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### Office publications and documents

To ensure that all regular readers of the *Official Bulletin* receive full and up-to-date information on Office publications and documents, the quarterly *ILO Publications* list will be sent to them free of charge. A complete catalogue is available on request and books may be purchased from: ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland.
The 262nd Session of the Governing Body of the International Labour Office was held from Tuesday 4 to Friday 7 April 1995 under the chairmanship of Mrs. M. N. Roldan-Confesor (Government representative, Philippines).

The agenda was as follows:
1. Approval of the minutes of the 261st Session.\(^1\)
2. Date, place and agenda of the 1997 Session of the International Labour Conference.
5. Developments in the United Nations in 1994.\(^2\)
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 report.
Supplementary reports:
— Fiscal immunity of the ILO and its officials in France.
— Appointment of an Assistant Director-General.¹
— Request by a non-member State to be represented by a delegation of observers at the 82nd Session (1995) of the International Labour Conference.
— Consideration of World Employment 1995.

15. Reports of the Officers of the Governing Body:
— Composition of the Fifth European Regional Conference.
— 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.
— Chairmanship of the Committee on Freedom of Association.
— Derogation from the Standing Orders applicable to the next Maritime Session of the International Labour Conference.

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 82nd Session (1995) of the International Labour Conference.

* * *

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

DATE, PLACE AND AGENDA OF THE 1997 SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

The Governing Body decided that the 1997 Session of the Conference should open on Tuesday, 3 June 1997. 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) Revision of the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96).
(b) General conditions to stimulate job creation in small and medium-sized enterprises.
(c) Contract labour.

¹ The Governing Body took note of the 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.
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, the agenda of the 1997 Session would be as follows:

**Standing items:**
- Reports of the Chairman of the Governing Body and the Director-General.
- Programme and budget 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:**
- Revision of the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96) (*first discussion*).
- General conditions to stimulate job creation in small and medium-sized enterprises (*first discussion*).
- Contract labour (*first discussion*).

**REPORT OF THE TRIPARTITE MEETING ON MARITIME LABOUR STANDARDS**

*(Geneva, 28 November-9 December 1994); date, place and agenda of a maritime session of the Conference*

The Governing Body decided that a maritime session of the Conference would be held in Geneva from 9 to 23 January 1996 (15 calendar days).

The Governing Body decided, in the light of the conclusions adopted by the Tripartite Meeting on Maritime Labour Standards, that the agenda of the Maritime Session of the Conference would be the following:

1. Revision of the Inspection (Seamen) Recommendation, 1926 (No. 28).
2. Revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958 (No. 109) and Recommendation, 1958 (No. 109).
3. Revision of the Placing of Seamen Convention, 1920 (No. 9).

The Governing Body decided that a final report should be sent to the governments of member States on each of the following items:

I. Revision of the Labour Inspection (Seamen) Recommendation, 1926 (No. 28).
II. Revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958 (No. 109) and Recommendation, 1958 (No. 109).
III. Revision of the Placing of Seamen Convention, 1920 (No. 9).
IV. Partial revision of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147).

**REPORT ON THE WORLD SUMMIT FOR SOCIAL DEVELOPMENT**

*(Copenhagen, 6-12 March 1995)*

The Governing Body:

(a) welcomed the adoption by the World Summit for Social Development of a Declaration and a Programme of Action;
(b) welcomed in particular the recognition given by the Summit to the special role to be played by the ILO, because of its mandate, its tripartite structure and its expertise, in contributing to the implementation of the Programme of Action in the fields of employment and social development;

(c) requested the Director-General to ensure that the ILO’s research, operational and standard-setting activities were closely geared to contributing to the implementation of the Declaration and Programme of Action in the fields of competence of the ILO, in cooperation, where appropriate, with other international organizations;

(d) requested the Director-General to inform the Secretary-General of the ILO’s wish to be fully associated in any monitoring and reporting arrangements on the effect given to the Declaration and Programme of Action in its fields of competence;

(e) requested the Director-General to submit to the Governing Body at its 264th Session (November 1995) detailed proposals concerning the action to be taken by the ILO in giving effect to the Declaration and Programme of Action adopted by the World Summit for Social Development, taking into account any decisions taken by ECOSOC or any other competent organs of the United Nations system concerning follow-up on the Summit.


The Governing Body:

(a) expressed its gratitude to the Director-General for his earnest efforts to provide assistance to workers of the occupied Arab territories and invited him to continue those efforts within the terms of the ILO’s mandate;

(b) in view of the expected continuing improvement in the situation of the workers of the occupied territories, invited the Director-General to submit to the Selection Committee of the Conference — provided that the conditions mentioned in paragraph 1 (a) of Appendix II to the Office paper were met and on the clear understanding that, in this context, this would be the last occasion on which such a special sitting would be held — proposals relating to the holding of a special sitting at the 82nd Session (June 1995) of the International Labour Conference for the consideration of his Report on the situation of workers of the occupied Arab territories, based upon arrangements approved at the 81st Session (June 1994) of the Conference.

REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

(297th and 298th Reports)

The Governing Body considered and adopted the 297th and 298th Reports of its Committee on Freedom of Association.2

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1 It being understood that, as a result of the 1993 amendments to the Standing Orders of the Conference, the condition mentioned in paragraph 1 (a) of Appendix II to the Office paper, according to which no resolution relating to the same subject should be submitted at the same session of the Conference, would, as far as article 17.1 (1) was concerned, be without object in 1995 since the 82nd Session of the Conference was “a session of the Conference preceding the beginning of a biennial financial period”, at which no resolution may be moved under the said provision.

2 The texts of these reports are reproduced in Official Bulletin, Vol. LXXVIII, 1995, Series B.
REPORTS OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE

Appointment of External Auditor and Deputy External Auditor

The Governing Body appointed the holder of the office of Comptroller and Auditor-General of the United Kingdom and the holder of the office of Deputy Comptroller and Auditor-General of the United Kingdom as External Auditor and Deputy External Auditor respectively for a period of four years from 1 April 1996.

Financial implications of holding a maritime session of the International Labour Conference

Subject to the approval by the Conference of the proposal contained in document GB.262/3 to hold a Maritime Session of the Conference in January 1996, the Governing Body:

(a) approved the financing in 1994-95 of up to $1,961,000 of the cost of the Maritime Session of the International Labour Conference by charging up to $1,086,000 to programme 140.6 (Programme Flexibility Reserve), and up to $875,000 to major programme 295 (Unforeseen Expenditure);

(b) decided to propose to the International Labour Conference, at its 82nd Session (June 1995), that article 17.1 of the Financial Regulations be the subject of a derogation to permit expenditure of up to $1,961,000 in respect of the January 1996 Maritime Session of the Conference to be charged to the accounts of the 1994-95 financial period against programme 140.6 (Programme Flexibility Reserve — up to $1,086,000) and to major programme 295 (Unforeseen Expenditure — up to $875,000), and that it adopt a resolution in this regard.¹

Renovation of the Assembly Hall at the Palais des Nations: Implications for the International Labour Conference

The Governing Body decided that the Conference should continue to meet at the Palais des Nations, despite the space and safety constraints that would apply as from 1996.

Delegation of authority under article 18 of the Standing Orders of the Conference

The Governing Body took note that the Committee had delegated to its Officers (the Chairman and the spokesmen for the Employer and Worker members of the Committee), for the period of the 82nd Session (June 1995) 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

Proposals by the Director-General for expenditure from the Programme Flexibility Reserve

The Governing Body authorized the use of $72,000 from the Programme Flexibility Reserve (programme 140.6) for preparations concerning the holding of an enterprise forum, as proposed in paragraph 65.5 of the Director-General’s programme and budget proposals for 1996-97.

Personnel questions

Decisions of the United Nations General Assembly on the recommendations of the International Civil Service Commission

The Governing Body:

(a) endorsed the decisions of the United Nations General Assembly on the recommendations of the ICSC concerning the education grant and the special education grant for disabled children for the school year in progress on 1 January 1995, as described in document GB.262/PFA/12;

(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);

(c) decided that the unbudgeted additional cost of the increase in the level of the education grant, estimated at $390,000, be financed in the first instance from savings in Part I of the Programme and Budget for 1994-95, 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.

Matters relating to the ILO Administrative Tribunal

Composition of the Tribunal

The Governing Body asked the Director-General to convey to Mr. Pierre Pescatore its profound appreciation of the services he had diligently and consistently rendered during the previous nine years to the international community as a Judge on the Tribunal, decided to ask the International Labour Conference to make a similar expression of thanks to Mr. Pescatore, and paid tribute in particular to the wealth of his contribution to the law governing the international civil service.

The Governing Body decided to submit to the International Labour Conference, for adoption at its forthcoming session a resolution proposing the appointment as Judges of the Administrative Tribunal, for a period of three years, with effect from August 1995, of Mr. Julio Barberis (Argentina) and Mr. Jean-François Egli (Switzerland), as well as the renewal of the terms of office of Mr. Mark Fernando (Sri Lanka) and Mr. Michel Gentot (France) as Judges from the expiration of their present terms of office until the end of July 1998.¹

Programme and Budget proposals for 1996-97

The Governing Body decided:

(a) to recommend to the International Labour Conference at its 82nd Session (June 1995) a provisional programme level of $500,237,000, estimated at the 1994-95 budget exchange rate of 1.45 Swiss francs to the US dollar, the final exchange rate and the corresponding US dollar level of the budget and Swiss franc assessment to be determined by the Conference;

(b) to propose to the Conference at the same session a resolution for the adoption of the programme and budget for the 65th financial period (1996-97) and for the allocation of expenses among member States in that period.²


REPORT OF THE GOVERNMENT MEMBERS OF THE COMMITTEE ON ALLOCATIONS QUESTIONS

Scales of assessment of contributions to the budget for the 1996-97 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 Conference the adoption of the draft scales of assessment for 1996 and 1997 as set out in column 4 of Appendices A and B respectively to the fourth report of its 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.

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 its 262nd Session and to submit their report direct to the Finance Committee of Government representatives at the Conference.

REPORTS OF THE COMMITTEE ON LEGAL ISSUES AND INTERNATIONAL LABOUR STANDARDS

Legal issues

Electronic voting at the International Labour Conference

The Governing Body decided to recommend that the Conference adopt the following amendment to article 19 of its Standing Orders:

15. Unless the Officers of the Conference otherwise decide in special circumstances, the Conference shall vote by electronic means.
16. When the Conference votes by electronic means, paragraphs 7 and 12 above shall not apply. In the case of a vote by show of hands, the individual votes cast by the delegates shall be accessible during the sitting at which the vote is taken, but only the final result of the vote shall be announced and recorded. In the case of a record vote, the individual votes cast by the delegates shall be recorded and published and the final result of the vote shall be announced and recorded. In the case of a vote by secret ballot, the individual votes cast by the delegates shall in no case be recorded or accessible and only the final result of the vote shall be announced and recorded.


The Governing Body took note of the Committee’s discussion and observations on this subject, as well as of its request for the Office to prepare, for a future session of the Governing Body, the paper mentioned in paragraphs 12 and 14 of the first report of its Committee on Legal Issues and International Labour Standards.

International labour standards and human rights

Standard-setting policy: The revision of international labour standards and other related issues

The Governing Body took note of the discussions on this item and approved the establishment by the Committee of a Working Party on Policy regarding the Revision
of Standards, and requested the Office to assist the Working Party in carrying out its mandate.

The Working Party would examine the questions regarding the revision of standards raised in document GB.262/LILS/3, in particular in paragraph 67, and make recommendations to the Committee on them; the Working Party would also examine the question of the criteria that could be applied to the revision of standards.

In view of the mandate foreseen for the Working Party and the considerations mentioned in the previous paragraph, the Working Party should comprise 16 Government members (four from each region), eight Employer members and eight Worker members; it would be chaired by a Government representative. The meetings of the Working Party would be private.

The Governing Body took note of the following appointments to the Working Party:

**Employer members:**
- Mr. Durling
- Miss Hak
- Mr. Imoisili
- Mr. Katz
- Mr. Noakes
- Mr. Oechslin
- Mr. Tabani
- Mr. Touré

**Worker members:**
- Mr. Agyei
- Mr. Ahmed
- Mr. Briesch
- Mr. Gray
- Mr. Parrot
- Mr. Rampak
- Mr. Sibanda
- Mr. Tapiola

**Worker substitute members:**
- Mr. Falbr
- Mr. Ferguson
- Mr. Sanchez Madariaga

The Governing Body endorsed a proposal to request the Director-General to submit to the Governing Body a paper on the strengthening of the ILO’s standards supervisory system.

**Report of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendation concerning the Status of Teachers**

The Governing Body:
(a) took note of the report on the Sixth Session of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendation concerning the Status of Teachers;
(b) authorized the Director-General to communicate the report to the governments of member States and, through them, to the employers' and workers' organizations concerned, and to invite them to continue, and to intensify, their efforts to apply all provisions of the Recommendation, particularly in relation to the message on the occasion of International Teachers' Day which is contained in Annex 4 of the report;

(c) authorized the Director-General to communicate the relevant part of the Annex containing the Joint Committee's analyses of the allegations before it to the Governments of Albania, Colombia, Ethiopia, Panama and Portugal and to the teachers' organizations concerned and, where appropriate, to take the necessary follow-up action, as recommended in the report;

(d) authorized the Director-General to communicate the message contained in Annex 4 to the competent bodies of UNESCO for transmission to the 45th Session of the International Conference on Education;

(e) decided to forward the report to the International Labour Conference at its 82nd Session (June 1995) for examination in the first instance by the Committee on the Application of Standards;

(f) requested the Director-General to take into consideration, where appropriate in consultation with the Director-General of UNESCO, the Joint Committee's conclusions and proposals for future action by the ILO and UNESCO contained in paragraphs 102-111 of its report, in planning and implementing future ILO activities, due account being taken of available resources.

UNESCO draft Recommendation concerning the Status of Higher Education Teaching Personnel

The Governing Body:

(a) authorized the Office to continue consultations with UNESCO on the draft Recommendation concerning the Status of Higher Education Teaching Personnel, and on ways and means to ensure its monitoring;

(b) agreed to decide at its 264th Session (November 1995) what further course of action to take on the basis of a paper submitted to it by the Office along with the text of the draft Recommendation.

REPORT OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL POLICY


The Governing Body:

(a) authorized the Director-General to print and distribute the Code of Practice on the Management of Alcohol and Drug-related Issues in the Workplace:

(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 agenda of the International Labour Conference, the wishes expressed by the Meeting in paragraphs 31, 32 and 33 of the report.

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1 For the text of the Code of Practice, see document CPMAD1 which is appended to GB.262/ESP/2.

The Governing Body took note of the report of the Tripartite Meeting of Experts on Social Security and Social Protection: Equality of Treatment between Men and Women, 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 and 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 the report of the Meeting into account in drawing up future programme proposals;
(c) requested the Director-General to consult employers and workers as well as governments before taking action on paragraph 17 of the conclusions.1

REPORT OF THE COMMITTEE ON SECTORAL AND TECHNICAL MEETINGS AND RELATED ISSUES

Evaluation of the Sectoral Activities Programme and Standing Orders for sectoral meetings

The Governing Body decided:

(a) that the groups of sectors in paragraph 11 of document GB.262/STM/1 should form the core of the programme of sectoral meetings;
(b) that the structure and mode of operation of the sectoral meetings to be held under the Sectoral Activities Programme should be as set out in paragraphs 13-23 of document GB.262/STM/1;
(c) that a new set of Standing Orders for sectoral meetings should be prepared and submitted to the Officers of the Committee on Sectoral and Technical Meetings and Related Issues before being submitted to the Committee on Legal Issues and International Labour Standards in November 1995, taking into account the views of the Committee on Sectoral and Technical Meetings and Related Issues.

Programme of sectoral meetings, 1996-97

The Governing Body decided that the following topics for sectoral meetings should be included in the 1996-97 programme and budget proposals for major programme 100 (Sectoral activities):

— Education: Improving equality of opportunity for women in education: An ILO plan of action (bipartite meeting with participation of private employers).
— Mining: Social and labour issues in small-scale mines.
— Oil and gas production — Oil refining: Safety and health management systems in offshore petroleum operations.
— Financial services — Professional services: Breaking through the glass ceiling: Women in management.
— Food — Drink — Tobacco: Safety and health of meat, poultry and fish processing workers.

1 For the text of the conclusions, see document TMESSE/1994/D.1 which is appended to GB.262/ESP/3.
— Public service: Public sector reform in the context of structural adjustment and transition.


— Media — Culture — Graphical: Multimedia convergence (a seminar-type meeting).

— Postal and other communication services: The human resources dimension of structural and regulatory changes and globalization in postal and telecommunication services.

— Forestry — Wood — Pulp and paper: Safety and health in forest work.

— Basic metal production: The iron and steel workforce of the twenty-first century: What it will be like and how it will work.

— Mechanical and electrical engineering: The impact of flexible labour market arrangements based on legislation or collective agreements in the machinery, electrical and electronics industries.

— Maritime sector — Ports — Fisheries — Inland waterways: Safety and health in the fishing industry.

Tenth Session of the Committee on Work on Plantations
(Geneva, 21-27 September 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 Tenth Session of the Committee on Work on Plantations: (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 employers’ and workers’ organizations concerned;

(b) requested the Director-General: (i) to draw the special attention of governments, and through them, that of the international employers’ and workers’ organizations concerned, as well as that of the international employers’ and workers’ organizations concerned, to the report and conclusions (No. 89) concerning labour relations on plantations in relation to productivity improvements; (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 Work on Plantations 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 Work on Plantations in the relevant paragraphs of its resolutions Nos. 90 to 95;

(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 Work on Plantations in the relevant paragraphs of its conclusions No. 89 and of its resolutions Nos. 90 to 95.

1 For the text of the conclusions and resolutions, see pp. 25-32 below.
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 Productivity and Employment in Commerce and Offices: (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 22, 23, 24 and 25 of the conclusions.

REPORT OF THE JOINT MARITIME COMMISSION

(27th Session, Geneva, 9 December 1994)

The Governing Body:

(a) authorized the Director-General: (i) to communicate the text of the resolution concerning the ILO minimum wage for able seamen to the governments of member States, drawing their special attention to the paragraph of the resolution concerning the wage figure that should be applied in substitution of those contained in the Wages, Hours of Work and Manning (Sea) Recommendation, 1958 (No. 109); (ii) to communicate the text of the resolution to the international employers’ and workers’ organizations having consultative status;

(b) requested governments to transmit the text of the resolution to the employers’ and workers’ organizations concerned;

(c) requested the Director-General to continue consultations with the secretaries of the Shipowners’ and Seafarers’ groups of the Joint Maritime Commission on the establishment of a bipartite wage committee;

(d) decided to convene the 28th Session of the Joint Maritime Commission during the next Maritime Session of the Conference, with a single agenda item, entitled: Updating of the minimum basic wage figure of able seamen contained in the Wages, Hours of Work and Manning (Sea) Recommendation, 1958 (No. 109).

REPORT OF THE JOINT IMO/ILO COMMITTEE ON TRAINING


The Governing Body:

(a) took note of the reports of the Ninth and Tenth Sessions of the Joint IMO/ILO Committee on Training;

(b) authorized the Director-General to continue his consultations with the Secretary-General of the IMO on the question of establishing a joint group of experts, with no

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1 For the text of the conclusions, see document TMCO/1994/10 which is appended to GB.262/STM/5.
2 For the text of the resolution, see p. 33 below.
budgetary implications for the Office, with a view to developing guidelines for the investigation of human factors in maritime accidents;

(c) requested the Director-General, when drawing up the programme of work of the Office, to take account of the opinion expressed by the Joint Committee on the need to convene a session of the Joint IMO/ILO Committee on Training for the revision of the Document for Guidance (1985) after the adoption of the revised STCW international Convention and the new STCW Code.

Tripartite Meeting on the Effects of New Technologies on Employment and Working Conditions in the Hotel, Catering and Tourism Sector

Composition and purpose

The Governing Body:

(a) decided that the following countries should be invited to be represented at the Tripartite Meeting on the Effects of New Technologies on Employment and Working Conditions in the Hotel, Catering and Tourism Sector: Argentina, Australia, Austria, Brazil, Canada, China, Egypt, France, Germany, India, Italy, Japan, Malaysia, Mexico, Mauritius, Philippines, Russian Federation, Senegal, South Africa, Spain, United Republic of Tanzania, Tunisia, Turkey, United States, Venezuela;

(b) decided that the following countries should be included in the reserve list: Chile, Costa Rica, Greece, Indonesia, Jamaica, Kenya, Morocco, Nigeria, Sri Lanka, Switzerland, Thailand, United Kingdom;

(c) decided that 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) decided that the purpose of the Meeting should be to exchange views on the effects of new technologies on management structures and procedures, working conditions, employment and workers' competency requirements; to adopt conclusions that include proposals for further action; to adopt resolutions; and to adopt a report on its proceedings;

(e) set the closing date for acceptance of invitations at 30 September 1995.

Tripartite Meeting on Improving the Conditions of Employment and Work of Agricultural Wage Workers in the Context of Economic Restructuring

Composition and purpose

The Governing Body decided:

(a) that the following countries should be invited to be represented at the Tripartite Meeting on Improving the Conditions of Employment and Work of Agricultural Wage Workers in the Context of Economic Restructuring: Argentina, Australia, Bangladesh, Brazil, Bulgaria, Chile, China, Colombia, Egypt, El Salvador, Ethiopia, India, Indonesia, Islamic Republic of Iran, Mexico, Morocco, Nigeria, Pakistan, Philippines, Russian Federation, South Africa, Spain, Sri Lanka, United Republic of Tanzania, Thailand, Turkey, United States, Uzbekistan, Viet Nam and Zambia;

(b) that the following countries should be included in the reserve list: Burkina Faso, Guatemala, Hungary, Italy, Kazakhstan, Republic of Korea, Mozambique, Nepal, Paraguay, Peru, Syrian Arab Republic and Tunisia;

1 International Convention on Standards of Training, Certification and Watchkeeping.
(c) that the Government members should be appointed by the governments of the countries selected to be invited, and the Employer and Worker members be nominated on the basis of nominations made by the respective groups of the Governing Body;

(d) that the purpose of the Meeting should be to exchange views on the conditions of employment and work of agricultural wage workers in the context of economic restructuring; to adopt conclusions that include proposals for follow-up action concerning employment levels, conditions of work and social protection of wage workers in agriculture; to adopt resolutions; and to adopt a report on its proceedings;

(e) to set the closing date for acceptance of invitations at 10 September 1995.

PROGRESS REPORT OF THE WORKING PARTY ON THE SOCIAL DIMENSIONS OF THE LIBERALIZATION OF INTERNATIONAL TRADE

The Governing Body noted that, at its 264th Session (November 1995), the Committee on Legal Issues and International Labour Standards would resume its discussion of the document concerning the promotion of basic human rights Conventions, and endorsed the recommendation that a paper concerning child labour should be submitted to the Committee on Employment and Social Policy; it also agreed that the Working Party would meet again at the Governing Body's 264th Session (November 1995) and continue its discussion on the basis of the record of its proceedings at the 262nd Session and of a paper containing the substance of the proposed conclusions that its Chairperson had presented at the close of those proceedings.

REPORT OF THE ADVISORY MEETING OF GOVERNING BODY MEMBERS FROM ASIA

(Geneva, 25 March 1995)

The Governing Body decided that the theme of "Challenges for Asian labour markets and labour administrations for ensuring employment and social protection in the context of structural change" should be retained as the technical item for the agenda of the Twelfth Asian Regional Conference, on the broad understanding that the Conference would focus on the issues raised in paragraph 16 of document GB.262/ASMGB/1, with the amendment to paragraph 16 (b) proposed by the Employer members at the meeting and reflected in paragraph 18 of the report.

REPORT OF THE DIRECTOR-GENERAL

Obituary

The Governing Body paid tribute to the memory of Professor Roberto Ago, Chairman of its Committee on Freedom of Association and member of its Committee of Experts on the Application of Conventions and Recommendations. It requested the Director-General to convey its sympathy to the family of the deceased and to the Government of Italy.

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1 The Governing Body took note of the information submitted to it concerning the composition of the Governing Body, progress of international labour legislation, the Agreement concerning the Social Security of Rhine Boatmen (Revised) and the European Agreement concerning the Social Security of Boatmen Engaged in Inland Navigation, internal administration, publications and documents.
Fiscal immunity of the ILO and its officials in France

The Governing Body took note of the report and of a statement by the Director-General, and requested the Director-General to convey to the Government of France its appreciation of the solution adopted.

Participation of non-metropolitan territories as observers in the 82nd Session (1995) of the International Labour Conference

The Governing Body authorized the Director-General to invite Bermuda, through the Government of the United Kingdom, to send a tripartite observer delegation to the 82nd Session of the International Labour Conference.

Request by a non-member State to be represented by a delegation of observers at the 82nd Session (1995) of the International Labour Conference

The Governing Body authorized the Director-General to invite Vanuatu to be represented at the 82nd Session of the Conference, in accordance with article 2, paragraph 3 (e), of the Conference Standing Orders.

Consideration of World Employment 1995

The Governing Body discussed the publication.

Reports of the Officers of the Governing Body

Composition of the Fifth European Regional Conference

Taking account of the considerations in document GB.262/15/1, the Governing Body endorsed the list of countries to be invited to the Conference appended to document GB.262/15/1(Add.). This list comprised the following countries: Albania, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Malta, Republic of Moldova, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, The former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom and Uzbekistan.

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

In the exercise of the discretion given to it by article 26, paragraph 3, of the ILO Constitution, the Governing Body decided to take no further action on the complaint.

Chairmanship of the Committee on Freedom of Association

The Governing Body decided that this office should be conferred on Professor Max Rood, Professor of Labour Law at the University of Leiden (Netherlands), former minister, and former Chairman of the Committee on the Application of Standards of the International Labour Conference, until the expiry of the current term of office of the Governing Body, that is, until June 1996.
Derogation from the Standing Orders applicable to the next Maritime Session of the International Labour Conference

The Governing Body decided to submit the following resolution to the Conference for adoption at its 82nd Session (June 1995):

The General Conference of the International Labour Organization,
Noting the proposal to hold a special maritime session of the Conference from 9 to 23 January 1996,
Noting also that a number of adjustments need to be made to the plan of work and to the organization of proceedings at that session so as to enable it, despite the short amount of time still available and the limited duration of the maritime session, to complete its work in an efficient manner;
Decides that the following modifications of the Standing Orders of the Conference, as supplemented by the Note for maritime sessions of the International Labour Conference, shall apply to its 83rd (Maritime) Session, without prejudice to any measures which that session may have to take in accordance with article 76 of its Standing Orders:
— at the 83rd (Maritime) Session of the Conference, the Selection Committee foreseen in article 4 and in article 25, paragraph 4, of the Standing Orders shall not be constituted: the duties normally assigned to the Selection Committee in accordance with those and other relevant provisions of the Standing Orders and with usual practice shall be assigned to the Officers of the Conference, on the understanding that it shall be for the Conference itself, at the opening of its 83rd (Maritime) Session: (i) to confer on its Officers the powers necessary to enable them to take decisions on its behalf concerning the composition of committees, as well as any other uncontroversial decision relating to the organization of its proceedings or the functioning of the session; (ii) to specify the conditions governing this delegation of authority (majority necessary for decisions and publication of decisions in an appropriate manner);
— article 12 of the Standing Orders (reports of the Chairman of the Governing Body and of the Director-General) shall not apply to the 83rd (Maritime) Session of the Conference;
— the deadline for the deposit of resolutions specified in article 17, paragraph 1, of the Standing Orders shall be modified to provide that only draft resolutions deposited with the Director-General of the International Labour Office by a delegate to the Conference by midnight, 11 December 1995, at the latest, may be moved at the 83rd (Maritime) Session of the Conference;
— article 26, paragraph 1, of the Standing Orders shall be so modified as to require that the credentials of delegates to the 83rd (Maritime) Session of the Conference and their advisers be deposited with the International Labour Office by midnight, 11 December 1995, at the latest.

Composition and agenda of standing bodies and meetings

Joint ILO/UNESCO Committee of Experts on the Application of the Recommendation concerning the Status of Teachers

Reconstitution and composition

The Governing Body approved the renewal of the term of office of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendation

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1 As regards meetings, only decisions concerning their composition formula and agenda are published in the Official Bulletin.
concerning the Status of Teachers until 31 December 2000, and reappointed the following as members of the Joint Committee:

- Prof. (Ms.) A. G. Ali (Pakistan), Managing Director, Sind Government Education Foundation;
- Dr. (Ms.) E. W. Gachukia (Kenya), Executive Director, Forum for African Women Educationalists, and former Chairperson, African Women Development and Communication Network;
- Dr. (Ms.) M. A. Gallart (Argentina), Professor, Latin American Faculty of Social Sciences (PFACSO), and Advisor, National Council of Technical Education;
- The Hon. Mr. Justice L. T. Olsson (Australia), Puisne Judge, Supreme Court of South Australia, and former President, Industrial Court of South Australia;
- Prof. (Ms.) A.-L. Hostmark Tarrou (Norway), Director, National College of Education for Vocational and Technical Teachers, and President, Association for Teacher Education in Europe (ATEE);
- Dr. M. Thompson (Canada), Professor of Industrial Relations, University of British Columbia, and member of the Board of Governors, Workers’ Compensation Board of British Columbia.

Meeting of Experts on Workers’ Privacy (Geneva, 17-23 October 1995)

**Agenda**

The Governing Body approved the following agenda for the meeting: *Draft Code of Practice on the protection of workers' personal data, and recommendations for future ILO action, including consideration of the possibility of adopting international labour standards in this field.*

**Composition**

The Governing Body decided that the meeting should be attended by eight participants 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 government nominations, the Director-General intended to approach the following countries: Australia, Germany, India, the Netherlands, Norway, South Africa, the United States and Uruguay; and that, should any of those governments prove unable to nominate a participant, the Director-General would approach the Governments of Canada, France, Japan, Sweden, the United Kingdom or Zimbabwe.

Standing Technical Committee for Educational Personnel
(First Session, Geneva, 18-26 October 1995)

The Governing Body approved the following nominations:

**Nominations made after consultations with the Workers’ group:**

Mr. R. Aquilar Arce (Costa Rica), General Secretary, SEC; Ms. P. Borges (Portugal), International Secretary, SPZN; Ms. H. Borgir (Norway), Vice-President, Lararforbundet; Ms. S. Burrow (Australia), President, AEU; Mr. R. Coello (Colombia), International Secretary, FECODE; Ms. S. Feldman (United States), Vice-President, AFT; Mr. H. Ferrer (Venezuela), CLAT; Ms. M. Fouilloux (France), Adviser, FEN; Ms. L. Galang (Philippines), BATU; Mr. J. Lollbeeorry (Mauritius), President, GTU; Mr. P. Mabande (Zimbabwe), National Executive Secretary, ZIMTA; Mr. D. McAvoy
(United Kingdom), General Secretary, NUT; Ms. A. Napoe (Togo), Social Affairs Secretary, SELT; Mr. S. Ngoua Ngou (Gabon), General Secretary, SEENA; Mr. S.S. Rao (India), President, AISTF; Mr. H. Robles (Argentina), General Secretary, CEA; Mr. J. Schryburt (Canada), General Secretary, CTF; Mr. S. Subramanian (Malaysia), General Secretary, NUTP; Mr. V. Yakovlev (Russian Federation), President, ESEUR; Mr. N. Yokuyama (Japan), General Secretary, JTU.

Substitutes:

Ms. M. Cummins-Williams (Barbados); Mr. G. Falade (Nigeria), Nigeria Union of Teachers; Mr. J. Freiganes (Uruguay), President, UTU; Ms. C. Hae-Suk (Republic of Korea), President, CHUNKYOJO; Mr. J.-F. Kambalahy (Madagascar); Mr. J. Lindholm (Sweden), Executive Member, Lararforbundet; Ms. V. McQueen (Grenada), General Secretary, GUT; Ms. B. Naumann (Germany), Adviser, GEW; Mr. T. Nyesi (South Africa), General Secretary, SADTU; Mr. J. J. Reyes (Honduras), President, COPEMH; Mr. D. Taher (Tunisia), International Secretary, SGEB; Mr. E. Torres (Philippines), President, ACT.

Programme Advisory Committee of the UNEP/ILO/WHO International Programme on Chemical Safety

The Governing Body approved the appointment of Mrs. A. Ringström, Deputy Director-General, Kemikontoret, Sweden, to replace Mr. L. Jourdan as a member of the Committee.

APPOINTMENT OF GOVERNING BODY REPRESENTATIVES ON VARIOUS BODIES

Fifth European Regional Conference
(Warsaw, 20-27 September 1995)

In addition to its Chairman, the Governing Body appointed the following delegation to represent it at the Conference:

Government member: Mr. Ilabaca (Chile)
Employer member: Mr. Tabani
Worker member: Mr. Gray.

Standing Technical Committee for Educational Personnel
(First Session, Geneva, 18-26 October 1995)

The Governing Body appointed the following delegation to represent it at the meeting of the Committee:

Government member and Chairman of the Session: Mr. Kchaou (Tunisia)
Employer member: Mr. Arbeloa
Worker member: Mr. Mayaki.

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 1995 and for 1996:
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<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
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<tbody>
<tr>
<td><strong>1995</strong></td>
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<tr>
<td>10-18 May</td>
<td>Chemical Industries Committee (11th Session)</td>
<td>Geneva</td>
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<tr>
<td>22-26 May</td>
<td>Meeting of Experts on Cooperative Law</td>
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<tr>
<td>24-30 May</td>
<td>Joint Meeting on the Impact of Structural Adjustment in the Public Services</td>
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<tr>
<td></td>
<td>(Efficiency, Quality Improvement and Working Conditions)</td>
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<tr>
<td>29-31 May</td>
<td>International Round Table on the New Role of Employers’ Organizations in Countries</td>
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<td></td>
<td>with Economies in Transition</td>
<td>Geneva</td>
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<tr>
<td>1-2 June</td>
<td>Governing Body Committee on Freedom of Association</td>
<td>Geneva</td>
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<tr>
<td>6-23 June</td>
<td>82nd Session of the International Labour Conference</td>
<td>Geneva</td>
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<tr>
<td>24 June</td>
<td>263rd Session of the Governing Body</td>
<td>Geneva</td>
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<tr>
<td>3-5 July</td>
<td>Fifteenth Ordinary Session of the Intergovernmental Committee of the International</td>
<td>Geneva</td>
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<tr>
<td></td>
<td>Convention for the Protection of Performers, Producers of Phonograms and Broadcasting</td>
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<td>Organizations (Rome Convention, 1961) (ILO/UNESCO/WIPO)</td>
<td>Geneva</td>
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<tr>
<td>20-27 September</td>
<td>Fifth European Regional Conference</td>
<td>Warsaw</td>
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<tr>
<td>20-27 September</td>
<td>Tripartite Meeting on Social and Labour Issues concerning Migrant Workers in the</td>
<td>Geneva</td>
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<td></td>
<td>Construction Industry</td>
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<tr>
<td>17-23 October</td>
<td>Meeting of Experts on Workers’ Privacy</td>
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<tr>
<td>18-26 October</td>
<td>Standing Technical Committee for Educational Personnel</td>
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<td></td>
<td>(First Session)</td>
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<tr>
<td>30 October-3 November</td>
<td>Meeting of Experts on Labour Statistics on the Measurement of Underemployment</td>
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<tr>
<td>2-16 November</td>
<td>264th Session of the Governing Body and its committees</td>
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<td>(17 November if necessary)</td>
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<tr>
<td>23 November-8 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
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<tr>
<td>13-19 December</td>
<td>Tripartite Meeting on Social and Labour Problems caused by Structural Adjustments</td>
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<td></td>
<td>in the Port Industry</td>
<td>Geneva</td>
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<tr>
<td><strong>1996</strong></td>
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<td>(Advance information)</td>
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<tr>
<td>9-23 January</td>
<td>83rd (Maritime) Session of the International Labour Conference</td>
<td>Geneva</td>
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<tr>
<td>23 January</td>
<td>Joint Maritime Commission (28th Session)</td>
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<tr>
<td>5-9 February</td>
<td>Tripartite Meeting on the Globalization of the Footwear, Textiles and Clothing</td>
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<td></td>
<td>Industries: Effects on Employment and Working Conditions</td>
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<tr>
<td>4-8 March</td>
<td>Tripartite Meeting on Improving the Conditions of Employment and Work of Agricultural Wage Workers in the Context of Economic Restructuring</td>
<td>Geneva</td>
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<tr>
<td>14-28 March (29 March, if necessary)</td>
<td>265th Session of the Governing Body and its committees</td>
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<tr>
<td>15-19 April</td>
<td>Tripartite Meeting on the Effects of New Technologies on Employment and Working</td>
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<td>Conditions in the Hotel, Catering and Tourism Sector</td>
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<td>International Symposium on Organizing Informal Sector Workers</td>
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<tr>
<td>20-24 May</td>
<td>Sectoral meeting (to be determined)</td>
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<tr>
<td>30-31 May</td>
<td>Governing Body Committee on Freedom of Association</td>
<td>Geneva</td>
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<tr>
<td>4-21 June</td>
<td>84th Session of the International Labour Conference</td>
<td>Geneva</td>
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<tr>
<td>22 June</td>
<td>266th Session of the Governing Body</td>
<td>Geneva</td>
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</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 14 workers' organizations and 18 other organizations to be represented at the 82nd Session (1995) 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.

