

International Labour Conference  
68th Session 1982

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**Report III  
(Parts 1, 2 and 3)**

**Third Item on the Agenda:**

**Information and Reports on the Application  
of Conventions and Recommendations**

# **Summary of Reports**

**(Articles 19, 22 and 35 of the Constitution)**

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Part 1

Summary of reports on  
ratified Conventions

(Articles 22 and 35 of the Constitution)



### Introduction

Article 22 of the Constitution of the International Labour Organisation provides that "each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of the Conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request". Article 23 of the Constitution provides that the Director-General shall lay before the next meeting of the Conference a summary of the reports communicated to him by Members in pursuance of article 22, and that each Member shall communicate copies of these reports to the representative organisations of employers and workers.

At its 204th (November 1977) Session, the Governing Body approved the following arrangements for the presentation by the Director-General to the Conference of summaries of reports submitted by governments under article 22 of the Constitution:

- (a) the practice of tabular classification of reports, without summary of their contents, which for a number of years had been followed in respect of reports subsequent to first reports after ratification, should be applied to all reports, including first reports;
- (b) the Director-General should make available, for consultation at the Conference, the original texts of all reports on ratified Conventions received; in addition, photocopies of those reports should be supplied on request to members of delegations.

Requests for consultation or copies of reports may be addressed to the secretariat of the Committee on the Application of Conventions and Recommendations.

The present summary refers to reports for the period ending 30 June 1981.

The report of the Committee of Experts on the Application of Conventions and Recommendations, which examines the report submitted under article 22 of the Constitution, is communicated separately to the Conference as Report III (Part 4A).





Summary of reports on the application of ratified Conventions received

- A. First reports after ratification of the Convention concerned.
- B. Reports containing information on important changes in the implementation of Conventions, or information supplied in reply to observations or direct requests made by the Committee of Experts.
- C. Reports containing information on the practical effect given to Conventions, or on minor changes in their implementation.
- D. Reports merely repeating or referring to the information previously supplied.

Country	A Conventions Nos.	B Conventions Nos.	C Conventions Nos.	D Conventions Nos.
Afghanistan	-	100	-	41
Algeria	-	6, 29, 81, 88, 89, 105, 122	17, 42	127
Angola	26	6, 17, 18, 19, 29, 88, 89, 105, 107, 108	-	-
Argentina	-	29, 81, 100, 107, 111	2, 17, 41, 45, 50, 79, 90	12, 42, 87
Australia	-	29, 45, 88, 100, 105, 122	12	-
Norfolk Island	-	-	-	29, 105
Austria	144	6, 17, 29, 42, 81, 100	12, 45, 88, 89	105, 135, 141
Bahamas	12, 17	22, 29, 42, 81, 88	50, 64, 65, 86	45, 105
Bangladesh	144, 149	29, 81	18	45, 89, 90
Barbados	-	29, 81, 100, 108, 122	17, 42	50, 65, 86, 90, 105, 135

Country	A Conventions Nos.	B Conventions Nos.	C Conventions Nos.	D Conventions Nos.
Belgium	77, 120	29, 56, 81, 100, 105, 121, 122, 124	1, 2, 5, 6, 12, 26, 33, 43, 45, 62, 88, 89, 91, 94, 95, 101	13, 14, 19, 87, 115
Bolivia	117, 118	81, 87, 121	102, 103	-
Brazil		29, 42, 88, 91, 97, 103, 105, 107, 108, 111, 122	12, 120	6, 11, 45, 58, 89, 100, 104, 127
Bulgaria	-	127	-	6, 12, 17, 42, 45, 79, 100, 108
United Republic of Cameroon	-	29, 81	-	45, 50, 64, 65, 89, 90, 100, 135
Canada	-	88, 100, 105	1, 26, 108	-
Cape Verde	17, 98	-	-	-
Chile	-	-	12, 17, 18	3, 16, 19, 32, 100
Colombia	-	9, 12, 88, 100, 105	1, 2, 3, 17, 18, 30, 81, 129	4, 22, 104
Comoros	1, 12, 17, 42	81	-	6, 89
Congo	-	29	-	6, 89
Costa Rica	-	29, 81, 88, 107, 122, 129, 137	135	45, 89, 90, 100, 127, 138
Cuba	12	17, 29, 81, 105, 108, 138	42	45, 79, 89, 90, 104, 135, 141
Cyprus	142	44, 81, 106, 114, 121, 128	29, 88, 105	45, 89, 90, 141
Czechoslovakia	-	17, 29, 111	12, 42, 88	45, 89, 90, 100

Country	A Conventions Nos.	B Conventions Nos.	C Conventions Nos.	D Conventions Nos.
Denmark	130, 135, 139	-	6, 108	141
Faeroe Islands	126	-	-	6, 7, 11, 12, 15, 16, 18, 29, 87, 98, 105
Greenland	-	16	-	29, 105
Djibouti	1, 12, 18	108	17, 81	6, 29, 45, 88, 89, 100
Dominican Republic	-	29, 81, 100	-	1, 45, 79, 89, 90, 104
Ecuador	97, 121, 128, 130, 141, 148	29, 104, 107, 136, 139, 149	87, 88, 103, 127	45, 100
Egypt	-	17, 29, 81, 88, 89, 104	2, 18, 45, 94	100
Ethiopia	-	88	2, 87	-
Fiji	-	29, 64, 105	12	45, 50, 65, 85, 86, 108
Finland	149	29, 81, 100, 121, 129, 136, 138, 142	12, 45	11, 105, 135, 141
France	137	17, 29, 42, 81, 100, 127, 129, 140	12, 88, 89, 135	6, 45, 108
<u>Overseas Departments:</u>				
French Guyana	-	17, 42	12, 89, 135	6, 45, 108
Guadeloupe	-	17, 42	12, 89, 135	6, 45, 108
Martinique	-	17, 42	12, 89, 135	6, 45, 108
Réunion	-	17, 42	12, 89, 135	6, 45, 108
St. Pierre and Miquelon	2, 44, 63, 88, 96, 122	3, 17	12, 35, 37, 38, 42, 108	6, 16, 19, 36, 45, 77, 81, 89, 99, 108, 125

Country	A Conventions Nos.	B Conventions Nos.	C Conventions Nos.	D Conventions Nos.
<u>Overseas Territories</u>				
French Polynesia	-	3, 9, 24, 29, 35, 36, 37, 38, 81, 115, 120, 122	17, 26, 42, 44, 55, 56, 77, 78, 88, 91, 98, 108, 126	6, 11, 12, 43, 45, 49, 52, 87, 89
New Caledonia	-	3, 29, 35, 36, 37, 38, 77, 78, 81, 105, 115	12, 17, 24, 42, 88, 126	6, 13, 16, 23, 45, 55, 56, 71, 84, 89, 101, 106, 108, 120, 123, 125
Gabon	145, 150	29, 81, 105	12, 135	6, 41, 45
German Democratic Republic	77, 78, 103, 138	-	12, 135	45, 100, 108, 127
Germany, Federal Republic of	144	22, 29, 81, 100, 111, 121, 129, 138, 139	88, 135	45, 73, 105, 113, 141
Ghana	-	100	115	119
Greece	-	29, 81, 89, 100, 134	2, 17, 88	45, 90, 108
Grenada	58, 98	29, 105	11	16, 19
Guatemala	-	81, 105, 108, 110, 119	89, 94	45, 65, 79, 86, 87, 90, 100
Guinea	18, 117, 132, 140, 142	81	-	-
Guinea-Bissau	1, 7, 12, 14, 17, 19, 27, 68, 69, 73, 74, 81, 91, 92, 98, 100, 106, 107	29, 104, 105, 108	-	6, 45, 89
Guyana	-	29, 42, 64, 81, 100, 105, 129	2, 12	50, 65, 86
Haiti	-	-	-	45
Honduras	-	29, 105	42	45, 100, 108
Hungary	-	17, 29, 139, 142	12, 42	2, 6, 45, 100, 135

Country	A Conventions Nos.	B Conventions Nos.	C Conventions Nos.	D Conventions Nos.
Iceland	-	-	2	29, 100, 105, 108
India	-	29, 42, 100	90	45, 89, 123, 141
Indonesia	-	100	-	45, 98
Iran	-	29, 100, 105	-	104, 108
Iraq	92, 118	-	-	-
Ireland	138	6, 88, 89, 100, 121	23, 44, 108	68, 92
Israel	-	29, 81, 100, 102	88, 90	79
Italy	-	59, 60	-	-
Ivory Coast	-	3, 29, 111, 136	26, 99	6, 11, 18, 41, 45, 87, 98, 105, 110, 135
Jamaica	-	65, 105	-	15, 50, 58, 64, 86
Japan	-	29, 81, 100, 121	2, 45, 69, 88	50
Jordan	-	-	-	29, 119
Kenya	-	-	12, 17	45, 50, 64, 65, 86, 89
Kuwait	-	29, 81, 106	105	89, 117
Lebanon	1, 15, 17, 19, 30, 59, 77, 78, 88, 95, 98, 100, 106, 111, 115, 120, 122, 127, 131	52, 81	90	89
Lesotho	-	-	-	11
Liberia	92	65, 104	-	53
Libyan Arab Jamahiriya	53, 102, 103, 121, 128, 130	1, 3, 29, 81, 100, 105	95, 104, 122, 131	52, 88, 111, 118, 138
Luxembourg	132, 135	2, 29, 81, 89, 100	12, 121	45, 79, 88, 90, 138

Country	A Conventions Nos.	B Conventions Nos.	C Conventions Nos.	D Conventions Nos.
Malawi	-	81, 99, 129	12, 26	11, 45, 50, 64, 65, 86, 89, 97, 98, 100, 104, 111
Malaysia	-	12, 81, 88, 119	17	7, 11, 15, 29, 45, 50, 64, 65, 86, 97, 98, 123
Mali	-	29, 81	17, 18	6, 41
Malta	-	29, 81, 105, 111	2, 12, 42, 88	89, 108
Mauritania	-	-	94	-
Mauritius	-	63, 64, 65	2	50, 86, 108
Mexico	-	9, 29, 49, 140	12, 17	42, 45, 90, 100, 105, 108, 135, 141
Mongolia	-	-	-	100, 103
Morocco	-	29	17	12, 41, 42, 45, 65, 104
Mozambique	30, 81, 105	-	-	-
Netherlands	145	29, 100, 121	32, 90, 135, 138	12, 45, 106, 115, 141
New Zealand	8, 23	17, 42, 50, 64, 65, 81, 104, 134	12, 45	-
Nicaragua	-	2, 12, 17, 29, 42, 78, 100, 105, 127, 142	18	4, 6, 45, 87
Niger	-	102, 119	18	6, 29, 41, 65, 135
Nigeria	-	26, 29, 81, 88, 95, 100, 105	87	11, 19, 45, 50, 58, 59, 65, 98, 104
Norway	16, 47, 143	29, 81, 100, 102, 129, 139	12, 42, 88, 90, 134, 135	108, 141
Pakistan	-	22, 29, 81	-	18, 45, 90

Country	A Conventions Nos.	B Conventions Nos.	C Conventions Nos.	D Conventions Nos.
Panama	-	17, 29, 42, 64, 69, 77, 78, 81, 87, 98, 105, 127	52, 94	12, 45, 65, 86, 89, 100, 104
Papua New Guinea	-	-	-	122
Paraguay	-	29, 81, 105, 107, 122	-	79, 89, 90, 100
Peru	-	12, 24, 25, 29, 35, 36, 37, 38, 39, 40, 56, 62, 67, 73, 79, 81, 88, 90, 102, 105, 107, 111, 122, 139	20, 112	9, 11, 41, 45, 68, 69
Philippines	141, 149	23, 77, 87, 88, 100, 110	17, 94	89, 90
Poland	137, 140, 142, 145	29, 87, 105, 127	2, 12, 14, 24, 25, 42, 99, 101	45, 79, 90, 100, 135
Portugal	143	12, 17, 18, 29, 68, 81, 97, 100	108, 135	6, 45, 89, 104
Romania	-	81, 88, 129, 136, 138	-	6, 89, 100, 108, 127, 135
Rwanda	-	12, 17, 123	94	42, 50, 64, 89
Saint Lucia	87, 98	29, 50, 64, 65, 95	-	-
Saudi Arabia	1, 30, 45, 81, 89, 90, 105, 111, 123	29	-	-
Senegal	-	29, 81, 105, 121	-	6, 12
Sierra Leone	-	81	-	-
Singapore	-	12, 29, 81, 88	22	19, 45, 50, 64, 65, 86
Somalia	-	111	-	84
Spain	146	29, 42, 79, 81, 89, 90, 108, 129, 138	12, 17, 88, 127, 135	105, 141

Country	A Conventions Nos.	B Conventions Nos.	C Conventions Nos.	D Conventions Nos.
Sri Lanka	-	81	18	45, 90, 135
South Africa	-	2, 19	26, 42, 63	-
Sudan	-	2, 81, 100	-	-
Suriname	-	29, 81, 88, 105	17, 42	41, 135
Swaziland	105	29, 50, 64, 65, 86	12	-
Sweden	149, 150	29, 81, 108, 121, 129, 139, 148	12, 92, 135	11, 141
Switzerland	-	18, 29, 81, 100, 136, 142	2, 88	6, 45, 89, 139, 141
Syrian Arab Republic	1, 139	19, 29, 81, 96, 118, 129, 136	2, 87	45, 88, 89, 100, 104, 106, 135
Tanzania	-	17, 50, 81, 88	12	45, 64, 65, 86, 98
Thailand	-	122	-	104
Trinidad and Tobago	-	29, 85, 87, 105, 111	-	65, 98
Tunisia	-	29, 73, 81, 87, 113, 127	-	12, 17, 18, 45, 58, 65, 88, 89, 90, 104 108
Turkey	-	42, 81, 94, 119, 127	-	45, 95, 100
Uganda	-	29, 64, 81, 105	17	12, 45, 50, 65, 86, 98
Ukrainian SSR	-	29	-	45, 79, 90, 100, 108
USSR	-	-	-	79, 87
United Kingdom	-	29, 42, 81, 100, 105	2, 12, 17, 37, 38, 108, 135	45, 141
Anguilla	-	-	-	85
Bermuda	-	29	17	12, 42, 65, 108, 135



Country	A Conventions Nos.	B Conventions Nos.	C Conventions Nos.	D Conventions Nos.
British Virgin Islands	-	26, 29, 105	12, 17	7, 11, 50, 58, 64, 65, 84, 85, 86, 87, 97, 98, 108
Brunei	-	-	108	29, 105
Hong Kong	74	10, 12, 17, 29, 42, 50, 64, 94	2, 65, 86, 90, 92, 105, 108	14, 45, 101, 141
Isle of Man	-	122	-	-
Montserrat	-	50, 85, 105	12, 42, 108	17, 29, 64, 65, 86
St. Kitts-Nevis	-	99, 140	26	7, 11, 58, 85, 87, 98
Upper Volta	-	3, 17, 81, 97, 129, 132	18, 131	6, 11, 41, 111, 135
Uruguay	132	2, 81, 87, 89, 96, 108, 114, 128, 129, 136, 138	79, 90, 121	22
Venezuela	-	29, 81, 88	3, 41	2, 6, 45, 105
Yemen	-	29, 100, 111, 131, 132	81	87, 98, 135
Yugoslavia	-	29, 32, 45, 81, 89, 90, 129, 139	88, 121	12, 100
Zaire	-	81	-	50, 64, 89
Zambia	95, 111	-	-	45, 50, 64, 65, 89, 135



Part 2

Summary of reports on Convention No. 144  
and Recommendation No. 152

(Article 19 of the Constitution)

Tripartite consultation  
(international labour standards)



### Introduction

Article 19 of the Constitution of the International Labour Organisation provides that Members shall "report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body" on the position of their law and practice in regard to the matters dealt with in unratified Conventions and Recommendations. The obligations of Members as regards Conventions are laid down in paragraph 5(e) of the above-mentioned article. Paragraph 6(d) deals with Recommendations, and paragraph 7(a) and (b) deals with the particular obligations of federal States. Article 23 of the Constitution provides that the Director-General shall lay before the next meeting of the Conference a summary of the reports communicated to him by Members in pursuance of article 19, and that each Member shall communicate copies of these reports to the representative organisations of employers and workers.

Pursuant to the above-mentioned provisions, the Governing Body selects each year the instruments on which Members are requested to supply reports. Since 1950 the summaries of these reports have been submitted each year to the Conference.

At its 218th (November 1981) Session, the Governing Body decided to discontinue the publication of summaries of reports on unratified Conventions and on Recommendations and to publish only a list of reports received, on the understanding that the Director-General would make available for consultation at the Conference the originals of all reports received and that copies of reports would be available to members of delegations on request.

Requests for consultation or copies of reports may be addressed to the secretariat of the Committee on the Application of Conventions and Recommendations.

The reports which are listed below concern the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) and the Tripartite Consultation (Activities of the International Labour Organisation) Recommendation, 1976 (No. 152).

The governments of member States were requested to send their reports to the International Labour Office by 1 July 1981.

The report of the Committee of Experts on the Application of Conventions and Recommendations which will be submitted to the Conference at its 68th (1982) Session, will include a general survey on the reports on the above-mentioned Convention and Recommendation (Report III, Part 4B).



Summary of reports on Convention No. 144 and  
Recommendation No. 152 received

Countries	Convention No. 144	Recommendation No. 152
Afghanistan	-	-
Algeria	-	-
Angola	x	x
Argentina	x	-
Australia	R	x
Austria	R	x
Bahamas	R	-
Bahrain	x	x
Bangladesh	R	-
Barbados	x	x
Belgium	x	x
Belize	-	x
Benin	x	-
Bolivia	-	-
Botswana	x	x
Brazil	x	-
Bulgaria	x	x
Burma	-	-
Burundi	x	x
Byelorussian SSR	x	x
United Republic of Cameroon	x	x
Canada	x	x
Cape Verde	x	x
Central African Republic	-	-
Chad	-	-
Chile	x	x
China	-	-
Colombia	x	x
Comoros	x	-
Congo	x	x
Costa Rica	-	-
Cuba	x	x
Cyprus	R	x
Czechoslovakia	x	x
Democratic Yemen	-	-
Denmark	R	x
Djibouti	-	-
Dominican Republic	x	x
Ecuador	R	-
Egypt	x	x
El Salvador	x	x
Equatorial Guinea	x	-
Ethiopia	x	x
Fiji	x	x
Finland	R	x
France	x	x
Gabon	x	x
German Democratic Republic	x	x

Countries	Convention No. 144	Recommendation No. 152
Germany, Federal Republic of	R	x
Ghana	-	-
Greece	x	x
Grenada	x	x
Guatemala	x	x
Guinea	-	-
Guinea-Bissau	x	x
Guyana	x	x
Haiti	-	-
Honduras	-	-
Hungary	x	x
Iceland	-	-
India	R	x
Indonesia	x	x
Iran	-	-
Iraq	R	-
Ireland	R	-
Israel	x	x
Italy	R	x
Ivory Coast	-	-
Jamaica	x	x
Japan	x	x
Jordan	-	-
Democratic Kampuchea	-	-
Kenya	-	-
Kuwait	x	-
Lao Republic	-	-
Lebanon	x	x
Lesotho	x	x
Liberia	x	x
Libyan Arab Jamahiriya	-	-
Luxembourg	x	x
Madagascar	x	x
Malawi	-	-
Malaysia	x	x
Mali	x	x
Malta	x	x
Mauritania	-	-
Mauritius	x	x
Mexico	R	x
Mongolia	x	x
Morocco	x	x
Mozambique	-	-
Namibia	-	-
Nepal	-	-
Netherlands	R	x
New Zealand	x	x
Nicaragua	x	x
Niger	-	-
Nigeria	x	x
Norway	R	x
Pakistan	x	x
Panama	x	x



Countries	Convention No. 144	Recommendation No. 152
Papua New Guinea	-	-
Paraguay	x	x
Peru	x	x
Philippines	x	x
Poland	x	x
Portugal	x	x
Qatar	x	-
Romania	x	x
Rwanda	x	x
Saint Lucia	-	-
Saudi Arabia	x	x
Senegal	x	x
Seychelles	-	-
Sierra Leone	-	-
Singapore	x	x
Somalia	x	-
Spain	x	x
Sri Lanka	x	-
Sudan	x	-
Suriname	R	-
Swaziland	x	-
Sweden	R	x
Switzerland	x	x
Syrian Arab Republic	x	x
Tanzania	x	x
Thailand	x	x
Togo	-	-
Trinidad and Tobago	x	x
Tunisia	x	-
Turkey	x	x
Uganda	-	-
Ukrainian SSR	x	x
USSR	x	x
United Arab Emirates	-	-
United Kingdom	R	x
United States	x	x
Upper Volta	x	x
Uruguay	x	x
Venezuela	x	x
Viet Nam	-	-
Yemen	x	x
Yugoslavia	x	x
Zaire	x	x
Zambia	R	-
Zimbabwe	x	x

Note: Five reports on Recommendation No. 152 have also been received in respect of the following non-metropolitan territories: United Kingdom (Bermuda, British Virgin Islands, Gibraltar, Hong Kong, Montserrat).

R = Countries having ratified Convention No. 144.

x = Report received.

- = Report not received.



Part 3

Summary of information relating to the  
submission to the competent authorities of  
Conventions and Recommendations adopted  
by the International Labour Conference

(Article 19 of the Constitution)



### Introduction

Article 19 of the Constitution of the International Labour Organisation prescribes, in paragraphs 5, 6 and 7, that Members shall bring the Conventions and Recommendations adopted by the International Labour Conference before the competent authorities within a specified period. Under the same provisions the governments of member States shall inform the Director-General of the International Labour Office of the measures taken to submit the Conventions and Recommendations to the competent authorities, and also communicate particulars of the authority or authorities regarded as competent, and of the action taken by them.

In accordance with article 23 of the Constitution a summary of the information communicated in pursuance of article 19 is submitted to the Conference. The present summary contains information relating to the submission to the competent authorities of the Conventions and Recommendations adopted by the Conference at its 66th Session held in Geneva from 3 to 24 June 1980.

The period of one year provided for the submission to the competent authorities of the instruments in question expired on 24 June 1981, and the period of 18 months on 24 December 1981.

The present report also contains a summary of additional information relating to the submission to the competent authorities of the Conventions and Recommendations adopted by the Conference at its 31st to 65th Sessions (1948 to 1979). The information summarised in this report consists of communications which were forwarded to the Director-General of the International Labour Office after the close of the 67th Session of the Conference and which could not, therefore, be laid before the Conference at that session.

The report of the Committee of Experts on the Application of Conventions and Recommendations, which examines the information submitted under article 19 of the Constitution, is communicated separately to the Conference as Report III (Part 4A).

List of instruments adopted by the Conference at its  
54th to 66th Sessions<sup>1</sup>

54th Session (1970)

Minimum Wage Fixing Convention (No. 131). -  
Holidays with Pay Convention (Revised) (No. 132).  
Minimum Wage Fixing Recommendation (No. 135).  
Special Youth Schemes Recommendation (No. 136).

55th Session (1970)

Accommodation of Crews (Supplementary Provisions)  
Convention (No. 133).  
Prevention of Accidents (Seafarers) Convention (No. 134).  
Vocational Training (Seafarers) Recommendation (No. 137).  
Seafarers' Welfare Recommendation (No. 138).  
Employment of Seafarers (Technical Developments)  
Recommendation (No. 139).  
Crew Accommodation (Air Conditioning) Recommendation (No. 140).  
Crew Accommodation (Noise Control) Recommendation (No. 141).  
Prevention of Accidents (Seafarers) Recommendation (No. 142).

56th Session (1971)

Workers' Representatives Convention (No. 135).  
Benzene Convention (No. 136).  
Workers' Representatives Recommendation (No. 143).  
Benzene Recommendation (No. 144).

57th Session (1972)<sup>2</sup>

58th Session (1973)

Dock Work Convention (No. 137).  
Minimum Age Convention (No. 138).  
Dock Work Recommendation (No. 145).  
Minimum Age Recommendation (No. 146).

59th Session (1974)

Occupational Cancer Convention (No. 139).  
Paid Educational Leave Convention (No. 140).  
Occupational Cancer Recommendation (No. 147).  
Paid Educational Leave Recommendation (No. 148).

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<sup>1</sup> A list of the instruments adopted from the 31st to the 53rd Sessions of the Conference will be found in the corresponding Report III (Part 3) presented to previous sessions of the Conference.

<sup>2</sup> At this session, the Conference did not adopt any Conventions or Recommendations.

60th Session (1975)

Rural Workers' Organisations Convention (No. 141).  
Human Resources Development Convention (No. 142).  
Migrant Workers (Supplementary Provisions) Convention  
(No. 143).  
Rural Workers' Organisations Recommendation (No. 149).  
Human Resources Development Recommendation (No. 150).  
Migrant Workers Recommendation (No. 151).

61st Session (1976)

Tripartite Consultation (International Labour Standards)  
Convention (No. 144).  
Tripartite Consultation (Activities of the International  
Labour Organisation) Recommendation (No. 152).

62nd Session (1976)

Continuity of Employment (Seafarers) Convention (No. 145).  
Seafarers' Annual Leave with Pay Convention (No. 146).  
Merchant Shipping (Minimum Standards) Convention (No. 147).  
Protection of Young Seafarers Recommendation (No. 153).  
Continuity of Employment (Seafarers) Recommendation (No. 154).  
Merchant Shipping (Improvement of Standards) Recommendation  
(No. 155).

63rd Session (1977)

Working Environment (Air Pollution, Noise and Vibration)  
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Nursing Personnel Convention (No. 149).  
Working Environment (Air Pollution, Noise and Vibration)  
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64th Session (1978)

Labour Administration Convention (No. 150).  
Labour Relations (Public Service) Convention (No. 151).  
Labour Administration Recommendation (No. 158).  
Labour Relations (Public Service) Recommendation (No. 159).

65th Session (1979)

Occupational Safety and Health (Dock Work) Convention  
(No. 152).  
Hours of Work and Rest Periods (Road Transport) Convention  
(No. 153).  
Occupational Safety and Health (Dock Work) Recommendation  
(No. 160).  
Hours of Work and Rest Periods (Road Transport) Recommendation  
(No. 161).

66th Session (1980)

Order Workers Recommendation (No. 162).





Summary of information relating to the submission  
to the competent authorities of the Conventions  
and Recommendations adopted by the International  
Labour Conference at its 66th Session (Geneva, 1980)  
and supplementary information on the texts adopted  
at its 31st to 65th Sessions (1948 to 1979)

Argentina. The instrument adopted at the 66th Session of the Conference has been submitted to the President of the Republic.

Australia. The instruments adopted at the 65th Session of the Conference were submitted to Parliament on 3 December 1981. The instrument adopted at the 66th Session of the Conference was submitted to both Houses of Parliament on 29 October and 12 November 1981, respectively.

Bahamas. The instruments adopted at the 64th and 65th Sessions of the Conference have been submitted to the competent authorities.

Bahrain. The instrument adopted at the 66th Session of the Conference was submitted to the Council of Ministers on 7 February 1981.

Barbados. The instrument adopted at the 66th Session of the Conference was submitted to Parliament on 3 September 1981.

Belgium. The instruments adopted at the 65th Session of the Conference were submitted to Parliament on 25 May 1981. Ratification of Convention No. 152 may be considered.

Benin. The instruments adopted at the 65th Session have been submitted to the competent authorities.

Brazil. Conventions Nos. 142 and 148, adopted at the 60th Session and the 63rd Session of the Conference, respectively, have been ratified.

Bulgaria. The instrument adopted at the 66th Session of the Conference was submitted to the Council of State on 9 April 1981 and then communicated to the deputies of the National Assembly.

Burma. The instruments adopted at the 64th and 65th Sessions of the Conference were submitted to the People's Assembly on 19 and 21 March 1981, respectively.

Byelorussian SSR. The instrument adopted at the 66th Session of the Conference was submitted to the Presidium of the Supreme Soviet of the Byelorussian Soviet Socialist Republic in May 1981.

United Republic of Cameroon. The instrument adopted at the 66th Session of the Conference has been submitted to the National Assembly.

Canada. The instrument adopted at the 66th Session of the Conference was submitted to the House of Commons on 8 July 1981 and to the Senate on 9 July 1981.

Cape Verde. The instruments adopted at the 65th and 66th Sessions of the Conference were submitted to the People's National Assembly on 7 May 1981.

Chile. The instrument adopted at the 66th Session of the Conference was submitted to the Junta on 5 January 1982.

Colombia. The instruments adopted at the 66th Session of the Conference were submitted to Congress on 28 August 1980.

Cyprus. The instruments adopted at the 65th and 66th Sessions of the Conference have been submitted to the House of Representatives.

Egypt. The instrument adopted at the 66th Session of the Conference has been submitted to the National Assembly.

Finland. The instruments adopted at the 65th and 66th Sessions of the Conference were submitted to Parliament on 12 December 1980 and 12 June 1981, respectively. Convention No. 152 has been ratified.

France. The instrument adopted at the 66th Session of the Conference was submitted to Parliament on 24 December 1981.

German Democratic Republic. The instrument adopted at the 66th Session of the Conference has been submitted to the People's Chamber.

Federal Republic of Germany. Convention No. 152 and Recommendation No. 160, adopted at the 65th Session of the Conference, and Recommendation No. 162, adopted at the 66th Session, were submitted to Parliament on 6 and 20 November 1981, respectively.

Greece. The instruments adopted at the 63rd Session of the Conference, as well as Convention No. 151 and Recommendation No. 159, adopted at the 64th Session, were submitted to Parliament on 15 September 1981.

Guatemala. The instruments adopted at the 65th Session of the Conference were submitted on 18 September 1980 to Congress. The instrument adopted at the 66th Session was submitted on 27 October 1981.

Guyana. The instruments adopted at the 65th and 66th Sessions of the Conference were submitted to the National Assembly on 28 September 1981. Acceptance of Recommendation No. 162 has been proposed.

Haiti. The instrument adopted at the 66th Session of the Conference was submitted to the Legislative Chambers on 18 August 1980.

Hungary. The instrument adopted at the 66th Session of the Conference was submitted to the Presidential Council on 3 August 1981.

Iceland. The instruments adopted at the 63rd Session of the Conference were submitted to the Althing on 21 May 1981. Those adopted at the 64th Session were submitted on 11 February 1982.

India. The instrument adopted at the 66th Session of the Conference was submitted to the two Houses of Parliament on 25 and 26 November 1981.

Indonesia. The instruments adopted at the 64th and 65th Sessions of the Conference were submitted to Parliament on 21 May 1981.

Ireland. Convention No. 153 and Recommendation No. 161, adopted at the 65th Session of the Conference, have been submitted to the competent authorities of the European Communities in respect of certain fields covered by these instruments.

Italy. The instruments adopted from the 63rd to the 66th Sessions of the Conference have been submitted to Parliament. The ratification of Conventions Nos. 148 to 153 has been proposed.

Japan. The instrument adopted at the 66th Session of the Conference was submitted to the Diet on 19 May 1981.

Kuwait. The instruments adopted at the 65th Session of the Conference were submitted to the Council of Ministers on 15 June 1980. The instrument adopted at the 66th Session was submitted on 20 November 1980.

Liberia. Convention No. 108, adopted at the 41st Session of the Conference has been ratified.

Luxembourg. The instrument adopted at the 66th Session of the Conference was submitted to the Chamber of Deputies on 17 February 1981.

Madagascar. The instrument adopted at the 66th Session of the Conference was submitted to the People's National Assembly on 27 February 1981.

Mali. The instruments adopted at the 65th and 66th Sessions of the Conference have been submitted to the National Assembly.

Malta. Conventions Nos. 135, 136, 140, 144 to 148 and 150, and Recommendations Nos. 143, 148, 152, 156 and 158, adopted at the 56th and 59th and the 61st to the 64th Sessions, were submitted to the House of Representatives on 28 July 1981.

Mexico. The instrument adopted at the 66th Session of the Conference has been submitted to the competent authorities.

Netherlands. Convention No. 149 and Recommendation No. 157, adopted at the 63rd Session of the Conference, Convention No. 152 and Recommendation No. 160, adopted at the 65th Session, and Recommendation No. 162, adopted at the 66th Session, have been submitted to Parliament.

New Zealand. The instrument adopted at the 66th Session of the Conference was submitted to the House of Representatives on 13 May 1981.

Nicaragua. The instrument adopted at the 66th Session of the Conference was submitted to the Junta on 2 September 1980.

Norway. The instrument adopted at the 66th Session of the Conference was submitted to Parliament on 24 April 1981.

Panama. The instrument adopted at the 66th Session of the Conference was submitted to the National Assembly on 9 November 1981.

Papua New Guinea. The instruments adopted at the 64th and 65th Sessions of the Conference were submitted to Parliament on 17 February 1981.

Philippines. The instrument adopted at the 66th Session of the Conference was submitted to the President of the Republic on 13 March 1981 for transmission to the interim National Assembly.

Poland. Convention No. 148 and Recommendation No. 156, adopted at the 63rd Session of the Conference, and the instruments adopted at the 64th to the 66th Sessions were submitted to Parliament on 23 January 1982.

Portugal. The instruments adopted at the 65th and 66th Sessions of the Conference were submitted to the Assembly of the Republic on 19 August 1981. Ratification of Convention No. 153 has been recommended.

Romania. The instrument adopted at the 66th Session of the Conference was submitted to the competent authorities on 20 May 1981.

Rwanda. The instrument adopted at the 66th Session of the Conference was submitted to the President of the Republic on 14 January 1981.

