second discussion, the agenda of the 83rd Session would be as follows:

Standing items

— Reports of the Chairman of the Governing Body and the Director-General;
— Programme and budget proposals and other financial questions;
— Information and reports on the application of Conventions and Recommendations.

Items placed on the agenda by the Conference or the Governing Body

— Home work (second discussion);
— Employment policies in a global context (general discussion);
— Tripartite consultation at the national level on economic and social policy (general discussion).

The Governing Body noted that, subject to any decision which may be taken by the International Labour Conference in 1994 or 1995, the Conference may also have before it a report concerning action against apartheid in South Africa.¹

RECORD OF THE EIGHTH AFRICAN REGIONAL CONFERENCE
(Mauritius, 19-26 January 1994)

The Governing Body requested the Director-General to convey its appreciation to the Government of Mauritius for the facilities provided to the Conference, as well as to the employers' and workers' organizations of Mauritius for the hospitality they extended to participants and all their efforts to ensure the success of the Conference.

Conclusions and resolutions adopted by the Conference²

The Director-General was authorized to transmit the texts of these conclusions and resolutions adopted by the Conference to the governments of member States and, through them, to the national employers' and workers' organizations concerned, in particular to the non-governmental international organizations having consultative status.

² For the text of these conclusions, see pp. 203-217 below.
Conclusions concerning entrepreneurship and small-enterprise development in urban and rural sectors

The Governing Body requested the Director-General: (a) to draw the attention of the governments of member States in Africa and, through them, that of the national employers' and workers' organizations, to the conclusions concerning entrepreneurship and small-enterprise development in urban and rural sectors; (b) to bear these conclusions in mind in executing ongoing programmes and in preparing future programmes and budget proposals.

Conclusions concerning ILO activities in Africa

The Governing Body requested the Director-General: (a) to draw the attention of the governments of member States in Africa and, through them, that of the national employers' and workers' organizations, to the conclusions concerning ILO activities in Africa; (b) to bear these conclusions in mind in executing ongoing programmes and in preparing future programme and budget proposals.

Resolution concerning ILO technical cooperation in Africa

The Governing Body requested the Director-General: (a) to draw the attention of African member States and, through them, that of the national employers' and workers' organizations concerned, to the appeals made in operative paragraph 1 of the resolution; (b) to bear in mind the requests in paragraph 2 of the resolution.

Resolution concerning structural adjustment and development in Africa

The Governing Body requested the Director-General: (a) to draw the attention of African member States and, through them, that of the national employers' and workers' organizations concerned, to the appeals made in operative paragraph 1 of the resolution; (b) to draw the attention of all member States to the appeal in operative paragraph 2 of the resolution; (c) to bear in mind the requests in operative paragraph 3 in executing current programmes and when preparing future programme and budget proposals.

Resolution concerning South Africa

The Governing Body requested the Director-General: (a) to draw the attention of the member States and, through them, as appropriate, that of the national employers' and workers' organizations concerned, to the appeals made in operative paragraph 1 of the resolution; (b) to bear in mind the requests in operative paragraph 2 in executing current programmes and when preparing future programme and budget proposals.

Resolution concerning the devaluation of the CFA franc

The Governing Body requested the Director-General: (a) to draw the attention of all member States affected to the appeal made in operative paragraph 1 of the resolution; (b) to give effect to the requests in operative paragraph 2 in executing current programmes and when preparing future programme and budget proposals.

Resolution on promoting the advance of democracy in Africa

The Governing Body requested the Director-General: (a) to draw the attention of African member States to the appeals made in operative paragraph 1 of the resolution; (b) to bear in mind the requests in operative paragraph 2 in executing current programmes and when preparing future programme and budget proposals.
Credentials questions

Objections

The Governing Body requested the Director-General to communicate the relevant sections of the second report of the Credentials Committee to the Governments of Burundi and Congo.

Consideration of the Director-General’s report on the situation of workers of the occupied Arab territories at the 81st Session (1994) of the International Labour Conference

The Governing Body took note of the Office paper, and in the light of its contents: (a) decided in favour of the proposal for the holding of a special sitting at the 81st Session (1994) of the International Labour Conference for the consideration of the Director-General’s report on the situation of workers of the occupied Arab territories; (b) invited the Director-General to submit to the Selection Committee — provided that the conditions mentioned in paragraph 1(a) of Appendix II to the Office paper were met — proposals relating to the holding of a special sitting at the 81st Session (1994) of the International Labour Conference for the consideration of his report on the situation of workers of the occupied Arab territories and the ILO plan of action in this field, based on the arrangements approved at the 80th Session (1993) of the Conference, subject to any further changes or additions which might be made thereto in the light of the Governing Body’s discussion.

Reports of the Committee on Freedom of Association

(292nd and 293rd Reports)

The Governing Body examined and adopted the 292nd and 293rd Reports of its Committee on Freedom of Association.¹

Reports of the Programme, Financial and Administrative Committee

Programme and Budget for 1992-93

Regular budget account and Working Capital Fund as at 31 December 1993 (including transfers between budget items)

In accordance with article 16 of the Financial Regulations, the Governing Body approved the transfers between budget items listed in the first report of the Programme, Financial and Administrative Committee.

Programme and Budget for 1994-95

Treatment of 1992-93 cash surplus

The Governing Body decided to propose to the 81st Session (1994) of the International Labour Conference that, as an exceptional one-time measure and in derogation of article 18 of the Financial Regulations, the expenditure itemized in the first report of the Programme, Financial and Administrative Committee, amounting to 21,729,700 Swiss francs, be financed from the 1992-93 cash surplus of 24,230,334 Swiss francs (equivalent to $16,710,574 at the 1994-95 budget rate of exchange of 1.45 Swiss francs to the US dollar), and that it adopt a resolution in this regard.²


161
Amendments to the rules for the payment of travel expenses of members of the Governing Body and of certain committees and other bodies

The Governing Body approved the amendments to the Rules for the payment of travel expenses of members of the Governing Body and of certain committees and other bodies set out in the first report of the Committee. These amendments provide that the reimbursement of a journey by private automobile should be based on the cost of the equivalent mode of transportation normally authorized, whether by direct air or commercial land transportation.

Report of the Building Subcommittee

The Governing Body approved the cost estimate of US$890,000 for the construction of the premises of the ILO in Islamabad and decided that the cost should be charged to the Building and Accommodation Fund, in accordance with the provisions of article 11.3 of the Financial Regulations.

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 81st Session (June 1994) 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 64th financial period ending 31 December 1995.

Other financial and general questions

Procedure for the approval of the audited accounts following the suppression of the May session of the Governing Body

The Governing Body decided that the audited financial statements and the External Auditor's report thereon should be examined by the Programme, Financial and Administrative Committee and by the Governing Body at meetings to be held during the International Labour Conference, and that they be forwarded to the Conference with such comments as the Governing Body deemed advisable.

Treatment of amount received from the Compagnie générale de climatisation et de maintenance

The Governing Body decided to propose to the 81st Session (June 1994) of the International Labour Conference that, in derogation of article 11.1 of the Financial Regulations, the amount of 3,668,185 Swiss francs received from the Compagnie générale de climatisation et de maintenance be paid into the Building and Accommodation Fund for the maintenance of the headquarters building's technical installations, and that it adopt a resolution in this regard.¹

Personnel questions

Decisions of the United Nations General Assembly on the recommendations of the International Civil Service Commission (ICSC)

The Governing Body: (a) endorsed the decisions of the United Nations General Assembly on the recommendations of the ICSC relating to the increase in the

base/floor salary scale and the revised staff assessment rates for staff in the Professional and higher categories, with effect from 1 March 1994, as described in the Office paper; (b) authorized the Director-General to give effect in the ILO, through appropriate amendments to the Staff Regulations, to the measures decided upon by the United Nations General Assembly referred to in subparagraph (a).

Matters relating to the Administrative Tribunal of the ILO

Composition of the Tribunal

The Governing Body decided to submit to the International Labour Conference at its forthcoming session a resolution aimed at extending the terms of office of Sir William Douglas (Barbados), Mr. Edilbert Razafindralambo (Madagascar) and Mr. José Maria Ruda (Argentina) as judges by a further period of three years, with effect from June 1994.¹

Recognition by the Court of Justice and the Surveillance Authority of the EFTA of the jurisdiction of the Administrative Tribunal of the ILO

The Governing Body approved the recognition of the Tribunal's jurisdiction by the Court of Justice of the European Free Trade Association and the Surveillance Authority of the European Free Trade Association.

Report of the Government members of the Committee on Allocations Matters

Assessment of the contributions of new member States

The Governing Body decided, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, to propose to the Conference at its 81st Session:

(a) that the rates of assessment of the contributions of Georgia, Tajikistan and Turkmenistan for the 1994 year be 0.21 per cent, 0.05 per cent and 0.06 per cent respectively;²

(b) that the contributions of Eritrea and The former Yugoslav Republic of Macedonia for the periods of their membership of the Organization in 1993 be based on annual rates of assessment of 0.01 per cent and 0.02 per cent respectively, and that the resulting assessment for 1993 of The former Yugoslav Republic of Macedonia be deducted from that of Yugoslavia for 1993;³

(c) that the rates of assessment for the 1994 year of Eritrea and The former Yugoslav Republic of Macedonia be 0.01 per cent and 0.02 per cent respectively and that the rate of assessment of The former Yugoslav Republic of Macedonia be deducted from the rate of assessment of Yugoslavia for 1994 of 0.16 per cent;³

(d) that the contributions of the Czech Republic and Slovakia for their periods of membership in the Organization in 1993 be based on annual assessment rates of 0.42 per cent and 0.13 per cent respectively;²

(e) that the total credits that were due to the former Czechoslovakia in 1993 of 267,332 Swiss francs be allocated to the Czech Republic and Slovakia as credits against their assessments for the periods of their membership in 1993 proportionate to their respective rates of assessment for 1993 proposed in subparagraph (d);²

(f) that the definitive rates of assessment of the Czech Republic and Slovakia for the 1994 year be 0.42 per cent and 0.13 per cent respectively;²

¹ The text of the resolution adopted by the Conference at its 81st Session is contained in Official Bulletin, Vol. LXXVII, 1994, Series A. No. 2.
² For the decisions adopted on this subject at the 81st Session of the Conference, see Official Bulletin, Vol. LXXVI, 1994, Series A. No. 2.
(g) that the total credits due to the former Czechoslovakia of 2,109 Swiss francs in 1994 and 1,230 Swiss francs in 1995 be allocated to the Czech Republic and Slovakia as credits against their assessments for the 1994 and 1995 years proportionate to their respective rates of assessment for those years;¹

(h) that the contribution of Oman for the period of its membership of the Organization in 1994 be based on an annual rate of assessment of 0.03 per cent.¹

Scales of assessment of contributions to the budget for the 1994-95 financial period

The Governing Body decided, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, to propose to the 81st Session (1994) of the Conference the adoption of the draft scale of assessments for 1995 as set out in the third report of the Programme, Financial and Administrative Committee, subject to such adjustments as might be necessary following any further change in the membership of the Organization before the Conference was called upon to adopt the recommended scale.¹

Procedure for the possible continuation of the work of the Government members of the Programme, Financial and Administrative Committee in relation to allocations matters during the Conference

The Governing Body authorized the Government members of the Committee to continue their work, if necessary, after the Governing Body had concluded its work at the 259th Session and to submit their report direct to the Finance Committee of Government Representatives of the Conference.

REPORTS OF THE COMMITTEE ON LEGAL ISSUES AND INTERNATIONAL LABOUR STANDARDS

Legal issues

Standing Orders for the Tripartite Meeting on Maritime Labour Standards

The Governing Body decided that the Tripartite Meeting on Maritime Labour Standards should be governed by the Standing Orders reproduced in the Committee’s report.

Treatment of resolutions deposited before the receipt of credentials

The Governing Body endorsed the following practice:

Where a draft resolution is deposited by the prescribed deadline but before the credentials of its author or all of its authors have been received:

(a) the Office will, where practicable, seek confirmation from the government of the country concerned that the author has been or will be appointed as a delegate to the forthcoming Conference;

(b) if the author of the resolution does not purport to be acting as a delegate to the Conference, or if the government concerned has stated that the author will not be included in its country’s delegation, the Office will omit his or her name from the list of authors and, if he or she is the only author or all the names are to be omitted, it will not publish the resolution in the relevant issue of the Provisional Record;

(c) in all other cases, the Office will publish the resolution, with a note indicating any author whose credentials have not yet been deposited;

¹ For the decisions adopted on this subject at the 81st Session of the Conference, see Official Bulletin, Vol. LXXVII, 1994, Series A, No. 2.
(d) in the case of each such author, the Office will inform the Resolutions Committee when it considers the receivability of the resolution concerned in accordance with article 17, paragraph 4, of the Standing Orders, whether or not credentials have subsequently been deposited.

Electronic voting at the Conference: Continuation of the ad hoc arrangements adopted at the 80th Session

The Governing Body decided to recommend that the Conference adopt at the beginning of its 81st Session a decision concerning the use of the electronic voting system.¹

REPORT OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL POLICY

Report of the Symposium on Workers' Education and the Environment (Geneva, 6-8 October 1993)

The Governing Body: (a) took note of the report of the symposium; (b) authorized the Director-General to communicate it to the governments of member States and, through them, to employers' and workers' organizations, the non-governmental international organizations concerned, and to any other interested bodies; (c) requested the Director-General to take account of the suggestions in paragraphs 15 to 25 of the conclusions when drawing up proposals for future ILO action in the field of workers' education.²

REPORT OF THE COMMITTEE ON SECTORAL AND TECHNICAL MEETINGS AND RELATED ISSUES

Evaluation of the Sectoral Activities Programme

The Governing Body took note that the Committee had decided that a Working Party composed of three members from each group, as well as a number of deputy members, would be set up to further examine the issues raised in the course of the Committee's discussion of this item. The Working Party would report to the Governing Body, through the Committee on Sectoral and Technical Meetings and Related Issues, in November 1994.

Tripartite Meeting on the Social Effects of Structural Change in Banking: Effect to be given to the conclusions of the Meeting³

The Governing Body authorized the Director-General to communicate the report and conclusions of the Tripartite Meeting on the Social Effects of Structural Change in Banking: (a) to governments, requesting them to communicate these texts to the employers' and workers' organizations concerned; (b) to the international employers' and workers' organizations concerned; (c) to the international organizations concerned.

The Governing Body requested the Director-General to bear in mind, when drawing up proposals for the future programme of work of the Office, the wishes expressed by the Meeting in paragraphs 22 to 26 of the conclusions.

² The text of the conclusions is contained in GB.259/ESP/4/1.
³ The text of the conclusions is contained in GB.259/STM/3/5.
Standing Technical Committee for Educational Personnel: Composition  
(First Session, Geneva, 18-26 October 1995)

Composition

The Governing Body decided: (a) that the following countries should be invited to be represented at the First Session of the Standing Technical Committee for Educational Personnel: Australia, Barbados, Cape Verde, Chile, China, Germany, India, Malaysia, Mauritius, Mexico, Morocco, Namibia, Poland, Sweden, United Kingdom, United States; (b) that the following countries should be included in the reserve list: Brazil, Burkina Faso, Canada, Colombia, Fiji, France, Japan, Netherlands, Singapore, Slovenia, Swaziland, Tunisia; (c) that the closing date for the acceptance of invitations would be 30 April 1995.


The Governing Body took note of the report, and decided that the list of points appended to the report of the Working Party should be transmitted to the United Nations for inclusion in the draft Declaration and Programme of Action of the World Summit for Social Development to be submitted to the Preparatory Committee at its second session.

Report of the Advisory Meeting of Governing Body Members from Europe  
(Geneva, 24 March 1994)

Proposals for the agenda of the Fifth European Regional Conference

The Governing Body approved the following agenda:

(a) Policy theme: The strengthening of tripartite structures for the development of active employment policy.
(b) Technical subject: The coverage and financing of social protection.

Report of the Director-General¹

Obituary

The Governing Body paid tribute to the memory of Mr. Brehoi and asked the Director-General to convey its sympathy to the family of the deceased as well as to the Government of Romania


The Governing Body decided henceforth to take no action as regards the invitation to sessions of the International Labour Conference of the Federal Republic of Yugoslavia (Serbia and Montenegro) or with regard to any credentials submitted on behalf of that State at sessions of the Conference notwithstanding the absence of such

¹The Governing Body took note of the information submitted to it concerning the composition of the Governing Body, the progress of international legislation, internal administration, publications and documents.
an invitation, as long as that State was not recognized by the United Nations as the continuation of the former Socialist Federal Republic of Yugoslavia or had not been admitted to the International Labour Organization as a new Member.

*Participation of non-metropolitan territories as observers in the 81st Session (1994) of the International Labour Conference*

The Governing Body authorized the Director-General to invite Bermuda and the British Virgin Islands, through the Government of the United Kingdom, each to send a tripartite observer delegation to the 81st Session of the International Labour Conference.

*Informal Tripartite Meeting at the Ministerial Level on Employment*

The Governing Body authorized the Director-General:

(a) to accept the invitation by the United Nations to prepare a paper for the Second Session of the Preparatory Committee for the World Summit for Social Development as described in the report;

(b) to proceed with the organization of an informal tripartite meeting at the ministerial level on Friday, 10 June 1994, with the composition proposed in the report, namely the ministers present at the Conference on that day, 30 Employer representatives and 30 Worker representatives designated by their respective groups, representatives from the World Bank, the IMF, the OECD, GATT, the Commission of the European Union and the UNDP.

*Report of the Committee of Experts on the Application of Conventions and Recommendations*

(*Geneva, 10-25 February 1994*)

In view of the decisions taken by the Governing Body at its 256th Session to modify the timetable of its own sessions, the Governing Body delegated to its Officers responsibility for taking note of the reports drawn up by the Committee of Experts on the Application of Conventions and Recommendations at its February 1994 and February 1995 sessions.

*REPORTS OF THE OFFICERS OF THE GOVERNING BODY*

*Representation made by the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) and Public Services International (PSI) under article 24 of the ILO Constitution, alleging non-observance by Guatemala of the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105)*

The Governing Body decided that the representation was receivable, and set up a committee with the following composition to examine it:

- **Government member:** Mr. Rosales Argüello (*Nicaragua*)
- **Employer member:** Mr. Durling
- **Worker member:** Mr. Trotman

*Venue of the Fifth European Regional Conference*

The Governing Body: (a) requested the Director-General to convey its gratitude to the Governments of Poland and Hungary for their generous invitations; (b) accepted the invitation from the Government of Poland; (c) decided that the Fifth European Regional Conference should be held in Warsaw from 20 to 27 September 1995.
Representation made by the General Confederation of Labour
"Force Ouvrière" (FO) under article 24 of the ILO Constitution alleging non-observance by France of the Protection of Wages Convention, 1949 (No. 95), and the Minimum Wage Fixing Convention, 1970 (No. 131)

The Governing Body took note that the representation had been withdrawn by its authors.

COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS

Standing bodies

Joint Maritime Commission
(27th Session, 9 December 1994)

Agenda

The Governing Body approved the following agenda for the session: Wages, Hours of Work and Manning (Sea) Recommendation, 1958 (No. 109): Updating of the minimum basic wage figure of able seamen.

Meetings

Meeting of Experts on the Recording and Notification of Occupational Accidents and Diseases
(Geneva, 3-11 October 1994)

Agenda

The Governing Body approved the following agenda for the meeting: examination and adoption of a Code of Practice on the Recording and Notification of Occupational Accidents and Diseases.

Composition

The Governing Body decided that the Meeting should be attended by seven experts nominated after consultations with governments, seven after consultations with the Employers' group, and seven after consultations with the Workers' group of the Governing Body.

The Governing Body took note that, in order to obtain the government nominations, account being taken of the need for geographical distribution and to reflect the experience gained by countries with different and developed systems of recording and notification, the Director-General intended to consult the Governments of Australia, Colombia, Germany, Hungary, Malaysia, the United States and Tunisia; and that, should any of those governments be unable to nominate a participant, he would approach the Governments of Denmark, Japan, Kenya and Mexico.

Tripartite Meeting of Experts on Social Security and Social Protection: Equality of Treatment between Men and Women
(Geneva, 21-25 November 1994)

Agenda

The Governing Body approved the following agenda for the meeting:

1 The development of socio-economic indicators having an impact on the situation of women in relation to social security.

1 As regards meetings, only decisions concerning their composition and agenda are published in the Official Bulletin.
(2) Measures taken by countries to promote equality of treatment in social security.
(3) Recommendations with a view to limiting or eliminating inequalities between men and women in social security.

Composition

The Governing Body decided that the Meeting should be attended by eight experts nominated after consultations with governments, eight after consultations with the Employers' group, and eight after consultations with the Workers' group of the Governing Body.

The Governing Body took note that, in order to obtain the governmental nominations, the Director-General intended to consult the Governments of Hungary, India, Japan, Mexico, Norway, Tunisia, the United States and Zimbabwe; and that, should any of those governments be unable to nominate a participant, he would approach the Governments of Algeria, Australia, Costa Rica, Finland, Indonesia, Kenya, the Republic of Korea and Poland.

International Symposium on the Role of Workers' Education in the Promotion of Trade Union Rights
(Geneva, 10-14 October 1994)

Agenda

The Governing Body approved the following agenda for the meeting:
(1) Action to be taken in the educational field to foster workers' participation in overall ILO activities.
(2) The role of workers' education in the promotion of trade union rights and of workers' active participation in standard setting and supervisory systems.
(3) New possibilities offered to workers' organizations in the framework of the Active Partnership Policy, with special emphasis on technical cooperation and advisory services.

Composition

The Governing Body decided that the symposium should be attended by 25 trade union representatives, nominated after consultations with the Workers' group of the Governing Body and coming from both industrialized and developing countries.

Tripartite Meeting of Experts on the Management of Drug and Alcohol Problems in the Workplace
(Geneva, 23-31 January 1995)

Agenda

The Governing Body approved the following agenda for the meeting:
(1) To examine a draft Code of Practice on the Management of Drug and Alcohol Problems in the Workplace.
(2) To examine the need for and advisability of developing international labour standards on this subject.

Composition

The Governing Body decided that the Meeting should be attended by seven participants nominated after consultations with governments, seven after consultations with the Employers’ group and seven after consultations with the Workers’ group of the Governing Body.
The Governing Body took note that, taking account of the need for geographical distribution and of the need to identify the practical problems faced by developing countries and to benefit from the experience gained by countries with advanced knowledge of dealing with drug and alcohol problems in the workplace, in order to obtain the Government nominations the Director-General intended to consult the Governments of Brazil, Egypt, Germany, the Philippines, the Russian Federation, the United States and Zimbabwe. Should any of the above be unable to nominate a participant, then the Director-General would approach the Governments of Canada, Chile, India, Morocco, Nigeria, Poland and Spain.

Meeting of Experts on Cooperative Law  
(Geneva, 22-26 May 1995)

Agenda

The Governing Body approved the following agenda for the meeting:

(1) The impact of labour law, industrial relations systems and international standards on cooperatives and cooperative law.

(2) Cooperative law and the regulatory role of the State.

Composition

The Governing Body decided that the Meeting should be attended by 16 experts on cooperative law from cooperative movements, cooperative departments, research institutions and legal faculties, 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 took note that, taking account of the need for geographical distribution and to select participants from institutions particularly active in the field of cooperatives, in order to obtain nominations the Director-General intended to consult institutions of the kind described above in Argentina, Cameroon, Canada, Costa Rica, Egypt, France, Germany, Guyana, India, Indonesia, Israel, Japan, Namibia, Poland, Singapore and the United Republic of Tanzania. Should any of the institutions in those countries approached prove unable to nominate a participant, the Director-General would approach institutions in Bangladesh, Brazil, Fiji, Ireland, Italy, Kenya, Mauritius, the Russian Federation, Senegal, Swaziland, Uganda, the United Kingdom and the United States.