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1 For the list of the organizations concerned, see GB.262/Inf.3.
The European Agreement concerning the Social Security of Boatmen Engaged in Inland Navigation was adopted in Strasbourg on 26 March 1993. The Director-General of the International Labour Office is the depository. This instrument is open for signature in accordance with article 51, paragraph 1, of the Agreement and for ratification or acceptance in accordance with paragraph 2 of the same article. It shall enter into force in conformity with the provisions of article 52. The plenipotentiary of the Grand Duchy of Luxembourg placed the first signature to the Agreement on 5 October 1994.

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1The text of this Agreement was published in the Official Bulletin, Vol. LXXVII, 1994, Series A, No. 1.
Official measures taken regarding decisions of the International Labour Conference

Ratifications 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 below-mentioned ratifications of international labour Conventions and Declaration concerning the Application of a Convention to a Non-Metropolitan Territory. Pursuant to article 20 of the Constitution of the International Labour Organization, particulars of these ratifications and declaration 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 concerning 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/declaration</th>
<th>Date on which ratification/declaration will take effect</th>
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<tbody>
<tr>
<td>Brazil</td>
<td>Termination of Employment Convention, 1982 (No. 158)</td>
<td>5 January 1995</td>
<td>5 January 1996</td>
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<tr>
<td>Croatia</td>
<td>Right of Association (Agriculture) Convention, 1921 (No. 11)</td>
<td>8 October 1991</td>
<td>8 October 1991</td>
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<td></td>
<td>Workmen’s Compensation (Agriculture) Convention, 1921 (No. 12)</td>
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<td></td>
<td>Weekly Rest (Industry) Convention, 1921 (No. 14)</td>
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<td></td>
<td>Workmen’s Compensation (Accidents) Convention, 1925 (No. 17)</td>
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<td></td>
<td>Workmen’s Compensation (Occupational Diseases) Convention, 1925 (No. 18)</td>
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<td></td>
<td>Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)</td>
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<tr>
<th>Convention</th>
<th>Ratification Date</th>
<th>Entry into Force</th>
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<tbody>
<tr>
<td>Sickness Insurance (Industry) Convention, 1927 (No. 24)</td>
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<tr>
<td>Sickness Insurance (Agriculture) Convention, 1927 (No. 25)</td>
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<tr>
<td>Underground Work (Women) Convention, 1935 (No. 45)</td>
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<td>Maintenance of Migrants’ Pension Rights Convention, 1935 (No. 48)</td>
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<td>Labour Inspection Convention, 1947 (No. 81)</td>
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<tr>
<td>Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90)</td>
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<tr>
<td>Equal Remuneration Convention, 1951 (No. 100)</td>
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<tr>
<td>Maternity Protection Convention (Revised), 1952 (No. 103)</td>
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<tr>
<td>Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)</td>
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<td>Final Articles Revision Convention, 1961 (No. 116)</td>
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<tr>
<td>Labour Inspection (Agriculture) Convention, 1969 (No. 129)</td>
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<tr>
<td>Holidays with Pay Convention (Revised), 1970 (No. 132)</td>
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<tr>
<td><em><strong>Length of holidays specified: 18 working days. Has accepted obligations in respect of the provisions of Article 15, paragraph 1 (a) and (b).</strong></em></td>
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<tr>
<td>Workers with Family Responsibilities Convention, 1981 (No. 156)</td>
<td>8 October 1991</td>
<td>8 October 1991</td>
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<tr>
<td>Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)</td>
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<tr>
<td><em><strong>Following the admission of the Republic of Croatia to the International Labour Organization on 30 June 1992, the Government of the Republic of Croatia recognized that it would continue to be bound by the obligations arising under the above-mentioned Conventions which had been previously applicable to its territory and, at its request, the confirmation of acceptance of obligations arising under the Conventions was registered as of 8 October 1991.</strong></em></td>
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<tr>
<td>Cyprus</td>
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<tr>
<td>Minimum Age (Sea) Convention (Revised), 1936 (No. 58)</td>
<td>10 January 1995</td>
<td>10 January 1996</td>
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<td>Finland</td>
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<tr>
<td>Health Protection and Medical Care (Seafarers) Convention, 1987 (No. 164)</td>
<td>17 January 1995</td>
<td>17 January 1996</td>
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<td>Honduras</td>
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<td>State</td>
<td>Convention</td>
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<tr>
<td>Ireland</td>
<td>Occupational Cancer Convention, 1974 (No. 139)</td>
<td>4 April 1995</td>
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<td>Occupational Safety and Health Convention, 1981 (No. 155)</td>
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<td>Namibia</td>
<td>Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)</td>
<td>3 January 1995</td>
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<td></td>
<td>Right to Organize and Collective Bargaining Convention, 1949 (No. 98)</td>
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<td></td>
<td>Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)</td>
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<tr>
<td>San Marino</td>
<td>Forced Labour Convention, 1930 (No. 29)</td>
<td>1 February 1995</td>
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<td></td>
<td>Abolition of Forced Labour Convention, 1957 (No. 105)</td>
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<tr>
<td></td>
<td>Collective Bargaining Convention, 1981 (No. 154)</td>
<td>&quot;</td>
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<td></td>
<td>Has excluded Parts II, III, V, VI, X and XII pursuant to Article 3, paragraph 1 (b).</td>
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<tr>
<td>Viet Nam</td>
<td>Minimum Age (Underground Work) Convention, 1965 (No. 123)</td>
<td>20 February 1995</td>
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<td></td>
<td>Minimum age specified pursuant to Article 2: 18 years.</td>
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*Applicable without modification: Isle of Man*
Tenth Session of the Committee on Work on Plantations  
(Geneva, 21-29 September 1994)  

CONCLUSIONS, RESOLUTIONS AND CLASSIFICATION ADOPTED  

Conclusions No. 89 concerning labour relations on plantations in relation to productivity improvements

The Committee on Work on Plantations of the International Labour Organization,  
Having met in Geneva, in its Tenth Session, from 21 to 29 September 1994,  
Adopts this twenty-ninth day of September 1994 the following conclusions:

General considerations

1. The fundamental importance of productivity improvements on plantations stems from the role played by this sector in the economic development of the countries concerned. The economic and social aspects of productivity promotion on plantations are closely interrelated. While economic progress is of prime importance for obtaining improvements in the social sphere, the human factor plays an equally decisive role in economic development.

2. Sound labour relations are a major element in the achievement of productivity growth. The achievement of sound labour relations depends on the implementation of the provisions of international labour standards pertaining to freedom of association, the right to organize and collective bargaining. Particular attention should be given to the Right of Association (Agriculture) Convention, 1921 (No. 11), 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), the Plantations Convention, 1958 (No.110), the Workers’ Representatives Convention, 1971 (No. 135), the Rural Workers’ Organizations Convention, 1971 (No. 141), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), in this regard.

3. The improvement of productivity, including through labour relations, is one of the major driving forces with a view to achieving economic and social development in countries which centre their development on the plantation sector.

4. Productivity should be considered both quantitatively and qualitatively. Together with remuneration, the motivation of plantation workers to achieve higher productivity implies a wide range of elements which should be taken into account.

5. The human dimension in productivity enhancement on plantations means that workers are not only one of its major driving forces but also one of its beneficiaries. Productivity promotion measures should be consistent with the rights and duties of workers and employers, on the basis of reciprocal interests.

6. Plantation employers and workers have common interests as far as productivity is concerned. Labour relations is a major instrument for reconciling and promoting employers’ and workers’ interests.

7. Governments, as the third party, play a positive role in the social partners’ mutual understanding and cooperation by stimulating dialogue. Governments could provide employers’ and workers’
organizations with the basis for free collective bargaining and consultation in productivity promotion on plantations.

**Labour relations and productivity improvements**

8. Collective bargaining and joint consultations are important labour relations instruments used by plantation employers and workers' organizations in their joint consideration of productivity improvement measures. These two arrangements supplement each other in developing and maintaining a constructive dialogue and facilitating mutual understanding.

9. Governments and the social partners should intensify their cooperation in plantations' productivity policy-making. This could be achieved through joint productivity programmes and campaigns and the provision of advisory services and training.

10. Remuneration should be regarded as one of the instruments in motivating performance. The introduction of various productivity incentive schemes in cash or kind, including payment by results systems, productivity bonuses, financial participation and profit-sharing arrangements, should be as a result of negotiation and consultation arrangements.

11. Productivity should be the result of more intelligent, not harder, work in which the whole set of productivity improvement efforts is reflected.

**Worker housing, household environment and productivity**

12. Governments, employers' and workers' organizations have their respective role to play in productivity promotion, including through the improvement of living conditions on plantations. In order to encourage productivity, it is important that plantations provide adequate services for workers and their families.

13. The provision of general infrastructural services, housing and sanitation, health services, education and child care in and around plantations should be given higher priority by governments.

**Training implications**

14. The provision of vocational training is the responsibility of governments, employers' and workers' organizations. This involves both formal as well as technical training with appropriate curricula or programmes. Employers' and workers' organizations should participate in the elaboration, implementation and evaluation of technical training programmes, as well as the appropriate provisions being taken nationally, sectorally and on the plantations.

15. Governments should endeavour to eliminate illiteracy among plantation workers and their families, making basic education available to them. Attention must be given to making available training for women workers as well as for young workers, seasonal workers and migrant workers, in order to permit them to acquire the necessary skills to cope with technological advances.

**Future action**

**At the national level**

16. Governments, together with employers' and workers' organizations should enhance the role of labour relations machinery in productivity promotion on plantations.

17. Governments should strengthen labour inspection services to ensure compliance with laws and regulations concerning the plantation sector.

**By the ILO**

18. Information on successful practices of productivity promotion on plantations through labour relations machinery is invaluable to governments, as well as to employers' and workers' organizations. The ILO, therefore, should undertake a comparative assessment of such practices and collect and disseminate information thereon.

19. The ILO should stand ready to provide, on request, technical assistance to governments and employers' and workers' organizations in the assessment of productivity training needs and in the design and implementation of productivity promotion programmes and projects.
20. The ILO should organize national and regional seminars and conferences on the promotion of productivity on plantations, to facilitate the exchange of ideas and experiences among governments, employers' and workers' organizations.

Resolution (No. 90) concerning the role of multinational enterprises in the plantation sector

The Committee on Work on Plantations of the International Labour Organization,
Having met in Geneva, in its Tenth Session, from 21 to 29 September 1994,
Noting the changes in the plantation sector in some countries particularly through structural adjustment policies, changes in estate ownership patterns, the growth in contract farming and the increase in production of non-traditional plantation crops,
Considering the globalization of agricultural commodity production and the role of multinational enterprises in the plantations of many developing countries,
Noting the newly emerging forms of production linked to growing foreign investment in agriculture and plantations,
Noting that multinational enterprises play a leading role in the production and distribution of plantation commodities,
Recalling the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy;
Adopts this twenty-ninth day of September 1994 the following resolution:
The Committee on Work on Plantations invites the Governing Body of the International Labour Office to request the Director-General to undertake a study on the role of multinational enterprises in the plantation sector and its impact on employment and working conditions, occupational safety and health, trade union rights, labour relations and work-related environment.

Resolution (No. 91) concerning the Tripartite Technical Meeting on Conditions of Employment and Work in the Rural Sector

The Committee on Work on Plantations of the International Labour Organization,
Having met in Geneva, in its Tenth Session, from 21 to 29 September 1994,
Welcoming the decision of the Governing Body of the ILO to replace the Advisory Committee on Rural Development by a Tripartite Technical Meeting on Conditions of Employment and Work in the Rural Sector,
Noting the importance the Ninth Session of the Committee on Work on Plantations attached to the work of the Advisory Committee on Rural Development,
Recognizing the growing importance of employment in the rural sector and the contribution of the self-employed to the production of plantation crops,
Noting the ongoing discussions about the future of the sectoral meetings system in the ILO,
Further noting that the First Session of the Tripartite Technical Meeting on Conditions of Employment and Work in the Rural Sector was initially scheduled to take place in the 1994-95 biennium but that this has now been rescheduled;
Adopts this twenty-ninth day of September 1994 the following resolution:
The Committee on Work on Plantations invites the Governing Body of the International Labour Office:
(1) to request the Director-General:
   (a) to ensure that a tripartite meeting on conditions of employment and work in the rural sector takes place as early as possible in 1996;
   (b) to ensure the availability of adequate resources to implement its decisions;
(2) to call on member States to collaborate fully with the ILO, in consultation with the social partners when appropriate, in preparation for this meeting.

1 Adopted unanimously.
2 Adopted unanimously.
Resolution (No. 92) concerning occupational safety and health on plantations, with particular reference to the use of pesticides

The Committee on Work on Plantations of the International Labour Organization,
Having met in Geneva, in its Tenth Session, from 21 to 29 September 1994,
Considering recent developments in the control of pesticides, notably the introduction of the International Register of Potentially Toxic Chemicals, the FAO's Prior Informed Consent Procedures, the ILO Chemicals Convention, 1990 (No. 170), and the UNEP’s Code of Ethics on International Chemical Safety,
Noting that some pesticides are a major health hazard to plantation workers and their families if not handled carefully,
Noting that one WHO estimate suggests that approximately 3 million persons suffer annually from single short-term exposure, including 220,000 deaths;
Adopts this twenty-ninth day of September 1994 the following resolution:

The Committee on Work on Plantations invites the Governing Body of the International Labour Office:
(1) to request the Director-General:
   (a) to allocate within the Workers’ Education Programme adequate resources to ensure the implementation of programmes on pesticide safety, with special reference to recent international codes and developments;
   (b) to conduct research on the special needs of plantation workers in relation to provision of appropriate protective clothing and safe systems of work;
(2) to call on member States:
   (a) to ratify ILO Conventions relating to occupational safety and health on plantations in particular the Chemicals Convention, 1990 (No. 170);
   (b) to establish appropriate tripartite machinery to ensure national regulation and control of pesticides in line with international recommendations and to collate and disseminate information on pesticides and their safe use;
   (c) to study the possibility of reducing pesticide use where possible, and to introduce integrated pest management systems.

Resolution (No. 93) concerning child labour on plantations

The Committee on Work on Plantations of the International Labour Organization,
Having met in Geneva, in its Tenth Session, from 21 to 29 September 1994,
Welcoming the ILO International Programme on the Elimination of Child Labour (IPEC),
Recalling that 1994 is the United Nations International Year of the Family,
Recalling the resolution concerning the International Year of the Child adopted by the International Labour Conference at its 65th Session (1979),
Noting that child labour is linked to family poverty,
Reaffirming that the progressive elimination of child labour remains a priority for the ILO, and that all activities aimed at regulating and humanizing child labour must contribute to the attainment of that objective, in line with the Minimum Age Convention, 1973 (No. 138);
Adopts this twenty-ninth day of September 1994 the following resolution:

The Committee on Work on Plantations invites the Governing Body of the International Labour Office:
(1) to request the Director-General:
   (a) to undertake a comprehensive study on child labour in the plantation sector;
(b) to intensify ILO efforts aimed at disseminating information on the international labour standards relating to minimum age for employment, with a view to promoting their ratification and application by governments;

(c) to ensure that the issues related to the progressive elimination of child labour on plantations are given due priority in the work of the multidisciplinary teams;

(d) to seek an increased allocation of resources for IPEC to tackle the problem of child labour on plantations;

(2) to call on member States:

(a) to ratify the Minimum Age Convention, 1973 (No. 138);

(b) to give priority to the progressive elimination of all forms of child labour on plantations in line with the resolution concerning the International Year of the Child adopted in 1979 by the International Labour Conference;

(c) to establish tripartite mechanisms for the formulation and implementation of educational policies essential for the long-term elimination of all forms of child labour;

(d) to give full support to ILO programmes on the elimination of child labour.

Resolution (No. 94) concerning freedom of association and international labour standards for plantation workers

The Committee on Work on Plantations of the International Labour Organization, Having met in Geneva, in its Tenth Session, from 21 to 29 September 1994,
Noting the occurrence of a number of cases of violations of trade union rights in the plantations sector which have been examined by the Committee on Freedom of Association in the last decade;
Adopts this twenty-ninth day of September 1994 the following resolution:

The Committee on Work on Plantations invites the Governing Body of the International Labour Office to urge all member States of the International Labour Organization to ratify and implement existing international labour standards relevant to the plantation sector, in particular, the Right of Association (Agriculture) Convention, 1921 (No. 11), the Plantations Convention, 1958 (No. 110), 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), the Rural Workers’ Organizations Convention, 1975 (No. 141).

Resolution (No. 95) concerning future ILO activities in the plantations sector

The Committee on Work on Plantations of the International Labour Organization, Having met in Geneva, in its Tenth Session, from 21 to 29 September 1994,
Noting the ongoing review within the ILO of the role of sectoral committees,
Noting the technical agenda item chosen by the Governing Body for the present session: "Labour relations on plantations in relation to productivity improvements’’;
Emphasizing the importance of plantations to national economies and the world’s food supply,
Noting the economic and social importance of plantations in numerous developing countries,
Noting that women make a very significant contribution to the plantation workforce and to food production throughout the world, and that in some countries they constitute the majority of the plantation workforce,
Observing that ILO activities in the field of plantations should be guided by the priorities set by this Committee;

1 Adopted unanimously.

2 Adopted unanimously.
Adopts this twenty-ninth day of September 1994 the following resolution:

The Committee on Work on Plantations invites the Governing Body of the International Labour Office:

(1) to convene as soon as possible the Eleventh Session of the Committee on Work on Plantations;
(2) to ensure the availability of resources to implement the decisions of the Tenth Session of the Committee;
(3) to request the Director-General:
   (a) to pursue research and issue publications in the field of productivity improvements;
   (b) to pursue research and issue publications in the field of labour relations;
   (c) to organize regional and subregional meetings as a complement to the work of this Committee;
   (d) to facilitate the implementation of the Plantations Convention, 1958 (No. 110);
   (e) to facilitate future work on plantation issues through the production of a consolidated text of the conclusions and resolutions by topic and in chronological order as adopted by the Committee on Work on Plantations;
   (f) to undertake a study on the ratification and implementation of Convention No. 110 and related relevant Conventions;
   (g) to examine ways of ensuring better women’s participation at the Eleventh Session of the Committee on Work on Plantations, for example through:
      (i) the encouragement and promotion of increased women’s participation in future meetings;
      (ii) continuing to stress in invitations for future meetings on work on plantations the importance of including women in the delegation;
   (h) to call on member States to encourage the inclusion of women in national delegations;
   (i) to allocate funds in future budgets for the organization of tripartite meetings, experts’ meetings or seminars concerning the following:
      — occupational safety and health on plantations;
      — vocational training, technical training and management training in the plantations sector;
      — labour relations on plantations;
      — productivity on plantations;
   (j) to give the highest priority to the agricultural and plantations sectors in the course of the ongoing reorganization of the ILO’s Sectoral Activities Programme;
   (k) to call on governments to consult with employers’ and workers’ organizations when they consider measures to be taken as follow-up to the present session and when they prepare for future meetings of the Committee on Work on Plantations;
(4) to decide, in view of the potential changes to the system of sectoral meetings, after appropriate consultations, on a topic of current concern to the plantations sector as the technical item to be discussed at the next meeting.

Classification of the conclusions and resolutions adopted by the Committee on Work on Plantations at its previous sessions

Section I: 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

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1 Adopted unanimously.
2 The following texts are outdated, superseded or implemented and are eliminated from the classification: 2, 4, 6-20, 22-38, 41-43, 45-52, 54, 56-59, 61, 63, 65-68, 71-73, 77, 88.
No. 1 Resolution concerning recruitment and engagement of labour for plantations (paragraphs 1-3) (First Session, 1950).

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

Nos.

3 Resolution concerning hours of work, the weekly rest and holidays for plantation workers (First Session, 1950).
39 Resolution concerning promotion and development of a cooperative movement for plantation workers (Fourth Session, 1961).

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

Nos.

21 Resolution concerning the regulation of wages on plantations (Second Session, 1953).
40 Resolution concerning the extension of social security to plantation workers and their families (Fourth Session, 1961).
44 Resolution concerning fixing of minimum wages (Fourth Session, 1961).
53 Resolution concerning follow-up action on conclusions and resolutions of the Committee on Work on Plantations (Fifth Session, 1966).
62 Conclusions concerning social consequences of technological development on plantations (Sixth Session, 1971).
69 Conclusions concerning collective bargaining problems and practices on plantations and the exercise of trade union rights (Seventh Session, 1976).
70 Conclusions concerning housing, medical and welfare facilities and occupational safety and health on plantations (except paragraph 39) (Seventh Session, 1976).
75 Conclusions concerning training and retraining of workers and managers in plantations (except paragraphs 19 and 20) (Eighth Session, 1982).
76 Conclusions concerning occupational safety and health on plantations, with special reference to mechanization and the use of chemicals and to labour inspection (except paragraphs 38 and 42) (Eighth Session, 1982).
78 Resolution concerning the right to organize and to negotiate in the plantations sector (paragraph 1) (Eighth Session, 1982).
79 Resolution concerning the position of women workers on plantations (paragraph 1) (Eighth Session, 1982).

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

Nos.

1 Resolution concerning recruitment and engagement of labour for plantations (paragraph 4) (First Session, 1950).
5 Resolution concerning workers' housing on plantations (First Session, 1950).
30 Conclusions concerning living and working conditions and productivity on plantations (paragraphs 9 and 15) (Third Session, 1955).
55 Resolution concerning measures for the stabilization of plantation commodity markets (Fifth Session, 1966).
64 Resolution concerning the obtaining of information by the International Labour Organization from territories under a colonial regime or foreign domination (Sixth Session, 1971).

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

31
Nos.
60 Resolution concerning regional action by the International Labour Organization (Fifth Session, 1966).
70 Conclusions concerning housing, medical and welfare facilities and occupational safety and health on plantations (paragraph 39) (Seventh Session, 1976).
74 Resolution concerning international trade in plantation products and international prices (Seventh Session, 1976).
75 Conclusions concerning training and retraining of workers and managers in plantations (paragraphs 19 and 20) (Eighth Session, 1982).
76 Conclusions concerning occupational safety and health on plantations, with special reference to mechanization and the use of chemicals and to labour inspection (paragraphs 38 and 42) (Eighth Session, 1982).
78 Resolution concerning the right to organize and to negotiate in the plantations sector (paragraph 2) (Eighth Session, 1982).
79 Resolution concerning the position of women workers on plantations (paragraph 2) (Eighth Session, 1982).
80 Conclusions concerning conditions of employment and work on plantations including the provision of basic needs, with special reference to seasonal workers, women and young workers (Ninth Session, 1989).
81 Conclusions concerning the role of the plantation sector in rural development, with special reference to questions of employment (Ninth Session, 1989).
82 Resolution concerning the importance of international labour standards for the plantation sector (Ninth Session, 1989).
83 Resolution concerning migrant labour in the plantation sector (Ninth Session, 1989).
84 Resolution concerning commodity prices and quality of life of plantation workers (Ninth Session, 1989).
85 Resolution concerning occupational safety and health on plantations (Ninth Session, 1989).
86 Resolution concerning freedom of association in the plantation sector (Ninth Session, 1989).
87 Resolution concerning plantation development for employment and social objectives (Ninth Session, 1989).
Joint Maritime Commission
(27th Session, Geneva, 9 December 1994)

RESOLUTION ADOPTED

Resolution concerning the ILO minimum wage for able seamen

Having met in Geneva, in its 27th Session, on 9 December 1994,

Having considered the report prepared by the International Labour Office on Wages, Hours of Work and Manning (Sea) Recommendation, 1958 (No. 109): Updating of the minimum basic wage of able seamen,

Having noted that the Joint Maritime Commission at its 26th Session in 1991 considered the wage figures of US$335 and £196 as of October 1991 and US$356 and £208 as of 25 October 1992 (with US$356 as of 25 October 1991 to be the base for recalculation purposes),

Having noted the changes since the 26th Session as to which countries and areas are now either major maritime nations or major suppliers of seafarers, as described in the Office report;

The Joint Maritime Commission of the International Labour Organization:

1. Considers the list of 41 countries and areas contained in the Office report (see Appendix I) as currently representative of major maritime nations or major suppliers of seafarers; and that the minimum wage figure contained in the Recommendation should be expressed in terms of US dollars only.

2. Considers also that the formula used to revise the minimum wage should otherwise be maintained as it pertains to currency exchange rates, consumer prices and weighting, and that productivity should also be addressed when the JMC finds this fact relevant.

3. Considers furthermore that in view of the above factors, the figure of US$385 should be regarded as the equivalent, as of 9 December 1994, of the wage figures contained in the Recommendation.

4. Urges that, in giving effect to the Recommendation, Members should apply, in substitution for the wage figures contained therein, the figure of US$385, with effect from 1 January 1995.

5. Requests the Governing Body of the International Labour Office to ask the Director-General to convene the 28th Session of the Joint Maritime Commission for the purpose of updating the minimum basic wage of able seamen, concurrent with a Maritime Session of the International Labour Conference, to be held in Geneva in January 1996.

6. Agrees that US$385 as of 1 January 1995 should be used as the base for recalculation purposes at the meeting of the Joint Maritime Commission proposed in point 5 above and that any revised minimum wage recommended by the Commission should be effective from 1 January 1997.

7. Reminds the Governing Body of the earlier proposal of the JMC that a small bipartite wage committee composed of six Shipowner representatives and six Seafarer representatives be convened every alternate year between sessions of the Joint Maritime Commission for the purpose of updating the ILO minimum wage figure for able seamen in accordance with the prescribed formula, it being understood that such a committee should not be convened in the year before a Joint Maritime Commission session.
Memorandum of Understanding concerning the Establishment of the Inter-Organization Programme for the Sound Management of Chemicals

The parties to this Memorandum,


Taking into account the resolutions adopted at the International Conference on Chemical Safety in Stockholm on 29 April 1994, have agreed as follows:

1. Parties

1.1 This Memorandum of Understanding shall be open to signature by the following Organizations:
— the United Nations Environment Programme;
— the International Labour Organization;
— the Food and Agriculture Organization of the United Nations;
— the World Health Organization;
— the United Nations Industrial Development Organization; and
— the Organization for Economic Co-operation and Development.

1.2 The organizations listed in paragraph 1.1 which have become parties to this Memorandum of Understanding shall be known as Participating Organizations.

1.3 Other intergovernmental organizations may also become Participating Organizations upon the unanimous consent of the Participating Organizations and after fulfilment of the provisions of paragraph 10.2.

2. Establishment and purpose of the programme

2.1 The Inter-Organization Programme for the Sound Management of Chemicals is hereby established.

2.2 The purpose of the Programme is to promote coordination of the policies and activities pursued by the Participating Organizations, jointly and separately, to achieve the sound management of chemicals in relation to human health and the environment.

2.3 The areas in which coordination shall be sought are the following:
(a) international assessment of chemical risks;
(b) harmonization of classification and labelling of chemicals;
(c) information exchange on chemicals and chemical risks;
(d) establishment of risk reduction programmes;
(e) strengthening of national capabilities and capacities for management of chemicals;
(f) prevention of illegal international traffic in toxic and dangerous products;
(g) other areas as agreed by all Participating Organizations.

3. Inter-Organization Coordinating Committee (IOCC)

3.1 There shall be an Inter-Organization Coordinating Committee (IOCC), composed of one representative of each Participating Organization, which shall perform the functions identified in
3.2 These representatives may be assisted by advisors, as appropriate.

3.3 The IOCC may agree to invite observers to attend its meetings.

3.4 The IOCC may agree to set up advisory bodies, if necessary.

3.5 The IOCC shall adopt its rules of procedure.

3.6 The IOCC shall elect its Chairperson, and, as necessary, Vice-Chairpersons, serving on a rotational basis unless otherwise agreed by the IOCC.

4. Meetings

4.1 The IOCC shall normally hold two regular sessions every year. The IOCC shall determine the date, time and place of each regular session.

4.2 An extraordinary session of the IOCC may be called at the request of at least two of the Participating Organizations. The date, time and place of an extraordinary session shall be determined by the Chairperson in consultation with the Secretariat and the Participating Organizations.

4.3 Each Participating Organization shall make its own arrangements for bearing the cost of attending meetings of the IOCC.

4.4 The IOCC may agree to meet from time to time with the representatives of other organizations, programmes and intergovernmental meetings and arrangements.

5. Functions

5.1 The functions of the IOCC shall be the following:

(a) to consult on the planning, programming, funding, implementation and monitoring of activities undertaken jointly or individually by the Participating Organizations with regard to the sound management of chemicals;

(b) to identify gaps and areas of overlap in such activities and recommend ways to reduce or eliminate them;

(c) to make recommendations on the distribution of work among the Participating Organizations with regard to the sound management of chemicals;

(d) to recommend common policies to be pursued by the Participating Organizations;

(e) to encourage the Participating Organizations to undertake joint programmes for the sound management of chemicals;

(f) to endorse specific activities planned or undertaken by one or more of the Participating Organizations as being within the framework of the Programme;

(g) to exchange information about the activities undertaken and planned to be undertaken, jointly or separately, by the Participating Organizations with regard to the sound management of chemicals;

(h) to review actions taken, and to consider recommendations made, by other organizations, programmes and intergovernmental meetings and arrangements (such as the Intergovernmental Forum on Chemical Safety) concerning matters within the scope of the Programme, as well as to consider possible follow-up which might be given by the Participating Organizations;

(i) to make recommendations to such organizations, programmes and intergovernmental meetings and arrangements;

(j) to consider and approve the budget of the Secretariat;

(k) to determine the work to be carried out by the Secretariat.

5.2 The IOCC may be given additional functions as agreed by all the Participating Organizations.

6. Recommendations and decision-making

Except as otherwise provided in this Memorandum of Understanding, and subject to advance notice of the provisional agenda of the meeting, recommendations and decisions of the IOCC shall
be taken by consensus among the representatives of the Participating Organizations who are present at a meeting of the IOCC.

7. Secretariat

7.1 There shall be a secretariat providing the IOCC with services, including the following:
(a) the organization of meetings of the IOCC;
(b) the collection and analysis of information for the preparation of documents for such meetings;
(c) the preparation and circulation of the minutes of each meeting and the report referred to in paragraph 9.1;
(d) the performance of other inter-sessional work as necessary for such meetings;
(e) the preparation of a draft budget of the Secretariat for consideration by the IOCC.

7.2 The Secretariat shall carry out its work in accordance with the guidance of the IOCC.

7.3 To the extent that corresponding resources are made available, the Secretariat of the Programme may also provide secretariat services for other intergovernmental meetings and arrangements if so decided by the IOCC. For this purpose, that part of the Secretariat providing such services shall be functionally distinct from the part of the Secretariat under the direction of the IOCC.

7.4 The Secretariat shall be located at the administering organization.

7.5 Until agreed otherwise by the Participating Organizations, the administering organization for the Secretariat shall be the World Health Organization.

7.6 The Participating Organizations shall review the designation of the administering organization five years after the date on which this Memorandum of Understanding entered into force and periodically thereafter.

7.7 To the extent that resources are made available to so provide, the Secretariat shall be composed of such staff as deemed necessary by the IOCC.

7.8 The loan or secondment of a staff member to perform work for the Secretariat shall be subject to agreement between the organization releasing the staff member and the administering organization of the Secretariat.

7.9 The Executive Head of the administering organization shall designate the head of the Secretariat upon the consensus recommendation of the IOCC attended by all the Participating Organizations.

8. Budget

8.1 The Participating Organizations shall share the costs of the Secretariat, taking into account resources provided for under paragraphs 8.3 and 8.4.

8.2 The budget of the Secretariat shall state the amount of its budgetary needs and the resources envisaged to meet them.

8.3 The resources of the Secretariat, as approved by the IOCC, may be provided as follows:
(a) voluntary monetary and in-kind contributions from the Participating Organizations and Governments;
(b) voluntary monetary and in-kind contributions from other intergovernmental sources;
(c) secondment or loan of staff members from the Participating Organizations as a contribution in kind.

8.4 Contributions from other sources may also be approved by the IOCC attended by all the Participating Organizations.

8.5 No Participating Organization shall be required to provide financial support for the Secretariat beyond what that Organization has pledged.

9. Reporting

9.1 The Secretariat shall submit a report of activities and the use of budgetary resources to the IOCC for its adoption at least once a year.
9.2 The adopted report shall be sent to the Executive Heads of the Participating Organizations and be forwarded through the appropriate channel to the Inter-Agency Committee on Sustainable Development and to any other bodies the IOCC may deem appropriate.

10. Entry into force

10.1 This Memorandum of Understanding shall enter into force upon signature by four of the organizations mentioned in paragraph 1.1 above.

10.2 It shall enter into force for any other intergovernmental organization mentioned in paragraph 1.3 upon the date of the written acceptance by that organization of the Memorandum of Understanding, including any amendments thereto.

11. Amendments

This Memorandum of Understanding may be amended by consensus of all Participating Organizations. An amendment shall enter into force upon written acceptance by all the Participating Organizations.

12. Withdrawal

12.1 Any Participating Organization may withdraw from this Memorandum of Understanding by written notification to the head of the Secretariat of the IOCC, who shall immediately inform the Participating Organizations of such notification.

12.2 The withdrawal shall take effect upon the expiration of six months from the date on which the written notification has been received by the head of the Secretariat of the IOCC or at any later date indicated in the notification.

13. Duration and termination

This Memorandum of Understanding may be terminated only by consensus of all Participating Organizations or whenever the number of the Participating Organizations is less than four, unless the remaining Participating Organizations agree otherwise.

For the United Nations Environment Programme:
(Signed) Elizabeth DOWDESWELL,
Executive Director
Date: 31 January 1995

For the International Labour Organization:
(Signed) Michel HANSENNE
Director-General
Date: 17 January 1995

For the Food and Agriculture Organization of the United Nations:
(Signed) Jacques DIOUF
Director-General
Date: 18 April 1995

For the World Health Organization:
(Signed) Hiroshi NAKAJIMA,
Director-General
Date: 11 January 1995

For the United Nations Industrial Development Organization:
(Signed) Mauricio DE MARIA Y CAMPOS
Director-General
Date: 21 March 1995

For the Organization for Economic Co-operation and Development:
(Signed) Staffan SOHLMAN,
Secretary-General ad interim
Date: 13 March 1995
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 une copie de cette feuille ou, du moins, la partie comportant l'adresse.

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Convention, Recommendation, Protocol, Resolutions and Other Decisions adopted by the International Labour Conference at its 82nd Session (Geneva, 1995)

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Office publications and documents

To ensure that all regular readers of the Official Bulletin receive full and up-to-date information on Office publications and documents, the quarterly ILO Publications list will be sent to them free of charge. A complete catalogue is available on request and books may be purchased from: ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland.
The 82nd Session of the International Labour Conference was held from Tuesday, 6 June, to Thursday, 22 June 1995, under the presidency of Mr. F. Rosales Argüello, Minister of Labour of Nicaragua.

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

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1The texts of the instruments, resolutions and other decisions adopted by the Conference appear on pp. 18–43 below. More detailed information on the proceedings of the Conference, including the names of participants, the verbatim record of plenary sittings, committee reports, etc., is to be found in the Record of Proceedings of the 82nd Session, which consists of the 27 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.
263rd Session of the Governing Body of the International Labour Office
(Geneva, 23 June 1995)

The 263rd Session of the Governing Body of the International Labour Office was held on 23 June 1995 under the chairmanship of Mrs. M. N. Roldan-Confesor (Government representative, Philippines), followed by Mr. Yvon Chotard (Government representative, France).

The agenda was as follows:

Supplementary reports
- Evaluation of the reforms in the functioning of the Governing Body and the Conference.
- The ILO and the Fourth World Conference on Women.
5. Reports of the Officers of the Governing Body.
- Representation made by the Seafarers' Union of Russia under article 24 of the ILO Constitution, alleging non-observance by the Russian Federation of the Seafarers' Identity Documents Convention, 1958 (No. 108).
- Agenda of the 1997 Session of the Conference.
6. Composition and agenda of standing bodies and meetings.

Other questions
- Working Party on Policy regarding the Revision of Standards

Matters on which the Officers of the Governing Body took decisions on its behalf
- Symposia, seminars and similar meetings

* * *

The following is an account of the action taken by the Governing Body on the above agenda.¹

Election of the Officers of the Governing Body for 1995–96

Election of the Chairman

The Governing Body elected Mr. Y. Chotard, representative of the Government of France, as its Chairman for the year 1995–96.

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.
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 1995–96.

Questions arising out of the 82nd Session of the International Labour Conference: Report of the Programme, Financial and Administrative Committee

Convening of a tripartite Working Party of the Programme, Financial and Administrative Committee on Programme and Budget Adjustments to prepare a further discussion of expenditure reductions by the Committee in November 1995.

The Governing Body took note that the Programme, Financial and Administrative Committee had established a tripartite Working Party on Programme and Budget Adjustments, which would have an advisory role and would be chaired by the Chairman of the Governing Body. The terms of reference of the Working Party would be, inter alia, to examine programme adjustments in order to permit the finalization of a set of proposals for expenditure adjustments, to be submitted to the Programme, Financial and Administrative Committee at its meeting in November 1995; in doing so, the Working Party should take full account of the terms of the resolution adopted by the Conference concerning the adoption of the Programme and Budget for 1996–97, including the request that adjustments should not reduce the technical cooperation or field programmes.