Senegal. The instrument adopted at the 66th Session of the Conference was submitted to the National Assembly on 31 July 1981.

Singapore. The instruments adopted at the 65th Session of the Conference were submitted to Parliament on 23 June 1981.

Somalia. The instruments adopted at the 65th and 66th Sessions of the Conference had been submitted to the People's National Assembly. Ratification of Conventions Nos. 152, 155 and 156 has been recommended.

Spain. Convention No. 150, adopted at the 64th Session of the Conference, and Convention No. 152, adopted at the 65th Session, have been ratified.

Sri Lanka. The instruments adopted at the 62nd Session of the Conference were submitted to Parliament on 6 January 1981. Those adopted at the 63rd and 64th Sessions were submitted to Parliament on 7 July 1981.

Sudan. The instruments adopted at the 65th and 66th Sessions of the Conference have been submitted to the President of the Republic.

Suriname. Conventions Nos. 150 and 151, adopted at the 64th Session of the Conference, have been ratified.

Sweden. Convention No. 153 and Recommendation No. 161, adopted at the 65th Session of the Conference, were submitted to Parliament on 11 December 1980.

Switzerland. The instrument adopted at the 66th Session of the Conference has been submitted to Parliament.

Thailand. The instrument adopted at the 61st to 66th Sessions of the Conference were submitted to the House of Representatives on 18 June and to the Senate on 19 June 1981.

Turkey. The instrument adopted at the 66th Session of the Conference was submitted to the National Security Council on 13 December 1980.

Uganda. The instruments adopted by the 65th Session of the Conference were submitted to the National Assembly.

United Kingdom. The instrument adopted at the 66th Session of the Conference was submitted to Parliament in December 1981.

United States. The instrument adopted at the 66th Session of the Conference was submitted to Congress on 1 December 1981.

Upper Volta. The instruments adopted at the 62nd Session of the Conference were submitted to the Council of Ministers on 22 December 1981.

Venezuela. The instruments adopted at the 63rd Session of the Conference, as well as Conventions Nos. 150, 151 and 153 and Recommendations Nos. 158 and 161, adopted at the 64th and 65th Sessions, have been submitted to Congress. Ratification of Convention No. 153 has been proposed.

Yugoslavia. The instruments adopted at the 55th to 65th Sessions of the Conference were submitted to the Federal Assembly on 3 December 1981.

Zimbabwe. The instrument adopted at the 66th Session of the Conference was submitted to the House of Assembly on 17 July 1981.



International Labour Conference  
68th Session 1982

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Report III  
(Part 4 A)

Third Item on the Agenda:  
Information and Reports on the Application  
of Conventions and Recommendations

Report of the Committee of Experts  
on the Application  
of Conventions and Recommendations  
(Articles 19, 22 and 35 of the Constitution)

General Report  
and Observations concerning Particular Countries

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International Labour Office Geneva

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

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This Part of the Report is published in a separate volume as Report III  
(Part 4E).

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## INDEX TO COMMENTS MADE BY THE COMMITTEE, BY COUNTRY

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Albania . . . . .	General Report, para. 71. I A.	
Algeria . . . . .	I B, Nos. 42, 88, 105, 127.	Art. 22, Nos. 6, 29, 81, 88, 89, 100, 105, 122 Subm.
Angola . . . . .	I B, No. 105.	Art. 22, general. Art. 22, Nos. 6, 17, 18, 19, 29, 81, 88, 89, 105, 107, 108. Subm.
Argentina . . . . .	I B, Nos. 87, 105, 107, 111.	Art. 22, Nos. 29, 81, 100, 105, 107.
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Austria . . . . .	I B, Nos. 81, 100.	Art. 22, Nos. 29, 144. Subm.
Bahamas . . . . .	I B, Nos. 12, 17, 42.	Art. 22, general. Art. 22, Nos. 17, 22, 29, 42, 81, 88. Subm.
Bangladesh . . . . .		Art. 22, Nos. 81, 90, 144, 149. Subm.
Barbados . . . . .		Art. 22, Nos. 29, 42, 81, 100, 105, 108, 122. Subm.
Belgium . . . . .	I B, Nos. 29, 87, 100.	Art. 22, Nos. 6, 56, 77, 81, 100, 105, 120, 121, 124. Subm.
Benin . . . . .	I B, No. 18	General Report, para. 57. Art. 22, general. Subm.
Bolivia . . . . .	General Report, paras. 57, 77, 79. I A and B, Nos. 26, 87, 103, 107.	Art. 22, Nos. 78, 88, 89, 90, 100, 102, 107, 118, 121, 123. Subm.

<sup>1</sup> The roman numerals and letters refer to sections of Part Two of this report and the arabic numerals to the numbers of the Conventions.

<sup>2</sup> The abbreviations used in respect of direct requests are the following:

"Art. 22": application of ratified Conventions in member States.

"Art. 35": application of ratified Conventions in non-metropolitan territories.

"Subm.": submission of Conventions and Recommendations to the competent authorities.

The numbers refer to Conventions.

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Brazil .....	I B, Nos. 42, 91, 103, 105, 107, 108. III.	Art. 22, Nos. 12, 29, 42, 88, 89, 105, 107, 111, 122.
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Burma .....	General Report, paras. 71, 79. I A and B, Nos. 17, 52, 87.	Art. 22, Nos. 6, 29. Subm.
Burundi .....	General Report, paras. 71, 79. I A and B, No. 94.	General Report, para. 57. Art. 22, general. Art. 22, Nos. 29, 81, 90, 105. Subm.
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Central African Republic .....	General Report, paras. 71, 79. I A and B, Nos. 18, 29, 33, 41, 52, 62, 81, 87, 105, 119.	Art. 22, Nos. 29, 88, 105. Subm.
Chad .....	General Report, paras. 72, 79, 102, 105. I A and B, Nos. 29, 81, 87, 98, 105, 111. III.	Art. 22, Nos. 29, 52, 81, 100, 105, 111.
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Democratic Yemen ....	General Report, paras. 71, 79. I A. III.	Art. 22, Nos. 29, 58, 98, 105.
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El Salvador .....	General Report, paras. 71, 79. I A. III.	Art. 22, No. 105.
Ethiopia .....	General Report, para. 102. I B, No. 87. III.	Art. 22, No. 88.
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PART ONE

**GENERAL REPORT**





# GENERAL REPORT

## I. INTRODUCTION

1. The Committee of Experts on the Application of Conventions and Recommendations, appointed by the Governing Body of the International Labour Office to examine the information and reports submitted under articles 19, 22 and 35 of the Constitution by States Members of the International Labour Organisation on the action taken with regard to Conventions and Recommendations, held its 52nd Session in Geneva from 11 to 24 March 1982. The Committee has the honour to present its report to the Governing Body.

2. The Committee notes that Mrs. Bokor-Szegő, Mr. Cesarino, Mr. Tsuruoka and Mr. Tunkin have ceased to be members of the Committee. It pays tribute to the contribution made by each of them to the work of the Committee.

3. The Governing Body appointed Mr. Semion IVANOV, Mr. Akira SHIGEMITSU and Mr. Arnaldo Lopes SUSSEKIND as members of the Committee, which was pleased to welcome them to its present session.

4. The present composition of the Committee is as follows:

The Right Honourable Sir Adetokunbo ADEMOLA, GCON, KBE, Kt, CFR, PC (Nigeria),

former Chief Justice of Nigeria; honorary Benchers of the Middle Temple, London; honorary Member of the International Commission of Jurists; former member of the International Civil Service Advisory Board; former President of the Nigerian Red Cross Society; Chancellor of the University of Nigeria; Chairman, the Commonwealth Foundation;

Mr. Roberto AGO (Italy),

Judge of the International Court of Justice; former Professor of International Law, Faculty of Law, University of Rome; former member and President of the United Nations International Law Commission; President of the Vienna Conference for the Codification of the Law on Treaties (1968-69); former Chairman of the ILO Governing Body; member of the Institute of International Law; president of the Curatorium of the Academy of International Law at The Hague; member of the Permanent Court of Arbitration;

Mr. Günther BEITZKE (Federal Republic of Germany),

former Professor of Civil Law and Private International Law at the University of Bonn; former Director of the Institute of Private International Law and Comparative Law at the University of Bonn; honorary Doctor of the Universities of Bordeaux and Reykjavik; Corresponding Member of the Austrian Academy;

Mr. Prafullachandra Natvarlal BHAGWATI (India),

Judge of the Supreme Court of India; former Chief Justice of the High Court of Gujarat; former Chairman, Legal Aid Committee and Judicial Reforms Committee, Government of Gujarat; former Chairman, Committee on Juridicare, Government of India; Chairman, Research Committee of the Indian Law Institute; member of the Executive Committee of the Indian Branch of the International Law Association; Chairman of the Committee appointed by the Government of India for implementing legal aid schemes in the country; member of the International Committee on Human Rights of the International Law Association;

The Right Honourable Sir William DOUGLAS, PC (Barbados),

Chief Justice of Barbados; Chairman, Inter-American Juridical Committee; member, Commonwealth Caribbean Council of Legal Education; former Judge of the High Court of Jamaica;

Mr. Arnold GUBINSKI (Poland),

Doctor of Laws; Professor of Law at the University of Warsaw;

Mr. Semion A. IVANOV (USSR),

Head of the Labour Law Department at the Institute of State and Law of the Academy of Sciences of the USSR; Doctor of Legal Science, Professor, Scientist Emeritus of the RSFSR; member of the Advisory Council of the USSR Supreme Court; member of the Executive Council of the International Society of Labour Law and Social Security; President of the Soviet Section of Labour Law and Social Security; member of the USSR Government delegation to the International Labour Conference from 1956 to 1976;

Mr. Frank W. McCULLOCH (United States),

Scholar in residence, former Professor of Law at the University of Virginia; former Chairman of the National Labor Relations Board (1961-70); arbitrator; member, Public Review Board, United Auto Workers; member, Board of Directors, Migrant Legal Action Program;

Mr. E. RAZAFINDRALAMBO (Madagascar),

First Honorary President of the Supreme Court of Madagascar; former President of the High Court of Justice; Arbitrator of the International Centre for the Settlement of Investment Disputes (IBRAD) and of the International Civil Aviation Organisation; former Professor of Law at the University of Antananarivo; member of the United Nations International Law Commission;

Mr. Jose Maria RUDA (Argentina),

Judge of the International Court of Justice; member of the Institute of International Law; Professor of Public International Law at the University of Buenos Aires; former representative to the United Nations; former Under-Secretary of Foreign Affairs; former member of the United Nations International Law Commission;

Mr. Akira SHIGEMITSU (Japan),

Former Director of Legal Section, Ministry for Foreign Affairs; former Director-General of United Nations Department, Ministry

## GENERAL REPORT

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for Foreign Affairs; former Ambassador to Romania, Nigeria and the USSR; Member of the Asian-African Legal Consultative Committee;

Mr. Arnaldo Lopes SUSSEKIND (Brazil),

Former Judge of the Supreme Labour Tribunal; former principal law officer of the Labour Courts Law Office; former President of the Permanent Commission on Social Law; former Minister of Labour and Social Insurance; former Government representative of Brazil in the ILO Governing Body;

Mr. Boon Chiang TAN (Singapore),

LLB (London), Barrister-at-Law and solicitor, Singapore; President of the Industrial Arbitration Court of Singapore since 1965; Chairman, Tenants' Compensation Board; member of the Executive Committee of the International Society of Labour Law and Social Security;

Mr. Fernando URIBE RESTREPO (Colombia),

Judge of the Supreme Court of Colombia, President of the Labour Division; Professor of International Labour Law at the National University of Colombia; former Professor of the Philosophy of Law at the Bolivarian University of Medellin;

Mr. Joseph J.M. VAN DEP VEN (Netherlands),

former Professor of Labour Law, of the Sociology of Law and of the Philosophy of Law at the University of Utrecht; former Dean of the Law Faculty; former Rector of the University; former President of the Social Insurance Council of the Netherlands;

Mr. Jean-Maurice VEPDIER (France),

Honorary President of the University of Paris X, honorary Dean of the Faculty of Law and Economics; Director of the Institute for Research on Undertakings and Industrial Relations of the University of Paris X; former Professor of the Faculties of Law and Economics at Tunis (1956-61) and Algiers (1965-68); President of the International Society of Labour Law and Social Security;

Mr. Joza VILPAN (Yugoslavia),

Member of the Permanent Court of Arbitration; former Attorney-General of Yugoslavia; former Head of the Yugoslav Mission to the United Nations; former Ambassador to India;

Sir John Wood (United Kingdom),

CBE, LLM; Barrister-at-Law; Edward Bramley Professor of Law at the University of Sheffield; Member of the Conciliation and Arbitration Service, 1974-76; Chairman of the Central Arbitration Committee since 1976.

5. The Committee elected Sir Adetokunbo ADEMOLA as Chairman and Mr. RAZAFINDRALAMBO as Reporter of the Committee.

6. In pursuance of its terms of reference, as revised by the Governing Body at its 103rd Session (Geneva, 1947), the Committee was called upon "to examine:

- (i) the annual reports under article 22 of the Constitution on the measures taken by Members to give effect to the provisions of the Conventions to which they are parties, and the information furnished by Members concerning the results of inspection;
- (ii) the information and reports concerning Conventions and Recommendations communicated by Members in accordance with article 19 of the Constitution;
- (iii) information and reports on the measures taken by Members in accordance with article 35 of the Constitution."

7. The Committee, after an examination and evaluation of the above-mentioned reports and information, drew up its present report, which consists essentially of the following three parts: (a) review of reports from governments on ratified Conventions, supplied under articles 22 and 35 of the Constitution (see paragraphs 65 to 94 below, and Part Two (I and II)); (b) review of information supplied by governments under article 19, paragraphs 5 to 7, of the Constitution on the measures taken to submit Conventions and Recommendations to the competent authorities for the enactment of legislation or other action (see paragraphs 95 to 102 below, and Part Two (III)); and (c) review of reports supplied by governments under article 19 of the Constitution on the Tripartite Consultation (International Labour Standards) Convention (No. 144) and Recommendation (No. 152), 1976. (See paragraphs 103 to 107 below, and Part Three, which is published in a separate volume as Report III (Part 4B).)

8. In carrying out its functions, which are to point out the extent to which it appears that the position in each State is in conformity with the terms of the Conventions and the obligations which that State has undertaken by virtue of the Constitution of the ILO, the Committee followed the principles of independence, objectivity and impartiality which it has emphasised in previous reports.

9. The United Nations Organisation was represented at the session by Mr. A. Bruni of the Human Rights Division.

## II. GENERAL

### Membership of the Organisation

10. Since the Committee's last session, Belize and also Antigua and Barbuda have become Members of the ILO, bringing the number of States Members to 147.

### New Conventions and Recommendations

11. The Committee notes the adoption of the following instruments by the International Labour Conference at its 67th Session (June 1981): a Convention (No. 154) and Recommendation (No. 163) concerning the promotion of collective bargaining, 1981; a Convention (No. 155) and Recommendation (No. 164) concerning occupational safety and health and the working environment, 1981, and a Convention (No. 156) and Recommendation (No. 165) concerning workers with family responsibilities, 1981.

Obligations binding member States

12. In the course of 1981, 99 ratifications by 24 member States were registered. For the first time in many years more than half of these ratifications were registered by European countries. At 31 December 1981 the total number of ratifications was 4,955.

13. In 1981, 36 new declarations were registered concerning the application of Conventions to non-metropolitan territories. Seven of these were without modification and 6 with modifications, and concerned non-metropolitan territories of Denmark and the United Kingdom; in 23 cases the Governments concerned stated that they reserved their decisions or that the Conventions were not applicable. The total number of declarations at 31 December 1981 included 1,011 declarations of application without modification and 78 with modifications. The number of non-metropolitan territories is at present 27.

14. Three denunciations unaccompanied by ratification of a revised Convention were registered during 1981. These were made by Argentina concerning the Night Work (Bakeries) Convention, 1925 (No. 20), New Zealand concerning the Night Work (Women) Convention (Revised), 1948 (No. 89), and by Somalia concerning the Recruiting of Indigenous Workers Convention, 1936 (No. 50). Argentina's denunciation takes effect from 11 March 1982, that of New Zealand from 23 March 1982 and that of Somalia from 15 September 1982. The total number of denunciations unaccompanied by the ratification of a revised form of the Convention was 34 at 31 December 1981.

Functions in regard to other international  
and regional instruments

International Covenant on Economic,  
Social and Cultural Rights

15. Under the procedure established by the Economic and Social Council of the United Nations by Resolution 1988 (LX) of 11 May 1976, the International Labour Organisation is called upon to report to the Council, in accordance with Article 18 of the International Covenant on Economic, Social and Cultural Rights, on the progress made in achieving the observance of the provisions of the Covenant falling within the scope of its activities. The Governing Body of the International Labour Office has entrusted this task to the present Committee, which, at its sessions from 1978 to 1981, examined the position in a number of States Parties to the Covenant with respect to the implementation of Articles 6 to 9 and 10 to 12 of the Covenant, which were the subject of reports in the first and second stages of the reporting programme established by the Economic and Social Council. Its reports were transmitted to the Secretary-General of the United Nations and duly submitted to the Council.<sup>1</sup>

16. At its present session, the Committee was called upon to examine the situation with respect to the implementation of Articles 10 to 12 of the Covenant, under the second stage of the reporting programme established by the Council, as regards matters falling within the scope of the ILO's activities. The Committee had before it reports concerning these Articles submitted by the following five States: Barbados, Bulgaria, Spain, the Ukrainian SSR and dependent territories of the United Kingdom. The report submitted by Bulgaria having been  
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<sup>1</sup> Documents E/1978/27 of 6 April 1978, E/1979/33 of 9 April 1979, E/1980/35 of 10 April 1980 and E/1981/41 of 31 March 1981.

received too late to be analysed, its examination was deferred to the next session of the Committee. Four additional reports were also received from Barbados, Canada, Italy and Yugoslavia regarding the application of Articles 6 to 9 of the Covenant. It was however necessary to defer examination of the report submitted by Yugoslavia, as it arrived too late to be analysed. As in previous years, the preliminary examination of these reports was entrusted to a working party, appointed by the Committee, of two of its members, whose conclusions were presented to the Committee for consideration and approval. A separate report on this matter is being transmitted to the Economic and Social Council.

#### European Code of Social Security

17. Under the procedure for the supervision of the European Code of Social Security, copies of reports transmitted to the ILO by the Secretary-General of the Council of Europe on the Code and the Protocol thereto from nine ratifying States were examined by the Committee, which was able to note that these instruments were generally applied in a very satisfactory manner. The Council of Europe was represented at the session by Mr. S.G. Nagel, Chief of the Social Security Section of the Directorate of Economic and Social Affairs. The conclusions of the Committee on these reports will be communicated to the Council of Europe. The Committee also noted that the Steering Committee for Social Security of the Council of Europe at its session in November 1981 at Strasbourg had again approved the conclusions of the Committee of Experts and again expressed its confidence in the supervisory procedure of the ILO and its satisfaction at the action taken or planned by the governments concerned on the comments relating to them. The Committee shares this satisfaction.

#### Collaboration with other international organisations

18. The arrangements under which the ILO collaborates with other international organisations on questions concerning the supervision of international instruments on matters of interest to more than one organisation continued to function as in the past. In the field of collaboration with the Council of Europe, the Committee notes that an ILO representative attended the sessions of the Committee of Independent Experts on the Supervision of the Application of the European Social Charter, held in Strasbourg in February, June-July and November 1981 and at Turin in October 1981 on a consultative basis. Such collaboration, which is provided for by Article 26 of the Charter, facilitated the co-ordination of supervision of international labour Conventions with the various provisions of the Charter concerning problems which also fall within the scope of ILO Conventions.

19. In conformity with the usual practice, copies of reports supplied, under article 22 of the ILO Constitution, on the Indigenous and Tribal Populations Convention, 1957 (No. 107), were sent for comment to the United Nations, the Food and Agriculture Organisation of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organisation (UNESCO), and the World Health Organisation (WHO). Copies of reports received from American States on the above-mentioned Convention were also sent to the Inter-American Indian Institute of the Organisation of American States in the context of the collaboration of the ILO in the implementation of the Five-Year Inter-American Indian Action Plan of this Institute. Copies of reports on the Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117), were sent to the United Nations, FAO and UNESCO.

20. Copies of reports were also sent this year on the Prevention of Accidents (Seafarers) Convention, 1970 (No. 134) to the Inter-governmental Maritime Consultative Organisation (IMCO); copies of reports on the Rural Workers' Organisations Convention, 1975 (No. 141), were sent to the United Nations and FAO; copies of reports on the Human Resources Development Convention, 1975 (No. 142), to UNESCO; copies of reports on the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), to the United Nations, WHO and UNESCO, and copies of reports on the Nursing Personnel Convention, 1977 (No. 149), to WHO. Information, which was taken into consideration by the Committee, was received on the application of these Conventions from the UN, FAO, IMCO and UNESCO. The representatives of these Organisations also had the opportunity of participating in the sittings of the Committee of Experts at which the above Conventions were discussed.

21. In the field of discrimination, arrangements for co-operation with the United Nations Committee on the Elimination of Racial Discrimination, which is responsible for supervising the application of the Convention on the Elimination of All Forms of Racial Discrimination, adopted in 1965 under the auspices of the United Nations, continued to function as in the past. Thus, the report of the Committee of Experts for 1981, and in particular its comments on the application of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), were brought to the attention of the United Nations Committee, and the ILO was represented at the meetings of that Committee in 1981. Similarly, the documents relating to the work of the United Nations Committee were communicated to the Committee of Experts, which took note of them with interest.

#### Application of Conventions to offshore industrial installations

22. In 1981 the Committee considered the applicability of international labour Conventions to fixed and mobile installations for the detection and extraction of mineral resources on the continental shelf (offshore industrial installations). The Committee was of the opinion that the application of Conventions to such installations involved complex questions arising out of the scope of the Conventions concerned, the nature of the installations (some of which may be industrial and others maritime in nature) and the basis on which a State exercises jurisdiction over such installations. It therefore considered that it would be useful if governments of States under whose jurisdiction offshore industrial activities were carried on would provide information in their reports under article 22 of the Constitution on the extent to which and the manner in which the Conventions they had ratified that were relevant to work on offshore industrial installations were applied to such work, and on any difficulties encountered in this respect.

23. The Committee has received reports from 25 governments, most of which merely state that the country has no offshore industrial installations or that the general national legislation is also applicable to these installations. In several countries, however, which possess such installations, the governments have made comments or furnished more detailed information that requires closer examination.

24. In order to be in a better position to assess the over-all situation in this matter, the Committee invites governments that have not yet done so to send the information referred to above. It would also appreciate comments from employers' and workers' organisations on these questions.

Application of Conventions in export processing zones

25. The Committee also considered in 1981 the effect on the application of ratified international Conventions of setting up export processing zones in various parts of the world, both in industrialised and developing countries. It considered that it would be desirable for member States, in their reports under article 22 of the Constitution, to provide information concerning the effects of setting up export processing zones on the rights of workers under ratified Conventions.

26. The Committee has received 20 reports, most of them from the governments that have sent information on the application of Conventions to offshore industrial installations. The great majority of the reports indicate that the country concerned has no export processing zones or that the general national legislation is also applicable in these zones. Only one report refers to difficulties in the practical application of Conventions in customs-free zones. On the other hand, the Committee notes that in certain countries specific provisions applying to particular types of undertaking (for example, new industries) that are different from the general legislation sometimes raise problems in the application of Conventions.

27. In order to obtain a better view of the situation, the Committee invites governments that have not yet done so to supply information in their reports under article 22 of the Constitution on the effects both in law and in practice of export processing zones and particular types of undertaking (for example, new industries) on the rights of workers under ratified Conventions. The Committee also invites employers' and workers' organisations to send their comments on these questions.

Seminars on national and international labour standards

28. The Committee welcomed with interest the continuation of the programme of seminars designed to familiarise the officials of national labour administrations with the obligations of member States and with ILO procedures relating to Conventions and Recommendations. Seven such meetings had taken place since the Committee's previous session.

29. A tripartite seminar on international labour standards for the countries of South Asia was held from 20 to 24 April 1981 at Bangalore (India), which was attended by representatives of the governments, employers and workers of the following countries: Bangladesh, India, Nepal, Pakistan and Sri Lanka. Government observers from Bhutan and Maldives also took part in the seminar.

30. A seminar on international and national labour standards took place in Lomé (Togo) from 7 to 19 September 1981 for the French- and Portuguese-speaking countries of Africa, which was attended by 30 officials from 23 countries in the region directly responsible for relations with the ILO, and by an employers' and a workers' representative appointed by the Governing Body.

31. A seminar on national and international labour standards was held from 5 to 9 October 1981 in Port Moresby (Papua New Guinea) for the countries of the South Pacific, which was attended by 12 officials responsible for matters connected with labour standards from four member States of the ILO and from three non-member States, and by an employers' and a workers' representative appointed by the Governing Body and by two workers' representatives from the host country.



32. A seminar on international labour standards for the English-speaking countries of Africa members of the African Regional Labour Administration Centre (ARLAC), which was organised with the financial support of UNDP, took place in Nairobi (Kenya) from 7 to 12 December 1981. Eighteen administrative officials responsible for matters relating to international labour Conventions and Recommendations from 14 member States and one non-member State, and an employers' representative appointed by the Governing Body, took part in the seminar.

33. In addition, a national seminar on labour standards, the fourth to be organised at the national level, was held in Colombo (Sri Lanka) from 7 to 11 September 1981. The 28 participants included officials from the Ministry of Labour and from 14 other ministries, and representatives of the employers' and workers' organisations of Sri Lanka.

34. Finally, an ILO official took part in two national seminars each involving approximately 100 participants, held respectively in September 1981 in Fortaleza (Brazil) - where the seminar was organised by the ILO office in Brazil in collaboration with the public authorities - and in Helsinki (Finland) on invitation from the Ministry of Social Affairs and Health.

#### Constitutional procedures of complaint and other procedures

35. As regards the two complaints presented by the Government of France under article 26 of the Constitution concerning the observance by Panama of the Officers' Competency Certificates Convention, 1936 (No. 53), the Repatriation of Seamen Convention, 1926 (No. 23) and the Food and Catering (Ships' Crews) Convention, 1946 (No. 68), the Committee noted at its previous session that the Governing Body had decided at its 214th Session (November 1980), in accordance with the request of the French Government, to keep in suspense the procedure for the examination of the complaints in question pending the results of the technical co-operation requested by Panama. The Committee was informed that the expert assigned to provide such co-operation had presented his final report, and that a draft Act respecting conditions of employment in merchant shipping had been submitted to the Legislative Council of Panama.

36. The Committee was informed that two complaints had been presented by Workers' delegates to the 67th Session of the Conference under article 26 of the Constitution. One concerned the observance by Haiti of the Forced Labour Convention, 1930 (No. 29), the Abolition of Forced Labour Convention, 1957 (No. 105), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). The other concerned the observance by the Dominican Republic of the Forced Labour Convention, 1930 (No. 29), the Abolition of Forced Labour Convention, 1957 (No. 105), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). The Governing Body decided at its 218th Session (November 1981) to refer examination of these complaints to a Commission of Inquiry appointed at its 219th Session (February-March 1982). In view of certain allegations contained in the complaint against the Dominican Republic, the Governing Body also entrusted the Commission of Inquiry with the examination of the application of the Protection of Wages Convention, 1949 (No. 95) in that country. As the allegations concerning this latter Convention relate to matters on which the

Committee has already commented, the Committee decided to defer examination of the allegations pending the outcome of their review by the Commission of Inquiry.

37. As regards the complaints submitted under article 26 of the Constitution concerning the application of the Conventions on freedom of association, the Committee was informed that the Committee on Freedom of Association was continuing its examination of the complaint concerning Argentina, and that in the case concerning Uruguay the Committee on Freedom of Association had noted with satisfaction that following direct contacts between the Government and representatives of the Director-General, an Act was adopted respecting occupational associations which considerably improved the provisions of the previous draft Acts.

38. The Committee was also informed that the International Organisation of Employers had lodged a representation under article 24 of the Constitution concerning the observance by the Government of Nicaragua of the Forced Labour Convention, 1957 (No. 105).

39. The Committee noted that the Governing Body Committee on Freedom of Association had recommended that certain aspects of the conclusions adopted regarding a number of the cases examined since its February 1981 Session (207th to 216th Reports) should be drawn to the attention of the Governing Body. This applies in particular to Argentina (Case No. 842), Canada (Case No. 1055), the Dominican Republic (Case No. 1053), Greece (Cases Nos. 1057 and 1058), Guatemala (Cases Nos. 954, 957, 975, 978 and 1026), Haiti (Case No. 1025), Malaysia (Case No. 965), Morocco (Cases Nos. 992 and 1018), Nicaragua (Case No. 1084), Peru (Case No. 1081), Portugal (Case No. 1042), the USSR (Case No. 905), the United Kingdom (Hong Kong) (Case No. 1005) and Uruguay (Cases Nos. 763 and 1064).

#### Implementation of the Employment Policy Convention, 1964 (No. 122)

40. The Committee recalled the questions raised at its last session (referred to in paragraphs 36 to 42 of its general report for 1981), when it returned at its present session to the implementation of promotional standards, particularly those relating to employment policy. It was also informed of the discussions of certain individual cases and the general discussion on this subject that took place at the Conference Committee in 1981; it considers that these discussions were very valuable.

41. At its present session, the Committee has examined the application of the Convention in 19 countries. The rate of unemployment remains a serious problem in many countries while world recession continues. In these circumstances the Committee has discussed its role in relation to the supervision of the Convention and the manner in which closer attention might be given to it, as recommended by the Conference Committee. The Committee has found this especially appropriate since the governments of all ratifying States will be asked to report in detail this year, and since the discussion of employment policy with a view to the possible adoption of new standards has been placed on the agenda of the Conference for 1983.

42. The Committee stresses once more the importance it attaches to detailed replies to the questions in the report form revised by the Governing Body in 1977 and its own comments, and refers in this respect to its general observation on the Convention in 1981, as to the manner of preparing reports and presenting the necessary data. As a

supplementary source of information and comment on measures and policies relating to employment, the Committee looks to employers' and workers' organisations, and it refers in this connection to paragraph 64 of its present report, which it hopes may encourage the regular expression of such comments.

43. The Committee has endeavoured, in the individual comments it has made in recent years, to encourage positive developments apparent in the reports of governments or other information at the disposal of the Office (such as official and unofficial publications, or reports, studies and projects undertaken by the ILO or other international organisations). Since by the nature of the Convention there cannot be comprehensive legislative texts, the Committee considers it particularly useful to stimulate attention by governments and employers' and workers' organisations to the results of policies being pursued that have an effect on employment.

### III. ACTION FOR THE ELIMINATION OF DISCRIMINATION

44. The Committee has been informed of developments in the action of the ILO in this field during recent months, including the publication of articles and documents directly or indirectly concerning the application of the relevant standards. Two more articles on matters connected with special protection and equal treatment for women workers have been published in the International Labour Review and an article of the same series is being finalised. A French version of "Standards and policy statements of special interest to women workers adopted under the auspices of the ILO" has been published with financial assistance from the Voluntary Fund for the United Nations Decade for Women.

45. With regard to the series of regional tripartite seminars on non-discriminatory labour practices planned for 1982-83, work has continued on the preparation of guidelines for government services, employers and trade unions that might serve to improve knowledge in all countries of the practices to follow in operations concerning employment with a view to avoiding discrimination.

46. Important developments took place in 1981 in ILO action for the elimination of apartheid in South Africa. An international tripartite meeting convened by the Governing Body was held in Livingstone, Zambia, from 4 to 8 May 1981 to plan a joint international programme of action, in co-operation with the Organisation of African Unity and the United Nations Special Committee against Apartheid. The tripartite meeting adopted "The Livingstone Proposals for Action against Apartheid" in 12 points.

47. At its 67th (1981) Session the Conference adopted a new Declaration concerning the Policy of Apartheid in South Africa, which revises the earlier Declaration of 1964. The new Declaration calls for an increase in ILO activities that would enable it to broaden the scope of its assistance in its fields of competence. The Declaration also decides to establish a permanent Conference Committee on Apartheid, which would in particular be called upon to monitor action against apartheid taken by governments and employers' and workers' organisations of member States, or failure to take action. A major development in the field of ILO action has been to increase ILO technical assistance to the front-line States, to neighbouring States and to the national liberation movements. Practical projects are being worked out and will include the setting up of pilot vocational training

centres for both men and women and the vocational rehabilitation of disabled victims of liberation wars in Namibia and South Africa. Furthermore, workers' education assistance to labour movements and to migrant workers in South Africa is being developed.

48. Lastly, the Committee, this year for the first time since 1963, has received reports from South Africa on the application of the Conventions ratified by this country that continue to bind it by virtue of article 1, paragraph 5, of the Constitution of the ILO (Conventions Nos. 2, 19, 26, 42, 45, 63 and 89). In addition to the requests addressed directly to the Government on certain Conventions, the Committee, in Part Two(IA) of its report, makes a general observation, in which it describes the spirit in which it has examined these reports and calls the attention of the Government to certain points arising out of its examination.

#### IV. PROCEDURE OF DIRECT CONTACTS AND OTHER FORMS OF ASSISTANCE TO GOVERNMENTS

49. The Committee noted that governments continue to appreciate the possibility of having recourse to consultations in their own countries with a representative of the Director-General in order to seek solutions to problems related to standards. Direct contacts missions were carried out in August and October 1981 in Zaire and Guinea respectively; in both cases draft legislation was prepared.