APPOINTMENT OF GOVERNING BODY REPRESENTATIVES ON VARIOUS BODIES

Committee on Salaried Employees and Professional Workers  
(Tenth Session, Geneva, 4-12 May 1994)

The Governing Body appointed the following of its members to represent it at the session:

Government member and  
Chairman of the Committee:  Mr. Stigliani (United States)
Employer member:  Mr. Arbesser-Rastburg
Worker member:  Mr. Ahmed
The Governing Body appointed the following of its members to represent it at the session:

Government member and Chairman of the Committee: Mr. Ogara-Okech (Kenya)
Employer member: Mr. M'Kaissi
Worker member: Mr. Agyei

MATTERS ON WHICH THE OFFICERS OF THE GOVERNING BODY TOOK DECISIONS ON ITS BEHALF

Programme of meetings

The Officers of the Governing Body approved the following programme of meetings for the remainder of 1994 and 1995:

<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>12-20 April</td>
<td>Tripartite Meeting on the Consequences for Management and Personnel of the Restructuring of Railways</td>
<td>Geneva</td>
</tr>
<tr>
<td>4-12 May</td>
<td>Committee on Salaried Employees and Professional Workers (Tenth Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>9-13 May</td>
<td>IAEA/ILO Technical Committee on Radiation Protection in the Decommissioning of Nuclear Facilities</td>
<td>Vienna</td>
</tr>
<tr>
<td>16-20 May</td>
<td>Meeting of Experts on the Safety and Health of Workers in the Electronics Industry</td>
<td>Geneva</td>
</tr>
<tr>
<td>1-3 June</td>
<td>International Forum on Equality for Women in the World of Work</td>
<td>&quot;</td>
</tr>
<tr>
<td>2-3 June</td>
<td>Governing Body Committee on Freedom of Association</td>
<td>&quot;</td>
</tr>
<tr>
<td>7-24 June</td>
<td>81st Session of the International Labour Conference</td>
<td>&quot;</td>
</tr>
<tr>
<td>25 June</td>
<td>260th Session of the Governing Body</td>
<td>&quot;</td>
</tr>
<tr>
<td>12-20 July</td>
<td>Joint ILO/UNESCO Committee of Experts on the Application of the Recommendation concerning the Status of Teachers (CEART)</td>
<td>&quot;</td>
</tr>
<tr>
<td>21-29 September</td>
<td>Committee on Work on Plantations (Tenth Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>3-11 October</td>
<td>Meeting of Experts on the Recording and Notification of Occupational Accidents and Diseases</td>
<td>&quot;</td>
</tr>
<tr>
<td>10-14 October</td>
<td>International Symposium on the Role of Workers' Education in the Promotion of Trade Union Rights</td>
<td>&quot;</td>
</tr>
<tr>
<td>19-25 October</td>
<td>Tripartite Meeting on Productivity and Employment in Commerce and Offices</td>
<td>&quot;</td>
</tr>
<tr>
<td>3-17 November</td>
<td>261st Session of the Governing Body and its committees</td>
<td>&quot;</td>
</tr>
<tr>
<td>21-25 November</td>
<td>Tripartite Meeting of Experts on Social Security and Social Protection: Equality of Treatment between Men and Women</td>
<td>&quot;</td>
</tr>
<tr>
<td>Date</td>
<td>Title of meeting</td>
<td>Place</td>
</tr>
<tr>
<td>-----------------------</td>
<td>----------------------------------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>28 November-9 December</td>
<td>Tripartite Meeting on Maritime Labour Standards</td>
<td>Geneva</td>
</tr>
<tr>
<td>9 December</td>
<td>Joint Maritime Commission (27th Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>12-16 December</td>
<td>IMO/ILO Joint Committee on Training (Tenth Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>1995</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11-19 January</td>
<td>Coal Mines Committee (Thirteenth Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>23-31 January</td>
<td>Tripartite Meeting of Experts on the Management of Drug and Alcohol Problems in the Workplace</td>
<td>&quot;</td>
</tr>
<tr>
<td>1-9 February</td>
<td>Fourth Tripartite Technical Meeting for the Clothing Industry</td>
<td>&quot;</td>
</tr>
<tr>
<td>16 February-3 March</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>&quot;</td>
</tr>
<tr>
<td>20 March-6 April</td>
<td>262nd Session of the Governing Body and its committees</td>
<td>&quot;</td>
</tr>
<tr>
<td>On the occasion of the Governing Body session</td>
<td>Advisory Meeting of the Governing Body members from Asia</td>
<td>&quot;</td>
</tr>
<tr>
<td>5-7 April</td>
<td>Joint ILO/WHO Committee on Occupational Health (Twelfth Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>19-27 April</td>
<td>Chemical Industries Committee (Eleventh Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>10-16 May</td>
<td>Joint Meeting on the Impact of Structural Adjustment in the Public Services (Efficiency, Quality Improvement and Working Conditions)</td>
<td>&quot;</td>
</tr>
<tr>
<td>22-26 May</td>
<td>Meeting of Experts on Cooperative Law</td>
<td>&quot;</td>
</tr>
<tr>
<td>May</td>
<td>International Round Table on the New Role of Employers’ Organizations in Countries with Economies in Transition</td>
<td>&quot;</td>
</tr>
<tr>
<td>1-2 June</td>
<td>Governing Body Committee on Freedom of Association</td>
<td>&quot;</td>
</tr>
<tr>
<td>6-23 June</td>
<td>82nd Session of the International Labour Conference</td>
<td>&quot;</td>
</tr>
<tr>
<td>24 June</td>
<td>263rd Session of the Governing Body</td>
<td>&quot;</td>
</tr>
<tr>
<td>3-5 July</td>
<td>Fifteenth Ordinary Session of the Intergovernmental Committee of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention, 1961) (ILO/UNESCO/WIPO)</td>
<td>&quot;</td>
</tr>
<tr>
<td>20-27 September</td>
<td>Fifth European Regional Conference</td>
<td>Warsaw</td>
</tr>
<tr>
<td>20-27 September</td>
<td>Tripartite Meeting on Social and Labour Issues concerning Migrant Workers in the Construction Industry</td>
<td>Geneva</td>
</tr>
<tr>
<td>18-26 October</td>
<td>Standing Technical Committee for Educational Personnel (First Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>30 October-3 November</td>
<td>Meeting of Experts on Labour Statistics on the Measurement of Underemployment</td>
<td>&quot;</td>
</tr>
<tr>
<td>2-16 November</td>
<td>264th Session of the Governing Body and its committees</td>
<td>&quot;</td>
</tr>
<tr>
<td>3 November-8 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>&quot;</td>
</tr>
</tbody>
</table>
The Officers of the Governing Body approved proposals for a number of symposia, seminars and similar meetings.

Requests from non-governmental international organizations wishing to be represented at the 81st Session (1994) of the International Labour Conference

The Officers of the Governing Body authorized the Director-General: (a) to invite 34 workers' organizations and 16 other organizations\(^1\) to be represented at the 81st Session (1994) of the International Labour Conference, it being understood that it will 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 have stated a special interest; (b) to inform the organizations concerned that they may nominate one person only for each of the agenda items in respect of which their interest has been recognized.

\(^1\) The list of organizations is contained in GB. 259/INF.3.
The 260th Session of the Governing Body of the International Labour Office was held on Friday, 11 June and from Friday, 24 to Saturday, 25 June 1994 under the chairmanship of Mr. J. L. Nkomo (Government representative, Zimbabwe) and subsequently of Mrs. M. N. Roldán-Confesor (Government representative, Philippines), elected Chairperson for 1994-95.

The agenda was as follows:


Supplementary reports:

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

— Representation submitted by the independent and autonomous trade union Solidarnosc in accordance with article 24 of the ILO Constitution, alleging non-observance by Poland of the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87).

7. Composition and agenda of standing bodies and meetings.
8. Appointment of Governing Body representatives on various bodies.

Other matters:

— Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution alleging non-observance by Brazil of the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105).

Matters on which the Officers of the Governing Body took decisions on its behalf:

— Programme of meetings;

— Symposia, seminars and similar meetings.

* * *

* * *
The following is an account of the action taken by the Governing Body on the above agenda.¹

REPORT OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE

Programme and Budget for 1992-93

Financial report and audited financial statements

The Governing Body decided to submit the final accounts for the 63rd financial period (1992-93) to the 81st Session (1994) of the International Labour Conference for consideration and adoption.²

Assessment of the contribution of new member States

Assessment of the contribution of South Africa for 1994 and revised scale of assessments for 1995 to include South Africa

The Governing Body decided to recommend to the Finance Committee of Government Representatives of the International Labour Conference that, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, it propose to the Conference:

(a) that the contribution of South Africa to the ILO budget for the period of its membership in the Organization in 1994 be based upon an annual assessment rate of 0.40 per cent;
(b) that it adopt the draft scale of assessments for the year 1995 as set out in column 4 of the appendix to the document submitted to the Government members of the Committee.³

ELECTION OF THE OFFICERS OF THE GOVERNING BODY FOR 1994-95

Election of the Chairperson


Election of the Vice-Chairmen

The Governing Body re-elected Mr. J.-J. Oechslin as Employer Vice-Chairman and Mr. W. Brett as Worker Vice-Chairman for the year 1994-95.

QUESTIONS ARISING OUT OF THE 81ST SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

The Governing Body decided to set up a working party to discuss all relevant aspects of the social dimensions of the liberalization of international trade, which

¹ 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.
² For the decisions adopted on this subject at the 81st Session of the Conference, see Official Bulletin, Vol. LXXVII, 1994, Series A, No. 2.
³ For the decisions adopted by the Conference on this subject, see Official Bulletin, Vol. LXXVII, Series A, No. 2.
would be open to all members of the Governing Body. The Working Party would elect its own Chairman and would hold its first meeting in conjunction with the Governing Body’s 261st Session (November 1994).

**REPORT OF THE COMMITTEE ON FREEDOM OF ASSOCIATION**

(294th Report)

The Governing Body examined and adopted the 294th Report of the Committee on Freedom of Association.¹

**REPORT OF THE DIRECTOR-GENERAL**

*First report of the Officers of the Governing Body: Representation made by the Trade Union Association of Bohemia, Moravia and Silesia (OS-CMS) under article 24 of the ILO Constitution alleging non-observance by the Czech Republic of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111)*

The Governing Body decided that the representation was receivable, and appointed a committee with the following composition to examine it:

- **Government member:** Mr. Willers (Germany)
- **Employer member:** Miss Hak
- **Worker member:** Mr. Briesch

*Representation submitted by the independent and autonomous trade union Solidarnosc in accordance with article 24 of the ILO Constitution, alleging non-observance by Poland of the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)*

The Governing Body decided that the representation was receivable, and referred it for examination to its Committee on Freedom of Association.

**COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS**²

*Standing bodies*

*Joint ILO/UNESCO Committee of Experts on the Application of the Recommendation concerning the Status of Teachers (Sixth Session, Geneva, 12-20 July 1994)*

The Governing Body took note that the composition of the Joint Committee, which would hold its Sixth Session in July 1994, would be as follows:

- **Members appointed by the Governing Body of the ILO**
  - Ms. A.G. Ali (Pakistan), Dr. E.W. Gachukia (Kenya), Dr. M.A. Teresa Gallart (Argentina), The Hon. Mr. Justice L.T. Olsson (Australia), Ms. A.-L. Hostmark Tarrou (Norway), Dr. M. Thompson (Canada).

¹The text of the report is reproduced in Series B of the Official Bulletin.
²As regards meetings, only decisions concerning their composition and agenda are published in the Official Bulletin.
Members appointed by the Executive Board of UNESCO

Dr. M. Eliou (Greece), Ms. Z. Farsi (Algeria), Professor S.S. Fall (Senegal), Mr. M. Kato (Japan), Dr. E.H. Newton (Barbados).

The Governing Body also noted that UNESCO was studying the possibility of replacing Professor E.G. Sapogov (Russian Federation), who had recently passed away.

APPOINTMENT OF GOVERNING BODY REPRESENTATIVES ON VARIOUS BODIES

Committee on Work on Plantations
(Tenth Session, Geneva, 21-29 September 1994)

The Governing Body appointed Mr. Murage (Government, Kenya), to replace Mr. Ogara Okech as the Government member of the delegation it appointed at its 259th Session (March 1994) and Chairman of the Committee.

Tripartite Meeting on Maritime Labour Standards
(Geneva, 28 November-9 December 1994)

The Governing Body appointed the following of its members to represent it at the meeting:

Government member: Mr. Simanjuntak (Indonesia)
Employer member: Miss Hak
Worker member: Mr. Douglas

Joint Maritime Commission
(27th Session, Geneva, 9 December 1994)

The Governing Body appointed the following of its members to represent it at the session:

Employer member: Miss Hak
Worker member: Mr. Brett

OTHER MATTERS

Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution alleging non-observance by Brazil of the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105)

The Governing Body appointed Mr. Ilabaca Orphanopoulos (Government, Chile) to replace Mr. Mayoral as the Government member of the Committee it established at its 258th Session (November 1993) to examine the representation.

MATTERS ON WHICH THE OFFICERS OF THE GOVERNING BODY TOOK DECISIONS ON ITS BEHALF

Programme of meetings

The Officers of the Governing Body approved the following programme of meetings for the remainder of 1994 and for 1995:
<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>1994</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12-20 July</td>
<td>Joint ILO/UNESCO Committee of Experts on the Application of the Recommendation concerning the Status of Teachers (CEART)</td>
<td>Geneva</td>
</tr>
<tr>
<td>21-29 September</td>
<td>Committee on Work on Plantations (Tenth Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>3-11 October</td>
<td>Meeting of Experts on the Recording and Notification of Occupational Accidents and Diseases</td>
<td>&quot;</td>
</tr>
<tr>
<td>10-14 October</td>
<td>International Symposium on the Role of Workers' Education in the Promotion of Trade Union Rights</td>
<td>&quot;</td>
</tr>
<tr>
<td>19-25 October</td>
<td>Tripartite Meeting on Productivity and Employment in Commerce and Offices</td>
<td>&quot;</td>
</tr>
<tr>
<td>3-17 November</td>
<td>261st Session of the Governing Body and its committees</td>
<td>&quot;</td>
</tr>
<tr>
<td>21-25 November</td>
<td>Tripartite Meeting of Experts on Social Security and Social Protection: Equality of Treatment between Men and Women</td>
<td>&quot;</td>
</tr>
<tr>
<td>28 November-9</td>
<td>Tripartite Meeting on Maritime Labour Standards</td>
<td>&quot;</td>
</tr>
<tr>
<td>December</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 December</td>
<td>Joint Maritime Commission (27th Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>12-16 December</td>
<td>Joint ILO/IMO Committee on Training (Tenth Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>1995</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11-19 January</td>
<td>Coal Mines Committee (Thirteenth Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>23-31 January</td>
<td>Tripartite Meeting of Experts on the Management of Drug and Alcohol Problems in the Workplace</td>
<td>&quot;</td>
</tr>
<tr>
<td>1-9 February</td>
<td>Fourth Tripartite Technical Meeting of the Clothing Industry</td>
<td>&quot;</td>
</tr>
<tr>
<td>16 February-3</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>&quot;</td>
</tr>
<tr>
<td>March</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20 March-6 April</td>
<td>262nd Session of the Governing Body and its committees</td>
<td>&quot;</td>
</tr>
<tr>
<td>On the occasion</td>
<td>Advisory Meeting of the Governing Body members from Asia</td>
<td>&quot;</td>
</tr>
<tr>
<td>of the Governing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Body session</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5-7 April</td>
<td>Joint ILO/WHO Committee on Occupational Health (Twelfth Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>10-18 May</td>
<td>Chemical Industries Committee (Eleventh Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>22-26 May</td>
<td>Meeting of Experts on Cooperative Law</td>
<td>&quot;</td>
</tr>
<tr>
<td>24-30 May</td>
<td>Joint Meeting on the Impact of Structural Adjustment in the Public Services (Efficiency, Quality Improvement and Working Conditions)</td>
<td>&quot;</td>
</tr>
<tr>
<td>May</td>
<td>International Round Table on the New Role of Employers' Organizations in Countries with Economies in Transition</td>
<td>&quot;</td>
</tr>
<tr>
<td>1-2 June</td>
<td>Governing Body Committee on Freedom of Association</td>
<td>&quot;</td>
</tr>
<tr>
<td>6-23 June</td>
<td>82nd Session of the International Labour Conference</td>
<td>&quot;</td>
</tr>
<tr>
<td>24 June</td>
<td>263rd Session of the Governing Body</td>
<td>&quot;</td>
</tr>
<tr>
<td>3-5 July</td>
<td>Fifteenth Ordinary Session of the Intergovernmental Committee of the International Convention for the Protection of Performers, Producers of Phonograms and and Broadcasting Organizations (Rome Convention, 1961) (ILO/UNESCO/WIPO)</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

178
<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>20-27 September</td>
<td>Fifth European Regional Conference</td>
<td>Warsaw</td>
</tr>
<tr>
<td>20-27 September</td>
<td>Tripartite Meeting on Social and Labour Issues concerning Migrant Workers in the Construction Industry</td>
<td>Geneva</td>
</tr>
<tr>
<td>18-26 October</td>
<td>Standing Technical Committee for Educational Personnel (First Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>30 October-3 November</td>
<td>Meeting of Experts on Labour Statistics on the Measurement of Underemployment</td>
<td>&quot;</td>
</tr>
<tr>
<td>2-16 November</td>
<td>264th Session of the Governing Body and its committees</td>
<td>&quot;</td>
</tr>
<tr>
<td>23 November-8 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>&quot;</td>
</tr>
<tr>
<td>13-19 December</td>
<td>Tripartite Meeting on Social and Labour Problems caused by Structural Adjustments in the Port Industry</td>
<td>&quot;</td>
</tr>
<tr>
<td>Second half</td>
<td>Meeting of Experts on Workers' Privacy</td>
<td>&quot;</td>
</tr>
<tr>
<td>To be determined</td>
<td>Tripartite Meeting on Globalization of the Footwear, Textiles and Clothing Industries: Effects on Employment and Working Conditions</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

**Symposia, seminars and similar meetings**

The Officers of the Governing Body approved the proposals for a number of symposia, seminars and similar meetings.
261st Session of the Governing Body of the
International Labour Office

(Geneva, 15-17 November 1994)

The 261st Session of the Governing Body by the ILO was held from Tuesday, 15 to Thursday, 17 November 1994, under the chairmanship of Mrs. N. Roldán-Confesor (Government representative, Philippines).

The agenda was as follows:

1. Approval of the minutes of the 259th and 260th Sessions.¹
4. Reports of the Programme, Financial and Administrative Committee.
5. Reports of the Committee on Legal Issues and International Labour Standards.
7. Report of the Committee on Technical Cooperation.²
8. Reports of the Committee on Sectoral and Technical Meetings and Related Issues.
12. International Institute for Labour Studies.³

Supplementary reports:

— Appointment of Deputy Director-General and of Assistant Director-General.⁴
— Report of the Committee set up to consider the representation made by the International Confederation of Free Trade Unions (ICFTU) under article 24 of the ILO Constitution alleging non-observance by Myanmar of the Forced Labour Convention, 1930 (No. 29).
— Fiscal immunity of the ILO and its officials in France.

14. Reports of the Officers of the Governing Body:

— Representation made by the International Energy and Mines’ Organization (IEMO) under article 24 of the ILO Constitution, alleging non-observance by Congo of the Protection of Wages Convention, 1949 (No. 95).
— Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution, alleging non-observance by Costa Rica of the Employment Policy Convention 1966 (No. 122.)

¹ The Governing Body approved the minutes.
² The Governing Body took note of the report.
³ The Governing Body took note of the report of the 36th Session of the Board of the Institute.
⁴ The Governing Body took note of the report.
— Representation made by the World Federation of Trade Unions (WFTU) under article 24 of the ILO Constitution, alleging non-observance by France of the Labour Inspection Convention, 1947 (No. 81), and the Social Policy (Non-Metropolitan Territories) Convention, 1947 (No. 82).

— Representation made by the Federation of Miners, Oil and Other Workers (FETRAMIP of Congo) and the International Energy and Mines Organization (IEMO) under article 24 of the ILO Constitution, alleging non-observance by Gabon of the Protection of Wages Convention, 1949 (No. 95).

— Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution, alleging non-observance by Nicaragua of the Protection of Wages Convention, 1949 (No. 95), the Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117), and the Employment Policy Convention, 1964 (No. 122).

— Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution, alleging non-observance by Paraguay of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26).

— Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution, alleging non-observance by Peru of the Social Security (Minimum Standards) Convention, 1952 (No. 102).

— Representation made by the Confederation of Turkish Trade Unions (TURK-IS) under article 24 of the ILO Constitution, alleging non-observance by Turkey of the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87).

— Representation made by the Inter-Union Assembly of Workers - National Convention of Workers (PIT-CNT) and the National Single Trade Union in Construction and Similar Activities (SUNCA) under article 24 of the ILO Constitution, alleging non-observance by Uruguay of the Safety Provisions (Building) Convention, 1937 (No. 62), the Labour Inspection Convention, 1947 (No. 81), the Labour Administration Convention, 1978 (No. 150), the Occupational Safety and Health Convention, 1981 (No. 155), and the Occupational Health Services Convention, 1985 (No. 161).

— Application for regional consultative status submitted by the Democratic Organization of African Workers’ Trade Unions (DOAWTU).

— Organization of work for the Fifth European Regional Conference.

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

15. Composition and agenda of standing bodies and meetings.


Other matters:

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

Matters on which the Officers of the Governing Body took decisions on its behalf:

— Programme of meetings;

— Symposia, seminars and similar meetings;

— Requests from non-governmental international organizations wishing to be represented at the 82nd Session (1995) of the International Labour Conference.

* * *

181
The following is an account of the action taken by the Governing Body on the above agenda.¹

**PROPOSALS FOR THE AGENDA OF THE 84TH SESSION (1997) OF THE CONFERENCE**

The Governing Body requested law and practice reports or more detailed proposals on the following subjects to be submitted to it at its 262nd Session (March-April 1995):

1. the protection of workers' personal data;
2. the recording and notification of occupational accidents and diseases;
3. the settlement of labour disputes;
4. revision of the Maternity Protection Convention (Revised), 1952 (No. 103), and of the Maternity Protection Recommendation, 1952 (No. 95);
5. revision of the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96);
6. general conditions to stimulate job creation in small and medium-sized enterprises;
7. contract labour.

The Governing Body requested proposals for the revision of the following Maritime Standards to be submitted to it at its 262nd Session (March-April 1995) in the light of the report of the Tripartite Meeting on Maritime Labour Standards and with a view to the convening of a Maritime Session of the International Labour Conference in 1996:

1. Labour Inspection (Seamen) Recommendation, 1926 (No. 28);
2. Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958 (No. 109), and its accompanying Recommendation (No. 109);
3. Placing of Seamen Convention, 1920 (No. 9);

**REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION
(295th and 296th Reports)**

The Governing Body examined and adopted the 295th and 296th Reports of its Committee on Freedom of Association.²

**REPORTS OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE**

*Financial questions relating to the International Institute for Labour Studies*

The Governing Body accepted the contributions and gifts received by the Institute.

---

¹ For a more detailed account see the set of papers examined by the Governing Body, together with the approved minutes of the sitting, which contain a record of how decisions were taken.

² The texts of the Reports are reproduced in *Official Bulletin*, Vol. LXXVII, Series B.

182
Report of the Building Subcommittee

The Governing Body: (a) accepted the revised proposal to create an annex to the main building of the ILO Regional Office for Africa in Abidjan; (b) decided that the estimated additional cost of $50,000 for this building over and above the original allocation ($350,000) be financed from savings in Part I of the Programme and Budget for 1994-95.

Review of the Financial Regulations governing cash surpluses and deficits

The Governing Body decided to propose to the International Labour Conference, at its 82nd Session (June 1995), that article 21.2 of the Financial Regulations be the subject of a derogation to allow for the introduction, on a trial basis, of a system whereby a withdrawal from the Working Capital Fund to finance a cash deficit directly attributable to income shortfalls is reimbursed in the following biennium or biennia from arrears of contributions received, and that it adopt a resolution in this regard.

Other financial and general questions

Governing Body representation at the World Summit for Social Development

The Governing Body decided that, should it appoint a bipartite delegation to represent it at the World Summit for Social Development, the cost, estimated at $7,500 be financed from savings in Part I of the Programme and Budget for 1994-95; and that, alternatively, should it appoint a tripartite delegation, the cost, estimated at $13,000, should be financed in the same manner.¹

Personnel questions

Rewards for meritorious performance and long service

The Governing Body authorized the Director-General to implement the following provisions:

(a) steps beyond the common system scales would no longer be applicable to staff recruited on or after 1 January 1995;

(b) staff in service before 1 January 1995 would be eligible to receive one more increment beyond the common system scales according to the present provisions of paragraphs 1 and 4 of article 6.6 of the Staff Regulations;

(c) the current provisions of the personal promotion scheme would be supplemented by the possibility of granting a personal promotion to staff with at least 25 years of satisfactory service in the United Nations common system and after having spent 13 years in the same grade. As from the year 2000, staff in the Professional category would normally be expected to have had field service in order to qualify for any form of personal promotion. Only one personal promotion would be granted to officials in their career. The provisions on the personal promotion scheme would become part of the Staff Regulations, through an appropriate amendment; and authorized the Director-General to amend the Staff Regulations and report to the Committee on the amendment to the Staff Regulations at the Governing Body’s 264th (November 1995) Session.

Report of the International Civil Service Commission (ICSC)

The Governing Body:

¹ The Governing Body appointed a tripartite delegation. See pages 190-191.
(a) endorsed the recommendations of the ICSC, subject to their approval by the General Assembly of the United Nations, on the following entitlements for staff in the Professional and higher categories: (i) an increase of 4.1 per cent in the net base/floor salary scales, and a revision of the staff assessment rates for staff without dependants with effect from 1 March 1995; (ii) an increase of 10 per cent in the present levels of the children’s allowance and the secondary dependant’s allowance with effect from 1 January 1995;

(b) authorized the Director-General to give effect in the ILO, through appropriate amendments to the Staff Regulations, to the measures recommended by the ICSC and referred to in subparagraph (a), subject to their approval by the General Assembly.

REPORTS OF THE COMMITTEE ON LEGAL ISSUES
AND INTERNATIONAL LABOUR STANDARDS

Legal issues

Interim proposals concerning the composition of the Governing Body pending the entry into force of the instrument for the amendment of the Constitution of the ILO, 1986

The Governing Body decided:

(a) subject to the examination of the financial aspects by the Programme, Financial and Administrative Committee in March 1995 in the framework of the programme and budget proposals for the financial period concerned, to submit to the International Labour Conference at its 82nd Session in June 1995 proposals for the following amendments to the Standing Orders of the Conference:

— article 49, paragraph 4: The Government electoral college shall also select [18] 28 other members of the Organization, the governments of which shall be entitled to appoint deputy Government members of the Governing Body;

— article 50, paragraph 2: The Employers’ and Workers’ electoral colleges shall each elect by name 14 persons as regular members of the Governing Body and [14] 19 persons as deputy members of the Governing Body;

(b) to request the Conference, in approving this amendment, to take due note of the fact that the ballot papers for the Government group will be drawn up and dealt with by the latter in such manner as to guarantee an overall distribution of regular and deputy seats among the regions corresponding to that envisaged in the Instrument for the Amendment of the Constitution of the ILO, 1986.

Other questions

The Governing Body decided that, at its 263rd Session (June 1995), it would take a decision as to whether the Office should prepare a paper for its 264th Session (November 1995) containing an evaluation of the reforms introduced in the functioning of the Governing Body and the Conference.