The Governing Body took note that, in addition to the Officers of the Governing Body, the Working Party would have the following composition:

Government members (8): Argentina, Egypt, India, Japan, Poland, Tunisia, United Kingdom, United States;

Employer members (4): Mr. Durling, Miss Mackie, Mr. Owuor, Mr. Tabani;

Worker members (4): Mr. Gray, Mr. Itoh, Mr. Mayaki, Mr. Tapiola.

The Governing Body decided that the cost of the meeting of the Working Party, estimated not to exceed $63,500, would be financed from savings in Part I of the Programme and Budget for 1994–95.

Budget reductions requiring decision in June 1995

The Governing Body decided to adopt the following measures:

(a) the postponement of the Maritime Session of the Conference, planned to be held in January 1996, which would save $1,961,000 in 1995, and some $582,500 under the Programme and Budget for 1996–97;

(b) the postponement of the following technical and sectoral meetings due to be held in 1995, with the savings and commitments indicated:

(i) Tripartite Meeting on Social and Labour Issues concerning Migrant Workers in the Construction Industry ($307,830; indemnities of $45,000 payable in respect of cancelled contracts for interpreters);

(ii) Meeting of Experts on Workers' Privacy ($156,430; indemnities of $23,000 payable for interpretation);

(iii) Standing Technical Committee for Educational Personnel ($305,860; indemnities of $42,000 payable for interpretation);

(iv) Meeting of Experts on Labour Statistics on the Measurement of Underemployment ($127,390; indemnities of $10,000 payable for interpretation);
(v) Tripartite Meeting on Social and Labour Problems caused by Structural Adjustment in the Port Industry ($347,100; indemnities of $22,000 payable for interpretation);

(c) elimination of the Provisional Record at the Fifth European Regional Conference.

REPORT OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

299th Report

The Governing Body considered and adopted the 299th Report of its Committee on Freedom of Association.¹

REPORT OF THE DIRECTOR-GENERAL

Evaluation of the reforms in the functioning of the Governing Body and the Conference

The Governing Body decided not to request the Office to prepare a paper on this subject at the present stage.

The ILO and the Fourth World Conference on Women

The Governing Body decided that an amended version of the statement contained in the report should be transmitted to the Fourth World Conference on Women as a statement by the Office.

REPORTS OF THE OFFICERS OF THE GOVERNING BODY

Representation made by the Seafarers' Union of Russia under article 24 of the ILO Constitution, alleging non-observance by the Russian Federation of the Seafarers' Identity Documents Convention, 1958 (No. 108)

The Governing Body decided that the representation was receivable, and appointed a committee with the following composition to examine it.

Agenda of the 1997 Session of the Conference

The Governing Body confirmed that the item concerning the revision of the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96), was included on the agenda of the 1997 Session of the Conference for a single discussion.

COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS

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:
- Mr. P. N. Bhagwati (India)
- Sir William Douglas (Barbados)
- Mrs. E. Letowska (Poland)
- Mr. B. O. Nwabueze (Nigeria)

New appointments

In order to fill the seats vacated by Mr. Ruda and Mr. Ago, the Governing Body appointed the following persons as members of the Committee for a period of three years:
- Mrs. Blanca Ruth Esponda (Mexico): Born 1946; Professor of Labour Law at the National Autonomous University of Mexico; former Deputy and Senator of the State of Chiapas; author of numerous publications in the fields of the social sciences and labour law.
- Mr. Miguel Rodríguez Piñero y Bravo Ferrer (Spain): Born 1935; Doctor of Law; President of the Constitutional Court; Professor of Labour Law; Director of the review *Relaciones Laborales*; author of numerous publications in the field of labour law.

Fifth European Regional Conference
Warsaw, 20–27 September 1995

The Governing Body authorized the Director-General to invite one workers’ organization and two other organizations\(^1\) to be represented by observers at the Fifth European Regional Conference, in accordance with article 1, paragraph 10, of the Rules concerning the Powers, Functions and Procedure of Regional Conferences convened by the ILO.

**Other questions**

*Working Party on Policy regarding the Revision of Standards*

The Governing Body took note of the following appointments to the Working Party of the Committee on Legal Issues and International Labour Standards on Policy regarding the Revision of Standards:

**Government members (16):**
Australia, Chile, Czech Republic, Egypt, France, Indonesia, Islamic Republic of Iran, Japan, Mexico, Nicaragua, Norway, Russian Federation, Tunisia, Sudan, Swaziland, United States.

**Matters on which the Officers of the Governing Body took decisions on its behalf**

*Symposia, seminars and similar meetings*

In view of the need for the Office to make savings in the budget to cope with a financial deficit in 1995, the Officers of the Governing Body approved a number of measures concerning symposia, seminars and similar meetings foreseen for the second half of 1995.

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\(^{1}\) The list of organizations concerned is contained in document GB.263/6(Rev)
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 the Gambia

By a letter of 23 May 1995, received on 29 May 1995, the Government of the Republic of the Gambia, 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 the Gambia accordingly became a Member of the International Labour Organization on 29 May 1995.

St. Vincent and the Grenadines

By a letter of 19 May 1995, received on 31 May 1995, the Government of St. Vincent and the Grenadines, 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. St. Vincent and the Grenadines accordingly became a Member of the International Labour Organization on 31 May 1995.
Official measures taken regarding decisions of the International Labour Conference

Ratifications of international labour Conventions, Statement concerning the application of a ratified Convention and Declarations concerning the application of Conventions to a non-metropolitan territory

Notice is hereby given that the Director-General of the International Labour Office has registered the undermentioned ratifications of international labour Conventions, Statement concerning the application of a ratified Convention, as well as Declarations concerning the application of Conventions to a non-metropolitan territory. In pursuance of article 20 of the Constitution of the International Labour Organization, particulars of these ratifications, statement and declarations 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 concerning 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/declaration</th>
<th>Date on which ratification/declaration will take effect</th>
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<tbody>
<tr>
<td>Australia</td>
<td>Certification of Ships' Cooks Convention, 1946 (No. 69)</td>
<td>29 August 1995</td>
<td>29 February 1996</td>
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<tr>
<td></td>
<td>Medical Examination (Seafarers) Convention, 1946 (No. 73)</td>
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<td>Repatriation of Seafarers Convention (Revised), 1987 (No. 166)</td>
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<td>Safety and Health in Construction Convention, 1988 (No. 167)</td>
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<td>Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77)</td>
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<tr>
<td></td>
<td>Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78)</td>
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1 Period covered: 1 May to 31 August.
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<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration of ratification/declaration</th>
<th>Date on which ratification/declaration will take effect</th>
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<tr>
<td></td>
<td>Employment Service Convention, 1948 (No. 88)</td>
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<td>Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99)</td>
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<td>Discrimination (Employment and Occupation) Convention, 1958 (No. 111)</td>
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<td>Employment Policy Convention, 1964 (No. 122)</td>
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<td></td>
<td>Labour Inspection (Agriculture) Convention, 1969 (No. 129)</td>
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<td></td>
<td>Minimum Wage Fixing Convention, 1970 (No. 131)</td>
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<td>Rural Workers' Organizations Convention, 1975 (No. 141)</td>
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<td>Human Resources Development Convention, 1975 (No. 142)</td>
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<td>Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)</td>
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<tr>
<td>Guatemala</td>
<td>Nursing Personnel Convention, 1977 (No. 149)</td>
<td>9 May 1995</td>
<td>9 May 1996</td>
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<tr>
<td>Japan</td>
<td>Workers with Family Responsibilities Convention, 1981 (No. 156)</td>
<td>9 June 1995</td>
<td>9 June 1996</td>
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<tr>
<td>Mali</td>
<td>Workers' Representatives Convention, 1971 (No. 135)</td>
<td>12 June 1995</td>
<td>12 June 1996</td>
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<tr>
<td></td>
<td>Rural Workers' Organizations Convention, 1975 (No. 141)</td>
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<td></td>
<td>Labour Relations (Public Service) Convention, 1978 (No. 151)</td>
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<td>Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)</td>
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<td>Poland</td>
<td>Labour Inspection Convention, 1947 (No. 81)</td>
<td>2 June 1995</td>
<td>2 June 1996</td>
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<tr>
<td></td>
<td>Labour Inspection (Agriculture) Convention, 1969 (No. 129)</td>
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<td></td>
<td>Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)</td>
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<tr>
<td>San Marino</td>
<td>Minimum Age Convention, 1973 (No. 138)</td>
<td>1 February 1995</td>
<td>1 February 1996</td>
</tr>
</tbody>
</table>

*Minimum age specified: 16 years*
Spain
Protection of Workers' Claims (Employer's Insolvency) Convention, 1992 (No. 173)
Has accepted the provisions of Parts II (with the exclusion of public employees) and III (with the exclusion of household servants).

Switzerland
Protection of Workers' Claims (Employer's Insolvency) Convention, 1992 (No. 173)
Has accepted the obligations under Parts II and III.

Trinidad and Tobago
Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

Uzbekistan
Forty-Hour Week Convention, 1935 (No. 47)
Holidays with Pay Convention, 1936 (No. 52)
Maternity Protection Convention (Revised), 1952 (No. 103)
Employment Policy Convention, 1964 (No. 122)
Following the admission of Uzbekistan to the International Labour Organization, the Government of Uzbekistan recognized that Uzbekistan continued to be bound by the obligations arising under the above-mentioned Conventions which had been previously applicable to its territory.

II. Statement concerning the application of a ratified Convention

The Director-General has registered a declaration, communicated by the Government of Chile, under Article 3, paragraph 3 (c), of the Radiation Protection Convention, 1960 (No. 115), that the national legislation applying the provisions of the Convention also applies to all workers in the country employed in activities involving exposure to ionizing radiation in the course of their work.
### III. Declarations

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration of ratification/declaration</th>
<th>Date on which ratification/declaration will take effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Kingdom</td>
<td>Accommodation of Crews Convention (Revised), 1949 (No. 92)</td>
<td>24 March 1994</td>
<td>24 March 1994</td>
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<tr>
<td></td>
<td>Applicable with modification: Hong Kong.</td>
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<tr>
<td></td>
<td>The reservation for modifications in respect of Articles 1 (5) and 10 (10) has been removed. The modifications in respect of Articles 3 (2) (e) and 5 (c) remain. This declaration supersedes a former declaration of &quot;applicable with modification&quot; registered on 27 April 1984.</td>
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<tr>
<td></td>
<td>Applicable with modification: Hong Kong.</td>
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<tr>
<td></td>
<td>The reservation for modifications in respect of Articles 1 (6), 1 (7), 12 and 13 has been removed. The modification/in respect of Articles 4 (2) (e) remains. This declaration supersedes a former declaration of &quot;applicable with modification&quot; registered on 27 April 1984.</td>
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</table>
Agreement between the Government of the Republic of South Africa and the International Labour Organization concerning the status of the Organization, its officials and its Area Office in the Republic of South Africa

Preamble

Whereas the Republic of South Africa is a Member of the International Labour Organization (hereinafter referred to as the “ILO”) and has undertaken, by virtue of article 40 of the ILO Constitution, to accord to the Organization and its officials such privileges and immunities as are necessary for the fulfilment of the purposes of the ILO and for the independent exercise by its officials of their functions; and

Whereas certain privileges and immunities were subsequently set out in the Convention on the Privileges and Immunities of the specialized Agencies, adopted by the General Assembly of the United Nations on 21 November 1947, and accepted by the International Labour Conference, on behalf of the ILO, on 10 July 1948; and

Whereas the Government of the Republic of South Africa is currently considering its accession to the above-mentioned Convention; and

Whereas the ILO intends, with the agreement of the Government of the Republic of South Africa, to establish an area office in South Africa with the object of facilitating its cooperation with South Africa and certain neighbouring countries which are also Members of the ILO, for the implementation in southern Africa of the purposes and principles of the ILO Constitution, to which those Members have adhered;

Now therefore the Government of the Republic of South Africa and the ILO (hereinafter referred to as “the Parties”);

Hereby agree as follows:

Article 1

The following terms will have the meaning in this Agreement as set out in this Article unless the context requires otherwise:

(a) the term “Convention” means the Convention on the Privileges and Immunities of the Specialized Agencies, including Annex I relating to the International Labour Organization;

(b) the term “dependant” means the spouse of the official as well as his or her children under the age of 21 who are not self-supporting and who form part of his or her household;

(c) the term “official” means any person who has been appointed by the ILO as an official subject to its Staff Regulations or other rules, with the exception of locally recruited officials who are assigned an hourly rate;

(d) the term “Government” means the Government of the Republic of South Africa;

(e) the term “South Africa” means the Republic of South Africa;
the term "tripartite constituents" means the South African Government and the governments of other countries served by the ILO Area Office, as well as the representative employers' and workers' organizations in South Africa and the said countries.

Article 2

The action of the ILO Area Office, based on active partnership with its tripartite constituents, and responding to the needs expressed by the latter, will be designed to:

(a) reinforce the impact of ILO activities in support of the priority objectives of the tripartite constituents for the attainment of the purposes and principles set out in the ILO Constitution; and

(b) strengthen national and sectorial capacity (through inter alia the provision of policy advice, technical advisory services, technical cooperation, the dissemination of information and the organization of technical meetings) on the major issues and problems referred to in the ILO Constitution, including the Declaration of Philadelphia annexed to it, and in the programme of work adopted collectively, from time to time, by the tripartite membership of the ILO.

Article 3

1. The Government shall assist the ILO, to the extent possible, in obtaining appropriate office space. In considering any offer that the Government may make to it in this respect, the ILO shall, without prejudice to its independence and tripartite character, give due consideration to the Government's plans that all United Nations Programmes and Agencies should be accommodated in the same premises.

2. At the request of the ILO, the Government shall use its good offices with a view to removing any impediment that may have arisen with respect to the supply to the Area Office, on terms that are available to other public entities in South Africa, of the necessary public utilities and services, such as fire protection, electricity, water, sewerage and communications facilities.

3. The appropriate authorities shall exercise due diligence to ensure that the tranquillity of the Area Office is not disturbed by any person or persons attempting unauthorized entry or creating disturbances in the immediate vicinity of the Office. If so requested by an authorized official of the ILO, they shall assist in the preservation of law and order in the Area Office.

Article 4

1. The Government undertakes to apply the provisions of the Convention in respect of the ILO except in so far as may otherwise be indicated in this Agreement.

2. Accordingly, the premises, property and official documents and correspondence of the ILO shall be inviolable, and the ILO and its property, funds and assets, wherever located and by whomsoever held, shall be immune from every form of legal process or any other form of interference by any authority, except in so far as in any particular case it has expressly waived its immunity. It is however, understood that no waiver of immunity shall extend to any measure of execution. The ILO shall make provision for appropriate modes of settlement of disputes arising out of contracts or other disputes of a private character to which it is a party.

3. For the purposes of Article VI, section 18, of the Convention, the term "official" shall mean an official as defined in Article 1.
**Article 5**

It is agreed that the Articles that are exempt from customs duties and prohibitions and restrictions on imports and exports, in accordance with Article III, section 9, of the Convention, shall include telecommunication equipment imported for the official use of the ILO, provided that such equipment conforms to technical specifications that are acceptable to the Government.

**Article 6**

1. The Director and Deputy Director of the Area Office, and any other ILO official of the same rank who may subsequently be assigned to South Africa to perform functions at the request of or in agreement with the Government, and who are not South African nationals or permanently resident in South Africa, shall together with their dependants enjoy the same privileges, immunities and exemptions as those that are accorded by the Government to diplomatic envoys of comparable rank.

2. All ILO officials shall, irrespective of their nationality or place of permanent residence, enjoy in the territory of the Republic of South Africa:

   (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 their appointments with the ILO, as well as immunity of seizure of their official baggage; and

   (b) exemption from any form of taxation on their salaries and other remuneration paid to them by the ILO, and from any form of personal tax, except to the extent that such tax represents payment for services rendered.

3. In addition, all officials referred to in paragraph 2, excluding those who are South African nationals or permanent residents in South Africa, 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) exemption, together with their dependants, 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 other than the ILO, outside South Africa; the freedom to maintain within South Africa foreign currency accounts; such freedom to own in South Africa foreign securities and other property as is accorded to officials of diplomatic missions of comparable rank; and the right to transfer out of South Africa, without any restriction or limitation, such funds in foreign currency or securities or other property as was lawfully brought into or acquired in South Africa;

   (f) the same right to import, free of duty, their furniture and effects, including vehicles and spare parts thereof, on first taking up their posts in the Area Office and thereafter the same privileges and immunities as regards goods, including motor fuel, purchased in South Africa as are accorded in South Africa to other resident members of diplomatic missions of comparable rank: provided, however, that articles imported under this exemption may not be sold in South Africa except under conditions agreed to by the Government;

   (g) the same repatriation facilities for themselves and their dependants, and the same right to protection by the Government authorities in times of international crisis or national emergency, as for members of diplomatic missions; and
such other privileges, immunities and exemptions which may in future be accorded by the Government to officials of comparable rank of other intergovernmental organizations in South Africa.

4. ILO officials in the professional and higher categories shall, irrespective of their nationality, be exempt from national service obligations: provided, however, that in the case of nationals or persons permanently resident in South Africa, such exemption shall be confined to those officials whose names have been placed upon a list compiled by the Director of the ILO Area Office and approved by the Government.

5. To the extent compatible with municipal law and national policy, spouses of ILO officials who are residing with them shall be allowed to obtain work permits.

Article 7

Officials of the ILO who will serve at the Area Office continuously for at least six months shall be provided by the Department of Foreign Affairs of South Africa with an identity card certifying that they are officials of the ILO and that they are entitled to the immunities, exemptions and privileges provided for in this Agreement.

Article 8

The Director-General of the International Labour Office shall waive the immunity of officials and their dependants in any case where, in his or her opinion, such immunity would impede the course of justice and can be waived without prejudice to the overriding interests of the ILO.

Article 9

1. Without prejudice to the provisions of this Agreement, it is the duty of ILO officials, operating in South Africa in accordance with this Agreement, to respect the laws and regulations in South Africa.

2. The Director and other officials referred to in Article 6 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 shall, with the consent of the Director-General of the International Labour Office, consult with the appropriate South African authorities without delay.

Article 10

1. No impediment shall be placed on the free movement of ILO officials within or to or from South Africa in the performance of their functions. The Government shall also facilitate the entry into, and stay in, South Africa of persons invited to the Area Office for official purposes, and their departure from the country.

2. Any necessary visas shall be granted promptly and without any charge to the officials, and their dependants, and to the other persons referred to in sub-article 1 above.

Article 11

1. This Agreement shall be subject to ratification by the Parliament of South Africa and shall enter into force upon receipt by the ILO of the notification from the Government of its ratification. It may be terminated by either party through six months' written notification to the other party.
2. This Agreement may be amended by an exchange of notes. Such an amendment shall enter into force on the date of the reply note accepting the proposed amendment: provided that in cases where the amendment is subject to ratification by Parliament, the amendment shall enter into force upon receipt by the ILO of the notification from the Government of its ratification.

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

Done at Geneva, on this 5th day of June 1995, in two originals in the English language.

For the Government of the Republic of South Africa
(Signed) Tito Mboweni
Minister of Labour

For the International Labour Organization
(Signed) Michel Hansenne
Director-General of the International Labour Office
Agreement between the Government of the Arab Republic of Egypt and the International Labour Organization

The Government of the Arab Republic of Egypt and the International Labour Organization,

Desirous to strengthen cooperation between them even further,

Recalling that the Arab Republic of Egypt is a party to the Convention on the Privileges and Immunities of the Specialized Agencies of 1947,

Have agreed on the following supplementary arrangements:

Article 1

For the purposes of this Agreement:
(a) "the Government" means the Government of the Arab Republic of Egypt;
(b) "the ILO" means the International Labour Organization;
(c) "the Office" means the ILO Area Office in Cairo.

Article 2

The Government shall take all measures within its power to facilitate the expansion of the Office so as to include a multidisciplinary team in pursuance of the ILO's active partnership policy.

Article 3

The Government recognizes the right of the ILO to convene meetings at the seat of the Office.

Article 4

The appropriate Egyptian authorities shall exercise due diligence to ensure that the tranquillity of the Office is not disturbed by any person or persons attempting unauthorized entry or creating disturbances in the immediate vicinity; if so requested by an authorized official of the ILO, they shall assist in the preservation of law and order in the Office.

Article 5

To the extent requested by an authorized official of the ILO, the appropriate Egyptian authorities shall take all measures within their powers to ensure that the Office is supplied with the necessary public services, such as fire protection, electricity, water, sewerage, and communication facilities, on terms no less favourable than those that are or may be granted to any similar organization in the Arab Republic of Egypt.

Article 6

No impediment shall be imposed to transit to or from the Office, or to sojourn in Egypt, of persons working in or visiting the Office on the official business of the ILO.
Article 7

In addition to the privileges and immunities conferred by the above-mentioned Convention of 1947, the Office and its staff shall enjoy treatment not less favourable than that accorded to intergovernmental organizations having an office in the Arab Republic of Egypt and to their staff.

Article 8

1. Professional officials of the Office who are not of Egyptian nationality and have been designated by the ILO, including the Director and Deputy Director of the Office and the professional members of the multidisciplinary team, as well as their spouses and minor children, shall be given the privileges and immunities enjoyed by corresponding categories of officials in United Nations bodies, other specialized agencies or other intergovernmental organizations in the Arab Republic of Egypt.

2. The Director-General shall communicate to the Government sufficiently in advance the names and functions of the Professional officials referred to in paragraph 1.

3. Such officials and their families shall be provided with a special identity card certifying the fact that they are officials of the ILO covered by this Agreement.

4. Professional ILO officials of Egyptian nationality shall enjoy:
   (a) immunity from legal process of any kind in respect of words spoken or written and of acts performed by them in their official capacity, such immunity to continue notwithstanding that the persons concerned may have ceased to be officials of the ILO;
   (b) exemption from taxation in respect of the salaries, emoluments, indemnities and pensions paid to them by the ILO or by the United Nations pension fund.

5. The present Article is without prejudice to the provisions of the above-mentioned Convention of 1947.

Article 9

1. This Agreement shall come into force as soon as the Government has notified the Director-General of the ILO that the legal procedures required in the Arab Republic of Egypt for approval of this Agreement have been completed.

2. This Agreement may be modified by mutual consent between the two parties; each party shall examine with full consideration proposals by the other party for the amendment of this Agreement.

Done in Geneva on 25 July 1995, in two originals in the English and Arabic languages, both texts being equally authoritative.

For the Government of the Arab Republic of Egypt
(Signed) Mounir Zahran
Ambassador, Permanent Representative of the Arab Republic of Egypt to the United Nations Office and specialized agencies in Geneva and other international organizations in Switzerland

For the International Labour Organization
(Signed) Michel Hansenne
Director-General of the International Labour Office
Convention, Recommendation, Protocol, Resolutions and Other Decisions adopted by the International Labour Conference at its 82nd Session

(Geneva, 1995)

CONVENTION

Convention No. 176

Convention concerning safety and health in mines

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 Eighty-second Session on 6 June 1995, and
Considering that workers have a need for, and a right to, information, training and genuine consultation on and participation in the preparation and implementation of safety and health measures concerning the hazards and risks they face in the mining industry, and
Recognizing that it is desirable to prevent any fatalities, injuries or ill health affecting workers or members of the public, or damage to the environment arising from mining operations, and
Having regard to the need for cooperation between the International Labour Organization, the World Health Organization, the International Atomic Energy Agency and other relevant institutions and noting the relevant instruments, codes of practice, codes and guidelines issued by these organizations, and

1This 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 82nd Session of the Conference.

2Adopted on 22 June 1995 by 378 votes in favour, 9 against, with 34 abstentions.
Having decided upon the adoption of certain proposals with regard to safety and health in mines, 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-second day of June of the year one thousand nine hundred and ninety-five the following Convention, which may be cited as the Safety and Health in Mines Convention, 1995:

**PART I. DEFINITIONS**

**Article 1**

1. For the purpose of this Convention, the term “mine” covers —

   (a) surface or underground sites where the following activities, in particular, take place:

   (i) exploration for minerals, excluding oil and gas, that involves the mechanical disturbance of the ground;

   (ii) extraction of minerals, excluding oil and gas;

   (iii) preparation, including crushing, grinding, concentration or washing of the extracted material; and

   (b) all machinery, equipment, appliances, plant, buildings and civil engineering structures used in conjunction with the activities referred to in (a) above.

2. For the purpose of this Convention, the term “employer” means any physical or legal person who employs one or more workers in a mine and, as the context requires, the operator, the principal contractor, contractor or subcontractor.

**PART II. SCOPE AND MEANS OF APPLICATION**

**Article 2**

1. This Convention applies to all mines.

2. After consultations with the most representative organizations of employers and workers concerned, the competent authority of a Member which ratifies the Convention:

   (a) may exclude certain categories of mines from the application of the Convention, or certain provisions thereof, if the overall protection afforded at these mines under national law and practice is not inferior to that which would result from the full application of the provisions of the Convention;

   (b) shall, in the case of exclusion of certain categories of mines pursuant to clause (a) above, make plans for progressively covering all mines.

3. A Member which ratifies the Convention and avails itself of the possibility afforded in paragraph 2 (a) above shall indicate, in its reports on the application of the Convention submitted under article 22 of the Constitution of the International Labour Organization, any particular category of mines thus excluded and the reasons for the exclusion.

**Article 3**

In the light of national conditions and practice and after consultations with the most representative organizations of employers and workers concerned, the Member shall formulate, carry out and periodically review a coherent policy on safety and health in mines, particularly with regard to the measures to give effect to the provisions of the Convention.
**Article 4**

1. The measures for ensuring application of the Convention shall be prescribed by national laws and regulations.

2. Where appropriate, these national laws and regulations shall be supplemented by:
   (a) technical standards, guidelines or codes of practice; or
   (b) other means of application consistent with national practice, as identified by the competent authority.

**Article 5**

1. National laws and regulations pursuant to Article 4, paragraph 1, shall designate the competent authority that is to monitor and regulate the various aspects of safety and health in mines.

2. Such national laws and regulations shall provide for:
   (a) the supervision of safety and health in mines;
   (b) the inspection of mines by inspectors designated for the purpose by the competent authority;
   (c) the procedures for reporting and investigating fatal and serious accidents, dangerous occurrences and mine disasters, each as defined by national laws or regulations;
   (d) the compilation and publication of statistics on accidents, occupational diseases and dangerous occurrences, each as defined by national laws or regulations;
   (e) the power of the competent authority to suspend or restrict mining activities on safety and health grounds, until the condition giving rise to the suspension or restriction has been corrected; and
   (f) the establishment of effective procedures to ensure the implementation of the rights of workers and their representatives to be consulted on matters and to participate in measures relating to safety and health at the workplace.

3. Such national laws and regulations shall provide that the manufacture, storage, transport and use of explosives and initiating devices at the mine shall be carried out by or under the direct supervision of competent and authorized persons.

4. Such national laws and regulations shall specify:
   (a) requirements relating to mine rescue, first aid and appropriate medical facilities;
   (b) an obligation to provide and maintain adequate self-rescue respiratory devices for workers in underground coal mines and, where necessary, in other underground mines;
   (c) protective measures to secure abandoned mine workings so as to eliminate or minimize risks to safety and health;
   (d) requirements for the safe storage, transportation and disposal of hazardous substances used in the mining process and waste produced at the mine; and
   (e) where appropriate, an obligation to supply sufficient sanitary conveniences and facilities to wash, change and eat, and to maintain them in hygienic condition.

5. Such national laws and regulations shall provide that the employer in charge of the mine shall ensure that appropriate plans of workings are prepared before the start of operation and, in the event of any significant modification, that such plans are brought up to date periodically and kept available at the mine site.
PART III. PREVENTIVE AND PROTECTIVE MEASURES AT THE MINE

A. RESPONSIBILITIES OF EMPLOYERS

Article 6

In taking preventive and protective measures under this Part of the Convention the employer shall assess the risk and deal with it in the following order of priority:
(a) eliminate the risk;
(b) control the risk at source;
(c) minimize the risk by means that include the design of safe work systems; and
(d) in so far as the risk remains, provide for the use of personal protective equipment, having regard to what is reasonable, practicable and feasible, and to good practice and the exercise of due diligence.

Article 7

Employers shall take all necessary measures to eliminate or minimize the risks to safety and health in mines under their control, and in particular:
(a) ensure that the mine is designed, constructed and provided with electrical, mechanical and other equipment, including a communication system, to provide conditions for safe operation and a healthy working environment;
(b) ensure that the mine is commissioned, operated, maintained and decommissioned in such a way that workers can perform the work assigned to them without endangering their safety and health or that of other persons;
(c) take steps to maintain the stability of the ground in areas to which persons have access in the context of their work;
(d) whenever practicable, provide, from every underground workplace, two exits, each of which is connected to separate means of egress to the surface;
(e) ensure the monitoring, assessment and regular inspection of the working environment to identify the various hazards to which the workers may be exposed and to assess their level of exposure;
(f) ensure adequate ventilation for all underground workings to which access is permitted;
(g) in respect of zones susceptible to particular hazards, draw up and implement an operating plan and procedures to ensure a safe system of work and the protection of workers;
(h) take measures and precautions appropriate to the nature of a mine operation to prevent, detect and combat the start and spread of fires and explosions; and
(i) ensure that when there is serious danger to the safety and health of workers, operations are stopped and workers are evacuated to a safe location.

Article 8

The employer shall prepare an emergency response plan, specific to each mine, for reasonably foreseeable industrial and natural disasters.

Article 9

Where workers are exposed to physical, chemical or biological hazards the employer shall:
(a) inform the workers, in a comprehensible manner, of the hazards associated with their work, the health risks involved and relevant preventive and protective measures;
(b) take appropriate measures to eliminate or minimize the risks resulting from exposure to those hazards;
(c) where adequate protection against risk of accident or injury to health, including exposure to adverse conditions, cannot be ensured by other means, provide and maintain at no cost to the worker suitable protective equipment, clothing as necessary and other facilities defined by national laws or regulations; and
(d) provide workers who have suffered from an injury or illness at the workplace with first aid, appropriate transportation from the workplace and access to appropriate medical facilities.

Article 10

The employer shall ensure that:
(a) adequate training and retraining programmes and comprehensible instructions are provided for workers at no cost to them on safety and health matters as well as on the work assigned;
(b) in accordance with national laws and regulations, adequate supervision and control are provided on each shift to secure the safe operation of the mine;
(c) a system is established so that the names of all persons who are underground can be accurately known at any time, as well as their probable location;
(d) all accidents and dangerous occurrences, as defined by national laws or regulations, are investigated and appropriate remedial action is taken; and
(e) a report, as specified by national laws and regulations, is made to the competent authority on accidents and dangerous occurrences.

Article 11

On the basis of general principles of occupational health and in accordance with national laws and regulations, the employer shall ensure the provision of regular health surveillance of workers exposed to occupational health hazards specific to mining.

Article 12

Whenever two or more employers undertake activities at the same mine, the employer in charge of the mine shall coordinate the implementation of all measures concerning the safety and health of workers and shall be held primarily responsible for the safety of the operations. This shall not relieve individual employers from responsibility for the implementation of all measures concerning the safety and health of their workers.

B. RIGHTS AND DUTIES OF WORKERS AND THEIR RESPONSIBILITIES

Article 13

1. Under the national laws and regulations referred to in Article 4, workers shall have the following rights:
(a) to report accidents, dangerous occurrences and hazards to the employer and to the competent authority;
(b) to request and obtain, where there is cause for concern on safety and health grounds, inspections and investigations to be conducted by the employer and the competent authority;

(c) to know and be informed of workplace hazards that may affect their safety or health;

(d) to obtain information relevant to their safety or health, held by the employer or the competent authority;

(e) to remove themselves from any location at the mine when circumstances arise which appear, with reasonable justification, to pose a serious danger to their safety or health; and

(f) to collectively select safety and health representatives.

2. The safety and health representatives referred to in paragraph 1 (f) above shall, in accordance with national laws and regulations, have the following rights:

(a) to represent workers on all aspects of workplace safety and health, including, where applicable, the exercise of the rights provided in paragraph 1 above;

(b) to: (i) participate in inspections and investigations conducted by the employer and by the competent authority at the workplace; and (ii) monitor and investigate safety and health matters;

(c) to have recourse to advisers and independent experts;

(d) to consult with the employer in a timely fashion on safety and health matters, including policies and procedures;

(e) to consult with the competent authority; and

(f) to receive, relevant to the area for which they have been selected, notice of accidents and dangerous occurrences.

3. Procedures for the exercise of the rights referred to in paragraphs 1 and 2 above shall be specified:

(a) by national laws and regulations; and

(b) through consultations between employers and workers and their representatives.

4. National laws and regulations shall ensure that the rights referred to in paragraphs 1 and 2 above can be exercised without discrimination or retaliation.

**Article 14**

Under national laws and regulations workers shall have the duty, in accordance with their training:

(a) to comply with prescribed safety and health measures;

(b) to take reasonable care for their own safety and health and that of other persons who may be affected by their acts or omissions at work, including the proper care and use of protective clothing, facilities and equipment placed at their disposal for this purpose;

(c) to report forthwith to their immediate supervisor any situation which they believe could present a risk to their safety or health or that of other persons, and which they cannot properly deal with themselves; and

(d) to cooperate with the employer to permit compliance with the duties and responsibilities placed on the employer pursuant to the Convention.
C. COOPERATION

Article 15

Measures shall be taken, in accordance with national laws and regulations, to encourage cooperation between employers and workers and their representatives to promote safety and health in mines.

PART IV. IMPLEMENTATION

Article 16

The Member shall:
(a) take all necessary measures, including the provision of appropriate penalties and corrective measures, to ensure the effective enforcement of the provisions of the Convention; and
(b) provide appropriate inspection services to supervise the application of the measures to be taken in pursuance of the Convention and provide these services with the resources necessary for the accomplishment of their tasks.

PART V. FINAL PROVISIONS

Article 17

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

Article 18

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General of the International Labour Office.
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 19

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 20**

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 by the Members of the Organization.

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

**Article 21**

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

**Article 22**

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 23**

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 19 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 24**

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-second Session which was held at Geneva and declared closed the twenty-second day of June 1995.

IN FAITH WHEREOF we have appended our signatures this twenty-third day of June 1995.

*The President of the Conference,*

F. ROSALES ARGUELLO

*The Director-General of the International Labour Office,*

M. HANSENNE
RECOMMENDATION

Recommendation No. 183

Recommendation concerning safety and health in mines

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 Eighty-second Session on 6 June 1995, and
Noting the relevant international labour Conventions and Recommendations
and, in particular, the Abolition of Forced Labour Convention, 1957; the
Radiation Protection Convention and Recommendation, 1960; the Guarding
of Machinery Convention and Recommendation, 1963; the Employment
Injury Benefits Convention and Recommendation, 1964; the Minimum Age
(Underground Work) Convention and Recommendation, 1965; the Medical
Examination of Young Persons (Underground Work) Convention, 1965; the
Working Environment (Air Pollution, Noise and Vibration) Convention and
Recommendation, 1977; the Occupational Safety and Health Convention and
Recommendation, 1981; the Occupational Health Services Convention and
Recommendation, 1985; the Asbestos Convention and Recommendation,
1986; the Safety and Health in Construction Convention and Recommendation,
1988; the Chemicals Convention and Recommendation, 1990; and the
Prevention of Major Industrial Accidents Convention and Recommendation,
1993, and
Considering that workers have a need for, and a right to, information, training and
genuine consultation on and participation in the preparation and implementa-
tion of safety and health measures concerning the hazards and risks they face
in the mining industry, and
Recognizing that it is desirable to prevent any fatalities, injuries or ill health
affecting workers or members of the public or damage to the environment
arising from mining operations, and
Having regard to the need for cooperation between the International Labour
Organization, the World Health Organization, the International Atomic
Energy Agency and other relevant institutions and noting the relevant instru-
ments, codes of practice, codes and guidelines issued by these organizations,
and
Having decided upon the adoption of certain proposals with regard to safety
and health in mines, which is the fourth item on the agenda of the session, and
Having determined that these proposals shall take the form of a Recommendation
supplementing the Safety and Health in Mines Convention;
adopts this twenty-second day of June of the year one thousand nine hundred and
ninety-five the following Recommendation, which may be cited as the Safety and
Health in Mines Recommendation, 1995:

1 Adopted on 22 June 1995 by 377 votes in favour, 6 against, with 26 abstentions.
I. GENERAL PROVISIONS

1. The provisions of this Recommendation supplement those of the Safety and Health in Mines Convention, 1995 (hereafter referred to as “the Convention”), and should be applied in conjunction with them.

2. This Recommendation applies to all mines.

3. (1) In the light of national conditions and practice and after consultation with the most representative organizations of employers and workers concerned, a Member should formulate, carry out and periodically review a coherent policy on safety and health in mines.

(2) The consultations provided for by Article 3 of the Convention should include consultations with the most representative organizations of employers and workers on the effect of the length of working hours, night work and shift work on workers’ safety and health. After such consultations, the Member should take the necessary measures in relation to working time and, in particular, to maximum daily working hours and minimum daily rest periods.

4. The competent authority should have properly qualified and trained staff with the appropriate skills, and sufficient technical and professional support, to inspect, investigate, assess and advise on the matters dealt with in the Convention and to ensure compliance with national laws and regulations.

5. Measures should be taken to encourage and promote:

(a) research into and exchange of information on safety and health in mines at the national and international level;

(b) specific assistance by the competent authority to small mines with a view to:
   (i) assisting in transfer of technical know-how;
   (ii) establishing preventive safety and health programmes; and
   (iii) encouraging cooperation and consultation between employers and workers and their representatives; and

(c) programmes or systems for the rehabilitation and reintegration of workers who have sustained occupational injuries or illnesses.