50. The Committee was informed that the Government of Nicaragua accepted an offer of direct contacts in connection with a case involving a complaint lodged with the Committee on Freedom of Association by the International Organisation of Employers concerning the imprisonment of employers in that country, and that a mission visited Nicaragua in November and December 1981.

51. A follow-up mission took place in April 1981 in Costa Rica in order to assist the Government in the elaboration of a draft Labour Code.

52. A mission took place in September and October 1981 in Papua New Guinea to help the Government examine its legislation and national practice in relation to international labour standards and to study the prospects for the ratification of ILO Conventions.

53. A mission took place in October 1981 in Vanuatu in order to assist the Government in the elaboration of labour legislation.

54. The Committee noted that during 1981 the three regional advisers on standards undertook a series of missions which involved visits to a large number of countries in Africa, Latin America, the Caribbean, Asia and the Pacific. Their principal task was to assist the governments in fulfilling their constitutional obligations regarding international labour standards or to participate in seminars concerning such standards. They visited the following countries: in Africa: Botswana, Egypt, Ethiopia, Ghana, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Malawi, Mauritius, Nigeria, Somalia, Sudan, Swaziland, Tanzania, Uganda and Zimbabwe; in Latin America and the Caribbean: Brazil, Dominican Republic, Nicaragua, Panama and Paraguay; in Asia and the Pacific: Pakistan, Papua New Guinea, Philippines, Sri Lanka and Thailand. The Committee was pleased to record that once again this year progress had been achieved, particularly in the application of ratified Conventions, in a number of cases thanks to the work of the regional advisers. It hopes that this form of ILO assistance will continue in years to come.

55. The Committee also noted that several members of the June 1981 Conference Committee had stressed the importance of the various forms of assistance provided by the ILO to facilitate the application of standards and respect for the obligations thereby imposed, and expressed the hope that such assistance would be continued and developed; the Committee also noted that the Employers' and Workers' members had pointed out during the June 1981 Conference Committee that governments should have recourse to direct contacts only when they intended to achieve concrete results.

#### V. ROLE OF EMPLOYERS' AND WORKERS' ORGANISATIONS

56. At each session, the Committee draws the attention of governments to the role that employers' and workers' organisations are called upon to play in the application of Conventions and Recommendations and to the fact that numerous Conventions require the consultation of employers' and workers' organisations, or their collaboration on a variety of matters.

57. The Committee has noted with satisfaction again this year that almost all governments have indicated in the reports supplied under article 22 of the Constitution the representative organisations of employers and workers to which, in accordance with article 23, paragraph 2, of the Constitution, they have communicated copies of the reports supplied to the ILO.<sup>1</sup> Almost all governments have also indicated the organisations to which they have communicated copies of the information supplied to the ILO on the submission to the competent authorities of instruments adopted by the Conference<sup>2</sup> and of the reports sent under article 19 of the Constitution.<sup>3</sup>

58. In accordance with the established practice, the ILO sent to the representative organisations of both employers and workers a letter concerning the various opportunities open to them of contributing to the implementation of Conventions and Recommendations, accompanied by relevant documentary material, and a list of the reports due by their respective governments and copies of the Committee's comments to which each government was invited to reply in its report.

59. Finally, the Committee noted that on 18 June 1981, during the 67th Session of the International Labour Conference, a tripartite seminar was held on the procedures for tripartite consultation at the national level provided for by Convention No. 144 and the corresponding Recommendation (No. 152). Although this seminar was originally intended for the Government, Employers' and Workers' members of the Committee on the Application of Conventions and Recommendations, all

<sup>1</sup> Observations have, however, been addressed by the Committee to Bolivia and South Africa (see under General Observations) and direct requests have been addressed to Jordan and Nigeria.

<sup>2</sup> The following States have not indicated whether they have communicated this information, and direct requests have been addressed to them: Benin, Burundi, Italy and Somalia.

<sup>3</sup> Comoros: In the absence of trade union organisations in that country, a copy of the report was sent to the Chamber of Commerce, Industry and Agriculture; Equatorial Guinea: no copy of the report was sent because there are no employers' or workers' organisations; Rwanda: no copy of the report was sent to the workers' organisations.

the other delegates and technical advisers were invited to attend. This seminar not only served as a basis for an exchange of views and useful experience between the participants; it also served to stimulate thought on action in this important field in countries where no procedure yet exists for tripartite consultation on international labour standards or where the existing procedures are ineffective. The Committee also noted with interest that Convention No. 144 had so far been ratified by 27 countries and that a number of countries were studying the possibility of ratifying it or intended to ratify it in the near future. The General Survey conducted under article 19 of the Constitution, which this year concerns Convention No. 144 and Recommendation No. 152, enabled the Committee to evaluate the progress made and the difficulties encountered in implementing these important instruments.

### Observations by employers' and workers' organisations

60. Fifty-nine observations, 17 communicated by employers' and 42 by workers' organisations, were received by the Committee this year. Most of the observations received relate to the application of ratified Conventions;<sup>1</sup> the rest relate to reports provided by governments under article 19 of the Constitution on the Tripartite Consultation

<sup>1</sup> Austria: Austrian Congress of Chambers of Labour on Convention No. 81; Bangladesh: Bangladesh Association of Employers and Nationalist Workers' Federation of Bangladesh on Conventions Nos. 29 and 105; Brazil: National Confederation of Workers in Credit Undertakings (CONTEC) on Conventions Nos. 98 and 103; Colombia: General Confederation of Labour on Conventions Nos. 2, 3, 12, 17, 18, 81 and 136; Costa Rica: Electricity and Telecommunications Industry Workers' Union on Convention No. 151; Finland: Confederation of Commercial Employers on Conventions Nos. 100, 136 and 142; Finnish Employers' Federation on Conventions Nos. 2, 100, 136 and 142; Finnish Nurses' Federation on Convention No. 149; Central Organisation of Finnish Trade Unions on Convention No. 142; France: National Federation of Maritime Unions on Conventions Nos. 22, 56 and 145; National Union of Labour and Employment (CFDT) on Convention No. 81; German Democratic Republic: German Federation of Free Trade Unions (FGDB) on Convention No. 135; Federal Republic of Germany: German Shipowners' Association, Public Service, Transport and Communications Workers' Union on Convention No. 22; Confederation of German Trade Unions on Conventions Nos. 87, 98 and 135; India: Bengal Cinema Employees' Union on Convention No. 26; Japan: General Trade Union Council (SOHYO) on Conventions Nos. 87 and 98; All-Japan Seafarers' Union on Convention No. 69; Malta: Maltese Trade Union Confederation (CMTU) on Conventions Nos. 87 and 98; Netherlands: Netherlands Council of Employers' Federations, Federation of Christian Trade Unions and Netherlands Confederation of the Trade Union Movement on Convention No. 87; Norway: Confederation of Norwegian Employers and Confederation of Trade Unions on Convention No. 135; Portugal: Portuguese Confederation of Industry on Conventions Nos. 6, 26 and 135; Free Trade Union of Embroidery, Carpeting and Textile Workers of Madeira on Convention No. 26; National Aviation and Airport Workers' Union (SITAVA) on Conventions Nos. 87, 98, 106 and 111; Seychelles: National Workers' Union on Convention No. 87; Sweden: Association of Naval Officers, Association of Mechanical Officers on Convention No. 92; Turkey: Confederation of Turkish Employers' Associations on Convention No. 105. An observation was received from the International Confederation of Free Trade Unions on the application of Convention No. 111 in Czechoslovakia.

(International Labour Standards) Convention (No. 144) and Recommendation (No. 152), 1976.<sup>1</sup> The Committee also examined a number of other observations by employers' and workers' organisations whose examination had been postponed from the last session because the observations of the organisations or the replies of the governments had arrived just before or just after the session.

61. The Committee notes that, of the observations received this year, 22 were transmitted direct to the ILO, which, in accordance with established practice, referred them to the governments concerned for comment. In 36 other cases the governments transmitted the observations with their reports, sometimes adding their own comments. Part Two of this Report contains the Committee's comments on cases where the observation raised an issue concerning the application of ratified Conventions.

62. The Committee had to postpone the examination of a number of observations to its next session. In some cases, this was due to the absence of replies from the governments concerned. In other cases, the observations or the replies of the governments arrived too late, on occasion even during its present session, for any consideration of the substance of the questions raised.

63. The Committee noted that in most cases the occupational organisations had endeavoured to gather and present precise facts on the application in practice of ratified Conventions. It noted that a large number of the observations concerned the implementation of Conventions on the protection of the right to organise and the right to collective bargaining; other cases concerned in particular equality of opportunity and treatment, working conditions, vocational training and guidance and work at sea.

64. The Committee wishes to draw attention to the importance that it attaches to observations made by employers' and workers' organisations on the application in their countries of international labour Conventions. The comments of these organisations are particularly welcome in the case of promotional Conventions, and the Committee considers it useful in this respect for employers' and workers' organisations to communicate their observations on the application in their country of the Employment Policy Convention, 1964 (No. 122) (see paragraph 42 of this report). The Committee also wishes to receive for review at its next session the comments of these organisations on the application of ratified Conventions to offshore industrial installations and in export processing zones (see paragraphs 24 and 27 of this report).

## VI. REPORTS ON RATIFIED CONVENTIONS

(Articles 22 and 35 of the Constitution)

### Supply of reports

65. The Committee's principal task consists in the examination of the reports supplied by governments on Conventions which have been ratified by member States or which have been declared applicable to non-metropolitan territories.

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<sup>1</sup> New Zealand: Federation of New Zealand Employers; Federation of Workers; United State Employees' Union.

66. In accordance with the procedure for detailed reporting that has been in force since 1977, detailed reports from all ratifying States, covering the period ending 30 June 1981, were due to be examined this year in respect of 32 Conventions.<sup>1</sup> In addition, detailed reports were also requested from certain governments on other Conventions, in accordance with the criteria for more frequent reporting approved by the Governing Body and set out in paragraph 38 of the Committee's 1977 report.

#### Reports requested and received

67. A total of 1,543 detailed reports were requested from governments on the application of ratified Conventions in States Members (article 22 of the Constitution). At the end of the present session of the Committee, 1,210 of these reports have been received by the Office. This figure corresponds to 78.4 per cent of the reports requested, compared with 82.2 per cent last year. The Committee regrets that, as indicated in paragraph 79 below, a number of the reports received are incomplete and do not enable it to make conclusions regarding the application of the Conventions concerned. A table showing the reports received and those which are overdue, classified by country and by Convention, is to be found in Part Two (section I, Appendix I). Another table (section I, Appendix II) shows, for each year since 1933 in which the Committee has met, the number and percentage of reports which were received by the prescribed date, by the date of the meeting of the Committee and by the date of the session of the International Labour Conference.

68. In addition, 357 reports were requested on Conventions which have been declared applicable with or without modification to non-metropolitan territories (articles 22 and 35 of the Constitution). Of these, 170 reports, or 49.2 per cent, had been received by the end of the Committee's session. A list of the reports received and those which are overdue, classified by territory and Convention, may be found in the Appendix to section II of Part Two of this report.

69. Apart from the above-mentioned reports, 19 governments also supplied general reports on the Conventions for which detailed reports were not due for the period under review (Australia, Belgium, Canada, Chile, Cyprus, India, Iran, Malawi, Malaysia, Mexico, Mongolia, New Zealand, Poland, Saint Lucia, Singapore, Spain, Switzerland, United Kingdom, Yugoslavia).

70. In those cases in which the reports were not accompanied by copies of the relevant legislation, statistical data or other documentation necessary for their full examination, and this material was not otherwise accessible, the Office, as requested by the Committee, wrote to the governments concerned asking them to supply the necessary texts in order to enable the Committee to fulfil its task.

#### Compliance with reporting obligations

71. Most of the governments from which reports were due on the application of ratified Conventions have supplied all or most of the reports requested, as can be seen from Appendix I to Part Two, section I. However, 23 governments have not complied with their obligation to

<sup>1</sup> Conventions Nos. 2, 4, 6, 12, 17, 18, 29, 41, 42, 45, 50, 64, 65, 79, 81, 85, 86, 88, 89, 90, 100, 104, 105, 108, 121, 127, 129, 135, 141, 148, 149, 151.



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supply reports on ratified Conventions. Thus, none of the reports due this year has been received from the following countries: Albania, Burma, Burundi, Central African Republic, El Salvador, Ghana, Grenada, Guinea, Haiti, Iraq, Democratic Kampuchea, Mauritania, Mozambique, Nepal, Papua New Guinea, Qatar, Somalia, Togo, Yemen. No reports have been received for the last two years from Democratic Yemen and Seychelles.

72. The Committee wishes to stress its special concern over the cases in which no report has been received for seven years or more: Chad (seven years), Lao Republic (eight years).

73. The Committee urges the governments of these countries and also those which have sent only some of the reports due to make every effort to supply the reports requested on ratified Conventions. Where no reports have been sent for a number of years, it seems likely that some particular problem of an administrative or technical nature is preventing the government concerned from fulfilling its constitutional obligations, and it may be that in cases of this kind assistance from the Office, in particular the help of the regional advisers on standards, would enable the government to overcome its difficulties.

### Late reports

74. The Committee again feels it necessary to stress the importance of communicating reports in due time. Reports are requested on ratified Conventions by 15 October each year. Due consideration is given when fixing this date to the time required to translate the reports, where necessary, to conduct research into legislation and other necessary documents, and to examine reports and legislation. The supervision procedure can function correctly only if reports are communicated in due time. This is particularly true in the case of first reports or reports on Conventions where there are serious or continuing discrepancies, which the Committee has to examine in greater depth.

75. The Committee observes that on 15 October 1981 the proportion of reports received was 8.1 per cent, which is the lowest proportion recorded since the Committee started publishing statistics on the matter in its report (see the table in section II, Appendix II). The great majority of the reports are thus received between the date limit fixed and the date on which the Committee meets. The situation is all the more disturbing as it is often the first reports and those relating to Conventions on which the Committee has made comments that are received the latest. In these circumstances, the Committee has been bound in recent years to postpone to its following session the examination of an increasing number of reports, since they could not be examined with the necessary care owing to the lack of time. It has thus had to examine a number of reports at its present session that have been held over from 1981.

76. The Committee can only express its great concern over this state of affairs, which tends to deteriorate every year, despite the relief that the new frequency of the reports and the various measures of assistance provided by the Office are intended to introduce. It trusts that governments will in future endeavour to observe better the period laid down for the sending of their reports so that it may carry out its supervisory function adequately.

Supply of first reports

77. A total of 113 first reports on the application of ratified Conventions were received by the time the meeting opened. However, a number of countries have failed to supply the reports in question, some of which are more than a year overdue. Thus, certain first reports on ratified Conventions have not been received from the following States since 1978: Liberia (Convention No. 22); since 1979: Bolivia (Conventions Nos. 95, 124, 129, 131, 136); Guinea (Convention No. 135); since 1980: Iraq (Conventions Nos. 137, 139, 140, 142, 144); Zambia (Conventions Nos. 141, 144). Particular importance attaches to the first reports, on the basis of which the Committee makes its initial assessment of the observance of ratified Conventions. The Committee therefore requests the governments concerned to make a special effort to supply these reports.

Replies to comments of the supervisory bodies

78. Governments are requested to reply in their reports to the observations and direct requests of the Committee, and the majority of governments have provided the replies requested. In accordance with the established practice, the International Labour Office has written to all the governments that have failed to provide such replies, requesting them to supply the necessary information. Of the 14 governments contacted in this way, only 5 have sent the information requested.

79. The Committee observes a disturbing increase in the number, already large in recent years, of cases in which there has been no reply to its comments. In respect of most of them, no reply has been received on the Convention in question. In respect of a few, the report has contained no reply. Twenty-nine governments in all - compared with 24 last year - have failed to reply to most or all the observations and direct requests concerning the Conventions for which reports were due this year, which represents a total of 151 cases<sup>1</sup> compared with 112 last year and 121 the year before. Where the government fails to provide a reply, the Committee is obliged to repeat the observations or requests already made on the Conventions in question.

<sup>1</sup> Bolivia (Conventions Nos. 78, 88, 89, 90, 100, 107, 123); Burma (Conventions Nos. 6, 17, 29, 52); Burundi (Conventions Nos. 29, 81, 90, 94, 105); Central African Republic (Conventions Nos. 18, 26, 29, 33, 41, 52, 81, 87, 88, 105); Chad (Conventions Nos. 29, 52, 81, 87, 98, 100, 105, 111); Colombia (Conventions Nos. 17, 29, 81, 99, 129, 136); Democratic Yemen (Conventions Nos. 29, 58, 98, 105); Djibouti (Conventions Nos. 29, 81, 100, 105); El Salvador (Convention No. 105); Ghana (Conventions Nos. 29, 50, 64, 81, 89, 105); Grenada (Conventions Nos. 19, 81); Guinea (Conventions Nos. 29, 45, 81, 90, 105, 121); Haiti (Conventions Nos. 29, 42, 81, 100, 105); Iraq (Conventions Nos. 1, 15, 17, 23, 29, 30, 78, 81, 100, 105, 111, 132); Italy (Conventions Nos. 29, 32, 79, 81, 89, 100, 108); Jamaica (Conventions Nos. 29, 81, 100, 111, 117); Liberia (Conventions Nos. 29, 112, 113, 114); Mauritania (Conventions Nos. 26, 29, 53, 81); Mauritius (Conventions Nos. 16, 17, 29, 81, 105); Mozambique (Conventions Nos. 18, 88, 100); Nepal (Convention No. 100); Papua New Guinea (Conventions Nos. 29, 42, 105, 122); Qatar (Convention No. 81); Seychelles (Conventions Nos. 87, 105); Sierra Leone (Conventions Nos. 15, 17, 29, 59, 88, 105, 125); Somalia (Conventions Nos. 29, 84, 105); Togo (Convention No. 29); Yemen (Conventions Nos. 81, 100); Zambia (Conventions Nos. 29, 100, 105, 138).

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80. In view of the failure to provide the reports asked for or replies to its comments, the Committee can only repeat the observations or requests it has already made on the Conventions in question. The failure of the governments concerned to carry out their obligations hinders the work of the Committee of Experts and that of the Conference Committee, and the Committee cannot overstate the special importance of ensuring the dispatch of the reports and replies to its previous comments.

### Examination of reports

81. In examining the reports received on ratified Conventions and on Conventions that have been declared applicable to non-metropolitan territories, the Committee has followed its usual practice of assigning to each of its members the initial responsibility for a group of Conventions. Reports received early enough have been sent to the members concerned in advance of the session, and each member has then submitted to the whole Committee his preliminary findings on the instruments concerned for discussion and approval.

### Observations and direct requests

82. In the majority of cases, the Committee has found that no comment is called for regarding the way in which ratified Conventions have been implemented. In other cases, however, the Committee has found it necessary to draw the attention of the governments concerned to the need to take further action to give effect to certain provisions of Conventions or to supply additional information on given points. As in previous years, its comments have been drawn up in the form either of "observations", which are reproduced in the Report of the Committee, or of "direct requests", which are communicated to the governments concerned.

83. As previously, the Committee has indicated by footnotes the cases in which, because of the nature of the problems met in the application of the Conventions concerned, it has seemed appropriate to ask the governments to supply a detailed report earlier than would otherwise have been the case. Under the system of spacing out reports over the four-year period, which applies to most Conventions, such earlier reports have been requested after an interval of either one or two years, according to circumstances. In some instances, the Committee has also requested the governments to supply full particulars to the Conference at its next session in June 1982.

84. The observations of the Committee appear in Part Two (sections I and II) of the present report, together with a list, under each Convention, of any direct requests. An index of all observations and direct requests - classified by country - will be found at the beginning of this Report.

### Practical application

85. As in previous years, the Committee has been concerned to assess, on the basis of the information available, the extent to which the national legislation giving effect to ratified Conventions is applied in practice. A number of questions designed to elicit information on this point are included in the report forms approved by the Governing Body for the Conventions, and the replies of the governments to these questions constitute an appreciable though uneven source of information on practical application available to the

Committee. The Committee has also taken into account other authoritative sources of information. These consist in the annual reports of labour inspection services, statistical yearbooks published by States or by the ILO, observations of employers' and workers' organisations, compilations of judicial or administrative decisions, reports on direct contacts, reports of technical co-operation projects and missions, and other official publications such as manuals, studies and economic and social development plans.

86. This year, nearly 52 per cent of the reports supplied on Conventions for which information on practical application was specifically requested contained such data.

87. This proportion shows marked progress in comparison with that of last year, which was 39 per cent, and that of the previous year, which was 32 per cent. It should be mentioned that this is the highest percentage ever reached.

88. The Committee wishes in particular to thank governments that have given information on practical application in their reports. This information has greatly helped the Committee in assessing more accurately the extent to which ratified Conventions are actually applied in these countries. It hopes that in future even more governments will include in their reports the information asked for in this connection.

89. The following countries have provided information on practical application in more than half the reports concerned: Algeria, Argentina, Australia, Austria, Barbados, Belgium, Brazil, Burundi, Comoros, Costa Rica, Cyprus, Czechoslovakia, Ecuador, Ethiopia, Finland, France, Federal Republic of Germany, Greece, Guyana, India, Ireland, Israel, Italy, Japan, Kenya, Kuwait, Malta, Mauritius, Mozambique, Netherlands, New Zealand, Nicaragua, Norway, Peru, Portugal, Singapore, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tanzania, Thailand, Trinidad and Tobago, United Kingdom and Uruguay.

90. The Committee has observed, however, that a number of countries have not replied to the questions of the report form concerning practical application. It has addressed direct requests to them on this point, in accordance with the usual practice. The Committee will follow up this question in forthcoming years and will include in its report information that should be useful to governments in this connection.

91. The Committee also takes note with interest of the judicial and administrative decisions on questions of principle relating to the application of ratified Conventions to which certain countries have referred in their reports. Twenty-two reports contain information of this kind and throw additional light on the problems raised in these cases by the practical application of the Conventions in question.

#### Cases of progress

92. In accordance with its established practice, the Committee has drawn up a list of the cases in which it has been able to express its satisfaction at certain measures taken by governments to make necessary changes in their law or practice following earlier comments by the Committee on the degree of conformity between national law or practice and the provisions of a ratified Convention. Details concerning the countries in question are to be found in Part Two of this report, and cover 70 instances in which measures of this kind have been taken, in 34 States and 5 non-metropolitan territories. The full list is as follows:

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<u>Country</u>	<u>Conventions Nos.</u>
Australia	105
Bahamas	12, 17, 42
Belgium	29, 100
Brazil	42, 108
United Republic of Cameroon	81
Costa Rica	81, 88
Cuba	17
Cyprus	128
Czechoslovakia	29
Ecuador	29, 104
Egypt	17, 81
France	127
Gabon	81
Greece	134
Guatemala	81, 97, 108, 113
Hungary	139
India	29
Ireland	81
Malaysia	12
Malta	111
Nicaragua	142
Nigeria	29, 105
Panama	13, 27, 29, 42, 77, 78, 87, 98, 112, 113, 119, 127
Paraguay	81
Peru	29, 79, 81, 90, 102
Portugal	18
Senegal	121
Spain	42, 138
Sweden	29, 100
Switzerland	18, 100
Turkey	94
Upper Volta	3
Uruguay	87
Venezuela	88

## Non-metropolitan territories

### France

French Polynesia	81
New Caledonia	77, 78

### United Kingdom

Brunei	42
Hong Kong	17
Montserrat	85, 105

93. Thus the total number of cases in which the Committee has been led to express its satisfaction with the progress achieved following comments made by it has risen to more than 1,400 since the Committee began listing them in its reports in 1964. In addition, there have been numerous cases in which the Committee has taken note with interest of a variety of measures that have also been taken following its comments with a view to ensuring a fuller application of ratified Conventions. This is the case, for example, for the application of the Equal Remuneration Convention, 1951 (No. 100). These different measures provide an indication of the efforts made by

governments to ensure that their national law and practice are in conformity with the provisions of the ILO Conventions they have ratified.

94. These cases do not, however, as the Committee regularly points out, exhaust the instances in which Conventions and Recommendations have a measurable influence on the law and practice of member States. For example, the Committee again notes a number of cases this year in which it is clear from the first report on the application of a Convention that new legislative or other measures were adopted shortly before or after ratification: Bangladesh (Convention No. 144), Norway (Convention No. 138), Philippines (Convention No. 149), Syrian Arab Republic (Convention No. 139); United Kingdom (Hong Kong) (Convention No. 94).

#### VII. SUBMISSION OF CONVENTIONS AND RECOMMENDATIONS TO THE COMPETENT AUTHORITIES

(Article 19 of the Constitution)

95. In accordance with its terms of reference the Committee this year examined the following information<sup>1</sup> supplied by the Governments of member States, pursuant to article 19 of the Constitution of the International Labour Organisation:

- (a) information on the steps taken to submit to the competent authorities within the time limit of 12 or 18 months, as provided in the Constitution, the following instrument, adopted at the 66th (1980) Session of the Conference: the Older Workers Recommendation, 1980 (No. 162);
- (b) additional information on the steps taken to submit the Conventions and Recommendations adopted by the Conference from its 31st (1948) to its 65th (1979) Sessions to the competent authorities (Conventions Nos. 87 to 153 and Recommendations Nos. 83 to 161);
- (c) replies to observations and direct requests made by the Committee in 1981.

#### 66th Session

96. The Committee notes with interest that the governments of the following 52 member States have indicated that they have submitted to the authorities considered by them to be competent the instruments adopted by the Conference at its 66th Session: Argentina, Australia, Bahrain, Barbados, Bulgaria, Byelorussian SSR, United Republic of Cameroon, Cape Verde, Chile, Colombia, Cyprus, Egypt, Finland, France, German Democratic Republic, Federal Republic of Germany, Guatemala, Guyana, Haiti, Honduras, Hungary, India, Italy, Japan, Kuwait, Luxembourg, Madagascar, Mali, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Philippines, Poland, Portugal, Romania, Rwanda, Saudi Arabia, Senegal, Somalia, Sudan, Swaziland, Switzerland, Thailand, Turkey, United Kingdom, United States, Uruguay, Zimbabwe.

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<sup>1</sup> ILO: Summary of information on the submission to the competent authorities of Conventions and Recommendations adopted by the International Labour Conference, Report III, (Part 3), International Labour Conference, 68th Session, Geneva (1982).

### 31st to 65th Sessions

97. The Committee notes with interest that appreciable efforts have been made by several countries in submitting instruments adopted by the Conference since its 31st Session to the competent authorities, particularly in the following cases: Italy (numerous instruments adopted from the 62nd to the 65th Sessions), Malta (numerous instruments adopted from the 56th to the 64th Sessions), Niger (numerous instruments adopted from the 51st to the 64th Sessions), Paraguay (instruments adopted from the 62nd to the 65th Sessions), Thailand (instruments adopted from the 61st to the 65th Sessions), Yugoslavia (numerous instruments adopted from the 55th to the 65th Sessions), Zaïre (instruments adopted from the 58th to the 61st and from the 63rd to the 65th Sessions).

98. The table in Appendix I to section III of Part Two of the report of the Committee shows the position of each State Member, as it emerges from the information supplied by the governments, with regard to the discharge of the obligation to submit to the competent authorities the Conventions and Recommendations adopted by the Conference. Appendix II shows the over-all position in this respect for the instruments adopted from the 31st to the 66th Sessions of the Conference.

### Comments by the Committee and replies from governments

99. In section III of Part Two of this report, the Committee makes individual observations on the points that it considers should be brought to the special attention of governments. Requests with a view to obtaining supplementary information on other points have also been addressed directly to a number of countries, which are listed at the end of that section.

100. The Committee regrets to note that a number of governments have again failed to provide replies to its comments, even after reminders have been sent by the Office in accordance with the request made to it by the Committee. The Committee again expresses the hope that governments will endeavour in future to supply all the required information and documents.

101. The Committee wishes to point out once more the importance of the communication by governments of the information and documents called for in points II and III of the questionnaire in the Memorandum adopted by the Governing Body. Some countries do not communicate the information and documents in question. The Committee trusts that the governments concerned will take suitable measures to comply with the Memorandum on submission to the competent authorities.

### Special problems

102. The position in several countries is still a matter of concern to the Committee. It thus notes with regret that, in the following cases in particular, no information has been supplied showing that the Conventions and Recommendations adopted by the Conference during at least the last seven sessions under consideration (60th to 66th) have in fact been submitted to the competent authorities: Chad, Ethiopia, Ghana, Lao Republic, Lebanon, Malawi, Malaysia, Mauritania, Qatar, Tanzania and Togo.

VIII. REPORTS ON UNPATIFIED CONVENTIONS AND RECOMMENDATIONS

(Article 19 of the Constitution)

103. In accordance with the decision taken by the Governing Body, governments were requested to supply reports under article 19, paragraphs 5 and 7, of the ILO Constitution on the Tripartite Consultation (International Labour Standards) Convention (No. 144) and Recommendation (No. 152), 1976.

104. Of a total of 272 reports requested, only 180 have been received.<sup>1</sup> While this represents 66.1 per cent of those requested, a higher proportion than that of last year, the Committee regrets that it is lower than that of recent years, namely over 70 per cent.

105. More particularly, the Committee notes with regret that Chad, Democratic Kampuchea, Lao Republic, Libyan Arab Jamahiriya, Malawi, Namibia and Togo have not, for the past five years, supplied any of the reports on unratified Conventions and on Recommendations requested under article 19 of the Constitution of the ILO.

106. The Committee can only urge governments once again to provide the reports requested, so that its General Surveys can be as comprehensive as possible.

107. Part Three of this report (issued separately as Report III (Part 4B)) contains the General Survey of the Committee on the questions covered by the instruments in question. This survey, in accordance with the practice followed in previous years, has been prepared on the basis of a preliminary examination by a working party comprising three members of the Committee, appointed by it.

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108. Lastly, the Committee would like to express its appreciation of the invaluable assistance again rendered to it by the officials of the ILO, whose competence and devotion to duty make it possible for the Committee to accomplish its increasingly complex tasks in a limited period of time.

Geneva, 24 March 1982.

(Signed) Adetokunbo Ademola,  
Chairman.

E. Razafindralambo,  
Reporter.

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<sup>1</sup> ILO: Summary of reports (articles 19, 22 and 35 of the Constitution), Report III (Parts 1, 2 and 3), International Labour Conference, 68th Session, 1982.



PART TWO

**OBSERVATIONS CONCERNING PARTICULAR  
COUNTRIES**



## **OBSERVATIONS CONCERNING PARTICULAR COUNTRIES**

### **I. Observations concerning Annual Reports on Ratified Conventions (Article 22 of the Constitution)**

#### **A. GENERAL OBSERVATIONS**

##### **Albania**

The Committee notes with regret that the reports due have not been received. It must recall once again that under article 1, paragraph 5, of the Constitution of the ILO, States continue to be bound, even after their withdrawal from the Organisation, to ensure the observance of ratified Conventions for the period provided for in such Conventions and to report on their application.

In the absence of any information from the Government, the Committee is unable to ascertain to what extent effect is now given to the Conventions by which Albania remains bound (Nos. 5, 6, 10, 11, 16, 21, 29, 52, 58, 59, 77, 78, 87, 98, 100 and 112).

##### **Bolivia**

The Committee notes that the majority of the reports due, including five first reports (Conventions Nos. 95, 124, 129, 131 and 136, on which reports have been due for two years), have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

The Committee also takes note of the information provided by the Government to the effect that it has not been possible to communicate to the trade union organisations copies of the information and reports communicated to the ILO in pursuance of articles 19 and 22 of the Constitution because their activities have been suspended. It also notes that an agreement has been reached between the authorities and the mineworkers with a view to the gradual resumption of trade union activities. The Committee trusts that this resumption will shortly be completed and that it will lead to the re-establishment of the workers' organisations. It hopes that the Government will not fail to give effect to the provisions of article 23, paragraph 2, of the Constitution of the ILO by communicating to the most representative organisations of the workers copies of the information and reports communicated to the ILO in pursuance of articles 19 and 22 of the Constitution. The Committee further hopes that the Government will not fail in future to provide copies of the same information and reports to the representative organisations of the employers.

Burma

The Committee notes that the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

Burundi

The Committee notes that the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

Central African Republic

The Committee notes that the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

Chad

The Committee notes with regret that for the seventh year in succession the reports due have not been received. It urges the Government to take the necessary action to ensure the discharge in future of its obligation to report on the application of ratified Conventions.

Democratic Yemen

The Committee notes that the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

Denmark

The Committee notes that most of the reports due have not been received. It trusts that the Government will not fail in future to discharge its obligation to supply all the reports due on the application of ratified Conventions.

El Salvador

The Committee notes that the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

Ghana

The Committee notes that the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

Grenada

The Committee notes that the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

## OBSERVATIONS CONCERNING RATIFIED CONVENTIONS

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### Guinea

The Committee takes note of the direct contacts which took place in October-November 1981 between the appropriate national services and a representative of the Director-General of the International Labour Office regarding the ratified Conventions which had been the subject of previous comments by the Committee (Nos. 3, 5, 10, 13, 16, 29, 33, 45, 62, 81, 94, 99, 105, 111, 112, 113, 114, 115, 118, 119, 120, 121 and 122), and those which have been ratified in the last few years and which have not yet found reflection in laws or regulations at the national level (Nos. 132, 134, 135, 136, 139, 140, 142 and 143). The direct contacts also concerned submission to the competent authorities of the instruments adopted by the International Labour Conference, and the draft Labour Code prepared by the Government. Further, draft decrees were prepared with the assistance of the representative of the Director-General, concerning the application of certain of the above-mentioned Conventions.