International labour standards and human rights

Report and follow-up on the discussions concerning international labour standards at the 81st Session (1994) of the International Labour Conference

The Governing Body took note of the Committee’s discussion and conclusions on this item, and requested the Office to prepare, for its 262nd Session (March-April 1995), the papers described in paragraphs 54 and 55 of the report.

1 The words which it is being proposed to delete are in square brackets and those to be added are in italics.
Form for reports on the application of ratified Conventions
(article 22 of the Constitution)

Part-time Work Convention, 1994 (No. 175)

The Governing Body approved the report form for the Part-time Work Convention, 1994 (No. 175) as set out in Appendix I to the report.

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

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

The Governing Body approved the report form for the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), as set out in Appendix II to the report.

REPORT OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL POLICY

Report of the Tripartite Meeting on the Socio-Economic Implications of the Devaluation of the CFA franc in French-speaking African Countries
(Dakar, 17-20 October 1994)

The Governing Body invited the Director-General:
(a) to bear in mind the conclusions and recommendations of the Tripartite Meeting on the Socio-Economic Implications of the Devaluation of the CFA franc in French-speaking African countries when carrying out ongoing programmes and drafting future programme and budget proposals;¹
(b) to draw the attention of the governments of the member States concerned and, through them, that of the national employers’ and workers’ organizations, to those conclusions and recommendations.

REPORTS OF THE COMMITTEE ON SECTORAL AND TECHNICAL MEETINGS
AND RELATED ISSUES

Report of the Meeting of Experts on Accident Prevention on Board Ship
(Geneva, 28 September-5 October 1993)

The Governing Body took note of the report and authorized the Director-General to publish the code of practice.²

Report of the Meeting of Experts on the Safety and Health of Workers in the Electronics Industry
(Geneva, 16-20 May 1994)

The Governing Body took note of the report and authorized the Director-General:
(a) to communicate it to the governments of member States and, through them, to the employers’ and workers’ organizations concerned, to the intergovernmental organizations concerned and to the non-governmental international organizations having full consultative status, as well as to other bodies and organizations concerned; and

¹ For the text of these conclusions and recommendations, see pages 246-251 below.
² The text of the code of practice is contained in GB.261/STM/2/5.
(b) to take the conclusions of the Meeting into account in drawing up future programme proposals.

Report of the Meeting of Experts on the Recording and Notification of Occupational Accidents and Diseases
(Geneva, 3-11 October 1994)

The Governing Body took note of the report of the Meeting and authorized the Director-General to publish the Code of Practice on the Recording and Notification of Occupational Accidents and Diseases.

Metal Trades Committee
(Thirteenth Session, Geneva, 12-20 January 1994)

Effect to be given to the conclusions and resolutions of the Committee

The Governing Body:

(a) authorized the Director-General to communicate the texts adopted at the Thirteenth Session of the Metal Trades Committee: (i) to governments, informing them that the Governing Body had taken note of these texts and requesting them to communicate these texts to the employers’ and workers’ organizations concerned; (ii) to the international employers’ and workers’ organizations concerned;

(b) requested the Director-General: (i) to draw the special attention of governments and, through them, that of the employers’ and workers’ organizations concerned, as well as that of the international employers’ and workers’ organizations concerned, to the report and conclusions (No. 106) concerning the consequences of structural adjustment for employment, training, further training and retraining in the metal trades; (ii) to draw the attention of governments and, through them, that of the employers’ and workers’ organizations concerned, as well as that of the international employers’ and workers’ organizations concerned, to the conclusions and resolutions mentioned in section I, group C, of the Classification; (iii) when planning the future programme of work of the Office, to continue to bear in mind the wishes expressed at the Thirteenth Session of the Metal Trades 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;

(c) agreed to bear in mind the wishes expressed by the Metal Trades Committee in the relevant paragraphs of its resolutions Nos. 107 to 111;

(d) requested the Director-General to bear in mind, when planning the future programme of work of the Office, the wishes expressed by the Metal Trades Committee in the relevant paragraphs of its conclusions No. 106 and of its resolutions Nos. 107 to 111.

Joint Committee on the Public Service
(Fifth Session, Geneva, 26 January-3 February 1994):

Effect to be given to the conclusions and resolutions of the Committee

The Governing Body:

1 The text of the conclusions is contained in GB.261/STM/3/2.
2 The text of the code of practice is contained in GB.261/STM/4/14.
3 For the text of the conclusions and resolutions, see pp. 218-226 below.
4 For the text of these conclusions and resolutions, see pp. 227-234 below.
(a) authorized the Director-General to communicate the texts adopted at the Fifth Session of the Joint Committee on the Public Service: (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' organizations concerned; (ii) to the international employers' and workers' organizations concerned;

(b) requested the Director-General: (i) to draw the special attention of governments and, through them, that of the employers' and workers' organizations concerned, as well as that of the international employers' and workers' organizations concerned, to the report and conclusions (No. 14) concerning the terms and conditions of employment of part-time and temporary workers in the public service; (ii) to draw the attention of governments and, through them, that of the employers' and workers' organizations concerned, as well as that of the international employers' and workers' organizations concerned, to the conclusions and resolutions mentioned in section I, group C, of the Classification; (iii) when planning the future programme of work of the Office, to continue to bear in mind the wishes expressed at the Fifth Session of the Joint Committee on the Public Service 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;

(c) agreed to bear in mind the wishes expressed at the Fifth Session of the Joint Committee on the Public Service in the relevant paragraphs of its resolutions Nos. 15 to 17;

(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 on the Public Service in the relevant paragraphs of its conclusions No. 14 and of its resolutions Nos. 15 to 17.

Tripartite Meeting on the Consequences for Management and Personnel of the Restructuring of Railways
(Geneva, 12-20 April 1994)

Effect to be given to the conclusions of the Meeting

The Governing Body:

(a) authorized the Director-General to communicate the report and the conclusions of the Tripartite Meeting on the Consequences for Management and Personnel of the Restructuring of Railways: (i) to governments, requesting them to communicate these texts to the employers' and workers' organizations concerned; (ii) to the international employers' and workers' organizations concerned; (iii) to the international organizations concerned;

(b) requested the Director-General to bear in mind, when drawing up proposals for the future programme of work of the Office, the wishes expressed by the Meeting in paragraphs 27, 28 and 29 of the conclusions.

Tenth Session of the Committee on Salaried Employees and Professional Workers
(Geneva, 4-12 May 1994)

Effect to be given to the conclusions and resolutions of the Committee

The Governing Body:

1 The text of these conclusions is contained in TMRR/1994/9 which is appended to GB.261/STN/7/3.
2 For the text of these conclusions and resolutions, see pp. 235-245 below.
(a) authorized the Director-General to communicate the texts adopted at the Tenth Session of the Committee on Salaried Employees and Professional Workers: (i) to governments, informing them that the Governing Body has taken note of the texts and requesting them to communicate these texts to the employers’ and workers’ organizations concerned; (ii) to the international organizations of employers and workers concerned;

(b) requested the Director-General: (i) to draw the special attention of governments and, through them, that of the employers’ and workers’ organizations concerned, as well as that of the international employers’ and workers’ organizations concerned, to the report and conclusions (No. 103) concerning the skills, training and retraining required to match the new occupational profiles in commerce and offices; (ii) to draw the attention of governments and, through them, that of the employers’ and workers’ organizations concerned, as well as that of the international employers’ and workers’ organizations concerned, to the conclusions and resolutions mentioned in section I, group C, of the Classification; (iii) when planning the future programme of work of the Office, to continue to bear in mind the wishes expressed at the Tenth Session of the Committee on Salaried Employees and Professional Workers 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;

(c) agreed to bear in mind the wishes expressed at the Tenth Session of the Committee on Salaried Employees and Professional Workers in the relevant paragraphs of its resolutions Nos. 104 to 109;

(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 on Salaried Employees and Professional Workers in the relevant paragraphs of its conclusions No. 103 and resolutions Nos. 104 to 109.

**Tripartite Meeting on the Social and Labour Issues concerning Migrant Workers in the Construction Industry**


**Composition and purpose**

The Governing Body decided that:

(a) the following countries should be invited to be represented at the Tripartite Meeting on the Social and Labour Issues concerning Migrant Workers in the Construction Industry: Australia, Bangladesh, China, Germany, India, Indonesia, Japan, Kuwait, Malaysia, Pakistan, Philippines, Saudi Arabia, Singapore, Switzerland and Turkey;

(b) the following countries should be included in the reserve list: Brazil, France, Republic of Korea, Libyan Arab Jamahiriya, Mexico, Poland, Thailand, United Arab Emirates and United States;

(c) the Government members should be appointed by the governments selected to be invited and the Employer and Worker members to be nominated on the basis of consultations with the Employers’ and Workers’ groups of the Governing Body;

(d) the purpose of the Meeting should be to exchange views on the social and labour issues concerning migrant workers in the construction industry and ways of promoting the application of standards in the sector; to adopt conclusions that include proposals for follow-up action; and to adopt a report on its proceedings;

(e) the closing date for the acceptance of invitations would be 30 April 1995.

Composition and purpose

The Governing Body decided that:

(a) the following countries should be invited to be represented at the Tripartite Meeting on Social and Labour Problems caused by Structural Adjustments in the Port Industry: Argentina, Australia, Brazil, Chile, China, Egypt, France, Ghana, India, Japan, Malaysia, Mexico, Mozambique, Netherlands, Senegal, South Africa, Spain, Thailand, United Kingdom and United States;

(b) the following countries should be included in the reserve list: Algeria, Angola, Bangladesh, Cameroon, Colombia, Germany, Greece, Kenya, New Zealand, Pakistan, Panama, Portugal, Sri Lanka, Sweden, Trinidad and Tobago and Venezuela;

(c) decided that the Government members should be appointed by the governments of countries selected be invited and the Employer and Worker members be appointed on the basis of nominations made by the respective groups of the Governing Body;

(d) the purpose of the Meeting should be to exchange views on social and labour issues related to structural adjustments in ports and to adopt conclusions and guiding principles on these questions, with particular reference to issues relating to labour reorganization and its consequences, social security and dock labour schemes;

(e) the closing date for the acceptance of invitations would be 15 July 1995.

Tripartite Meeting on the Globalization of the Footwear, Textiles and Clothing Industries

Composition and purpose

The Governing Body decided that:

(a) the following countries should be invited to be represented at the Tripartite Meeting on the Globalization of the Footwear, Textiles and Clothing Industries: Brazil, China, Czech Republic, Dominican Republic, France, Germany, Hungary, Indonesia, Italy, Japan, Republic of Korea, Mauritius, Mexico, Morocco, Philippines, Thailand, Tunisia and United States;

(b) the following countries should be included in the reserve list: Argentina, Bangladesh, Canada, Egypt, Kenya, Portugal, Spain, Sri Lanka and United Kingdom;

(c) the Government members should be appointed by the governments of the countries selected to be invited and the Employer and Worker members be appointed on the basis of nominations made by the respective groups of the Governing Body;

(d) the purpose of the Meeting should be to exchange views on the effects of globalization of the footwear, textiles and clothing industries on employment and working conditions and to adopt resolutions and conclusions that include proposals for follow-up action;

(e) the closing date for the acceptance of invitations would be 30 June 1995.
The Governing Body approved the publication of the International Basic Safety Standards for Protection against Ionizing Radiation and for the Safety of Radiation Sources.¹

Joint Meeting on the Impact of Structural Adjustment in the Public Services (Efficiency, Quality Improvement and Working Conditions) (Geneva, 24-30 May 1995)

The Governing Body postponed the date for acceptance of invitations to the Joint Meeting on the Impact of Structural Adjustment in the Public Services (Efficiency, Quality Improvement and Working Conditions) from 15 November 1994 to 15 January 1995.

Programme and budget for 1996-97: Preliminary proposals including sectoral modules

The Governing Body decided that, when adopting the 1996-97 programme and budget for major programme 100 (Sectoral activities), it would include in the programme of sectoral meetings for 1996-97 the tripartite meeting on the globalization of the footwear, textiles and clothing industries, a tripartite meeting on the effects of new technologies on employment and working conditions in the hotel, catering and tourism sector and a tripartite meeting on improving the conditions of employment and work of agricultural wage workers in the context of economic restructuring.

REPORT OF THE SUBCOMMITTEE ON MULTINATIONAL ENTERPRISES

Amendment to the procedure for the examination of disputes concerning the application of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy

The Governing Body decided that the word "Subcommittee" should replace the word "Committee" in paragraphs 3, 4, 7 and 8 of the text of the Procedure.

REPORT OF THE WORKING PARTY ON THE WORLD SUMMIT FOR SOCIAL DEVELOPMENT

Effect to be given to the resolution concerning the World Summit for Social Development adopted by the Conference at its 81st Session (1994)

The Governing Body:

(a) requested the Director-General, when transmitting the resolution to member States and, through them, to employers' and workers' organizations, to draw their particular attention to the recommendations contained in operative paragraph 1; and
(b) took note of the information contained in paragraphs 3 to 6 of document GB.261/WP/WSSD/2/2 on the action that had been taken and would be taken to give effect to the resolution.

¹ These standards will be published by the International Atomic Energy Agency (IAEA).
ILO contribution to and participation in the World Summit for Social Development

The Governing Body:

(a) adopted the draft statement appended to the report for transmission to the Third Session of the Preparatory Commission for the World Summit for Social Development;
(b) appointed the following as its delegation to represent it at the World Summit for Social Development:
   Government member: Mrs. Roldán-Confesor (Philippines)
   Employer member: Mr. Katz
   Worker member: Mr. Ferguson
(c) decided that a report on the outcome of the Summit should be submitted direct to the Governing Body, and that this should appear as a separate item on the agenda of the 262nd Session (March-April 1995) of the Governing Body.

PROGRESS REPORT OF THE WORKING PARTY ON THE SOCIAL DIMENSIONS OF THE LIBERALIZATION OF INTERNATIONAL TRADE

The Governing Body noted that the Working Party would meet at its 262nd Session (March-April 1995) in order to resume the discussion on the social dimensions of the liberalization of international trade.

REPORT OF THE DIRECTOR-GENERAL

Obituary

The Governing Body paid tribute to the memory of Mr. Yasuo Maruyama, former Worker member of the Governing Body, and requested the Director-General to convey its sympathy to the family of the deceased and to the Japanese Trade Union Confederation (JTUC-RENGO).

The Governing Body also paid tribute to the memory of Mr. José Maria Ruda, Chairman of the Committee of Experts on the Application of Conventions and Recommendations of the International Labour Organization and former President of the International Court of Justice, and requested the Director-General to convey its sympathy to the family of the deceased.

Report of the Committee set up to examine the representation made by the International Confederation of Free Trade Unions (ICFTU) under article 24 of the ILO Constitution alleging non-observance by Myanmar of the Forced Labour Convention, 1930 (No. 29)

The Governing Body:

(a) approved the report, and in particular the conclusions set out in paragraphs 48 to 50, namely, that the exaction of labour and services, in particular porterage service, under the Village Act and the Towns Act is contrary to the Forced Labour Convention, 1930 (No. 29), ratified by the Government of Myanmar in 1955;

1 The Governing Body took note of the information submitted to it concerning the composition of the Governing Body, progress in international labour legislation, internal administration, publications and documents.
(b) urged the Government of Myanmar, bearing in mind the conclusions set out in paragraphs 50 and 52, to take the necessary steps: (i) to ensure that the relevant legislative texts, in particular the Village Act and the Towns Act, were brought into line with the Forced Labour Convention, 1930 (No. 29), as already requested by the Committee of Experts on the Application of Conventions and Recommendations; (ii) to ensure that the formal repeal of the power to impose compulsory labour was followed up in actual practice and that those resorting to coercion in the recruitment of labour were punished;

(c) requested the Government of Myanmar to include in the reports it supplied under article 22 of the Constitution on the application of Convention No. 29 full information on the measures taken, in accordance with the recommendations made above, to secure observance of the Convention, so as to enable the Committee of Experts on the Application of Conventions and Recommendations to follow the matter;

(d) declared the closure of the procedure initiated as a result of the representation in question.

_Fiscal immunity of the ILO and its officials in France_

The Governing Body took note of the report and requested the Director-General to convey to the Government of France the importance it attached to equality between member States and between officials of the various organizations of the common system, as well as the hope that, taking into account the concerns expressed by the Director-General in the letter reproduced in the report and thanks to the consultations that were to be held soon, it would be possible to reach a solution that was truly satisfactory to everyone.

**REPORTS OF THE OFFICERS OF THE GOVERNING BODY**

*Representation made by the International Energy and Mines' Organization (IEMO) under article 24 of the ILO Constitution, alleging non-observance by Congo of the Protection of Wages Convention, 1949 (No. 95)*

The Governing Body decided that the representation was receivable, and appointed a committee with the following composition to examine it:

*Government member:* Mrs. Caron (Canada)

*Employer member:* Mr. Oechslin

*Worker member:* Mr. Mayaki

*Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution, alleging non-observance by Costa Rica of the Employment Policy Convention, 1964 (No. 122)*

The Governing Body decided that the representation was receivable, and appointed a committee with the following composition to examine it:

*Government member:* Mr. Rosales Argüello (Nicaragua)

*Employer member:* Mr. Durling

*Worker member:* Mr. Martines Bargas
Representation made by the World Federation of Trade Unions (WFTU) under article 24 of the ILO Constitution, alleging non-observance by France of the Labour Inspection Convention, 1947 (No. 81) and the Social Policy (Non-Metropolitan Territories) Convention, 1947 (No. 82)

The Governing Body decided that the representation was receivable, and appointed a committee with the following composition to examine it:

Government member: Mr. Willers (Germany)
Employer member: Mrs. Sasso Mazzufferi
Worker member: Mr. Parrot

Representation made by the Federation of Mines, Oil and Other Workers (FETRAMIP of Congo) and the International Energy and Mines Organization (IEMO) under article 24 of the ILO Constitution, alleging non-observance by Gabon of the Protection of Wages Convention, 1949 (No. 95)

The Governing Body decided that the representation was not receivable.

Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution, alleging non-observance by Nicaragua of the Protection of Wages Convention, 1949 (No. 95), the Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117), and the Employment Policy Convention, 1964 (No. 122)

The Governing Body decided that the representation was receivable, and appointed a committee with the following composition to examine it:

Government member: Mr. Ducreux (Panama)
Employer member: Mr. Durling
Worker member: Mr. Falbr

Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution, alleging non-observance by Paraguay of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26)

The Governing Body decided that the representation was receivable, and appointed a committee with the following composition to examine it:

Government member: Mr. Ducreux (Panama)
Employer member: Mr. Durling
Worker member: Mr. Falbr

Representation made by the Latin American Central of Workers (CLAT) under article 24 of the ILO Constitution, alleging non-observance by Peru of the Social Security (Minimum Standards) Convention, 1952 (No. 102)

The Governing Body decided that the representation was receivable, and appointed a committee with the following composition to examine it:

Government member: Mr. Vargas Campos (Mexico)
Employer member: Mr. Durling
Worker member: Mr. Falbr
Representation made by the Confederation of Turkish Trade Unions (TURK-IS) under article 24 of the ILO Constitution, alleging non-observance by Turkey of the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)

The Governing Body decided that the representation was receivable, and referred it to the Committee on Freedom of Association for examination.

Representation made by the Inter-Union Assembly of Workers - National Convention of Workers (PIT - CNT) and the National Single Trade Union in Construction and Similar Activities (SUNCA) under article 24 of the ILO Constitution, alleging non-observance by Uruguay of the Safety Provisions (Building) Convention, 1937 (No. 62), the Labour Inspection Convention, 1947 (No. 81), the Labour Administration Convention, 1978 (No. 150), the Occupational Safety and Health Convention, 1981 (No. 155), and the Occupational Health Services Convention, 1985 (No. 161)

The Governing Body decided that the representation was receivable, and appointed a committee with the following composition to examine it:

- **Government member:** Mr. Ilabaca (Chile)
- **Employer member:** Mr. Durling
- **Worker member:** Mr. Martines Bargas

Application for regional consultative status submitted by the Democratic Organization of African Workers' Trade Unions (DOAWTU)

The Governing Body granted to the Democratic Organization of African Workers' Trade Unions (DOAWTU) regional consultative status for the African region.

Organization of work for the Fifth European Regional Conference

The Governing Body decided to recommend that the Conference adopt at its 82nd Session in June 1995 a resolution, which is identical to those adopted for the Thirteenth Conference of American States Members of the ILO and the Eighth African Regional Conference, in order to authorize the Fifth European Regional Conference to follow the same simplified procedure.

The Governing Body decided that, in view of the extremely short interval between the International Labour Conference in June and the European Regional Conference, the convocation letters of the European Regional Conference, which must be sent before the International Labour Conference has approved these derogations, should announce the proposed arrangements.

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

The Governing Body renewed the mandate of Professor Alexander N. Shokhin for a further period of three years.
COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS

Standing bodies

Committee of Experts on the Application of Conventions and Recommendations

The Governing Body took note that, following the death of Mr. J.M. Ruda, Chairman of the Committee of Experts on the Application of Conventions and Recommendations, the Director-General would, after appropriate consultations, submit a nomination for his replacement to the Governing Body at a future session.

The Governing Body reappointed, for a period of three years, the following members of the Committee of Experts on the Application of Conventions and Recommendations: Mrs. B.A. Awadi (Kuwait); Baron von Maydel (Germany); Mr. K. Mbaye (Senegal); Mr. E. Razafindralambo (Madagascar); Mr. F. Uribe Restrepo (Colombia); Mr. J.-M. Verdier (France); Mr. B. Vukas (Croatia); Sir John Wood (United Kingdom).

In order to fill the seat vacated by Professor Aaron, who informed the Director-General of his wish not to be reappointed as a member of the Committee, the Governing Body appointed Ms. Janice R. Bellace (United States) as a member of the Committee for a period of three years.

The Governing Body asked the Director-General to convey to Professor Aaron its deep gratitude for the services he had rendered to the ILO.

Joint IMO/ILO Committee on Training
(Tenth Session, Geneva, 12-16 December 1994)

Agenda

The Governing Body approved the following agenda:


2. The feasibility of the development by the Joint Committee of guidelines for the investigation of human factors in maritime accidents, including any necessary changes to its terms of reference.

The Governing Body took note that, as in the case of the Ninth Session of the Joint Committee, the leaders of the Shipowners’ and Seafarers’ groups of the Joint Maritime Commission had agreed that the ILO would not cover the travel and subsistence costs of the ILO members of the Joint Committee; and that the composition of the Joint Committee would be that approved by the Governing Body at its 258th Session — 14 ILO members (seven Shipowner members and seven Seafarer members) and six IMO members.

Joint ILO/WHO Committee on Occupational Health
(Twelfth Session, Geneva, 5-7 April 1995)

Agenda

The Governing Body approved the following agenda:

1. Follow-up on the consensus statement adopted by the Joint ILO/WHO Committee at its Eleventh Session (April 1992).

1 As regards meetings, only the decisions concerning their composition and agenda are published in the Official Bulletin.
2. Infrastructures for an occupational health practice: options and models for national policies, primary health-care approaches, strategies and programmes, and functions of occupational health services.

3. International cooperation in occupational health, including regional activities and support for national action programmes on occupational health.


**Composition**

The Governing Body approved the following composition formula: 12 members, six appointed by the ILO for a period of six years and six appointed by the WHO.

The Governing Body took note that the Director-General proposed to invite to the Twelfth Session the six ILO experts nominated for a period of six years by the Governing Body at its 251st Session (November 1991) (two government experts from the United States and Australia, two Workers' and two Employers' representatives of the committee).

The Governing Body appointed Mr. R. Khuntia (India) to replace Dr. P. Westerholm as a member of the Joint Committee, and Mr. D. Bennett (Canada) to replace Mr. R. Bibbings as a substitute member.

The Governing Body took note that, in agreement with the WHO, the Director-General intended to invite the United Nations Office at Geneva, the World Bank, the United Nations Development Programme, the United Nations Environment Programme, and the Commission of the European Union to be represented at the session.

The Governing Body authorized the Director-General to invite, in agreement with the WHO, 11 non-governmental international organizations to be represented by observers at the session: 1

The Governing Body approved the following reporting procedure: the conclusions and recommendations of the Joint Committee would be submitted to the Governing Body; the report of the Committee would be published in English by the WHO on behalf of the two organizations in its technical report series; copies of the Committee's report would be available for information. The Governing Body took note that the WHO would examine the possibility of publishing the report in French and Spanish at a later date.

**Meetings**

*International round table on the new role of employers' organizations in countries with economies in transition (Geneva, 29-31 May 1995)*

**Agenda**

The Governing Body approved the following agenda: the new role of employers' organizations in countries with economies in transition.

**Confirmation**

The Governing Body decided that the meeting should be attended by one participant nominated by the most representative employers' organizations of each of the countries concerned.

---

1 The list of these organizations is contained in GB.261/15/29.
The Governing Body took note that, in order to obtain nominations, the Director-General intended to approach the following countries: Albania, Armenia, Azerbaijan, Belarus, Bulgaria, Croatia, the Czech Republic, Georgia, Estonia, Hungary, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, the Republic of Moldova, Mongolia, Poland, Romania, the Russian Federation, Slovenia, Slovakia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan.

Meeting of Experts on Labour Statistics and the Concept and Measurement of Underemployment (30 October to 3 November 1995)

Agenda

The Governing Body approved the following agenda for the meeting: Underemployment: concept and measurement.

Composition

The Governing Body decided that the meeting should be attended by 12 experts nominated after consultations with governments, six after consultations with the Employers’ group, and six after consultations with the Workers’ group of the Governing Body. The experts nominated should be well acquainted with the item on the agenda.