6. Requirements relating to the supervision of safety and health in mines pursuant to Article 5, paragraph 2, of the Convention should, where appropriate, include those concerning:

(a) certification and training;

(b) inspection of the mine, mining equipment and installations;

(c) supervision of the handling, transportation, storage and use of explosives and of hazardous substances used or produced in the mining process;

(d) performance of work on electrical equipment and installations; and

(e) supervision of workers.

7. Requirements pursuant to Article 5, paragraph 4, of the Convention, could provide that the suppliers of equipment, appliances, hazardous products and substances to the mine should ensure their compliance with national standards on safety and health, label products clearly and provide comprehensible information and instructions.

8. Requirements relating to mine rescue and first aid pursuant to Article 5, paragraph 4 (a), of the Convention and to appropriate medical facilities for emergency care could cover:
(a) organizational arrangements;
(b) equipment to be provided;
(c) standards for training;
(d) training of workers and participation in drills;
(e) the appropriate number of trained persons to be available;
(f) an appropriate communication system;
(g) an effective system to give warning of danger;
(h) provision and maintenance of means of escape and rescue;
(i) establishment of a mine rescue team or teams;
(j) periodic medical assessment of suitability of, and regular training for, the persons on the mine rescue team or teams;
(k) medical attention and transportation to receive medical attention, both at no cost to workers who have suffered an injury or illness at the workplace;
(l) coordination with local authorities;
(m) measures to promote international cooperation in this field.

9. Requirements pursuant to Article 5, paragraph 4 (b), of the Convention, could cover the specifications and standards of the type of self-rescuers to be provided and, in particular, in the case of mines susceptible to gas outbursts and other mines where appropriate, the provision of self-contained respiratory devices.

10. National laws and regulations should prescribe measures for the safe use and maintenance of remote control equipment.

11. National laws and regulations should specify that the employer should take appropriate measures for the protection of workers working alone or in isolation.

II. PREVENTIVE AND PROTECTIVE MEASURES AT THE MINE

12. Employers should undertake hazard assessment and risk analysis and then develop and implement, where appropriate, systems to manage the risk.

13. In order to maintain the stability of the ground, in accordance with Article 7 (c) of the Convention, the employer should take all appropriate measures to:
(a) monitor and control the movement of strata;
(b) as may be necessary, provide effective support of the roof, sides and floor of the mine workings, except for those areas where the mining methods selected allow for the controlled collapse of the ground;
(c) monitor and control the sides of surface mines to prevent material from falling or sliding into the pit and endangering workers; and
(d) ensure that dams, lagoons, tailings and other such impoundments are adequately designed, constructed and controlled to prevent dangers from sliding material or collapse.

14. Pursuant to Article 7 (d) of the Convention, separate means of egress should be as independent of each other as possible; arrangements should be made and equipment provided for the safe evacuation of workers in case of danger.

15. Pursuant to Article 7 (f) of the Convention, all underground mine workings to which workers have access, and other areas as necessary, should be ventilated in an appropriate manner to maintain an atmosphere:
(a) in which the risk of explosions is eliminated or minimized;
(b) in which working conditions are adequate, having regard to the working method being used and the physical demands placed on the workers; and
(c) that complies with national standards on dusts, gases, radiation and climatic conditions; where national standards do not exist, the employer should give consideration to international standards.

16. The particular hazards referred to in Article 7 (g) of the Convention requiring an operating plan and procedures might include:

(a) mine fires and explosions;
(b) gas outbursts;
(c) rockbursts;
(d) an inrush of water or semi-solids;
(e) rockfalls;
(f) susceptibility of areas to seismic movements;
(g) hazards related to work carried out near dangerous openings or under particularly difficult geological circumstances;
(h) loss of ventilation.

17. Measures that employers could take pursuant to Article 7 (h) of the Convention should include, where applicable, prohibiting persons from carrying underground any item, object or substance which could initiate a fire, explosion or dangerous occurrence.

18. Pursuant to Article 7 (i) of the Convention, mine facilities should include, where appropriate, sufficient fireproof and self-contained chambers to provide refuge for workers in the event of an emergency. The self-contained chambers should be easily identifiable and accessible, particularly when visibility is poor.

19. The emergency response plan referred to in Article 8 of the Convention might include:

(a) effective site emergency plans;
(b) provision for the cessation of work and evacuation of the workers in an emergency;
(c) adequate training in emergency procedures and in the use of equipment;
(d) adequate protection of the public and the environment;
(e) provision of information to, and consultation with, appropriate bodies and organizations.

20. The hazards referred to in Article 9 of the Convention might include:

(a) airborne dusts;
(b) flammable, toxic, noxious and other mine gases;
(c) fumes and hazardous substances;
(d) exhaust fumes from diesel engines;
(e) oxygen deficiency;
(f) radiation from rock strata, equipment or other sources;
(g) noise and vibration;
(h) extreme temperatures;
(i) high levels of humidity;
(j) insufficient lighting or ventilation;
(k) hazards related to work carried out at high altitudes or extreme depths, or in confined spaces;
(l) hazards associated with manual handling;
(m) hazards related to mechanical equipment and electrical installations;
(n) hazards resulting from a combination of any of the above.

21. The measures referred to in Article 9 of the Convention might include:
(a) technical and organizational measures applied to relevant mining activities, or to the plant, machinery, equipment, appliances or structures;
(b) where it is not possible to have recourse to the measures referred to in (a) above, other effective measures, including the use of personal protective equipment and protective clothing at no cost to the worker;
(c) where reproductive health hazards and risks have been identified, training and special technical and organizational measures, including the right to alternative work, where appropriate, without any loss of salary, especially during health risk periods such as pregnancy and breast-feeding;
(d) regular monitoring and inspection of areas where hazards are present or likely to be present.

22. The types of protective equipment and facilities referred to in Article 9 (c) of the Convention could include:
(a) roll-over and falling object protective structures;
(b) equipment seat belts and harnesses;
(c) fully enclosed pressurized cabins;
(d) self-contained rescue chambers;
(e) emergency showers and eye wash stations.

23. In implementing Article 10 (b) of the Convention, employers should:
(a) ensure appropriate inspections of each workplace at the mine and, in particular, of the atmosphere, ground conditions, machinery, equipment and appliances therein, including where necessary pre-shift inspections; and
(b) keep written records of inspections, defects and corrective measures and make such records available at the mine.

24. Where appropriate, the health surveillance referred to in Article 11 of the Convention should, at no cost to the worker and without any discrimination or retaliation whatsoever:
(a) provide the opportunity to undergo medical examination related to the requirements of the tasks to be performed, prior to or just after commencing employment and thereafter on a continuing basis; and
(b) provide, where possible, for reintegration or rehabilitation of workers unable to undertake their normal duties due to occupational injury or illness.

25. Pursuant to Article 5, paragraph 4 (e), of the Convention, employers should, where appropriate, provide and maintain at no cost to the worker:
(a) sufficient and suitable toilets, showers, wash-basins and changing facilities which are, where appropriate, gender-specific;
(b) adequate facilities for the storage, laundering and drying of clothes;
(c) adequate supplies of potable drinking-water in suitable places; and
(d) adequate and hygienic facilities for taking meals.
III. Rights and Duties of Workers and Their Representatives

26. Pursuant to Article 13 of the Convention, workers and their safety and health representatives should receive or have access to, where appropriate, information which should include:

(a) where practicable, notice of any safety or health related visit to the mine by the competent authority;
(b) reports of inspections conducted by the competent authority or the employer, including inspections of machinery or equipment;
(c) copies of orders or instructions issued by the competent authority in respect of safety and health matters;
(d) reports of accidents, injuries, instances of ill health and other occurrences affecting safety and health prepared by the competent authority or the employer;
(e) information and notices on all hazards at work including hazardous, toxic or harmful materials, agents or substances used at the mine;
(f) any other documentation concerning safety and health that the employer is required to maintain;
(g) immediate notification of accidents and dangerous occurrences; and
(h) any health studies conducted in respect of hazards present in the workplace.

27. Provisions to be made pursuant to Article 13, paragraph 1 (e), of the Convention could include requirements for:

(a) notification of supervisors and safety and health representatives of the danger referred to in that provision;
(b) participation by senior representatives of the employer and representatives of the workers in endeavouring to resolve the issue;
(c) participation, where necessary, by a representative of the competent authority to assist in resolution of the issue;
(d) non-loss of pay for the worker and, where appropriate, assignment to suitable alternative work;
(e) notification, to be given to any worker who is requested to perform work in the area concerned, of the fact that another worker has refused to work there and of the reasons therefor.

28. Pursuant to Article 13, paragraph 2, of the Convention, the rights of safety and health representatives should include, where appropriate, the right:

(a) to appropriate training during working time, without loss of pay, on their rights and functions as safety and health representatives and on safety and health matters;
(b) of access to appropriate facilities necessary to perform their functions;
(c) to receive their normal pay for all time spent exercising their rights and performing their functions as safety and health representatives; and
(d) to assist and advise workers who have removed themselves from a workplace because they believe their safety or health has been endangered.

29. Safety and health representatives should, where appropriate, give reasonable notice to the employer of their intention to monitor or investigate safety
and health matters, as provided for in Article 13, paragraph 2 (b) (ii), of the Convention.

30. (1) All persons should have a duty to:

(a) refrain from arbitrarily disconnecting, changing or removing safety devices fitted to machinery, equipment, appliances, tools, plant and buildings; and

(b) use such safety devices correctly.

(2) Employers should have a duty to provide workers with appropriate training and instructions so as to enable them to comply with the duties described in subparagraph (1) above.

IV. COOPERATION

31. Measures to encourage cooperation as provided for in Article 15 of the Convention should include:

(a) the establishment of cooperative mechanisms such as safety and health committees, with equal representation of employers and workers, and having such powers and functions as may be prescribed, including powers to conduct joint inspections;

(b) the appointment by the employer of suitably qualified and experienced persons to promote safety and health;

(c) the training of workers and their safety and health representatives;

(d) the provision of ongoing safety and health awareness programmes for workers;

(e) the ongoing exchange of information and experience on safety and health in mines;

(f) the consultation of workers and their representatives by the employer in establishing safety and health policy and procedures; and

(g) the inclusion, by the employer, of workers' representatives in the investigation of accidents and dangerous occurrences, as provided in Article 10 (d) of the Convention.

V. OTHER PROVISIONS

32. There should be no discrimination or retaliation against any worker who exercises rights provided by national laws and regulations or agreed upon by the employers, workers and their representatives.

33. Due regard should be given to the possible impact of mining activity on the surrounding environment and on the safety of the public. In particular, this should include the control of subsidence, vibration, fly-rock, harmful contaminants in the water, air or soil, the safe and effective management of waste tips and the rehabilitation of mine sites.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organization during its Eighty-second Session which was held at Geneva and declared closed the twenty-second day of June 1995.
IN FAITH WHEREOF we have appended our signatures this twenty-third day of June 1995.

The President of the Conference,

F. ROSALES ARGÜELLO

The Director-General of the International Labour Office,

M. HANSENNE

PROTOCOL

Protocol of 1995 to the Labour Inspection Convention, 1947

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 Eighty-second Session on 6 June 1995, and
Noting that the provisions of the Labour Inspection Convention, 1947, apply only to industrial and commercial workplaces, and
Noting that the provisions of the Labour Inspection (Agriculture) Convention, 1969, apply to workplaces in commercial and non-commercial agricultural undertakings, and
Noting that the provisions of the Occupational Safety and Health Convention, 1981, apply to all branches of economic activity, including the public service, and
Having regard to all the risks to which workers in the non-commercial services sector may be exposed, and the need to ensure that this sector is subject to the same or an equally effective and impartial system of labour inspection as that provided in the Labour Inspection Convention, 1947, and
Having decided upon the adoption of certain proposals with regard to activities in the non-commercial services sector, which is the sixth item on the agenda of the session, and
Having determined that these proposals shall take the form of a Protocol to the Labour Inspection Convention, 1947;
adopts this twenty-second day of June of the year one thousand nine hundred and ninety-five the following Protocol, which may be cited as the Protocol of 1995 to the Labour Inspection Convention, 1947:

PART I. SCOPE, DEFINITION AND APPLICATION

Article 1

1. Each Member which ratifies this Protocol shall extend the application of the provisions of the Labour Inspection Convention, 1947 (hereunder referred to as “The Convention”), to activities in the non-commercial services sector.
2. The term “activities in the non-commercial services sector” refers to activities in all categories of workplaces that are not considered as industrial or commercial for the purposes of the Convention.

3. This Protocol applies to all workplaces that do not already fall within the scope of the Convention.

Article 2

1. A Member which ratifies this Protocol may, by a declaration appended to its instrument of ratification, exclude wholly or partly from its scope the following categories:
   (a) essential national (federal) government administration;
   (b) the armed services, whether military or civilian personnel;
   (c) the police and other public security services;
   (d) prison services, whether prison staff or prisoners when performing work,
   if the application of the Convention to any of these categories would raise special problems of a substantial nature.

2. Before the Member avails itself of the possibility afforded in paragraph 1, it shall consult the most representative organizations of employers and workers or, in the absence of such organizations, the representatives of the employers and workers concerned.

3. A Member which has made a declaration as referred to in paragraph 1 shall, following ratification of this Protocol, indicate in its next report on the application of the Convention under article 22 of the Constitution of the International Labour Organization the reasons for the exclusion and, to the extent possible, provide for alternative inspection arrangements for any categories of workplaces thus excluded. It shall describe in subsequent reports any measures it may have taken with a view to extending the provisions of the Protocol to them.

4. A Member which has made a declaration referred to in paragraph 1 may at any time modify or cancel that declaration by a subsequent declaration in accordance with the provisions of this Article.

Article 3

1. The provisions of this Protocol shall be implemented by means of national laws or regulations, or by other means that are in accordance with national practice.

2. Measures taken to give effect to this Protocol shall be drawn up in consultation with the most representative organizations of employers and workers or, in the absence of such organizations, the representatives of the employers and workers concerned.

Part II. Special Arrangements

Article 4

1. A Member may make special arrangements for the inspection of workplaces of essential national (federal) government administration, the armed services, the police and other public security services, and the prison services, so as to regulate the powers of labour inspectors as provided in Article 12 of the Convention in regard to:
   (a) inspectors having appropriate security clearance before entering;
   (b) inspection by appointment;
(c) the power to require the production of confidential documents;
(d) the removal of confidential documents from the premises;
(e) the taking and analysis of samples of materials and substances.

2. The Member may also make special arrangements for the inspection of workplaces of the armed services and the police and other public security services so as to permit any of the following limitations on the powers of labour inspectors:
   (a) restriction of inspection during manoeuvres or exercises;
   (b) restriction or prohibition of inspection of front-line or active service units;
   (c) restriction or prohibition of inspection during declared periods of tension;
   (d) limitation of inspection in respect of the transport of explosives and armaments for military purposes.

3. The Member may also make special arrangements for the inspection of workplaces of prison services to permit restriction of inspection during declared periods of tension.

4. Before a Member avails itself of any of the special arrangements afforded in paragraphs (1), (2) and (3), it shall consult the most representative organizations of employers and workers or, in the absence of such organizations, the representatives of the employers and workers concerned.

Article 5

The Member may make special arrangements for the inspection of workplaces of fire brigades and other rescue services to permit the restriction of inspection during the fighting of a fire or during rescue or other emergency operations. In such cases, the labour inspectorate shall review such operations periodically and after any significant incident.

Article 6

The labour inspectorate shall be able to advise on the formulation of effective measures to minimize risks during training for potentially hazardous work and to participate in monitoring the implementation of such measures.

PART III. FINAL PROVISIONS

Article 7

1. A Member may ratify this Protocol at the same time as or at any time after its ratification of the Convention, by communicating its formal ratification of the Protocol to the Director-General of the International Labour Office for registration.

2. The Protocol shall come into force 12 months after the date on which ratifications of two Members have been registered by the Director-General. Thereafter, this Protocol shall come into force for a Member 12 months after the date on which the ratification has been registered by the Director-General and the Convention shall then be binding on the Member concerned with the addition of Articles 1 to 6 of this Protocol.
Article 8

1. A Member which has ratified this Protocol may denounce it after the expiration of ten years from the date on which the Protocol 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 the Protocol 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 Protocol at the expiration of each period of ten years under the terms provided for in this Article.

Article 9

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 of this Protocol.

2. When notifying the Members of the Organization of the registration of the second ratification of this Protocol, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Protocol will come into force.

3. The Director-General shall communicate full particulars of all ratifications and denunciations of this Protocol to the Secretary-General of the United Nations for registration in accordance with article 102 of the Charter of the United Nations.

Article 10

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

The foregoing is the authentic text of the Protocol duly adopted by the General Conference of the International Labour Organization during its Eighty-second Session which was held at Geneva and declared closed the twenty-second day of June 1995.

IN FAITH WHEREOF we have appended our signatures this twenty-third day of June 1995.

The President of the Conference,

F. ROSALES ARGÜELLO

The Director-General of the International Labour Office,

M. HANSENNE
RESOLUTIONS

I

Resolution concerning provisions of the Standing Orders of the International Labour Conference applicable to its 83rd (Maritime) Session

The General Conference of the International Labour Organization,
Noting the proposal to hold a special Maritime Session of the Conference from 9 to 23 January 1996,
Noting also that a number of adjustments need to be made to the plan of work and to the organization of proceedings at that session so as to enable it, despite the short amount of time still available and the limited duration of the Maritime Session, to complete its work in an efficient manner;
Decides that the following modifications of the Standing Orders of the Conference, as supplement by the Note for Maritime Sessions of the International Labour Conference, shall apply to its 83rd (Maritime) Session, without prejudice to any measures which that session may have to take in accordance with article 76 of its Standing Orders:

- at the 83rd (Maritime) Session of the Conference, the Selection Committee foreseen in article 4 and in article 25, paragraph 4, of the Standing Orders shall not be constituted: the duties normally assigned to the Selection Committee in accordance with those and other relevant provisions of the Standing Orders and with usual practice shall be assigned to the Officers of the Conference, on the understanding that it shall be for the Conference itself, at the opening of its 83rd (Maritime) Session: (i) to confer on its Officers the powers necessary to enable them to take decisions on its behalf concerning the composition of committees as well as any other uncontroversial decision relating to the organization of its proceedings or the functioning of the session; (ii) to specify the conditions governing this delegation of authority (majority necessary for decisions and publication of decisions in an appropriate manner);
- article 12 of the Standing Orders (reports of the Chairman of the Governing Body and of the Director-General) shall not apply to the 83rd (Maritime) Session of the Conference;
- the deadline for the deposit of resolutions specified in article 17, paragraph 1, of the Standing Orders shall be modified to provide that only draft resolutions deposited with the Director-General of the International Labour Office by a delegate to the Conference by midnight, 11 December 1995, at the latest may be moved to the 83rd (Maritime) Session of the Conference;
- article 26, paragraph 1, of the Standing Orders shall be so modified as to require that the credentials of delegates to the 83rd (Maritime) Session of the Conference and their advisers be deposited with the International Labour Office by midnight, 11 December 1995, at the latest.

II

Resolution concerning the Fifth European Regional Conference

The General Conference of the International Labour Organization,
Recalling that, in the light of the reforms introduced on an experimental basis at the Eleventh Asian Regional Conference, the Thirteenth Conference of

1Adopted on 15 June 1995.
American States Members of the ILO and the Eighth African Regional Conference to reduce the length and cost of regional conferences, the Governing Body has decided that it is necessary to continue the experimental procedure for the Fifth European Regional Conference and that, pending revision of the Rules concerning the Powers, Functions and Procedure of Regional Conferences convened by the International Labour Organization, authority should be given to the said Conference to derogate from them, as required, to implement these changes on an experimental basis before deciding on a revision of the above-mentioned Rules;

Hereby authorizes the Fifth European Regional Conference, by way of derogation from the applicable Rules:

(a) to consider the business carried out at preliminary group meetings preceding the formal opening of the Conference as having been carried out in official group meetings;

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

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

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

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

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

III

Resolution to place on the agenda of the next ordinary session of the Conference an item entitled “Home work”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 home work;

Decides that an item entitled “Home work” shall be included in the agenda of its next ordinary session for a second discussion regarding the proposed adoption of a Convention and a Recommendation concerning home work.

¹Adopted on 22 June 1995.
IV

Resolution concerning the granting to Cambodia of permission to vote in accordance with paragraph 4 of article 13 of the Constitution of the International Labour Organization

The General Conference of the International Labour Organization,
Having regard to paragraph 7 of article 10 of the Financial Regulations;
Accepts the arrangement proposed by the Government of Cambodia for the settlement of the arrears of contributions due for the period 1974–94 to the effect that:
(a) in 1995, the Government of Cambodia will pay in full its contribution for the year 1995;
(b) in subsequent years, the Government of Cambodia will continue to pay its current contribution in full in the year for which it is due;
(c) the Government of Cambodia will settle arrears that have accumulated up to and including 31 December 1994, amounting in total to 541,234 Swiss francs, by payment of 19 instalments of 27,062 Swiss francs and a final instalment of 27,056 Swiss francs, beginning in 1995;
Decides that Cambodia be permitted to vote, in accordance with paragraph 4 of article 13 of the Constitution of the International Labour Organization, after the conclusion of the present business.

V

Resolution concerning the granting to Chad of permission to vote in accordance with paragraph 4 of article 13 of the Constitution of the International Labour Organization

The General Conference of the International Labour Organization,
Having regard to paragraph 7 of article 10 of the Financial Regulations;
Accepts the arrangement for the Government of Chad for the settlement of the arrears of contributions due for the period 1975–82 and 1993–94 to the effect that:
(a) in 1995, the Government of Chad will pay in full its contribution for the year 1995;
(b) in subsequent years, the Government of Chad will continue to pay its current contribution in full in the year for which it is due;
(c) the Government of Chad will settle arrears that have accumulated up to and including 31 December 1994, amounting in total to 170,760 Swiss francs, by payment of 20 instalments of 8,538 Swiss francs, beginning in 1996;
Decides that Chad be permitted to vote, in accordance with paragraph 4 of article 13 of the Constitution of the International Labour Organization, after the conclusion of the present business.

1 Adopted on 20 June 1995.
VI

Resolution 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 contributions of the Gambia and St. Vincent and the Grenadines to the ILO budget for the periods of their membership in the Organization in 1995 be based on an annual assessment rate of 0.01 per cent.

VII

Resolution concerning the scales of assessment of contributions for 1996 and 1997

The General Conference of the International Labour Organization;
Decides, in accordance with article 9, paragraph 2, of the Financial Regulations, to adopt, for the assessment of the contributions of member States in 1996 and 1997, the draft scales of assessments set out in column 4 of Appendices I and II respective to this report.

VIII

Resolution concerning a derogation from the provisions of the Financial Regulations

The General Conference of the International Labour Organization,
Noting the practical difficulties that have arisen in recent biennia by the non-application of the provisions of articles 18 and 21.2 of the Financial Regulations;
Decides, on a trial basis for the 1994–95, 1996–97 and 1998–99 financial period only, that — notwithstanding the aforementioned articles — sums withdrawn from the Working Capital Fund to finance budgetary expenditure pending receipt of contributions in accordance with article 19.1 (a) of the Financial Regulations shall, if they cannot be reimbursed from contributions received in the course of the same financial period, be reimbursed from amounts credited in subsequent financial periods against arrears of contributions.

IX

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;

1Adopted on 21 June 1995.
Decides to appoint as Judges of the Administrative Tribunal, for a period of three years, with effect from August 1995:

- Mr. Julio Barberis (Argentina);
- Mr. Jean-François Egli (Switzerland).

Decides to renew the terms of office of Mr. Mark Fernando (Sri Lanka) and Mr. Michel Gentot (France) as Judges from the expiration of their present terms until the end of July 1998.

X

Resolution concerning the adoption of the Programme and Budget for 1996–97 and the allocation of the budget of income among member States

The General Conference of the International Labour Organization:

(a) In virtue of the Financial Regulations, passes for the 65th financial period, ending 31 December 1997, the budget of expenditure for the International Labour Organization amounting to US$579,500,000 and the budget of income amounting to US$579,500,000, which, at the budget rate of exchange of Swiss francs 1.16 to the US dollar, amounts to Swiss francs 672,220,000, and resolves that the budget of income, denominated in Swiss francs, shall be allocated among member States in accordance with the scale of contributions recommended by the Finance Committee of Governments Representatives;

(b) Requests the Director-General to present, as appropriate, to the Programme, Financial and Administrative Committee and to the Governing Body whatever adjustments might prove to be necessary and that these adjustments should not reduce the technical cooperation and field programmes; and further requests the Governing Body, at its next meeting on 24 June 1995, to decide on the procedures appropriate for examination without delay of the said adjustments;

(c) Requests the Director-General, the Programme, Financial and Administrative Committee and the Governing Body to evaluate the impact of exchange rate fluctuation upon the programme and budget, as well as the form in which the US dollar and Swiss franc values of the Director-General's future programme and budget proposals are presented.

XI

Resolution concerning the holding of a Maritime Session of the International Labour Conference

The General Conference of the International Labour Organization,

Noting that the cost of holding a Maritime Session of the International Labour Conference if it is held in January 1996 is estimated at $2,427,000,

Wishing to distribute this cost over the 1994–95 and the 1996–97 biennia;

Decides that, notwithstanding article 17.1 of the Financial Regulations, up to $1,961,000 of the cost of the Maritime Session be charged to the accounts of the 1994–95 financial period against programme 140.6, Programme Flexibility Reserve (up to $1,086,000) and Major programme 295, Unforeseen expenditure (up to $875,000).

1Adopted on 22 June 1995.
2Adopted on 21 June 1995.
OTHER DECISIONS

Standing Orders of the Conference

The Conference adopted the following amendments to its Standing Orders

PART I

General Standing Orders

ARTICLE 19

Methods of voting

The following two new paragraphs have been added to article 19:

15. Unless the Officers otherwise decide in special circumstances, the Conference shall vote by electronic means.

16. When the Conference votes by electronic means, paragraphs 7 and 12 above shall not apply. In the case of a vote by show of hands, the individual votes cast by the delegates shall be accessible during the sitting at which the vote is taken, but only the final result of the vote shall be announced and recorded. In the case of a record vote, the individual votes cast by the delegates shall be recorded and published and the final result of the vote shall be announced and recorded. In the case of a vote by secret ballot, the individual votes cast by the delegates shall in no case be recorded or accessible and only the final result of the vote shall be announced and recorded.

PART II

Standing Orders concerning special subjects

Section G

Governing Body elections

ARTICLE 49

Government electoral college

Paragraph 4

This provision now reads as follows:

4. The Government electoral college shall also select 28 other Members of the Organization, the governments of which shall be entitled to appoint deputy Government members of the Governing Body.
ARTICLE 50

Employers' and Workers' electoral colleges

Paragraph 2

This provision now reads as follows:

2. The Employers' and Workers' electoral colleges shall each elect by name 14 persons as regular members of the Governing Body and 19 persons as deputy members of the Governing Body.
If this is 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.

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en que está escrita la dirección.
OFFICIAL BULLETIN

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Office publications and documents

To ensure that all regular readers of the Official Bulletin receive full and up-to-date information on Office
publications and documents, the quarterly ILO Publications list will be sent to them free of charge. A complete
catalogue is available on request and books may be purchased from: ILO Publications, International Labour
Office, CH-1211 Geneva 22, Switzerland.
The 264th Session of the Governing Body of the International Labour Office was held from Tuesday, 14 to Thursday, 16 November 1995 under the chairmanship of Mr. Yvon Chotard (Government representative, France).

The agenda was as follows:

1. Approval of the minutes of the 262nd and 263rd Sessions.¹
5. Action to be taken by the ILO in giving effect to the Declaration and Programme of Action adopted by the World Summit for Social Development.
6. The strengthening of the ILO's standards supervisory system.
8. Reports of the Programme, Financial and Administrative Committee.
9. Reports of the Committee on Legal Issues and International Labour Standards.
15. International Institute for Labour Studies.²

¹ The Governing Body approved the minutes.
Supplementary reports:

— Report of the Committee set up to examine the 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).

— Report of the Committee set up to examine the 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).

— Report of the Committee set up to examine the 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).

— Modifications in the internal organization of the International Labour Office.¹

— Report of the Committee set up to examine the 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).

— Report of the Committee set up to examine the 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).

17. Reports of the Officers of the Governing Body:

— Representation made by the Federation of the Associations of Public Servants of the Ministry of Labour of Greece under article 24 of the ILO Constitution alleging non-observance by Greece of the Labour Inspection Convention, 1947 (No. 81).

— Representation made by the General Confederation of Workers of Peru (CGTP) under article 24 of the ILO Constitution, alleging non-observance by Peru of the Night Work (Women) Convention, 1919 (No. 4), the Night Work (Women) Convention (Revised), 1934 (No. 41), the Underground Work (Women) Convention, 1935 (No. 45), and the Social Security (Minimum Standards) Convention, 1952 (No. 102).

— Application for regional consultative status submitted by the Latin American Confederation of State Workers (CLATE).

18. Appointment of Governing Body representatives on various bodies.

19. Matters on which the Officers of the Governing Body took decisions on its behalf:

— Programme of meetings for the remainder of 1995 and for 1996.

— Symposia, seminars and similar meetings.

— Requests from non-governmental international organizations wishing to be represented at the 83rd Session (1996) of the International Labour Conference.

* * *

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 the Director-General's statement.

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.
PROPOSALS FOR THE AGENDA OF THE 1998 SESSION
OF THE INTERNATIONAL LABOUR CONFERENCE

The Governing Body requested more detailed proposals on the subject of child
labour, either for a general discussion or for standard setting, to be submitted to it at its
265th Session (March 1996).

RECORD OF THE FIFTH EUROPEAN REGIONAL CONFERENCE

(Warsaw, 20-27 September 1995)

The Governing Body requested the Director-General to convey its appreciation to the
Government of Poland for the facilities provided to the Conference, as well as to the
employers’ and workers’ organizations of Poland for the hospitality they extended to
participants and all their efforts to ensure the success of the Conference.

Conclusions and resolutions adopted by the Conference¹

The Director-General was authorized to transmit the texts of the conclusions and
resolutions adopted by the Conference to the Governments of member States and, through
them, to national employers’ and workers’ organizations and to the international organiza­
tions concerned.

Conclusions concerning the coverage and financing of social protection

The Governing Body requested the Director-General: (a) to draw the attention of the
governments of member States in Europe and, through them, that of the national
employers’ and workers’ organizations, to the conclusions concerning the coverage and
financing of social protection; (b) to bear the conclusions in mind in executing ongoing
programmes and preparing future programme and budget proposals; (c) to transmit the
text of the conclusions to the governments of all member States and, through them, to
national employers’ and workers’ organizations.

Conclusions concerning ILO activities in Europe

The Governing Body requested the Director-General: (a) to draw the attention of the
governments of member States in Europe and, through them, that of the national
employers’ and workers’ organizations, to the conclusions concerning ILO activities in
Europe; (b) to bear the conclusions in mind in executing ongoing programmes and in
preparing future programme and budget proposals; (c) to transmit the text of the con­
cclusions: (i) to the governments of all member States and, through them, to the national
employers’ and workers’ organizations; (ii) to the international organizations concerned.

Resolution aiming at ensuring the independence and facilitating the financing of em­
ployers’ and workers’ organizations

The Governing Body requested the Director-General to draw the attention of
European member States and, through them, that of the national employers’ and
workers’ organizations concerned, to the appeals made in the operative paragraph of
the resolution.

¹ For the text of these conclusions and resolutions, see pp. 24-31 below.
Resolution concerning the protection and promotion of the rights of migrant workers and their families in Europe

The Governing Body requested the Director-General: (a) to draw the attention of European 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 made in operative paragraph 2 in executing current programmes and when preparing future programme and budget proposals.

Resolution concerning employment and tripartism in Europe

The Governing Body requested the Director-General: (a) to draw the attention of European 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 operative paragraph 2 in executing current programmes and when preparing future programme and budget proposals.

REPORT ON THE FOURTH WORLD CONFERENCE ON WOMEN

(Beijing, 4-15 September 1995)

The Governing Body:

(a) welcomed the adoption by the Fourth World Conference on Women of the Declaration and Platform for Action;
(b) welcomed in particular the fact that labour-related issues were adequately covered in the Platform for Action;
(c) requested the Director-General to ensure that:
   (i) the ILO was actively involved in the action taken by the United Nations system to give effect to the Declaration and Platform for Action with regard to labour-related issues;
   (ii) effective follow-up on the Platform was adequately incorporated in all ILO programmes and activities, especially in the context of ILO follow-up on the Social Summit in the field of employment;
   (iii) the ILO's constituents and field structures were actively involved in follow-up activities, since implementation will take place mainly at the national level;
(d) requested the Director-General to submit to the Governing Body, at its 265th Session (March 1996), proposals concerning action to be taken by the ILO in giving effect to the Declaration and Platform for Action adopted by the Fourth World Conference on Women, taking into account decisions taken by competent organs of the United Nations system concerning follow-up on the Conference.

ACTION TO BE TAKEN BY THE ILO IN GIVING EFFECT TO THE DECLARATION AND PROGRAMME OF ACTION ADOPTED BY THE WORLD SUMMIT FOR SOCIAL DEVELOPMENT

The Governing Body:

(a) took note of the information, and endorsed the proposals for future ILO action contained in the paper and addendum;
(b) requested the Director-General to pursue his efforts:
   (i) to ensure that the ILO played a leading role in the action of the United Nations system at the national and international levels to give effect to the conclusions of the World Summit for Social Development concerning employment;
   (ii) to strengthen the dialogue and cooperation between the ILO and the Bretton Woods institutions in the field of employment and related matters;
(c) requested its Committee on Employment and Social Policy, at the 265th Session (March 1996) of the Governing Body, to consider the modalities for the conduct and examination of comprehensive national employment policy reviews.

THE STRENGTHENING OF THE ILO’S STANDARDS SUPERVISORY SYSTEM

The Governing Body referred the question to the Committee on Legal Issues and International Labour Standards, which would continue to discuss it at its next meeting.

REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

(300th and 301st Reports)

The Governing Body examined and adopted the 300th and 301st Reports of its Committee on Freedom of Association.¹

REPORTS OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE

Programme and Budget for 1994-95

Regular budget account and Working Capital Fund

The Governing Body authorized the Director-General to submit proposals for any necessary transfers within the 1994-95 expenditure budget to the Chairperson for his approval, in accordance with the usual practice, prior to the closing of the 1994-95 accounts in January 1996, subject to confirmation of such approval by the Governing Body at its 265th Session (March 1996).

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 1996-97 as set out in the appendix to document GB.264/PFA/3/1, subject to a reduction of US$100,000 should the proposal to abolish the Board of the Institute be approved by the Governing Body.² Furthermore, the Governing Body accepted the contributions and gifts received by the Institute.

Proposed 1996-97 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)

¹ The texts of these reports are reproduced in Official Bulletin, Vol. LXXVIII, 1995, Series B.
² This proposal was approved by the Governing Body. See attached table of programme and budget adjustments for 1996-97.
The Governing Body approved the proposed 1996-97 income and expenditure budgets for the International Occupational Safety and Health Information Centre (CIS) and the Inter-American Research and Documentation Centre on Vocational Training (CINTERFOR) extra-budgetary accounts.¹

**Personnel questions**

**General Service Salary Survey, Geneva**

The Governing Body approved the amendments to the Staff Regulations set out in Appendices I and II to document GB.264/PFA/11, which introduced for staff in the General Service category in Geneva the new salary scales and the new levels of family allowances with effect from 1 December 1995, subject to the transitional arrangements for staff recruited before 1 December 1995, as set out in paragraphs 7, 9, 10 and 12 of document GB.264/PFA/11.

**Pensions questions**

**Appointments to the Administrative Board (ILO Staff Pensions Fund) and to the ILO Staff Pension Committee (United Nations Joint Staff Pension Fund)**

The Governing Body decided to propose to the International Labour Conference, at its 83rd Session (June 1996), that it appoint the following members and alternate members of the Administrative Board of the ILO Staff Pensions Fund and of the ILO Staff Pension Committee (United Nations Joint Staff Pension Fund), with retroactive effect from 9 October 1995 for a period of three years, and requested the said persons to take part in the work of the Administrative Board and the ILO Staff Pension Committee, until the International Labour Conference had taken the necessary decision:

**Members:**
- Mr. Chotard (France)
- Mr. Oechslin (France)
- Mr. Tapiola (Finland)

**Alternate members:**
- Mr. Pelekanos (Cyprus)
- Mr. Schibli (Switzerland)
- Mr. Yoffee (United States)

**Other personnel questions**

**Child-care facilities for delegates and staff members**

The Governing Body noted that the matter would be re-examined at its 265th Session and that the Workers’ group was formally opposed to the proposed decision. The Governing Body deleted the provision of $146,550 for child-care facilities made in the Programme and Budget for 1996-97 under major programme 160 (Personnel).

**Programme and budget adjustments for 1996-97**

The Governing Body took note of the report and adopted the programme and budget adjustments set out in the table appended to document GB.264/PFA/R.3(Add.),² totalling $21,704,950. These implied in particular the following adjustments:

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¹ For the decision concerning the Joint ILO/ISSA account, see the summary of Programme and budget adjustments for 1996-97 contained in the Appendix.