The Committee notes that the reports due including one first report (Convention No. 135) have not been received. It trusts that the draft Labour Code will be completed satisfactorily, with - if the Government so wishes - any further technical aid which the Office might supply, and that the Government will not fail, in the future, to fulfil the obligation to supply reports on the application of ratified Conventions.

### Guinea-Bissau

The Committee notes that the direct contacts with the ILO to examine the problems encountered in the application of ratified Conventions have been postponed and are now to take place in the course of 1982. The Committee hopes the direct contacts will enable the Government to ensure the application of the Conventions in question.

### Haiti

The Committee notes that the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

### Iraq

The Committee notes with regret that the reports due including five first reports (Conventions Nos. 137, 139, 140, 142 and 144, reports on which have been due for two years) have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

### Italy

The Committee notes that most of the reports due have not been received. It trusts that the Government will not fail in future to discharge its obligation to supply all the reports due on the application of ratified Conventions.

### Democratic Kampuchea

In the absence of any reports, the Committee has not been able to examine the current position as regards the application of ratified Conventions.

Kenya

The Committee notes that most of the reports due have not been received. It trusts that the Government will not fail in future to discharge its obligation to supply all the reports due on the application of ratified Conventions.

Lao Republic

The Committee notes with regret that for the eighth year in succession the reports due have not been received. It urges the Government to take the necessary action to ensure the discharge in future of its obligation to report on the application of ratified Conventions.

Liberia

The Committee notes that most of the reports due, including one first report (Convention No. 22) have not been received. It trusts the Government will not fail in future to discharge its obligation to supply all the reports due on the application of ratified Conventions.

Mauritania

The Committee notes that the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

Mauritius

The Committee notes that most of the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to supply all the reports due on the application of ratified Conventions.

Mozambique

The Committee notes that the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

Nepal

The Committee notes that the report due has not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

Papua New Guinea

The Committee notes that the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

## OBSERVATIONS CONCERNING RATIFIED CONVENTIONS

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### Qatar

The Committee notes that the report due has not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

### Seychelles

The Committee notes with regret that for the second year in succession the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

### Sierra Leone

The Committee notes that most of the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to supply all the reports due on the application of ratified Conventions.

### Somalia

The Committee notes with regret that, for the second year in succession, the reports due have not been received. It trusts the Government will not fail in future to report on the application of ratified Conventions.

### South Africa

Further to its previous observation, the Committee notes with interest that the Government has supplied, for the first time since the notice of withdrawal of South Africa from the ILO in 1964, the reports due on the Conventions by which it remains bound (Nos. 2, 19, 26, 42, 45, 63 and 89). Considering the updated Declaration concerning the Policy of Apartheid in South Africa adopted by the International Labour Conference in 1981, which requests that the existing ILO procedures be used to attain the objectives assigned to the ILO under its Programme for the Elimination of Apartheid, the Committee has examined the available information on law and practice in South Africa taking specially into account the possible implications of the policy of apartheid on the application of the ratified Conventions and it has made comments addressed directly to the Government in this connection.

Since it is not clear from the reports if they cover the entire territory, the Committee requests the Government to indicate in its future reports whether they refer to the application of the Conventions in all the parts of the country, including the "independent homelands" of Transkei, Bophuthatswana, Venda and Ciskei, and those regarded as self-governing, all of which were covered by the ratification.

Furthermore, the Committee has noted that the reports do not state whether copies thereof have been communicated to the representative organisations of employers and workers, in accordance with article 23, paragraph 2, of the Constitution. It hopes that in future the reports will indicate whether this has been done.

TanzaniaZanzibar

The Committee notes that, despite indications given by Government representatives to the Conference in 1978 and 1979 to the effect that efforts were being made to obtain reports from Zanzibar, the reports due have not been received. It hopes the information on the implementation of ratified Conventions in Zanzibar will become available and trusts the Government will not fail in future to fulfil its obligation to report on the matter.

Togo

The Committee notes that the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

Yemen

The Committee notes that the reports due have not been received. It trusts the Government will not fail in future to discharge its obligation to report on the application of ratified Conventions.

Zambia

The Committee notes that most of the reports due, including two first reports (Conventions Nos. 141 and 144) have not been received. It trusts the Government will not fail in future to discharge its obligation to supply all the reports due on the application of ratified Conventions.

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In addition, requests regarding certain points are being addressed directly to the following States: Angola, Bahamas, Benin, Bulgaria, Burundi, Cape Verde, Chile, Cuba, Djibouti, Fiji, German Democratic Republic, Grenada, Guinea, Guinea-Bissau, Honduras, Hungary, Iceland, Indonesia, Iran, Italy, Ivory Coast, Jordan, Lebanon, Libyan Arab Jamahiriya, Malawi, Mali, Mexico, Morocco, Niger, Nigeria, Romania, Rwanda, Saudi Arabia, Somalia, Spain, Tunisia, Yemen, Zambia.

## B. INDIVIDUAL OBSERVATIONS

**Convention No. 1: Hours of Work (Industry), 1919**Iraq (ratification: 1965)

The Committee notes with regret that for the second consecutive year the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

Article 6, paragraph 1, of the Convention. The provision contained in section 67(b) (5) of the Labour Code (as amended by



Act No. 110 of 1978), under which normal hours of work may be extended if the work is required for development purposes or with a view to increasing production, is not in conformity with the Convention, which authorises temporary exceptions only to enable establishments to deal with exceptional cases of pressure of work. The Committee therefore requests the Government to take the necessary measures to bring the legislation into conformity with the Convention on this point.

Article 8. The Committee notes that the draft regulations concerning inspection of labour, to which the Government has been referring for some years, will soon be adopted and will contain provisions on the posting of time-tables of work and rest periods and on the employer's obligation to keep a record of overtime worked by his employees.

The Committee hopes that the Government will take necessary action at a very early date to bring its legislation into conformity with these provisions of the Convention.

Syrian Arab Republic (ratification: 1960)

Several times in the past the Committee has expressed the hope that section 117 of the Labour Code will be amended so that, except in case of intermittent work within the meaning of Article 6 of the Convention, the presence of the worker at his workplace shall not be required outside authorised hours of work.

The Government states in its last report, as it has already done in the past, that a Bill has been drafted for the purpose, but has not yet been promulgated. The Government adds that one of the reasons why this has not been done so far is that it is considering the possibility of adopting a new Labour Code for which a committee has been set up that will take into account these comments in particular.

The Committee notes this information. It requests the Government, however, to consider the possibility of having an amendment to section 117 of the present Labour Code adopted without waiting for the drafting of the new Code to be completed, so as to give full effect to the provisions of the Convention on this point.<sup>1</sup>

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In addition, requests regarding certain points are being addressed directly to the following States: Comoros, Djibouti, Guinea-Bissau, Iraq, Lebanon, Libyan Arab Jamahiriya, Saudi Arabia.

**Convention No. 2: Unemployment, 1919**

Finland (ratification: 1921)

The Committee has noted the comments of the Finnish Employers' Confederation and the Confederation of Commerce Employers, to the effect that the role of tripartite advisory bodies in the employment services should be strengthened. It notes in this connection the

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1983.

information supplied by the Government to the Conference in 1981 in relation to Convention No. 122, concerning possible improvements in the system and functions of different advisory committees. It hopes that the Government will keep it informed of any developments in this regard that might have a bearing on the application of the present Convention.

Nicaragua (ratification: 1934)

The Committee has taken due note of the information provided by the Government in reply to its previous observation. It is pursuing the outstanding questions in a direct request.<sup>1</sup>

Uruguay (ratification: 1938)

The Committee notes the information provided by the Government, concerning the development of labour market investigation and occupational guidance and training by the National Human Resources Directorate, and the placement activities described, which are still limited. The Government indicates that there has been a significant decrease in unemployment in 1980 and in the first half of 1981. The Committee refers to its previous observation. It hopes the Government will continue to supply information on the placement activities of the National Human Resources Directorate, and that further progress will be made towards the establishment of a national system of free public employment agencies as part of the Government's over-all policy for full, productive and freely-chosen employment, to which the Committee will return in its examination of the Government's next report on the application of Convention No. 122.

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In addition, requests regarding certain points are being addressed directly to the following States: Nicaragua, South Africa, Sudan.

### Convention No. 3: Maternity Protection, 1919

Colombia (ratification: 1933)

With reference to its earlier observations, the Committee has studied the information furnished by the Government to the Conference Committee and that contained in its report and in its letter of 12 May 1981.

1. It regrets to observe that no measure has yet been taken to amend section 236 of the Labour Code (applicable to women workers in the private sector) or section 33 of Decree No. 1848 of 1969 (applicable to women workers in the public sector) with a view to bringing them into conformity with Article 3(a), (b) and (c), of the Convention. These provisions in the legislation prescribe maternity leave of 8 weeks in all, thus conflicting with the Convention, which provides for 12 weeks of leave that can be extended in the event of a mistake in estimating the date of confinement or of illness arising out

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1983.

of pregnancy or confinement. The Committee trusts that the legislation will be amended in the very near future to give effect to these basic provisions of the Convention and that the Government will also do everything possible to amend section 16(b) of Decree No. 770 of 1975 on maternity and sickness insurance so that maternity benefits shall be paid for 12 weeks (that may be extended as above, in accordance with the Convention).

2. With regard to the women who are not yet covered by maternity insurance or who do not meet the conditions concerning qualifying period laid down by section 17 of the above-mentioned Decree No. 770, the Committee notes that they are entitled to the necessary medical care under the national health system (public hospital, dispensaries, etc.). The Committee hopes that they too will be entitled to financial assistance provided out of public funds, in accordance with the Convention, and that the maternity and sickness insurance scheme may soon be extended to cover the whole of the national territory. The Committee asks the Government to state whether there have been any further extensions of this scheme and to provide relevant statistics if possible.<sup>1</sup>

Guinea (ratification: 1966)

Article 3(c) of the Convention. The Committee notes with interest that during the direct contacts that took place between a representative of the Director-General of the ILO and the competent national services in November 1981, a draft amendment to section 12 of Order No. 221 of 16 June 1980 was prepared. This draft provides, in accordance with the Convention, that a woman shall be entitled, at the cost of the National Social Security Fund, to free medical care and half her wages as maternity benefit during the period of her lawful absence. The Committee also notes that the above-mentioned amendment provides that the other half of the wages, paid at present by the employer as a supplement to the benefit, will be paid gradually at the cost of the above-mentioned Fund, which would ensure the full application of the Convention on this point, for the Convention, although it does not fix the rate of maternity benefit (which may be only a percentage of the wage), does not authorise its payment at the direct cost of the employer.

The Committee hopes that the Government will be able to give full effect to the Convention on this point and that the amendment to Order No. 221 will also include a provision laying down - as in the Convention - that in the event of a mistake by the medical adviser or midwife in estimating the date of confinement, prenatal leave and maternity benefits shall be extended to the actual date of confinement, without any reduction in postnatal leave and the corresponding benefit.

The Committee asks the Government to indicate in its next report any progress made in this connection.

Libyan Arab Jamahiriya (ratification: 1971)

The Committee notes the information supplied by the Government in its report as well as that supplied to the 1981 Conference Committee in reply to previous comments. It notes with interest that the new Social Security Act (No. 13 of 1980), in force since June 1981, provides for the granting of free medical care, before and after childbirth, to all women covered by the Convention.

<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.

1. Article 3(a) and (b) of the Convention (length of maternity leave). The Committee also notes with interest the Government's statement that the maternity benefit set out in section 25(c) of the Act mentioned above - which must be spent within 3 months (or 90 days) - is understood also to include the granting of maternity leave within a corresponding period. The Committee hopes that the Labour Code which is being revised - and in particular the draft Act on women workers having family responsibilities - mentioned by the Government in its previous reports, shall: (a) formally grant to the woman the right to maternity leave of at least 12 weeks, 6 of which have to be taken after childbirth, and (b) provide that this leave shall be granted without any conditions concerning length of employment as is required by the Convention (and contrary to section 43 of the 1970 Labour Code which appears to still be in force).

2. Article 3(c). (a) In its 1981 observation, the Committee had noted that under section 25(c) of Act No. 13 of 1980, only independent women workers have the right to maternity benefits within the social insurance system, whereas for other workers (engaged in production, civil servants and public employees, wage earners in the private sector), this benefit is the responsibility of the employer. The Government appears to confirm this in its last report. Given that the Convention provides that this benefit shall be supplied either out of public funds or by means of a system of insurance and does not allow it to be paid directly by the employer, the Committee requests the Government to indicate how the Convention is fully applied as regards women workers "engaged in production" and wage earners in the private sector. It also requests the Government to supply the text of regulations made under section 25(c) of the above-mentioned Act, and details on its implementation in practice.

(b) The Committee also hopes that the Labour Code under revision, as well as the regulations made under the new Social Security Act, will include a formal provision providing, in conformity with the Convention, that where there is an error in the estimation of the date of confinement, the prenatal leave and payment of maternity benefits shall be continued until the actual date of confinement, this taking place without a reduction in the postnatal leave and benefits attached thereto.

(See also the direct request made under Convention No. 103.)

Upper Volta (ratification: 1969)

Article 3(c) (last sentence), of the Convention. With reference to its earlier comments, the Committee notes with satisfaction that, under Ordinances Nos. 81-005 and 81-006 of 26 February 1981 to amend sections 6 and 70 of the Social Security Code and section 123 of the Labour Code respectively, the maternity benefit, which is now equal to the wage on which contributions are based, is payable by the National Social Security Fund.

Venezuela (ratification: 1944)

Articles 1 and 3 of the Convention (scope of the social insurance scheme).

(a) In reply to the earlier comments of the Committee, the Government states in its report (received in August 1981) that it is unable to state whether the percentage of the economically active female population (21.5 per cent) covered by the maternity insurance

scheme includes the women wage earners covered by the Convention working in public and private industrial and commercial undertakings. In these circumstances, the Committee can only express anew the hope that measures will be taken to ensure that the maternity insurance scheme is rapidly extended over the whole territory so that women workers in the above-mentioned undertakings shall be entitled to the medical care and maternity benefit provided for by the Convention.

(b) With regard in particular to women public officials or employees of the municipalities, of public autonomous institutes or of other public bodies, the Committee notes that they have not yet been brought under the general insurance scheme but that they come under the "partial scheme" throughout the territory. The Committee asks the Government to provide information in its next report on the functioning of this scheme, attaching, where appropriate, the relevant legal texts.

Articles 3(d) and 4 (only for women public officials or public employees). The Committee had asked the Government to state under what provision in laws or regulations the above-mentioned women workers are entitled to the breaks for nursing and protection against dismissal provided for by the Convention, since they do not come under the provisions of the Labour Act. In its reply, the Government refers to section 22 of the regulation on the administrative situation of public officials issued under the Act respecting the administrative career, which relates only to maternity leave. In these circumstances, the Committee can only repeat its request and hope that the Government will soon be able to take the necessary measures to add provisions to the above-mentioned regulations corresponding to those of the Convention, which lay down respectively the granting of two breaks a day of at least half-an-hour each for purposes of nursing and the prohibition from dismissing a woman during her absence on maternity leave, including any extension of this leave due to illness arising out of pregnancy or confinement.

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In addition, a request regarding certain points is being addressed directly to the Ivory Coast.

### Convention No. 4: Night Work (Women), 1919

Nicaragua (ratification: 1934)

In its earlier comments, the Committee pointed out that the national legislation contained no provision prohibiting the employment of women at night. In its latest report, the Government observes that there is a general consensus against the adoption of such a prohibition, which would constitute discrimination against women, and also that the Government might consider the possible ratification of Convention No. 89, which is more flexible, whilst awaiting reconsideration of the matter by the ILO. The Committee requests the Government to report any developments in this field.

### Convention No. 6: Night Work of Young Persons (Industry), 1919

Requests regarding certain points are being addressed directly to the following States: Algeria, Angola, Belgium, Burma, Guinea-Bissau, Ireland, Portugal, Senegal, Upper Volta.

### Convention No. 8: Unemployment Indemnity (Shipwreck), 1920

A request regarding certain points is being addressed directly to New Zealand.

### Convention No. 9: Placing of Seamen, 1920

Colombia (ratification: 1933)

Article 2 of the Convention. The Committee has taken due note of the information provided by the Government to the Conference, as well as in the report on the Convention, to the effect that a Bill designed to regulate the functioning of private employment agencies with a view to their suppression was presented to Congress in 1980; and that further action is under way to cancel or suspend their activities. Since it appears that a large number of such agencies are operating in the ports, contrary to this Article, the Committee again expresses its concern that the Government should take steps to prohibit them from the business of finding employment for seamen, as required by the Convention, and it trusts the Government will provide a copy of the legislation proposed or adopted in the matter.

Articles 4 and 10. The Committee notes that the Government has not provided the information requested on the number of regional employment offices dealing with the placement of seamen, and the numbers of vacancies and placements registered by them. It again expresses the hope that this information will be provided and that measures will be taken to organise and maintain an efficient and adequate system of public employment offices for finding employment for seamen without charge.

Article 5. The Committee notes the Government's intention to study the possibility of establishing advisory committees including representatives of shipowners and seamen to advise on the carrying on of the regional employment offices dealing with seamen. It again expresses the hope that the committees will soon be established in conformity with the Convention.

The Committee notes that the Government's report does not mention the assistance received from the Inter-American Centre for Labour Administration (CIAT). As the Government had indicated at the Conference that it expected to take steps after the CIAT recommendations became known in the near future, the Committee trusts that this assistance will enable the Government to make progress in giving effect to all the provisions of the Convention.<sup>1</sup>

Mexico (ratification: 1939)

1. The Committee refers to its previous observations and direct requests concerning the need to establish a system of public employment offices for seamen in conformity with Article 4 of the Convention. It notes with interest from the information given by the Government at the Conference Committee and in its report that 15 State

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<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session and to report in detail for the period ending 30 June 1982.

Employment Offices are now functioning in the federated states which have a coastline, two of which offices are situated in ports, and that it was hoped that by December 1982 the system of public employment offices would be providing free employment services to the whole labour force, including seamen. The Committee hopes that an efficient and adequate system of employment offices for seamen will be developed to cover all the major ports of the country; it notes in this connection that statistics as to the numbers of seamen requesting employment, the numbers of vacancies notified, and the numbers of placements effected through this system will be sent with future reports.

2. The Committee notes the arrangements in force under the relevant collective agreement, where placement free of charge is effected by the Union of Petroleum Workers in aid of the shipowners in that sector (Pemex); this takes place under the supervision of the National Employment Service, which is itself administered by the Co-ordinating Unit for Employment and Training (UCECA). The Committee would be glad to have information on the numbers involved in the operations for placement of seamen run by any trade unions, the ports concerned, and the manner in which UCECA supervises these activities.

3. The Committee recalls that in the past the placing of seamen has been effected through co-operatives and through shipping agents, and that it had been proposed that the National Ports Co-ordinating Committee should have a role in this respect. Since those previous arrangements have given rise to comments of the Committee over a number of years, it would be glad if the Government would indicate to what extent they have been superseded by the activities of the national employment service and of trade unions in co-operation with shipowners in placing seamen.

4. The Committee hopes the Government's next report will include particulars of the shipowners' and any seamen's organisations represented in the Advisory Council of the UCECA, and of the consultations with this Council which have taken place regarding the system for the placement of seamen, as required by Article 5 of the Convention.<sup>1</sup>

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In addition, a request regarding certain points is being addressed directly to Romania.

### Convention No. 11: Right of Association (Agriculture), 1921

A request regarding certain points is being addressed directly to Lesotho.

Information supplied by Peru in answer to a direct request has been noted by the Committee.

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.

**Convention No. 12: Workmen's Compensation (Agriculture), 1921**Bahamas (ratification: 1976)

With reference to its previous direct request, the Committee notes with satisfaction that Part IV of the National Insurance Act and the regulations issued under this Act concerning workmen's compensation came into force on 1 November 1980, and that the earlier Act on this matter has been repealed. It follows that all agricultural wage earners are now covered in respect of occupational risks, in accordance with the Convention, and not only those in undertakings employing over 30 persons as in the past.

Colombia (ratification: 1933)

With reference to its earlier comments, the Committee takes note of the information furnished by the Government to the Conference in 1979 and in the report for the period 1979-81. It notes with interest that under sections 2 and 4 of Legislative Decree No. 1650 of 18 July 1977, which establishes the compulsory social insurance scheme and provides for its administration, the purpose of this insurance is the protection of the population both urban and rural, particularly in respect of employment injury. The Government, however, does not state in its report whether the regulations provided for by section 132 of this text to give effect to its provisions have been adopted and whether agricultural workers as a whole and not only those employed in industrial undertakings are entitled to the protection provided for by the Convention.

The Committee again expresses the hope, then, that the next report will contain information on any measures that may have been adopted in this connection.<sup>1</sup>

MalaysiaPeninsular Malaysia (ratification: 1961)

With reference to its earlier comments, the Committee notes with satisfaction the statement by the Government that the Social Security Organisation (SOCSO) has extended its coverage to the whole country with effect from October 1980, so as to cover all organised agricultural workers. The Committee also notes that the Government proposes to extend coverage to all other agricultural workers, as well as to fishermen, and asks the Government to keep it informed of any progress made in this connection.

Sarawak (ratification: 1964)

The Committee notes from the report of the Government that the social security scheme, including the branch dealing with occupational risks, has been extended to the region of Kuching and that all agricultural workers in this region are now covered by insurance. The Committee hopes that it will be possible to extend the scheme gradually to cover other regions of the national territory and asks the Government to indicate in its next report any progress made in this connection.

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1983.



Nicaragua (ratification: 1934)

The Committee has studied the report of the Government and notes with interest that the new Act to organise social security and the General Regulations on the Social Security Institute of Nicaragua issued under this Act (Decrees Nos. 627 and 628 of 1981 respectively) have been adopted and will come into force gradually so as to apply the same conditions to all workers in the urban sector and the rural sector throughout the country.

The Committee also notes with interest that a draft text to provide for the repeal of section 103 of the Labour Code (under which the judge may reduce the compensation due to injured workmen employed in small agricultural or stock-raising undertakings) has been prepared.

The Committee hopes that the Government will be able to indicate in its next report any progress made in respect of the coming into force of the new legislation on social security and the revision of the Labour Code.

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In addition, requests regarding certain points are being addressed directly to the following States: Brazil, Guinea-Bissau, Rwanda.

**Convention No. 13: White Lead (Painting), 1921**Guinea (ratification: 1966)

At its last session, the Committee suspended its examination of the application of the present Convention in anticipation of the direct contacts due to take place between the national authorities and a representative of the Director-General of the ILO. The Committee has been informed that during the direct contacts in 1981 a draft Decree was drawn up to give full effect to the Convention. It trusts that in its next report the Government will be able to indicate that the Decree has been adopted.

Further, the Committee must recall that measures still have to be taken to compile and communicate figures for morbidity and mortality caused by lead poisoning among working painters (Article 7 of the Convention).<sup>1</sup>

Panama (ratification: 1970)

With reference to its previous comments, in which it pointed out that no legislation existed to give effect to the Convention, the Committee has taken note with satisfaction of the adoption of Decree No. 23 of 30 November 1981, prepared during direct contacts between the national authorities and a representative of the Director-General of the ILO, which gives effect to the provisions of the Convention.

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.

**Convention No. 14: Weekly Rest (Industry), 1921**

A request regarding certain points is being addressed directly to Guinea-Bissau.

**Convention No. 15: Minimum Age (Trimmers and Stokers), 1921**

Sierra Leone (ratification: 1961)

The Committee notes that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

Article 2 of the Convention. With reference to its earlier observations, the Committee again points out that section 55(2) (b) of the Employers and Employed Act, which allows young persons of 16 to 18 years to be employed as trimmers or stokers on vessels engaged in coastal shipping, is incompatible with the Convention. The Committee notes that the Government is still considering the ratification of the Minimum Age Convention, 1973 (No. 138). It hopes that Convention No. 15 will soon be applied in full through the adoption of suitable measures.

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In addition, requests regarding certain points are being addressed directly to the following States: Iraq, Lebanon.

**Convention No. 16: Medical Examination of Young Persons (Sea), 1921**

Requests regarding certain points are being addressed directly to the following States: Mauritius, Norway.

**Convention No. 17: Workmen's Compensation (Accidents), 1925**

The Committee has observed that certain States, although they have a very advanced system of social security, particularly in respect of protection against occupational risks, meet with difficulties in giving effect to certain provisions of the Convention that may no longer correspond to the modern conception of their social insurance systems or that seem ill adapted to present economic conditions.

The Committee, accordingly, would like to call attention to the possibility open to these States of replacing the ratification of Convention No. 17 with that of the more recent Convention on the subject, namely the Employment Injury Benefits Convention, 1964 (No. 121). The latter Convention, although its standards are in general higher, has more flexible provisions on the points that raise difficulties.

Bahamas (ratification: 1976)

With reference to its earlier comments, the Committee takes note with satisfaction of the coming into force on 1 November 1980 of Part IV of the National Insurance Act, 1972, and of the National Insurance (Industrial Benefits) Regulations, 1975. The Committee also notes that the introduction of the insurance scheme abolishes the former compensation scheme based on the liability of the employer.

Burma (ratification: 1956)

The Committee observes that the Government has provided no report and that it is therefore without information on any progress made in revising the legislation concerning the workmen's compensation scheme based on the employer's liability (Workmen's Compensation Act), which revision has been referred to several times by the Government and also mentioned to the Conference Committee in 1980.

This revision was to bring the legislation into conformity with the Convention by providing:

- (a) in accordance with Article 5 of the Convention, that the compensation payable to the injured workman or his dependants, where permanent incapacity or death results from the injury, shall be paid in the form of periodical payments and as a lump sum only exceptionally and if the competent authority is satisfied that it will be properly utilised;
- (b) in accordance with Article 10, that no maximum sum shall be fixed for the supply and normal renewal of such artificial limbs and surgical appliances as are recognised to be necessary.

The Committee hopes that a report will be supplied for examination at its next session and that this will contain full information on the progress made in respect of the above-mentioned provisions of the Convention.

The Committee also asks the Government, as it has done in its previous comments, to state: (a) whether the social security scheme has been extended so as to cover new classes of workers throughout the country; (b) whether there have been cases in which injured workmen or their dependants have not received compensation for industrial accidents on account of the insolvency of the employer (Article 11 of the Convention).

Colombia (ratification: 1933)

With reference to its earlier comments, the Committee notes the information furnished by the Government to the Conference Committee in 1979 and that contained in its reports received in 1980 and 1981. It notes that there has been no change in the national legislation, the Government referring, in respect of the application of the Convention, to the Labour Code (for the private sector) and to Decrees Nos. 3135 of 1968 and 1848 of 1969 (for the public sector).

The Committee points out that the above-mentioned legislation has been the subject of comments for several years, since the social security scheme that must give effect to the Convention covers for the moment only certain regions of the country. In these circumstances, it is bound to call attention once more to the following points:

Article 2, paragraph 2, of the Convention. Sections 223(c), 224 and 225 of the Labour Code exclude from the workmen's compensation scheme craft establishments employing fewer than five wage earners (other than members of the employer's family) and prescribe reduced benefits for workers in undertakings whose capital is less than 50,000 pesos. Since the Convention does not provide for such exceptions or restrictions, the Committee asks the Government to state how the workers in question are entitled to the workmen's compensation laid down by the Convention.

Article 5. Under section 204, subsection 2, of the Labour Code, in the event of partial or total permanent incapacity or complete invalidity and in the case of death compensation is paid in the form of a lump sum corresponding to a certain number of months' wages (from 23 to a maximum of 30). It is the same under sections 22, 23 and 35 of Decree No. 3135 of 1968 in the event of permanent or partial incapacity or death. Since the Convention, although it does not fix the amount of compensation, which may correspond to a certain percentage only of pay, provides for its payment in the form of periodical payments throughout the contingency and allows the conversion of these payments into a lump sum only exceptionally and provided that the competent authority is satisfied that it is properly utilised, the Committee asks the Government to indicate the measures taken to amend the above-mentioned provisions of the legislation with a view to bringing them into full conformity with the Convention on these points.

Article 7. The Committee asks the Government to state how effect is given to this provision of the Convention, under which additional compensation (added to the periodical payments) must be paid where the incapacity of the injured workman requires the constant help of another person, since section 204, subsection 2(d) of the Labour Code does not appear to give full effect to the Convention on this point.

Article 9. Under section 204, subsection 1, of the Labour Code, medical, pharmaceutical, surgical and hospital assistance is provided only during a period of two years at the most. The Committee asks the Government to state how such assistance is guaranteed, free of cost, in accordance with the Convention, to injured workmen who need it for longer than this limited period.

Article 10. Section 204, subsection 1, of the Labour Code, provides for the supply of the necessary artificial limbs and surgical appliances but not for their renewal, which is contrary to the Convention. Furthermore, Decree No. 3135 of 1968 contains no provisions on this matter. The Committee asks the Government to indicate the measures it intends to take to give full effect to the Convention on this point too.

The Committee hopes that the Government will be able to indicate in its next report the progress made in this connection and that it will also provide information on possible extensions of the social security scheme and particularly the occupational risks branch, referring to the number of workers covered and their percentage of the total number of wage earners in the country both in the private sector and in the public sector (with the exception of agricultural workers).<sup>1</sup>

#### Cuba (ratification: 1928)

Article 7 of the Convention. With reference to its earlier comments, the Committee takes note with satisfaction of the adoption of

<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1983.

the new Social Security Act, No. 24 of 28 August 1979, under which provision is made for an additional increase of 20 per cent of the amount of the pension for injured workmen who must have the constant help of another person.

Egypt (ratification: 1960)

Article 7 of the Convention. With reference to its earlier comments, the Committee takes note with satisfaction of the adoption of Act No. 93 of 1980, which adds to Act No. 79 of 1975 respecting social insurance a provision that lays down, in accordance with the Convention, the granting of additional compensation to injured workmen suffering from permanent incapacity who must have the constant help of another person.

Iraq (ratification: 1960)

The Committee notes that no report has been received. It hopes that a report will be supplied for examination by the Committee at its next session and will contain full information on the following matters pointed out for some years:

Article 2 of the Convention

- (a) The Retirement and Social Security Act, No. 39 (1971), applies to all workers and salary earners in state and private enterprises employing at least ten persons. Since the Convention covers all enterprises, undertakings and establishments, whether public or private, irrespective of the number of workers employed in them, the Committee again expresses the hope that measures may be rapidly adopted to extend the social security scheme to cover all the above-mentioned establishments. It requests the Government to report any progress made in this connection.
- (b) The Committee also requests the Government to state whether the social security scheme, and in particular the workmen's compensation branch, has been extended to cover all the workers and all the regions of the national territory.

Article 5. The Committee has already asked the Government to state whether guarantees of the proper use of compensation paid in the form of a lump sum to the victim of an occupational accident suffering from permanent incapacity of less than 35 per cent (or to the dependants in the event of death) are supplied to the competent authorities in accordance with the provisions of the Convention. Since the Government has neither replied on this point nor supplied the text of the instructions concerning lump-sum payments that it referred to in its previous reports, the Committee can only return to the question, expressing the hope that the next report will indicate how full effect is given to the Convention on this point.

Article 7. The Government indicated that additional compensation (to a maximum of 200 dinars) is paid to victims of accidents whose incapacity necessitates the constant help of another person. The Committee requests the Government to indicate whether the practice is covered by a provision in laws or regulations and, if so, to provide a copy of the texts.

Article 9. The Committee noted that medical care is provided in some regions of the country by the Retirement and Social Security Institute. It requests the Government to indicate whether the medical centres that it intended to set up in the various districts of the country outside the capital have been established and are working.

Kenya (ratification: 1964)

The Committee takes note of the statement by the Government to the effect that its earlier comments will be taken into consideration during the revision of the Workmen's Compensation Act and the conversion of the National Social Security Fund into a pensions scheme that will also cover workmen's compensation. The Committee, although it appreciates the fact indicated in the report of the Government that the number of workers under the compensation scheme increased by 13 per cent between 1980 and 1981, is bound to observe that no progress has yet been made in giving effect to important provisions of the Convention. This, moreover, is the situation at a moment when, according to the data contained in the report, fatal occupational accidents and cases of permanent incapacity are constantly increasing in number, to say nothing of the very large number of cases in which it has not been possible to establish the degree of incapacity before the end of the period covered by the report.

The Committee cannot therefore but repeat the hope that the Government will take the necessary measures in the near future to ensure the full application of the Convention on the following matters, which have already been pointed out several times in its earlier comments: (a) Article 5: the Workmen's Compensation Act of 1962 provides that compensation in the event of permanent incapacity or death can be granted in the form of periodical payments but cannot exceed a sum equivalent to a certain number of months' wages, whereas the Convention - though it does not fix the rate of this compensation, which may be a reasonable percentage of the wages - provides for its payment in the form of periodical payments, without limitation of time, throughout the duration of the contingency, and authorises the conversion of these periodical payments into a lump sum only where the competent authority is satisfied that this will be properly used; (b) Articles 9 and 10: section 32 of the above-mentioned Act lays down maxima for medical care and for the supply and renewal of artificial limbs and surgical appliances, whereas the Convention provides for the free furnishing of such aid and appliances as are recognised to be necessary; and (c) Article 11: the Convention provides a guarantee in all circumstances, in the event of the insolvency of the employer or insurer, of the payment of the compensation due to workmen or to their dependants; this guarantee might be provided by the introduction of an insurance scheme, for example.