The Governing Body took note that, in order to obtain the government nominations, the Director-General intended to consult the Governments of Botswana, Kenya, Nigeria, Colombia, Costa Rica, Mexico, Australia, India, Islamic Republic of Iran, France, Portugal and Turkey. Should any of those governments prove unable to nominate a participant, the Director-General would consult the Governments of Mauritius, Spain, Thailand and Venezuela.

APPOINTMENT OF GOVERNING BODY REPRESENTATIVES ON VARIOUS BODIES

Coal Mines Committee (Thirteenth Session, Geneva, 11-19 January 1995)

The Governing Body appointed the following as its representatives at the session:

Government member and Chairman of the Session: Mr. Lal (India)
Employer member: Mr. Pierides
Worker member: Mr. Ahmed


The Governing Body appointed the following as its representatives at the session:

Government member and Chairman of the Session: Mr. Perez Oliveira (Portugal)
Employer member: Mr. Anand
Worker member: Mr. Sibanda
The Chemical Industries Committee
(Eleventh Session, Geneva, 10-18 May 1995)

The Governing Body appointed the following persons as its representatives at the session:

- Government member and Chairman of the Session: Mr. Popescu (Romania)
- Employer member: Mr. Arbesser-Rastburg
- Worker member: Mr. Wojcik

OTHER MATTERS

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


MATTERS ON WHICH THE OFFICERS OF THE GOVERNING BODY TOOK DECISIONS ON ITS BEHALF

Programme of meetings

The Officers of the Governing Body approved the following programme of meetings for the remainder of 1994 and for 1995:

<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>1994</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21-25 November</td>
<td>Tripartite Meeting of Experts on Social Security and Social Protection: Equality of Treatment between Men and Women</td>
<td>Geneva</td>
</tr>
<tr>
<td>28 November-9 December</td>
<td>Tripartite Meeting on Maritime Labour Standards</td>
<td>&quot;</td>
</tr>
<tr>
<td>9 December</td>
<td>Joint Maritime Commission (27th Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>12-16 December</td>
<td>IMO/ILO Joint Committee on Training (Tenth Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>1995</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11-19 January</td>
<td>Coal Mines Committee (Thirteenth Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>23-31 January</td>
<td>Tripartite Meeting of Experts on the Management of Drug and Alcohol Problems in the Workplace</td>
<td>&quot;</td>
</tr>
<tr>
<td>1-9 February</td>
<td>Fourth Tripartite Technical Meeting for the Clothing Industry</td>
<td>&quot;</td>
</tr>
<tr>
<td>16 February-3 March</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>&quot;</td>
</tr>
<tr>
<td>16 March-7 April</td>
<td>262nd Session of the Governing Body and its committees</td>
<td>&quot;</td>
</tr>
<tr>
<td>Date</td>
<td>Title of meeting</td>
<td>Place</td>
</tr>
<tr>
<td>------------</td>
<td>----------------------------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>5-7 April</td>
<td>Joint ILO/WHO Committee on Occupational Health (12th Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>10-18 May</td>
<td>Chemical Industries Committee (Eleventh Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>22-26 May</td>
<td>Meeting of Experts on Cooperative Law</td>
<td>&quot;</td>
</tr>
<tr>
<td>24-30 May</td>
<td>Joint Meeting on the Impact of Structural Adjustment in the Public Services (Efficiency, Quality Improvement and Working Conditions)</td>
<td>&quot;</td>
</tr>
<tr>
<td>29-31 May</td>
<td>International Round Table on the New Role of Employers' Organizations in Countries with Economies in Transition</td>
<td>&quot;</td>
</tr>
<tr>
<td>1-2 June</td>
<td>Governing Body Committee on Freedom of Association</td>
<td>&quot;</td>
</tr>
<tr>
<td>6-23 June</td>
<td>82nd Session of the International Labour Conference</td>
<td>&quot;</td>
</tr>
<tr>
<td>24 June</td>
<td>263rd Session of the Governing Body</td>
<td>&quot;</td>
</tr>
<tr>
<td>3-5 July</td>
<td>Fifteenth Ordinary Session of the Intergovernmental Committee of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention, 1961) (ILO/UNESCO/WIPO)</td>
<td>&quot;</td>
</tr>
<tr>
<td>20-27 September</td>
<td>Fifth European Regional Conference</td>
<td>Warsaw</td>
</tr>
<tr>
<td>20-27 September</td>
<td>Tripartite Meeting on Social and Labour Issues concerning Migrant Workers in the Construction Industry</td>
<td>Geneva</td>
</tr>
<tr>
<td>17-23 October</td>
<td>Meeting of Experts on Workers' Privacy</td>
<td>&quot;</td>
</tr>
<tr>
<td>18-26 October</td>
<td>Standing Technical Committee for Educational Personnel (First Session)</td>
<td>&quot;</td>
</tr>
<tr>
<td>30 October - 3 November</td>
<td>Meeting of Experts on Labour Statistics on the Measurement of Underemployment</td>
<td>&quot;</td>
</tr>
<tr>
<td>2-16 November</td>
<td>264th Session of the Governing Body and its committees</td>
<td>&quot;</td>
</tr>
<tr>
<td>23 November - 8 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>&quot;</td>
</tr>
<tr>
<td>13-19 December</td>
<td>Tripartite Meeting on Social and Labour Problems caused by Structural Adjustments in the Port Industry</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

**Symposia, seminars and similar meetings**

The Officers of the Governing Body approved proposals for a number of symposia, seminars and similar meetings.

**Requests from non-governmental international organizations wishing to be represented at the 82nd Session (1995) of the International Labour Conference**

The Officers of the Governing Body authorized the Director-General —

(a) to invite the three workers' organizations and 13 other organizations\(^1\) to be represented at the 82nd Session (1995) of the International Labour Conference, it being understood that it will be for the Selection Committee

\(^1\) The list of organizations concerned is contained in GB.261/INF/3.
of the Conference to consider their requests to participate in the work of the Committees dealing with the agenda items in which they have stated a special interest;

(b) to inform the organizations concerned that they may nominate one person only for each of the agenda items in respect of which their interest has been recognized.
Official Measures taken regarding Decisions of the International Conference

Ratifications of International Labour Conventions

Notice is hereby given that the Director-General of the International Labour Office has registered the below-mentioned ratifications of international labour Conventions. Pursuant to Article 20 of the Constitution of the International Labour Organization, particulars of these ratifications have been communicated to the Secretary-General of the United Nations Organization 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>
</tr>
</thead>
<tbody>
<tr>
<td>Chile</td>
<td>Workmen’s Compensation (Occupational Diseases) Convention (Revised) 1934 (No. 42)</td>
<td>14 October 1994</td>
<td>14 October 1995</td>
</tr>
<tr>
<td></td>
<td>Maternity Protection Convention (Revised), 1952 (No. 103)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Radiation Protection Convention, 1960 (No. 115)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Benzene Convention, 1971 (No. 136)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Workers with Family Responsibilities Convention, 1981 (No. 156)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Occupational Health Services Convention, 1985 (No. 161)</td>
<td>17 October 1994</td>
<td>17 October 1995</td>
</tr>
<tr>
<td></td>
<td>Health Protection and Medical Care (Seafarers) Convention, 1987 (No. 164)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Equal Remuneration Convention, 1951 (No. 100)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

1 Period covered: 1 October to 31 December 1994.
<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>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Vocational Rehabilitation and Employment, (Disabled Persons) Convention, 1983 (No. 159)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td>Sweden</td>
<td>Prevention of Major Industrial Accidents Convention, 1993 (No. 174)</td>
<td>21 December 1994</td>
<td>Twelve months after the date of registration of a second ratification</td>
</tr>
<tr>
<td>Viet Nam</td>
<td>Minimum Age (Industry) Convention, 1919 (No. 5)</td>
<td>3 October 1994</td>
<td>3 October 1995</td>
</tr>
<tr>
<td></td>
<td>Night Work of Young Persons (Industry) Convention, 1919 (No. 6)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Weekly Rest (Industry) Convention, 1921 (No. 14)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No. 27)</td>
<td>3 October 1994</td>
<td>3 October 1995</td>
</tr>
<tr>
<td></td>
<td>Underground Work (Women) Convention, 1935 (No. 45)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Final Articles Revision Convention, 1946 (No. 80)</td>
<td>3 October 1994</td>
<td>3 October 1994</td>
</tr>
<tr>
<td></td>
<td>Labour Inspection Convention, 1947 (No. 81)</td>
<td>3 October 1994</td>
<td>3 October 1994</td>
</tr>
<tr>
<td></td>
<td>Final Articles Revision Convention, 1964 (No. 116)</td>
<td>3 October 1994</td>
<td>3 October 1994</td>
</tr>
<tr>
<td></td>
<td>Hygiene (Commerce and Offices) Convention, 1964 (No. 120)</td>
<td>3 October 1994</td>
<td>3 October 1995</td>
</tr>
<tr>
<td></td>
<td>Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Occupational Safety and Health Convention, 1981 (No. 155)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

The Government has not yet indicated its position concerning the following ratifications, which were applicable to a part of its territory before the admission of the Socialist Republic of Viet Nam to the ILO: Conventions Nos. 13, 26, 29, 52, 89, 98, 111, 117, 118, 122.
Eighth African Regional Conference
(Mauritius, 19-26 January 1994)

CONCLUSIONS AND RESOLUTIONS ADOPTED

Conclusions concerning entrepreneurship and small enterprise development in urban and rural sectors

General considerations on small and micro-enterprise development

Importance of small and micro-enterprises to the socio-economic development of African countries

1. Small and micro-enterprises can make significant contributions to major socio-economic development in African countries. The Committee notes the views expressed in the Director-General’s Report on their contributions to employment generation in rural and urban areas; the slowing down of migration to urban areas; the creation of income-earning opportunities for vulnerable groups of society, such as women and youth; the improvement of the balance of payments; and more generally, the promotion of a truly indigenous enterprise sector.

Constraints faced by small and micro-enterprises

2. In spite of their importance, small and micro-enterprises face various constraints which prevent their growth, reduce their competitiveness, and more generally, do not allow them to contribute more to the achievement of important socio-economic objectives of African countries.

3. Small and micro-enterprises face great difficulties in securing loans from formal banking institutions required to modernize their production processes or secure sufficient working capital. They lack some of the technical, managerial and marketing skills that would allow them to improve productivity, the quality of their output, and to access more profitable markets. They often face great difficulties in securing appropriate premises. Consequently, they are ill-equipped to meet major challenges resulting from the globalization of the economy and trade liberalization.

4. In addition to the above constraints, in certain countries women entrepreneurs are particularly disadvantaged as a result of legal, social and cultural barriers which prevent them from establishing profitable enterprises. Very few women own or manage modern small and medium enterprises and are mostly restricted to operating precarious micro-enterprises with little growth potential.

5. These constraints are the results of many factors. The major ones include the lack, in some countries, of a truly entrepreneurial culture; the absence of an enabling business environment, a consequence of inappropriate policies and regulations which are often biased against small and micro-enterprises; inadequate infrastructure, such as roads, transport, power supply and telecommunications, especially in rural areas and small towns; and limited beneficial linkages with medium and large firms, such as subcontracting arrangements.
Structural adjustment programmes and small and micro-enterprise development

6. Many African countries have adopted structural adjustment programmes which have frequently had negative social effects on large groups of the population. Some countries have adopted measures to alleviate the negative effects of these programmes in order to mitigate their social costs. In this connection, the development of small and micro-enterprises could play a significant role.

Micro-enterprises in the informal sector

7. Since many micro-enterprises are found in the informal sector, maximum efforts should be made to promote their transformation into modern small enterprises, and to induce them to gradually join the formal economy. However, it should be recognized that a large majority of micro-entrepreneurs would not have the capacity, skills or motivation to become modern small entrepreneurs. Therefore, a two-pronged strategy should be adopted. First, measures should be taken to identify those micro-enterprises with the potential to grow into modern small enterprises and to provide them with the necessary financial and technical assistance required for this purpose. Secondly, it would be necessary to improve the earning and survival capacity of those micro-enterprises with no prospects for significant growth. Neglecting these latter enterprises would only result in more unemployment and other social ills.

8. In addition to this two-pronged strategy, it is hoped that the introduction of entrepreneurship and vocational training programmes at all levels, and the overall growth of the economy would gradually reduce the size of the informal sector while expanding modern formal enterprises.

Enabling policies for the promotion of small and micro-enterprises

9. Macroeconomic, financial, legal, trade, fiscal, infrastructural and other broad policies directly affect the growth and competitiveness of small and micro-enterprises. Many such policies are currently biased against these enterprises. Therefore, these policies should be reviewed and adjusted with a view to creating a truly enabling business environment in which all sizes of enterprises, including small and micro-enterprises, can prosper and flourish. Policies should be forward-looking, and should also take into consideration cultural, social and environmental aspects. Policies to improve the infrastructure, such as roads and communications, are particularly important for micro-enterprises located in rural areas.

10. The formulation and adoption of coherent and compatible policies should be the result of a truly participatory and consultative process involving all partners concerned: the government, employers' and workers' organizations.

11. In view of the above considerations, it would be desirable to establish a high-level body or other similar forum composed of representatives of concerned government agencies, employers' and workers' organizations, which would advise the government on the formulation, adoption and effective application of policies in favour of small and micro-enterprise development. The mandate, composition, functions and modus operandi of this body should be formulated through tripartite consultation with a view to ensuring its effectiveness and neutrality.

12. Fiscal, legal and other related policies should apply fairly to all types and sizes of enterprises. In the case of small and micro-enterprises, it would be desirable to simplify their application with a view to facilitating their graduation into formal enterprises.

The regulatory framework

13. Any necessary review of the regulatory framework should be carried out without compromising the basic principles of the international labour standards. In fact, the ultimate objective should be to induce all enterprises to apply fully all relevant regulations.
14. Registration of small and micro-enterprises should be encouraged through the simplification of procedures, the decentralization of registration and the reduction of the costs involved. Incentive schemes should be instituted and brought to the attention of small and micro-enterprises with a view to inducing them to register.

15. It is agreed that some of the regulatory functions, such as zoning regulations, could be more effectively applied by local authorities than the central government in view of their closeness to small and micro-enterprises. It is therefore desirable to identify such regulations and to transfer their application to relevant local authorities. However, in some cases, local authorities do not have the resources and/or skilled manpower for applying such regulations. Consequently, financial and other assistance from the central government should be provided in order to build up the capacity of local authorities to perform their regulatory role. The transfer of regulatory functions to local authorities should not result in the creation of additional bureaucratic constraints.

Financing small enterprises

16. The scarcity of financial resources was identified as one of the most serious obstacles for the further development of small and micro-enterprises. Many such enterprises are undercapitalized which prevents them from adopting new technological processes and developing markets and limits in general their growth and expansion.

17. Informal sources of finance provide an important part of the financial resources of small and micro-enterprises. However, these resources are not sufficient and terms of credit, particularly costs, are often prohibitive. Therefore access to formal financial resources has to be facilitated in view of the reticence of most banks to lend to the small-scale sector. With this in mind, appropriate policies should be developed to allow small and micro-enterprises easier access to short- and long-term credit.

18. Restrictive requirements for collateral should be eased and other supportive financial mechanisms such as credit guarantee schemes introduced. Experiences suggest that there are various ways in which the flow of capital and loans to small and micro-enterprises could be organized. In any case, the source of funds should be brought closer to the potential clients. Decentralization of banking institutions, the use of post office financial facilities, credit cooperatives, etc., could all be helpful in this respect. This would also help in reducing high transaction costs for credit. The setting up of special loan funds for small enterprises by organizations of employers and workers should be facilitated. Likewise commercial banks and governmental financial institutions should be encouraged to open special credit lines for micro and small enterprises.

19. Credit programmes should be closely linked to business plans so as to guarantee the financial soundness of loan applications. Linkages between technical, economic and financial programmes are likely to improve the creditworthiness of potential borrowers.

20. In view of the limited ability of African governments to finance large-scale credit programmes for small enterprise development, sustained efforts should be undertaken to mobilize local resources for funding individual and group enterprises. Credit unions and cooperatives provide an excellent means for this purpose.

21. The lack of international funding especially for small and micro-enterprises was deplored and international sources of funding are called upon to play their part in financing the development of this sector which contributes to the generation of employment and the creation of income.

Technical, marketing, training and other support services

22. Availability of a comprehensive range of support services can, together with an enabling environment and access to finance, play a vital role in facilitating the growth and upgrading of small and micro-enterprises. Such services should be aimed at improving enter-
prise productivity and product quality and include managerial, technical and vocational training, follow-up and extension services, appropriate facilities and services, and various types of information on markets, technology and raw materials. As a general rule these services should be provided in an integrated and coordinated manner, preferably through service providers which are able to establish close long-term working relations with clients in the small and micro-enterprise sectors.

23. Services should be highly practical, based on carefully identified client needs and adapted to the local socio-cultural situation. In this respect the following points should be observed:

(a) training in basic management skills can play an important role, particularly for younger entrepreneurs, and should include components on preparing feasibility studies and business plans both of which are important for access to sources of finance. Training should be designed to accommodate the entrepreneurs' constraints as much as possible in terms of timing and duration;

(b) extension services should be provided to support training programmes. In addition to advising client enterprises on practical ways to improve enterprise performance, productivity and product quality, such services should whenever possible be linked to measures to improve working conditions and employee welfare;

(c) entrepreneurial, technical and vocational skills are important to many small and micro-enterprises and existing institutions in these areas should be reviewed to ensure that programmes meet the specific needs of these enterprises;

(d) while it is recognized that small and particularly micro-enterprises will not always be able to pay the full price of services provided to them, enterprises should contribute to covering the costs and thereby promote sustainable services;

(e) in order to stem rural urban migration pressures, support services should be able to reach and meet the needs of entrepreneurs in rural areas.

24. Access to markets and inputs is often among the most serious constraints to small and micro-enterprise growth. The following strategies to alleviate this constraint were identified:

(a) small enterprises, employers' and workers' associations as well as governments can facilitate joint marketing of products and procurement of inputs for small-scale enterprises by a range of measures;

(b) governments should arrange national and regional trade shows, exhibitions and other marketing events and encourage the opening of foreign markets to small and micro-enterprise products.

25. Lack of suitable premises and inadequate infrastructure are major constraints to development and growth of the small and microenterprises. Industrial zones and common facilities centres have in a number of countries been found to be effective means of overcoming these constraints.

26. In addition to direct delivery of services through specialized organizations and institutions, the following important supplementary delivery mechanisms were identified:

(a) meaningful exchange of information, transfer of technology and skills often result from various subcontracting arrangements between larger and smaller enterprises. Such linkages should be actively encouraged by employers' organizations and through government incentive schemes;

(b) small-enterprise associations can play important roles in disseminating market, technology and other information among members, and can also facilitate transfer of learning and skills through, for example, newsletters;

(c) equipment manufacturers and suppliers can often provide important training and technical information to small enterprises. This role should be encouraged.
27. Women entrepreneurs in many African countries are faced with a host of socio-economic, legal and cultural constraints. General entrepreneurship programmes and services should therefore be supplemented by components and special programmes which meet the particular needs of women. Government services should support such programmes.

28. To optimize utilization of scarce resources for small-enterprise promotion, opportunities for regional cooperation in such areas as exchange of training materials and case-studies on successful programmes for support of small and micro-enterprises should be identified and appropriate networks established.

Institutional issues

29. Effective promotion of small and micro-enterprises requires coordinated action by the social partners:

(a) the formulation of policies and an appropriate regulatory framework is a complex task which should be undertaken by governments in close consultation with the other social partners and concerned financial institutions;

(b) at the level of direct support services to small and micro-enterprises (training, extension, marketing assistance and technology) the complementary role of government, the private sector and other relevant bodies in promoting an efficient service delivery system should be strengthened.

30. Coordination of the programmes implemented by various organizations involved in small and micro-enterprise promotion is necessary to ensure overall cost-effectiveness. In this respect a high-level tripartite small business council can play an important role. It was also suggested that, to simplify the coordination task, delivery of new programmes should, to the extent possible, be based on existing institutions rather than by establishing new ones.

31. In many countries employers' organizations are already involved in small enterprise development and training and should support the establishment of small enterprise associations which can be affiliated to them. Such associations can play a powerful advocacy role towards government and be a vehicle for delivery of support services and sharing of information among members. Workers' organizations have also been playing important roles in supporting the establishment of worker-owned cooperatives and enterprises from among their clientele, but have been constrained by the lack of resources. Both organizations should be strengthened so that they can play an even more effective role in this respect.

32. It is important to ensure that organizations providing services to small enterprises are close to their clients, understand their needs and tailor their programmes to meet these needs. For this reason, smaller provincial, regional and local enterprise development centres can be effective.

Regional and international cooperation

33. In view of the limited resources available to many African countries and the common problems faced by enterprises in these countries, ways and means should be explored to expand regional cooperation in the field of small and micro-enterprise development. Realistic and effective regional programmes should be developed to allow a full exchange of information and experiences, and the pooling of resources, in particular for R&D and training activities.

34. Employers' and workers' organizations and governments should collaborate in programmes supporting the development of small and micro-enterprises through exchange of personnel and organization of regional seminars, trade fairs and similar events. To the maximum extent possible, they should coordinate their policies in favour of enterprise development.

35. Regional organizations, whose main mandate is enterprise development, should lend their support to the establishment of effective small enterprise associations, and provide training and other services.
36. International financial institutions and technical assistance agencies should develop and strengthen their programmes in support of small and micro-enterprise development. In addition to expanding financial support for the benefit of enterprises, increased advisory services and technical assistance should be provided. In this respect, coordination of international assistance in this field should be strengthened.

The role of the ILO

37. The Committee appreciated the wide range of activities carried out by the ILO in the field of small and micro-enterprise development in Africa. However, given the substantial needs of African countries in building up the small enterprise sector, more resources should be devoted to this sector, and the ILO should expand and broaden its advisory services and technical assistance programme.

38. In order to improve the availability of skilled personnel required by small and micro-enterprises, the ILO should expand its activities relating to vocational, entrepreneurial and managerial training. This should include, among others, expanding the ongoing Improve Your Business programme to achieve wider geographical coverage and further development of training materials. The ILO should, furthermore, develop its entrepreneurship development programme through the introduction of material such as the ILO Start Your Business training package.

39. Particular attention should be paid to the effective training of trainers, with greater emphasis on more practice-oriented training approaches. Training programmes should preferably be organized in the African region for greater efficiency and cost-effectiveness. The particular training needs of women should be addressed through the development of special training programmes.

40. To improve the overall performance of small and micro-enterprises, the ILO should expand its programmes for productivity improvement, with special emphasis on product adaptation and development, quality improvement and strategic resources management. These programmes should be supported by research activities, and be implemented in coordination with other organizations such as UNDP, UNIDO and NGOs involved in small enterprise development. The requirements of specific sectors should be taken into account in elaborating the above programmes.

41. The tripartite constituency of the ILO should be fully involved in the planning and implementation of all these activities. In particular, all activities at the country level should benefit from the active participation of employers' and workers' organizations. Therefore, the ILO should make specific efforts to strengthen the capacity of these organizations to play an important role in this respect. Workers' organizations should be assisted in developing and implementing employment and income-generating schemes, such as workers' cooperatives and worker-owned enterprises. Similarly, the capacity of employers' organizations to provide services to existing and potential small-scale entrepreneurs should be developed through appropriate programmes.

Conclusions concerning ILO activities in Africa

1. The Conference draws attention to the persistence and severity of the economic crisis facing African countries and the major social problems it entails, such as the exacerbation of unemployment, underemployment, lack of social protection, poverty and inequality.

2. This crisis underscores the urgent need to accord priority in ILO programmes for Africa to employment creation, income generation and improved social protection, all of which have a direct impact on poverty alleviation.

3. The Conference welcomes the introduction of the Active Partnership Policy, and recognizes its potential to provide an appropriate response to the urgent needs and priorities of member States in the region through the new means of action and policies outlined in the
The report of the Director-General, and in particular the establishment of five multidisciplinary teams in the region. The teams are an integral part of the field structure in Africa, and will work in close cooperation with the Area Offices, under the supervision of the Regional Office. In addition to increasing the range of services provided to member States, the teams offer a valuable opportunity to increase the involvement of employers' and workers' organizations in the activities of the ILO. The teams should address the specific requirements of the subregions for which they are responsible through the utilization of a comprehensive range of specialized expertise at the disposal of the Office. The teams should in particular be regarded as the channel for major efforts aimed at:

(a) responding to the needs and priorities of member States and addressing the critical problems associated with the present crisis, including the adverse consequences of structural adjustment policies that have failed to take adequate account of employment and other concerns;
(b) promoting tripartism and the development of democratic values and preserving social harmony through the close involvement of the social partners in such matters;
(c) protecting and promoting trade union and other human rights, including the right to organize of employers and workers, through the observance of international labour standards;
(d) strengthening technical cooperation in pursuit of these objectives.