² This table is reproduced on pp. 19-20 below.
International Labour Conference

(a) the Conference is shortened by one day;
(b) the discussion of the reports of the Chairperson of the Governing Body and the Director-General in plenary sitting will begin on the Wednesday of the second week of the Conference and continue up to and including the Tuesday of the third week;
(c) to accommodate this, a proposal will be made to the Conference to shorten the time-limit for speeches in plenary sitting to five minutes;
(d) the issues of the Provisional Record of the Conference covering the discussion of the reports of the Chairperson of the Governing Body and the Director-General will be printed and despatched after the conclusion of the Conference, while the present practice regarding Part II of the report of the Conference Committee on the Application of Standards will be maintained.

Maritime Session of the Conference

A maritime session of the Conference will be held as early as possible in the 1996-97 biennium, but without a Resolutions Committee or a full tripartite Governing Body delegation.

Major regional meetings

(a) one regional meeting will be held in the regions each year under the auspices of the regional offices of the ILO, each regional meeting will last three days, and have a single agenda item concerning ILO activities in the region concerned;
(b) the practice of sending a separate Governing Body delegation to regional meetings is abandoned;
(c) the first such regional meeting concerns the Asia and Pacific region and will be held in Bangkok in 1997.

REPORTS OF THE COMMITTEE ON LEGAL ISSUES AND INTERNATIONAL LABOUR STANDARDS

Legal issues

General characteristics of sectoral meetings and Standing Orders

The Governing Body: (a) adopted the draft Standing Orders for Sectoral Meetings as set out in Appendix I to the report; (b) decided that the Standing Orders would take effect from 1996 and that any sectoral meetings postponed from 1995 would be held in accordance with them; (c) adopted the general characteristics of sectoral meetings as set out in Appendix II to the report.

International labour standards and human rights


The Governing Body took note of the discussion, and approved the recommendations in paragraph 50 of the report of the Working Party on Policy regarding the Revision of

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1 For the text of the Standing Orders and general characteristics, see pp. 32-40 below.
Standards which the Committee had adopted. The Governing Body therefore:
(a) took note of the report of the Working Party on Policy regarding the Revision of Standards;
(b) noted the broad consensus on essential issues which emerged within the Working Party, namely that its work was intended to rejuvenate and strengthen the standard-setting system (paragraph 12 of the Working Party's report); and
(c) decided that:
   (i) the six basic human rights Conventions (Nos. 87 and 98, 100 and 111, 29 and 105) and the four other priority Conventions (Nos. 81, 129, 122 and 144) would be excluded from revision, while the question of including Convention No. 138 would be set aside for the time being (paragraph 21 of the report);
   (ii) a paper should be prepared by the Office for the next meeting of the Working Party, based on Appendix II to GB.264/LILS/ WP/PRS/1, in the manner set out in paragraph 25 of the report of the Working Party;
   (iii) a paper should be prepared by the Office for the next meeting of the Working Party concerning the possibilities for abrogation or termination of certain Conventions (paragraph 42 of the Working Party's report);
(d) noted that, regarding the proposals that gave rise to a first exchange of views, the Working Party had agreed to re-examine them, and agreed that the time necessary for this purpose should be made available.

Standard-setting policy: Ratification and promotion of the ILO's fundamental Conventions

The Governing Body took note of the document submitted to the Committee (GB.264/LILS/5 and Addendum), and agreed to the proposals contained in paragraphs 50 to 56 of the report.

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

   Safety and Health in Mines Convention, 1995 (No. 176);
   Protocol of 1995 to the Labour Inspection Convention, 1947

   The Governing Body approved the report forms for the Safety and Health in Mines Convention, 1995 (No. 176) and the Protocol of 1995 to the Labour Inspection Convention, 1947, as appended to the report.


   The Governing Body took note of the conclusions1 and requested the Director-General to take them into account in implementing future programmes of activity.

REPORT OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL POLICY


   The Governing Body took note of the report of the Meeting of Experts on Cooperative Law and:

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1 The text of the conclusions is contained in document GB.264/LILS/10.
(a) authorized the Director-General to communicate the report 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 organizations having full consultative status, as well as to other bodies and organizations concerned;

(b) requested the Director-General to take into account the conclusions1 of the Meeting of Experts for the ILO's future programme of work;

(c) requested the Director-General to consider the revision of Recommendation No. 127 (1966) concerning the role of cooperatives in the economic and social development of developing countries, as recommended by the Meeting of Experts on Cooperative Law and by the Meeting of Experts on Cooperatives held in 1993.

REPORT OF THE COMMITTEE ON TECHNICAL COOPERATION

ILO technical cooperation in the context of the Active Partnership Policy: Progress made in the implementation of the Active Partnership Policy; ILO technical cooperation in 1994-95; implementation of the ILO strategy for technical cooperation

The Governing Body took note of this section of the report and, noting the progress made in the area of technical cooperation according to the new orientations of the ILO, and in particular the efforts made by the Office to improve resource mobilization and while commending the efforts made to date, urged the ILO:

(a) to give effect to the resolution adopted by the International Labour Conference in June 1995 concerning the adoption of the Programme and Budget for 1996-97 and the allocation of the budget of income among member States to intensify the work related to technical cooperation as a major means of action, and to ensure that budget adjustments did not reduce the technical cooperation and field programmes;

(b) to intensify its efforts for resource mobilization with the help of the tripartite constituencies.

REPORT OF THE COMMITTEE ON SECTORAL AND TECHNICAL MEETINGS AND RELATED ISSUES

Thirteenth Session of the Coal Mines Committee (Geneva, 11-19 January 1995)

Effect to be given to the conclusions and resolutions of the Committee2

The Governing Body:

(a) authorized the Director-General to communicate the texts adopted at the Thirteenth Session of the Coal Mines Committee:

(i) to governments, informing them that the Governing Body had taken note of the texts and requesting them to communicate these texts to the employers' and workers' 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

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1 The text of these conclusions is contained in document GB.264/ESP/3.

2 For the text of these conclusions and resolutions, see pp. 41-48 below.
international employers' and workers' organizations concerned, to the report and conclusions (No. 99) concerning productivity and its impact on employment and labour relations in the coalmining industry;

(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 Coal Mines 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 at the Thirteenth Session of the Coal Mines Committee in the relevant paragraphs of its resolutions Nos. 100 to 105;

d) requested the Director-General to bear in mind, when planning the future programme of work of the Office, the wishes expressed by the Coal Mines Committee in the relevant paragraphs of its conclusions No. 99 and of its resolutions Nos. 100 to 105.


Effect to be given to the conclusions and resolutions of the Meeting

The Governing Body:

(a) authorized the Director-General to communicate the texts adopted by the Fourth Tripartite Technical Meeting for the Clothing Industry:

(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. 31) concerning the effects of technological changes in the clothing industry;

(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 by the Fourth Tripartite Technical Meeting for the Clothing Industry 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 Fourth Tripartite Technical Meeting for the Clothing Industry in the relevant paragraphs of its resolutions Nos. 32 to 35;

1 For the text of these conclusions and resolutions, see pp. 49-56 below.
(d) requested the Director-General to bear in mind, when planning the future programme of work of the Office, the wishes expressed by the Fourth Tripartite Technical Meeting for the Clothing Industry in the relevant paragraphs of its conclusions No. 31 and of its resolutions Nos. 32 to 35.

Eleventh Session of the Chemical Industries Committee (Geneva, 10-18 May 1995) 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 Eleventh Session of the Chemical Industries Committee:

(i) to governments, informing them that the Governing Body had taken note of the texts and requesting them to communicate these texts to the employers’ and workers’ 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. 68) concerning the implications of structural change for employment and training in the chemical industries;

(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 Eleventh Session of the Chemical Industries 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 at the Eleventh Session of the Chemical Industries Committee in the relevant paragraphs of its resolutions Nos. 69 to 72;

(d) requested the Director-General to bear in mind, when planning the future programme of work of the Office, the wishes expressed at the Eleventh Session of the Chemical Industries Committee in the relevant paragraphs of its conclusions No. 68 and of its resolutions Nos. 69 to 72.

Report of the Joint ILO/WHO Committee on Occupational Health
(Twelfth Session, Geneva, 5-7 April 1995)

The Governing Body:

(a) took note of the conclusions and recommendations of the Twelfth Session of the Joint ILO/WHO Committee on Occupational Health; ²

(b) authorized the Director-General to communicate the conclusions and recommendations of the Joint ILO/WHO Committee on Occupational Health to governments, and through them, to employers’ and workers’ organizations, to the non-governmental organizations with consultative status and to the institutions and services concerned;

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¹ For the text of these conclusions and resolutions, see pp. 57-65 below.
² For the text of these conclusions and recommendations, see pp. 66-68 below.
(c) invited the Director-General to prepare, distribute and implement policy guidance to the ILO's field structures in respect of cooperation between the ILO and WHO in occupational safety and health;

(d) invited the Director-General to bear in mind, when drawing up the future programme of work of the Office, the conclusions and recommendations made by the Joint Committee at its Twelfth Session and, in particular, the preparation and implementation of a joint ILO/WHO international programme towards the global elimination of silicosis.

**Joint Meeting on the Impact of Structural Adjustment in the Public Services (Efficiency, Quality Improvement and Working Conditions) (Geneva, 24-30 May 1995)**

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

(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 Joint Meeting on the Impact of Structural Adjustment in the Public Services in paragraphs 19, 20 and 21 of the conclusions.

**Safety Fundamentals Relating to Radiation Protection and the Safety of Radiation Sources**

The Governing Body decided to co-sponsor the Radiation Safety Fundamentals and to approve their publication.2

**Programme of sectoral meetings for 1996-97**

The Governing Body decided:

(a) to include, in the programme of sectoral meetings for 1996-97: a tripartite meeting on breaking through the glass ceiling: women in management; a tripartite meeting on the iron and steel workforce of the twenty-first century: what it will be like and how it will work; a symposium on multimedia convergence; a meeting of experts on safety and health in forest work;

(b) that the name of the Standing Technical Committee for Educational Personnel be changed to Joint Meeting on the Impact of Structural Adjustment on Educational Personnel, and that consideration of its two reports take place within the five-day format;

(c) that the purpose of the Tripartite Meeting on Social and Labour Issues concerning Migrant Workers in the Construction Industry, the Tripartite Meeting on Social and Labour Problems caused by Structural Adjustments in the Port Industry, and the Joint Meeting on the Impact of Structural Adjustment on Educational Personnel be, on

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1 For the text of these conclusions, see pp. 69-72 below.
2 This text will be published by the International Atomic Energy Agency in its Security Collection.
condition that the Governing Body adopt new Standing Orders for sectoral meetings:¹ to exchange views on the respective issues; to adopt conclusions that include proposals for further action; to adopt resolutions; and to adopt a report on the proceedings.

REPORT OF THE SUBCOMMITTEE ON MULTINATIONAL ENTERPRISES

The Governing Body took note of the report, and decided that the list of Conventions and Recommendations to which reference was made in the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy should be updated to include:

— the Convention (No. 167) and Recommendation (No. 175) concerning Safety and Health in Construction, 1988 (relevant to paragraph 36 of the Declaration);
— the Convention (No. 168) and Recommendation (No. 176) concerning Employment Promotion and Protection Against Unemployment, 1988 (relevant to paragraph 13 of the Declaration);
— the Convention (No. 170) and Recommendation (No. 177) concerning Safety in the Use of Chemicals at Work, 1990 (relevant to paragraph 36 of the Declaration);
— the Convention (No. 173) and Recommendation (No. 180) concerning the Protection of Workers’ Claims (Employers’ Insolvency), 1992 (relevant to paragraph 28 of the Declaration);
— the Convention (No. 174) and Recommendation (No. 181) concerning the Prevention of Major Industrial Accidents, 1993 (relevant to paragraph 36 of the Declaration);
— the Convention (No. 176) and Recommendation (No. 183) concerning Safety and Health in Mines, 1995 (relevant to paragraph 36 of the Declaration).

PROGRESS REPORT OF THE WORKING PARTY ON THE SOCIAL DIMENSIONS OF THE LIBERALIZATION OF INTERNATIONAL TRADE

The Governing Body decided that the Working Party should continue as an open-ended forum, and took note that the question of its title, mandate and working methods might need to be reviewed once its programme of work had been agreed and that, for its meeting in March 1996, the Working Party had requested the Office to prepare three papers:
(a) a synthesis of proposals for its future programme of work;
(b) a summary of work in other parts of the Governing Body relevant to the work of the Working Party;
(c) a summary of activities in other organizations relevant to its work.

REPORT OF THE DIRECTOR-GENERAL²

Obituary

The Governing Body paid tribute to the memory of the deceased persons and requested the Director-General to convey its sympathy: (a) to the family of Chief E.O.A.

¹ The Standing Orders were adopted. See p. 7 above.
² The Governing Body took note of the information submitted to it concerning progress in international labour legislation, the European Agreement concerning the Social Security of Boatmen engaged in Inland Navigation, Internal Administration and publications and documents.
Odeyemi, the Nigeria Labour Congress and the Organization of African Trade Union Unity; (b) to the family of Mr. George L.P. Weaver, the Government of the United States, and to the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO); (c) to the family of Mr. Wilfred M. Rogers and to the Government of Barbados; (d) to the family of Mr. Daniel John Flunder.

**Composition of the Governing Body**

The Governing Body took note that the Government of the United Kingdom appointed as its representative Ms. Shan Morgan, Principal, Department for Education and Employment, and as its substitute representative Mr. Hugh Picton, Higher Executive Officer, International Relations Branch, Department for Education and Employment. It also took note that the Government of the Islamic Republic of Iran had appointed as its representative Mr. A. Bagheri, Deputy Minister of Labour and Social Affairs.

The Governing Body took note that, in accordance with article 5, paragraph 5, of the Standing Orders of the Governing Body, the Employers' and Workers' groups had made the following appointments: following the resignation of Mr. Décosterd, Mr. M. Barde, Secretary-General of the Fédération des Syndicats Patronaux of Switzerland, was appointed an Employer substitute member of the Governing Body; following the resignation of Miss Mackie, Miss Hak was appointed a regular Employer member of the Governing Body; Miss Hak would be replaced as a deputy Employer member of the Governing Body by Ms. D.A. France, Head, International Social Affairs, Confederation of British Industry; following the resignation of Mr. Ferguson at the end of the 264th Session, Mr. W. Mansfield, Assistant Secretary of the Australian Council of Trade Unions, would become a regular Worker member of the Governing Body and of the committees of which Mr. Ferguson had been a member.

*Report of the Committee set up to examine the 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:

(a) approved the report and in particular the conclusions and recommendations made in it;
(b) invited the Government of the Czech Republic:

(i) to repeal or modify any legal provisions which are incompatible with Convention No. 111, in particular some of the provisions of Act No. 451/1991 which are still in force;
(ii) to take the necessary measures, including appropriate appeal procedures, to enable workers who suffered discriminatory treatment within the meaning of Convention No. 111 to obtain adequate redress, including reinsertion in their jobs in appropriate cases, whatever their sector of activity;
(iii) to try to obtain the cooperation of employers' and workers' organizations and other appropriate bodies, in accordance with Article 3(a) of Convention No. 111, for the adoption and implementation of the measures recommended above and, more generally, to encourage the acceptance and application of a national policy to eliminate all discrimination within the meaning of the Convention;
(iv) to have appropriate consultation with and recourse, if necessary, to the cooperation of the International Labour Office, in carrying out the above recommendations;
(v) to provide complete information in the reports due, under article 22 of the ILO Constitution, on the measures taken to give effect to the above recommendations,
in order to enable the Committee of Experts on the Application of Conventions and Recommendations to follow up the situation;
(c) declared closed the procedure initiated as a result of the representation made by the OS-CMS.

Report of the Committee set up to examine the 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:
(a) approved the report and, in particular, the conclusions presented in paragraphs 20 to 25, and 29, namely that there was non-compliance with the obligation to pay wages regularly and on time which is contrary to Articles 12 and 15, item (c), of the Protection of Wages Convention, 1949 (No. 95), and to Article 11 of the Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117);
(b) invited the Government of Nicaragua, having noted the conclusions set out in paragraphs 20, 21, 23, 24 and 29, to adopt the necessary measures:
   (i) to ensure that legislation on this subject, and in particular the provisions of the Labour Code relating to the protection of wages, was applied in all enterprises in accordance with the machinery and procedures provided for in national legislation;
   (ii) to ensure that the national supervisory bodies in charge of overseeing compliance with standards relating to the minimum wage carry out their activities in accordance with national legislation;
(c) invited the Government of Nicaragua to include, in its reports submitted under article 22 of the Constitution on the application of Conventions Nos. 95 and 117, full information on the measures taken, in accordance with the above recommendations, to ensure compliance with these Conventions, so that the Committee of Experts on the Application of Conventions and Recommendations can follow up on the issue;
(d) declared closed the procedure initiated as a result of this representation.

Report of the Committee set up to examine the 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:
(a) approved the report, and in particular the conclusions made in paragraphs 19 to 25, namely, that it had taken note of widespread non-observance of the obligation to pay workers the minimum wage, which infringed the provisions of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26);
(b) invited the Government of Paraguay, taking into account the conclusions given in paragraphs 23 to 25, to take the necessary measures:
   (i) to ensure that pertinent legislation, in particular the provisions of the Labour Code relating to the minimum wages, was applied in accordance with machinery and procedures established in national legislation;
   (ii) to ensure that national supervisory bodies responsible for monitoring compliance with minimum wage standards carry out their activities in accordance with national legislation;
(iii) to ensure that the Labour Administrative Authority took appropriate measures so that the difference should be paid to the workers who have been paid wages at less than the applicable minimum rates;

(c) invited the Government of Paraguay to include, in its reports submitted by virtue of article 22 of the Constitution regarding the application of Convention No. 26, full information on measures taken in accordance with the above-mentioned recommendations to ensure compliance with this Convention, so that the Committee of Experts on the Application of Conventions and Recommendations can continue the examination of the questions;

(d) declared the closure of the present procedure initiated as a result of this presentation.

Report of the Committee set up to examine the 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 took note of the report, and declared closed the procedure initiated as a result of the presentation of the representation.

Report of the Committee set up to examine the 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:

(a) approved the report and, in particular, the conclusions set out in the paragraphs relating to the existence of forced labour and debt bondage and to the failure to apply effective penal sanctions strictly, in violation of Conventions Nos. 29 and 105 on forced labour, which have been ratified by Brazil;

(b) called on the Government of Brazil, bearing in mind the conclusions set out in paragraphs 61 to 75, to take the necessary steps:

(i) to reinforce the inspection system and to ensure the systematic and diligent investigation of complaints of forced labour;

(ii) to ensure the enforcement of national penal legislation against placing people in a situation analogous to slavery and against the illegal transfer of workers from one part of the national territory to another, and compliance with inspection arrangements in rural areas;

(iii) to ensure the rapidity of the proceedings initiated and the strict application of the penalties imposed;

(iv) to ensure coordination of the activities of the various government bodies, trade unions, church organizations and civil bodies in the campaign for the complete elimination of forced labour;

(c) requested the Government of Brazil to include, in the reports it supplied under article 22 of the Constitution on the application of Conventions Nos. 29 and 105 on forced labour, full information on the measures taken to comply with the recommendations contained in the foregoing paragraphs, so that the Committee of
Experts on the Application of Conventions and Recommendations can follow up on the matter; 
(d) declared the closure of the procedure initiated as a result of the representation in question.

REPORTS OF THE OFFICERS OF THE GOVERNING BODY

Representation made by the Federation of the Associations of Public Servants of the Ministry of Labour of Greece under article 24 of the ILO Constitution alleging non-observance by Greece of the Labour Inspection Convention, 1947 (No. 81)

The Governing Body decided that the representation was receivable, and appointed a committee to examine it.

Representation made by the General Confederation of Workers of Peru (CGTP) under article 24 of the ILO Constitution, alleging non-observance by Peru of the Night Work (Women) Convention, 1919 (No. 4), the Night Work (Women) Convention (Revised), 1934 (No. 41), the Underground Work (Women) Convention, 1935 (No. 45), and the Social Security (Minimum Standards) Convention, 1952 (No. 102)

The Governing Body decided that the representation was receivable with respect to Conventions Nos. 4, 41 and 45, and appointed a committee to examine it.

Application for regional consultative status submitted by the Latin American Confederation of State Workers (CLATE)

Without prejudice to CLATE’s ad hoc applications concerning ILO meetings on matters within its fields of interest, the Governing Body rejected its application for regional consultative status.

APPOINTMENT OF GOVERNING BODY REPRESENTATIVES ON VARIOUS BODIES

In accordance with the new Standing Orders for sectoral meetings, the Governing Body appointed the following of its members to represent it at the meetings indicated:

Tripartite Meeting on Social and Labour Issues concerning Migrant Workers in the Construction Industry (Geneva, 4-8 March 1996)

Ms. Dunkak (Government, United States).

Joint Meeting on the Impact of Structural Adjustment on Educational Personnel (Geneva, 22-26 April 1996)

Mr. Arbeloa (Employer, Venezuela).

1 See p. 35 below.
**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 1995 and for 1996:

<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
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<tbody>
<tr>
<td><strong>1995</strong></td>
<td></td>
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<tr>
<td>23 November-8 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>Geneva</td>
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<tr>
<td><strong>1996</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4-8 March</td>
<td>Tripartite Meeting on Social and Labour Issues concerning Migrant Workers in the Construction Industry</td>
<td>&quot;</td>
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<tr>
<td>14-28 March (29 March if necessary)</td>
<td>265th Session of the Governing Body and its committees</td>
<td>&quot;</td>
</tr>
<tr>
<td>22-26 April</td>
<td>Joint Meeting on the Impact of Structural Adjustment on Educational Personnel¹</td>
<td>&quot;</td>
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<tr>
<td>20-24 May</td>
<td>Tripartite Meeting on Social and Labour Problems caused by Structural Adjustments in the Port Industry</td>
<td>&quot;</td>
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<tr>
<td>30-31 May</td>
<td>Governing Body Committee on Freedom of Association</td>
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<tr>
<td>4-20 June</td>
<td>83rd Session of the International Labour Conference</td>
<td>&quot;</td>
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<tr>
<td>21 June</td>
<td>266th Session of the Governing Body</td>
<td>&quot;</td>
</tr>
<tr>
<td>23-27 September</td>
<td>Tripartite Meeting on Improving the Conditions of Employment and Work of Agricultural Wage Workers in the Context of Economic Restructuring</td>
<td>&quot;</td>
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<tr>
<td>8-14 October</td>
<td>Meeting of Experts on Workers' Privacy</td>
<td>&quot;</td>
</tr>
<tr>
<td>7-21 November</td>
<td>267th Session of the Governing Body and its committees</td>
<td>&quot;</td>
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<tr>
<td>8-9 November</td>
<td>Enterprise Forum</td>
<td>&quot;</td>
</tr>
<tr>
<td>28 November-13 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>&quot;</td>
</tr>
<tr>
<td>To be determined</td>
<td>84th (Maritime) Session of the International Labour Conference</td>
<td>&quot;</td>
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</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 83rd Session (1996) of the International Labour Conference**

The Officers of the Governing Body authorized the Director-General:

(a) to invite three workers' organizations and 13 other organizations² to be represented at the 83rd Session (1996) 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 has been recognized.

¹ Replaces the Standing Technical Committee for Educational Personnel (First Session).
² The list of organizations concerned is contained in document GB.264/Inf.3.
APPENDIX


Summary of adjustments

<table>
<thead>
<tr>
<th>Programme No.</th>
<th>1996-97</th>
<th>US $</th>
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<tbody>
<tr>
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</table>

A. Conferences and meetings

1. International Labour Conference

10.10 Reform of the Conference  
1.277.000

2. Maritime Session of the Conference

10.20 Additional provision (compared with the present budgetary provision of $582,500) for the Maritime Session of the Conference to be held in 1996, or early 1997, without a Resolutions Committee or a Governing Body delegation  
$(1,685,600)$

3. Major regional meetings

30 Savings compared with the present budgetary provision, assuming one three-day regional meeting in Asia in 1997 (without separate Governing Body representation)  
$2,809,000$

4. Sectoral meetings

100 Reduction of the number of sectoral meetings to be held from 16 to 10 in 1996-97 and to 12 in subsequent biennia: savings in direct participants’ costs  
$1,540,000$

Consequential reduction in staff resources for preparation, organization and follow-up of meetings  
$1,950,000$

5. Technical meetings

Reduction of the number of technical meetings (excluding the Committee of Experts on the Application of Conventions and Recommendations) from 7 to 5 in 1996-97  
$470,000$

6. Interpretation costs

220 Rationalization of interpretation services  
$340,000$

220.20 Reduction in interpretation costs, consequent to the reduction in the number of sectoral meetings  
$1,080,000$

Reduction in interpretation costs, consequent to the reduction in the number of technical meetings  
$60,000$

A. Total reductions  
$7,840,400$

B. Documents and publications

1. Documents and publications

180 Reductions in document- and publication-related activities in Geneva and decentralization, delocalization and privatization of certain typing, reproduction and printing activities  
$3,180,000$

180, 220 Restructuring of major programmes: Relations and Meetings, and Editorial and Document Services  
$570,000$

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1 This includes a reduction in its length by one day; a reduction in the number of plenary sittings and the duration of speeches to 5 minutes; and a delay in the printing and despatch of Provisional Records relating to the discussion of the reports of the Chairperson of the Governing Body and the Director-General while maintaining the present practice regarding Part II of the report of the Conference Committee on Standards.
<table>
<thead>
<tr>
<th>Programme No.</th>
<th>Description</th>
<th>1996-97 US $</th>
</tr>
</thead>
</table>
| 220          | Reductions in the costs of translation services in Geneva  
Rationalization of the processing of Governing Body documents and reduction in their volume (it being understood that the Governing Body minutes will be maintained) | 1 200 000   |
|              | B. Total reductions                                                                                                                                                                                           | 5 460 000   |
|              | C. Reductions in operating costs in Geneva  
1. Technical major programmes                                                                                                                                                                             |             |
| 50-125       | Reductions in overhead management and administrative costs                                                                                                                                                   | 1 900 000   |
| 160          | Increase provision for the training of ILO personnel                                                                                                                                                         | (500 000)   |
| 175, 200     | Reductions in staff and non-staff costs in Geneva in internal administration and programming and management                                                                                                     | 2 340 000   |
| 160, 170, 175| Decentralization, delocalization and outsourcing of administrative and other functions presently carried out at ILO Headquarters (examples include: payments, accounting, messenger services, cleaning services and administration of certain benefits) | 1 500 000   |
|              | 3. Active partnership and promotion of technical cooperation                                                                                                                                                  |             |
| 245, 125.30  | Merging of the Bureau of Active Partnership and the promotion of technical cooperation programme                                                                                                                 | 570 000     |
|              | C. Total reductions                                                                                                                                                                                           | 5 956 550   |
|              | D. International Institute for Labour Studies                                                                                                                                                                 |             |
| 130          | Suppress provision for the attendance of the ten members of the Board appointed from outside                                                                                                                  | 100 000     |
|              | D. Total reductions                                                                                                                                                                                           | 100 000     |
|              | E. Other                                                                                                                                                                                                    |             |
|              | 1. International Social Security Association                                                                                                                                                                 |             |
| 115          | Discontinuation of the ILO subsidy to ISSA                                                                                                                                                                   | 720 000     |
|              | 2. Other budgetary provisions                                                                                                                                                                                 |             |
| 290          | Suspension of the contribution to the ILO's Building and Accommodation Fund                                                                                                                                | 388 000     |
|              | 3. Programme Flexibility Reserve                                                                                                                                                                             |             |
| 145          | Suppression of this Reserve in 1996-97; reinstitution at a reduced level subsequently                                                                                                                       | 1 240 000   |
|              | E. Total reductions                                                                                                                                                                                           | 2 348 000   |
|              | Total net reduction (A × E above)                                                                                                                                                                             | 21 704 950  |
European Agreement concerning the Social Security of Boatmen Engaged in Inland Navigation

Administrative Arrangement for the Application of the Agreement

The Administrative Arrangement for the Application of the European Agreement concerning the Social Security of Boatmen Engaged in Inland Navigation, in accordance with article 56 of this Agreement, was adopted at the Conference of Bucharest on 28 September 1995. As with the Agreement, the Director-General of the International Labour Office is the depository. According to the Final Act, adopted at the Conference in Bucharest, the Arrangement is also open for signature. In accordance with article 48 of the Agreement, it will enter into force on the same date as the Agreement.


Official measures taken regarding decisions of the International Labour Conference\(^1\)
Ratifications of international labour Conventions

Notice is hereby given that the Director-General of the International Labour Office has registered the undermentioned ratifications of international labour Conventions. In pursuance of article 20 of the Constitution of the International Labour 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 concerning 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</th>
<th>Date on which ratification will take effect</th>
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<tr>
<td></td>
<td>Employment Service Convention, 1948 (No. 88)</td>
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<td>Abolition of Forced Labour Convention, 1957 (No. 105)</td>
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<td>Acceptance of Articles 7, 8, 9(1) and 10 to 15 of Part II has been specified pursuant to Article 16, paragraph 2, of the Convention.</td>
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<tr>
<td>Cyprus</td>
<td>Repatriation of Seamen Convention, 1926 (No. 23)</td>
<td>19 September 1995</td>
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<td></td>
<td>Accommodation of Crews Convention (Revised), 1949 (No. 92)</td>
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<td>19 March 1996</td>
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<td>Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)</td>
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<td>19 September 1996</td>
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<td>Workers with Family Responsibilities Convention, 1981 (No. 156)</td>
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<td>Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)</td>
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<td>Country</td>
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<td>Acceptance of Articles 7 to 9 and 11 to 15 of Part II has been specified pursuant to Article 16, paragraph 2, of the Convention.</td>
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<td>Night Work Convention, 1990 (No. 171)</td>
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<td>Tunisia</td>
<td>Minimum Age Convention, 1973 (No. 138)</td>
<td>19 October 1995</td>
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<td>The minimum age of 16 years has been specified pursuant to Article 2, paragraph 1, of the Convention.</td>
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<td>Uruguay</td>
<td>Forced Labour Convention, 1930 (No. 29)</td>
<td>6 September 1995</td>
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<td></td>
<td>Hygiene (Commerce and Offices) Convention, 1964 (No. 120)</td>
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<td>Asbestos Convention, 1986 (No. 162)</td>
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<td>Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172)</td>
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1 Period covered: 1 September to 31 December 1995.
Conclusions concerning the coverage and financing of social protection

1. Throughout Europe systems of social protection are facing severe difficulties, both in terms of their cost and in terms of their capacity to respond to social needs. This is the consequence of slow economic growth and high and rising unemployment and, in Central and Eastern Europe, the need for economic restructuring and transition from a planned to a market economy. In part it also reflects trends in the ageing of populations, in the structure of the labour market, the widening in the distribution of incomes and earnings, the diversification of family structures, the emergence of social and economic exclusion and an increased incidence of poverty.

2. The Conference recognizes that social protection systems will need to change in response to these new realities. The Conference foresees an enlarged role for the individual and for non-public institutions, including the social partners. The ultimate responsibility to provide for regulatory and supervisory measures will rest with the State according to national legislation.

3. The Conference acknowledges the diversity of European social protection systems. There are, however, a number of general principles upon which all systems are built and which should be preserved in any reforms. Although increasingly costly, social programmes based on concepts of public social security, collective responsibility and social solidarity have, over the last several decades, proved successful in providing income replacement for the old, social safety nets for the disadvantaged, and high levels of universal health care. Public confidence in them should be maintained and enhanced and broad social consensus should be sought on all necessary changes.

Retirement pensions

4. The cost of pension schemes has grown rapidly over recent decades, and in the next few decades is expected to rise further in order to provide for a substantially increased number of elderly people. Controlling the growth of pension outlays will continue to represent a priority objective of most governments.

5. In the past, poverty among the elderly and the erosion of benefits by high levels of inflation have been major social concerns. They remain so in many transition countries of Central and Eastern Europe, although hopefully economic recovery and reform of public pension systems will ease the problem. In Western Europe, the development and indexation of social security pension schemes have reduced poverty among the elderly, inflation has been greatly reduced and its consequences for the elderly diminished. These gains must be retained at the same time that the growth of expenditures are controlled.

6. The development of a more pluralistic structure for the provision of retirement pensions would also ease some of the present and expected pressure on public budgets. This could be achieved by the development of non-public pension schemes (such as occupational schemes or individual retirement plans) which would supplement the public social security schemes which guarantee adequate basic benefit levels. But such a structure would need to be carefully designed and would need to be regulated and monitored by the State.
7. Publicly financed health care programmes throughout Europe provide generally high-quality health care, financed from taxes or social security contributions with universal access, at little or no cost to the patient at the point of delivery. The Conference reaffirms its commitment to the basic principles of these schemes. But they are expensive, costs have grown rapidly, and there are concerns about their effectiveness and efficiency. Within this general framework, there is a need for substantial reforms and redevelopment which would improve the effectiveness and efficiency of health care services, and contain the growth in total costs. Measures which will enhance the prevention of disease and which will improve occupational safety and health will require significant promotion.

Unemployment compensation and social assistance

8. The only durable response to the situation of the unemployed lies in their reinsertion into good jobs with stable and reasonable earnings. To this end the Conference emphasizes the need for employment-intensive growth, retraining, employment services and other aspects of active labour market policies as indispensable adjuncts of policies of social protection. Furthermore, recognizing that current levels of unemployment — in both halves of the region — are unlikely to be quickly reduced, the Conference equally emphasizes the need for income support for those unable to find employment, both the formally unemployed and those excluded from participation in the labour market.

9. As to the financing of unemployment insurance and social assistance benefits, the Conference did not reach a unanimous conclusion. Participation of both employers and workers in the financing of unemployment benefits has been, and remains for many nations, an important component in the solidarity expressed between those in work and the unemployed. But the rising level of unemployment in the region means that financing from general revenues is increasingly called upon. There is some feeling, particularly from the Employers' side, that benefit levels offered to the unemployed need to be restructured in a way which enhances incentives, first to participate in retraining schemes, and secondly to accept employment, even if not at former levels of earnings. A scaled pattern of rewards was needed in order to promote reinsertion in the labour market. Worker representatives did not share the view that lower unemployment benefits would stimulate more active job search by the unemployed. Unemployment benefits are designed to secure a decent existence for the unemployed, allowing them to maintain their occupational level by granting time to find adequate jobs.

Support for countries in transition

10. The Conference strongly endorses the request of the participants from Central and Eastern Europe for a strengthening of ILO social security activities towards countries in transition from planned to market oriented economies. While such countries feel a general desire for an exchange of experience on social security matters, particular needs are felt concerning the development of institutional capacity, good governance in a tripartite context, and especially the training of managers, technical analysts and of the social partners. The ILO could help to provide this support and its efforts in this direction could fruitfully be reinforced by cooperation with similar activities being undertaken by the European Union, its individual Members, or other States.

International labour standards

11. The Conference regards it as important that agreed international labour standards relating to social security should also be ratified and applied. The contents of these standards need to be more widely disseminated throughout the region.

Conclusions concerning ILO activities in Europe

1. The Conference notes the dramatic economic, political and social changes which have taken place in Europe since 1989 and the profound economic and social problems faced by the countries in transition to a market economy. These changes have revealed the structural weaknesses in economies, the fragility of the social fabric and the limited capacity of public budgets to cater for the well-being of all groups in society and to provide an enabling environment for private and public
investment and job creation. To this end the establishment of sound tripartite structures should be encouraged.

2. This situation underscores the urgent need for the ILO to develop effective programmes, in consultation with its constituents, that accord priority to labour law reform based on international labour standards, the setting up and strengthening of labour institutions and administrations, the promotion and strengthening of independent employers' and workers' organizations, social security reforms, development and reform of labour statistics, local labour market restructuring, management development and small enterprise promotion.

3. The Conference welcomes the introduction of the Active Partnership Policy in Europe 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 Report of the Director-General, and in particular, the establishment of the multidisciplinary team in Budapest. The MDT which already provides valuable assistance should continue to address the specific requirements of Central and Eastern Europe through the utilization of the comprehensive range of specialized expertise at the disposal of the Office. The MDT should in particular serve as a conduit for major efforts aimed at:

(a) responding to the needs and priorities of member States and addressing the critical problems associated with the present difficulties of economies in transition;

(b) promoting tripartism and the development of democratic values and preserving social harmony through the close involvement of the social partners;

(c) supporting and strengthening independent employers' and workers' organizations, in order to promote collective bargaining and help them to become genuine partners in the social dialogue and be able to defend the interests of their members;

(d) strengthening technical cooperation in pursuit of these objectives.

4. Given the urgent need of the countries in Central and Eastern Europe for advice and technical assistance in the field of international labour standards and labour legislation, as well as assistance to employers' and workers' organizations, the MDT in Budapest should be reinforced in line with the structure of other MDTs and relevant decisions of the Governing Body. Particular attention should be paid to the promotion of technical cooperation activities in the Transcaucasian and Central Asian countries which are not covered by the MDT in Budapest.

5. The Conference notes with appreciation the continuing efforts of the ILO to provide technical assistance to the countries in transition to a market economy in Central and Eastern Europe and in Central Asia. In this respect, the Conference also appreciates the generous extra-budgetary financial assistance provided by some Western European and other countries for projects in Central and Eastern Europe and in Central Asia and requested them to continue their efforts. The Conference urges those Western European countries which have not yet done so to provide extra-budgetary resources for this purpose.