The Committee asks the Government to indicate any progress made in this connection.<sup>1</sup>

Malaysia (Peninsular Malaysia) (ratification: 1957)

Article 2 of the Convention (scope). In its earlier comments the Committee has pointed out that the provisions of the Social Security Act, 1969, which exclude from its scope both undertakings employing fewer than five persons and workers whose wages exceed 500 dollars, are not in conformity with the Convention. It has therefore asked the Government to do its utmost to extend the application of this Act gradually to all the workers covered by the Convention, all the more as the 1952 Ordinance that the Government refers to has certain divergences with respect to the Convention.

In its last report, the Government states that it proposes to remove the first of these exceptions and, as to the second, that it is

<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1983.

studying the possibility of raising the wage ceiling to 750 dollars or of removing it altogether. It adds that, pending a decision, administrative arrangements have been made requiring undertakings already coming under insurance to continue to pay contributions on behalf of the workers even if the number of workers falls below five or their wages exceed 500 dollars.

The Committee notes this statement and hopes that measures will be taken in the near future so that the social security scheme, and in particular the occupational risks branch, shall be extended to cover all enterprises coming under the Convention and to cover all workers, since the exception based on the wage ceiling authorised by the Convention applies only to non-manual workers.

Mauritius (ratification: 1968)

In its earlier comments, the Committee noted with interest the adoption of the National Pensions Act, 1976, which contains provisions corresponding to the following Articles of the Convention: Article 5 (payment of compensation in the form of periodical payments in the case of permanent incapacity or death), Article 7 (additional compensation for injured workmen whose incapacity necessitates the constant help of another person), Article 9 (provision of the necessary medical and surgical aid), Article 10 (supply and renewal of the necessary artificial limbs and surgical appliances) and Article 11 (guarantee against the insolvency of the employer or insurer).

The Committee at the same time expressed the hope that the Act would enter into force as soon as possible and would be made applicable to all the workers covered by the Convention and not only to those specified in the First Schedule to the Act.

As the Government has not submitted a report, the Committee is unable to evaluate the manner in which effect has been given to the Convention, especially in view of the fact that the Workmen's Compensation Ordinance (Cap. 220), which was previously the only legislation applying to this subject, differed from the above-mentioned Articles of the Convention in a number of respects, as the Committee pointed out in its previous comments.

The Committee therefore trusts that the Government will submit a report for examination at its next session, in which it will indicate whether the Bill to bring the Workmen's Compensation Ordinance into line with the National Pensions Act of 1976 has been adopted.

The Committee also requests the Government to supply information on the numbers and categories of workers covered by the insurance scheme and of those covered by the above-mentioned Ordinance expressed in relation to the total number of workers.

Nicaragua (ratification: 1934)

With reference to its earlier comments, the Committee notes with interest the adoption in 1981 of a new Act to organise social security and of the general regulations of the Nicaraguan Social Security Institute issued under it (Decrees Nos. 627 and 628 respectively), which will come into force gradually and are to cover all workers throughout the country. It also notes that a Bill to guide the Government in the reform of the Labour Code is being drafted and will bring the provisions of the Labour Code into full conformity with the following Articles of the Convention: Article 5 (payment of

compensation in the event of permanent incapacity or death in the form of periodical payments and conversion into a lump sum only exceptionally and on certain conditions), Article 7 (additional compensation to injured workmen whose incapacity calls for the constant help of another person) and Article 10 (supply and renewal of artificial limbs and surgical appliances).

The Committee hopes that the new legislation on social security will come into force shortly and be applied gradually to the whole of the national territory, but that, in the meantime, the Labour Code will be revised in line with the above-mentioned Bill with a view to ensuring the full application of the Convention. The Committee also hopes that the Government will be able to indicate in its next report the progress made in this connection.

Panama (ratification: 1958)

The Committee has examined the report of the Government and takes note with interest of the improvements introduced to the social security scheme by Act No. 2 of 1981, particularly in respect of the amount of pensions. It also notes the reply of the Government to its earlier comments concerning the application of Article 11 of the Convention.

Articles 5 and 7. The Committee states that a bill to amend sections 306 and 311 of the Labour Code has been drawn up with a view to adapting them to the legislation on social security and ensuring the full application of these provisions of the Convention, which lay down the payment of compensation in the form of periodical payments for life in the event of permanent incapacity or death and the payment of additional compensation where an injured workman's incapacity is of such a nature that he must have the constant help of another person. The Government adds that this bill will be submitted by the Executive to the National Council for Legislation for approval and promulgation. The Committee notes this information with interest and hopes that the bill in question will be adopted in the very near future. It asks the Government to keep it informed of any progress made.

Philippines (ratification: 1960)

With reference to its earlier comments, the Committee notes the information furnished by the Government to the Conference Committee in 1981 and that contained in its report and wishes to make the following observations:

1. Article 5 of the Convention. The Government states that the Employee Compensation Commission (ECC), by virtue of section 193(b) of the Labour Code, as amended by Decree No. 626, has made an increase of 20 per cent in the benefits due in the event of permanent partial incapacity, which has correspondingly increased the number of months for which compensation may be paid. On the other hand, this Commission has not deemed it urgent to change the fixed number of monthly payments into a life pension because this would entail administrative difficulties, particularly in view of the relatively small amounts involved in the case of permanent partial incapacity. The Government adds, however, that it is continuing to examine the possibility of introducing the payment of a life pension for permanent partial disability, in accordance with the Convention.

The Committee notes this statement and hopes that the Government will do everything possible to ensure the full application of the



Convention on this point and that in the meantime it will ensure that any amounts that may be paid in the form of a lump sum will be properly utilised by the persons concerned, as provided by the Convention in the exceptional cases where the periodical payments are converted into a lump sum.

2. Article 7. The Government also states that the actuarial studies that were to be carried out with a view to the granting of additional compensation, in accordance with the Convention, to injured workmen whose incapacity was of such a nature that they must have the constant help of another person have not yet been conducted because the Employee Compensation Commission does not find them urgent. It adds that the new Employees Compensation Programme allows nursing attendance in the case in question and that when this attendance is no longer needed the workman is entrusted to his family, which looks after him in accordance with national traditions.

The Committee takes note of this information but is bound to point out that these measures are not enough to ensure the full application of the Convention on this point. It expresses the hope that the Government will do everything possible to ensure that an injured workman who needs the constant assistance of another person may benefit from an additional compensation so as to cover, at least in part, the expenses occasioned by his condition.

Sierra Leone (ratification: 1961)

The Committee notes that the Government's report has not been received. It therefore feels obliged to repeat its previous observations, which concerned the following points:

Article 5 of the Convention. For a number of years the Committee has been calling attention to the fact that sections 6, 7 and 8 of the Workmen's Compensation Ordinance 1954, as amended in 1969, are not in conformity with the above-mentioned provision of the Convention, since, although they provide for periodical payments equivalent in practice to the amount of the wage, they restrict payment to a certain number of months, whereas the Convention, although it does not fix a rate for periodical payments, which may be only a percentage of the wage, provides for their payment throughout the whole contingency, that is to say: for the victim for life, and for his dependants until the possible remarriage of the widow and until the children have reached a certain age, to be fixed by national laws, and are capable of earning their living.

In reply to the above comments of the Committee, the Government stated that it was not losing sight of the question and that the points raised in these comments were being examined by a newly constituted Joint Consultative Committee, which enabled the employers' and workers' representatives to discuss the matter and make recommendations to the Government. It added that the Committee will be duly informed of the outcome.

The Committee asks the Government to report all progress made in the amendment of the national legislation as indicated above in order to give full effect to the Convention on this point.

Article 11. The Committee has also asked the Government to state whether there have in practice been cases in which the provisions of sections 27 and 28 of the Workmen's Compensation Ordinance have proved to be inadequate to ensure in all circumstances, as provided by the Convention, the payment of compensation to the victims of occupational accidents or their

dependants in the event of the insolvency of the employer or insurer, since there is no compulsory insurance scheme in Sierra Leone. The Government has stated that this matter has been placed before the above-mentioned committee and the committee again expresses the hope that the necessary measures may be taken in this connection, for example by making it compulsory to insure with a company approved by the Government or by setting up a special guarantee fund maintained by contributions from the parties concerned, and that in the meantime the Government will provide information on the effect given in practice to this provision of the Convention.

Tanzania (ratification: 1962)

1. Article 5 of the Convention. The Committee has for some years been calling attention to the fact that the payment of compensation in the form of a lump sum in the event of permanent incapacity or death, which is provided for by the national legislation, is not in conformity with the Convention, under which this compensation must, as a rule, be paid in the form of periodical payments and that it can be converted into a lump sum only exceptionally, if the competent authority (in Tanzania, the National Provident Fund or the National Insurance Corporation) is satisfied that this lump sum will be properly utilised.

In its reply to the comments of the Committee, the Government refers to the difficulties both practical and administrative in the way of giving effect to this provision of the Convention, particularly in view of national conditions, but states at the same time that every effort is being made, in consultation with the insurance institutions, to find a workable solution. The Committee takes note of this statement and hopes that the Government will do everything possible to ensure that compensation - at least in the event of permanent total incapacity or death - can be paid in the form of periodical payments and, where it has been converted into a lump sum (at the request of the injured workman or of his dependants), it will take measures to ensure that the amount thus paid will be properly utilised.

2. Articles 9 and 10. The Committee also notes with interest that the studies being carried out with a view to abolishing the maximum amounts laid down by national laws for medical assistance and the furnishing of such artificial limbs and surgical appliances as may be necessary are nearing completion. The Committee hopes that the Government will inform it of the decision as soon as this has been reached.

Uganda (ratification: 1963)

Article 5 of the Convention. In reply to the earlier comments of the Committee, the Government states that, in view of the current economic situation of the country, it is not yet possible to introduce periodical payments instead of the lump sum paid under the national legislation. The Government adds, however, that it intends, as an interim measure, to introduce a bill in Parliament in the near future aimed at increasing the present benefits and that the introduction of a workmen's compensation insurance scheme is still under study. The Committee takes note of this information and expresses the hope - as it has already done in the past - that the necessary amendments will be made to the Workmen's Compensation Act to ensure the full application of the above-mentioned provision of the Convention, which lays down that compensation payable in the event of permanent injury or death

shall be paid in the form of periodical payments throughout the duration of the contingency (that is, for the victim, for life or until he is cured, and for the dependants, until the death or the remarriage, if any, of the surviving spouse and until the dependent children reach a prescribed age or become capable of self-support). The conversion of these periodical payments into a lump sum is prescribed by the Convention only exceptionally and if the competent authority is satisfied that it will be properly utilised.

Lastly, the Committee hopes that the Government will be able in its next report to indicate progress in this connection either through the amendment of the above-mentioned Act or through the introduction of a workmen's compensation insurance system.

United Kingdom (ratification: 1949)

Article 9 of the Convention (free medical, surgical and pharmaceutical aid). The Committee notes with interest from the reply of the Government to its earlier comments that under the National Health Service Acts no charge is made for medical or surgical treatment and that this is also true of pharmaceutical aid so long as the beneficiary remains in hospital. However, a charge for pharmaceutical products is still required and has even been increased during recent months under new regulations. The Committee also notes the statement by the Government that 68 per cent of pharmaceutical prescriptions are dispensed free of charge and that a further 6 per cent are dispensed under "season ticket" arrangements.

The Committee takes note of this statement and regrets the reasons that, in the Government's view, make it necessary to maintain participation in the cost of these benefits in present circumstances, but is bound to point out that any provision laying down participation by injured workmen in the cost of pharmaceutical benefit (or any necessary medical or surgical benefit) is contrary to the Convention. It therefore hopes that the Government will spare no effort to ensure the full application of the Convention.

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In addition, requests regarding certain points are being addressed directly to the following States: Angola, Bahamas, Cape Verde, Comoros, Djibouti, Egypt, Guinea-Bissau, Lebanon, Mexico, New Zealand, Panama, Rwanda, Suriname, Upper Volta.

Information supplied by Chile in answer to a direct request has been noted by the Committee

## Convention No. 18: Workmen's Compensation (Occupational Diseases), 1925

See the general observation on Convention No. 17.

### Benin (ratification: 1960)

Referring to its previous comments, the Committee notes with interest from the Government's report that Ordinance No. 10/PCM of 21 March 1959 is being modified. The Committee hopes that these amendments will come into effect in the very near future and that they will accordingly bring the national legislation into conformity with Article 2 of the Convention on the following points which have been raised for a number of years:

(a) Poisoning by lead, its alloys or compounds. The list of occupational diseases appended to the above-mentioned Ordinance contains only a restrictive list of certain pathological manifestations due to these forms of poisoning, whereas the Convention, which is drafted in general terms on this point, covers all forms of poisoning caused by these substances.

(b) Poisoning by mercury, its amalgams and compounds. The list in the legislation mentions neither these forms of poisoning nor the activities that may cause them, which is contrary to the Convention.

(c) Anthrax infection. The national legislation refers, among the activities that may cause this trouble, to the loading and unloading or transport of animal remains or of receptacles that have contained such remains, whereas the Convention covers these operations for all merchandise in general, with a view to protecting workers who may unwittingly have handled merchandise that has been in contact with infected animals or animal remains.

The Committee trusts that the list in the national legislation may be completed in line with the Convention, and asks the Government to report any progress made in this connection.<sup>1</sup>

### Central African Republic (ratification: 1960)

The Committee notes that the Government has not supplied a report and for this reason it has no information on the progress made in adopting the draft decree (prepared during direct contacts in December 1978) to bring the list of occupational diseases annexed to Order No. 59-60 of 1959 into conformity with the schedule to Article 2 of the Convention, by deleting the exhaustive element in the list of pathological symptoms which may be caused by lead poisoning and mercury poisoning and adding, among the kinds of work corresponding to anthrax infection the operations of "loading and unloading or transport" in general.

The Committee has none the less noted the Government's statements in the Conference Committee in 1981 and the concern expressed in this Committee and it trusts the Government will endeavour to adopt the

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.

amendment in question and will not fail to indicate the progress made in this respect.<sup>1</sup>

Chile (ratification: 1933)

The Committee has noted the Government's reply to its previous comments and its statement that Decree No. 109 of 1968 also covers poisoning caused by lead alloys and mercury amalgams, since the very general terms of the Schedule on this point mean that any conditions caused directly by occupation or work and listed as involving a risk of these chemicals may be considered as occupational.

As for anthrax infection, the Committee hopes that the Government will nevertheless be so good as to reconsider its position and complete the list of work which may transmit "anthrax bacillus" with "loading and unloading or transport of merchandise" in general, as provided in the Convention, since these operations are not in the list of work corresponding to this condition and mentioned under (c), point 24, of section 18 of the Decree cited.

The Committee again asks the Government to indicate the measures taken in this respect in its next report.<sup>2</sup>

Colombia (ratification: 1933)

The Committee observes, from the information furnished by the Government to the Conference Committee in 1979 and in its report for 1980-81, that no measure has yet been taken to bring the national legislation into full harmony with the Convention on the following points, to which the Committee has been calling attention for a number of years:

(a) Activities corresponding to anthrax infection. Section 201, subsection 1, of the Labour Code, as amended by Decree No. 2355 of 1972, and Decision No. 539 of 1 August 1974 (clause VIII, No. 6) of the Governing Body of the Colombian Social Security Institute, to which the Government refers again, mention among the various activities likely to cause anthrax infection the operations of the "loading and unloading or transport of contaminated (afectados) merchandise", whereas the Convention lists these operations in general terms in order to establish a presumption of the occupational origin of this disease on behalf of workers (such as dockers) suffering from anthrax who have handled or transported merchandise having previously and without their knowledge been in contact with infected animals or animal remains.

(b) Automatic presumption of the occupational origin of diseases. The above-mentioned Decision No. 539 provides, in section 3, that the fact that the worker suffering from one of the diseases listed in the schedule to this Decision has exercised one of the corresponding activities "does not constitute a sufficient proof to term his lesion occupational", whereas, under Article 2 of the Convention, the "diseases and poisonings produced by the substances set forth in the Schedule appended hereto, when such diseases or such poisonings affect workers engaged in the trades or industries placed opposite in the said Schedule" must be considered to be occupational diseases.

<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

<sup>2</sup> The Government is asked to report in detail for the period ending 30 June 1983.

The Committee again expresses the hope that the Government will shortly take the necessary measures, as it expressed its intention of doing in its statement to the Conference in 1979, to bring the national legislation into conformity with the Convention on the above-mentioned points.<sup>1</sup>

Portugal (ratification: 1931)

With reference to its previous comments, the Committee takes note with satisfaction of the adoption of Decree No. 12/80 of 8 May 1980, which revises the list of occupational diseases established by Decree No. 434/78 of 29 August 1978, and so brings the national legislation into conformity with Article 2 of the Convention.

Switzerland (ratification: 1927)

With reference to its earlier comments, the Committee takes note with satisfaction of the adoption of the new Federal Act respecting accidents (LAA) of 20 March 1981, which is to come into force on 1 January 1983. This text, which covers occupational diseases in the same way as industrial accidents, will be compulsorily applicable to agricultural undertakings and will legalise an already existing practice.

Upper Volta (ratification: 1960)

Article 2 of the Convention. In reply to the comments that the Committee has been making for several years on the list of occupational diseases appended to Act No. 3-59 ACL of 30 June 1959, the Government has stated that this list was to be revised by decree issued under section 43 of the Social Security Code. Although this Code came into force as long ago as 1972, the information supplied by the Government both to the Conference Committee and in its last report shows that the decree in question has not yet been prepared.

In these circumstances, the Committee can only return to the question and trust once more that the list of occupational diseases appended to the above-mentioned text will be completed in the very near future so as to include, in accordance with the Convention:

- (a) in general terms, all forms of poisoning by lead, its alloys or compounds and their sequelae (not only certain pathological manifestations listed exhaustively as diseases due to lead poisoning, as in the list at present in force);
- (b) poisoning by mercury, its amalgams and compounds and their sequelae and the activities apt to cause such poisoning;
- (c) the loading and unloading or transport of merchandise in general, to be included among the various activities apt to cause anthrax infection that already appear in the legislation.

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.

The Committee asks the Government to indicate the progress made in this connection.<sup>1</sup>

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In addition, requests regarding certain points are being addressed directly to the following States: Angola, Djibouti, Egypt, Guinea-Bissau, Mozambique, Nicaragua.

### Convention No. 19: Equality of Treatment (Accident Compensation), 1925

Syrian Arab Republic (ratification: 1960)

Article 1, paragraph 2, of the Convention. The Committee notes with interest the adoption of Act No. 46 of 3 July 1980, which amends section 94 of Act No. 92 of 1959 respecting social insurance and provides for payment abroad of periodical payments relating to industrial accidents to nationals and foreigners without distinction.

The Committee observes, however, that the payment of benefits abroad is made subject to the condition that the country where the foreign beneficiary resides shall grant the same treatment to Syrian beneficiaries. In its earlier comments, the Committee has expressed certain reservations on this condition, which does not fully correspond to the terms of the Convention. The Committee notes, from the statement by the Government in its report, that its earlier comments have been referred to the committee set up to draft a new general Act on social insurance. The Committee hopes that the draft will contain a provision which, unlike that introduced by Act No. 46 of 3 July 1980, prescribes payment abroad of periodical payments for industrial accidents to the nationals of every State bound by the present Convention<sup>2</sup>, whatever the country of residence of the person concerned and irrespective of the conclusion of a special reciprocity agreement, since, by its ratification, the Convention establishes an automatic reciprocity system between the States ratifying it. The Committee requests the Government to refer also in this connection to its observation under Convention No. 118. The Committee would be grateful if the Government would supply information to the Committee about any development relating to this point in its next report.

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In addition, requests regarding certain points are being addressed directly to the following States: Angola, Grenada, Guinea-Bissau, Lebanon, South Africa.

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<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session and to report in detail for the period ending 30 June 1982.

<sup>2</sup> A list of these States is appended to the text of the observation communicated to the Government.

**Convention No. 20: Night Work (Bakeries), 1925**

A request regarding certain points is being addressed directly to Peru.

**Convention No. 22: Seamen's Articles of Agreement, 1926**Colombia (ratification: 1933)

The Committee refers to its previous observation and to the statement made by a Government representative to the Conference Committee in 1979, according to which the measures necessary to give effect to the Convention would shortly be incorporated in the national legislation. The Committee observes that, according to the Government's report for the period 1979-80, the measures designed to ensure compliance with the Convention, which were announced on several occasions by the Government in statements and previous reports, have not yet been adopted.

The Committee urges the Government to accelerate the process for the adoption of legislation specifically covering seafarers and satisfying the requirements of the Convention. It trusts that the next report will contain confirmation of the adoption of such legislation.

Federal Republic of Germany (ratification: 1930)

Article 9, paragraph 1, of the Convention. The Committee refers to its earlier comments concerning section 63(3) of the Seafarers' Act, 1957, which restricts the right of a seaman to terminate an agreement for an indefinite period in a foreign port. In 1981 it noted with interest from the report of the Government that the consultations with the social partners had shown that an agreement seemed possible on the basis of the following points: if the notice given by the seaman expired in a port that was not in the territory of the Federal Republic of Germany or of an adjoining State, an extension of the agreement by three months at the most would be possible, unless the seaman ensured his own repatriation and a substitute was available without additional expense for the shipowner. Furthermore, after three years of engagement, the notice for seamen would be six weeks and must expire at the end of the calendar quarter.

The Committee now notes with interest the observations communicated by the German Shipowners' Association and by the Public Service, Transport and Communications Workers' Union, in which both organisations confirm their support for the proposed measures.

As the Committee had occasion to state in 1981, these measures would be a distinct improvement over the provisions of the 1957 Act at present in force, under which the agreement may be extended for up to six months, as long as the vessel does not reach a national port. It therefore hopes that the appropriate amendments will be made to the 1957 Act.

The Committee further expresses the hope that, when circumstances permit, full compliance will be achieved with the Convention, which provides that an agreement for an indefinite period may be terminated in any port where the vessel loads or unloads.



Pakistan (ratification: 1932)

Article 1 of the Convention. In its earlier comments, the Committee has pointed out that, by virtue of Article 1, the Convention also applies to seamen engaged in Pakistani ships in ports outside Pakistan, whereas the Merchant Shipping Act of 1923 limits the articles of agreement to seamen engaged in a Pakistani port. The Committee refers in this connection to the repeated statements by the Government that suitable measures are under study. It trusts that the Government will shortly take the necessary measures to ensure the application of the Convention on this point.

Article 5, paragraph 2, and Article 14, paragraph 2. With reference to its earlier comments concerning the observations submitted by the Marine Engineers' Association of Pakistan, the Committee notes the information supplied by the Government to the Conference Committee in 1981 to the effect that the Government considers that the continuous discharge certificate contains no column on "quality of work" but only a column on "ability", which is to be filled only at the seaman's request.

The Committee would like to point out in this connection that, under Article 14, paragraph 2, of the Convention, the seaman shall at all times have the right, in addition to the record mentioned in Article 5, to obtain from the master a separate certificate as to the quality of his work or, failing that, a certificate indicating whether he has fully discharged his obligations under the agreement. It notes with interest, however, the statement of the government representative that the question will be re-examined.

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In addition, requests regarding certain points are being addressed directly to the following States: Bahamas, Uruguay.

**Convention No. 23: Repatriation of Seamen, 1926**Ireland (ratification: 1930)

Article 3, paragraphs 1 and 4, of the Convention. The Committee recalls that section 32 of the Merchant Shipping Act of 1906 does not cover the right to repatriation of (a) a seaman who leaves the ship in a Commonwealth country or (b) a foreign seaman who joins the ship in a foreign port and leaves it in another foreign port. The first exception set out in section 32 is incompatible with Article 3, paragraph 1, of the Convention and the second exception, when applied to a foreign seaman who joins a ship in his own country, is contrary to paragraph 4 of the same Article. While maintaining that national practice in this field is in conformity with the Convention, the Government has referred since 1965 to a proposed revision of the merchant shipping legislation. The latest report indicates that it has not yet been possible to introduce legislation amending the relevant section of the Merchant Shipping Act.

The Committee wishes to point out once again that as long as section 32 has not been amended, the seamen concerned will not enjoy the protection to which they are entitled through the ratification of the Convention by Ireland. The Committee therefore trusts that the Government will soon take suitable measures to bring national law into conformity with the Convention.

Philippines (ratification: 1926)

Article 3, paragraph 4, of the Convention. The Committee refers to its previous observation and notes with interest, from the information supplied by the Government to the Conference Committee in 1981, that measures are being taken in conformity with the Convention with a view to including suitable provisions in the merchant shipping regulations or the articles of agreement to ensure the repatriation of foreign seamen. It hopes that the next report of the Government will give information on the provisions adopted.

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In addition, a request regarding certain points is being addressed directly to Iraq.

**Convention No. 24: Sickness Insurance (Industry), 1927**

Peru (ratification: 1945)

The Committee takes note of the information provided by the Government in its last report, and in particular of the adoption of Legislative Decrees No. 22482 of 27 March 1979 to establish the health benefits scheme and No. 23161 of 16 July 1980 to set up the Peruvian Social Security Institute.

With reference to its earlier comments, the Committee, however, regrets to note that section 18 of the above-mentioned Legislative Decree No. 22482 maintains certain qualifying conditions on which the granting of medical benefits depends in principle (payment of a number of monthly contributions). The Committee points out that Article 4 of the Convention mentions no qualifying period for entitlement to these benefits. It trusts that the Government will be able in the near future to communicate information on the measures it has taken or intends to take to bring its legislation into conformity with the provisions of the Convention on this point.

The Committee also observes, as it has done in the past, that the legislation to ensure that the social security system has the infrastructure needed for the granting of the necessary medical care in the provinces under Presidential Decree No. 002-75-TR of 1975 does not yet seem to have been adopted. It hopes that this text will be adopted in the near future and asks the Government to supply information on any progress made in this connection.

**Convention No. 25: Sickness Insurance (Agriculture), 1927**

Peru (ratification: 1945)

The Committee refers to its observation on the application of Convention No. 24, which applies equally to the present Convention. It also asks the Government to provide detailed information, including statistics, on the application to rural workers in each province of the country of Legislative Decree No. 22482 of 27 March 1979 to establish the health benefits scheme and also of Regulations No. 08-80-TR of 30 April 1980, issued under it.

**Convention No. 26: Minimum Wage-Fixing Machinery, 1928**Bolivia (ratification: 1954)

Further to its previous comments, the Committee takes note of the information supplied by the Government to the Conference Committee and in its last report.

1. The Committee notes that until 1979 the National Wages Board functioned as a body of the Ministry of Labour and Manpower Development responsible for the establishment of minimum wage-fixing machinery; that in February 1980 the technical section of this Board, together with representatives of other official institutions, formed an interministerial committee to study the question of minimum wages; and that, in pursuance of Legislative Decree No. 17610 of 16 September 1980, the National Wages Board is being reconstituted and will once again be tripartite in character. The Committee hopes that the Government will indicate in its next report what progress has been made in this connection and that it will supply a copy of the above-mentioned Legislative Decree.

2. The Government's report indicates the minimum wage rates fixed in the industrial and commercial sectors and the number of workers to whom they apply. The Committee would be grateful if the Government would supply information on the machinery used to fix these minimum wage rates, together with a copy of the instrument by which they were adopted.

Portugal (ratification: 1959)

Article 1 of the Convention. In its previous observation, the Committee took note of a communication from the Free Trade Union of Embroidery, Carpeting and Textile Workers of Madeira concerning the conditions of employment and wages of women homeworkers in Madeira. This communication was sent to the Government for its comments and the Committee takes note with interest of the information provided by the Government on the setting up for the purpose of studying the specific problems of women workers in the embroidery industry of Madeira of a regional tripartite working party whose work will be supplemented and co-ordinated by that of a national working party dealing with the same question.

The Committee follows up this question in a direct request dealing in detail with the application of minimum wages to homeworkers in general.

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In addition, requests regarding certain points are being addressed directly to the following States: Dominican Republic, Mauritania, Portugal, South Africa.

**Convention No. 27: Marking of Weight (Packages Transported by Vessels), 1929**Panama (ratification: 1970)

The Committee refers to its previous comments concerning the absence of legislation giving effect to the Convention and notes with satisfaction the adoption of Decree No. 22 of 30 November 1981, prepared during direct contacts between the national authorities and a representative of the Director-General of the ILO, ensuring the application of the Convention.

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In addition, a request regarding certain points is being addressed directly to Guinea-Bissau.

**Convention No. 29: Forced Labour, 1930**Belgium (ratification: 1944)

The Committee notes the information supplied by the Government in a statement made to the Conference Committee in 1981 and in its last report on the right to resign of persons in the service of the State, including career officers and non-commissioned officers.

As regards the situation of members of the armed forces under 18 years of age, the Committee notes with satisfaction that, in order to give effect to its previous comments, the Royal Order of 18 May 1981, to amend section 15 of the Royal Order of 8 November 1977 on the enlistment of volunteers in peacetime, now allows a young member of the armed forces engaged on a temporary basis before reaching the age of 18 years to obtain the termination of his engagement from his commanding officer, if he applies for it before reaching the age of 18 years.

As regards career members of the armed forces aged over 18 years, the Government indicates that, according to the rules currently in force, resignation will be accepted only when the applicant has already completed a period of service equal to at least one-and-a-half times the duration of his training. The time factor has been reduced from 1.75 to 1.5 as a result of the observations of the Committee of Experts, and the Government considers the period of service now required to be reasonable in view of the nature of the military career.

The Government also points out that, as the Minister has power to depart from the rule, between the years 1972 and 1980 applications to resign from 30 officers and 57 non-commissioned officers were accepted before the end of the regular period.

The Committee notes these indications with interest. It observes in this respect that the power of the Minister to depart from the above rule in exceptional cases allows him not only to accept applications to resign before the end of the regular period, but also, in the interests of the service, to reject applications to resign that respect the

statutory period, and that the latter case has sometimes occurred in practice. Observing also that, in reply to a question raised by a Deputy in 1977 on this subject, the Government referred to the case of a period of international tension in which it was possible to believe that a conflict that might involve Belgium was imminent, the Committee would be grateful if the Government would consider the possibility of clearly restricting to such cases the exceptional power of the Minister to reject applications to resign in the interests of the service, and if, pending the adoption of provisions along these lines, it would supply information in its future reports on cases where a decision to reject an application to resign after the regular period has been taken or upheld.

Bulgaria (ratification: 1932)

Further to its previous observation, the Committee notes with interest the Government's statement in its report that if Order No. 136 of 1974, of the Council of Ministers, is amended in the future, it will be made clear in the text that, in conformity with actual practice, notification of a job gives rise to no more than a moral obligation to take it up.

Byelorussian SSR (ratification: 1956)

1. Legislation concerning persons "leading a parasitic way of life". In previous comments, the Committee had noted that a Ukase of the Presidium of the Supreme Soviet of the Byelorussian SSR of 15 August 1975 had repealed both the Ukase of 15 May 1961, as amended, which permitted the direction to employment, by decision of the Executive Committee of a Soviet of Working People's Deputies, of persons evading socially useful work and leading an anti-social, parasitic way of life, and section 204<sup>1</sup> of the Penal Code of the Byelorussian SSR, which laid down penalties for refusal to comply with such a decision. Having noted that, in other Republics of the USSR, corresponding amendments had been accompanied by amendments extending the scope of provisions relating to vagrancy and begging, the Committee had asked the Government to indicate whether similar amendments had been made in section 204 or other sections of the Penal Code of the Byelorussian SSR.

In its latest report, the Government once more refers to the constitutional provisions concerning the right to work and the duty to work, and emphasises that the right to work and the duty to work are indissolubly linked. It states that section 204 of the Penal Code of the Byelorussian SSR deals with specific offences constituting parasitic ways of life and evasion of socially useful labour, but that there is no connection between these offences and the capacity for work of the person concerned.

The Committee requests the Government to supply the text of section 204 of the Penal Code, as now in force, and of any other provisions establishing or defining offences related to the leading of a parasitic way of life.

2. Termination of membership of collective farms. In its report the Government states that consultations on this matter are still in progress. The Committee refers to the comments on this point in the observation concerning the application of this Convention by the USSR.

3. Supply of legislation. Since 1964 the Committee has requested the Government to supply copies of the Administrative Code of

the Byelorussian SSR, of any regulations issued in application of this Code, and of any laws or regulations governing the performance of communal services, which had been mentioned by the Government in an earlier report. It regrets that these have still not been supplied, and urges the Government once more to make them available.

United Republic of Cameroon (ratification: 1960)

Civic service. In its previous comments, the Committee pointed out that under Act No. 73-4 of 9 July 1973, to set up the national civic service for participation in development, 24 months of work in the general interest throughout the public and private sectors can be imposed on citizens aged between 16 and 55 years and penalties of between 2 and 3 years' imprisonment can be inflicted for refusal to perform such work.

The Committee noted the Government's statement that recruitment for this civic service was voluntary in practice, but observed that it had received no text of laws or regulations governing the admission at their own request of those concerned to civic service training centres and their right to resign. The Committee also noted the provisions of Decree No. 79.131 of 12 April 1979 to reorganise the National Office for Participation in Development and the administration of the civic service, which confirmed that the participation of those concerned in work in the general interest was compulsory. The Committee requested the Government to communicate the rules governing recruitment adopted under section 51 of Decree No. 79.131 and to re-examine the entire question, having regard also to the explanations contained in paragraphs 49 to 53 of the general survey of 1979 on the abolition of forced labour, with a view to the adoption of measures to amend the legislation on the civic service so as to ensure the observance of Conventions Nos. 29 and 105 on the abolition of forced labour.