4. As a matter of priority, ILO technical cooperation programmes in Africa should be guided by the Conclusions adopted by the International Labour Conference in 1993, should be increased and should include:

(a) activities to create and strengthen national capacity to formulate appropriate policies and programmes for employment generation with the active involvement of the social partners;
(b) activities to support and strengthen labour administrations and other governmental institutions concerned with employment policies and planning;
(c) activities to support and strengthen employers' and workers' organizations;
(d) activities in pursuit of poverty-alleviation objectives, such as direct employment creation through:
   (i) employment-intensive special public works programmes associated with the improvement of infrastructure and creation of productive assets;
   (ii) the creation of increased opportunities for income generation in rural areas through productive endeavours in agricultural and non-farm activities which could help arrest the exodus of rural youth to urban areas in search of non-existent jobs;
   (iii) the promotion and development of small and medium-sized enterprises in such a way as to encourage the integration of informal enterprises into the formal sector;
   (iv) entertaining requests from governments, or from employers' or workers' organizations, in relation to labour legislation and practice in export processing zones with a view to ensuring that such legislation and practice are in conformity with ILO standards and principles;
   (v) support for cooperatives, especially as regards access to credit, marketing facilities and technical expertise, with the effective participation of workers' and employers' organizations in such institutions;
   (vi) the promotion of activities for women in entrepreneurship and employment;
(e) specific measures to counteract the trend of high and rising levels of unemployment and underemployment, such as:
   (i) continued and intensified dialogue with the Bretton Woods institutions to ensure that the structural adjustment programmes they advocate promote the social dimension, taking full account of the objectives of the ILO;
   (ii) the provision of technical advisory services to assist governments in the formulation of fiscal and other macroeconomic policies that are consistent with the protection of productive employment levels;
(f) a study of the social repercussions of the recent massive devaluation of the CFA franc and a tripartite meeting of the countries concerned to discuss appropriate measures to mitigate its social effects;

(g) assistance in the formulation of training policies and the strengthening of training institutions, with the involvement of the social partners, to support the proper development and efficient utilization of human resources; in particular:

(i) the ILO should promote the adoption of training programmes, training needs analyses and curricula that are relevant to the employment opportunities available, inter alia, so as to help prevent the exodus of skilled manpower, and to promote those areas in which employment opportunities are expanding, such as hotels and tourism;

(ii) the activities of the International Training Centre of the ILO, Turin, and other ILO regional institutions, such as ARLAC and CRADAT, should be expanded so as to include more cost-effective country-level programmes;

(iii) training provided by national institutions should be aimed at those sectors with the greatest employment potential and potential impact on the most vulnerable groups, such as women, young people, migrant workers and the disabled;

(iv) productivity should be enhanced through the training of managers, supervisors and workers;

(h) an increase in activities covering the Portuguese-speaking countries of Africa, especially with regard to international labour standards and training;

(i) material assistance, including the provision of equipment to labour administrations and to employers' and workers' organizations so as to strengthen their capacity to function effectively;

(j) efforts to promote tripartism, including training in collective bargaining and labour administration for governments and the social partners;

(k) assistance and guidance to encourage the ratification of the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and to facilitate the effective participation of the social partners at all levels of decision-making concerning labour issues;

(l) efforts to assist the process of democratization, including the development of appropriate industrial relations structures and practices in line with international labour standards, and advice on the revision of labour legislation, where appropriate, to ensure respect for the rights of employers' and workers' organizations;

(m) the provision of greater resources for workers' and employers' activities, in particular for the expansion of the workers' activities programme and programmes aimed at increasing the effectiveness of employers' organizations;

(n) the expansion of social protection through efforts to raise awareness of the need to eliminate child labour and to address problems in the field of occupational safety and health;

(o) activities to help governments and employers' and workers' organizations to raise awareness of the threat posed by the high incidence of HIV-AIDS and the danger it presents of decimating the workforce, based in particular on the ILO/WHO Joint Statement of 1986 and the publication containing guidelines on AIDS in the workplace.

5. The Conference pays tribute to the Director-General and commends him for his unrelenting efforts in favour of ILO constituents in Africa, and urges the Office to persevere in its work to assist Africa by allocating more resources in order to come to grips with the problems affecting the region.

International labour standards

6. The year 1994 marks the 50th anniversary of the Declaration of Philadelphia, and international labour standards remain the basis for all ILO activities.
7. In the African region, which faces unprecedented and serious economic and social difficulties and is involved in a process of democratization, international labour standards have an important role to play in ensuring a balance between economic growth and social progress.

8. International labour standards should constitute the guiding principles in the implementation of ILO programmes. Far from constituting an obstacle to economic development, they should serve as benchmarks and as an essential legal framework to ensure in particular the protection of the fundamental rights of workers and as a guarantee of improved living and working conditions.

9. In this regard the measures taken by the ILO to enhance the synergy between standards and technical cooperation are particularly welcome. The Active Partnership Policy and the multidisciplinary teams that are its outward expression make it possible to take concrete account in the field of economic requirements and of social rights.

10. In view of the problems raised by the structural adjustment policies advocated by the international financial institutions and adopted by many African States, international labour standards offer a basis for dialogue on the introduction of a social dimension in such policies.

11. Standards should be ratified by member States as confirmation of their attachment to the objectives of the Organization, which are expressed in the instruments it has adopted. Ratification, as a formal act, initiates the process whereby standards are applied and activates international and national supervisory procedures. Ratification of Conventions is not an end in itself, as the essential objective is the effective application of ILO standards and principles. Even where they are not ratified, international labour standards are a considerable source of inspiration for national legislation and practice.

12. The ILO's supervisory bodies should give particular attention to the problems raised by export processing zones and enterprises established in order to encourage economic development and whose creation could in some cases be accompanied by a reduction in levels of labour protection.

13. In view of the economic and social context described above and in the framework of the process of democratization, it is of paramount importance to promote the ratification and application of the Conventions that guarantee the freedom and independence of employers' and workers' organizations, in particular Conventions Nos. 87, 98 and 151, in order to enable them to perform their economic and social role.

14. It is also necessary to ensure the actual existence of tripartite consultation machinery to make possible the effective participation of employers' and workers' organizations in the promotion of ratification of international labour Conventions. For this purpose member States are urged to ratify the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144).

15. In many countries the new circumstances make it necessary to revise basic legislation, regulations and labour codes. Reference to international labour standards and recourse to ILO assistance for this purpose are a sure guarantee of the achievement of the aims of the Organization.

16. ILO assistance is also essential when the possibility of ratifying standards is examined. This helps surmount subsequent difficulties which may be encountered in their application. The ILO should pursue its activities in this area in the manner that has proved effective, by such means as direct contacts procedures, and should draw on the multidisciplinary teams to strengthen such activities. The conformity of national legislation with basic and fundamental international labour standards is essential to the achievement of ILO objectives. All ILO constituents should have access to ILO advisory services to this end.

17. In order to ensure that standards have a real impact at the national level and to promote improvements in their application, their content and the procedures they entail at all levels must be adequately understood by those at whom they are aimed.
18. For this reason it is necessary to encourage and to support training programmes on standards for ILO constituents so as to ensure that they understand, and appreciate the need to base themselves on, relevant standards in their activities and in industrial relations.

75th anniversary of the International Labour Organization and 50th anniversary of the Declaration of Philadelphia

19. African member States should set up tripartite ad hoc committees at the national level to celebrate the 75th anniversary of the International Labour Organization and the 50th anniversary of the Declaration of Philadelphia through nationwide events, such as the issue of commemorative stamps and coins and the holding of meetings and seminars to promote the objectives of the ILO.

Resolutions adopted by the Eighth African Regional Conference

Resolution concerning ILO technical cooperation in Africa

The Eighth African Regional Conference of the International Labour Organization,
Meeting in Mauritius from 19 to 26 January 1994,
Recalling the resolution adopted by the International Labour Conference at its 80th Session (1993) concerning the role of the ILO in technical cooperation and the resolution adopted at its 79th Session (1992) concerning the role of enterprises in employment growth and the creation of full, productive and freely chosen employment,
Recalling the resolution concerning respect for human rights and fundamental freedoms adopted by the Seventh African Regional Conference of the ILO, held in Harare, Zimbabwe, from 19 November to 7 December 1988,
Recalling the conclusions adopted by the same Conference,
Noting the new modalities of multilateral technical cooperation and their impact on ILO activities as reflected in the Report of the Director-General of the ILO to the 80th Session (1993) of the International Labour Conference entitled The role of the ILO in technical cooperation,
Convinced that technical cooperation is an indispensable instrument to help the ILO’s tripartite constituents, in each member State, in their efforts to promote the objectives and principles of the ILO,
Reaffirming the importance and relevance of the document, noted by the 252nd Session (March 1992) of the Governing Body, concerning international labour standards and technical cooperation,
Recognizing the importance of providing member States with services to meet the requirements of the social consequences of the process of structural adjustment and privatization,
Convinced that there is a constant need to reinforce the representativeness and the means of action of the social partners in order to promote social dialogue,
Considering that the setting up of national consultative mechanisms is useful to associate the tripartite constituents more efficiently with the technical cooperation activities of the ILO for the selection of national priorities,
Convinced of the relevance of the new active partnership policy implemented by the ILO through the setting up of the multidisciplinary teams,
Fully aware that, in the context of the globalization of the world economy, the competitiveness of enterprises and economies requires that the ILO develop technical cooperation programmes so as to enhance training, productivity, development of small and medium enterprises and working conditions,
Stressing the need to provide technical assistance to governments and employers’ and workers’ organizations to sustain their full contribution to the policies aiming at creating productive employment;

1. Requests the Governing Body of the International Labour Office to invite the African States Members of the International Labour Organization:
(a) to urge that increased bilateral and multilateral resources be made available to the ILO for the execution of technical cooperation projects in Africa;

(b) to promote the participation of employers' and workers' organizations in the decision-making process of economic and social development, by facilitating to the largest possible extent their access to UNDP, multilateral and other donor resources in the framework of the national execution of projects.

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

(a) to ensure that the resources allocated to technical cooperation are maintained at a sufficient level and are assigned to the priorities established by the 80th Session of the International Labour Conference, in order to promote in particular tripartism and the growth of productive employment through the development of enterprises;

(b) to consider how to associate, in the most concrete and effective manner, employers' and workers' organizations in future ILO programmes of technical cooperation and to submit to the Governing Body a paper on the result of this investigation.

Resolution concerning structural adjustment and development in Africa

The Eighth African Regional Conference of the International Labour Organization, Meeting in Mauritius from 19 to 26 January 1994,

Recalling that 1994 marks the 50th anniversary of the Declaration of Philadelphia, and its statement that effective international and national action, including measures to promote the economic and social advancement of the less developed regions of the world, can help secure its objectives,

Recalling the resolution concerning economic development and social progress in Africa, adopted by the Seventh African Regional Conference of the ILO,

Recalling also the resolution concerning social protection and the alleviation of unemployment and poverty, and the social dimension of structural adjustment and transition to a market economy, adopted at the 80th Session (1993) of the International Labour Conference,

Acknowledging the major efforts that have been made by African countries to overcome structural weaknesses and to launch their economies on paths of sustainable economic and social development,

Recognizing that African countries have primary responsibility for ensuring the conditions for their economic and social development and that these must include good governance, full respect of democratic freedoms, and trade union and other human rights, and a commitment to the practice of tripartism,

Underlining the responsibility of the international community to support those efforts, and to provide the external environment which offers them the possibility of success,

Noting that a clear majority of African countries are implementing, or in the process of negotiating, structural adjustment programmes with the international financial institutions,

Alarmed that, despite these initiatives, living and working conditions in Africa are continuing to deteriorate; per capita incomes are below 1970 levels and on current projections poverty will grow by 50 per cent between 1985 and the year 2000,

Deeply concerned that structural adjustment programmes have exacerbated these trends and imposed unnecessary suffering on African people,

Convinced therefore of the need to review such programmes in order to ensure that they lead to growth, improved living standards and provide adequate protection for those who are affected by them,

Stressing the need for urgent action to reduce decisively Africa's increasing burden of debt repayment;

1. Invites, through the Governing Body, the African member States of the International Labour Organization:

213
(a) to recommit themselves to full respect of trade union and other rights relating to the human person;
(b) to undertake full tripartite consultation in the formulation and implementation of economic and social policy, including structural adjustment programmes;
(c) to give particular attention to the needs of the most disadvantaged and vulnerable groups;
(d) to integrate programmes for rural development into economic and social policy with a view to promoting balanced development and diversification of production, and reducing the pressure of uncontrolled internal rural-to-urban migration;
(e) to promote the role and status of women, particularly through the removal of any legal discrimination to which they may remain subject, and through fair valuation of the work they perform;
(f) to make any decisions concerning privatization on the basis of an objective assessment of the benefits of all options to all sectors of society and, to that end, consult with employers' and workers' organizations;
(g) to assess carefully the environmental impact of policy decisions in order to safeguard the sustainability of development programmes;
(h) to ensure that public expenditure is used to meet real social needs, and in particular to redirect military spending to priority areas, including human resources and infrastructure development;
(i) to work together in the promotion of regional cooperation and integration, incorporating social charters guaranteeing basic workers’ rights.

2. Invites, through the Governing Body, all other ILO member States to provide full support to African countries’ efforts to overcome the current crisis and to embark upon just and sustainable development paths, including by:
(a) writing off or substantially reducing the external debt owed by African governments which respect trade union and other rights relating to the human person and which are unable to repay such debts;
(b) meeting the UN target of 0.7 per cent of GDP for development assistance, carefully targeted at priorities including education and health care;
(c) allowing access for African exports to their markets in the framework of an open trading system in which a fair price is paid for African products, and in particular raw materials.

3. Requests the Governing Body of the International Labour Office to instruct the Director-General:
(a) to intensify efforts to institutionalize ILO inputs in the formulation of structural adjustment policies and to influence the policies of the International Monetary Fund and World Bank so that they take full account of the need for equity and the social dimension in adjustment;
(b) to ensure that full advantage is taken of the opportunities offered by the new policy of active partnership and by the multidisciplinary teams based in Africa to maximize the effectiveness of technical cooperation in promoting the tripartite cooperation necessary to meet the challenge of development. These teams should adopt a field approach in dealing with structural adjustment problems in Africa;
(c) to ensure that the specific needs and circumstances of the African continent are taken fully into account by the ILO in pursuit of its constitutional obligation to examine all international economic and financial policies in the light of their contribution to the attainment of human dignity, freedom and social justice.

Resolution concerning South Africa

The Eighth African Regional Conference of the International Labour Organization, Meeting in Mauritius from 19 to 26 January 1994,
Welcoming the major positive developments in the process of transition to a democratic, non-racial South Africa, notably the setting up of the Transitional Executive Council, and the scheduling of democratic elections on 27 April 1994,

Noting that this progress led, after the de jure end of apartheid, to the lifting of United Nations sanctions against South Africa, at the request of representative leaders of the majority population of South Africa,

Noting further the decision taken by the ILO Governing Body at its 258th Session (November 1993) to suspend the Declaration concerning Action against Apartheid in order to allow the implementation of a plan of action for the reconstruction and development of South Africa and the provision of assistance on voter education,

Recognizing the magnitude of the task of educating potential voters, in the forthcoming elections, of whom 78 per cent have never voted in an election before, and about 40 per cent experience basic literacy problems,

Alarmed by the persistence of political violence which threatens the process of transition,
Expressing deep concern in this regard at the attitudes and actions of extremist groups whose aim is to disrupt the democratization process and preserve the apartheid system,

Paying tribute to the historic role of the ILO and its constituents in the long struggle for the abolition of apartheid,

Underlining the urgent need to redirect ILO activities to the formulation and implementation of a comprehensive plan of action for a democratic non-racial South Africa, in order to assist it in the elimination of the social and economic legacy of apartheid and the construction of a just society,

Convinced therefore of the need for the international community to be fully engaged in the monitoring of violence and of the election process, and in the transition from sanctions to the promotion of the democratic transformation and development of South Africa;

1. Invites the Governing Body of the International Labour Office to call upon the governments and, as appropriate, employers' and workers' organizations of all member States:
   (a) to continue to support, through all possible means, the process of transition to a democratic and non-racial South Africa and the final abolition of apartheid and its consequences;
   (b) to cooperate with the ILO in the formulation and implementation of a plan of action aimed at correcting the entrenched socio-economic inequality and injustice that is the legacy of apartheid;
   (c) to adhere to the principles laid down in the ILO Tripartite Declaration on Multinational Enterprises and Social Policy when investing in South Africa.

2. Invites the Governing Body of the ILO to instruct the Director-General:
   (a) to report to the 1994 Session of the International Labour Conference on political and labour developments in South Africa and on progress in ILO action against apartheid as a basis for the Conference Committee to review the ILO Declaration concerning Action against Apartheid;
   (b) to promote active follow-up to the recommendations of the 1992 report of the Fact-Finding and Conciliation Commission on Freedom of Association, so that all South African workers, including those currently falling under repressive Bantustan legislation, are able to exercise trade union rights fully and freely;
   (c) to proceed as a matter of priority with the formulation and implementation of an ILO Plan of Action for South Africa, in cooperation with all relevant and appropriate institutions;
   (d) to give particular attention, in this regard, to the development of effective tripartite machinery, of strong, free, and non-racial workers' and employers' organizations, and of legislation that conforms fully to international labour standards;
   (e) to take steps to promote informed participation in the elections on 27 April 1994 to assist in ensuring that they are free and fair.
Resolution concerning the devaluation of the CFA franc

The Eighth African Regional Conference of the International Labour Organization,
Meeting in Mauritius from 19 to 26 January 1994,
Guided by the mandate of the ILO to promote social justice and the improvement of living and working conditions everywhere,
Undertaking the specific responsibility of the ILO to ensure the social dimension in programmes of structural adjustment and to promote effective tripartite consultation in their formulation and implementation,
Expressing, therefore, deep concern at the 50 per cent devaluation of the CFA franc, decided upon at Dakar on 12 January 1994,
Deploring the lack of preparation and the manner in which the devaluation was decided upon,
Expressing alarm at the dramatic effects of the devaluation on the living standards of the population including millions of workers and their families, many of whom have already suffered severe cuts in their real income and purchasing power;

1. Calls, through the Governing Body, on the member States affected to undertake urgent tripartite consultations on how to cope with the negative consequences of the devaluation.

2. Invites the Governing Body of the International Labour Office to instruct the Director-General:
   (a) to ensure that the ILO takes a leading role in the formulation and implementation of accompanying measures to mitigate the negative social effects of the devaluation;
   (b) to convene to this end, at the earliest opportunity, a tripartite meeting of the CFA countries to discuss appropriate measures at national and international level.

Resolution on promoting the advance of democracy in Africa

The Eighth African Regional Conference of the International Labour Organization,
Meeting in Mauritius from 19 to 26 January 1994,
Recalling that 1994 marks the 50th anniversary of the Declaration of Philadelphia which states that “all human beings, irrespective of race, creed or sex, have the right to pursue their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity”,
Recognizing that the full exercise of democratic freedoms is both an inalienable human right and a necessary precondition for just and sustainable economic and social development and lasting peace,
Acknowledging that serious denials of such freedoms, including trade union rights, have been serious obstacles to development in Africa,
Welcoming the process of democratic change in Africa in the period since the Seventh African Regional Conference, which has brought freely elected governments to power in many countries,
Welcoming also the decision to make promoting the advance of democracy one of the three priority objectives of the ILO Programme and Budget for 1994-95,
Concerned that democratization remains fragile and uncertain in many countries, faces significant opposition in some cases and is endangered by the severe and deteriorating social and economic conditions prevailing in much of the continent, which are exacerbated by the negative effects of structural adjustment programmes,
Alarmed that the extent and intensity of civil conflict makes the exercise of basic human rights impossible in a number of countries,
Convinced that genuine democratic transformation requires the establishment of effective mechanisms for popular participation, and particularly of tripartite institutions involving free, independent and representative workers’ and employers’ organizations as well as governments;
1. Invites, through the Governing Body, the African member States of the International Labour Organization:
   (a) to recommit themselves to the full respect of democratic freedoms and human rights, including trade union rights;
   (b) to keep labour legislation and practice under close scrutiny, with a view to introducing whatever changes may be needed to ensure full conformity with international labour standards concerning freedom of association and to promote positive industrial relations systems which are necessary for the consolidation of participatory democracy;
   (c) to combat all forms of discrimination in employment on the basis of sex, race, colour, religion, nationality, political opinion, or ethnic origin;
   (d) to develop permanent mechanisms for tripartite cooperation as a key element of popular participation in democratic life;
   (e) to take all opportunities to promote positive change in countries where full democracy is not yet established, and peaceful settlements in those afflicted by violent civil conflict.

2. Invites the Governing Body of the International Labour Office to request the Director-General:
   (a) to ensure that appropriate and adequate technical cooperation and advisory services are provided to African countries in conformity with the Organization’s priority objective of promoting the advance of democracy;
   (b) to pay special attention, in this regard, to activities to strengthen independent workers’ and employers’ organizations and their capacity to participate effectively in democratic processes, and to promote tripartism and social dialogue;
   (c) to allocate the resources necessary to ensure that the ILO is able to meet its constitutional responsibility to prove assistance in the framing of labour laws and regulations;
   (d) to undertake an evaluation of the contribution of ILO activities to the advancement of democracy in Africa, for presentation to the Ninth African Regional Conference.
CONCLUSIONS, RESOLUTIONS AND CLASSIFICATION ADOPTED

Conclusions (No. 106) concerning the consequences of structural adjustment for employment, training, further training and retraining in the metal trades

The Metal Trades Committee of the International Labour Organization,
Having met in Geneva, in its Thirteenth Session, from 12 to 20 January 1994,
Recalling the Paid Educational Leave Convention, 1974 (No. 140), the Human Resources Development Convention, 1975 (No. 142) and Recommendation, 1975 (No. 150),
Noting the serious reservations that the Employers have against Convention No. 140;
Adopts this twentieth day of January 1994 the following conclusions:

General

1. The metal trades industries are extremely important to the economies of many countries. The problems of unemployment and inflation have an adverse effect on the metal trades, particularly in the light of increasing globalization. Some countries experience at the same time economic growth, expansion in production and a decline in employment. Concerted tripartite action is necessary to ensure that the long-term interests of employers and workers are met. A global approach, using the ILO standards as a reference point, is necessary to ensure viable enterprises that are competitive, cost-effective and productive, thus ensuring the survival and growth of the enterprises and employment for workers.

2. Governments, employers and workers’ organizations should recognize the additional difficulties of training and adjustment faced by women in the metal trades and the difficulties women may have to develop career prospects and cope with their dual responsibilities at work and at home. The parties should make special efforts to address these inequities and promote full equality of chances and treatment with the means at their disposal, i.e. collective bargaining and any other means in accordance with national law and practice.

Technical and organizational change

3. Competition, particularly at the international level, is intense and increasing. Rapid changes in markets are placing great stress on enterprises and their employees. Technological change is accelerating and new products, as well as new and often more productive organizational methods, are continually being developed. These changes often lead to the loss of existing jobs, consolidation of some existing jobs, and they often create new jobs with new skill requirements. However, the new jobs created are not necessarily in the same enterprises or countries where the job losses have occurred, and are not necessarily in the same numbers as the loss of existing jobs.

4. In order for enterprises to adjust to structural change they must remain competitive. To adjust to technological and organizational change, one precondition is that enterprises have a well-educated, well-trained and hence flexible workforce. To achieve this, employees at all levels should be included in appropriate training schemes, and the concept of lifelong learning should become commonly accepted.

1 Adopted unanimously.
5. Technological change can have profound effects on employment and productivity. It can equally affect work organization with consequential effects on training and career development. Whilst recognizing the responsibility of employers in implementing change, it should have the cooperation of the workers and their representatives who can optimize the benefits of change. They should, therefore, be involved at an early stage in its introduction.

6. In order to respond effectively to these changes it will require training flexibility. Achieving such flexibility necessitates broad basic training, which should include an understanding of modern technology, followed by thorough training in selected skills and periodic training in specialized methods and practices.

**Employment and structural change**

7. Employment difficulties are being experienced throughout the metal trades. Stable employment through the application of effective employment policies should be an objective in all countries. The new concepts that are being introduced to cope with employment and structural change in many enterprises in the metal trades entail greater flexibility. Skill development is becoming more widely accepted and the acquisition of skills through continuous training is acknowledged to be essential to the management of change.

8. Employment policies and practices should reflect the realities of the marketplace. Enterprises should make every effort to safeguard the interests of their workers, including job security. Redundancies should be avoided and only be the very last option. All training opportunities should be utilized to facilitate redeployment in the job market. Active labour market policies, formulated by the State in cooperation with employers' and workers' organizations, should play an important role in this regard.

9. Training should be seen as an investment in the future of workers and the enterprise and as a normal part of working life. Training policies should be capable of rapid adaptation so as to enable those responsible for training to respond to external changes. At the same time, they should be based on the best estimates of future skill needs and be delivered in appropriate ways to ensure high quality of training.

10. The parties should be prepared to implement changes and to undertake training and retraining as required in order to increase skill levels and flexibility. Arrangements concerning the timing and provision of training opportunities may be determined by collective bargaining or by legislation or by any other manner according to national law and practice.

11. Governments at various levels should accept the primary responsibility for the training and retraining of those who are unemployed and should, according to national law and practice, assist in the retraining of employees whose jobs are at risk. Training and retraining for possible redeployment should be given in the skill areas which offer the best possibilities of employment.

**Training systems**

12. The importance of basic education should be strongly emphasized. Initial training, further training and retraining will not be fully effective if basic education does not give the basis for subsequent learning.

13. Cooperation between governments, workers, employers and in consultation with education providers should be ensured so that entry-level training matches the needs of the metal trades enterprises. Entry-level training should be a mix of theoretical and practical work, using in-plant enterprise resources and external centres as appropriate. Entry-level training should be broad enough to provide a firm basis for future training.

14. Greater efforts should be made to influence societal attitudes towards encouraging young people to opt for technical and technological training suitable for entry into the metal trades above all by providing regular information to the young people, their families and the teachers.

15. While the provision of further training required by the enterprise is the responsibility of the enterprise, it is also in the interests of employees. It should, therefore, be developed and
implemented in conjunction with workers and workers' representatives and/or their organizations and in consultation with local educational institutions where appropriate. Further training is in the interests of employers and employees and should lead to additional and new skills. All employees should have access to appropriate further training as part of lifelong learning.

16. The financing of further training required by the enterprise should primarily be the responsibility of employers. However, other financing arrangements may be possible. The social partners should explore examples of joint employer/worker representatives' or organizations' cooperation in the organization of training programmes and examples of such training being financed by fiscal instruments to gauge their applicability.