6. The ILO itself should step up its efforts to attract extra-budgetary resources for technical cooperation programmes in Central and Eastern Europe, including from the European Union (TACIS, PHARE), to promote social dialogue. The Conference firmly believes that the obstacles to obtain resources from the EU, which are mainly of an administrative nature, should be overcome through constructive dialogue between the two organizations.

7. Due account should be taken in technical cooperation activities in the region of the real needs of the ILO's constituents. Technical assistance should be demand driven and quality oriented and ILO technical cooperation in the region should, where appropriate, be evaluated.

8. Increased use should be made, where appropriate, of local expertise in the implementation of technical cooperation projects within the framework of the Active Partnership Policy, in particular through the involvement of experts and institutions from the transition countries in projects undertaken in other transition countries.

9. The ILO should increase its efforts to translate relevant ILO publications and manuals into the languages of the countries of Central and Eastern Europe.

10. The ILO should also continue its dialogue with the Bretton Woods institutions to ensure that structural adjustment programmes implemented in the region incorporate a social dimension which takes full account of ILO principles and objectives and cooperate actively with these institutions for the preparation and implementation of projects in the area of social policy.
11. Greater coordination among bilateral and multilateral donors, including the financial institutions, is needed to avoid duplication and to promote complementarity of action. The ILO should play an important role in this coordination.

12. The interest of Western European countries in the ILO should be enhanced by increasing awareness of its work amongst its constituents and by addressing issues of common concern to these countries.

13. The ILO is an appropriate platform for the discussion of problems and issues of common interest to the region as a whole, such as migration, environment and its implications for employment, training, safety and health, tripartism, social security reform and the activities of MNEs. It should therefore continue to organize tripartite meetings and seminars on such subjects at regular intervals.

International labour standards

14. The Conference recognizes that international labour standards continue to have great importance in all spheres of ILO activity as instruments for the incorporation of basic ILO objectives into national law and practice. In this respect, it draws attention to the fact that these standards should retain their universal character.

15. The Conference notes that progress had been achieved in most member States, in particular in the new Members from Central and Eastern Europe, as regards the reform of national legislations to bring them more into conformity with ILO standards. It remains concerned, however, about their practical implementation in a number of countries.

16. The Conference notes that the Governing Body had undertaken a review of the standard-setting system. It stresses that it is important for this review to lead to an improvement in the standard-setting system and the universal application of standards.

17. For the countries in transition, as well as for the other countries in the region, standards provide a valuable reference framework for the preparation and development of national legislations enabling a greater convergence to be achieved between the various States in the region on economic and social matters.

18. The ratification and application of the core standards respecting human rights and the other Conventions considered as priority instruments by the Governing Body, as well as the Minimum Age Convention, 1973 (No. 138), should be amongst the major objectives of member States in the region, which would demonstrate the importance which they attach to these universal values.

19. However, the importance and priority given to international labour standards respecting human rights should not in any case detract from the value and pertinence of other ILO standards.

20. The Conference expresses the wish that the Office continues and strengthens its advisory services to all the constituents of the member States of the region who request them, in particular in the countries in transition, with a view to promoting the application of standards and familiarizing constituents with all aspects of the ILO standard-setting system and the obligations concerning standards, including supervisory procedures.

21. The Conference recalls the importance of the synergy existing between standards and technical cooperation and expresses its satisfaction at the measures which have been taken and which will be further developed within the framework of the Active Partnership Policy, to ensure that due account is taken of both economic requirements and the social dimension.

22. Lastly, the Conference stresses the need for coherence between the universal standards of the ILO and regional standards, such as those established within the European Union and the Council of Europe.

Resolution aiming at ensuring the independence and facilitating the financing of employers’ and workers’ organizations

The Fifth European Regional Conference of the International Labour Organization,
Having met in Warsaw from 20 to 27 September 1995,
Recalling the Declaration of Philadelphia, which states that "the representatives of workers and employers, enjoying equal status with those of governments, join with them in free discussion and democratic decision with a view to the promotion of the common welfare", 

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Recognizing that the foundation, structure and functioning of the ILO are based on tripartism,
Understanding that the essence of tripartism is the constitution of a pluralistic institutional infrastructure designed to enhance democracy and to provide stability to society,
Convinced that for the proper functioning of tripartism each of the three parties must be totally independent of each other and must enjoy the status and have adequate means for its participation in social dialogue,
Noting that the problems of structural adjustment constitute a serious challenge for the countries of Central and Eastern Europe, especially during the period of transition from a centrally planned economy to a market economy,
Noting further that the full involvement of employers' and workers' organizations in the elaboration of the social aspects of the restructuring process is indispensable;
Invites the governments of European countries:
(a) to provide strong encouragement for the development of viable, representative and fully independent organizations of employers and workers;
(b) to comply with their obligations arising out of the ILO Constitution and Conventions to effectively implement tripartism in their national social dialogue and structures and their participation in the work of the ILO;
(c) to consider appropriate measures that would enable their laws, regulations and practice, including tax regulations, to allow enterprises and workers to account for their subscriptions to their respective organizations as cost items;
(d) to participate actively, in full consultation with employers' and workers' organizations, in the efforts to focus future ILO activities on the needs expressed by its tripartite constituents.

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

The Fifth European Regional Conference of the International Labour Organization,
Having met in Warsaw from 20 to 27 September 1995,
Guided by the ILO's constitutional commitment to protect the interests of workers when employed in countries other than their own,
Recognizing that such workers often are particularly vulnerable to exploitation and mistreatment, and that more non-nationals live and work in Europe than in any other region,
Welcoming the commitment made at the World Summit for Social Development to ensure that migrant workers benefit from the protection offered by all relevant national and international instruments and to take effective measures against their exploitation,
Mindful of the major changes in migrant flows to, from, and between European countries over time, and that recent economic and political transformation in some of them have produced complex new situations that require the urgent attention of the ILO and its member States,
Stressing that migrant workers continue to make a major contribution to the economic and social development of receiving countries, and that orderly migration can play an important role in employment policy,
Emphasizing the need for increased international cooperation in the regulation of migration for employment so that it meets the existing demand for labour and in order to eradicate illegal migration and its attendant abuses,
Convinced of the value of targeted international action in the fields of trade, development assistance, and investment aiming at alleviating migratory pressures through the promotion of viable employment in sending countries,
Noting the standards embodied in the relevant ILO Conventions, including the Migration for Employment Convention (Revised), 1949 (No. 97), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Equality of Treatment (Social Security) Convention, 1962 (No. 118) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) as well as the accompanying Recommendations,
Acknowledging that application of the principles of equal treatment and non-discrimination to migrant workers and their families requires adequate institutional capacities as well as appropriate legislation,
Deploring the growth of racism and xenophobia which threatens not only migrant workers and their families but the democratic life of many European nations,

Concerned that in many countries, migrant workers and their families, including second generation migrants, are disproportionately affected by social exclusion and marginalization, which is evidence of widespread failure of policies for their integration,

Aware of the specific problems facing migrant women;

1. Calls upon governments and, where appropriate, workers' and employers' organizations:
   (a) to give due consideration to the ratification and implementation of relevant ILO Conventions and the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families;
   (b) to promote the application of the principles of equal treatment and non-discrimination to all migrant workers and their families in respect of working conditions and social security, in line with the commitment made at the World Summit for Social Development;
   (c) to intensify their efforts to eliminate all racism and xenophobia and to stop acts of discrimination against migrant workers;
   (d) to take specific initiatives to counter marginalization and exclusion of migrants wherever this occurs, and to address the problems of migrant women and of the new generations born of migrant parents;
   (e) to intensify international cooperation, where appropriate on a tripartite basis:
      (i) in assessing the need for, and availability of, migrant labour with a view to matching supply and demand and facilitating legal migration in conformity with ILO standards and identified requirements;
      (ii) in the elimination of illegal migration;
      (iii) in the promotion of full, freely chosen and productive employment in sender countries as the best alternative to migration.

2. Invites the Governing Body to instruct the Director-General:
   (a) to continue to offer technical cooperation to European member States to enhance their capacities to formulate and implement migration policies in conformity with ILO standards;
   (b) to promote and facilitate international cooperation in the spheres set out above;
   (c) to ensure that migration issues are adequately dealt with in the field activities of the ILO in Europe, including where relevant the formulation of country objectives;
   (d) to take all opportunities to further cooperation with the International Organization for Migration and other appropriate international organizations;
   (e) to take the terms of this resolution fully into account in the preparation of the Tripartite Meeting of Experts on Future ILO Activities in the Field of Migration.

**Resolution concerning employment and tripartism in Europe**

The Fifth European Regional Conference of the International Labour Organization,
Having met in Warsaw from 20 to 27 September 1995,
Expressing deep concern at the persistence of high levels of unemployment in Europe, aggravated by widespread underemployment in countries in transition,
Stressing that current levels of unemployment are unacceptable, wasteful, and a serious threat to the social cohesion of countries in a region which faces mounting tensions and even tragic civil conflict,
Recognizing that major social and political change in Central and Eastern Europe, the continuing process of European integration, and more intensive competition under rapidly changing conditions in the global economy require concerted international cooperation and appropriately framed national policies in the struggle against unemployment,
Welcoming the commitments of the World Summit for Social Development to promoting the goal of full employment as a basic priority of economic and social policies with full respect for workers' rights and the participation of employers' and workers' organizations, to fostering international cooperation, and to coordinating macroeconomic policies to promote sustainable economic growth and job creation,
Endorsing in particular the Summit’s call for enhancement of the quality of work and employment through full respect of ILO Conventions on basic workers’ rights, and the use of existing international labour standards to guide the formulation of national labour legislation and policies,

Convinced that concerted tripartite action at the national and international levels is of crucial importance in formulating and implementing employment policies which command sufficient support to address successfully the adjustment needs of European economies and which can reconcile necessary labour market adjustments with a high level of job security and worker protection,

Stressing the need to strengthen tripartism through the important and autonomous role of the social partners in collective bargaining which enables the implementation of full employment policies,

Stressing also that the benefits of tripartism do not derive from the mere existence of formal structures, but rather from genuine commitment to cooperation involving all relevant government ministries with a real impact on policy outcomes,

Considering that priority objectives of tripartite consultation should be to promote faster economic growth, to increase the number of jobs thus generated, and to make special provision for the jobless and, in particular, for the long-term unemployed and other seriously disadvantaged groups in the labour market,

Recognizing that sustainable employment results from economic activity that safeguards and enhances the environment, and the job-creating potential of environmental protection;

1. Calls on governments and, where appropriate, workers’ and employers’ organizations:
   (a) to restate their commitment to genuine tripartite consultation and cooperation as an important factor in the fight against unemployment;
   (b) to consider ratifying and implementing the Employment Policy Convention, 1964 (No. 122);
   (c) to act, in conformity with 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), in order to strengthen both employers’ and workers’ organizations and to promote collective bargaining as a means of achieving both economic efficiency and social justice, thus also strengthening tripartite cooperation;
   (d) to ensure national concerted action on the commitments made at the World Summit for Social Development in respect of the promotion of full employment and to ensure tripartite consultation on the follow-up to those commitments;
   (e) to cooperate internationally in the coordination of macroeconomic policies and the development of sound growth strategies favouring the creation of employment and the respect for environment and setting the framework within which active labour market policies can be effective;
   (f) to strengthen national and regional policies geared towards the achievement of durable and sustainable development and a return to full employment, taking into account the need for:
      (i) the creation of quality jobs; eradication of poverty and prevention of social exclusion; an adequate level of social protection and an improved quality of life through better working conditions and environment;
      (ii) increased productivity and improved competitiveness of the economy; fostering entrepreneurship and the creation of new enterprises, a skilled workforce and, in general, more responsive labour markets;
   (g) to improve the efficiency of the public service as a supporting element for economic policies in the creation of jobs and which also responds to the individual and collective needs of citizens and contributes to the development of a caring society ready to combat poverty and social exclusion;
   (h) to contribute actively to guaranteeing peace on the continent and to strengthening international cooperation on the basis of democracy and social justice so that the well-being of the world population continues to be the main objective of economic and monetary policies and technological progress.

2. Invites the Governing Body to instruct the Director-General:
   (a) to ensure that the role of tripartism in promoting full employment in Europe is given full attention in ILO activities, including in future editions of the World Employment Report, and in
particular in the implementation of the commitments undertaken at the World Summit for Social Development;

(b) to ensure that ILO technical services continue to be made available to constituents in all relevant fields of national and European employment policy and industrial relations systems;

(c) to use its influence with relevant international organizations so that they contribute to the objectives of full, productive and freely chosen employment in Europe;

(d) to present early proposals for the convening of a tripartite meeting to review developments since the Tripartite Symposium on New Perspectives for Tripartism in Europe, held in Brussels in April 1992 and to consider further action to follow up this process more regularly at the regional level and to reinforce tripartite cooperation for full employment in Europe.
General characteristics and Standing Orders of sectoral meetings

General characteristics of sectoral meetings

I. The meetings programme

1. At its 262nd Session (March-April 1995), following a review of the ILO’s Sectoral Activities Programme, the Governing Body agreed that sectoral meetings would be organized for the following 22 sectors: agriculture, plantations, other rural sectors; basic metal production; chemical industries; commerce; construction; education; financial services, other professional services; food, drink, tobacco; forestry, wood, pulp and paper; health services; hotels, tourism, catering; maritime, ports, fisheries, inland waterways; mechanical and electrical engineering; media, culture, graphical; mining (coal and other mining); oil and gas production, oil refining; postal and other communication services; public service; textiles, clothing, leather, footwear; transport (including civil aviation, railways, road transport); transport equipment manufacture; and utilities (water, gas and electricity). In addition, it was decided that two meetings would remain undetermined so as to permit flexibility of choice.

II. Purpose and type of meetings

2. These meetings aim to provide an international forum for the Organization’s constituents in various economic sectors and industrial branches to exchange views and experience, and to foster a broader understanding of the specific issues and problems addressed by identifying problems and diverse solutions in different contexts which might be of assistance to constituents. They also provide the Governing Body with information and advice regarding matters of interest in each sector.

3. The Governing Body decided that the output of each meeting may include, as appropriate, the formulation and adoption of conclusions and resolutions regarding matters of interest to the particular sector. The value of these lies in the guidance they provide on the basis of an international tripartite consensus on sectoral concerns for national and international policies and measures to deal with the issues addressed. The meetings also provide guidance to the ILO on its future work in the various economic sectors.

4. When appropriate to the issues under consideration, the Governing Body may decide that a sectoral meeting shall take the form of a seminar. In this case it also decides what form the output of the meeting should take. Seminars operate without standing orders.

III. Participation

5. The meetings are tripartite or bipartite. The Governing Body determines the size of the meeting, approves the countries to be invited or to be included on a reserve list, and decides on the type of participation. In making the proposals as regards tripartite meetings the Office should take into consideration any views expressed by the secretariats of the Employers’ and Workers’ groups of the Governing Body.

6. Larger meetings will normally have national tripartite or bipartite delegations, while smaller meetings will normally comprise delegates representing the governments of the countries selected and delegates representing employers and workers nominated after consultation with the Employers’ and Workers’ groups of the Governing Body.

7. In selecting the member States which are to be invited to appoint a Government delegate or a bipartite or tripartite delegation, the Governing Body takes into account the following criteria:

(a) the importance of the country concerned in the sector;
(b) the importance of the sector for the country concerned;
(c) maintenance of a balance between continuity and rotation in participation in meetings for the sector;
(d) appropriate geographical distribution;
(e) any other relevant factors.

8. Governments should nominate the employers' and workers' delegates after full consultation with the most representative organizations of the employers and workers concerned.

9. Governments should communicate to the International Labour Office the names of all delegates and advisers from their country for meetings composed of national delegations at the latest two months before the opening date of the meeting. In the case of meetings covered in paragraph 11 (below), governments should communicate the name of the delegate and any advisers they appoint as their representatives.

10. If the government of a country invited to participate declines the invitation or if the government does not reply within the deadline set by the Office, a country from the reserve list will be invited in replacement.

11. In the case of meetings whose Employer and Worker delegates are appointed by the Governing Body, these delegates and any substitutes should be appointed at the latest two months before the opening date of the meeting.

12. For all meetings covered by paragraph 1, the International Labour Office bears the cost of transportation and subsistence of Employer and Worker delegates.

IV. Agenda

13. The agenda for each meeting is determined by the Governing Body. It should relate to a specific subject of current interest to the sector concerned.

V. Report

14. With a view to providing the meetings with a basis for their deliberations, the International Labour Office prepares a report on the agenda item, information on recent developments in the sector or subsector concerned, and as appropriate other background information.

15. At the end of the report, the Office may draw up a list of discussion points to focus the meeting's attention on the major aspects of the agenda item, without, however, limiting the freedom of the meeting to carry out its work as it sees fit.

16. The report prepared by the Office for each sectoral meeting is dispatched to the governments invited to be represented so as to reach them two months before the start of the meeting. Governments should transmit these reports as quickly as possible to the employers' and workers' organizations concerned, as well as to the delegates appointed to attend the meeting. In the case of meetings whose Employer and Worker members are appointed by the Governing Body, the reports prepared by the Office are dispatched directly to those delegates within these deadlines.

VI. Panel discussions

17. Panel or round-table discussions which focus on general issues of topical interest to the sector concerned, including issues raised in the section of the report dealing with recent developments, may be held in the course of sectoral meetings. Panels may include participants and outside speakers. These panel or round-table discussions are not intended to produce any conclusions or resolutions. A summary record of these discussions will be included in the Note on the Proceedings prepared by the Office after the meeting.

VII. Form and nature of decisions and follow-up

18. The results of the proceedings may take the form of a summary record reflecting the views expressed by the delegates, conclusions and resolutions.

19. After the meeting the summary record of proceedings, conclusions and resolutions are prepared by the Office as a Note on the Proceedings and submitted as soon as possible to the Governing Body and sent to the participants. The Governing Body considers them and, if appropriate, may make observations thereon. At the request of the Governing Body the Director-General of the International Labour Office communicates them officially to governments, with the request that they transmit them to the employers' and workers' organizations concerned, together with any observations of the Governing Body. The participants in the meeting are also informed of the decisions of the Governing Body.
20. If a text adopted by a meeting was the object of a vote in the final adoption, the *Note on the Proceedings* will be submitted to the Governing Body before being distributed to the participants in the meeting.

21. Conclusions and resolutions adopted by sectoral meetings constitute a body of proposals on which action might be taken:

(a) separately or jointly by governments and national organizations of employers and workers in, or dealing with, the sector or subsector concerned; or

(b) by the Governing Body.

22. It is for governments to consider the effect to be given to conclusions and resolutions, the application of which is within their competence. Any action they take should be determined in consultation with the employers' and workers' organizations concerned. Moreover, when communicating the conclusions and resolutions to the employers' and workers' organizations concerned, governments should request these organizations to give their views and to indicate what action they propose to take to give effect to them.

23. It is for the employers' and workers' organizations concerned and, where they exist, the national industrial relations bodies, whether tripartite or bipartite, to consider the effect to be given to conclusions and resolutions raising matters of interest for joint consultation or negotiation.

24. The Governing Body decides on the effect to be given to conclusions and resolutions which involve:

(a) proposals concerning studies and inquiries which the Office may be called upon to undertake;

(b) proposals for action by the International Labour Organization which might be acted upon by the Governing Body, referred to the International Labour Conference or to other conferences or committees of the Organization, or dealt with by the International Labour Office;

(c) proposals which the Governing Body may wish to bring to the attention of the United Nations or other international organizations.

25. The Office reports to the Governing Body on the follow-up action it has taken in each sector, on the basis of conclusions and resolutions adopted by the meetings.

**VIII. Date, length and place of meetings**

26. The date, length and place of the meetings are determined by the Governing Body within the framework of the activities of the International Labour Organization. Meetings will, in principle, last five calendar days (Monday to Friday).

**IX. Conduct of business**

27. The conduct of business in sectoral meetings (except meetings of experts and seminars) is determined by Standing Orders adopted by the Governing Body as reproduced below.

**X. Governing Body representation**

28. The Governing Body is represented by a single representative or, in certain cases, it may be represented by a tripartite delegation.

29. The representative(s) of the Governing Body seeks (seek) to ensure that the work of the meeting is carried out in accordance with the general policies of the Organization. In this role the representative(s) may provide delegates to the meeting with information resulting from decisions of the International Labour Conference and of the Governing Body.

**XI. Chairperson**

30. When the Governing Body is represented by a single representative, he/she chairs the meeting; when the Governing Body is represented by a tripartite delegation, the Government representative in the delegation is the chairperson of the meeting.

**XII. Secretariat**

31. The secretariat of each meeting is appointed by the Director-General of the International Labour Office. It is responsible for the organization of the meeting and ensures its smooth working. The Secretary-General of the meeting represents the Director-General and is the chief of the secretariat.
Standing Orders

ARTICLE 1

Scope

These Standing Orders apply to tripartite and joint sectoral meetings convened by the Governing Body of the International Labour Office.¹

ARTICLE 2

Agenda

The Governing Body shall establish the agenda of the meeting and shall specify which of the following forms the results of its proceedings may take:

(a) a record of the proceedings reflecting the views expressed by the delegates; conclusions giving guidance to the Governing Body and, through the Governing Body, to member States on the matters covered by the agenda, or both;
(b) subject to article 14 of these Standing Orders, resolutions on matters other than those specifically covered in the agenda item.

ARTICLE 3

Composition

1. The Governing Body shall determine whether each meeting shall be tripartite or joint, and its size.

2. The Governing Body shall approve the list of member States to be invited and those to be included in a reserve list established on a regional basis.

3. The Governing Body shall decide that member States invited to the meeting in accordance with the above paragraphs shall appoint either:

(a) national tripartite or bipartite delegations, depending on the nature of the meeting;
(b) Government delegates only, with the delegates representing employers and workers at the meeting, as well as persons to be placed on a reserve list, being appointed by the Governing Body on the basis of nominations submitted by the Director-General after consulting the Employers’ and Workers’ Groups of the Governing Body respectively.

ARTICLE 4

Advisers; substitute delegates

1. Delegates may be accompanied by advisers.

2. In the case of a meeting composed of national delegations, governments of the member States invited shall notify the Office of the names of all advisers accompanying delegates.

3. In the case of a meeting at which member States invited have appointed only the Government delegates, governments may also appoint advisers to the delegates. Employer

¹ These Standing Orders are not intended to apply to meetings of experts, symposia or seminars — which operate without Standing Orders — or to the Joint Maritime Commission, which has its own set of Standing Orders.
and Worker advisers may be nominated by the Employer and Worker delegate to whom they are attached.

4. Any adviser who has been authorized to do so by the delegate to whom he/she is attached shall have the right to participate in the meeting but not the right to vote or to appoint a substitute.

5. A delegate may, by notice in writing addressed to the chairperson, appoint one of his/her advisers to act as his/her substitute. The notice shall specify the sitting or sittings at which the substitute will act for the delegate. In that case, substitutes may take part in the debates and may vote under the same conditions as delegates.

**ARTICLE 5**

**Governing Body representation**

1. The Governing Body shall, in general, be represented by a single representative who shall be chosen in turn, from each of the three groups, at successive sectoral meetings. The Governing Body representative shall act as chairperson of the meeting.

2. Should the Governing Body decide to be represented by a tripartite delegation, the Government representative shall act as chairperson of the meeting.

3. The representative(s) of the Governing Body is (are) entitled to participate fully in all the proceedings of the meeting, but without the right to vote or to appoint substitutes.

**ARTICLE 6**

**Officers of the meeting**

1. The Officers of a tripartite meeting shall consist of the chairperson, appointed in accordance with article 5, and three vice-chairpersons, respectively elected from among the delegates or their advisers in each of the three groups.

2. The Officers of a joint meeting shall consist of the chairperson, appointed in accordance with article 5, and two vice-chairpersons respectively elected from among the delegates or their advisers in each of the two groups.

**ARTICLE 7**

**Duties of the Officers**

1. The chairperson shall preside over the sittings. The vice-chairpersons shall preside alternately over the sittings or parts of the sittings at which the chairperson cannot be present and shall, while presiding, have the same powers as the chairperson; they will, however, retain their right to vote while exercising such functions.

2. The chairperson shall direct the debates, maintain order and ensure the observance of the present Standing Orders, put questions to the vote and announce the results thereof.

3. The chairperson shall have the right to take part in the discussions but shall not vote.

4. The Officers of the meeting shall arrange the programme of work of the meeting, and fix the date and time of the sittings of the meeting and of its subsidiary bodies; they shall also report to the meeting on any other questions requiring a decision for the proper conduct of its business.
5. Subject to any relevant decisions of the Governing Body and to article 13, paragraphs 1 and 2, the Officers shall distribute among themselves the duties of presiding over the discussion of the agenda item and over the subsidiary bodies of the meeting, as well as moderating any panel discussions or round tables that may be organized within the framework of the meeting.

ARTICLE 8

Admission to the sittings

The sittings of the meeting shall be public, unless it otherwise decides.

ARTICLE 9

Right to take part in the work of the meeting

1. No delegate or adviser shall address the meeting without having asked and obtained the permission of the chairperson, who shall normally call upon speakers in the order in which they have signified their desire to speak.

2. Representatives of official international organizations which have been invited to be represented at the meeting may attend it as observers. The chairperson may, in agreement with the vice-chairpersons, permit such observers to make or circulate statements for the information of the meeting on matters included in its agenda. If agreement cannot be reached, the chairperson shall refer the matter to the meeting for decision without discussion.

3. The chairperson may withdraw the right to speak from any speaker whose remarks are not relevant to the subject under discussion.

4. The chairperson may, after consultation with the vice-chairpersons of the meeting, fix a time-limit for speeches.

ARTICLE 10

Motions and amendments

1. Motions as to procedure may be moved verbally, without previous notice and without having been seconded.

2. No motion or amendment shall be discussed unless it has been seconded. If moved by a delegate who is the spokesperson of a group, it is deemed to have been seconded.

3. The chairperson, after consultation with the vice-chairpersons and the secretariat of the meeting, may set time-limits for the submission of amendments.

4. Any amendment may be withdrawn by the person who moved it unless an amendment to it is under discussion or has been adopted. Any amendment so withdrawn may be moved without previous notice by any other person entitled to participate in the proceedings of the meeting with the right to vote.
5. Any delegate may at any time draw attention to the fact that the Standing Orders are not being observed, and the chairperson shall give an immediate ruling on any question so raised.

**ARTICLE 11**

**Right to vote**

1. In the case of meetings composed of national delegations, every delegate shall be entitled to vote individually on all matters which are under consideration by the meeting, subject to the provisions of article 13, paragraph 4, of the Constitution of the International Labour Organization.¹

2. In the case of meetings whose Employer and Worker delegates have been appointed by the Governing Body:
   (a) a Government delegate will be disqualified from voting if the provisions of article 13, paragraph 4, of the Constitution apply;
   (b) if a Government delegate is disqualified from voting under subparagraph (a), the votes of the other delegates to the meeting shall be weighted so as to ensure a balance of voting strength between the groups represented.

**ARTICLE 12**

**Voting and quorum**

1. Decisions should normally be taken by consensus. In the absence of such consensus duly ascertained and announced by the chairperson, decisions shall be taken by a simple majority of the votes cast by the delegates to the meeting who are present at the sitting and entitled to vote.

2. Voting shall normally be by a show of hands.

3. A vote is not valid if the number of votes cast for and against is less than half the total number of delegates registered and entitled to vote.

4. Where there is doubt as to the result of a vote by a show of hands, the chairperson may immediately take a record vote. He/she shall proceed to a record vote when the quorum has not been obtained in a vote by a show of hands.

5. A record vote shall be taken if a request to that effect is made before or immediately after a vote by a show of hands by at least one-fifth of the delegates who are present at the sitting and entitled to vote, or by the chairperson of a group or by his/her duly appointed substitute.

6. The vote shall be recorded by the secretariat and announced by the chairperson.

7. No resolution, conclusion, amendment or motion shall be adopted if the number of votes cast for and the number of votes cast against are equal.

8. Any delegate who definitively leaves the meeting before its termination and who gives formal notice of his/her departure to the secretariat without authorizing a substitute to act in his/her place shall be regarded as no longer attending the meeting for the purpose of calculating the quorum.

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¹ This provides that a Member of the Organization which is in arrears in the payment of its financial contribution to the Organization shall have no vote if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two years. This deprives its tripartite delegation of the right to vote.
ARTICLE 13

Subsidiary bodies

1. The meeting shall, if appropriate, set up a working party, consisting of the Officers of the meeting and three representatives appointed by each of the groups, to decide whether the resolutions submitted to the meeting are receivable and to consider those found to be receivable and report thereon, in accordance with article 14. This working party shall be presided over by the chairperson of the meeting.

2. The meeting shall, if appropriate, set up a working party consisting of not more than five representatives from each group to draw up draft conclusions to be submitted to the meeting by its Chairperson with a view to their adoption.

3. As it considers necessary, the meeting may set up other subsidiary bodies which shall consist of equal numbers of representatives appointed by each of the groups.

4. These Standing Orders shall apply in so far as relevant and with the necessary adaptations to the meeting’s subsidiary bodies.

ARTICLE 14

Examination of resolutions on issues other than those covered in the agenda item

1. Draft resolutions concerning matters other than the agenda item shall, unless the Governing Body has decided otherwise, and subject to paragraph 4 below, be submitted in writing to the secretariat no later than 6 p.m. on the first day of the meeting.

2. If a working party established to deal with draft resolutions, pursuant to article 13, paragraph 1, decides that a draft resolution handed in under paragraph 1 of the present article relates to the agenda item, it shall refer it to the meeting for consideration with a view to the possible incorporation of its substance in the record or conclusions on that section of the agenda item.

3. Draft resolutions other than those dealt with under paragraph 2 shall be considered by the working party, which shall first decide whether each draft resolution is receivable in accordance with the conditions set forth in paragraph 4.

4. No draft resolution shall be receivable unless it has been submitted in accordance with paragraph 1 and relates to:
   (a) general social and labour issues in the sector or subsector concerned, other than those specifically covered in the agenda item; or
   (b) future activities of the International Labour Organization relating to the problems of the sector concerned.

5. If the receivability of a draft resolution is challenged in the working party, the chairperson may limit the debate on the question of receivability by hearing one speaker from each group and the reply of the author or one of the authors of the draft resolution. In the absence of general agreement, the chairperson shall call for a vote by show of hands. The draft resolution shall not be considered receivable unless a majority of the working party has declared in favour of its receivability in this vote.

6. The working party shall consider resolutions it has deemed receivable and report to the meeting whether in its view it is expedient to adopt such resolutions either unamended or as amended in such manner as the working party considers desirable.

7. The working party shall terminate its work no later than the time fixed by the Officers of the meeting. If a draft resolution declared receivable has not been considered by the working party within this time-limit, the meeting shall not discuss or act upon that draft resolution.
8. The chairperson shall, after consultation with the vice-chairpersons of the meeting, give an oral report to the meeting with all the information necessary in regard to the origin of each resolution declared receivable and to any subsequent changes made to the original text by the working party.

9. Draft resolutions submitted to the plenary shall be adopted or rejected without discussion on their substance unless the chairperson, with the agreement of the Officers of the meeting, permits the discussion of amendments to draft resolutions duly submitted in plenary.

ARTICLE 15

Languages

1. The Governing Body shall determine the working languages of the meeting.
2. The International Labour Office shall make arrangements for interpretation and for translation of documents into and from other languages, taking into account the composition of the meeting.

ARTICLE 16

Groups

1. Subject to these Standing Orders, each group (Governments, Employers, Workers) shall control its own procedure.
2. At its first meeting each group shall elect a chairperson, at least one vice-chairperson and a secretary. The chairperson and the vice-chairperson(s) of the group shall be selected from among the delegates and advisers constituting the group; the secretary may be selected from among persons outside the group.
3. Each group shall hold official meetings for:
   (a) nominations required in pursuance of these Standing Orders such as the nomination of a vice-chairperson of the meeting and the nomination of representatives on subsidiary bodies;
   (b) any other matter referred to groups by the Officers of the meeting.
4. At such official meetings, only delegates or, in their absence, duly appointed substitutes may vote and be nominated to serve on subsidiary bodies.
5. Groups may at any time hold non-official meetings.
Thirteenth Session of the Coal Mines Committee

(Geneva, 11-19 January 1995)

CONCLUSIONS, RESOLUTIONS AND CLASSIFICATION ADOPTED

Conclusions (No. 99) concerning productivity and its impact on employment and labour relations in the coalmining industry

The Coal Mines Committee of the International Labour Organization,
Having met in Geneva, in its Thirteenth Session, from 11 to 19 January 1995,
Adopts this nineteenth day of January 1995 the following conclusions:

General considerations

1. Productivity, employment and labour relations are closely linked. Effective employment policies, effective safety and health protection and practices and sound labour relations are major elements in the achievement of productivity growth in coalmining.

2. The overall objective of the coalmining industry should be to ensure that coal remains competitive in order to increase its market share and size and hence increase job security and potential employment. The achievement of this objective may entail ensuring increased productivity through restructuring of the industry. Close consultation between the social partners is necessary if lasting benefits for the industry as a whole are to be achieved. Only by taking into account the concerns of both employers and workers, as well as environmental and safety and health considerations, will the coalmining industry meet its potential.

Productivity

3. A strong, competitive coal industry is of benefit to all the social partners. There is considerable scope for cooperation between the parties to ensure that productivity gains meet the long-term needs of employers and workers. Both parties should recognize the legitimate responsibilities, needs and interests of the other. Both parties should consult, negotiate and collaborate on all issues related to increasing productivity, protection of employment and working conditions.

4. Issues relating to productivity should be dealt with at a level (national, industry, enterprise, local) to be agreed between the parties themselves. Measures to increase productivity which do not adversely affect safety and health should be encouraged.

5. Management and workers and their organizations should ensure that the flexibility of work organization and work methods that may be required for improved productivity does not jeopardize or diminish workers’ rights.

6. Productivity improvements should result in a strengthening of the enterprise to the benefit of all parties.

7. Governments should play an active role in providing the necessary framework and legislative structure necessary for promoting and facilitating consultation between the social partners leading to increased productivity in accordance with national conditions.

Employment

8. A goal of increased productivity is to improve job security and ultimately to increase the number of jobs available in the coalmining industry. Employment policies and practices of governments, employers’ and workers’ organizations should therefore be structured with this in mind and, at the very least, ensure job losses are minimized.

1 Adopted unanimously.
9. Fundamental basic human rights, including those related to the abolition of forced labour and child labour, should be respected by all.

10. Training and retraining are important elements for achieving productivity improvements and for promoting employment. The provision of training at the enterprise level, which is the responsibility of the employer, should be planned and implemented in close cooperation with workers and their representatives. Governments should ensure that basic education and training for employment are provided and that the required standards are achieved and maintained.

11. Where redundancies arise as a result of productivity improvements, employers and workers and their organizations should cooperate and jointly develop appropriate retraining programmes. Governments should play an active role in ensuring the provision of appropriate retraining.

12. Schemes related to redundancy and early retirement should be regulated by legislation or by collective agreements. Governments should recognize the role to be played by employers' and workers' organizations in preventing upheavals and displacement of employees when mines are closed, and should encourage them to ensure that provisions are made to pre-empt difficulties arising from such closures. A goal of each government should be either to create new jobs or to assist employers to create new jobs in and around the coalmining areas.

13. Productivity enhancement in the coalmining industry depends on the existence of a good climate for the conduct of labour-management relations, which should be based on mutual trust and confidence between the parties.

14. The principles of freedom of association, the right to organize and the right to collective bargaining, as enshrined in the ILO 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 Workers' Representatives Convention, 1971 (No. 135), should be respected by governments, employers and workers.

15. Collective bargaining is used by coalmining employers' and workers' organizations for developing and maintaining a constructive dialogue. An effective collective bargaining machinery can best be achieved through strong and autonomous employers' and workers' organizations, independent from each other and from government. They should have adequate access to information.

16. The level at which collective bargaining takes place should be determined by the parties themselves.

17. The role of the State in collective bargaining should be limited to establishing a legal framework for freedom of association, collective bargaining and labour disputes settlement with a view to protecting the interests of all concerned.

18. Procedures for the settlement of labour disputes should be designed and implemented to ensure the rapid examination of complaints using procedures that have been agreed between the parties. Workers and employers, assisted by their representatives, should be able to take part at all levels of labour dispute settlement.

19. Multinational enterprises should contribute to creating good labour-management relations with a view to increasing productivity in the coalmining industry in accordance with the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy of 1977.

Role of the ILO

20. In promoting an approach of cooperation to improving coal mine productivity, the ILO should expand its research and training activities and its programme development and information services through:

— increasing technical assistance to governments, employers' and workers' organizations in the development of policies and programmes aimed at improving training, productivity and restructuring in the industry;

— on request, assisting countries to establish systems of manpower planning and performance improvement in coalmining;
— conducting training programmes at the regional levels for management and workers' representatives on negotiation and the settlement of labour disputes, and facilitating the collection and exchange of information on labour disputes settlement;
— conducting research and regular surveys on the impact of productivity improvements on employment and industrial relations;
— on request, providing policy advice, advisory services and technical assistance with regard to industrial relations and employment policy, especially in countries in transition to a market economy.

21. The ILO should also assist governments and employers' and workers' organizations to undertake special studies, through means such as regional meetings, to examine and identify needs in the coalmining industry.

22. The ILO should promote the collection and dissemination of information concerning employment, industrial relations and productivity in the industry among different countries with a view to exchanging information and promoting examples of good practice.