The Committee notes the Government's statement in its report that there are no special rules governing the recruitment of those concerned in the case of a national need, and that the recruitment procedures introduced after the creation and reorganisation of the National Office are applied independently in each area (arrondissement, prefecture or district). The Government also states that there have been no developments in legislation and that it has taken due note of the Committee's comments.

The Committee again expresses the hope that the Government will take the measures necessary to give statutory effect to the principle that only volunteers shall participate in the work of the civic service or to ensure in any other way compliance with Conventions Nos. 29 and 105 in this regard.

Central African Republic (ratification: 1960)

The Committee notes with regret that despite the discussion on the application of this Convention that took place in 1981 in the Conference Committee, the Government's report has not been received. It must therefore repeat its previous observation:

1. With reference to its earlier comments and the direct contacts that have taken place between the Government and a representative of the Director-General of the ILO, the Committee has previously noted that two draft ordinances have been prepared with a view to repealing Ordinance No. 66/004 of 8 January 1966 respecting the suppression of idleness, as amended by Ordinance

No. 72/083 of 18 October 1972, and also section 11 of Ordinance No. 66/038 of 3 June 1966 respecting the supervision of the active population and sections 2 and 6 of Ordinance No. 75/005 of 5 January 1975 respecting commercial, agricultural and pastoral activities. The Committee hopes that these draft ordinances will be adopted in the near future.

2. In its earlier observations, the Committee has also referred to section 28 of Act No. 6C/109 of 1960 respecting the development of the rural economy, which provides that minimum surfaces for cultivation shall be fixed for each rural community. Since the Government has already expressed its intention of bringing this text into conformity with the Convention, the Committee trusts that the necessary measures will also be taken shortly.

#### Chad (ratification: 1960)

Following the discussion on the application of this Convention that took place in 1979 in the Conference Committee, the Committee regrets to note that no report has been provided by the Government since 1968 and that it has received no new information in reply to its earlier comments.

The Committee has however noted that section 5 of the Labour Code prohibits the use of forced or compulsory labour in the very wording of Article 2 of the Convention and that section 72 repeals all legislative provisions conflicting with the Code.

It again requests the Government to state whether the following provisions of earlier legislation to which it has referred previously are regarded as repealed:

- section 260 bis of the General Code of Direct Taxes, inserted by Act No. 28-62 of 28 December 1962, enabling authorities to exact labour for the recovery of taxes;
- section 2 of Act No. 14 of 13 November 1959, empowering authorities to exact forced labour for work of public interest from persons subject to restrictions on residence following completion of a sentence;
- section 7, paragraph 4, of Ordinance No. 2 of 27 May 1961 on the organisation and recruitment of the armed forces and sections 3 and 4 of Decree No. 9 of 6 January 1962 on the recruitment of the army, providing for the assignment of conscripts to work of general interest.

#### Colombia (ratification: 1969)

Article 2, paragraph 2(c), of the Convention. In its previous observations, the Committee has pointed out that the Prison Code makes labour compulsory for all persons in detention and has requested the Government, in order to ensure the application of this provision of the Convention, to give statutory effect to the principle that only convicts may be required to perform penal labour.

The Committee notes that, during the direct contacts that took place in 1980 between the Government and a representative of the Director-General, a memorandum was drafted, which the Minister of Labour was to communicate to the Minister of Justice, with a copy to the Director-General of Prisons, to communicate the Committee's

comments to him and to request him to take measures to insert in the provisions of the Prison Code a distinction between the labour of convicts and that of other prisoners.

The Committee observes that the Government's report contains no new information on this matter. It hopes that the necessary measures will be taken to ensure that only persons convicted by a court of law may be required to perform prison labour and that the Government will soon supply full information on the progress made in ensuring compliance with Article 2, paragraph 2(c), of the Convention on this point and also with regard to the conditions under which prisoners work for private enterprises, which are considered in greater detail in a request addressed directly to the Government.<sup>1</sup>

#### Cuba (ratification: 1953)

In its previous observation, the Committee noted that section 77(e) of the Penal Code describes as a habitual vagrant a man of working age and physically and mentally fit for work who refrains from all occupational activity without justification and without being registered in a public educational establishment or vocational training centre and therefore lives as a social parasite on the work of others. Under section 84 habitual vagrants may be interned in a specialised work establishment or a workshop school or sent to a labour collective for periods of up to four years.

The Committee pointed out that laws creating an obligation for all citizens who are fit for work to have a gainful activity, enforced by penal sanctions, are incompatible with the Convention and that laws on vagrancy and similar offences that are drafted in terms so general that they may be used as a means of direct or indirect compulsion to work should be amended so that only those disturbing public order who not only habitually abstain from work but also are without any legal means of subsistence may be liable to punishment.

The Committee takes note of the statements made by the Government to the Conference Committee in June 1980 and in its last report to the effect that the Penal Code specifies the socially dangerous acts that constitute offences and the types of behaviour that indicate dangerousness, and lays down penalties and security measures applicable in each case. Vagrancy comes within the conception of dangerousness and the definition and listing of the signs of dangerousness in the Penal Code have a preventive sense. Furthermore, according to the Government, the behaviour of persons who habitually and obviously avoid their social duty of working and, though they are physically and mentally fit, carry on no kind of work and follow no vocational training or any other socially useful activity always goes hand in hand with illegal activities as a means of subsistence.

The Committee observes that the exaction of compulsory labour of a preventive character is not compatible with the Convention. So far as the Government considers that the behaviour of persons referred to in section 77(e) of the Penal Code always goes hand in hand with illegal activities as a means of subsistence, penal provisions providing for their punishment should clearly relate to these illegal activities. The Committee hopes that the necessary measures will be taken to bring section 77(e) of the Penal Code into conformity with the Convention and that the Government will indicate any progress made in this respect.

<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.



Czechoslovakia (ratification: 1957)

1. With reference to its earlier comments, the Committee notes with satisfaction that Act No. 51 of 1959, section 10 of which empowered the competent authorities to exact agricultural deliveries from individual farmers, has been repealed by Legislative Provision No. 102 of 27 October 1981.

2. Article 203 of the Penal Code. In its previous comments, the Committee has noted that under section 203 of the Penal Code, any person who systematically avoids honest work and allows himself to be maintained by somebody else or obtains his means of livelihood in some other improper manner is liable to deprivation of liberty for up to three years. The Committee has pointed out that legislative provisions on vagrancy and similar offences drafted in very general terms can be used as a means of direct or indirect compulsion to perform labour. When the Government mentioned preparatory work on a new codification of the Penal Code and the revision of section 203, the Committee suggested that, so far as the cases really aimed at by this provision were limited to offences such as prostitution, procuring, begging or illegal gambling, the possibility be considered of making the wording of section 203 of the Penal Code more precise so as to exclude clearly from its scope those who had no gainful activity and lived with the freely given help of their family or friends.

The Committee takes note of the statement by the Government in its report to the effect that the amendment of section 203 of the Penal Code, which has not yet been drafted, will take account of the provisions of the Convention. Noting also the statement that the draft will be submitted to the Federal Assembly in 1983 at the earliest, the Committee hopes that the necessary measures to bring the legislation into conformity with the Convention will be taken as quickly as possible and that the Government will indicate the measures taken or under consideration.

Ecuador (ratification: 1959)

With reference to its earlier comments on section 359 of the Penal Code of 1938, which dealt with vagrancy, the Committee notes with satisfaction that the Code has been revised and that under sections 383 and 384 of the text now in force vagrants shall not be punished for the mere fact of not habitually carrying on a trade or occupation.

Finland (ratification: 1936)

In previous comments, the Committee has referred to section 25 of the Public Assistance Act which provides for the transfer of persons in need of institutional care to a workhouse by decision of the Social Board. It notes with interest from the information communicated by the Government to the Conference in 1980 and from its latest report that in reality the persons placed in such institutions are not obliged to work there against their will and that on 18 June 1981, the Government submitted to Parliament a Bill for a new social welfare act which would replace among other things the present Social Assistance Act and the possibility it contains of committing a person to a workhouse. Noting also that it is estimated that this reform should come into force in 1984, the Committee hopes that the Government will soon be in a position to indicate further progress in this regard.

Gabon (ratification: 1960)

In its earlier observations, the Committee pointed out that Ordinance No. 50-62 of 21 September 1962, which imposes on every citizen over 18 who cannot show that he has an occupation or is registered at an educational establishment the obligation, enforced by penal sanctions, to accept any employment assigned to him by the authorities, is contrary to the Convention. The Committee took note with interest of the statement by the Government that the 1978 Labour Code repealed the above-mentioned Ordinance. It observed that section 4 of the Labour Code prohibits all work or service exacted of a person under threat or coercion and that section 261 repeals every provision contrary to the Labour Code, but it also noted that the Labour Code does not specifically mention Ordinance No. 50-62 and that the prohibition of compulsory labour in section 4 does not apply to any work or service exacted by virtue of the laws on military or civic service consisting in the performance of duties that are purely military or of general interest (section 4(a) of the Code). The Committee therefore expressed the hope that measures would be taken to bring the repeal of Ordinance No. 50-62 to the notice of the public.

The Government replies in its report that, although section 261 of the Labour Code does not specifically mention Ordinance No. 50-62 of 21 September 1962, it considers that this Ordinance is repealed and that, wishing to avoid duplication, it is not in favour of adopting another repealing text.

The Committee takes due note of this statement. It recalls, however, that Ordinance No. 50-62 gives the authorities wide powers to compel every citizen to accept the available employment assigned to him and that work or service exacted under a statutory instrument and consisting in the performance of tasks of general interest is in conformity with section 4(a) of the Labour Code. In these circumstances, the Committee would be grateful if the Government, on the occasion of a future revision of the Labour Code, and in order to dispel any doubts on this issue, would consider rendering explicit the repeal of Ordinance No. 50-62.

Federal Republic of Germany (ratification: 1956)

Article 2, paragraph 2(c), of the Convention. In previous comments, the Committee had noted with interest that under the 1976 Act on the execution of sentences, any employment of a prisoner in a workshop maintained by private enterprise was to be dependent on the prisoner's consent, which could be withdrawn subject to six weeks' notice. It also noted that sickness and old-age insurance were to be extended to prisoners later by law, and that the right to wages had been recognised in the 1976 Act, but that the wage granted in addition to board and lodging was only 5 per cent of the average wage of workers and employees covered by the old-age insurance scheme, an increase being scheduled for decision on 31 December 1980.

The Committee notes with regret that the requirement of the prisoner's formal consent to employment in a workshop maintained by private enterprise, laid down in article 41, paragraph 3, of the 1976 Act, which was to enter into force on 1 January 1982, was suspended by article 22 of the Second Act to Improve the Budget Structure, of 22 December 1981, further consideration of the matter being scheduled for the end of 1983. It notes from the Government's report that draft legislation to increase prisoners' wages and to extend sickness and old-age insurance to them was submitted to the legislature for consideration, and that an increasing number of prisoners were allowed to take up a free employment relationship outside the penal establishments.

The Committee hopes that the necessary action will soon be taken to grant all prisoners employed in private workshops the conditions and safeguards of freely accepted employment, in particular with regard to formal consent, wages and social security contributions, and that the Government will supply information on the measures adopted.

Guinea (ratification: 1961)

The Committee refers to its observation on Convention No. 105.

Haiti (ratification: 1958)

Further to its earlier comments, the Committee notes with interest that, with the report on the application of the Convention, the Government has communicated two bills drawn up to be soon promulgated, which are to repeal the provisions of section 230 of the Penal Code empowering the public prosecutor to require persons convicted of vagrancy who have already served their sentence to reside in a designated place and to work on state work, and to amend section 4 of the Labour Code so as to make the illegal exaction of labour subject to penalties, in accordance with Article 25 of the Convention. The Committee trusts that these amendments will be adopted in the near future and notes the Government's statement that a copy of the act of promulgation will be sent to the ILO as soon as published in the official gazette.

India (ratification: 1954)

1. Further to its previous comments the Committee notes with satisfaction that the Orissa Compulsory Labour (Amendment) Act, 1981 has deleted section 11 of the Orissa Compulsory Labour Act, 1948 which enforced local customs under which work in connection with irrigation or drainage is usually performed by the joint labour of the village community.

2. In previous comments, the Committee noted that by virtue of the Bonded Labour System (Abolition) Ordinance, promulgated in 1975 and passed as an Act in 1976, which is applicable to the whole of India, the bonded labour system shall stand abolished and every bonded labourer shall stand free and discharged from any obligation to render any bonded labour. The Committee further noted that special enforcement measures are prescribed, as well as penal sanctions, for infringement of this legislation.

The Committee noted that according to the information received from the state governments which had reported the incidence of the bonded labour system in their areas, district magistrates were given powers to ensure the proper implementation of the Act and vigilance committees were constituted in most of the districts concerned. It noted with interest that up to 30 June 1979, as reported by nine state governments, 94,056 bonded labourers had been identified and freed, and more than half of them rehabilitated mainly with the provision of public employment or financial assistance. Court proceedings under Chapter VI of the Act had been reported only by three States in 1,295 cases, leading to convictions and the imposition of penalties in 360 cases and the release of bonded labourers in 248 further cases.

The Committee also noted the preliminary report published by the National Labour Institute in early 1979 on the National Survey on the Incidence of Bonded Labour, which estimated that 2,167,000 labourers in

eight States so far surveyed and, according to information supplied by the National Ministry of Labour on the basis of the 28th round of the National Sample Survey, 4.2 per cent of the total number of agricultural labourers in the country were bonded; it was pointed out that 56 per cent of the bonded labourers interviewed in 1978 had gone into bondage in the course of the three preceding years.

The Committee further noted that, following a recommendation by the Central Standing Committee on Rural Unorganised Labour, a subcommittee was constituted in 1979 to review the procedures and practices in identifying and freeing bonded labour and to recommend what improvements could be brought about to make them more effective.

The Committee notes with interest from the Government's latest report that the number of bonded labourers identified and freed went up from 94,056 in nine States by 30 June 1979 to 120,292 in ten States by 31 March 1980 and 121,973 by 30 June 1981, and the number of those rehabilitated from 58,071 by 30 June 1979 to 88,951 by 31 March 1980 and 109,012 by 30 June 1981. No court proceedings under Chapter VI of the Act to identify and punish those responsible for its violation were, however, reported. It notes that the Subcommittee on Bonded Labour constituted in 1979 to review the procedures and practices in identifying and freeing bonded labour and to recommend what improvements could be brought about to make them more effective has submitted its report which has not, so far, been transmitted by the Government to the ILO.

The Committee further notes from the Government's report that the Subcommittee on Bonded Labour did not arrive at any precise estimates on the actual incidence of bonded labour; it notes that in a communication to the Conference Committee in 1980, the Government stated that information available from a majority of the States indicated that the estimates published by the National Labour Institute on the incidence of bonded labour in India in 1978 were rather exaggerated, that there were some variations in the concepts and definitions of bonded labour, that a few bonded labourers had left their place of residence upon their statutory release in 1975 for an unknown location and that there were no confirmed reports from any of the States as to alleged relapse of labourers into bondage.

The Committee also notes that a report submitted in 1980 to the Working Group on Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities of the United Nations Economic and Social Council by the Anti-Slavery Society for the Protection of Human Rights alleges that bonded labour has been unlawful throughout India since 1947, that in 1976, it was estimated that between 5 and 7 million persons in India were in debt bondage to about 1 million landowners, that in 1980, debt bondage continued unchecked in particular as it affected the Adivasis (tribal peoples), and that there was continuing failure of administrative authorities at all levels, including the police, despite some praiseworthy exceptions, to protect the rights of tribal peoples held in virtual slavery by local moneylenders, landowners and businessmen as well as inter-state gangs operating a well-organised racket.

The Committee is not aware of the Government's position regarding these allegations. It is, however, well aware of the constant concern of the National Government and state governments for the implementation of the Bonded Labour System (Abolition) Act, as shown in the number of bonded labourers identified and freed, particularly up to 31 March 1980, and the number of those rehabilitated over recent years.

At the same time, it would appear that by all estimates, the size and the nature of the problem are such that the means for enforcing the

law and punishing offenders must be strengthened if bonded labour is to be eradicated. Under Article 25 of the Convention, the Government has undertaken to ensure that the penalties imposed by law for the illegal exaction of labour are really adequate and are strictly enforced.

The Committee trusts that the necessary measures to make the abolition of bonded labour more effective are being taken or contemplated, and that the Government will soon supply further details, including a copy of the report of the Subcommittee on Bonded Labour and of the recommendations made on that basis to the Government by the Central Standing Committee on Rural Unorganised Labour as well as full data on practical results, including the numbers of bonded labourers freed and rehabilitated, court proceedings initiated, the number of offenders convicted and the penalties imposed.

Indonesia (ratification: 1950)

1. In earlier observations, the Committee noted that large numbers of persons had been detained for many years without having been tried by a court of law, and asked the Government to report in detail on the measures taken to ensure the observance of the Convention in their respect.

As regards A category detainees, whom it was proposed to bring to trial, the Committee noted the Government's statement at the Conference Committee in 1980 that all detainees but one (who was to be tried as soon as his health permitted) had been brought to trial in conformity with Indonesian legislation. The Committee asked the Government to supply details on the action taken, including the number of persons acquitted or convicted and the measures taken to ensure that those who are acquitted, or whose sentences do not involve further detention, are permitted to recover their free choice of employment.

As regards B category detainees, who were not to be brought to trial, the Committee noted the Government's statement that their release had been completed at the end of December 1979 and that former detainees were completely free to live and work where they liked. Noting also questions raised by members of the Conference Committee regarding discrepancies between the final number of releases mentioned by the Government and earlier indications about the number of persons detained, the Committee noted the Government's explanation that discrepancies might have been caused by the reclassification of certain detainees from B category to C category; recalling the Government's earlier statements that there were no more C category detainees, the Committee asked the Government to supply more detailed information on the situation of the former B category detainees concerned as well as of any other persons newly included in any category of detainees.

The Committee notes that in its report on the application of the Convention, the Government reaffirms the statements made by its representative to the Conference Committee in 1980 and 1981, that the question of detainees was completely settled at the end of 1979, and that since that time there have been no more detainees of any category. Noting also the comments by the Conference Committee in 1981 calling for a full elucidation of all the specific questions raised in this connection, the Committee regrets that the Government has failed to supply the detailed information repeatedly requested. As a consequence, while it is satisfied that a great number of persons detained following the events of September 1965 have been released over the years, the Committee remains unable to ascertain whether the situation of all detainees has been brought into conformity with the Convention.

2. In its previous comments, the Committee also noted that, according to press reports mentioned in the Conference Committee in 1979, a great number of contract labourers in North Sumatra and Aceh, including many persons who had formerly been detained without trial, were unable to return home at the expiration of their contracts; it noted the Government's statement to the Conference Committee in 1980 that most of these had returned to their villages upon the expiration of their contracts, but that 1,758 workers still remained in Sumatra, 1,494 of whom had chosen to stay permanently, while the return of the 264 others had been delayed and the Government was taking measures against the companies concerned to expedite these workers' return.

The Committee notes the Government's statement to the Conference Committee in 1981, repeated in its latest report, that among the 264 persons who had not returned home in 1980, up to May 1981, 145 persons had drawn the cost of transport to return home and the remaining 119 had declared their intention to stay in their present jobs. Noting also the statements made in the Conference Committee in 1981 by a Workers' member who referred to reports in the Indonesian Press that there were still thousands of workers on the plantations who could not return home, and by the Government representative who indicated that the workers employed on the plantations did not belong to any category of ex-detainees but were ordinary contract labourers as had been the practice since the period of Dutch colonisation, the Committee requests the Government to supply detailed information on the action taken to investigate the renewed allegations, to enable all contract labourers concerned to decide in full freedom at the expiration of each contract whether to stay with their employers or be enabled to return home, and to ensure, in conformity with Article 25 of the Convention, that all illegal exaction of work is punished as a penal offence.

#### Liberia (ratification: 1931)

The Committee notes with regret that the Government has not supplied a report on the application of the Convention. It notes, however, the information communicated by the Government to the Conference Committee in 1980.

1. Local public works. In its previous observation, the Committee recalled that the Revised Laws and Administrative Regulations for Governing the Hinterland, 1949, contain provisions permitting the exaction of forced labour *inter alia* for public works; although stated to have been repealed in 1962, these continued to be used as the basis for local administration. The Committee noted the assurances given by the Government that new legislation to govern local administration which would conform with the Convention and would also clarify the legal situation regarding self-help projects was to be drafted.

The Committee notes from the information communicated by the Government to the Conference Committee in 1980 that the practice of forced labour in Liberia has not been eradicated, despite its prohibition by law, and that this has been a reason for the change of government; the Government further stated that the Ministry of Local Government was determined to eliminate abuses committed particularly by local authorities in carrying out rural community development through self-help projects, and to this end the Ministry of Local Government had been instructed to submit monthly reports to the Labour Ministry outlining the manner in which all self-help projects are executed.

The Committee hopes that copies of these reports will be made available to the ILO. It again expresses the hope that, since the mere prohibition of forced labour has not been sufficient to eradicate its

practice, legislation will soon be adopted to govern local administration and clarify the legal situation regarding self-help projects and the execution of other local public works in accordance with the Convention, and that the Government will supply full information on the action taken.

2. Prohibition of forced labour. In its previous observation, the Committee noted that effect was to be given to Article 25 of the Convention under Chapter 2 of the draft labour law by the imposition of a penalty in the form of a fine or imprisonment for the illegal exaction of forced labour, including the use of forced labour for purposes of economic development such as public works. The Committee notes the Government's statement to the Conference Committee in 1980 that the law would be adopted by decree as soon as possible, and certainly before the 1981 Conference. In the absence of further information on the matter, and since this point has been the subject of comments for a number of years, the Committee hopes soon to learn of the entry into force of the draft legislation.

3. Enforcement of the prohibition of forced or compulsory labour. The Committee has in previous observations stressed the need to ensure, in addition to the adoption of a legislative prohibition of forced labour, the strict observance of such legislation, in accordance with Articles 24 and 25 of the Convention. In this connection, the Committee asked the Government to supply detailed information on the measures adopted to ensure adequate labour inspection and enforce the prohibition of forced or compulsory labour particularly in non-concessionary agricultural undertakings as well as in relation to Chiefs. The Government having indicated that copies of the annual reports of the Ministry of Labour, Youth and Sports and of the Ministry of Local Government, Rural Development and Urban Reconstruction for the year 1979 would be forwarded as requested, the Committee had expressed the hope that these would soon be available for examination, and that the Government would continue to send copies of the annual reports of these ministries.

The Committee notes that while the Annual Report of the Ministry of Labour, Youth and Sports for 1979 has been sent to the ILO, neither the Report of the Ministry of Local Government, Rural Development and Urban Reconstruction for 1979 nor later reports of either ministry have been made available for examination. The Committee hopes that the missing reports will soon be supplied, together with copies of the monthly reports referred to under point 1 above.<sup>1</sup>

#### Libyan Arab Jamahiriya (ratification: 1961)

In earlier comments, the Committee referred to the provisions of section 1 of Act No. 20 (1962) under which women who are accused repeatedly of certain offences can be committed by court order to a correctional institution for a period from six months to three years. The Committee also referred to section 6 of the Royal Decree of 5 October 1955 under which any person who, having been previously convicted or suspected several times, again becomes suspected of such offences, is liable to detention for a period of from one to five years, also by decision of a judge. The Committee understood that in both cases the persons concerned, who are simply accused or suspected, would have to perform labour.

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.

The Committee notes with interest from the Government's report that the question is being studied whether section 1 of Act No. 20 (1962) and section 6 of the Royal Decree of 5 October 1955 can be considered as repealed by section 105 of the Prisons Act (No. 47 of 1975), and that should this not be so, the necessary measures are being contemplated to ensure the observance of the Convention in this connection. The Committee hopes that the necessary measures will be taken to establish clearly that no compulsory labour may be imposed on detainees who are simply accused or suspected, and that the Government will soon be able to indicate the progress made in this regard.

Mauritania (ratification: 1961)

The Committee notes with regret that the Government's report has not been received.

1. Call-up of labour. With reference to its earlier comments concerning Ordinance No. 62-101 of 26 April 1962 and Act No. 70-C29 of 23 January 1970, which confer very wide powers on the authorities to requisition persons outside the cases of emergency and exceptional circumstances admitted by Article 2, paragraph 2(d), of the Convention, the Committee has noted the assurances provided by the Government in its report received in 1978, to the effect that detailed information on the action taken on its comments would shortly be communicated.

The Committee hopes that the provisions that are incompatible with the Convention will be repealed or amended in the near future.

2. Placing of prison labour at the disposal of private undertakings. The Committee again asks the Government to communicate the information already requested on the law and practice in force in respect of the conditions of employment of prison labour, so that it can assess how far the provisions of Article 2, paragraph 2(c), of the Convention are observed.

3. Article 25 of the Convention. The Committee has taken note of the Report of the Working Group on Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, of the United Nations Economic and Social Council, on its seventh session held in August 1981. In its report the Working Group refers to a report submitted by the Anti-Slavery Society for the Protection of Human Rights according to which the effect of the decree adopted in 1979 by the Government to abolish slavery has remained very limited and 300,000 persons who are either ex-slaves or part-slaves freed by payment or favour are still subject to their masters for whom they are obliged to cultivate the land and shepherd the animals in return for a small payment in kind. The report further alleges that when these part-slaves revolted, they were severely intimidated and their leaders were jailed, that escaped slaves are often returned to their masters by the police and that a movement formed by emancipated slaves in 1974 called El Hor has been the object of repressive measures.

The Committee requests the Government to supply its comments on the subject of these allegations and to provide particulars on the measures taken or envisaged to give effect to Article 25 of the Convention according to which the illegal exaction of forced or compulsory labour shall be punishable as a penal offence and it shall be an obligation on any Member ratifying this Convention to ensure that the penalties imposed by law are really adequate and are strictly enforced.



Morocco (ratification: 1956)

Article 2, paragraph 2(a), (c) and (d), and Article 25 of the Convention. In its earlier comments the Committee referred to a number of texts providing for the assignment of military recruits to work of general interest, the placing of prisoners at the disposal of private establishments and the requisitioning of persons in situations not endangering the existence or the well-being of the population. The Committee also referred to the absence of penalties for the illegal exaction of forced labour.

The Committee noted the indication by the Government that the Committee's observations under Article 2, paragraph 2(a) and (d), of the Convention, had been communicated to the competent national authorities and that the draft legislative texts referred to since 1963 and 1969 respectively which were to bring the national legislation into conformity with Article 2, paragraph 2(c) and Article 25 of the Convention had not yet been adopted. The Committee regrets to note that the last report of the Government contains no new information. It is again addressing a direct request to the Government on these questions and it hopes that the Government will take the necessary measures to bring the legislation rapidly into conformity with the Convention and that it will provide detailed information on the measures taken and on the questions raised in the direct request.

Netherlands (ratification: 1933)

In its previous observation the Committee expressed the hope that action would soon be taken to repeal the requirement for a worker to obtain approval for termination of employment under section 6 of the Extraordinary (Employment Relations) Decree, 1945. It notes from the Government's report that parliamentary discussion of the Bill containing the draft amendment is not yet completed. Recalling that penal sanctions to enforce section 6 of the Extraordinary Decree were abolished in 1979, the Committee trusts that the Government will be able to indicate in its next report that the legislation has been brought into full conformity with the Convention on this point.

Nigeria (ratification: 1960)

Further to its previous comments, the Committee notes with satisfaction from the Government's report that in consonance with the provisions of the Constitution, the State Security (Detention of Persons) Acts, under which detained persons were to be confined under the same conditions as may be imposed on persons duly convicted of an offence by a court of law, have been repealed by the Constitution (Certain Consequential Repeals) Act, 1979. The Committee trusts that a copy of the repealing legislation will be forwarded by the Government.

Pakistan (ratification: 1957)

The Committee has noted the Government's report and the information supplied by the Government to the Conference Committee in 1980.

1. Imposition of labour. In its previous comments, the Committee referred to provision for compulsory direction of labour under the Control of Employment Ordinance, 1965. It notes the indication given by the Government to the Conference in 1980 that the

provisions of the Ordinance are presently dormant and are not being enforced. The Committee would ask the Government to continue to supply information on any practical application of these provisions and on any measures adopted or envisaged to repeal the Ordinance or to clarify the conditions in which the powers under section 5 of the Ordinance may be used.

2. Restrictions on termination of employment. In previous observations the Committee pointed out that, under the Pakistan Essential Services (Maintenance) Act, 1952, it is an offence punishable with imprisonment for up to one year for any person in employment (of whatever nature) under the central government to terminate his employment without the consent of his employer, notwithstanding any express or implied term in his contract providing for termination by notice (sections 2, 3(1)(b) and explanation 2, and section 7(1)). Pursuant to section 3 of the Act, these provisions may be extended to other classes of employment. Similar provisions are contained in the West Pakistan Essential Services (Maintenance) Act, 1958, as regards persons in employment under the West Pakistan Government or any agency set up by it or a local authority or any service relating to transport or civil defence.

The Government stated in its report for the period 1971 to 1973 that the provisions in question would have to be left intact until the state of emergency was lifted in 1974; in its statements to the Conference Committee in 1977 and 1978, the Government indicated that, notwithstanding anything contained in section 3 of the Essential Services (Maintenance) Act, federal and provincial government employees could resign or leave their jobs with three months' notice or less, and that to that extent the Essential Services Act already stood modified since it had to be read with the provisions of other relevant legislation. In its communication to the Conference Committee in 1980, the Government expressed the view that these Acts come within the scope of the exception in Article 2(2)(d) of the Convention, relating to cases of emergency, since they provide for the maintenance of essential services. As to the application of the Act with respect to employment under the Federal Government, the Government pointed out that employees offered themselves for government services with full knowledge of the fact that the application of the laws providing for the maintenance of essential services had become the normal incidence of such services. Regarding the application of the Act to other employment, it depended on a declaration which the Federal Government could only make if it was of the opinion that such employment was essential for securing the defence or security of the country or for the maintenance of such supplies of services as are essential to the life of the community. Moreover, the application of the Act was usually for a period of six months, further extendable for another six months, and the sparing use of the Act showed in the Government's view that it was resorted to only when there was a necessity for the defence or security of the country or for the existence or the well-being of the population of the country.

The Committee takes due note of these indications. As was explained in paragraphs 67 to 73 of its 1979 General Survey on the abolition of forced labour and already on earlier occasions, measures preventing workers from terminating their employment even by notice, unless they have obtained official permission, are compatible with the Convention only where they are limited to circumstances that would endanger the existence or the well-being of the whole or part of the population. Restrictions under the Essential Services (Maintenance) Acts are not limited to such circumstances since they apply permanently to any person in employment of whatever nature under the central and provincial governments and have also been applied temporarily to other

categories of employment, such as employment in various printing presses, which appear to be outside the scope of Article 2(2)(d) of the Convention relating to emergencies. Although in the case of government employees the persons concerned may have been aware of restrictions under the Essential Services (Maintenance) Acts when taking up employment, the Committee must point out that the workers' right to free choice of employment remains inalienable. Accordingly, the effect of statutory provisions preventing termination of employment of indefinite duration by means of notice of reasonable length is to turn a contractual relationship based on the will of the parties into service by compulsion of law, and is thus incompatible with the Conventions relating to forced labour.

Having regard also to the Government's earlier statements that, notwithstanding anything contained in the Acts, federal and provincial government employees could resign or leave their jobs with three months' notice or less, the Committee again expresses the hope that measures will be taken to repeal the provisions of the Essential Services (Maintenance) Acts which specifically exclude termination of employment by notice, so as to ensure compliance with the Convention on this point in law as well as in practice.

#### Article 25 of the Convention

3. With regard to allegations of recourse to coercion by certain labour recruiters, the Committee noted the Government's statement to the Conference Committee in 1978, in which it indicated that a special court was set up in 1967 and that one earthwork contractor was tried and sentenced to seven years' rigorous imprisonment. The Committee asked the Government to supply a copy of this court decision as well as information about action taken in other cases referred to previously.

In its report, the Government refers to the information communicated to the Conference in 1980, where it stated that no labour camps existed at that time and that the case referred to in 1978 was more than 13 years old. For its part, the Committee regrets that the Government did not find it possible to make available for the Committee's examination information enabling it to satisfy itself that, in conformity with Article 25 of the Convention the penalties imposed by law for the illegal exaction of compulsory labour are strictly enforced.

4. The Committee previously also asked the Government to report in detail on the activities of the labour inspection services in supervising the conditions of engagement of workers by labour contractors. It notes from the annual consolidated report on the working of labour laws in Pakistan during 1977 which contains a special report on contract labour for the year 1977 that, in the year 1977, apart from innumerable other construction projects employing contract labour, there were 55 big construction projects under execution in the country, employing a total number of 17,232 workers, which were the object of seven inspections, and four camps, of which two inspections were made during the year; no case of forced labour was reported.

The Committee would ask the Government to continue supplying information on any further measures taken or envisaged to ensure an adequate system of inspection of earthwork sites and other projects involving contract labour, with a view to guaranteeing the efficient enforcement of the prohibition of forced labour.