17. Training for redeployment should be primarily a matter for governments at appropriate levels, particularly when the training is for unemployed persons. Such training should form part of national employment and training policies and should be accompanied by other active labour market policies designed to stimulate employment. Training provided under such schemes should be flexible, capable of rapid organization and diversified; it should be nationally and, where suitable, internationally recognized and accredited so that skill standards of those seeking redeployment are known. The calibre and usefulness of training should be evaluated on an ongoing basis.

18. Training systems concentrating on long- and short-term training needs are based on training strategies which are derived from training policies. Long-term training should: concentrate on basic skills; enable workers to perform different jobs and tasks; and lead to wide-ranging skills. In contrast, short-term training is needs-oriented and should be aimed at the quick acquisition of immediate skill needs. Long-term training should provide the basis for lifelong learning and should be based on forecasts of future personnel and skill requirements. Long-term training should form the cornerstone of training policy, with resources for short-term training being assured (mainly through on-the-job training).

19. Close links should be established between education and training institutions and workers' representatives and management in the metal trades so that the requirements of basic education can be understood by all concerned. Such links should also facilitate the effective promotion and explanation of the metal trades in schools and to school-leavers.

20. Governments, employers and workers' representatives should, where appropriate, cooperate in drawing up training legislation which allows for the needs of the metal trades. They also should cooperate in producing agreed curricula, including safety, health and environmental considerations, for training connected with the metal trades. Employers' and workers' organizations should ensure that training plans and regulations at all levels satisfy the needs of the industry, as well as of the employees. Flexibility in training delivery should be made the norm. Governments should initiate labour market policies which encourage employment.

Training needs

21. Apprenticeship and entry-level training provide for training for basic trades which are similar in all the sectors. Specific needs will vary across the subsectors and the training needs thus generated can be accommodated through further training and retraining programmes.

22. Small companies form a large part of total metal trades enterprises. The worker competencies in small firms should be the same as those found in large firms, but lack of training facilities in small firms is often a drawback to the achievement of such competencies. The exception may be entry-level training, particularly of apprentices where small firms often train significant numbers. Small firms should, therefore, seek appropriate means to obtain the required resources, possibly through local vocational training centres, or group training centres, or sector-specialized training networks, or cooperation with large enterprises. Such arrangements should provide the facilities, teachers and training programmes for which user companies pay.

23. The informal sector in the metal trades is particularly significant in developing countries. Training and other programmes designed for the informal sector in these countries should have as a basic goal the progressive integration of this sector into the formal sector.
Role of the ILO

24. Helping countries, especially developing countries and countries in transition, to adapt to structural adjustment is a significant area for ILO action. The ILO should: monitor developments in enterprises in the metal trades in member States and their adjustments to the consequences of structural change; continue to collect, disseminate and provide relevant information and data concerning vocational training as well as forecasts on development of jobs in the metal trades; and encourage member States to strengthen vocational training by emphasizing its necessity and importance in the metal trades. The ILO should continue to provide its technical assistance to developing countries in the area of training, especially to develop, upgrade and modernize vocational training programmes and training infrastructure.

25. The ILO should continue to promote the ratification of labour standards as defined in its Conventions and Recommendations, particularly those promoting training.

26. The ILO should analyse existing training systems and obtain viewpoints concerning training regulations and funding sources and should determine criteria for and carry out cost-benefit analysis of training introduced as a result of structural adjustment.

27. The ILO should promote the exchange of experience between developed and developing countries with economies in transition. As far as possible, such experience exchange should take place on the spot and by practical demonstrations and through the provision of a “benchmarking” service based on best training practice, as well as collecting evaluations of training systems.

28. The ILO should on request develop training programmes appropriate to the development of the metal industries in developing countries and countries in transition, with suggestions as to the ways and means of making these programmes work, particularly as to how such training programmes could be financed by the countries concerned.

29. The ILO should analyse the problems of enterprises undergoing conversion from state to private enterprises.

30. The ILO, in conjunction with other UN specialized agencies, should give special attention to industrial environment issues in structural change, particularly the training for workers’ representatives dealing with safety, health and the environment.

Resolution (No. 107) concerning working time arrangements in the metal trades

The Metal Trades Committee of the International Labour Organization,
Having met in Geneva, in its Thirteenth Session, from 12 to 20 January 1994,
Considering that shorter working hours has been a continuous objective of the Workers’ group of the Metal Trades Committee,
Considering that working time arrangements is a key issue in collective bargaining and in particular in coping with technological changes and safeguarding jobs,
Considering that legal provisions on working time should be based upon tripartite dialogue,
Considering that genuine negotiations on working time arrangements facilitate structural changes in the metal trades on socially responsible terms;
Adopts this twentieth day of January 1994 the following resolution:
The Metal Trades Committee invites the Governing Body of the International Labour Office:
(1) to appeal to governments, employers’ and workers’ organizations to be guided by the spirit of established principles agreed by the Metal Trades Committee;

---

1 Adopted unanimously.
(2) to request the Director-General of the International Labour Office to study different forms of working time arrangements, i.e. work-sharing, flexible time schedule, training and retraining, introduced at the enterprise level, the industrial level and as part of a new labour market policy and to present this study for an in-depth discussion at the next session of the Metal Trades Committee.

Resolution (No. 108) concerning job promotion and job creation in relation to the conversion of the armaments industry

The Metal Trades Committee of the International Labour Organization, Having met in Geneva, in its Thirteenth Session, from 12 to 20 January 1994, Pointing out that unemployment risks becoming a permanent feature of our societies, Considering that the end of the cold war and the consequent cuts in defence budgets have led to a continuing decline in employment in the armaments industries, without equal job opportunities being created, Paying tribute to the work that the ILO has undertaken in this area in the past; Adopts this twentieth day of January 1994 the following resolution:

The Metal Trades Committee invites the Governing Body of the International Labour Office:

(1) to appeal to governments to:
   (a) use all fiscal and other economic instruments, by encouraging investment in the economy as a whole and the metal manufacturing industry in particular, to resolve the employment crisis;
   (b) exhaust all the possibilities of international coordination and cooperation to make job creation a global priority;
   (c) encourage by economic policies and specific conversion projects a smooth transition from the production of armaments to civil production;

(2) to request the Director-General of the ILO to:
   (a) undertake a survey of measures taken or planned in the field of job promotion in the metal trades to enable governments, employers' and workers' organizations to benefit from experience and adopt the best possible practices;
   (b) provide the necessary expertise and technical assistance within its mandate to conversion projects undertaken or planned in member States.

Resolution (No. 109) concerning multinational enterprises, the globalization of the metal trades and trade union rights

The Metal Trades Committee of the International Labour Organization, Having met in Geneva, in its Thirteenth Session, from 12 to 20 January 1994, Noting that globalization of the metal trades continues to grow rapidly, led by multinational enterprises, resulting in new production methods and new styles of human resource management, Considering that human and trade union rights should be fostered in a global and free market economy, Pointing out that multinational enterprises are now establishing themselves in Eastern and Central Europe and, increasingly, in newly industrializing countries; Adopts this twentieth day of January 1994 the following resolution:

The Metal Trades Committee invites the Governing Body of the International Labour Office:

(1) to renew its appeal for the promotion of the Tripartite Declaration concerning Multinational Enterprises and Social Policy with special reference to paragraphs 1, 7, 8,
11, 26, 46 and 47 as well as resolution (No. 103) concerning multinational enterprises in the metal trades, adopted at its Twelfth Session;

(2) to take into consideration the Tripartite Declaration concerning Multinational Enterprises and Social Policy when elaborating its position to the UN Social Summit of 1995;

(3) to request the Director-General of the ILO:
(a) to increase the ILO's influence on all the work of the United Nations and other relevant international organizations concerning social and labour issues;
(b) to continue to follow up requests for action expressed in resolution No. 103 and in particular to proceed with the study on the impact of intra-firm trade within the metal trades and its impact on employment.

Resolution (No. 110) concerning women workers in the metal trades

The Metal Trades Committee of the International Labour Organization,
Having met in Geneva, in its Thirteenth Session, from 12 to 20 January 1994,
Noting the role of women in the workforce of the metal industry,
Noting the difficulties women may have to develop career prospects and cope with their dual responsibilities at work and at home,
Noting that society in general imposes a special burden on women,
Noting that in some countries women workers are among those who are least trained and lowest paid, and have least security of employment, including in the metal trades,
Recalling that Conventions and Recommendations of the International Labour Organization lay down principles to promote equality of opportunity and treatment of women and concerning the employment of women,
Noting specifically the Equal Remuneration Convention, 1951 (No. 100), the Discrimination in Employment Convention, 1958 (No. 111), and the Workers with Family Responsibilities Convention, 1981 (No. 156);
Adopts this twentieth day of January 1994 the following resolution:
The Metal Trades Committee invites the Governing Body of the International Labour Office:
(1) to request governments, employers' and workers' organizations to recognize the special position of women workers in the metal trades at a time of high unemployment and economic difficulties;
(2) to request the Director-General of the International Labour Office:
(a) to study new ways and means to promote equal access to employment and training, equal pay for work of equal value, the elimination of discriminatory payment systems based on gender, as well as professional and job discriminations;
(b) to continue paying specific attention to the working conditions and the needs of working women in developing countries;
(3) to request member States to ensure that legislation concerning equality of opportunity and treatment of women and concerning the employment of women meets the above-mentioned standards.

Resolution (No. 111) concerning future ILO activities in the metal trades and the agenda of the Fourteenth Session of the Metal Trades Committee

The Metal Trades Committee of the International Labour Organization,
Having met in Geneva, in its Thirteenth Session, from 12 to 20 January 1994,
Noting the importance of labour market arrangements that will allow employers and worker representatives to react rapidly to change,

1 Adopted unanimously.
Considering the growth of unemployment and the continuing threat of job losses arising from economic recession and in some cases restructuring, in the metal trades,

Considering that these negative trends have contributed to the United Nations' call for a world social summit meeting in 1995,

Considering the need to encourage and develop tripartism, negotiating structures and collective bargaining in the metal trades, particularly in the countries in transition,

Considering the need to encourage collective bargaining, according to the Right to Organize and Collective Bargaining Convention, 1949 (No. 98), and the Collective Bargaining Convention, 1981 (No. 154),

Considering that the future work of the ILO in safety and health and industrial environment issues in the metal trades should continue to play a significant role,

Regretting that the Office has not undertaken a study on absenteeism as unanimously requested by the Eleventh and Twelfth Sessions of the Metal Trades Committee,

Regretting also that the study on the specific problems of the electrical and electronics workers has not been undertaken as was requested by the Metal Trades Committee at its last session,

Considering the need for ILO technical cooperation specific to the metal trades, mainly in developing countries and countries in transition, in particular technical advice for employers' and workers' organizations in the promotion of tripartism;

Adopts this twentieth day of January 1994 the following resolution:

The Metal Trades Committee invites the Governing Body of the International Labour Office:

(1) to reflect on the possibilities for more frequent meetings and follow-up activities;

(2) to consider the following subject as the technical item of the next session of the Metal Trades Committee: “The impact of flexible labour market arrangements and collective bargaining in the metal trades”;

(3) to appeal to governments to ensure full application of appropriate safety and health standards on construction, maintenance and repair of offshore installations and on ship breaking operations;

(4) to request the Director-General of the International Labour Office:

(a) to study absenteeism and its social and economic costs in the metal trades;

(b) to study the specific problems of the electrical and electronics workers;

(c) to keep an eye on new potential health, safety and industrial environmental hazards and their consequences in the metal trades arising from technical change and encourage the search for new preventive measures;

(d) to implement the provisions in resolution No. 100 of the Metal Trades Committee which call employers to follow up the application of the ILO Code of Practice on Safety and Health in the Construction of Fixed Offshore Installations in the Petroleum Industry;

(e) to develop technical cooperation specific to the metal trades, mainly in developing countries and countries in transition.

Classification of the conclusions and resolutions adopted by the Metal Trades Committee at its previous sessions

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

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

13 Resolution concerning unemployment insurance and social security (First Session, 1946). [6]

1 Adopted unanimously
2 The following texts are outdated, superseded or implemented and are eliminated from the classification: 1-12, 14-44, 46-48, 50-63, 65-70, 73-76, 78-81, 84, 85, 87, 88, 91-93, 95, 96 and 99.
Group B: Conclusions and resolutions, or parts thereof, which, for the time being, would not appear to call for further information

45 Memorandum concerning the regularization of production and employment at a high level in the metal trades (Fifth Session, 1954). [6]

49 Resolution concerning automation in the metal trades (Sixth Session, 1957). [7]

56 Conclusions concerning working conditions and safety in shipbuilding and ship repairing in the metal trades (paragraphs 1-32) (Seventh Session, 1962). [8]

57 Resolution concerning tripartite action regarding vocational training in the metal trades (clauses (a) and (b)) (Seventh Session, 1962). [8]

63 Conclusions concerning international cooperation in dealing with manpower, social and labour problems in the metal trades in the developing countries (paragraphs 1-28) (Eighth Session, 1965). [9]

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

55 Conclusions concerning the acceleration of technological progress and its influence on the effective utilization of manpower and the improvement of workers' income in the metal trades (except paragraphs 6 and 32) (Seventh Session, 1962). [8]

64 Conclusions concerning the role of employers' and workers' organizations in programming and planning in the metal trades (Eighth Session, 1965). [9]

71 Conclusions concerning problems of adjustment and income maintenance arising from structural change in economic fluctuations in the metal trades (except paragraph 5) (Ninth Session, 1971). [10]

72 Conclusions concerning training at different levels in the metal trades, with particular reference to developing countries (paragraphs 1-28) (Ninth Session, 1971). [10]


83 Conclusions concerning the employment consequences of scientific, technological and structural developments in the metal trades of industrialized and developing countries (Tenth Session, 1977). [11]

89 Conclusions concerning collective bargaining as a means of improving the working and living conditions of workers in the metal trades (Eleventh Session, 1983). [12]

90 Conclusions concerning training and retraining of men and women workers in the metal trades, with special reference to technological changes (Eleventh Session, 1983). [12]

97 Conclusions concerning productivity and new production processes in the metal trades and their effect on employment and conditions of employment (paragraphs 1-29) (Twelfth Session, 1988). [13]


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

45 Memorandum concerning the regularization of production and employment at a high level in the metal trades (Fifth Session, 1954). [6]

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

71 Conclusions concerning problems of adjustment and income maintenance arising from structural change and economic fluctuations in the metal trades (paragraph 5) (Ninth Session, 1971). [10]

1 The figures in square brackets indicate the session at which they were classified.


Resolution concerning freedom of association and tripartite consultation in the metal trades (paragraph 2, clause (c)) (Eleventh Session, 1983). [12]

Resolution concerning occupational safety and health in the metal trades (Eleventh Session, 1983). [12]

Conclusions concerning productivity and new production processes in the metal trades and their effect on employment and conditions of employment (paragraphs 17 and 30-33) (Twelfth Session, 1988). [13]


Resolution concerning hazards to safety and health in specific metal trades activities (Twelfth Session, 1988). [13]


Resolution concerning diversification of production and protection of employment in the metal trades (Twelfth Session, 1988). [13]


Resolution concerning the future work of the ILO and the agenda of the Thirteenth Session of the Metal Trades Committee (paragraph 2(a)) (Twelfth Session, 1988). [13]
Conclusions (No. 14) concerning terms and conditions of employment of part-time and temporary workers in the public service \(^1\)

The Joint Committee on the Public Service of the International Labour Organization, Having met in Geneva, in its Fifth Session, from 26 January to 3 February 1994, Adopts this third day of February 1994 the following conclusions:

**General considerations**

1. The Committee considered it essential to have, at the national as well as the international level, a clear and largely acceptable definition of both part-time and temporary work.

2. Since the subject of part-time work is on the agenda of the 81st Session (1994) of the International Labour Conference, the Committee referred to the provisional definition included in Report IV(1)\(^2\) prepared by the Office after the first discussion, during the 80th Session of the International Labour Conference in 1993, of the proposed new instruments on part-time work. According to this definition, a part-time worker is an employed person whose normal hours of work are less than normal hours of work of comparable full-time workers; comparable full-time workers are those with the same type of employment relation, employed in the same establishment or branch of activity and having the same or a similar type of work or occupation as the part-time workers concerned.

3. For temporary work the Committee referred to the definition provided in Report II\(^3\) prepared by the Office for the Fifth Session of the Joint Committee on the Public Service. According to this definition, a temporary worker is a worker, whether part-time or full-time, whose employment is non-permanent, whether based on a contract or not, of whatever duration, except a probationary period.

4. The Committee noted that part-time and temporary work are growing in dimension and importance in the public service of both developing and industrialized countries, with part-time work more prevalent in industrialized countries and temporary work more prevalent in developing countries. In a growing number of situations, part-time and temporary work coexist, sometimes overlapping, in the public service. Women represent a substantial majority of part-time workers and an important proportion of temporary workers.

5. The potential of these forms of work in reconciling the operational requirements and efficiency of the public service with the needs and preferences of the workers concerned is being increasingly recognized. Public employers recognize that part-time and temporary work can assist in meeting fluctuations in the demand for services and in meeting the developing needs of users. Equally, workers, especially those with family responsibilities, may wish to have recourse to part-time work, on a freely chosen basis, to meet their changing domestic and other responsibilities.

\(^1\) Adopted unanimously.


\(^3\) ILO: Joint Committee on the Public Service, Fifth Session, Report II: Terms and conditions of employment of part-time and temporary workers in the public service (Geneva, 1994), 88 pp.
6. In a broader context, part-time and temporary work are sometimes seen as a means to favour entering, returning or remaining in employment. It can additionally assist the process of modernization and restructuring. A competent and motivated workforce, which may include part-time and temporary workers, is a factor for the efficiency and quality of the public service. A balanced approach is, however, needed to ensure that the development of these forms of work does not result in a deterioration of working conditions. In this respect, the importance of freely chosen employment and the need to ensure protection for part-time and temporary workers in the public service should be recognized.

Terms and conditions of employment

7. Basic rights, notably freedom of association and the right to organize and to bargain collectively, equal opportunity in employment and occupational safety and health, should be the same for part-time and temporary workers and comparable full-time workers in the public service. Special attention should be paid so that these forms of work do not result in gender discrimination.

8. Conditions of employment and work of part-time and temporary workers in the public service should be improved and monitored so that these workers receive the conditions and benefits accorded to comparable full-time workers, adjusted for non-permanent workers recognizing their temporary status. Provisions for part-time workers are set out in the section below on remuneration and other benefits.

9. Part-time and temporary workers in the public service should have the same rights as full-time workers to participate effectively through collective bargaining or other means jointly agreed upon, in the determination of their working conditions.

10. Part-time and temporary workers in the public service should have the right to establish and join organizations of their own choosing in accordance with the provisions of the Freedom of Association and Protection of the Right to Organize Convention, 1948, (No. 87), and have effective protection against acts of anti-union discrimination in respect of their employment.

11. The planning and implementation of part-time and temporary work should be subject to collective bargaining or other procedures jointly agreed upon between public employers and the representatives of the workers concerned, in ways appropriate to national circumstances.

Recruitment and career development

12. Taking into account the specific requirements of the public service, workers should be given the opportunity to transfer on a voluntary basis from full-time to part-time work and vice versa. Timely information should be provided to the workers on opportunities to transfer between part-time and full-time work.

13. Part-time workers should have access to senior and managerial posts, taking into account the nature of the task involved and the specific requirements of the public service. In this respect the need for granting equal opportunities to both women and men should receive special attention. Senior officials and management in public service should have access to part-time work, including for such purposes as child care, educational training and to facilitate phased retirement.

14. Part-time workers should not be disadvantaged in terms of advancement and promotion opportunities because of their working part time. Temporary workers should have the opportunity for more permanent employment, advancement and promotion, taking into account their periods of service and national appointment procedures. In this respect the time spent in the public service for both part-time or temporary workers should be calculated and taken into consideration, as well as acquired skills.

15. Part-time workers in the public service should have access to training, including educational leave, on the same basis as full-time workers. Training arrangements should be adap-
ted to the specific working conditions of part-time workers so that they can make concrete use of the training opportunities. Measures should be taken to facilitate the training of temporary workers.

Remuneration and other benefits

16. Part-time workers should be entitled to a level of remuneration equivalent to that of comparable full-time workers, calculated on a pro rata basis to their working time over a given period.

17. Part-time workers should receive equivalent conditions to those of comparable full-time workers in such areas as maternity protection, leave for family responsibilities, annual leave, public holidays and social protection. Some countries may establish hours of work or earning thresholds to determine the applicability of specific benefits. However, in line with the proposed Convention on part-time work, a member State may establish thresholds, provided that they do not exclude an unduly large percentage of part-time workers. These thresholds should be mutually agreed upon between the public employer and the representatives of the workers concerned.

18. Part-time workers should receive the financial benefits additional to remuneration which are received by comparable full-time workers, consistent with the provisions of paragraphs 16 and 17.

19. Temporary workers should receive equitable levels of remuneration and social protection in the fields indicated above, taking into account their periods of service.

Future ILO action

20. The Committee considered that ILO standard-setting activities, currently under way in the area of part-time work, are of primary importance for the regulation of this form of work in the public sector and looked forward to the decisions which might be taken at the 81st Session of the International Labour Conference (1994) in respect of the adoption of new instruments on part-time work.

21. Data collection and statistical analysis of both part-time and temporary work should be undertaken to facilitate the monitoring of these forms of employment to assist member States and, if necessary, develop ILO policies and strategies.

22. Studies should be undertaken on the experiences of part-time and temporary work, covering subjects such as the potential of training in enhancing the employment and working conditions of part-time and temporary workers and the relevance of part-time and temporary work in enhancing the role and quality of the public service.

Resolution (No. 15) concerning trade union rights in the public service

The Joint Committee on the Public Service of the International Labour Organization, having met in Geneva, in its Fifth Session, from 26 January to 3 February 1994,

Recognizing the vital importance of one of the fundamental aims of the International Labour Organization, i.e. the promotion and protection of freedom of association, which is contained in the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), and which applies to all workers, including public service workers,

Considering that public service workers in many countries do not enjoy the same entitlement to basic trade union rights as other groups of workers and that new forms of contract, new job designations and new job categories are being introduced in some countries which may deny such workers these rights,

1 Adopted unanimously.
Considering that restrictions which are still applied against public service workers or their organizations, in various countries, in the exercise of their legitimate rights are unjust and violate the affirmed principles of the International Labour Organization, contained in its Constitution and the relevant international labour standards, which ensure public sector workers the right to organize and bargain collectively,

Recognizing that collective bargaining and cooperation between the social partners are necessary preconditions to ensure that changes in the public service are carried out smoothly in the interests of the service and its workers,

Recalling that the ILO Governing Body’s Committee on Freedom of Association laid down the basic principle which states that “the right to strike is one of the essential and legitimate means through which workers and their organizations may further and defend their social and economic interests”,

Recalling that the Committee on Freedom of Association has criticized measures which might constitute a threat to peaceful industrial relations and the free exercise of trade union rights,

Considering that in the majority of countries, the rights of public service workers to take strike action in defence of their social and economic interests are either severely restricted or totally denied, in violation of the recommendations of the Committee on Freedom of Association,

Considering that, although the situation in a few countries has improved, there has been a serious erosion of previously agreed and accepted standards of trade union rights for public service workers and their organizations in other countries since the Fourth Session of the Joint Committee on the Public Service (1988),

Noting with deep concern that, despite the adoption of conclusions and resolutions at four previous sessions of the Joint Committee on the Public Service, on the labour and social problems encountered by public service workers, including their continued victimization, in the various countries the number of alleged and actual violations, restrictions and infringements of their trade union rights continues to increase;

Adopts this third day of February 1994 the following resolution:

The Joint Committee on the Public Service invites the Governing Body of the International Labour Office to draw the attention of member States to the report and conclusions of the Committee and to request them again to consider ratifying, where this has not already been done, and to apply in full the provisions of the following ILO Conventions:

(a) the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87);
(b) the Right to Organize and Collective Bargaining Convention, 1949 (No. 98);
(c) the Discrimination (Employment and Occupation) Convention, 1958 (No. 111);
(d) the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144);
(e) the Labour Relations (Public Service) Convention, 1978 (No. 151);
(f) the Collective Bargaining Convention, 1981 (No. 154).