23. The ILO should strengthen its educational activities to heighten awareness of those concerned of the rights established by the Conventions on freedom of association and the right to collective bargaining.

Resolution (No. 100) concerning coal prices and world markets

The Coal Mines Committee of the International Labour Organization,
Having met in Geneva, in its Thirteenth Session, from 11 to 19 January 1995,
Recognizing the strategic importance of the coalmining industry for overall economic and social development,
Stressing the need for a long-term and substantial exploitation of coal reserves, particularly in view of growing worldwide energy demand,
Aware that most production of coal is destined for domestic markets and that only about 11 per cent of world coal production is traded internationally,
Noting that relatively few countries engage in the international trade of coal on a large scale,
Considering that coal exporting countries, through international coal trade, should be given the opportunity to develop their industry to its full potential,
Recognizing the complexity of the supply/demand equation, the influence of global recessions and inflation, and the influence of significant coal subsidies in some countries;
Adopts, this nineteenth day of January 1995, the following resolution:
The Coal Mines Committee invites the Governing Body of the International Labour Office:
(1) to acknowledge and support the concept of fair and open trade in the international coal market in an environment of significant change and increasing market potential;
(2) to promote increased confidence in the functioning of the world coal market;
(3) to request the Director-General of the International Labour Office:
   (a) to monitor the impact of impediments to fair and open coal trade and draw the attention of governments to the social and economic costs of their actions;
   (b) to encourage the exchange of information and liaison among employers, workers and governments of coal producing nations to meet the challenges of a fair and open coal market;
   (c) to encourage the development of uniform statistical reporting methods for the coalmining industry which can be used for comparative purposes;
   (d) to undertake a comprehensive study on the impact of the operation of the international and domestic coal markets on employment in the coalmining industry.

1 Adopted unanimously but with reservation expressed by the Government delegates of India and Pakistan.
Resolution (No. 101) concerning basic human and trade union rights in the coalmining industry

The Coal Mines Committee of the International Labour Organization,

Having met in Geneva, in its Thirteenth Session, from 11 to 19 January 1995,

Noting with concern that in certain areas in coal producing countries child labour, forced labour, discrimination and the denial of basic trade union rights, such as the right to freely associate and bargain collectively, have not been fully eliminated;

Adopts, this nineteenth day of January 1995, the following resolution:

The Coal Mines Committee invites the Governing Body of the International Labour Office to request the Director-General to examine the employment implications of international trade for the labour force in the coalmining industry and establish a dialogue with the World Trade Organization and other relevant international organizations on these implications.

Resolution (No. 102) concerning the draft of a safety and health Convention and Recommendation for the mining industry

The Coal Mines Committee of the International Labour Organization,

Having met in Geneva, in its Thirteenth Session, from 11 to 19 January 1995,

Aware of the fact that, despite considerable efforts undertaken by governments, employers and workers and their organizations effectively to reduce the risks in the field of safety and health in coal mines, an unacceptable number of mineworkers every year still lose their lives or sustain heavy injuries in work-related accidents,

Concerned by the fact that in certain countries an increase in the number of fatalities and accidents has occurred in the coalmining industry in recent years,

Appreciating the considerable work already carried out by the ILO and the Government, Employers’ and Workers’ members of the Committee on Safety and Health in Mines during the 81st Session (1994) of the International Labour Conference,

Noting that a Convention and Recommendation are only fully effective when they are supported unanimously by the three groups, namely Governments, Employers and Workers,

Encouraging the adoption at the 82nd Session (1995) of the International Labour Conference of a unanimously agreed Convention and Recommendation on Safety and Health in Mines setting appropriate standards for the mining industry;

Adopts, this nineteenth day of January 1995, the following resolution:

The Coal Mines Committee invites the Governing Body of the International Labour Office to request the Director-General:

(1) in respect of the envisaged new instruments on safety and health in mines, to remind member States of their constitutional obligations regarding the ratification and consideration of such instruments;

(2) to make available to governments the necessary technical and legal advice to assist them in incorporating into their national laws and regulations the obligations arising from the ratification of the new instruments after consultation with employers’ and workers’ organizations;

(3) to provide educational and technical assistance to employers’ and workers’ organizations to facilitate the implementation of the rights and obligations arising from the envisaged Convention when ratified.

Resolution (No. 103) concerning labour and social issues in the context of privatization and other restructuring of the coalmining industry

The Coal Mines Committee of the International Labour Organization,

Having met in Geneva in its Thirteenth Session, from 11 to 19 January 1995,

1 Adopted by 38 votes in favour, 5 against and 8 abstentions.

2 Adopted unanimously.
Considering the importance of economic and social problems linked with the inevitable restructuring of the coal industry, particularly in countries with economies in transition,

Noting that restructuring and privatization should be conducted with due consideration to all the social, economic, environmental and regional issues related to them,

Believing that when privatization is envisaged there must be a comprehensive and rigorous evaluation of its consequences,

Considering that any restructuring and privatization programme should be planned and conducted after having consulted all interested parties,

Aware that there have been cases of successful restructuring and privatization programmes which could serve as examples of best practice;

Adopts, this nineteenth day of January 1995, the following resolution:

The Coal Mines Committee invites the Governing Body of the International Labour Office:

(1) to step up the Organization's efforts in evaluating the social dimension and consequences of restructuring and privatization programmes of the coalmining industry with all international agencies and institutions dealing with these issues, and promote cooperation and consultation among these organizations and others active in this field;

(2) to increase its assistance, including technical cooperation, to governments, employers' organizations and workers' organizations in coalmining countries facing restructuring and privatization programmes with a view to enhancing tripartite cooperation and consultation on these matters;

(3) to encourage governments to regenerate regions undergoing restructuring and privatization, in particular through the attractions of new industries, alternative job-creation and the cushioning of the social impact of these programmes;

(4) to remind governments that the coal industry is not a short-term business, that coal must be regarded as a fuel for future generations and that its use should be encouraged;

(5) to recommend to governments, employers' and workers' organizations, as well as multinational enterprises, that they give effect to the provisions of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy;

(6) to request the Director-General:

(a) to continue, and when appropriate, develop the ILO's cooperation with other international organizations, institutions and agencies dealing with restructuring and privatization programmes in the coalmining industry with a view to ensuring that the social dimension of these programmes is fully taken into account;

(b) to undertake and disseminate case-studies of best practices of restructuring of coalmining regions;

(c) to monitor closely the respect of trade union rights, and in particular, 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 Workers' Representatives Convention, 1971 (No. 135), in all countries implementing or planning to implement restructuring and privatization programmes;

(d) to instruct the ILO's multidisciplinary teams in regions undergoing restructuring or privatization of their coalmining industries to treat labour and social issues in these regions as a matter of the highest concern requiring ongoing attention.

Resolution (No. 104) concerning coalmining and the environment

The Coal Mines Committee of the International Labour Organization,

Having met in Geneva, in its Thirteenth Session, from 11 to 19 January 1995,

Expressing the concern of the coalmining industry for the environment,

Paying tribute to the considerable efforts made in the industry to address environmental concerns, but noting that there are still areas of uncertainty,

Recognizing that employers, workers and their organizations can and wish to make an important contribution to the improvement of the environment but that environmental regulation

1 Adopted unanimously.
affects the nature of coalmining and its use and, therefore, the interests of both workers and employers,

Recognizing the need to make every effort to maintain the continued presence of coalmining everywhere in the world and to promote its general image and opportunities for its further development;
Adopts, this nineteenth day of January 1995, the following resolution:

The Coal Mines Committee invites the Governing Body of the International Labour Office:

(1) to request the Director-General of the International Labour Office to undertake a study to examine the impact of environmental regulation on employment and the production and utilization of coal. In conducting the study, the ILO is requested:
(a) to examine the importance and contribution of coalmining to national economic output and job-creation and of coal as the major fuel for power generation worldwide;
(b) to examine the correlation between environmental regulation and employment in coalmining communities worldwide;
(c) to examine what governmental policies and programmes exist in member States to provide retraining/re-education assistance where job losses occur as a result of environmental regulation;
(d) to include in technical cooperation projects for developing countries activities regarding the links between employment creation and environmental protection and between the working environment and the general environment;

(2) to call on member States:
(a) to take a balanced approach to all challenges of environmental protection and to promote and fund research to find effective solutions;
(b) to develop and implement standards based only upon generally accepted and scientifically peer-reviewed research regarding the protection of the environment, and disseminate this knowledge and make it accessible throughout the world;
(c) to include, in technical cooperation projects for developing countries with coalmining industries, activities aiming to promote the protection and the improvement of the environment;
(d) to promote the use of coal in general and, in particular, the clean use of coal through research and the deployment of clean combustion technologies;
(e) to ensure that small-scale mining operations, particularly in the informal sector, cannot be undertaken without proper rules concerning environmental standards;
(f) to seek to establish policies aiming to ensure that mining companies adopt clear environmental programmes for the well-being of people who live and work in mining areas.

Resolution (No. 105) concerning future ILO activities in the coalmining industry

The Coal Mines Committee of the International Labour Organization, Having met in Geneva, in its Thirteenth Session, from 11 to 19 January 1995,
Recognizing the importance of mining and of coalmining in particular for overall economic and social development,
Recognizing the key role of the ILO in safety and health matters and the significant work undertaken by the Organization, including in this sector,
Noting the importance of alternative work arrangements for the success of the industry,
Aware of the changes planned by the International Labour Office in the organization of its Sectoral Activities' Programme,
Recalling resolutions adopted at previous sessions of the Coal Mines Committee, as well as those tabled at the present session;
Adopts, this nineteenth day of January 1995, the following resolution:

The Coal Mines Committee invites the Governing Body of the International Labour Office:

(1) to ensure that mining and, in particular, coalmining continue to receive adequate attention and the resources necessary to enhance the levels of technical cooperation and research, and to hold the general meetings and specialized meetings planned by the Office;
(2) to give consideration to the following subjects as major technical items for consideration by future tripartite meetings on coal mines:
— coalmining and the environment, with a particular emphasis on employment and training;
— all forms of work arrangements in coal mines;
(3) to express its continued support for the work of its Committee on Freedom of Association;
(4) to request the Director-General:
(a) to promote throughout the industry the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy;
(b) within the ILO's Workers' Education Programme, to allocate adequate resources in its future Programme and Budget for the promotion of safety and health in mines and the prevention of accidents, as well as occupational diseases, through increased assistance to workers' organizations via workers' education;
(c) to undertake a study on positive safety and health initiatives taken in this industry throughout the world and to disseminate the results.

Classification of the conclusions and resolutions adopted by the Coal Mines Committee at its previous sessions1,2

Section I: 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
Nil.

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

Group C: Conclusions and resolutions, or parts thereof, on which further information is considered desirable
No.

51. Statement concerning labour-management relations in the coalmining industry (Seventh Session, 1959).
58. Conclusions concerning technological improvements and their impact on social conditions in the coalmining industry (Eighth Session, 1964).
71. Conclusions concerning the training and retraining of coalminers (Tenth Session, 1976).
72. Conclusions concerning safety and health in coal mines (Tenth Session, 1976).
77. Conclusions concerning employment and safety at coal mines (Eleventh Session, 1982).
78. Conclusions concerning age of retirement and retirement benefits in coal mines (Eleventh Session, 1982).
88. Conclusions concerning manpower planning, training and retraining for coalmining in the light of technological changes (Twelfth Session, 1988).
89. Conclusions concerning occupational health services and social services, including housing, in the coalmining industry (Twelfth Session, 1988).

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1 Adopted unanimously.

2 The following texts are outdated, superseded or implemented and are therefore eliminated from the classification: 1-49, 52-57, 59-60, 62-66, 68-70, 73-76, 79, 81, 83-84, 86-87, 90-98. (Resolution No. 98 was withdrawn from the Note on the Proceedings of the Twelfth Session by the Governing Body at its 241st Session (November 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 Office¹

Nil.

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

No.

71. Conclusions concerning training and retraining of coalminers (Tenth Session, 1976).
77. Conclusions concerning employment and safety of coal mines (Eleventh Session, 1982).
78. Conclusions concerning age of retirement and retirement benefits in coal mines (Eleventh Session, 1982).
80. Resolution concerning the control of environmental pollution in coalmining areas (Eleventh Session, 1982).
82. Resolution concerning (a) freedom of association and (b) trade union rights in the coalmining industry (Eleventh Session, 1982).
85. Resolution concerning dust prevention and suppression in mining operations (Eleventh Session, 1982).
88. Conclusions concerning manpower planning, training and retraining for coalmining in the light of technological changes (Twelfth Session, 1988).
89. Conclusions concerning occupational health services and social services, including housing, in the coalmining industry (Twelfth Session, 1988).

¹ These texts are not considered to be outdated; rather they would not seem to require immediate action on the part of the Office.
Fourth Tripartite Technical Meeting for the Clothing Industry

(Geneva, 1-9 February 1995)

CONCLUSIONS, RESOLUTIONS AND CLASSIFICATION ADOPTED

Conclusions (No. 31) concerning the effects of technological changes in the clothing industry¹

The Fourth Tripartite Technical Meeting for the Clothing Industry of the International Labour Organization,

Having met in Geneva from 1 to 9 February 1995;

Adopts this ninth day of February 1995 the following conclusions:

General considerations

1. The clothing industry must evolve in order to deal with market changes and satisfy its consumers. Technological change and new work processes are important stages in this evolution.

2. Governments have an important role to play in facilitating the introduction of new design, marketing and manufacturing technologies notably through promotion of research and the development of appropriate training programmes for new and existing workers in consultation with employers, workers and their representatives.

3. Uncertainty in the future direction of the market could impede investment and innovation. The challenge of fair competition which respects workers' rights within the framework of trade liberalization would favour and accelerate the sector's modernization.

Information and consultation in relation to technological change

4. Employers, when introducing new technologies, should provide the necessary information and ensure adequate consultation in keeping with good labour-management relations. This should be undertaken in accordance with national law and practice. These procedures should be efficient and effective, and not have unduly negative impact either on the enterprise or its workers.

5. Efforts are needed, on the part of public authorities, employers' associations, workers' organizations and international organizations, to ensure that companies — small and medium-sized enterprises in particular — and their workers and workers' organizations have access to all relevant information concerning the most appropriate technologies and any implications for the enterprises and those they employ.

Productivity, flexibility and employment

6. The key to productivity is efficient equipment and systems, qualified management and a skilled, motivated workforce. Sound industrial relations are important in improving productivity. Greater efficiency and competitiveness contribute to secure employment and improved working conditions.

7. Governments should play an important part in encouraging the development of the clothing industry through appropriate policies and legislative frameworks, including the creation of the effective industrial relations practices necessary for improving productivity and competitiveness.

¹ Adopted unanimously.
8. Clothing firms should have the ability to respond quickly to changing needs. The introduction of new technologies and different management and production methods should contribute to meeting this objective while minimizing, to the extent possible, any negative effects on employment and working conditions. When technological change leads to job losses, redundancies should be the last resort.

Training and retraining

9. Vocational training and retraining should be considered as productive investment. They are essential to the acquisition of knowledge and adaptation to new technologies, and should be formulated and implemented in consultation between employers, workers and their representatives. New technologies constitute a domain for tripartite dialogue. Governments should be the driving force in this field, through training and retraining programmes, and in particular by giving appropriate financial and technical assistance and by improving the basic education of workers, which is an important means of increasing their adaptability to new technologies.

10. Continuous training is necessary so that workers and trainers can adapt themselves to constantly changing technology. Training should be oriented not only towards attaining specific new skills, but also to widening skills, so that they can be flexible and transferable.

11. Training should be available to all without discrimination according to the needs of the enterprise and its workers.

12. Small and medium-size enterprises which do not have the financial and technical means to organize their own training programmes should benefit from appropriate assistance from the sector, workers' representatives and governments. Special attention should be given to the needs of these enterprises in developing countries.

13. In order to attract young workers to the clothing industry, the social partners and governments should collaborate on a tripartite basis to improve the sector's public image.

Technology transfer

14. Countries relying on the clothing industry as the engine of development need to ensure that inward investment assists in the transfer of technology and sustainable industrial development in order to aid their development as competitive producers of quality goods.

15. The transfer of technology is essential to economic development and must be accompanied by training as well as by a transfer of knowledge about the effect new equipment and processes have on those who operate them.

Safety and health

16. Governments, employers and workers' representatives share responsibility in seeking to improve safety and health in the industry. Governments have the responsibility to legislate and enforce safety and health standards; employers have a responsibility to maintain a safe workplace free of health hazards; and workers' representatives have the responsibility to cooperate in such efforts and promote effective, organized worker participation in them.

17. The elimination of occupational hazards benefits both workers and employers since productivity and quality of work are linked to the quality of the working environment. The aim must be, therefore, to establish fully informed, mutually determined safety and health controls at the workplace.

Priority activity areas for the ILO

18. The ILO should encourage member States to ratify and implement all Conventions related to basic human rights, including freedom of association and the right to bargain collectively.

19. The ILO should set up a data bank on the clothing industry, in the areas of training, retraining, safety and health, wages, labour costs and employment. The ILO should also encourage the establishment of a network linking those involved in the clothing industry to facilitate the dissemination and exchange of relevant information.

20. The ILO's work programme should include opportunities for periodic tripartite meetings, at the international and regional levels to examine human resources issues in the industry.
21. Because of the importance of training, the ILO should collect and disseminate information on training and retraining of workers and managers, develop training programmes specific to the clothing industry, and promote training and retraining based on the full involvement of workers' representatives and ensuring full equality for men and women in access to training programmes as part of its technical cooperation activities and advisory services. Such activities should take account of the special needs of small and medium-size enterprises.

Resolution (No. 32) concerning women workers in the clothing industry

The Fourth Tripartite Technical Meeting for the Clothing Industry of the International Labour Organization,

Having met in Geneva from 1 to 9 February 1995,

Noting that although 123 member States have ratified the Equal Remuneration Convention, 1951 (No. 100), 119 have ratified the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and 22 have ratified the Workers with Family Responsibilities Convention, 1981 (No. 156), many problems of implementation still exist,

Considering the high proportion of women in the clothing sector and the important role this sector plays in securing employment for women,

Concerned that women are discriminated against in educational and training opportunities,

Noting that women sometimes are employed in small workshops, undertake home work, part-time or temporary work,

Concerned that sexual harassment can be a problem in some clothing workplaces,

Recognizing that action is needed to overcome barriers to equality and to compensate for the effects of past and present discrimination,

Noting that home work has been placed on the agenda of the 82nd Session of the International Labour Conference (1995);

Adopts this ninth day of February 1995 the following resolution:

The Fourth Tripartite Technical Meeting for the Clothing Industry invites the Governing Body of the International Labour Office:

(1) to call on governments of all member States:

(a) to ratify and implement effectively the Equal Remuneration Convention, 1951 (No. 100), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Workers with Family Responsibilities Convention, 1981 (No. 156), and to apply the provisions contained in the accompanying Recommendations Nos. 90, 111 and 165;

(b) in cases where such measures have not been taken, to accelerate the adoption and effective implementation of adequate legislation and other measures for the creation of conditions of equal opportunities and remuneration between male and female workers in the clothing industry, including taking all necessary measures to eliminate discrimination in the labour market and to ensure equal access for women to employment, promotion and educational and training opportunities through the implementation of action policies and programmes at the workplace, including adequate maternity provision, drawn up with the active involvement of employers and workers' organizations;

(c) to undertake work in public education and the media to raise awareness of the status of women in the workplace in the clothing industry;

(d) to take appropriate measures to prevent sexual harassment in the workplace in the clothing industry;

(e) to support the adoption of agreed international labour standards aimed at improving the protection of homeworkers and to this end to participate actively in the discussion on homework at the 82nd Session of the International Labour Conference in 1995;

(2) to request the Director-General:

(a) to liaise with member States to establish what are the obstacles to ratification of Conventions Nos. 100, 111 and 156 in order to ascertain what technical assistance the ILO can render to encourage the ratification and implementation of these Conventions;

1 Adopted unanimously.
(b) to produce proposals for a more effective means of establishing the true extent and nature of homeworking by women in the clothing industry;
(c) to disseminate information to governments and workers' and employers' organizations on measures that can be taken to combat sexual harassment in the workplace in the clothing industry;
(d) to undertake research in the clothing industry to establish the views of women themselves on what steps are needed to secure their rights to equality and to non-discrimination at work;
(e) to take appropriate measures in consultation with the tripartite constituents to encourage women's participation in future ILO activities for the clothing industry.

Resolution (No. 33) concerning the transshipment and counterfeiting of goods and their impact on employment in the clothing industry

The Fourth Tripartite Technical Meeting for the Clothing Industry of the International Labour Organization,
Having met in Geneva from 1 to 9 February 1995,
Concerned at the growing incidence of the illegal transshipment of clothing goods and the growing pirating of designs and faking of labels and brand names, and their impact on employment in the clothing industry,
Believing that such practices do enormous damage and have a destabilizing and undermining effect on the clothing industry;
Adopts this ninth day of February the following resolution:
The Fourth Tripartite Technical Meeting for the Clothing Industry invites the Governing Body of the International Labour Office:
(1) to call on governments of all member States to take all necessary steps to halt all illegal practices in trade in clothing products, including the transshipment of goods to illegally circumvent quotas, the pirating of designs, the faking of labels and brand names and all violations of legitimate rights of all within the industry with a view to safeguarding the employment provided by legitimate clothing manufacturers and traders;
(2) to request the Director-General to communicate this resolution to relevant international agencies including the World Trade Organization and the World Intellectual Property Organization with a view to eliminating these aforementioned illegal practices.

Resolution (No. 34) concerning child labour in the clothing industry

The Fourth Tripartite Technical Meeting for the Clothing Industry of the International Labour Organization,
Having met in Geneva from 1 to 9 February 1995,
Noting with regret that only 46 member States have ratified the Minimum Age Convention, 1973 (No. 138), which, among other things, calls on parties to the Convention to undertake to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons,
Recalling the resolution concerning the International Year of the Child adopted by the International Labour Conference at its 65th Session in 1979,
Aware that child workers in the clothing industry are particularly vulnerable to health hazards because of their age,
Noting that children form an important part of the home-based labour force in the clothing industry, often as unpaid family helpers,

1 Adopted unanimously.
Acknowledging that, while the overriding objective is the abolition of child labour through the enforcement of existing legislation and the gradual raising of the minimum age for admission to employment, it is at the same time necessary to provide sustained protection and assistance to those children currently in employment,

Noting the creation, by the ILO, of the International Programme on the Elimination of Child Labour;

Adopts this ninth day of February 1995 the following resolution:

The Fourth Tripartite Technical Meeting for the Clothing Industry invites the Governing Body of the International Labour Office:

(1) to call on governments in all member States:

(a) to ratify and fully implement the United Nations Convention on the Rights of the Child, the ILO Minimum Age Convention, 1973 (No. 138), and related Conventions and Recommendations, as a matter of priority and disseminate information designed to increase public awareness of the problems associated with child labour;

(b) to take all the necessary social and legislative action for the progressive elimination of child labour;

(c) to encourage all companies involved in the clothing sector to adopt responsible business practices, including refraining from using child labour;

(d) to devise special schemes for children removed from industrial employment to facilitate their entry into the education system;

(e) to establish effective inspection procedures to investigate abuse of children in the workplace with serious penalties for violations, and to develop and promote economic and social policies, including the expansion of educational opportunities, as part of a drive to eradicate poverty;

(f) during the transition period leading to the total elimination of child labour, to regulate it and to give particular attention to the implementation of special standards for children relating to medical examination, night work, working hours, weekly rest, paid annual leave and certain types of hazardous and dangerous work, embodied in ILO instruments;

(g) to provide children who are already working with the opportunity to acquire occupational competence and basic education;

(h) to include working children in the registration systems;

(i) to participate in the work of national coordination bodies or establish them where they do not exist, with a view to exerting pressure within government for the abolition of child labour and the protection of children who currently work;

(j) to ensure that appropriate protective labour legislation applies to all children at work and for the benefit of the child;

(k) to support non-governmental child welfare initiatives at community level and national organizations dedicated to the protection of working children and the abolition of child labour;

(2) to request the Director-General:

(a) to promote strongly the ratification and implementation of the relevant ILO Conventions and Recommendations and to ensure that the ILO plays a full part in promoting the effective application of the United Nations Convention on the Rights of the Child;

(b) to liaise with governments in member States to ascertain what obstacles stand in the way of the implementation of Convention No. 138 and related Conventions and Recommendations and what technical help the ILO can offer;

(c) to promote the activities of the ILO's International Programme on the Elimination of Child Labour and ensure it receives sufficient resources to carry out its work in the clothing industry;

(d) to continue to collaborate closely with other UN agencies, such as UNICEF and UNESCO, in the campaign against child labour;

(e) to consider establishing ILO programmes specifically designed for children to inform them of their rights;

(f) to carry out further research work focusing specifically on the problems of children involved in industrial work in the clothing industry;
(g) to continue to alert public opinion to the need for urgent and massive action against child labour;
(3) to call on governments, employers, employers’ organizations and workers’ organizations to discuss at the national level possible measures, including, where appropriate, collective agreements for the progressive elimination of child labour in their clothing industry.

Resolution (No. 35) concerning future ILO activities in the clothing industry

The Fourth Tripartite Technical Meeting for the Clothing Industry of the International Labour Organization,
Having met in Geneva from 1 to 9 February 1995,
Considering the importance of the clothing industry to employment and economic development in almost all countries of the world,
Recognizing the importance of the clothing industry, both with regard to the basic needs of populations and the overall economic and social development opportunities it offers to many countries,
Conscious of the importance of the conclusions and resolutions adopted by each of the first three Tripartite Technical Meetings for the Clothing Industry, together with the major changes taking place in the industry,
Aware of the changes planned by the ILO in the organization of its Sectoral Activities Programme which will, in future, see the creation of a new category covering the textile, clothing, leather and footwear industries,
Noting the relevant work of the ILO in this field,
Appreciating the work of the ILO in the clothing sector in the past and expressing the wish that some specific activities for the clothing industry will be carried out in the same spirit in the future;
Adopts this ninth day of February 1995 the following resolution:

The Fourth Tripartite Technical Meeting for the Clothing Industry invites the Governing Body of the International Labour Office:
(1) to ensure that the clothing industry continues to receive adequate attention and the resources necessary to enhance the levels of technical cooperation and research;
(2) to express its continued support for the work of its Committee on Freedom of Association;
(3) to consider the following subject for the agenda of the next meeting concerning the clothing industry: Training, retraining and further training in the clothing industry;
(4) to request the Director-General:
   (a) to continue the promotion throughout the clothing industry of the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy as well as all relevant ILO Conventions and Recommendations;
   (b) to allocate adequate resources in the ILO’s future work programme and budget to provide for increased assistance to workers’ organizations and management training in the clothing industry;
   (c) to include, in the future work programme, regional or subregional meetings specific to the clothing industry;
   (d) to convene a series of regional meetings on training, technology transfer and information needs in the clothing industry, beginning with a meeting for Central, Eastern and Southern Africa;
   (e) to consider within this programme meetings of experts on items such as:
      — home work;
      — safety and health;
      — contract labour;
   (f) to arrange for the further collection and dissemination of statistics, specific and relevant to the clothing industry;

1 Adopted unanimously.
(g) to undertake studies of:
   (i) successful measures adopted throughout the world in the area of occupational safety and health in the clothing industry;
   (ii) flexibility measures and their impact on employment creation and working conditions in the clothing industry;
   (iii) absenteeism, including its effects on productivity in the clothing industry.

Classification of the conclusions and resolutions adopted by the previous Tripartite Technical Meetings for the Clothing Industry\(^1,\)\(^2\)

Section I: 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, of parts thereof, which for the time being, would not appear to call for further information

None.

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

No.

1. Conclusions concerning conditions of work in the clothing industry (First Meeting).
4. Conclusions concerning problems arising from fluctuations of employment in the clothing industry (First Meeting).
8. Conclusions concerning the employment effects in the clothing industry of changes in international trade (paragraphs 1-15, 21) (Second Meeting).
12. Resolution concerning statistical data for the clothing industry (paragraph (a)) (Second Meeting).
13. Resolution concerning working mothers employed in the clothing industry (paragraphs 1 and 2) (Second Meeting).
17. Resolution concerning the protection of the health of workers against the effects of the various substances and chemical materials used in the clothing industry (paragraphs 1-3) (Second Meeting).
18. Conclusions concerning manpower development, training and retraining in the clothing industry (paragraphs 1-17) (Third Meeting).
19. Conclusions concerning the impact on employment and income of structural and technological change in the clothing industry (paragraphs 1-14) (Third Meeting).
20. Resolution concerning smuggling and trade in counterfeit goods in the clothing industry (Third Meeting).
22. Resolution concerning child labour in the clothing industry (paragraphs 1 and 2) (Third Meeting).
23. Resolution concerning multinational enterprises in the clothing industry (paragraphs 1 and 2) (Third Meeting).
24. Resolution concerning export processing zones and the clothing industry (paragraph 1) (Third Meeting).
25. Resolution concerning the observance of international labour standards related to basic human rights in the clothing industry (paragraph 1) (Third Meeting).
26. Resolution concerning equal pay for work of equal value in the clothing industry (Third Meeting).
27. Resolution concerning industrial homework in the clothing industry (paragraphs 1 and 2) (Third Meeting).

\(^1\) Adopted unanimously.

\(^2\) The following texts are outdated, superseded or implemented and are therefore eliminated from the classification: 2, 3, 5-7, 9-11, 14-16.

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28. Resolution concerning occupational safety and health in the clothing industry (paragraph 1) (Third Meeting).
29. Resolution concerning subcontracting in the clothing industry (Third Meeting).

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, that are no longer of current concern to the Office

None.

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

No.
8. Conclusions concerning the employment effects in the clothing industry of changes in international trade (paragraphs 16-18, 21) (Second Meeting).
12. Resolution concerning statistical data for the clothing industry (paragraphs (a) and (b)) (Second Meeting).
13. Resolution concerning working mothers employed in the clothing industry (paragraphs 3-5) (Second Meeting).
17. Resolution concerning the protection of the health of workers against the effects of the various substances and chemical materials used in the clothing industry (paragraph 4) (Second Meeting).
18. Conclusions concerning manpower development, training and retraining in the clothing industry (paragraphs 18-25) (Third Meeting).
19. Conclusions concerning the impact on employment and income of structural and technological change in the clothing industry (paragraphs 15-17) (Third Meeting).
21. Resolution concerning the employment implications of international trade in the clothing industry (Third Meeting).
22. Resolution concerning child labour in the clothing industry (paragraphs 3 and 4) (Third Meeting).
23. Resolution concerning multinational enterprises in the clothing industry (paragraph 3) (Third Meeting).
24. Resolution concerning export processing zones and the clothing industry (paragraph 2) (Third Meeting).
25. Resolution concerning the observance of international labour standards related to basic human rights in the clothing industry (paragraph 2) (Third Meeting).
27. Resolution concerning industrial homework in the clothing industry (paragraph 3) (Third Meeting).
28. Resolution concerning occupational safety and health in the clothing industry (paragraph 2) (Third Meeting).
30. Resolution concerning the future work programme of the ILO in the field of the clothing industry (paragraph 5) (Third Meeting).
Eleventh Session of the Chemical Industries Committee
(Geneva, 10-18 May 1995)

CONCLUSIONS, RESOLUTIONS AND CLASSIFICATION ADOPTED

Conclusions (No. 68) concerning the implications of structural change for employment and training in the chemical industries

The Chemical Industries Committee of the International Labour Organization, Having met in Geneva, in its Eleventh Session, from 10 to 18 May 1995; Adopts this eighteenth day of May 1995 the following conclusions:

General

1. The chemical industries are major wealth creators for many nations. The industries are characterized by their increasingly global nature, diversity in size, technical sophistication, changing patterns of ownership, and intensifying competition. These factors combine to put pressure on the industries; as a result, the enterprises need to introduce structural changes in order to improve efficiency, increase profitability and enhance long-term sustainability. Privatization is a special source of structural change which is having a significant impact, especially in Europe and in the developing countries.

2. The chemical industries need highly competent, adaptable workers, able and willing to learn new skills throughout their working lives. In return, workers can reasonably expect: (i) to share in company success, through enhanced job security; (ii) to have access to training opportunities based on short- and long-term self-development; (iii) to be consulted on matters which are of direct concern to them in their work and activities; and (iv) to be involved in their community relations.

Priority actions to adapt the number and nature of jobs to new situations

3. At national government level, the priority actions concern the establishment of a general social, legislative and economic framework within which the chemical industries can operate. This should give enterprises the ability to adapt to structural change, whilst at the same time protecting workers and the community. It requires national education and training systems which provide a sound basis of technical knowledge and skill, together with core competencies which give the participants the ability to learn throughout the rest of their working lives. It also involves the provision of training and retraining for workers who, for whatever reason, do not have a job. Finally, it involves the creation of a climate for investment, in machinery and in people, through trade policies, control of inflation, and the provision of suitable infrastructures. All these considerations apply to industrial countries, developing countries and transitional economies.

4. At the enterprise level, companies must anticipate structural change and make appropriate plans to deal with it. Such adaptability entails the capacity for long-term planning with facility for rapid goal changes, human resource planning, training and retraining of all staff, and flexibility in working arrangements. Such planning should be undertaken in a way that ensures worker participation in the change process and gives consideration to increased safety and job satisfaction for workers, as well as to higher productivity for the enterprise. Workers' organizations should also anticipate structural changes and develop strategy options which would benefit the worker participation process. There are differences between enterprises operating in industrialized, developing and

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1 Adopted unanimously.

2 When the term "workers' organizations" is used, it refers primarily to trade unions, as well as other workers' organizations.
transitional economies. For example, the trend towards higher production in the developing world puts extra pressure on enterprises in the industrialized countries to invest in research and development to produce new products to replace those now manufactured in developing countries. Also, a number of large enterprises in transitional economies have been shown to be not viable, and the successor firms often need to shed surplus labour, to upgrade outmoded technologies, to review product lines, and to give greater regard to environmental considerations.

5. In adapting the number and nature of jobs to the new situations, the role of the employers' and workers' organizations should be to participate in the planning and change process. This role should be exercised at national, sector and enterprise levels, as appropriate, in the country concerned and expressed in collective agreements which facilitate change in areas such as training, safety and health arrangements which support statutory requirements, working arrangements, and general working conditions. Employers' and workers' organizations have particular roles in encouraging the adoption of new agreed work practices.

**Number and nature of jobs in the subsectors and human resource development policies**

6. The effects of restructuring are similar in all sectors of the chemical industries, and the rationale for dealing with them is the same. Pharmaceuticals, the most labour-intensive sector, may be a special case on account of the structural links being developed with health care and generic drugs. However, even in this sector, human resource development policies need to be tackled in essentially the same way as the other sectors, involving attention to: enhanced job satisfaction; continuous training and development opportunities; job security; rewards which are commensurate with performance and skills and which reflect company financial performance; and participation in planning changes which affect individual workers' jobs.

**Considerations on the use of subcontractors**

7. Subcontracting has long been a feature of plant operations in the chemical industries, although its use has recently tended to increase. A frequent purpose of hiring subcontractors is to provide more flexibility as a contribution to greater efficiency and profitability. Subcontractors are usually hired to meet temporary needs, such as for maintenance during plant shutdowns or to acquire special skills which are not available within the existing workforce, or as permanent arrangements, such as canteen services, office cleaning, or transport services. Enterprises should consult with their workers and/or their representatives and/or their organizations before hiring subcontractors. When hiring subcontractors, special attention should be given to potential safety aspects. Governments should, through legislation, make clear how safety responsibility is divided between the principal enterprise and the subcontractor; responsibility for overall safety management should rest with the principal enterprise (operator). Subcontract workers should have the same trade union rights as regular workers.

**Work organization and flexibility**

8. Keen competition is a feature of the chemical industries and has been a driving force in many innovations in the areas of work organization, working hours and job design. Such innovations have most effectively been introduced as a result of acceptance via collective bargaining or consultation within the enterprise, providing greater flexibility with compensatory improvements in job security. Different countries are at different stages in their work organization arrangements. The common theme is flexibility, with agreements in some cases giving extra rewards in return for changes in job content, working times, and payment systems. Such approaches require social competence on the part of the enterprise managers and a willingness by the enterprise to share the

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1 The term 'representatives' is used as defined in Convention No. 135, Article 3: "For the purpose of this Convention the term 'workers' representatives' means persons who are recognized as such under a 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 the 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."
benefits of flexibility with the workers to produce the best results. Efforts should be made to get a common agreement on what constitutes productivity improvement, i.e. what benefits are available for sharing, in the interest of applying such approaches effectively and fairly.

9. Changes in job content have typically involved the enhancement of operator jobs through the inclusion of maintenance tasks and some testing, the combining of trades such as mechanical, electrical and instrumentation, or the introduction of teamwork. Changes in working time arrangements have involved innovations such as annualization of hours and more use of part-time and temporary work. Changes in payment systems have involved more flexible job evaluation schemes and ways of relating pay and performance. Changes in quality management, such as the introduction of ‘‘Total Quality Management’’ (‘‘TQM’’), have had considerable impact on workers. Despite their acclaim in company operational terms, the changes in quality management have not always been received favourably by workers, due principally to differing perceptions of the employers and the workers on the objectives for introducing programmes such as ‘‘TQM’’.