Panama (ratification: 1966)

Article 2, paragraph 2(c), of the Convention. In its previous comments, the Committee pointed out that, under sections 3 and 4 of Decree No. 467 of 1942, persons in detention awaiting trial could be required to work in provincial agricultural colonies, which is contrary to the Convention.

The Committee notes with satisfaction that Decree No. 26 of 30 November 1981 has amended the above sections in accordance with a draft elaborated during direct contacts, so that only convicted persons may now be required to perform work under Decree No. 467 of 1942.

Paraguay (ratification: 1967)

Article 2, paragraph 2(c), of the Convention. The Committee has pointed out in its earlier comments that section 39 of Act No. 210 of 1970 respecting the prison system is contrary to this provision of the Convention, since it states that "work shall be compulsory for detainees", and section 10 of the same Act defines as detainees not only convicted persons but also those subjected to security measures in a prison establishment. The Committee has also taken note of the repeated statements by the Government that a Bill has been sent to the National Congress to amend Act No. 210 in conformity with the Convention.

The Committee regrets to note the Government's statement in its last report, that section 39 of Act No. 210 is not contrary to the Convention and that no provision has been adopted in the national legislation in this connection. The Committee points out that the Convention excludes compulsory prison labour from its scope only when this is exacted as a consequence of a conviction in a court of law. Recalling also earlier statements by the Government that in practice the labour of detained persons is voluntary, the Committee hopes that the necessary measures will be adopted to give statutory effect to this practice, so as to ensure that only persons serving a court sentence may be subjected to compulsory prison labour.

Peru (ratification: 1959)

Article 2, paragraph 2(c), of the Convention. In its earlier comments the Committee has pointed out that section 35 of Legislative Decree No. 17591 of 15 April 1969 on the serving of sentences, read in conjunction with section 132 of the Penal Code, prescribes compulsory labour for all prisoners, including those awaiting trial. The Committee takes note with satisfaction of the adoption on 29 September 1981 of Presidential Decree No. 025-81-JUS on the compensation of sentences by labour and education, section 4 of which enables a prisoner awaiting trial to opt for a system of voluntary labour or compulsory primary teaching and be credited, should he be sentenced, with the corresponding compensation of his sentence. The Committee therefore hopes that an early opportunity will be taken of amending section 35 of Legislative Decree No. 17591 and section 132 of the Penal Code in conformity with the Convention, which permits the exaction of compulsory prison labour only as a consequence of a conviction in a court of law.

Poland (ratification: 1958)

The Committee understands that under a decree of the Council of Ministers of 30 December 1981 men between the ages of 18 and 45 years

who are considered unemployed must, with a certain number of exceptions, report for compulsory work. The Committee would appreciate it if the Government would supply a copy of the decree and comments concerning its bearing on the observance of the Convention.

Sierra Leone (ratification: 1961)

The Committee notes that the Government's report has not been received.

In comments made since 1964, the Committee has asked the Government to repeal or amend section 8(h) of the Chiefs and Councils Act (Cap. 61) under which compulsory cultivation may be imposed on natives. Having regard to the Government's previous statement that it is no longer the practice for tribesmen to perform compulsory cultivation for their chiefs and that the competent authority has been requested to take appropriate action, the Committee trusts that measures will be taken at an early date to bring the law into conformity with the practice as well as the Convention.

Sweden (ratification: 1931)

Further to its earlier comments, the Committee notes with satisfaction that Act No. 30 of 1981 repealed, with effect as from 1 January 1982, Act No. 450 of 1964 which provided for placement in a workhouse of a person who neglects to support himself by honest means and leads an anti-social life so that public order or public safety are obviously endangered, and which had not been applied in practice.

Tanzania (ratification: 1962)

Tanganyika

In previous comments the Committee has observed that, contrary to the Convention, compulsory labour may be exacted under the following provisions:

- (a) Section 52(1), paragraph 45, of the Local Government Ordinance (as amended by Act No. 64 of 1962) and section 121(e) of the Employment Ordinance (as amended by Act No. 82 of 1962) permit the imposition of compulsory cultivation by local authorities. A number of by-laws imposing such obligations have been made by local authorities and approved by the competent minister.
- (b) Part X of the Employment Ordinance permits forced labour to be exacted for public purposes.
- (c) Section 6 of the Ward Development Committees Act, 1969, gives Ward Development Committees the power to make orders requiring all adult citizens resident of the area of the ward to participate in the implementation of any scheme for agricultural or pastoral development, the construction of works or buildings for the social welfare of residents, the establishment of any industry or the construction of any work of public utility.
- (d) Sections 4 to 8 of the Resettlement of Offenders Act, 1969, and sections 4 and 17 of the Resettlement of Offenders Regulations, 1969, permit resettlement orders, with an obligation to perform compulsory labour, to be made by administrative decision.

The Committee recalls that these questions have been the subject of comments for many years, and that in 1976 direct contacts took place between the Government and a representative of the Director-General of the ILO to discuss the measures to be taken to ensure the observance of the Convention.

In its latest report, the Government once more recognises the need to revise the legislation mentioned in the Committee's comments. It refers to discussions which it had had in 1981 with the ILO Regional Adviser on International Labour Standards, but states that it would like to receive more specific proposals from the International Labour Office as to the legislative changes required to ensure compliance with the Convention.

The Committee trusts that the Government will take measures in the very near future to bring the legislation into conformity with the Convention, and hopes that the International Labour Office will provide any assistance requested in this respect.

#### Zanzibar

In previous comments the Committee had noted that, under section 5 of the Preventive Detention Decree, 1964, regulations may be made applying to persons detained by administrative order any of the provisions of the Prisons Decree relating to convicted prisoners. Since 1966 the Committee has requested information on the regulations made under this provision. It regrets that this information has still not been furnished. It is therefore unable to ascertain whether Article 2, paragraph 2(c), of the Convention, which permits the exaction of labour only from persons convicted in a court of law, is being respected.

For several years the Committee has also requested the Government to furnish copies of the Presidential Decree of 1977 which requires every citizen of Zanzibar leaving school to serve for at least two years in a labour camp and of the regulations governing prison labour, and to indicate whether convicts work for private undertakings. The Committee regrets that the texts and information in question have not been supplied.<sup>1</sup>

#### Togo (ratification: 1960)

The Committee notes with regret that the Government's report has not been received. It must therefore repeat its previous observations which read as follows:

Work exacted from persons awaiting trial and the placing of prison labour at the disposal of private individuals. With reference to its earlier comments concerning section 21 of Order No. 488 of 1 September 1933, under which persons detained while awaiting trial are obliged to perform prison labour and prisoners may be placed at the disposal of private persons, but which the Government states to have fallen into disuse, the Committee notes that the report refers to the information previously supplied according to which the draft text which is to bring the legislation into conformity with the Convention has not yet been adopted.

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<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session and to report in detail for the period ending 30 June 1982.

The Committee trusts that the legislation will be amended in the very near future to bring both law and practice into conformity with the Convention on these points.

Tunisia (ratification: 1962)

Imposition of corrective labour on persons who refuse to work or who abandon the work assigned to them. In its earlier comments the Committee has referred to section 2(1) of Legislative Decree No. 62-17 of 15 August 1962, under which any male person who without valid reason refuses to work may be directed to rehabilitation through work, and to Act No. 78-22 of 8 March 1978 to establish the civic service, under which every Tunisian of between 18 and 30 years of age who cannot show that he has a job or is registered in an educational establishment or a vocational training establishment may be assigned for a year or more to economic and social projects or rural or urban development projects, under penalty of being directed to rehabilitation through work in case of refusal or desertion. The Committee expressed the hope that the Government would reconsider these texts, taking into account also the Special Youth Schemes Recommendation, 1970 (No. 136), with a view to adopting suitable measures to ensure the observance of Conventions Nos. 29 and 105, and that, pending the adoption of these measures, it would provide information on the nature and extent of the work performed by the persons assigned to civic service and on the number of persons directed to this work.

The Committee takes note of the statement by the Government in its report to the effect that offenders directed towards the rehabilitation centres are not assigned to rehabilitation through work but receive only vocational training, which facilitates their reinsertion in society, and that they are helped to find suitable work. As to Act No. 78-22 of 8 March 1978 to establish civic service, the Government states that its provisions were drafted in accordance with Recommendation No. 136 of 1970 and that information on the number of young persons assigned to civic service and the nature of the work they perform would be provided as soon as possible.

The Committee takes due note of these explanations. It points out, however, that Legislative Decree No. 62-17 concerns not only young offenders but all male persons who "without good faith refuse to work after being warned"; that this Legislative Decree does not mention vocational training but provides expressly for rehabilitation through labour, whose "purpose is the employment of certain persons, for a determined period, on one of the state worksites"; and that, in any case and whatever the nature of the penalty, it is contrary to the Convention to submit an adult person to measures of constraint for the mere fact of refusing to work.

With reference to Act No. 78-22 of 8 March 1978 to establish civic service, it applies to persons up to the age of 30 years and provides for compulsory work on economic development projects, which is contrary to Convention No. 29 and Article 1(b) of Convention No. 105 and does not comply with the provisions of Recommendation No. 136, which states in particular, in Paragraph 7, that participation in special youth schemes should be voluntary, an exception being allowed, however, for schemes of education and training involving obligatory enrolment of unemployed young people within a definite period after the age limit of regular school attendance.

In view of the real situation mentioned by the Government, the Committee again expresses the hope that the necessary measures will be taken shortly to bring the texts in question into conformity with the

Conventions on the abolition of forced labour, that the Government will indicate the amendments adopted or under consideration and that it will also provide the data asked for concerning the activities and numbers of the civic service.

Ukrainian SSR (ratification: 1956)

1. Legislation concerning persons "leading a parasitic way of life". In previous comments, the Committee had referred to the provisions for punishing "persons leading, over a prolonged period of time, any other parasitic way of life", inserted in 1975 in section 214 of the Penal Code of the Ukrainian SSR, which had previously applied only to persons systematically engaging in vagrancy or begging.

The Committee had noted that, by Ordinance No. 10 of 28 June 1973 as amended by Ordinance No. 13 of 3 September 1976, the Plenum of the Supreme Court of the USSR had laid down guidelines for courts dealing with cases of violation of the passport rules, systematic vagrancy or begging and the leading of any other parasitic way of life. While that Ordinance contained definitions of "systematic vagrancy" and "begging", it did not specifically define the concept of "leading any other parasitic way of life", but made this offence dependent on the capacity for work of the person concerned. The Committee had pointed out that laws creating an obligation for all able-bodied citizens to engage in a gainful occupation, subject to penal sanctions, were incompatible with the Convention and that laws on vagrancy and assimilated offences worded in such general terms as to lend themselves to application as means of direct or indirect compulsion to work should be amended. It accordingly expressed the hope that appropriate measures would be taken regarding section 214 of the Penal Code of the Ukrainian SSR with a view to ensuring observance of the Convention.

In its report, the Government once more refers to the constitutional provisions concerning the right to work and the duty to work of citizens and stresses the organic link between the right to work and the duty to work. It states that section 214 of the Penal Code is concerned with different forms of a parasitic way of life and avoidance of socially useful work which not only violate the social order but also contain a latent threat to public safety, being frequently associated with various kinds of criminal behaviour.

The Committee must observe once more that the offence of leading over a prolonged period of time any parasitic way of life (other than systematically engaging in vagrancy or begging) laid down in section 214 of the Penal Code of the Ukrainian SSR is worded in general terms. It appears from the Government's report that this provision is aimed at ensuring observance by citizens of the duty to work established by the Constitution of the Ukrainian SSR. This appears also to be borne out by the above-mentioned guidelines for courts dealing with such offences laid down by the Plenum of the Supreme Court of the USSR, which make prosecution for the offence in question dependent on the capacity for work of the accused person and enumerate categories of persons who, even if physically fit - such as mothers of young children, housewives and retired persons - are not liable to prosecution. According to section 6 of the Ordinance laying down these guidelines, criminal proceedings for leading over a prolonged period of time a parasitic way of life may not be brought against minors, persons recognised under established legal procedure as invalids or who have reached the age of retirement, or pregnant women or women with children under the age of 8 years or housewives; on the other hand according to section 7, in the absence of sufficient data in the particular case concerning the capacity for work of the accused person, his capacity for work may be ascertained on the basis of medical findings.



The Committee must once more recall that laws creating an obligation to engage in a gainful occupation, subject to penal sanctions, are incompatible with the Convention. It hopes that, in order to eliminate all uncertainty as to the effect of the legislation and as to the observance of the requirements of the Convention in law and practice, the Government will re-examine the matter with a view to adopting appropriate amendments to section 214 of the Penal Code of the Ukrainian SSR.

2. Termination of membership of collective farms. The Committee recalls its previous observations on this matter. As it is regulated by legislation of the USSR, the Committee refers to the comments on this point in the observation concerning the application of the Convention by the USSR.

3. Supply of legislation. In its first report on the Convention, presented in 1958, the Government provided certain extracts from the Administrative Code of the Ukrainian SSR relating to compulsory service in cases of emergency. Since 1959 the Committee has requested the Government to supply a copy of the full text of this Code. In its report the Government states that work on the preparation of a new Administrative Code is now under way, and that after the new Code has come into force a copy will be made available. The Committee hopes that the Government will be able to supply the text of the new Code with its next report or, if the new Code has not then been adopted, a copy of the existing Code.

#### USSR (ratification: 1956)

1. Legislation concerning persons "leading a parasitic way of life". In its previous observations, the Committee had referred to the provisions concerning persons "leading, over a prolonged period of time, any parasitic way of life", inserted in 1975 in section 209 of the Penal Code of the RSFSR, which had previously applied only to persons systematically engaging in vagrancy or begging. It had noted the Government's statement that refusal to work could not be punished, either under this section or under other provisions of the legislation, and that the reference to "persons leading any other parasitic way of life" in section 209 of the Penal Code applied only to the specific offences of gambling and fortune-telling.

The Committee had observed that in the guidelines for courts dealing with cases of violation of the passport rules, systematic vagrancy or begging and the leading of any other parasitic way of life laid down by the Plenum of the Supreme Court of the USSR in Ordinance No. 10 of 28 June 1973, as amended by Ordinance No. 13 of 3 September 1976, the scope of the offence of "leading any other parasitic way of life" in section 209 of the Penal Code of the RSFSR was not defined by reference to the specific offences of gambling and fortune-telling but turned upon the capacity for work of the persons concerned. The Committee accordingly expressed the hope that the Government would consider taking appropriate measures with a view to amending section 209 of the Penal Code of the RSFSR and the corresponding provisions in force in other Union republics so as to limit their scope to specific offences as mentioned by the Government.

The Committee notes the statements on this matter made by a Government representative in the Conference Committee in 1980, in which he stressed that section 209 of the Penal Code of the RSFSR punished acts aimed at obtaining illegal income, such as fortune-telling or gambling, but did not permit persons to be prosecuted merely for failing to work. He, however, recognised the necessity for clarifying this section, and indicated that the question would be given appropriate attention in the course of preparation of new legislation.

In its latest report, the Government refers to the provisions of the USSR Constitution relating to the right to work and the duty to work, and states that the right to work and the duty to work are indissolubly linked. It states that section 209 of the Penal Code of the RSFSR deals with specific offences which are manifestations of a parasitic form of life with evasion of socially useful labour, and that there is no justification for the Committee's conclusion that there was a connection between the offence of "leading any other parasitic way of life" and the capacity for work of the persons concerned.

The Committee notes that the Government, in its latest report, no longer manifests an intention to modify the provisions of section 209 of the Penal Code of the RSFSR to clarify its scope. The Committee recalls that, while this section originally applied only to systematic vagrancy and begging (offences in respect of which more precise definitions are set out in the previously mentioned Ordinance of the Plenum of the Supreme Court of the USSR), it was extended in 1975 to provide punishment also for "persons leading over a prolonged period of time any other parasitic way of life". The last-mentioned offence has not been the subject of any more precise definition. It is worded in general terms and is not specifically limited to acts aimed at obtaining illegal income, such as fortune-telling or gambling. The relevance to this offence of the working capacity of the person concerned is established in the above-mentioned Ordinance of the Plenum of the Supreme Court of the USSR: according to section 6, criminal proceedings for leading over a prolonged period of time a parasitic way of life may not be brought against minors, persons recognised under established legal procedure as invalids or who have reached the age of retirement, or pregnant women or women with children under the age of 8 years or housewives; on the other hand according to section 7, in the absence of sufficient data in the particular case concerning the capacity for work of the accused person, his capacity for work may be ascertained on the basis of medical findings. The Committee finds it somewhat difficult to understand why certain persons such as minors, invalids, retired persons, mothers or housewives should be exempt from prosecution under the penal provisions in question if their scope is confined to acts aimed at obtaining illegal income.

The Committee hopes that, in order to eliminate all uncertainty as to the effect of the legislation and as to the observance of the requirements of the Convention in law and practice, the Government will once more examine the matter with a view to amending section 209 of the Penal Code of the RSFSR and the corresponding provisions in force in other Union republics so as to limit their scope to specific activities of the kind mentioned by the Government.

2. Termination of membership of collective farms. In previous comments, the Committee had noted that, according to article 3 of the Fundamental Principles of Labour Legislation of the USSR and the Union Republics adopted on 15 July 1970, the labour of collective farm members was regulated by the collective farm rules adopted on the basis of and in conformity with the model collective farm rules and the legislation of the USSR and the Union republics relating to collective farms; and that, under clause 7 of the model collective farm rules adopted on 28 November 1969, a member's application to leave a collective farm must be submitted to the management committee and the general meeting of the collective farm. It accordingly appeared that a member of a collective farm might terminate his membership only with the consent of the management committee and the general meeting of the collective farm and that, if such consent were refused, he would remain bound by all the obligations resulting from his membership of the collective farm (including obligations regarding work).

The Committee had also noted that, under basic regulations on the issue and maintenance of collective farmers' work books, approved by the Union Council of Collective Farms and confirmed by Order No. 310 of 21 April 1975 of the Council of Ministers of the USSR, collective farmers were to be issued work books, which were to be kept at the management office of the collective farm and handed to the owner if and when he ceased to be a member of the collective farm. Since, according to the Order of the Council of Ministers of the USSR and the All-Union Central Council of Trade Unions of 6 September 1973 respecting work books for wage and salary earners, the production of the work book was required for taking up employment, it appeared important that the legislation should clearly specify the manner in which a member of a collective farm could terminate such membership.

In this connection, the Government had indicated that the management and the general meeting were under an obligation to meet the request of a member to leave the farm and that a refusal of the request would be illegal and would be countermanded by the District Soviet of Working People's Deputies.

Having regard to the importance of this question, the Committee had asked the Government to re-examine the matter with a view to providing expressly in the legislation that members of a collective farm might terminate their membership by a unilateral decision, subject only to giving notice of reasonable length.

In previous reports and statements in the Conference Committee, the Government had indicated that it understood the Committee's views and was holding consultations on the subject with the organisations concerned with a view to a positive solution. In its latest report the Government states that these consultations have not yet been completed.

Recalling that this matter has been under consideration for a number of years, the Committee hopes that the necessary measures will be adopted at an early date.

#### Venezuela (ratification: 1944)

Article 2, paragraph 2(c), of the Convention. In its earlier comments the Committee referred to certain provisions of the Act of 1956 respecting vagabonds and rogues that empower the administrative authorities to order internment in an establishment of rehabilitation or labour, an agricultural reformatory colony or a work camp. The Committee noted the statement of the Government in its reports that under section 113 of the draft Penal Code security measures entailing the obligation to perform labour can be inflicted only by the judicial authority and that this draft, submitted to Congress for adoption, had already been approved by the appropriate committee.

The Committee notes the information provided by the Government in its last report to the effect that the draft reform of the Penal Code is still being studied by the Congress of the Republic. The Committee hopes that the necessary measures will be adopted in the near future to bring the legislation on vagrants and rogues into conformity with Article 2, paragraph 2(c), of the Convention.

#### Zaire (ratification: 1960)

The Committee notes with regret that, in spite of the discussion held in the Conference Committee in 1980 on the application of the Convention in Zaire, the Government's report has not been received. The Committee points out that it has for several years been calling attention to the need to take measures in order to:

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- bring sections 18 to 21 of the Legislative Ordinance on minimum personal contributions, No. 71/087 of 14 September 1971, under which tax defaulters may be imprisoned by the chief of the local community or the burgomaster with the obligation to work, into conformity with Article 2, paragraph 2(c), of the Convention, which authorises the exaction of prison labour only as a consequence of a conviction in a court of law;
  - amend Ordinance No. 15/APAJ of 20 January 1938 on the prison system in indigenous districts in respect of the work of prisoners, in order to ensure that prison labour can be exacted only from persons sentenced in a court of law, in accordance with section 64 of Ordinance No. 344 of 17 September 1965, section 2 of the Labour Code of 1967 and Article 2, paragraph 2(c), of the Convention;
  - insert a provision in the legislation laying down penalties for those illegally exacting forced or compulsory labour, in accordance with Article 25 of the Convention;
  - bring the legislation authorising the calling up of Zairian graduates and physicians (Legislative Ordinances No. 72-058 of 22 September 1972 and No. 68-071 of 1 March 1968 as amended in 1969), which the Government states to have been adopted as exceptional and temporary measures, into conformity with the Convention, taking into account also the indications contained in the Special Youth Schemes Recommendation, 1970 (No. 136).

The Committee noted the statement by the Government to the Conference Committee in 1980 that the legislation on minimum personal contributions and on the calling up of physicians and holders of school-leaving certificates has fallen into disuse, that the Executive Council was aware of the need to take measures to bring the legislation into conformity with the Convention and that the Department of Labour was endeavouring to overcome the difficulties of collaboration between various departments of the Executive Council, difficulties that had caused a certain delay. The Committee notes that the Government has not yet indicated the measures adopted since. It trusts that the necessary action will be carried out in the near future and that the Government will report progress made.<sup>1</sup>

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Mr. Ivanov, member of the Committee, expressed his dissent regarding certain observations of the Committee concerning the application of Convention No. 29 on forced or compulsory labour in the USSR and some other socialist countries. In his view, these observations were not justified by the situation existing in these countries. Another member of the Committee, Mr. Gubinski, associated himself with Mr. Ivanov's view.

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<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session and to report in detail for the period ending 30 June 1982.

In addition, requests regarding certain points are being addressed directly to the following States: Algeria, Angola, Argentina, Australia, Austria, Bahamas, Barbados, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, United Republic of Cameroon, Central African Republic, Chad, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Fiji, France, Gabon, Federal Republic of Germany, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Italy, Ivory Coast, Jamaica, Japan, Kuwait, Liberia, Libyan Arab Jamahiriya, Malaysia, Malta, Mauritania, Mauritius, Mexico, Morocco, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tanzania, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian SSR, USSR, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

### Convention No. 30: Hours of Work (Commerce and Offices), 1930

Iraq (ratification: 1962)

The Committee notes with regret that for the second consecutive year the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

Article 7 of the Convention. The following provisions of the Labour Code, as amended by Act No. 110 of 1978, are not in conformity with this Article of the Convention, which lists exhaustively the cases in which exceptions to normal hours of work may be authorised:

- section 67(b) (5), under which normal hours of work may be extended if the work is required for development purposes or with a view to increasing production;
- section 68(b) (3), which, for work other than industrial, limits the number of hours of overtime to four per day without specifying the cases in which an extension of normal hours of work is permitted.

The Committee requests the Government to take the necessary measures to bring the legislation into conformity with this Article of the Convention.

Article 11. The Committee notes that the draft legislation concerning labour inspection, to which the Government has been referring for some years, will soon be adopted and will contain provisions on the posting of timetables of work and rest and on the obligation for the employer to keep a record of overtime worked by his employees.

The Committee hopes that the Government will take the necessary action at a very early date in order to bring its legislation into conformity with these provisions of the Convention.

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In addition, requests regarding certain points are being addressed directly to the following States: Lebanon, Mozambique, Saudi Arabia.

**Convention No. 32: Protection against Accidents (Dockers) (Revised), 1932**Italy (ratification: 1933)

The Committee notes that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

The Committee notes that, following the adoption in December 1978 of the Act on the institution of a national health and safety service, the entire area of occupational accident prevention is to be regulated and the obligations laid down in the Convention will be fully met. It notes further that the tripartite committee appointed by the Ministry of Merchant Shipping intends to draft regulations which comply as closely as possible with the provisions of the above-mentioned Act.

The Committee recalls that for a number of years the Government has been stating its intention to adopt general regulations concerning safety in port work which would give full effect to the requirements of the Convention throughout the national territory and would replace the local regulations issued by individual port authorities through which the Convention is at present largely implemented in certain ports.

The Committee reiterates its hope that appropriate regulations will be adopted soon and that they will give full effect to the requirements of the Convention in all ports of the country.

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In addition, requests regarding certain points are being addressed directly to the following States: Chile, Yugoslavia.

**Convention No. 33: Minimum Age (Non-Industrial Employment), 1932**Central African Republic (ratification: 1962)

The Committee notes that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

Article 3, paragraphs 1(c), 2(b) and 4(b). The Committee notes with interest from the information supplied by the Government at the Conference Committee in 1980 that following direct contacts with a representative of the Director-General a draft decree has been prepared to lay down the conditions of employment of children between 12 and 14 years. The Committee hopes that the draft in question will take account of the points raised in its previous observations and will be adopted at an early date. It requests the Government to transmit the text of the new decree when adopted.

**Convention No. 35: Old-Age Insurance (Industry, etc.), 1933**

A request regarding certain points is being addressed directly to Peru.

**Convention No. 36: Old-Age Insurance (Agriculture), 1933**

A request regarding certain points is being addressed directly to Peru.

**Convention No. 37: Invalidity Insurance (Industry, etc.), 1933**

A request regarding certain points is being addressed directly to Peru.

**Convention No. 38: Invalidity Insurance (Agriculture), 1933**

A request regarding certain points is being addressed directly to Peru.

**Convention No. 39: Survivors' Insurance (Industry, etc.), 1933**

A request regarding certain points is being addressed directly to Peru.

**Convention No. 40: Survivors' Insurance (Agriculture), 1933**

A request regarding certain points is being addressed directly to Peru.

**Convention No. 41: Night Work (Women) (Revised), 1934****Central African Republic (ratification: 1960)**

The Committee notes that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

For many years, the Committee has been drawing the Government's attention to the fact that section 3 of Order No. 3759 of 25 November 1954 authorises derogations from the prohibition of night work by women in circumstances which are not permitted by this Convention, but which are close to those authorised by Article 5 of Convention No. 89. The Committee has noted with interest that, following the direct contacts which took place in 1978 between the competent national service and a

representative of the Director-General, the Government is envisaging the ratification of Convention No. 89 after amending section 3 of Order No. 3759 so as to bring it into line with the terms of Article 5 of that Convention. It hopes therefore that the Government will be able very shortly to ratify Convention No. 89 and to adopt the decree amending Order No. 3759 in accordance with that Convention.

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In addition, a request regarding certain points is being addressed directly to Peru.

### Convention No. 42: Workmen's Compensation (Occupational Diseases) (Revised), 1934

See the general observation on Convention No. 17. The Committee recalls, moreover, that the ratification of the Employment Injury Benefits Convention, 1964 (No. 121), involves ipso jure, by virtue of its Article 28, paragraph 2, the denunciation of Convention No. 42.

#### Algeria (ratification: 1962)

Article 2 of the Convention. The Committee notes from the reply of the Government to its earlier observations that the national commission set up to complete, revise and bring up to date the list of occupational diseases as part of the general revision of the social security schemes is continuing its work and that Bills and draft decrees are about to be submitted to the Government and the National Assembly.

The Committee also notes the statement by the Government to the effect that the comments on the application of the Convention have received the full attention of the competent authorities, who will not fail to take the necessary measures to ensure the conformity of the national legislation with the Convention.

The Committee trusts that the schedules of occupational diseases annexed to the Order of 22 March 1968, as amended, may shortly be brought into full conformity with the schedule of the Convention on the following points, to which it has been calling attention for a number of years:

- (a) the list of the various pathological manifestations appearing under each "disease" in the left-hand column of the schedules in the national legislation should be of an indicative nature, as is the list of corresponding activities appearing in the right-hand column of these schedules;
- (b) the wording of the items concerning poisoning by arsenic (schedules Nos. 20 and 21), manifestations due to the halogen derivatives of hydrocarbons of the aliphatic series (schedules Nos. 3, 11, 12, 26 and 27), poisoning by phosphorus and certain of its compounds (schedules Nos. 5 and 34) should be replaced by a wording covering in general terms - like that of the Convention - all manifestations that may be caused by the above-mentioned substances (a wording of this kind would make it possible also to cover diseases that might be caused by the utilisation of new products, as the Government points out in its earlier reports);



- (c) the activities that may cause anthrax infection (schedule No. 18) should include the loading and unloading or transport of merchandise in general, so as to cover workers, such as dockers, who may unwittingly have transported merchandise contaminated by the anthrax spore.

The Committee asks the Government to indicate any progress made in this connection.<sup>1</sup>

Bahamas (ratification: 1976)

With reference to its earlier comments, the Committee notes with satisfaction that the National Insurance Act and the National Insurance (Industrial Benefits) Regulations, 1975, and the National Insurance Industrial Benefits Medical Care Regulations, 1975, both issued under the Act, came into force on 1 November 1980 and that they ensure the application of the main provisions of the Convention.

Brazil (ratification: 1936)

The Committee notes the Government's reply to its previous comments and notes with satisfaction the adoption of Decree No. 83,080 of 24 January 1979 (which entered into force in March 1979), approving the regulations for payment of social insurance and also containing provisions concerning compensation for industrial diseases in the rural sector.

The Committee also notes with satisfaction that the new list of occupational diseases in Annex V of the Decree covers amalgams of mercury as well as compounds of phosphorus and compounds of the other substances likely to cause the poisonings mentioned by the Convention.

As regards tuberculosis associated with silicosis, the Committee notes the Government's statement that it is compensated in the same way as silicosis when silicosis is its cause.

France (ratification: 1948)

The Committee notes the amendments to the schedule of occupational diseases (annexed to Decree No. 46-2959 of 31 December 1946) made by Decrees Nos. 80-235 and 80-556 of 1980 and 81-507 of 1981. Also, it has noted with interest the Government's statements in its report and in its letter of 1 June 1979, that the extent of the revisions made to the schedules and the wide variety of studies going on and due to be completed soon show its willingness to bring national regulations into line with the most recent knowledge of occupational hygiene.

The Committee therefore again expresses the hope that, when the new amendments are made, its own comments made for a number of years will also be taken into account concerning: (a) the exhaustive nature of the pathological conditions listed under each of the diseases in the schedule of the national legislation; (b) the absence in the schedules of a head covering in general terms, as in the Convention, poisoning by all halogen derivatives of hydrocarbons of the aliphatic series and by all compounds of phosphorus, and (c) the omission from the list of work likely to cause primary epitheliomatous cancer of the skin of processes involving the handling of certain products other than coal pitch.

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1983.

The Committee hopes the Government will be able very shortly to indicate the progress made in this matter.

Haiti (ratification: 1955)

In its earlier comments, the Committee has asked the Government to provide information on the practical application of the Convention, particularly statistics on the number of workers employed in the trades, industries or processes appearing in the schedule of Article 2 of the Convention, the cases of diseases reported and the sums paid for compensation, in accordance with point V of the report form adopted by the Governing Body on this Convention.

In the information supplied to the Conference Committee in 1979, the Government stated that, although no case of occupational disease appeared in the statistics on industrial accidents furnished at the time to the ILO, this was because the comparatively low industrialisation of the country meant that there were no industries that might cause such diseases. The Committee observes nevertheless that many of these accidents arise in many industries and during work (extraction of metal ores or building stone, industries of leather and leather articles, non-metallic metal products, transport, agricultural undertakings, etc.) using materials capable of causing one or more of the diseases listed in the schedule of the national legislation and that of the Convention.

The Government also stated, in 1979, that instructions had been given to the Industrial Accident Insurance Office to report separately cases of occupational diseases in the statistics that it was going to communicate to the ILO.

Since the Government has provided no report, the Committee is once more unable to assess the way in which effect is given in practice to the Convention. It hopes that a report will be provided for examination at its next meeting and that this will contain the above-mentioned data for which it has been calling for a number of years.

New Zealand (ratification: 1938)

With reference to its earlier comments, the Committee takes note with interest of the statement by the Government that the Accident Compensation Corporation, after considering the possibility of establishing a non-exhaustive list of occupational diseases within the full coverage system now in force, proposes to adopt an administrative schedule providing a presumption of occupational origin for certain specified diseases and forms of poisoning.

The Committee hopes that the above-mentioned schedule will be adopted very shortly and that it will include all the diseases appearing in the schedule of the Convention, together with the corresponding activities, and thus ensure to the workers concerned a protection at least equal to that provided for by the Convention.

Panama (ratification: 1959)

With reference to its earlier comments, the Committee takes note with satisfaction of the amendment of paragraph XI(c) of section 18 of the General Regulations respecting Insurance Benefits for Occupational Risks, establishing an automatic presumption of occupational origin for the diseases and forms of poisoning appearing in the Schedule of the Convention, when they affect workers engaged in activities likely to cause them.

Spain (ratification: 1958)

Article 2 of the Convention. With reference to its earlier comments, the Committee notes with satisfaction the adoption of Royal Decree No. 2821/1981 of 27 November, which amends the list of activities that may cause anthrax infection appearing in the schedule annexed to Royal Decree No. 1995/1978 of 12 May, with a view to bringing it into conformity with the schedule of the Convention.