Resolution (No. 16) concerning the situation of women in the public service

The Joint Committee on the Public Service of the International Labour Organization,
Having met in Geneva, in its Fifth Session, from 26 January to 3 February 1994,

Recalling that at all its previous four sessions, the Joint Committee on the Public Service adopted resolutions calling for a joint meeting of experts to consider the situation and problems of women in the public service,

1 Adopted unanimously.
Recalling that at its Third Session in 1983, the Joint Committee on the Public Service adopted conclusions concerning the situation of women in the public service,

Recalling 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 the resolution on equal opportunities and equal treatment for men and women in employment, adopted by the International Labour Conference in 1985,

Recognizing that women constitute a majority of the workers in some branches of the public sector, especially in education and health, and that within those branches, they are concentrated in most countries in the lower skilled and lower paid jobs and that, even where they have equivalent skill levels, they tend to have lower pay,

Recognizing, moreover, that women are not represented proportionately in the top positions of these sectors,

Recalling that the ILO, by virtue of its Constitution, has a duty to ensure the promotion of better conditions of life and work for all workers, without discrimination, and to obtain the cooperation of all other international institutions for that purpose,

Recognizing that, although progress has been made in some countries by the introduction of legislation and other measures, there is still flagrant discrimination against women in the public service in a number of countries, whilst in others many barriers need to be overcome in order to eliminate such discrimination,

Considering that the elimination of all forms of discrimination against women in the public sector is vital to the maintenance of competent, impartially and fairly treated public service workers, to the whole society and to harmonious economic and social progress of all countries;

Adopts this third day of February 1994 the following resolution:

The Joint Committee on the Public Service:

(1) invites the Governing Body of the International Labour Office to draw the attention of member States to the report and conclusions of the Committee and to request them again to consider ratifying, where this has not already been done, and to apply in full the provisions of the following ILO Conventions:

(a) the Equal Remuneration Convention, 1951 (No. 100);

(b) the Discrimination (Employment and Occupation) Convention, 1958 (No. 111);

(c) the Workers with Family Responsibilities Convention, 1981 (No. 156);

(2) calls on the ILO, in line with the decision of the Governing Body at its 208th and 209th Sessions (November 1978 and February-March 1979) to request special reports on Convention No. 111 and Recommendation No. 111, to include, in its monitoring process of developments in member States, information in particular on the situation of women in the public service. This information should be published and widely disseminated with a view to formulating strategies to address the special needs of women including those employed in the public service;

(3) calls on the ILO, in line with the resolution concerning a plan of action with a view to promoting equality of opportunity for women workers, and the resolution on equal opportunities and equal treatment for men and women in employment, adopted by the International Labour Conference, respectively in 1975 and 1985, as well as the decision of the Governing Body Committee on Discrimination in May 1993, when formulating ILO strategies to correct existing inequalities, to request substantial representation of women in delegations to the ILO Conference and meetings;

(4) calls on the ILO to include in its programme of activities in the field of public services a series of regional seminars for women with the aim of strengthening awareness of their rights, and further develop strategies for achieving equal opportunities and treatment.
Resolution (No. 17) concerning future ILO activities in the field of the public service

The Joint Committee on the Public Service of the International Labour Organization, Having met in Geneva, in its Fifth Session, from 26 January to 3 February 1994, Recognizing the importance to the community of well-developed and efficient public services and the many roles played by public service workers in industrial, economic and social activity, and their contribution to the life of the community and society as a whole, Recognizing that the public service is a major employer, with approximately 25 per cent of the world’s workforce and that it plays a key role in economic development, Welcoming the increase in the number of ILO activities in matters affecting public sector workers since the First Session of the Joint Committee on the Public Service in 1971, Recognizing the need for a proportionate level of activities to reflect the size and importance, as well as the changing nature of problems in the public sector and its workforce, Recalling, however, the lack of implementation of certain other recommendations made at previous sessions; Adopts this third day of February 1994 the following resolution concerning the activities to be undertaken by the ILO as expeditiously as possible:

The Joint Committee on the Public Service invites the Governing Body of the International Labour Office:

(1) to consider, in the framework of the discussions that are taking place with regard to the review of the Programme of Sectoral Activities, that in future there should be more frequent and more focused meetings and activities devoted to public service issues, including sessions of the Joint Committee on the Public Service; methods should be sought to enhance the efficiency of these activities, including the utilization of modern technology;

(2) to include the following items in the agenda of the Sixth Session:
   (a) General Report, dealing with:
      (i) recent developments in the public service;
      (ii) action taken within member States in the light of the conclusions and resolutions adopted at previous sessions of the Committee, in particular those referring to trade union rights;
      (iii) action taken by the ILO in the light of proposals made at previous sessions of the Committee and other activities in the public service field;
   (b) the effect on the public service workforce of privatization and hiving off of public services;

(3) to invite the Director-General of the International Labour Office to:
   (a) give urgent consideration to strengthening the relevant ILO services with public service specialists. These services should also be provided with adequate resources to maintain a programme of activities and technical cooperation activities relating to the public sector and public service workers, bearing in mind the increasing complexities and changes occurring in the public sector in all countries;
   (b) publish and disseminate widely publications and newsletters concerning ILO activities on public service matters;
   (c) convene joint meetings to consider:
      (i) the situation of women in the public sector;
      (ii) conditions of employment in police services;
   (d) include in the programme of ILO activities in the field of public services the following:
      (i) studies on:

1 Adopted unanimously.
(a) the topics suggested in the conclusions and resolutions concerning ILO activities in the field of health services adopted at the First Session of the Standing Technical Committee for Health and Medical Services (1992);
(b) the topics suggested in the conclusions and resolutions concerning future ILO activities in the field of water, gas and electricity services adopted by the Joint Meeting on Employment and Conditions of Work in the Water, Gas and Electricity Supply Services (1987);
(c) the impact of privatization and contracting out on public sector workers;
(d) the increasing use of new technology within the public sector and the impact this is having upon employment and working conditions of public service workers, with a view to using the results of the study as a background document for a meeting of experts;
(e) the situation in the public services in developing countries and countries with economies in transition as a result of conditions required by international financial institutions within the context of structural adjustment and the effect on recruitment, job security, pay, working conditions and rights of public service workers;
(ii) regional seminars to promote awareness amongst its constituents of international labour standards and other ILO activities of special interest to the public service and to specific occupational categories such as nursing personnel and teachers. These seminars should be organized with the active involvement of appropriate national and international workers' organizations;
(iii) in conformity with ILO principles, involve representatives of workers' organizations in advisory services and technical cooperation projects undertaken by the ILO for the public service in member States;
(iv) additional technical assistance and advice to governments and workers' organizations, particularly in countries in transition, in all areas of labour relations concerning public sector workers, including civil service regulations;
(v) an appeal to governments to ensure full representation of women in national delegations attending sectoral and technical meetings in the public service.

Classification of the conclusions and resolutions adopted by the Joint Committee on the Public Service at its previous sessions

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

Group A: Conclusions and resolutions, or parts thereof, that 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.
4 Conclusions concerning disciplinary codes and procedures in the public service and concerning conditions of work and employment of public personnel of local, regional or provincial authorities (except paragraph 39) (Second Session, 1976).
7 Conclusions concerning recruitment, training and career development in the public service (Third Session, 1983).
8 Conclusions concerning the situation of women in public services (Third Session, 1983).

1 Adopted unanimously.
9 Conclusions concerning the effects of structural and technological progress on employment in the public service (Third Session, 1983).

10 Conclusions concerning joint consultation, negotiating and collective bargaining rights with regard to determining pay and conditions of employment in the public service (Fourth Session, 1988).

11 Conclusions concerning social security, including social protection of public employees in respect of invalidity, retirement and survivors' benefits (Fourth Session, 1988).

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 concerning freedom of association and procedures for staff participation in determining conditions of employment in the public services (First Session, 1971).

2 Resolution concerning the future work of the International Labour Organization in the field of public services (First Session, 1971).

3 Resolution concerning the work of the ILO in the field of public services (operative paragraphs (a), (b), (c) and (e)) (Second Session, 1976).

4 Conclusions concerning disciplinary codes and procedures in the public service and concerning conditions of work and employment of public service personnel of local, regional or provincial authorities (paragraph 39) (Second Session, 1976).

5 Resolution concerning the work of the ILO in the field of public services (operative paragraphs (a), (b), (c)(2), (f), (h) and (i)) (Third Session, 1983).

6 Resolution concerning trade union rights of public service employees (operative paragraph (1)) (Third Session, 1983).

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

3 Resolution concerning the work of the ILO in the field of public services (operative paragraph (f)(1) and (2)) (Second Session, 1976).

5 Resolution concerning the work of the ILO in the field of public services (operative paragraphs (c) (d)(3), (e)(1) and (3), (f), (g)(i), (3) and (j)) (Third Session, 1983).

6 Resolution concerning trade union rights of public service employees (operative paragraph (2)) (Third Session, 1983).

12 Resolution concerning the work of the ILO in the field of public services (operative paragraphs (c), (d)(3), (e)(1) and (3), (f) (1,iv) and (2)) (Fourth Session, 1988).

13 Resolution concerning trade union rights in the public service (operative paragraphs (a) to (f)) (Fourth Session, 1988).
Conclusions (No. 103) concerning the skills, training and retraining required to match the new occupational profiles in commerce and offices

The Committee on Salaried Employees and Professional Workers of the International Labour Organization,
Having met in Geneva, in its Tenth Session, from 4 to 12 May 1994;
Adopts this twelfth day of May 1994 the following conclusions:

General considerations

1. Services are a significant and growing sector in all countries and offer current and future high potential for employment growth. New types of business services are emerging, customer expectations are changing and jobs are being transformed. At the same time, rationalization and productivity drives are resulting, in some service areas, in a decline in employment. The globalization of economic activities, deregulation, privatization and ongoing structural and technological changes are thus considerably transforming commerce and offices. All these changes have far-reaching implications for education and training needs.

2. Structural adjustment programmes and the process of transition to a market economy in Central and Eastern Europe have tended to divert funds from education, resulting in decreasing equality of opportunity and access to education and training at a time when investment in human resources is crucial. Therefore, education and training require greater attention and economic support.

3. Vocational education and training constitute a permanent challenge and hold the key to prosperity. Governments should continue to assume the major responsibility, through legislation and accompanying measures, for the provision of education and for creating an environment for learning, in close association with employers’ and workers’ organizations. In view of the comprehensive and long-term perspective needed to design and implement education and training programmes, the task cannot be left to market forces alone, but requires the guidance and responsibility of governments, employers’ and workers’ organizations.

4. Concerted tripartite action in close association with educational institutions is necessary to ensure that the long-term vocational education and training needs of employers and workers are met and that policies are adapted to continuously changing needs of the customer, the enterprise and its employees and the labour market. A global approach, using ILO standards as a reference point, is necessary to ensure viable enterprises that are competitive, cost-
effective and productive, thus ensuring the survival and growth of enterprises and employment for workers. In the commerce and offices sector, a key factor in the success of enterprises is the knowledge and skills of a qualified staff.

**Training requirements**

5. Universal general education and broad-based training are prerequisites for entry to employment and further skills development. Vocational training should provide transferable skills which will benefit both the enterprise and the employee, laying down the foundation for the further learning which is indispensable for professional mobility and sustained individual employment. The development of a comprehensive educational policy should therefore be based on the notion of lifelong learning and retraining as a way of ensuring continuing employability, through employers granting equitable access for their employees to education and training programmes and activities.

6. Governments are the principal providers of education and have a considerable role in respect of training. Partnership between governments, employers and workers' organizations has an important role to play in designing training and retraining schemes, in monitoring training standards, certification and delivery, and in ensuring that these schemes are continuously adapted to the fast-changing skill requirements of the office and commerce sector.

7. The establishment of national training standards and accreditation systems plays a critical role in ensuring the quality of training. The inter-country recognition of credentials is becoming increasingly important in a rapidly globalizing economy.

8. The increase in leisure time and changing consumer expectations, combined with the drive for higher competitiveness have led to greater emphasis being placed on customer orientation in many service sector activities. Training therefore needs to provide workers with new skills required to respond creatively to this new challenge.

9. Awareness and understanding of the objectives and expected outcomes of training and retraining can enhance employee commitment. Joint training initiatives have the best chance of guaranteeing mutual employer and employee commitment to the lifelong enhancement of skills.

10. Some recent developments in the office and commerce sector are changing the content of many jobs. Particular attention must be given to enhancing the skill sets of low-skilled workers and the work design of their positions.

**Access to training and vocational guidance**

11. All persons have the right of access to education and training without discrimination. Special efforts are needed to target groups experiencing difficulties in access to education and training opportunities among young people, older workers, women, persons with disabilities, the unemployed, casual and migrant workers to combat marginalization and exclusion. Governments, employers' and workers' organizations recognize that access to general and vocational education and training can play an important role in the joint efforts to abolish child labour and draw attention to international labour standards concerning the minimum age of entry into employment.

12. The increase in the numbers of part-time, intermittent and temporary workers, home-workers and teleworkers calls for innovative responses from governments, employers and workers' organizations to the challenge of satisfying their training requirements.

13. Women constitute a large portion of the workforce in commerce and offices, but are not sufficiently represented in technical, professional and managerial positions. Special consideration, therefore, needs to be given to facilitating equal access of girls and women to education, training, vocational guidance and further training, in order to extend the range of their career development options, encourage them to develop their talents to the full extent, and motivate them to aim for posts of responsibility commensurate with their abilities.
and other skills that were developed by women workers through their family responsibilities and which may be particularly valuable in services and office occupations must be recognized fully in assessing their qualifications.

14. Small and medium-sized enterprises account for an increasingly important share of service sector activities. They are playing a major role in the generation of employment in this sector. However, they encounter specific problems in the provision of training and therefore require special attention in this respect. Self-learning, distance-learning and multi-media training packages are examples of initiatives which may be particularly relevant to their needs and for which funds must be identified, consistent with the needs of the enterprise and workers. The development of shared facilities, the pooling of resources, the flexible provision of training and the decentralization of training facilities are among the approaches which can be adopted to address these difficulties.

15. The pace and the scope of changes in the services sector may differ among countries, particularly developing countries introducing structural adjustment measures and countries undergoing transition to a market economy. Special attention is therefore needed in relation to the access and delivery of training and retraining schemes in these countries.

16. The provision of appropriate vocational guidance should be expanded as a vital component of vocational training systems. It should be based on improved and realistic forecasts and regular assessment of skill needs and occupational profiles. Governments have a major responsibility in this area.

ILO action to promote training in the commerce and office sector

17. The International Labour Organization should continue to promote ratification and implementation of international labour standards, particularly those promoting training and associated matters. These Conventions are: the Paid Educational Leave Convention, 1974 No. 140), the Human Resources Development Convention, 1975 (No. 142), the Labour Relations (Public Service) Convention, 1978 (No. 151), the Collective Bargaining Convention, 1981 (No. 154), and the Occupational Health Services Convention, 1985 (No. 161).

18. The ILO should promote a better understanding of the problems arising in the area of training, skills and retraining for the service subsectors, emphasizing innovative joint or coordinated practices between the social partners.

19. The ILO should continue to develop training modules on international labour standards, workers' and trade union rights, freedom of association and collective bargaining rights for both employers' and workers' organizations and similar subjects for use in training programmes through advisory services, seminars and other activities in member States.

20. In these activities, the ILO should actively promote equality of opportunity and treatment for women, in particular, their access to education and training. The ILO should undertake further measures aiming at equitable participation (including country case-studies on career obstacles and sex-aggregated data, surveys) of women in the various service subsectors, with particular reference to their underrepresentation in high-skilled and well-paid posts.

21. The ILO should continue to act as a clearing-house for the exchange of information and experience concerning training and employment trends and successful models of tripartite vocational training initiatives in the service sector. This task should be carried out on an ongoing basis. Within this framework, the ILO should undertake studies and organize seminars on specific aspects of employment and training requirements in the commerce and office sector, such as access to training, recognition of skills, strategic training plans in enterprises, organization and financing of training, evolution of skills and occupations, employee motivation, the special education and training needs of professional and managerial staff, and the training needs in service enterprises in developing countries and economies in transition.

22. The ILO should study the reasons why qualified workers emigrate from developing countries and countries undergoing transition to a market economy and identify measures and programmes which would make it more attractive for them to make use of their skills in their
country of origin. It should also study and make suggestions for measures to be taken concerning the education, training and retraining needs of salaried employees and professional workers who have been displaced following political upheaval and social conflict in different parts of the world.

Resolution (No. 104) concerning follow-up to the 1978 Compendium of Principles and Good Practices relating to the Conditions of Work and Employment of Professional Workers

The Committee on Salaried Employees and Professional Workers of the International Labour Organization,

Having met in Geneva, in its Tenth Session, from 4 to 12 May 1994,

Recalling that the Governing Body of the International Labour Office took note in 1978 of the Compendium of Principles and Good Practices relating to the Conditions of Work and Employment of Professional Workers,

Recalling also resolution (No. 97) concerning follow-up to the Compendium of Principles and Good Practices relating to the Conditions of Work and Employment of Professional Workers adopted by the Committee at its Ninth Session in 1985, which called on the Governing Body to convene a second tripartite meeting, similar in composition to that held in 1977, in order to review the progress made in implementing the Compendium,

Recalling that the said resolution No. 97 also requested the Director-General to approach member States asking them to report on steps taken to apply the provisions of the Compendium, requesting them to include with those reports the results of consultations with the most representative workers' and employers' organizations in their respective countries,

Recalling that resolution No. 97 also called for particular attention to be paid in future work to the problem of the drain of skills from developing countries, protection of rights of professional workers, and status and working conditions which should apply to professional workers required to work outside their country of origin,

Recalling also resolution (No. 99) concerning freedom of association for professional and managerial staff, adopted at the Ninth Session, which requested the ILO to carry out specific studies on the practical application of the right to organize and bargain collectively as expressed in the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), and the Right to Organize and Collective Bargaining Convention, 1949 (No. 98), to managerial, supervisory and professional employees taking into account the Compendium of Principles and Good Practices relating to Conditions of Work and Employment of Professional Workers,

Noting that the ILO has not organized the requested tripartite meeting or conducted the requested research;

Adopts this twelfth day of May 1994 the following resolution:

The Committee on Salaried Employees and Professional Workers of the International Labour Organization invites the Governing Body of the International Labour Office:

(1) to include in its future work programme and budget the implementation of the requests expressed in resolutions No. 97 and No. 99 adopted at the Committee's Ninth Session;

(2) to organize at its earliest convenience prior to the next session of the Committee a second tripartite meeting to review progress made by member States in implementing the Compendium and to take the necessary action in the light of its findings.

Resolution (No. 105) concerning salaried employees and professional workers in multinational enterprises

The Committee on Salaried Employees and Professional Workers of the International Labour Organization,

1 Adopted unanimously.
Having met in Geneva, in its Tenth Session, from 4 to 12 May 1994,
Recognizing the globalization of trade in services and the continuing expansion of multinational enterprises in the services sector,
Recognizing that the conclusion of the recent GATT Uruguay Round includes the General Agreement on Trade in Services (GATS) and that in different parts of the world, work on closer economic integration will likely stimulate international trade in services,
Noting the important role that the ILO can play in promoting a social dimension to economic integration,
Noting the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy of the ILO,
Welcoming the research activities undertaken by the ILO concerning multinational enterprises in other industrial sectors;
Adopts this twelfth day of May 1994 the following resolution:

The Committee on Salaried Employees and Professional Workers of the International Labour Organization invites the Governing Body of the International Labour Office to request the Director-General:

(1) to continue to promote the effective application of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy adopted by it in 1977;

(2) to include, in ILO research, studies on multinational enterprises in the services sector with particular attention on retailing and wholesaling, property services and information technology applications, and to report on the results of the said studies to the next session, in particular on the application of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy to these companies.

Resolution (No. 106) concerning support for a sustained economic and social development for salaried employees and professional workers in developing countries

The Committee on Salaried Employees and Professional Workers of the International Labour Organization,
Having met in Geneva, in its Tenth Session, from 4 to 12 May 1994,
Noting the serious employment problems which many developing countries are facing,
Considering the important role that private services play by creating job opportunities and providing essential services for their population,
Noting the dependence of the services sector on a population with sufficient purchasing power,
Noting that all countries need to pursue policies that enable adjustment to the changing conditions of an interdependent world economy and that such policies should contribute to an international effort to promote growth,
Noting that structural adjustment programmes, especially in their early phase, have caused declines in levels of economic activity, lower tax receipts and reductions in government expenditures and that, as a result, many countries have been forced to cut their expenditures,
Underlining the need for a social dimension in economic development,
Drawing attention to the need for sustained economic and social development in the least developed countries,
Welcoming the important role of the ILO's international labour standards in promoting basic human rights in all countries,
Commending the International Labour Organization for its efforts to promote the full implementation of these rights;
Adopts this twelfth day of May 1994 the following resolution:

1 Adopted unanimously.
The Committee on Salaried Employees and Professional Workers of the International Labour Organization calls on the Governing Body of the International Labour Office to request the Director-General:

(1) to give full consideration in the Office’s activities to the important role of the private services sectors in providing employment for men and women in developing countries;

(2) to pursue on an ongoing basis ILO educational projects and other technical assistance in commerce and offices, aiming at establishing and developing, where not already in existence, functioning tripartite and collective bargaining structures and activities in the developing countries;

(3) to develop, intensify and institutionalize collaboration with the international financial institutions such as the IMF, the World Bank, the regional reconstruction and development banks and other international bodies concerned with a view to having their programmes of assistance take into account the need for social protection and thus contribute to mitigating the adverse effects of structural adjustment programmes.

Resolution (No. 107) concerning tripartite collaboration and collective bargaining for salaried employees and professional workers in countries in transition to a market economy

The Committee on Salaried Employees and Professional Workers of the International Labour Organization,

Having met in Geneva, in its Tenth Session, from 4 to 12 May 1994,

Noting the historic political and economic changes that have taken place in countries in transition to a market economy since the last session of the Committee,

Considering that these changes have affected the services sector, including commerce and offices,

Recognizing the need for tripartite structures and activities, as well as the full respect for freedom of association and the protection of the right to organize and to bargain collectively for employers and workers in the private services sectors,

Commending the International Labour Organization for its efforts to promote the full implementation of these international labour standards in such countries,

Underlining the importance of the assistance given to governments, employers’ and workers’ organizations by the ILO Multidisciplinary Teams,

Recalling the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), Right to Organize and Collective Bargaining Convention, 1949 (No. 98), Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), Labour Relations (Public Service) Convention, 1978 (No. 151), and Collective Bargaining Convention, 1981 (No. 154);

Adopts this twelfth day of May 1994 the following resolution:

The Committee on Salaried Employees and Professional Workers of the International Labour Organization calls on the Governing Body of the International Labour Office to request the Director-General:

(1) to undertake and publish a study on tripartism, freedom of association and protection of the rights to organize and to bargain collectively for workers and employers in commerce and offices in such countries;

(2) to give sufficient priority in the ILO’s education and other technical assistance projects in countries in transition to the special problems such as migration of labour encountered by workers and employers and their organizations in new private services sectors.

Resolution (No. 108) promoting equality of opportunity and treatment of women in commerce and offices

The Committee on Salaried Employees and Professional Workers of the International Labour Organization,

1 Adopted unanimously.
Having met in Geneva, in its Tenth Session, from 4 to 12 May 1994,
Noting the fact that a substantial proportion of the employees in commerce and offices are women,
Considering that many women continue to be concentrated in a narrow range of low-skilled or low-paid occupations in commerce and offices with limited prospects and that they are often more affected by unemployment than men,
Considering the important role of employers’ and workers’ organizations in the promotion of equal opportunities between men and women in commerce and offices through collective agreements and other appropriate measures,
Underlining the importance of continued activities by the International Labour Organization, other intergovernmental organizations and agencies and national governments to promote equality between men and women in working life and society,
Welcoming the action taken in this respect in a number of countries as reported to the Committee,
Reiterating the views of the Ninth Session of the Committee calling for governments and employers to take steps to ensure: the equal right of women to employment and advancement in their profession; the elimination of all forms of wage discrimination; equal access to vocational training, including technical training for all professions, for all women and young girls,
Reiterating the demand that governments should create conditions that enable women to be economically active and hold responsible posts in all professions,
Reiterating the call for all member States to consider the ratification and the implementation of the Workers with Family Responsibilities Convention, 1981 (No. 156), and to apply Recommendation No. 165 as well as other ILO instruments relating to women workers;
Adopts this twelfth day of May 1994 the following resolution:
The Committee on Salaried Employees and Professional Workers of the International Labour Organization invites the Governing Body of the International Labour Office:
(1) to call on member States:
(a) to actively promote equality between men and women in working life and society by giving full conditions to this aim in their economic and social policies;
(b) to consider the enactment of appropriate legislation to promote equality between men and women in working and employment conditions;
(c) to encourage employers’ and workers’ organizations to negotiate collective agreements which ensure the equal rights of men and women in working and employment conditions and to eliminate all forms of discrimination where they exist;
(d) to ratify where it has not yet been done, and to apply fully the provisions of the following ILO Conventions:
(i) the Equal Remuneration Convention, 1951 (No. 100);
(ii) the Discrimination (Employment and Occupation) Convention, 1958 (No. 111);
(iii) the Workers with Family Responsibilities Convention, 1981 (No. 156);
(2) to request the Director-General:
(a) to monitor and report on the development of the position of women employees in commerce and offices in member States;
(b) to give full consideration in ILO activities to the need for action to promote equal opportunity and treatment between men and women in working life and in society;
(c) to undertake a study on obstacles to upward mobility for women in commerce and offices;
(d) to initiate and implement technical cooperation projects that aim at eliminating all forms of discrimination against women in commerce and offices and at securing equality of opportunity and treatment for them;
(e) to conduct a study on the general availability of child-care facilities for employees in the commerce and offices sector in member States.
Resolution (No. 109) concerning future ILO activities and the future of the Committee on Salaried Employees and Professional Workers

The Committee on Salaried Employees and Professional Workers of the International Labour Organization,

Having met in Geneva, in its Tenth Session, from 4 to 12 May 1994,

Noting that employment in the private services sectors in both developed and developing countries is increasingly important in terms of the numbers employed and in the strategic value of such services to the societies concerned,

Considering that future job creation is most likely to come in the area of private services,

Considering that skilled administrative and professional work represents a growing proportion of the labour force in manufacturing industry,

Considering that profound structural changes are transforming service economies,

Considering that new technologies will continue to demand a growing range of skilled professional and technical workers,

Considering the need to foster social dialogue, negotiating structures and collective bargaining covering salaried employees and professional workers,

Noting the development of employment arrangements that will allow employers and workers to react rapidly to change,

Considering the existing difficulties for the recognition of qualifications across and within national boundaries,

Noting with satisfaction the organization by the ILO of the forthcoming Tripartite Meeting on Productivity and Employment in Commerce and Offices,

Underlining the importance of the ILO's Sectoral Activities Programme in achieving the overall objectives of the ILO,

Welcoming the current review by the ILO's Governing Body of the Sectoral Activities Programme as an opportunity to strengthen the sectoral work of the ILO and to bring it into line with changes in the distribution of employment;

Adopts this twelfth day of May 1994 the following resolution:

The Committee on Salaried Employees and Professional Workers of the International Labour Organization invites the Governing Body of the International Labour Office:

(1) to consider activities for the commerce and office sectors which maintain and develop a global framework of activities reflecting more accurately the current distribution and composition of employment, focusing on social dialogue and on the promotion and strengthening of workers' and employers' organizations. These activities should focus on research, meetings, advisory services and technical cooperation;

(2) without prejudice to the current review of the Sectoral Activities Programme, to provide resources for an ongoing programme of activities on salaried employees and professional workers in sectors and occupational categories including financial services, commerce, media and information technology, service employees, clerical and administrative salaried employees in industry, and professional and managerial staff;

(3) to include the following subject as the technical item of the next session of the Committee: "New forms of work organization and their impact on employment in commerce and offices";

(4) to request the Director-General:

(a) to adequately reflect in the Office's activities the preponderance of salaried employees and professional workers in modern economies;

(b) to ensure that the Office react sufficiently swiftly to profound changes in the structure and nature of employment in the service sectors of economies;

1 Adopted unanimously.
(c) to carry out studies which would include the following issues affecting salaried employees and professional workers:

(i) employment and income distribution in commerce and offices;
(ii) the structures for social dialogue and tripartism appropriate to service sector employment including new forms of employment;
(iii) the impact of offshore processing on the employment of clerical workers;
(iv) the effect of stress on work performance and job satisfaction in commerce and offices;
(v) the implications of new forms of work organization, including outsourcing, for employment in commerce and offices;
(vi) the impact of changing work organization, emerging working time patterns and the spread of part-time, temporary and fixed-term employment practices on the employment and job security of salaried employees and professional workers;
(vii) how the mobility of labour can be further facilitated through mechanisms to simplify the recognition of qualifications across and within national boundaries;
(viii) productivity issues in commerce and offices, on a continuing basis;
(ix) the impact of the regulatory framework arising out of trade globalization in commerce and offices, effects on employment and working conditions, taking into account decisions which may be taken at the 81st Session (1994) of the International Labour Conference in relation to the implementation of ILO standards;

(d) to ensure that in future sufficient resources are devoted within the Sectoral Activities Programme to the problems of commerce and office workers and that these resources are commensurate with the size and importance of this category of workers.