Training arrangements for plant operators and other workers

10. In the chemical industries, training is important at all levels for individual enterprises to remain competitive in a rapidly changing industrial world. All workers should be offered training opportunities at intervals throughout their working lives. But since training is expensive, it is of paramount importance to ensure that the correct high-quality training is provided in a cost-effective manner. Thus, certain basic principles should apply to training provided to any category of workers. First, the organization of training at sector level should be a matter of cooperation between employers’ and workers’ organizations. Governments should provide support when requested in ways which are appropriate to the circumstances. Second, training programmes should be offered on an equal-opportunity basis, with every effort being made to attract more women into occupations in the industries, particularly those occupations in which women are significantly under-represented. Third, wherever possible, people who successfully complete training programmes should be awarded generally recognized certificates or credentials of qualification. Fourth, those workers who are elected to represent workers’ organizations should be allowed to attend education/training courses provided by trade unions or other suitable bodies in order to improve their representational skills. Fifth, workers should be involved in decisions concerning their own training.

11. Changing technology has affected the jobs of all workers in the chemical industries, especially plant operators. Operators must be high-calibre staff since they occupy jobs with extremely high personnel specifications. They need a good knowledge of the processes that they are controlling. The main changes that have occurred with the operator’s job have made it more intellectually challenging. Jobs may include first-line maintenance work. In order to cope successfully with the job, an operator requires a sound basic training in theory and practice. An operator should be capable of absorbing additional training to learn new skills, since possession of the knowledge and skills relating to the latest technology is a prerequisite for the job. Additional training should be carried out formally and systematically, on a continuing basis, and operators should be required to demonstrate competency in their additional skills. Use should always be made of available advanced training techniques. Finally, training in new technical skills should be a continuous process for plant operators. These requirements are common across all subsectors of the industries.

Management training implications of flatter organization structures

12. Flatter organization structures have been introduced by many companies in the chemical industries in order that decision-making can be made faster and responsibility and accountability decentralized. The new structures have the effect of making leadership less autocratic. They force managers to act more as team leaders, concerned with solving problems, monitoring budgets and cost-effectiveness, ensuring the flow of vital information, and concentrating on the motivation of the work group. The manager’s job has thus become more broadly based, with more responsibility. The new manager still requires technical training, the extent of which depends upon the particular job.\footnote{It should be noted that in some countries many managers are trade union members whose work may be covered by collective bargaining agreements.} The principal difference between the jobs of the new and the old managers is the requirement that the
Training programmes should, therefore, concentrate on: (i) communications; (ii) team leading, including motivating, coaching and problem solving; (iii) handling meetings; (iv) understanding financial concepts and practices; and (v) safety and environmental protection.

Training needs to respond to environmental and social expectations

13. Pressure for improved environmental skills has been an important feature of the 1990s for the chemical industries. There is clearly a need for a better understanding by the public of ecological matters based on scientific grounds. The period has seen the development and application of the Responsible Care concept, an employers' initiative now adopted in many countries, with its underlying theme of training for all staff in environmental protection topics. In view of rising expectations, there is a need for better links with schools, in order to explain the industries' position and philosophy. The implications for training are numerous: (i) good sound basic training is essential; (ii) job training should be of a high standard, preferably leading to recognition of qualification; (iii) attention should be given to the training of drivers; (iv) correct procedures, including emergency procedures, should be written down, fully understood, and followed; (v) company environmental policy, in relation to statutory or voluntary obligations, should also be written down and understood by all staff; (vi) staff need to be trained and assisted in how to address external audiences; and (vii) safety and health and environmental issues should form part of all training programmes.

Training priorities specific to the chemical industries

14. There are many priorities which are common to industrialized, developing and transitional economies. They include the need to: (i) develop, at national level, a tripartite mechanism for the development and promotion of vocational training in the chemical industries; (ii) develop, at enterprise and sectoral levels, a bipartite mechanism for the promotion of vocational training in the industries; (iii) secure adequate funding to implement training programmes in response to identified needs; (iv) provide opportunities for continuous training for all employees. Training should not be seen as something which is inflicted on workers by management; rather, the climate should be established whereby workers can discuss their training or development needs and understand how the provision of training enhances their job satisfaction and improves their career prospects. Other common training areas include: training in new technologies and in new working practices; training of plant operators; training for maintenance; training in laboratory work; training in social skills, particularly for managers; training for health and safety and the environment; and training related to quality management processes, e.g. "Total Quality Management".

15. The methods used to deliver training should be the most up-to-date available, and may include computer-based interactive learning, programmed learning, and distance learning. Training content and methods should reflect the existing knowledge and skills of the person being trained. Examples exist at national levels where cooperation between employers' and workers' organizations have produced successful training programmes. Other examples exist at enterprise level where cooperation between employers and workers and/or workers' organizations has also produced successful training programmes. Such collaboration should be further encouraged, both at sector and at plant level.

16. Specific training needs for the chemical industries in developing economies include inter alia training in: (i) marketing; (ii) languages; (iii) basic skills and knowledge; (iv) information technology; and (v) quality management. Data on safety and health, waste management and environmental protection should also be provided. Priority needs to be given to vocational training and, since few developing countries have any tradition in industrial work, more resources will probably be necessary than in industrialized countries.

17. Problems in economies in transition tend to relate to: (i) infrastructure; (ii) difficulties in administering training funds; and (iii) narrow training in technical subjects only. Priorities, therefore, include securing the appropriate funds for training, the incorporation of health and safety and the environment into training programmes, and the widening of the debate on training to include workers' representatives. Specific skills in marketing and languages are also required, as is retraining of many workers in up-to-date technical skills. There should be a broadening of the scope of training to include management training and the training of representatives of workers' organizations.
Role of the ILO

18. As regards the employment effects of structural change, the ILO should collect and disseminate information on "state-of-the-art" approaches to new ways of working. It should also carry out a study on the extent of contract work in the chemical industries with special reference to its effects in respect to health, safety and the environment.

19. In respect of training, the ILO should carry out studies on the effects of structural change on education and training policies and on methods for funding training. These should be considered at a tripartite meeting of experts to exchange information on best training practice for the chemical industries. Assistance should be provided to developing and transitional economy countries through arrangements to exchange training materials and to exchange experiences.

20. Standards-setting work relating to these industries should focus on the promotion of the Chemicals Convention, 1990 (No. 170), and the Prevention of Major Industrial Accidents Convention, 1993 (No. 174), and other relevant existing standards, including the provision of advisory services to facilitate their ratification and application.

21. ILO efforts should be aimed at evaluating the impact of work flexibility on the capacity of the chemical industries to adapt to the changes which confront them, and its impact on employment in these industries.

22. Information on experiences and best practices in the field of work flexibility in the chemical industries should be disseminated to governments, employers' and workers' organizations.

Resolution (No. 69) concerning future work of the ILO in the chemical industries

The Chemical Industries Committee of the International Labour Organization, Having met in Geneva, in its Eleventh Session, from 10 to 18 May 1995,
Noting the far-reaching effects on the structure of work and of the workforce, identified in the deliberations of the Committee, brought about by the dynamic nature of the chemical industries,
Noting that at the Tenth Session of the Chemical Industries Committee, the Governing Body of the International Labour Office had been invited to put as an item on the agenda of the present session: "the importance of flexibility in work and its impact on productivity and on the quality of working conditions in the chemical industries";
Considering the need for maintenance of proper standards to protect workers and the general community and to enhance the quality of their life in newly developing locations of production,
Considering the need for the chemical industries to adapt to the structural and technological changes which affect them,
Considering further the large number of voluntary schemes set up by the chemical industries within the framework of Responsible Care programmes, with the aim of satisfying safety, health and environmental protection objectives,
Understanding the need for the ILO to continue to promote the full application of the ILO Tripartite Declaration of Principles on Multinational Enterprises and Social Policy in the chemical industries,
Supporting the new ILO sectoral activities programme, including the activities on oil and gas operations and refining, such as the development of guidelines or codes of practice;
Adopts this eighteenth day of May 1995 the following resolution:
The Chemical Industries Committee invites the Governing Body of the International Labour Office to request the Director-General:
(1) to investigate the changing structure of the workforce in the chemical industries with particular attention to the gender distribution of employment within the sector and to undertake specific studies of the role of women workers and their training needs for advancement at work;
(2) to convene a future meeting on the chemical industries:
(a) to examine the best practices of work flexibility schemes and their impact on the quality of work life;

1 Adopted unanimously, with one reservation.
(b) to examine programmes established under voluntary initiatives such as the Responsible Care programmes, as those programmes affect training and education on safety, health and environment.

Resolution (No. 70) concerning safety, health and the environment in the chemical industries

The Chemical Industries Committee of the International Labour Organization,
Having met in Geneva, in its Eleventh Session, from 10 to 18 May 1995,
Understanding that the safe operation of chemical facilities, in terms of the protection of workers' and citizens' health and the broader environment, is of paramount importance,
Recognizing that, despite efforts by governments, employers, workers and their respective organizations to reduce the risks and hazards to workers, communities and their environment, efforts should continue to minimize the inherent risks of the chemical industries,
Noting that the International Labour Conference has recently adopted the Chemicals Convention, 1990 (No. 170), and the Prevention of Major Industrial Accidents Convention, 1993 (No. 174),
Noting also that these Conventions have been ratified by a small number of member States;
Adopts this eighteenth day of May 1995 the following resolution:
The Chemical Industries Committee invites the Governing Body of the International Labour Office:
(1) to request the Director-General:
   (a) to encourage and assist governments to ratify and implement the Chemicals Convention, 1990 (No. 170), and the Prevention of Major Industrial Accidents Convention, 1993 (No. 174), as quickly as possible;
   (b) to initiate a sectoral study on the performance of the chemical industry in terms of health, safety and environmental protection for discussion within the context of the ILO Sectoral Activities Programme;
(2) within the framework of the ILO's cooperation with relevant international organizations, to request the Director-General:
   (a) to promote the most open and transparent public access possible to the activities of the chemical industry and, in particular, to promote the development of the best possible system of data collection showing the nature and extent of any chemical release or discharge together with the identity of the chemical(s) in question and their effects on workers, the community and the environment namely by the creation and use of appropriate databases;
   (b) to investigate ways of reducing the exposure of workers in the transfer of toxic chemicals or wastes;
   (c) to promote initiatives designed to reduce waste, reduce the exposure of workers to dangerous and hazardous chemicals, and increase the number and efficiency of recycling schemes;
   (d) to promote and facilitate the transfer of clean and safe technologies in order to ensure that any new chemical plant or activity is based on the philosophy of continual improvement and the avoidance of inappropriate transfer of old technology.

Resolution (No. 71) concerning voluntary initiatives in the chemical industries within the framework of Responsible Care programmes

The Chemical Industries Committee of the International Labour Organization,
Having met in Geneva, in its Eleventh Session, from 10 to 18 May 1995,
Considering the efforts made in the chemical industries to address environmental concerns through the implementation of programmes within the framework of Responsible Care initiatives,

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1 Adopted unanimously, with one reservation.

2 When the term "workers' organizations" is used, it refers primarily to trade unions as well as other workers' organizations.
Recognizing the contribution of chemical industries and their workers to the improvement of living standards and conditions, and to economic growth and the need for a balanced approach between continuous environmental improvement and sustainable economic development;
Adopts this eighteenth day of May 1995 the following resolution:
The Chemical Industries Committee invites the Governing Body of the International Labour Office:
(1) to undertake a study of voluntary programmes adopted in the chemical industries for the protection of the environment and the better use of natural resources and disseminate the results of this study;
(2) to examine ways in which employment may be positively affected through a balanced approach between continuous environmental improvement and sustainable economic growth;
(3) to call on governments:
(a) to ensure a balanced approach between continuous environmental improvement and sustainable economic growth, and its positive effect on employment;
(b) to implement, in so far as possible through tripartite consultations and other consultations where appropriate, environmental policies based on available scientific evidence and guided by a commitment to protect workers and the public;
(c) to encourage voluntary initiatives by industry to complement a legislative and/or regulatory framework for effective protection of the environment.

Resolution (No. 72) concerning basic human and trade union rights in the chemical industries

The Chemical Industries Committee of the International Labour Organization, Having met in Geneva, in its Eleventh Session, from 10 to 18 May 1995, Considering the pressure arising from the process of globalization and relocation of production and from new work practices, Noting with concern that in the chemical industry in a number of countries international labour standards related to basic human rights have not yet been fully implemented, Welcoming the Declaration and Programme of Action concluded by the United Nations Summit for Social Development, meeting in Copenhagen on 13 March 1995, and specifically Commitment 3(i) of the Declaration which pledges governments to: "Pursue the goal of ensuring quality jobs, and safeguard the basic rights and interests of workers, and to this end freely promote respect for relevant ILO Conventions, including those pertaining to prohibition of forced and child labour, the freedom of association, the right to organize and bargain collectively and the principle of non-discrimination", and Chapter III on the "Expansion of productive employment and the reduction of unemployment", Supporting the Governing Body of the ILO in its development of proposals for active follow-up of the Copenhagen Declaration and Programme of Action within the remit of the ILO Constitution and in cooperation with other United Nations bodies; Adopts this eighteenth day of May 1995 the following resolution: The Chemical Industries Committee invites the Governing Body of the International Labour Office to request the Director-General to examine the social and employment implications of international trade for the labour force in the chemical industries.

Classification of the conclusions and resolutions adopted by the Chemical Industries 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

1. Memorandum to the Governing Body of the International Labour Office on questions concerning the organization of working hours in the chemical industries (Second Session, 1950).

1 Adopted by 69 votes in favour, 11 against and 4 abstentions.
2 Adopted unanimously.
3 The following texts are outdated, superseded or implemented and are eliminated from the classification: 1-4, 6, 9, 11, 15-20, 22-24, 27-31, 33-37, 39-42, 46, 49, 51, 54, 59-60 and 64.
12. Resolution concerning vocational training in the chemical industries (paragraph 1) (Second Session, 1950).

25. Resolution concerning consideration of the conclusions adopted at sessions of the Chemical Industries Committee (Fourth Session, 1955).

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

No.

5. Resolution concerning holidays with pay in the chemical industries (paragraphs 1 and 2) (First Session, 1948).

7. Resolution concerning the definition of chemical industries (Second Session, 1950).

8. Resolution concerning safety and hygiene in the chemical industries (paragraph 1) (Second Session, 1950).


32. Resolution concerning industrial relations in the chemical industries (Fourth Session, 1958).

33. Conclusions on the teaching of safe practices in the chemical industries by audio-visual methods (Sixth Session, 1962).

47. Conclusions concerning the effects of advanced technology on employment and conditions of work in the chemical industries (Seventh Session, 1969).

48. Conclusions concerning training and retraining of workers, technicians and engineers in the chemical industries (Seventh Session, 1969).

53. Conclusions concerning manpower aspects of establishing chemical industries in developing countries (Eighth Session, 1976).

55. Conclusions concerning the specific contribution of the chemical industries to the vocational training and advanced training of manpower in developing countries (except paragraphs 39-43) (Ninth Session, 1982).

56. Conclusions concerning industrial relations and collective bargaining practices in the chemical industries (Ninth Session, 1982).

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

No.

44. Conclusions on principles and methods for determining extra rates for shift work and overtime in the chemical industries (Sixth Session, 1962).

52. Conclusions concerning the chemical industries and the working environment (except paragraphs 12,13, 16, 20, 21) (Eighth Session, 1976).

58. Resolution concerning the protection of occupational health in the chemical industries (Ninth Session, 1982).

61. Conclusions concerning shift work in the chemical industries (Tenth Session, 1988).

62. Conclusions concerning the impact of new technology on safety and health protection in the chemical industries (Tenth Session, 1988).

65. Resolution concerning chemical hazards (paragraph 1) (Tenth Session, 1988).

66. Resolution concerning industrial accidents in the chemical industry (Tenth Session, 1988).

67. Resolution concerning the application of ILO Conventions Nos. 87 and 98 in the chemical industries (Tenth 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**

No.

5. Resolution concerning holidays with pay in the chemical industries (except paragraphs 1 and 2) (First Session, 1948).
12. Resolution concerning vocational training in the chemical industries (except paragraph 1) (Second Session, 1950).
26. Resolution concerning vocational training in the chemical industries (paragraph 2) (Fourth Session, 1955).
38. Resolution concerning vocational training in the chemical industries (Fifth Session, 1958).

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

No.
45. Resolution concerning a study on wage policy and structure in the chemical industries (Sixth Session, 1962).
50. Resolution concerning an ILO programme of activities relating to the chemical industries (paragraph 1) (Seventh Session, 1969).
52. Conclusions concerning the chemical industries and the working environment (paragraphs 12, 13, 16, 20, 31) (Eighth Session, 1976).
55. Conclusions concerning the specific contribution of the chemical industries to the vocational training and advanced training of manpower in developing countries (paragraphs 39-43) (Ninth Session, 1982).
57. Resolution concerning the recognition of free and independent unions in the chemical industries (Ninth Session, 1982).
58. Resolution concerning the protection of occupational health in the chemical industries (Ninth Session, 1982).
63. Resolution concerning the control and avoidance of toxic wastes (Tenth Session, 1988).
65. Resolution concerning chemical hazards (paragraph 2) (Tenth Session, 1988).
Joint ILO/WHO Committee on Occupational Health

(Twelfth Session, Geneva, 5-7 April 1995)

CONCLUSIONS AND RECOMMENDATIONS ADOPTED

1. Definition of occupational health: at the Committee's Eleventh Session, the following statement was made on the focus of occupational health: "The main focus in occupational health is on three different objectives: (i) the maintenance and promotion of workers' health and working capacity; (ii) the improvement of working environment and work to become conducive to safety and health; and (iii) development of work organizations and working cultures in a direction which supports health and safety at work and in doing so also promotes positive social climate and smooth operation and may enhance productivity of the undertakings. The concept of working culture is intended in this context to mean a reflection of the essential value systems adopted by the undertaking concerned. Such a culture is reflected in practice in the managerial systems, personnel policy, principles for participation, training policies and quality management of the undertaking."

This statement should be read in conjunction with the 1950 definition of occupational health.

2. The Committee noted that a good level of cooperation was developing between the WHO and the ILO at the central office level; however, cooperation is less apparent at the regional and national levels and, therefore, in outcomes at plants and enterprises.

Cooperation at the regional level needs to build on successful examples. It must be developed and discussed at each regional office, but be driven from the highest level in each organization by policy guidance and appropriate briefing. After examining this recommendation, the Governing Body of the ILO and the Executive Board of the WHO may wish to invite the Directors-General of the ILO and of the WHO respectively to prepare jointly, distribute and implement policy guidance to their organizations' field structures in respect of cooperation between the ILO and the WHO in occupational safety and health.

3. The Committee emphasized that implementation of cooperative approach at the national level would be the key outcome.

3. The Committee concluded that there was mutual support between the tripartite philosophy and policies of the ILO and the strategy of health for all and the primary health care policy of the WHO with respect to occupational health. The Committee recommended that the policies and strategies used by the WHO and the ILO in serving their member States should emphasize common goals, unifying concepts and basic values, and should be cast in simple language.

4. The Committee concluded that in order to be effective, inter-agency collaboration must be started at the planning stage. To facilitate this collaboration, an inter-agency inventory of occupational health and safety activities should be prepared and widely disseminated. An inter-agency meeting on occupational health should be organized in 1997-98. The meeting should involve other relevant agencies besides the ILO and the WHO. Similar collaboration at the regional and national levels should be strongly encouraged in order to promote a positive contribution of occupational and environmental health to sustainable development, including the organization of an international symposium involving policy-makers and decision-makers in the fields of health, labour and sustainable development.

The Committee proposed that there should be intensified joint or coordinated activities in the following areas:

(i) A joint programme for the global elimination of silicosis. The Committee believed it feasible to eliminate this serious disease at this time, but this elimination could not be achieved without the close cooperation of both organizations. The Committee acknowledged that a real and effective programme for the global elimination of silicosis would require sustained activities and the mobilization of substantial resources. It strongly recommended to the Governing Body of each organization to take note of the importance of this programme, which would also require commitment and resources at the regional and subregional levels in affected countries; contributions from collaborating centres and other institutions and from NGOs, including
management, workers and their representatives. After examining the recommendations, the Governing Body of the ILO and the Executive Board of WHO may wish to invite the Directors-General of the ILO and the WHO respectively to prepare, undertake and implement a joint programme of action towards the global elimination of silicosis.

(ii) Joint or coordinated activities at the international, regional and national levels, to improve the health of agricultural workers, which would also coordinate the delivery of existing agricultural health-related programmes such as chemical safety (including pesticides), injury prevention, manual handling and the prevention of zoonoses, utilizing primary health care structures and functions supplemented with requisite expert support.

(iii) Joint or coordinated activities at the international, regional and national levels to improve the health of workers in small industry and the informal sector, using an approach that would incorporate primary health care and the improvement of working conditions and environment through preventive action at the workplace. The issues of child labour and the occupational health and safety needs of women and older workers in this sector should be addressed urgently.

(iv) Joint or coordinated activities to promote the development and strengthening of national statistics for occupational injuries and diseases, including indications of the economic costs, so that countries might estimate the magnitude of their own occupational health and safety problems.

(v) Joint or coordinated activities to promote training, education, competence assurance and information systems, including systems for the dissemination of statistical and cost data. The dissemination of information should build on the activities of the ILO/CIS, WHO/OCH/PACE and other existing systems.

5. The Committee found that, with respect to the areas for specific urgent collaboration identified at its Eleventh Session, little real progress had been achieved in many countries. Accordingly, the Committee requested more specific reporting directly addressing the identified urgent areas of collaboration at its subsequent meetings.

6. The Global Strategy on Occupational Health for All, as proposed by the WHO Collaborating Centres Network, was strongly supported as one of the key mechanisms to achieve the goals of occupational health.

7. Using both the Global Strategy on Occupational Health for All (proposed by the Network of WHO Collaborating Centres in Occupational Health) and the ILO approach in occupational safety and health, the Committee developed a series of recommendations for intensified cooperation between the ILO and the WHO. Expressing support for the ILO and the WHO objectives in occupational health, the Committee recommended that the organizations should:

(i) identify research needs in occupational safety and health and call upon the scientific community to meet such needs;

(ii) establish a Joint WHO/ILO "Database on Occupational Health" and make it available worldwide. This should take into account databases of the ISSA, ICOH and other organizations and should provide for improved communication means, including electronic ones, to ensure better dissemination of information between countries and within a country;

(iii) establish joint ILO/WHO mechanisms at regional levels, involving regional offices of the WHO and the ILO. These regions may be those linked by treaty, economic arrangements, WHO/ILO regions or other transnational groupings. These linkages should result in an agenda consistent with sustainable development;

(iv) encourage cooperation between labour and health ministries at the national level; the ministry of the environment, social security institutions, industry and others, as appropriate, may be included;

(v) establish a joint programme (ILO/WHO/ISSA) on occupational health and safety related statistics including the costs of occupational injury and diseases. Examination of the cost should include cost transfers across the economy. The programme should include guidelines, collection, analysis and dissemination of such statistics;

(vi) initiate the work necessary to harmonize the terminology and methods of collection of data on occupational diseases and occupational accidents at the national and regional levels. These harmonization activities will be essential so that meaningful statistics can be obtained enabling countries to evaluate their occupational safety and health performance. The Committee
acknowledged that this process would take many years, but considered that it was essential to start the activity;
(vii) develop criteria for national surveys relating to the working environment, as well as criteria for national occupational safety and health programmes.

8. A working document on the infrastructure for Occupational Health Practice was reviewed by the Committee. It was agreed that the working document should be subject to further technical review and editing, with the intention that the WHO would eventually publish a document in its Technical Report Series on this subject. With respect to the infrastructure for occupational health services, the Committee agreed upon the following:

(1) There is a substantial need for the development of infrastructures to cover all workers.
(2) Services must especially address small-scale industry, the informal sector and agriculture.
(3) Stepwise development will be essential, starting with areas of highest risk.
(4) Primary prevention is the first priority, but secondary and tertiary preventive services are also needed.
(5) A multidisciplinary approach is required to involve appropriate competent specialists. Occupational health practice is intersectoral and should be linked to sustainable development.
(6) Quality assurance of services must be an integral part of the occupational health services development. It is unethical to give poor quality of service.
(7) Workers, managers and occupational health service providers must be competent to perform duly their duties. This requires training and quality assurance mechanisms.

9. The Committee noted the interrelationships between health, safety and the protection of the environment. The Committee recommended that the ILO and the WHO should collaborate to encourage and/or establish working links at the national and regional levels between the working environment, health and environment infrastructures to ensure sustainable development. The Committee recommended that occupational health indicators should be developed by the WHO and the ILO for the promotion and monitoring of progress towards the goals of the Agenda 21 of the United Nations Conference on Environment and Development (UNCED).

10. The Committee recommended that the ILO examine the potential of voluntary and quality-related management practices to improve occupational health and safety with a view to assessing their utility and establishing policies regarding their use.
Joint Meeting on the Impact of Structural Adjustment in the Public Services (Efficiency, Quality Improvement and Working Conditions)

(Geneva, 24-30 May 1995)

Conclusions adopted

Conclusions concerning the impact of structural adjustment in the public services on efficiency, quality improvement and working conditions

The Joint Meeting on the Impact of Structural Adjustment in the Public Services (Efficiency, Quality Improvement and Working Conditions),

Having been convened by the Governing Body of the International Labour Office,

Having met in Geneva from 24 to 30 May 1995,

Adopts this thirtieth day of May 1995 the following conclusions:

General considerations

1. The role and responsibilities of the public sector are vital in underpinning the growth and development of society as a whole. In order for development to take place in a community, the first prerequisite is that democratic structures are in place and that basic human needs are met. It is almost invariably the public service which strives to meet these needs. Public sector reforms and macroeconomic structural adjustment measures should aim to enable all citizens to participate equitably in their society's economy, as producers and consumers, and share fully in its cultural life. Reforms aimed at improving efficiency, effectiveness, quality of services and working conditions in the public sector are a widespread phenomenon. Reforms should be designed to produce positive results.

2. Continuing change is a feature of many societies. It is often linked to overall structural adjustment either in response to changing circumstances and needs, or as part of transition to a market economy. These overall reforms should be designed to facilitate sustainable economic and social development, including full employment, as envisaged by the World Summit on Social Development, held in Copenhagen, Denmark in March 1995. Of particular importance is equitable access to services satisfying basic human needs and eliminating poverty; providing essential health care and education; safeguarding the environment; and improving and enhancing democracy and security of human rights.

3. Public sector reforms should respect basic guiding principles: continuity in the values of communities and cultures within countries, particularly for accountability to democratic political processes and institutions; transparency and openness of government policies; partnerships in decision-making; impartiality and equity in access to public services; provision of better services to citizens; and the importance of good working conditions and the application of international labour standards for morale and performance of the public service.

4. Structural adjustment measures applied to the public sector should be designed to balance the roles of the public and private sectors in the economy in the interests of efficiency, effectiveness and equity in the provision of services to all citizens.

5. In the process of adjustment in the public sector, the interests of public sector workers, who are also citizens, should not be in conflict with those of other citizens. Public sector workers are committed to the provision of high quality services desired by other citizens. Public sector workers at all levels should work under mutually agreed codes of ethics and regulations which set out their rights and obligations and establish their right to protection when abiding by the codes. While

1 Adopted unanimously.
enshrining the political neutrality of the public service, codes of ethics should provide public sector workers with political rights as citizens.

6. Public sector workers must have the right to organize collectively and be represented by free and independent trade unions in accordance with international labour standards concerning collective bargaining, freedom of association and trade union rights. Any changes arising from public sector reforms and/or structural adjustment measures should be the subject of negotiation and consultation with public sector workers through their unions.

**Participation in the formulation of structural adjustment policies**

7. Public sector reforms are most likely to achieve their objectives of delivering efficient, effective and high-quality services when planned and implemented with full participation of public sector workers and their unions and consumers of public services at all stages of the decision-making process. Continuing dialogue between governments and the citizenry as a whole, including public sector workers, should be ensured. Effective communication, consultation and negotiation with a view to reaching agreement with workers and their unions, are essential during restructuring.

8. Participation in defining public sector structural adjustment measures through consultation and negotiation with unions should be based on an adequate legal and institutional framework and sharing of information which facilitates a constructive approach to decision-making. Participatory machinery established for these purposes at the appropriate levels — national or local — should ensure balanced representation of women, minorities and the disadvantaged. Changes affecting conditions of employment — qualification standards, staffing levels, job descriptions, career development, remuneration, workloads and pensions and other employee benefits — should be determined with the involvement of unions.

**Monitoring and implementing structural adjustment in the public service**

9. It is important to establish means by which the attainment of structural adjustment objectives — efficient, effective, quality and accessible services, underpinned by stable and quality service conditions — can be evaluated. These means should seek a balance between reliance on independent external assessment and the provision of data and expertise available within the public service, on a case-by-case basis. They should make provision for the collection of objective and reliable statistical data on performance, and involve workers and their unions in all review phases.

10. Government should be a model for good employment practice. Where restructuring calls for any changes in staffing levels and tasks of public sector workers, these should be accompanied by the following provisions consistent with such employment practices:

— publicly funded or, if agreed, jointly funded training or retraining for the workers affected to allow them to perform satisfactorily their new tasks;
— skills assessment, counselling and placement services for alternative job prospects;
— redeployment within the public service, respecting the skill/competency requirements of the jobs to be performed and the expected outputs, as well as existing procedures and criteria for filling positions.

11. Redundancy, where this is an issue, is a measure of last resort. Where, after joint negotiations, it is unavoidable, it should be accompanied by negotiated career transition measures to protect affected individuals and communities, and in line with forward-looking management practices to preserve and enhance motivation in a restructured public service among which:

— retraining and placement services to facilitate new employment;
— early retirement schemes and voluntary separation incentives, including financial compensation;
— social security and unemployment benefits which provide support pending reemployment;
— affordable credit facilities for self-employment;
— provision of pensions and other employee benefits; and protection of those already acquired.

12. There will be ongoing dialogue about structural reform proposals. In this context, there may be some decisions that some services may be contracted out or tendered to private services on a competitive basis where it can be demonstrated that this is cost effective and will improve service to citizens, reinforcing the complementary role of the public and private sectors. In these instances careful management and monitoring of the process and outcomes is essential. Equally essential for
privatization of services is that access, equity, transparency and effectiveness of service is guaranteed with due account taken of geographic and other factors in balancing costs and benefit. Rationalization or privatization measures must take account of the quality of services to be provided, and savings to be realized — including social costs.

13. In cases of privatization or contracting out public sector workers should be allowed to tender under the same conditions as others, thereby widening the scope of expert knowledge available to public sector providers. Where adopted, tendering measures should be supplemented by the opportunity of public sector workers to be employed in a tendered service. The terms of the ILO’s Declaration of Philadelphia (1944) should be respected.

Employment: Remuneration and working conditions

14. It is recognized that public sector workers are a major resource to the community, and their knowledge and skills contribute to reform. Wages and conditions of public service workers should recognize their valuable role. It is reported by the ILO that the decline in the real value of public wages has been almost universal, leading to poor morale and performance, moonlighting, and difficulties in recruiting and retaining qualified staff. There is a need to establish competitive pay rates in the public service, taking account of prevailing labour market rates for private sectors. Remuneration may take account of productivity gains to ensure more efficient and quality services which are regularly reviewed and adjusted. Remuneration and sharing of productivity gains should be the subject of negotiations with unions.

15. Pay systems should be negotiated with unions, should be equitable and should not be aimed at reducing or freezing wage levels. Flexible pay systems including performance-related pay should only be used where their potential contribution to achieving efficiency, effectiveness and quality can be demonstrated and has been subject to negotiations with the unions. In these circumstances it should be based on the following conditions:
— group or team, or individual schemes where based on agreed performance management arrangements and negotiated with unions;
— transparent assessment criteria established at the outset;
— sufficient funding to be meaningful;
— tested in pilot programmes before large-scale application;
— formulated in negotiations with unions.

16. Other forms of motivation such as job satisfaction through improved job design, career diversification and advancement and provision of skills which are transferable across the public or private sectors should be employed in addition to improved remuneration.

17. The application of new technology and skill enhancement to achieve productivity gains should favour improved quality and delivery of service and job enhancement, not merely cost saving and job replacement. It should also protect health and safety standards and provide for gender equality.

Training

18. Governments should make adequate investment to maintain and improve the quality of the public sector work force on an ongoing basis. Continuous staff training is critical to adapt skills for future organizational needs, improve individual job satisfaction, redeploy staff, enhance career and employment prospects and take advantage of technological progress, thereby realizing the objectives of efficient and effective delivery of quality services to meet citizen expectations. Employers and staff should take a positive approach to training opportunities. Training programmes should be formulated and reviewed by governments and unions with the aim of adapting them more closely to needs.

The role of the ILO

19. The ILO has a broad mandate, established by its Constitution, and reaffirmed by the World Summit on Social Development to:
— continue to promote knowledge, ratification and application of international labour standards which apply to the public service, with special attention to the instruments underpinning freedom of association, the right to organize and collective bargaining, and equality of opportunity and
treatment. Respect for these rights is key to the maintenance of dialogue on structural adjustment measures at the national level;
— enhance its role as the key international body concerned with the defense and promotion of social and employment goals in the definition of structural adjustment programmes and public sector reform which deeply affect public services;
— develop greater policy dialogue with all relevant international bodies concerned with these issues including the International Monetary Fund and the World Bank.

20. Where restructuring or reform is proposed, the ILO should provide assistance with the aim of ensuring that changes which occur lead to positive outcomes both in the services provided to citizens and the employment conditions of public sector workers. In furtherance of these broad objectives, the ILO should undertake the following specific tasks:
(a) develop internationally comparable and useful statistics on the public sector for countries who wish to develop their own capacity to analyse and apply information to national needs;
(b) identify and facilitate the exchange of experiences among countries on agreed best practices — "benchmarks" — in public sector reform, through joint regional meetings and networking arrangements of representatives of unions and governments;
(c) facilitate, through an agreed applied research programme and dissemination of the results, provision of information on trends in functional areas of the public service identified as important by the meeting, among which:
— pay systems, working conditions and job requirements;
— training and human capital formation;
— tendering and subcontracting;
— decentralization and rationalization;
— statutes, regulations and legal bases of public sector bodies;
— evaluation and assessment of restructuring;
(d) increase its technical assistance and advisory services to governments and unions, especially in the integration of international labour standards in public sector reform measures and in training courses to enhance the capacity for collective bargaining, planning and the implementation of structural adjustment.

21. In view of the forthcoming ILO meeting on public service reform, scheduled for 1997, the ILO is requested to include in its report to the meeting a review of progress achieved in integrating the social dimension in the restructuring process for evaluation by the Meeting.
Exchange of letters between the Director-General of the International Labour Office and the Minister of Foreign Affairs of the Russian Federation concerning the extension of the responsibilities of the ILO Office in Moscow

On 14 September 1995, the Director-General of the International Labour Office addressed the following letter to the Minister of Foreign Affairs of the Russian Federation:

Dear Sir,

With a view to bringing the ILO closer to its constituents and making available to them strengthened technical advisory services, I have decided, subject to the Russian Federation's agreement, to transform the Moscow Branch Office to cover not only the Russian Federation, but also Armenia, Belarus, Georgia and any other country which I, as Director-General, may designate and to extend the responsibilities attached to this Office. The importance of this enlarged Office in Moscow as regards ILO activities in the region would, of course, be considerably increased by this measure.

Since the Russian Federation is already a party to the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947 and its Annex of 10 July 1948 relating to the International Labour Organization, I understand that the provisions of that Convention will apply to the enlarged Office and to staff assigned to it, including experts and consultants appointed by me. I would, in addition, appreciate confirmation that the competent authorities of the Russian Federation will exercise due diligence to ensure that the tranquility of the Moscow Office is not disturbed by any person or group of persons attempting unauthorized entry or creating disturbances in the immediate vicinity of the Office.

I would be grateful to know whether the above proposals are acceptable to your Government.

An official translation of the present letter into Russian is attached hereto.

Yours faithfully,

(Signed) Michel Hansenne

On 10 October 1995 the Minister of Foreign Affairs of the Russian Federation addressed the following letter to the Director-General of the International Labour Office:

(Translation)

Dear Sir,

I acknowledge with thanks receipt of your letter dated 14 September 1995 concerning the transformation of the Moscow Branch Office into an enlarged Office in Moscow with extended responsibilities to cover not only the Russian Federation, but also Belarus, Georgia, Armenia and any other country which, as Director-General, you may designate.

The Russian Federation welcomes the increased presence and responsibilities of the ILO in the region with a view to supporting national efforts to promote social and economic development, and to create an effective system of social partnership, and agrees to the proposed transformation of the Moscow Branch Office.

The Russian Federation will accord to the enlarged Office in Moscow and to staff assigned to it, including experts and consultants appointed by you, the privileges and immunities provided for by the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947 as well as its Annex of 10 July 1948 relating to the International Labour Organization. In addition, the competent authorities of the Russian Federation will exercise due
diligence to ensure that the tranquillity of the Moscow Office is not disturbed by any person or group of persons attempting unauthorized entry or creating disturbances in the immediate vicinity of the Office.

However, locally recruited staff of the Moscow Office who are paid by the hour shall only enjoy, under the above-mentioned Convention, immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity. Such immunity shall continue to be accorded to them after termination of their employment with the International Labour Organization.

Yours faithfully,

(Signed) A. Kozyrev

By a letter dated 13 December 1995, the Director-General of the International Labour Office replied to the Minister of Foreign Affairs of the Russian Federation that the content of his letter of 10 October 1995 was acceptable to the International Labour Organization.