Classification of the conclusions and resolutions adopted by the Committee on Salaried Employees and Professional Workers at its previous sessions

Section 1: Conclusions and resolutions, or parts thereof, calling for action in the various 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

39 Resolution concerning problems connected with the conditions of employment of technical and supervisory staff in industry, excluding management (Fourth Session, 1955).
49 Resolution concerning problems of women non-manual workers (Fifth Session, 1959).

1 Adopted unanimously.
2 The following texts are outdated, superseded or implemented and are eliminated from the classification: 1-36, 38, 42-43, 45-48, 51-56, 63, 65-70 and 84.
50 Conclusions concerning the effects of mechanization and automation in offices (Fifth Session, 1959).
57 Conclusions concerning the impact of social and economic development on working and living conditions in the distributive trade (Sixth Session, 1967).
58 Conclusions concerning aspects of human resources development policy affecting non-manual workers (Sixth Session, 1967).
71 Conclusions concerning conditions of work and life of employees in shops and offices (Seventh Session, 1974).
75 Conclusions concerning the problems and opportunities of employment and re-employment of older employees in commerce and offices (Seventh Session, 1974).
82 Conclusions concerning the effects of technological and structural changes on the employment and working conditions of non-manual workers with special reference to the improvement of working conditions and in particular occupational safety and health and ergonomics (paras. 1-47) (Eighth Session, 1981).
92 Conclusions concerning problems specific to employees in commerce and offices (paras. 1-61) (Ninth Session, 1985).
93 Conclusions concerning occupational hazards and diseases in commerce and offices (paras. 130) (Ninth Session, 1985).

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

40 Resolution concerning problems of salaried inventors (Fourth Session, 1955).
41 Resolution concerning the radius clause (Fourth Session, 1955).
44 Resolution concerning future action in the field of labour-management relations (Fourth Session, 1955).
61 Resolution concerning training, improvement and retraining of non-manual workers (Sixth Session, 1967).
64 Resolution concerning the protection of salaried inventors (Sixth Session, 1967).
74 Resolution concerning occupational safety and health in commerce and offices (Seventh Session, 1974).
79 Resolution concerning the use of the German and Scandinavian languages in the Advisory Committee on Salaried Employees and Professional Workers (Seventh Session, 1974).
80 Resolution concerning a programme of activities on multinational enterprises in the areas covered by the terms of reference of the Advisory Committee on Salaried Employees and Professional Workers (Seventh Session, 1974).
85 Resolution concerning future ILO activities relating to salaried employees and professional workers (Eighth Session, 1981).
94 Resolution concerning the attention given within the International Labour Organization to certain occupational groups (Ninth Session, 1985).
95 Resolution concerning the rights of salaried inventors and authors (Ninth Session, 1985).
96 Resolution concerning personnel information systems and data privacy in commerce and offices (Ninth Session, 1985).
101 Resolution concerning future work of the ILO in relation to salaried employees and professional workers (Ninth Session, 1985).

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

59 Resolution concerning emigration of professional workers from the developing countries (Sixth Session, 1967).

60 Resolution concerning harmonization and international recognition of degrees, diplomas and certificates of salaried employees and professional workers (Sixth Session, 1967).

62 Resolution concerning future activities of the International Labour Office with respect to non-manual workers (Sixth Session, 1967).

72 Resolution concerning international statistics on conditions of work for employees in shops and offices (Seventh Session, 1974).

73 Resolution concerning the effective application of certain international Conventions and Recommendations to workers in commerce and offices (Seventh Session, 1974).

76 Resolution concerning the effects of inflation on the retirement pensions of employees in commerce and offices (Seventh Session, 1974).

77 Resolution concerning the problems of older employees in commerce and offices (Seventh Session, 1974).

78 Resolution concerning future ILO activities relating to salaried employees and professional workers (Seventh Session, 1974).

81 Resolution concerning handicapped workers (Seventh Session, 1974).

82 Conclusions concerning the effects of technological and structural changes on the employment and working conditions of non-manual workers with special reference to the improvement of working conditions and in particular occupational safety and health and ergonomics (paras. 48-53) (Eighth Session, 1981).


87 Resolution concerning job evaluation (Eighth Session, 1981).


89 Resolution concerning the conditions of work and employment of professional workers (Eighth Session, 1981).


92 Conclusions concerning problems specific to employees in commerce and offices (paras. 62-64) (Ninth Session, 1985).

93 Conclusions concerning occupational hazards and diseases in commerce and offices (paras. 31-35) (Ninth Session, 1985).

97 Resolution concerning follow-up to the Compendium of Principles and Good Practices relating to the Conditions of Work and Employment of Professional Workers (Ninth Session, 1985).

98 Resolution concerning activities of the International Labour Office relating to workers in commerce and offices (Ninth Session, 1985).

99 Resolution concerning freedom of association for professional and managerial staff (Ninth Session, 1985).

100 Resolution concerning multinational enterprises in commerce (Ninth Session, 1985).

102 Resolution concerning the occupational integration of young people holding diplomas giving access to the professions of engineer, supervisor, technician or specialist (Ninth Session, 1985).
Tripartite Meeting on the Socio-Economic Implications of the Devaluation of the CFA Franc for French-speaking African Countries
(Dakar, 17-20 October 1994)

CONCLUSIONS AND RECOMMENDATIONS ADOPTED

Conclusions and recommendations concerning employment, investment and enterprise development policies

I. At macroeconomic level

1. The creation of permanent jobs and the structural reduction of poverty are contingent upon a marked increase in economic growth, and upon a sustained increase of human resources, in accordance with basic ILO principles.

2. The devaluation which has definite negative social repercussions in the short term must henceforth be considered as an opportunity to re-establish competitiveness in the middle and long term and to stimulate growth in CFA zone countries.

3. It is vital to establish a stable, transparent macroeconomic framework, which would provide incentives and encourage recovery, and to take accompanying measures to ensure the greatest possible success of devaluation and structural reforms, in the medium and long term:

   (i) measures likely to mobilize national and foreign investments;
   (ii) better control of public expenditure and payment of wages in arrears;
   (iii) control of inflation and boost in consumption, especially by paying wages at the end of the period at which they are due;
   (iv) improvement in statutory framework and speeding up of judicial procedures in financial, economic and trade areas;
   (v) continuation of negotiations to write off or reduce the external debt and settle the arrears of domestic payments to allow the States to increase public investment, and enterprises to improve their cash-flows;
   (vi) creation of appropriate machinery to utilize the surplus liquid assets of the banking system (such as investment funds; the guarantee funds; venture capital companies, etc.);
   (vii) introduction of tax incentives and appropriate labour legislation with a view to, on the one hand, saving existing enterprises and creating new ones and, on the other hand, to protecting present jobs and creating new ones in the future;
   (viii) the adoption of a Labour Code likely to encourage private investment while respecting workers’ basic rights;
   (ix) gradual and effective realization of a higher level of financial and economic regional integration;
   (x) introduction of appropriate machinery to prevent problems within enterprises and to deal with them when they occur.

4. The formulation of policies and programmes to be implemented in the light of devaluation and accompanying structural reforms, must be a subject of dialogue between governments, employers’ and workers’ organizations — including agricultural and rural organizations; machinery for discussion and social dialogue must be introduced — or where they exist, they must be efficiently used to reach as wide a consensus as possible.
II. At the level of job-creation strategies

5. The Meeting believes that a global employment policy, fully integrated in growth and therefore in policy investment, is vital. It has recognized that job-creation was also the best way of combating poverty.

6. This policy must give priority to the following factors:
   (i) the development and optimal use of human resources, including a greater tendency in basic education towards technical and vocational training and retraining of the labour force for vocational reintegration; this should help to guarantee sustained human resource development for the inhabitants of the zone;
   (ii) introduction of tax incentives to encourage the creation of first jobs;
   (iii) the strengthening of decentralized structures able to contribute towards implementing employment policy;
   (iv) the development of small and medium-sized enterprises and micro-enterprises;
   (v) improvements in the functioning of weakly organized and poorly structured sectors, both in rural and urban areas;
   (vi) the promotion of high labour-intensive investments; and
   (vii) special measures for specific target groups, especially women and young people, including qualified persons at present unemployed.

7. The Meeting recommends that the governments and financing and international cooperation agencies support these strategies as part of the three following priority action programmes:

A. Small and medium-sized enterprises

8. As the growth of large economic units will not suffice to guarantee the absorption of the projected increase in the labour force over the next few years, it is recommended to develop in an efficient way economic and social operators likely to have a greater impact on employment, in particular small and medium-sized enterprises and industries, and to encourage transition from the informal sector to structured channels.

9. The Meeting has acknowledged that the development of enterprises in this sector is held up by constraints which may be attributed to the institutional set-up and statutory framework; to difficulties of access to information on technologies and potential markets; to difficulties to obtain credit and financial resources; and difficulties to access to public markets.

10. To allow these enterprises to fulfil their potential for growth and create remunerated jobs, the Meeting recommends that:
   (i) structures for project development, training and support for economic promoters should be strengthened;
   (ii) buoyant market niches should be identified and encouraged;
   (iii) procedures for invitations to tender should be overhauled and made easier to allow small and medium-sized enterprises and industries to have access to these markets;
   (iv) incentives should be introduced to encourage banks to make stable resources, at favourable rates, available to enterprises and cooperatives;
   (v) the cost of setting up companies and the time-limits required should be cut to facilitate enterprise creation;
   (vi) initiative and self-employment should be encouraged within teaching programmes and community extra-curricula activities;
   (vii) the identification and spread of technological innovation should be encouraged;
   (viii) enterprises in difficulties should be given a boost to safeguard employment.

B. High labour-intensive investments with a high component of local resources

11. Given that conventional investment techniques — based to a great extent on equipment and imported inputs — only absorb fairly limited labour, the Meeting feels that a greater
The structural impact on employment and local purchasing power will only be obtained by deliberately opting for technologies with a relatively higher component of labour and local resources. The Meeting insists on the fact that high labour-intensity investments should only be made if they are technically feasible, economically possible and competitive, and are at least as comparable from the standpoint of cost and quality as investments requiring more equipment.

12. The Meeting recommends that high labour-intensive measures should be integrated as much as possible in national investment policies: agricultural policies, industrialization policies, rural development policies, building and public works policies, mining sector policies, and building materials production policies, as well as national and regional development policies, environmental policies, urbanization and decentralization policies.

13. In order better to identify the potential of high labour-intensive investments, it is recommended that high labour-intensive units be set up at the level of Ministries of Planning, backed by focal points created at the level of technical ministries. Together with Ministries of Employment and the social partners, these units should also make it possible to examine alternative technologies, promote high labour-intensity and assess the results obtained.

14. It is strongly recommended to introduce training programmes and institutional reinforcement measures designed to help local small and medium-sized enterprises, decentralized groups and community organizations.

15. The Meeting also requests that special attention be paid to administrative systems and state regulations — contracts with enterprises, invitations to tender and awards, contracts between community organizations and local groups — in order to make high labour-intensity investment policies operational; and that decentralization measures should be introduced to create operational frameworks at the local level.

16. The Meeting appeals to international financing and cooperation organizations to help in the setting-up and/or extension of mechanisms to finance high labour-intensive investments with a high component of local resources, such as agencies for work in the public interest or social funds.

C. The support for particularly vulnerable target groups

17. Groups requiring special attention are made up of women, young workers or unemployed workers, general education graduates without employment, workers in the urban and rural informal sectors and redundant workers.

18. The Meeting felt that considerable effort should be made to improve conditions of production and work of self-employed persons and of those in the urban and rural informal sector. It recommended that the technical and management skills of these workers should be strengthened and that the access to the services and support they might need should be facilitated by appropriate measures.

19. It was also recommended that an organizational support system and framework for negotiation should be set up at the local level for these target groups. In particular, contacts should be encouraged between economic interest groups, women’s associations, neighbourhood committees, groups of young people, peasants’ trade unions and decentralized communities. Financing systems such as social funds or other local and flexible development funds should allow for the co-financing of productive investment and social programmes which these vulnerable groups and basic organizations need to carry out to fulfill their basic economic and social needs.

20. Concerning the promotion of self-employment for these target groups, it is recommended to introduce credit systems at concessionary rates.

III. At the level of regional cooperation

21. In order to have access to data vital for formulating employment policies and policies to combat poverty, the Meeting recommends that employment monitoring services be set up.
at national and regional levels in all countries in the CFA zone. Finally, it would be use-
ful if the ministries concerned with labour, finance and planning and the social partners
regularly exchanged data, experience, analyses and economic and social policy proposals
on issues which come under the terms of reference of tripartism.

IV. At the level of international cooperation

22. The Meeting recalls the provisions contained in the Employment Policy Convention,
1964 (No. 122), and the Employment Promotion and Protection against Unemployment
Convention, 1988 (No. 168), which requires that governments which have ratified these
Conventions should consult employers’ and workers’ organizations on all economic and
social policy decisions that might affect them. The social partners recommend that the
outcome of these discussions should be taken into account by governments in their nego-
tiations with international financial organizations.

Recommendations of the Committee on Social
Protection made to the States

A. Policies

The Committee invites the States to:

1. Reaffirm social protection as an aspiration of the population as a whole and workers, in
particular; make this protection a national priority in governmental economic and social
programmes.

2. Define social security as a public service, which must be entrusted to an independent
institution whatever its status or legal system.

3. Ensure that the original aims of social protection are respected.

4. Design or strengthen, with the technical support of the ILO, social protection at three
levels:
   — universal protection, the funding procedures of which remain to be examined;
   — social protection at the level of the socio-occupational groups;
   — supplementary optional social protection.

5. Regulate supplementary optional social protection.

6. Extend social protection to other groups of workers, particularly:
   — non-salaried agricultural workers;
   — informal sector workers;
   — casual workers.

7. Guarantee the future of social security by safeguarding the jobs of the active population
   which is increasingly subjected to dismissals and cut-backs as a result of structural
   adjustment programmes, a situation worsened by the negative repercussions of the
devaluation of the CFA franc.

8. Settle arrears on wages and guarantee regular pay in all countries in the zone affected
   by these problems, in order to safeguard, in all events, the regular payment of social
   contributions.

9. Undertake to:
   — safeguard the role of public service of education and health systems, and guarantee
     their profitability;
   — avoid excessive privatization, taking into account, on the one hand, the present trend
     towards decentralization and devolution in both these sectors and, on the other hand,
     the growing responsibility of district and local communities.

10. Organize a permanent system of national tripartite dialogue to try and reach a consensus
     on policies retained and actions to be carried out.
B. Programmes

In the case of short-term and medium-term programmes, the Committee requests that the States should:

11. Re-establish the financial balance of funds by providing them with the necessary means to stabilize their administration.

12. Increase their independence by substantially lightening the weight of the state administration and giving administrative councils more responsibility.

13. Ensure that the separate administration of the various branches runs sufficiently.

14. Consolidate the system set up to benefit salaried workers by means of the following measures:
   — transform debts due by the States into a domestic debt, in cases where this has not yet already occurred;
   — have recourse to donors to replenish reserves or support requests for the replenishment of reserves, so that the States might take charge of the debt in appropriate conditions;
   — use the funds thus released to make investments in accordance with standards of financial social security administration.

15. Make officials’ pension funds more efficient by including their representatives in the administration of these funds.

16. Organize the vocational training of managers and other staff working in the fund with the backing of the ILO.

17. Carry out, with ILO backing, studies to ensure that the population as a whole benefits from a safety net of minimum social protection (provision of universal protection).

As regards long-term programmes, the Committee requests the States to:

(a) carry out, with the help of the ILO, studies on ways to extend social protection:
   — either by creating new benefits or new branches; in this respect, it is recommended, on the one hand, to set up a sickness insurance scheme in the form of a mutual benefit society and, on the other hand, to create or improve health care structures;
   — either by identifying new target groups such as workers in the informal sector, those in liberal professions or non-salaried agricultural workers.

(b) encourage individual or collective social protection through supplementary voluntary insurance.

Recommendations of the Committee on Social Protection made to social security funds

The Committee invites the social security funds to:

18. Respect the original aims of social protection as provided for by legislation.

19. Set up a rational system of management of:
   — existing social security structures;
   — technical reserves and investments;
   — financial organization
   in accordance with legislation in force.

20. Guarantee the vocational training of managers and other staff.

Recommendations of the Committee on Social Protection made to the Governing Body of the ILO

The Committee on Social Protection invites the Governing Body of the ILO to request the Director-General to take account of the following recommendations:
21. Assist the States to introduce rational protection policies, structured according to the three levels (universal protection, socio-occupational protection, optional supplementary protection).

22. Organize a permanent tripartite structure for dialogue at the regional level to try and reach a consensus on policies decided upon and actions to be carried out.

23. Examine ways in which the scope of social protection may be extended by integrating the informal sector in the wide sense of the term.

24. Contribute towards the vocational training of the social partners, managers and other staff of the fund.

25. Take part in studies carried out to guarantee that the population as a whole is covered by a safety net of minimum social protection.

26. Support studies carried out by countries to extend social protection.

27. Encourage efforts made to promote regional integration and the harmonization of social protection legislations.
Agreement between the International Labour Organization and the Government of the Republic of Zimbabwe concerning the subregional office in Harare and the decentralized services assigned to it

WHEREAS the International Labour Organization (hereinafter referred to as "the ILO") has established a subregional office of the International Labour Organization at Harare ("the Harare Office") in accordance with the provisions of the Agreement concluded by the Government of Zimbabwe ("the Government") and the ILO on 8 February 1990;

WHEREAS changes in ILO programmes in Africa make it necessary to revise this Agreement;

The Government of Zimbabwe and the International Labour Organization HAVE AGREED as follows:

Article 1

The Government shall provide every assistance within its powers in securing the necessary facilities for the ILO Harare Office.

Article 2

The Harare Office shall be the seat of the Southern Africa Multidisciplinary Team (MDT) of the African Regional Department of the International Labour Office and of such other units or staff of the African Regional Department as the Director-General may decide, in consultation with the Government, to assign to Harare.

Article 3

1. The Government shall grant to the Harare Office, and to its property, funds and assets, the privileges, immunities and exemptions provided for in the Convention on the Privileges and Immunities of the Specialized Agencies.

2. The Director of the MDT shall enjoy in the territory of the Republic of Zimbabwe, while exercising his function and during his journeys to and from the Harare Office, the same privileges, immunities and exemptions as are accorded by the Government in conformity with international law to resident representatives of comparable rank of other international organizations.

Article 4

1. All other officials, experts and consultants recruited by the ILO or on secondment to serve at the Harare Office shall enjoy in the territory of the Republic of Zimbabwe the following immunities, exemptions and privileges:

(a) immunity from legal process in respect of words spoken or written and acts performed by them in their official capacity;

(b) exemption from tax on, or in respect of, salaries and emoluments paid by the ILO to the same extent that this exemption is granted to officials, experts and consultants of other international organizations of comparable rank.

2. In addition, all such officials, experts and consultants other than Zimbabwean nationals shall enjoy the following immunities, exemptions and privileges:
(a) immunity from personal arrest or detention;
(b) immunity from seizure of their personal and official baggage;
(c) immunity, together with immediate dependants of their families from all immigration restrictions and alien registration;
(d) the same privileges in respect of exchange facilities as are accorded by the Government to members of diplomatic missions of comparable rank;
(e) exemption from any form of direct taxation on income derived from sources outside the Republic of Zimbabwe, the freedom to maintain within the Republic of Zimbabwe foreign currency accounts; such freedom to own in the Republic of Zimbabwe foreign securities and other property as is accorded to staff and officers of diplomatic missions and international organizations of comparable rank; and, while employed in the service of the Harare Office and upon the termination of such employment, the right to transfer out of the Republic of Zimbabwe without any restriction or limitation, provided that the officials concerned can show good cause for their lawful possession of such funds;
(f) the same right to import their furniture and effects, including vehicles and spare parts thereof, on first taking up their permanent posts at the Harare Office and thereafter, the same privileges and immunities as regards goods, including motor fuel, purchased in the Republic of Zimbabwe as are accorded in the Republic of Zimbabwe, to other resident members of diplomatic missions or international organizations of comparable rank;
(g) the same repatriation facilities for themselves, dependent members of their families and the same right to protection by the Government authorities in time of international crisis or national emergency, as members of diplomatic missions; and
(h) other privileges and exemptions which are or may be accorded by the Government to members of the diplomatic missions of comparable rank or to officials, experts and consultants, of comparable rank of other international organizations.

3. Officials, experts and consultants of the ILO not serving at the Harare Office but having official business with that office shall enjoy in the territory of the Republic of Zimbabwe the immunities, exemptions and privileges specified in paragraphs 1(a) and 2(a), (b), (c) and (d) above.

Article 5

All officials of the professional category and experts and consultants of the ILO serving at the Harare Office shall be provided by the Ministry of Foreign Affairs with an identity card certifying that they are officials, or experts or consultants of the ILO and that they are entitled to the immunities, exemptions and privileges provided for in this Agreement.

Article 6

The Director of the MDT shall, with the consent of the Director-General of the International Labour Office, waive the immunity of any person referred to in Articles 3 and 4 above in any case where, in his opinion, such immunity would impede the course of justice and can be waived without prejudice to the overriding interests of the ILO.

Article 7

The Director of the MDT and the persons referred to in Articles 3 and 4 above shall cooperate at all times with the Government to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse in connection with the immunities, exemptions and privileges accorded in this Agreement. Should the Government consider that an abuse has occurred the Director of the MDT shall, with the consent of the Director-General of the International Labour Office, consult with the appropriate authorities of the Republic of Zimbabwe without delay.

Article 8

The Government shall facilitate the entry into and stay in Zimbabwe of the persons invited to the Harare Office for official purposes, and their departure from the country.
Article 9

1. The Government shall facilitate the securing by the ILO of appropriate office accommodation and necessary telephone, water and electricity installation.

2. Subject to the overriding requirements of the ILO and so far as possible, support staff shall be recruited from Zimbabwean nationals.

Article 10

1. This Agreement shall come into force on the date of its signature.

2. This Agreement shall remain in force while the Harare Office remains established at Harare.

3. This Agreement may be modified by mutual consent between the two parties, and each party shall give full and sympathetic consideration to any request for such modification.

IN WITNESS WHEREOF the undersigned duly authorized representatives of the International Labour Organization and of the Government of Zimbabwe, respectfully, have signed the present Agreement.

DONE at Geneva, this nineteenth day of November 1993 in two originals in the English language, both texts being equally authentic.

For the International Labour Organization
(Signed) Michel Hansenne, Director-General of the International Labour Office

For the Government of the Republic of Zimbabwe
(Signed) John Nkomo, Minister of Public Service, Labour and Social Welfare


Extracts

This letter is to confirm the following understandings of the International Labour Organization: that “employed in the service of the Harare Office” [in Article 4, paragraph (e), of the Agreement] is understood within the meaning of Article 4, paragraph 1, and that “the right to transfer out of the Republic of Zimbabwe, without any restriction or limitation, provided that the officials concerned can show good cause for their lawful possession of such funds” means “the right to transfer the same out of the Republic of Zimbabwe, without any restriction or limitation, provided that the officials concerned can show good cause for the lawful possession thereof;”.

The Office further understands the word “telephone” in Article 9, paragraph 1, of the Agreement, to mean “telecommunications”.

(Signed) Michel Hansenne
If this address is wrong, please copy and return this sheet to the sender or, at least, the part bearing the address.
Pour tout changement d’adresse, prière de renvoyer à l’expéditeur une copie de cette feuille ou, du moins, la partie comportant l’adresse.
Sirvase indicar el cambio de dirección del destinatario y enviar esta hoja al remitente, o al menos la parte en que está escrita la dirección.