United Kingdom (ratification: 1936)

The Committee observes that the new list of occupational diseases appended to the Social Security (Industrial Injuries) (Prescribed Diseases) Regulations, 1980 (No. 377), introduces no improvement to the list of the 1975 Regulations in respect of the points that have been the subject of its comments for a number of years.

The Committee notes, however, the statement by the Government that the Industrial Injuries Advisory Council will shortly submit a report to the Secretary of State for Social Services on adjustments that might be made to the national list of occupational diseases. The Committee can only express once more the hope that the list in question will be completed so as to cover, in accordance with the Convention, (a) all poisoning by the halogen derivatives of hydrocarbons of the aliphatic series; (b) all pathological manifestations due to X-rays or to radium and other radioactive substances, and (c) the operations of the loading and unloading or transport of merchandise in general, among the activities that may cause anthrax infection.

The Committee also hopes that the Government will indicate the progress made in this connection.

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In addition, requests regarding certain points are being addressed directly to the following States: Fahamas, Farbados, Brazil, Comoros, Cuba, Guyana, Norway, Papua New Guinea, Poland, South Africa, Suriname.

Information supplied by Honduras in answer to a direct request has been noted by the Committee.

**Convention No. 45: Underground Work (Women), 1935**

Requests regarding certain points are being addressed directly to the following States: Australia, Spain.

**Convention No. 47: Forty-Hour Week, 1935**

A request regarding certain points is being addressed directly to Norway.

**Convention No. 49: Reduction of Hours of Work (Glass-Bottle Works), 1935****Mexico** (ratification: 1938)

In its earlier comments, the Committee has pointed out that, under Article 2 of the Convention, workers to whom the Convention applies must be employed under a system providing for at least four shifts (paragraph 1) and their hours of work must not exceed an average of 42 per week (paragraph 2).

The Government states in its last report that it is making every effort to ensure that the principal workers' and employers' organisations in glass-bottle works take the provisions of the Convention into consideration in future collective agreements. It mentions that, as a result of its efforts, a collective agreement was concluded on 23 October 1980 between the Empresa Vidriera México SA and a trade union organisation. This collective agreement refers explicitly to the ILO instrument and provides for a working week of 42 hours. Only three teams, however, work in shifts and the fourth is a relief team covering only the rest and meal periods of the other three.

The Committee takes note of this information but trusts that the Government will continue its efforts, as, indeed, it says it will, to lead the parties to future collective agreements to adopt clauses giving full effect to the provisions of the Convention and that it will supply full information on any development in this connection.

**Convention No. 50: Recruiting of Indigenous Workers, 1936**

Requests regarding certain points are being addressed directly to the following States: Ghana, Saint Lucia.

**Convention No. 52: Holidays with Pay, 1936****Burma** (ratification: 1954)

The Committee regrets to note that the report of the Government has not been received and that, according to the information supplied to the Conference in 1981, no progress has been made in the adoption of suitable measures to bring the national legislation into conformity with the Convention. It trusts that these measures will be taken shortly and wishes to recall the following points, which it has been making since 1957:

Article 1 of the Convention. The provisions of the Leave and Holidays Act, 1951, do not apply to all the undertakings covered by the Convention. In particular they do not apply to small establishments exempted from the Factories Act, to shops and offices situated in places to which the Shops and Offices Act has not yet been extended, to hotels, to building and public works undertakings and to road transport undertakings.

Article 2, paragraph 2. Though employees under 15 years of age receive a holiday of 14 consecutive days, those between 15 and 16 years receive a holiday of only 10 consecutive days, whereas, under this provision of the Convention, every person under the age of 16 is entitled to an annual holiday with pay of at least 12 working days.

Article 4. Section 4, subsection 3, of the Leave and Holidays Act allows holidays to be accumulated, provided that the

whole period is granted within three years, whereas the Convention, which requires a holiday of at least six working days to be given each year to workers aged 16 years or over and a holiday of at least 12 working days to be given to workers under 16 years of age, does not permit any postponement of the holiday.<sup>1</sup>

Central African Republic (ratification: 1964)

The Committee observes that the report of the Government has not been received. It notes, however, from the information furnished to the Conference Committee in 1981, that the study of the draft decree prepared during the direct contacts that took place in 1979 and 1980 between the competent authorities and a representative of the Director-General has been delayed because of certain administrative difficulties. The Committee trusts that this draft, which provides for the amendment of section 129 of the Labour Code so as to grant persons covered by the Convention the right in every case to a holiday with pay after 1 year of actual service (in accordance with Article 2 of the Convention), will be adopted shortly.

Libyan Arab Jamahiriya (ratification: 1962)

Article 2, paragraph 3(b), of the Convention. With reference to its earlier comments, the Committee notes that no progress has yet been made in giving effect to this provision of the Convention. It points out that the Government has for many years been expressing the intention of amending section 38 of the 1970 Labour Code, which does not explicitly exclude from the annual holiday with pay interruptions of attendance at work due to sickness, and it hopes that the necessary measures will soon be taken to bring the national legislation into conformity with the Convention on this point.

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In addition, requests regarding certain points are being addressed directly to the following States: Chad, Lebanon, Panama.

### Convention No. 53: Officers' Competency Certificates, 1936

Mauritania (ratification: 1963)

The Committee refers to its previous comments and to the statement made by the Government representative at the Conference Committee in 1981 that, in the restructuring process which the country's priority legislation was at present undergoing, the Government was giving priority to the rules governing employment at sea and that the delegation, on its return, would stress the urgent need to align those rules with the ILO standards. The Committee regrets, however, that the report has not been received and no further information is therefore available as regards the adoption of the Order, provided for by section 9C of the Merchant Shipping Code, to lay down the conditions governing the acquisition of certificates of

<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

competency. The Committee recalls that the problems raised by the application of the Convention were already the subject of discussions during the direct contacts that took place in 1979.

The Committee trusts that the Order in question will be adopted very shortly.

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In addition, a request regarding certain points is being addressed directly to the Libyan Arab Jamahiriya.

### Convention No. 56: Sickness Insurance (Sea), 1936

Peru (ratification: 1962)

The Committee notes the information provided by the Government in its last report, particularly the adoption of Legislative Decree No. 22-482 of 27 March 1979, setting up the Health and Social Security Benefits Scheme of Peru and Presidential Decree No. 008-80-TR, containing regulations under this Legislative Decree, and the adoption of Decree No. 23-161 of 16 July 1980, setting up the Peruvian Social Security Institute.

Article 3 of the Convention. See Convention No. 24, Article 4.

Article 7. The Committee notes that section 23 of Legislative Decree No. 22-482 and section 42 of the regulations issued under it respectively provide for the continued provision of benefits in respect of sickness or an ordinary accident and for the award of sickness benefit to a compulsorily insured person who has no employer at the moment when his sickness begins or when he sustains the ordinary accident.<sup>1</sup>

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In addition, a request regarding certain points is being addressed directly to Belgium.

### Convention No. 58: Minimum Age (Sea) (Revised), 1936

Requests regarding certain points are being addressed directly to the following States: Democratic Yemen, Grenada, Tunisia.

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.

**Convention No. 59: Minimum Age (Industry) (Revised), 1937**

Sierra Leone (ratification: 1961)

The Committee notes that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

The Committee recalls that it has been pointing out in its comments since 1964 that the legislation is not in conformity with the following provisions of the Convention:

Article 4 of the Convention. Obligation of the employer in an industrial undertaking to keep a register of all persons under the age of 18 years employed by him, and of the dates of their births.

Article 5. Obligation to prescribe a higher age than 15 years for the admission of young persons to dangerous employment.

The Committee notes from the report of the Government that these questions will be examined by the Joint Consultative Committee set up recently to advise the Government on labour matters. It hopes that the necessary measures will be adopted in the near future to give effect to these provisions of the Convention.

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In addition, requests regarding certain points are being addressed directly to the following States: Italy, Lebanon.

**Convention No. 60: Minimum Age (Non-Industrial Employment) (Revised), 1937**

A request regarding certain points is being addressed directly to Italy.

**Convention No. 62: Safety Provisions (Building), 1937**

Central African Republic (ratification: 1964)

The Committee notes that the Government's report has not been received. However, it notes that at the 1981 Conference Committee, the Government explained the administrative difficulties which were holding up the adoption of the draft decree to give effect to the Convention. The Committee again expresses the hope that appropriate legislation will be adopted in the near future so as to ensure the full application of the Convention.<sup>1</sup>

Guinea (ratification: 1966)

Further to its previous observations, the Committee has been informed that during direct contacts which took place in October-

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<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

November 1981 between the national authorities and a representative of the Director-General of the ILO, a draft decree was prepared concerning safety requirements for scaffolding and lifting apparatus in building, which would ensure the application of the Convention. The Committee hopes this draft will be adopted in the near future.<sup>1</sup>

#### Mauritania (ratification: 1963)

In its previous observation, the Committee noted that, following the direct contacts that had taken place in October 1979, a draft order had been worked out to give effect to its earlier comments. It hoped that this text would be adopted in the near future to give effect to Article 13, paragraph 2, of the Convention (minimum age of persons employed as crane operators and signallers).

The Committee regrets to note that no report has been received from the Government but takes note of the information furnished by the Government to the Conference Committee in June 1981 to the effect that the work of revising the Labour Code, in connection with which the order was to be issued, would be completed very shortly.

The Committee trusts that the necessary measures to give effect to the Convention will be taken very shortly.

#### Peru (ratification: 1962)

1. Articles 10, 13, paragraph 2, 15, paragraph 1, 16, 17 and 18 of the Convention. With reference to its earlier observations, the Committee notes, from the information furnished by the Government to the Conference Committee in 1980 and in its reports, that the Ministry of Housing and Construction established permanent machinery in 1978 for the revision of the National Building Regulations and that it has prepared a draft revision of the Regulations on the Safety of Urban Construction Work applying the above-mentioned provisions of the Convention. As the Government has been mentioning since 1975 a revision of the relevant legislation to give full effect to the Convention, the Committee expresses the earnest hope that the measures referred to will be adopted in the near future and that the Government will be able to provide the text with its next report.

2. Article 4. The Committee notes that the application of the provisions giving effect to the Convention is supervised by the General Directorate of Occupational Health and Safety, set up by Legislative Decree No. 23212 of 24 July 1980. It asks the Government to provide in its next report the information called for in the report form on the organisation and functioning of the services responsible for the supervision, indicating in particular the number of inspectors especially appointed to supervise safety in the building industry.

3. Article 6. The Committee notes that there are no statistics concerning industrial accidents in the building industry, but that with the new provisions that are being prepared it will be possible to compile such data. It hopes that the next report will indicate the measures taken to this end.

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.



**Convention No. 63: Statistics of Wages and Hours of Work, 1938**

Requests regarding certain points are being addressed directly to the following States: Mauritius, South Africa.

**Convention No. 64: Contracts of Employment (Indigenous Workers), 1939**

Guyana (ratification: 1966)

In its previous observation, the Committee noted that the Government had decided to take steps to provide the protection required by the various provisions of the Convention for all indigenous workers within its scope.

The Committee notes from the Government's report that the necessary amendments to the legislation to ensure the protection of indigenous workers in conformity with Articles 7, 8, 13, 15 and 17 of the Convention in respect of medical examination, minimum age, repatriation, transport and the responsibilities of various authorities have been submitted to the law officers for their comments. It hopes that the necessary amendments will be adopted in the near future in order to give full effect to the Convention.

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In addition, requests regarding certain points are being addressed directly to the following States: Ghana, Mauritius, Panama, Saint Lucia.

Information supplied by Fiji, New Zealand and Uganda in answer to a direct request has been noted by the Committee.

**Convention No. 65: Penal Sanctions (Indigenous Workers), 1939**

Requests regarding certain points are being addressed directly to the following States: Jamaica, Mauritius, Saint Lucia, Singapore.

**Convention No. 67: Hours of Work and Rest Periods (Road Transport), 1939**

A request regarding certain points is being addressed directly to Peru.

**Convention No. 68: Food and Catering (Ships' Crews), 1946**

Peru (ratification: 1962)

The Committee recalls the Government's statement in its previous report that it hoped to supply as soon as possible the Regulations on

food and catering on board ship (which were to be drafted by the Committee set up by Presidential Resolution No. 213-74-TR of 26 May 1974) and also copies of relevant collective agreements. It notes with regret that these texts have not been supplied and that the latest report only states that there were no complaints regarding food and catering on board since ships engaged in international traffic observe high standards.

The Committee trusts that the Government will not fail to take the necessary measures to give effect to the Convention, whose application was also the subject of discussions during the direct contacts that took place in 1972 and 1978. It requests the Government to supply full information on the measures adopted and to communicate copies of all relevant texts.<sup>1</sup>

Portugal (ratification: 1952)

With reference to its previous observation, the Committee notes from the information supplied by the Government to the Conference in 1981, that Legislative Decree No. 195/78 was examined at the drafting stage by the tripartite National Commission to Study the Problems of Seafarers and that although no general consensus has been reached on the scope of the Decree, the new collective agreement for the merchant marine provides - as it is done in practice - for catering for the crews of ships in national and international coastal navigation, and the Government is therefore considering the possibility of amending this Legislative Decree.

The Committee notes the above information with interest and hopes that the Government will supply information in its next reports on any progress made.

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In addition, a request regarding certain points is being addressed directly to Guinea-Bissau.

**Convention No. 69: Certification of Ships' Cooks, 1946**

Peru (ratification: 1962)

Articles 3 and 4 of the Convention. The Committee refers to its previous comments and notes with regret that the regulations concerning the conditions for the granting of the prescribed certificate (professional examination, age and minimum period of service) have not yet been adopted.

The Committee once again expresses the hope that the Government will take the necessary measures very shortly to ensure the effective application of the provisions of the Convention, which was the subject of direct contacts in 1972 and 1978.<sup>1</sup>

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.

In addition, requests regarding certain points are being addressed directly to the following States: Japan, Panama.

**Convention No. 73: Medical Examination (Seafarers), 1946**

A request regarding certain points is being addressed directly to Tunisia.

**Convention No. 77: Medical Examination of Young Persons (Industry), 1946**

Panama (ratification: 1970)

Further to its earlier comments, the Committee has noted with satisfaction the adoption of Decree No. 25 of 30 November 1981, which gives effect to a number of provisions of the Convention.

Philippines (ratification: 1960)

Further to its previous comments, the Committee has noted the information supplied by the Government to the Conference Committee in June 1981. It also notes with interest the text of the Occupational Safety and Health Standards, adopted on 8 December 1978.

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In addition, requests regarding certain points are being addressed directly to the following States: Belgium, German Democratic Republic, Lebanon, Nicaragua.

**Convention No. 78: Medical Examination of Young Persons  
(Non-Industrial Occupations), 1946**

Panama (ratification: 1970)

See under Convention No. 77.

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In addition, requests regarding certain points are being addressed directly to the following States: Bolivia, German Democratic Republic, Iraq, Lebanon, Nicaragua.

### Convention No. 79: Night Work of Young Persons (Non-Industrial Occupations), 1946

Peru (ratification: 1962)

With reference to its earlier comments, the Committee takes note with satisfaction of the adoption of Presidential Decree No. 03-81-TR respecting the employment of young persons, which contains provisions giving effect to Articles 2, 3, paragraph 1, and 5, paragraph 4(a) and (c), of the Convention.

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In addition, requests regarding certain points are being addressed directly to the following States: Bulgaria, Italy, Peru, Spain.

### Convention No. 81: Labour Inspection, 1947

Austria (ratification: 1949)

Article 10 of the Convention. The Committee notes that the Congress of Austrian Chambers of Labour has again submitted observations to the effect that the present condition of the inspection staff makes it impossible to carry out regular supervision. The Committee observes from the information provided by the Government that the frequency of inspection visits, although there has been a certain downward trend in recent years, compares favourably with that of most countries that have ratified the Convention. It takes note, moreover, of the measures adopted by the Government to strengthen the staff of the labour inspectorate. It asks the Government to continue in its future reports to provide information on this matter and, in particular, in respect of the filling of vacant posts.

Articles 17 and 18. In reply to the observations made by the Congress of Austrian Chambers of Labour, the Government states that Parliament at present has a draft amendment before it to the Workers' Protection Act that lays down severer penalties for infringements of the technical provisions and those concerning occupational health. It adds that the draft amendment to the Labour Inspection Act, which provides for the establishment of workers' protection committees and for the transfer to the inspectorate of the power to impose fines has not yet been examined by Parliament because the parliamentary sitting has come to an end. The Committee takes due note of this information and would be grateful if the Government would continue to supply information on all developments in this matter.

United Republic of Cameroon (ratification: 1962)

Articles 20 and 21 of the Convention. The Committee takes note with satisfaction of the annual reports of inspection transmitted by the Government for 1978 and 1979. It calls the attention of the Government, however, to certain points that it is raising in a direct request.

Central African Republic (ratification: 1964)

Article 11, paragraph 2, of the Convention. The Committee notes that under section 6 of Decree No. 80/681, to lay down the conditions of service of the officials in charge of labour and labour laws, a

joint order of the Minister for Labour and the Minister of Finances will fix the rate of the allowances for risks and special obligations or benefits in kind available to officials. The Committee therefore hopes that the above order will be adopted in the near future and that it will guarantee the reimbursement of travelling expenses to all labour inspectors in accordance with Article 11, paragraph 2, of the Convention, as the Government has promised. It also requests the Government to supply the text of the order when it is adopted.

Articles 20 and 21. The Committee recalls that under Article 20 of the Convention the Government is required to draw up each year a report on the work of the labour inspection services, which must be published not more than 12 months after the end of the year to which it refers and must be transmitted to the ILO not more than 3 months after its publication. In view of the fact that since the ratification of the Convention only one report of the inspection services for the year 1969, which was incomplete and not published, has been transmitted to the ILC, the Committee trusts that the Government will take the necessary measures to give effect to the Convention in this respect.

Chad (ratification: 1964)

The Committee regrets to note that since 1971 no report has been provided by the Government and that consequently the Committee does not have available to it sufficient information to measure the application of Articles 7, paragraph 3; 11, paragraph 2; 12, paragraph 2; and 13, paragraph 2(b), of the Convention.

The Committee is bound therefore to raise these points again in a direct request and hopes that the Government will not fail to provide the information requested.

Articles 20 and 21. Considering that the last annual report of the Department of Labour, Manpower and Social Welfare received in the ILO related to 1970, the Committee trusts that the Government will take all necessary measures to ensure the publication and communication to the ILC of the annual inspection reports, that they will contain all the information specified in Article 21 of the Convention and that in future the time limits prescribed by Article 20 of the Convention will be respected.<sup>1</sup>

Costa Rica (ratification: 1954)

With reference to its earlier comments, the Committee notes with satisfaction the publication of the report on the activities of the National Directorate of the Labour Inspection Service in the annual report of the Ministry of Labour and Social Security for 1980.

Furthermore, the Committee calls the attention of the Government to certain points that it raises in a direct request.

Dominican Republic (ratification: 1953)

1. Article 6 of the Convention. The Committee notes the statement by the Government that labour inspectors are civil servants. It also notes with interest that draft conditions of service for the

<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

civil service were submitted to the Legislative Chamber of the Congress on 27 February 1981. The Committee hopes that these conditions of service will be adopted shortly and asks the Government to provide the text when they have been adopted.

2. Article 13, paragraphs 2(b) and 3, and Article 14. The Committee has noted the information provided by the Government in reply to its earlier comments. It observes, however, that, contrary to the assurances given, the draft Labour Code, whose text has been provided by the Government, contains nothing to give effect to the following provisions of the Convention:

Article 13, paragraphs 2(b) and 3 (under which labour inspectors must have the right to make or to have made orders requiring measures with immediate executory force in the event of imminent danger to the health or safety of the workers);

Article 14 (under which the labour inspectorate must be notified not only of industrial accidents but also of occupational diseases).

The Committee expresses the hope that it will be possible to supplement the new draft Labour Code with provisions giving express effect to the above-mentioned points, bearing in mind the Bill drafted in 1980, which the Government mentioned in its previous report. The Committee asks the Government to indicate any progress made.

3. Article 20. The Committee takes note with interest of the annual report of inspection for 1980, which has been provided by the Government.

4. Furthermore, the Committee calls the attention of the Government to certain points that it raises in a direct request.

#### Egypt (ratification: 1956)

Article 12, paragraph 1(a), of the Convention. The Committee takes note of the adoption of Act No. 137 of 1981 to issue the Labour Code. It notes with satisfaction that section 161 of this Code no longer confines to working hours the right of inspectors to enter any workplace liable to inspection in accordance with Article 12, paragraph 1(a), of the Convention.

#### Gabon (ratification: 1972)

Article 20 of the Convention. The Committee takes note with satisfaction of the annual report on the activities of the Directorate-General of Labour, Manpower and Employment for 1980, which contains a section dealing with the labour inspection services.

The Committee wishes to call the attention of the Government to certain points that it is raising in a direct request.

#### Greece (ratification: 1955)

Articles 12, paragraph 1(c)(iv), and 13 of the Convention. With reference to its earlier comments, the Committee notes the statement by the Government that the Bill to bring the national legislation into harmony with the above-mentioned provisions of the Convention has not yet been adopted by Parliament. Since this question has been the

subject of comments by the Committee for many years, the Committee trusts that the above-mentioned Bill will be adopted shortly and make it possible to give effect to these essential provisions of the Convention, under which labour inspectors must be empowered to take or remove for purposes of analysis samples of materials and substances used (Article 12, paragraph 1(c)(iv)), and to make or to have made orders requiring the necessary preventive measures, including measures with immediate executory force, in the event of danger to the health or safety of the workers (Article 13). It hopes that the Government, in the next report, will be able to indicate any progress made in this connection.

Guatemala (ratification: 1952)

Article 20 of the Convention. The Committee takes note with satisfaction of the publication of the annual report of inspection for 1980 in the Official Gazette of 10 November 1981. It hopes that in future the Government will continue to publish annual reports of inspection and to transmit them to the ILO within the periods laid down.

Furthermore, the Committee draws attention to certain points in a direct request to the Government.

Guinea (ratification: 1959)

At its last session, the Committee deferred examination of the Government's last report since direct contacts had been requested with the ILO. The Committee notes that these contacts took place between a representative of the Director-General of the ILO and the competent national services at the end of 1981. It observes, however, that no report has been received from the Government. It would therefore like to draw the Government's attention to the following points:

Article 13, paragraph 2(b), of the Convention. In its report for the period ending 30 June 1980, the Government pointed out that it intended, when amending the Labour Code, to introduce provisions complying with Article 13, paragraph 2(b), of the Convention. It added that directives had in the meantime been issued to all the bodies concerned to ensure henceforth respect for the Convention in practice. The Committee therefore hopes that the draft Labour Code discussed during the direct contacts will also contain a provision according labour inspector the right to make or have made orders with immediate executory force in the event of imminent danger to the health or safety of the workers. Please also supply the text of the above directives.

Article 20. The Committee notes the five-yearly report on the work of the labour inspection service for 1975-80. It points out, however, that in this report most of the information requested under Article 21 of the Convention is missing. This includes: a list of laws and regulations relevant to the work of the inspection service (subparagraph (a)); statistics of workplaces liable to inspection (subparagraph (c)); statistics of inspection visits (subparagraph (d)); statistics of violations and penalties imposed (subparagraph (e)); statistics of industrial accidents (subparagraph (f)), and statistics of occupational diseases (subparagraph (g)). The Committee therefore hopes that subsequent annual inspection reports, which under Article 20 of the Convention must be published not more than 12 months after the end of the year to which they relate and must be transmitted to the ILO not more than 3 months thereafter, will contain in full the information required under Article 21 of the Convention.

Haiti (ratification: 1952)

The Committee notes that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

1. Article 6 of the Convention. The Committee notes that the drafting of the conditions of employment for the public service has been entrusted to an administrative commission of the public service, whose work is now going on. It hopes that these conditions of employment may be adopted in the near future and requests the Government to provide a copy when they have been adopted.

2. Articles 20 and 21. The Government stated at the 66th Session of the Conference that the Bulletin of the Ministry of Social Affairs has just appeared anew after an interval of several years. It added that the issue that appeared in May contains a summary of the annual report of the inspection services and that steps have been taken so that in the second number, which is to appear shortly, this annual report will be published in full. The Committee hopes, therefore, that the annual reports on the activities of the inspection services will in future be published and transmitted to the ILO regularly and within the periods laid down in Article 20 of the Convention and that they will contain all the information provided for in Article 21 of this instrument.

3. Furthermore, the Committee hopes that the next report of the Government will also contain information on certain other points raised in a direct request.

Ireland (ratification: 1951)

Article 5(b) of the Convention. With reference to its own earlier comments and those of the Irish Congress of Trade Unions, the Committee notes with satisfaction from the reply of the Government that Part III of the Safety in Industry Act of 9 June 1980 is to come into force on 1 April 1982. Part III of the Act contains provisions concerning safety representatives, safety committees and safety delegates, which will ensure better co-operation between the officials of the labour inspection service and the employers and workers or their organisations.

The Committee, in a direct request, calls the attention of the Government to certain points raised by the Irish Congress of Trade Unions in its earlier comments.

Italy (ratification: 1952)

The Committee notes that the Government's report has not been received. It has none the less noted law No. 833 of 28 December 1978 establishing a national health system conferring on local health departments duties of prevention, hygiene and medical treatment at work which previously fell on the labour inspectorate. It hopes the Government's next report will contain full, detailed information on the application of each Article of the Convention under the hygiene supervision system set up by the law of 28 December 1978. In particular it requests the Government to indicate the measures taken or envisaged to give the staff responsible for supervising the safety and health at work provisions the right to make or have made orders requiring measures with immediate executive force in the event of imminent danger to the health or safety of workers, in conformity with



Article 13, paragraphs 2(b) and 3, of the Convention. The Committee would be grateful if the Government would communicate a copy of any regulations adopted to apply the Law of 28 December 1978.

Jamaica (ratification: 1962)

The Committee notes that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

Article 13, paragraph 2(b), of the Convention. The Committee notes that the draft legislation which will give effect to this provision of the Convention is still under consideration. It hopes that this legislation will be adopted soon and that it will extend the powers of labour inspectors to have orders made requiring measures with immediate executory force in the event of imminent danger, to operations carried out in all factories (at present the Factories Act prescribes these powers only in respect of building sites and docks).

Article 14. The Committee notes that the provision for the reporting of cases of occupational diseases in mines to the labour inspectorate was erroneously omitted from the draft Mining (Safety and Health) Regulations, 1977, and that the necessary steps are being taken to correct the situation. It hopes that the Government will be able to indicate in its next report the progress achieved in this connection.

Kuwait (ratification: 1964)

Article 13, paragraphs 2(b) and 3, of the Convention. The Committee has noted various ministerial orders adopted in 1979 and 1981 that have been communicated by the Government. It observes, however, that these orders contain no provision expressly authorising labour inspectors to make or have made orders requiring measures with immediate executory force in the event of imminent danger to the health or safety of the workers. In these circumstances, the Committee would be grateful if the Government would complete its legislation with a provision expressly conferring this right on the labour inspectors, in accordance with the Convention.

Malawi (ratification: 1965)

Articles 20 and 21 of the Convention. The Committee takes note of the statement by the Government that the reports on the activities of the labour inspection service will be transmitted to the ILO in due course. The Committee reminds the Government that, under Article 20 of the Convention, these reports must be published within 12 months of the end of the year they refer to and transmitted to the ILO within 3 months of publication. It hopes that the annual report of inspection for 1979 will reach the ILO shortly, that it will contain all the information called for in Article 21 and that in future the periods laid down by Article 20 will be observed.

Mauritania (ratification: 1963)

The Committee notes that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

Articles 20 and 21 of the Convention. With reference to its earlier comments, the Committee notes that the annual report of inspection stated by the Government to be enclosed with its last report has not been received. In these circumstances, it asks the Government to send a further copy of this report and hopes that, in future, annual reports of inspection containing all the information called for in Article 21 of the Convention will be published and transmitted regularly to the ILO within the periods laid down in Article 20.

#### Paraguay (ratification: 1967)

Articles 3, paragraph 1(b) of the Convention (technical information and advice given by the labour inspectorate), 15(c) (the obligation on labour inspectors to treat as absolutely confidential the source of any complaint) and 17, paragraph 2 (the power of labour inspectors to give warnings or advice instead of recommending proceedings). The Committee notes with satisfaction the adoption of Resolution No. 60 of 21 October 1981 making mandatory the labour inspectors' manual of procedure, which ensures the application of these provisions of the Convention.

Articles 20 and 21. The Committee has duly noted the Government's statement that it will send to the ILO the annual labour inspection reports within the time limits laid down in Article 20 and the reports will be published in the Ministry of Justice and Labour Information Review. It hopes the annual report for 1979 will thus soon be published and sent to the ILO, containing all information requested by Article 21 of the Convention, and that in future the time limits laid down in Article 20 will be observed.

#### Peru (ratification: 1960)

1. Article 13, paragraphs 2(b) and 3 (right of inspectors to order measures with immediate executive force in the event of danger to the health or safety of the workers), and Article 15(a) of the Convention (prohibition of inspectors from having any interest in the undertaking under their supervision). The Committee takes note with satisfaction of the adoption of Decree No. 04-81-PF of 13 February 1981, whose provisions supplement Presidential Decree No. 003-71-TR of 12 July 1971 and give full effect to Article 13, paragraphs 2(b) and 3, and Article 15(a) of the Convention.

2. Articles 20 and 21. In reply to the earlier comments of the Committee, the Government states that the Inspection Division is preparing an annual report for the Sectoral Office of the Plan, which includes an analysis of inspection visits. It adds that the publication of the annual inspection report provided for by the Convention has not been possible for economic reasons but that in future it should be possible to overcome these difficulties following the setting up of the Directorate General of Inspection. The Committee takes note with interest of this information and of the statistics provided by the Government on inspection visits. It hopes that the necessary measures will be taken in the very near future to ensure the publication and transmission to the ILO within the periods laid down of annual inspection reports containing all the information called for by Article 21 of the Convention.

Suriname (ratification: 1976)

In reply to the earlier comments of the Committee, the Government states that the adoption of the general legislation on labour inspection has been delayed as a result of various political events. It adds that the draft Decree on labour inspection has already been the subject of consultation with the employers' and workers' organisations, whose comments are under study. Meanwhile the labour inspection system is functioning on the basis of various regulations. The Committee takes note of this information. Since, however, the question has been giving rise to comments for many years, the Committee hopes that, in accordance with the assurances given earlier, in particular to the Conference Committee in 1981, the new legislation on labour inspection will be adopted shortly. It asks the Government to provide the text as soon as it has been adopted.

Furthermore, the Committee calls the attention of the Government to a number of points that it raises in a direct request.<sup>1</sup>

Switzerland (ratification: 1949)

Article 13, paragraphs 2(b) and 3, of the Convention. The Committee has noted with interest the Federal Act respecting accident insurance of 20 March 1981. It notes in particular that section 86 of this Act empowers the cantonal authority, in the event of serious danger to the life or health of the workers, to prohibit the use of premises or plant and, in particularly serious cases, to shut down the undertaking until the danger is over. Please state whether the bodies responsible for giving effect to the Act, under section 85, can refer to the cantonal authority as soon as they detect an infringement seriously endangering the life or health of the workers without first inviting the employer to observe the safety provision that he has infringed.

Tanzania (ratification: 1962)Tanganyika

Articles 20 and 21 of the Convention. In reply to the Committee's previous comments, the Government indicates that the annual inspection reports for the period 1970-80 could not be published because of economic difficulties. It further states that, of late, monthly reports on activities of inspection services have been published and will form the basis for the annual inspection report which will in future include the information required under Article 21 of the Convention. The Committee notes this information with interest. It hopes that it will be possible to publish and communicate to the ILO at an early date the annual inspection reports called for by Article 20 of the Convention and that, in future, the time limits will be observed.

Uganda (ratification: 1958)

Articles 20 and 21 of the Convention. The Government states that the annual reports of inspection for 1976 and 1977 are in the final

<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session and to report in detail for the period ending 30 June 1982.

stages of printing and that they will shortly be sent to the ILO. It also states that it has duly noted the periods for publication and transmission laid down in Article 20 of the Convention. The Committee takes note with interest of this information and of the annual report of inspection for 1974, which has been transmitted by the Government. The Committee hopes that the annual reports for 1976 and 1977 will be transmitted shortly to the ILO and that in future the periods laid down by Article 20 will be observed.

Yugoslavia (ratification: 1955)

Article 12, paragraphs 1(a) and 2 (powers of the inspectors); Articles 14 (notification of industrial accidents and occupational diseases) and Article 15(c) (confidential nature of complaints) of the Convention. In reply to the earlier comments of the Committee, the Government states, in particular, that it has reached an agreement of principle with the competent authorities in the federate republics and autonomous provinces on the need to supplement certain republic and provincial laws on occupational safety and labour inspection with a view to ensuring the application of the above-mentioned provisions of the Convention. Furthermore, the Government states that it will probably be able to indicate in its next report that the necessary amendments to the legislation have been adopted. The Committee takes due note of this information. Since the points in suspense have been the subject of comments for many years, the Committee hopes that the corresponding legislation of the federated republics and autonomous provinces will soon be supplemented, in accordance with the assurances of the Government, in order to give full effect to these provisions of the Convention.

Zaire (ratification: 1968)

Articles 20 and 21 of the Convention. The Government states that the organisation, with the aid of the ILC, of a genuine labour statistics service within the Department of Labour and Social Welfare should make it possible to improve the situation regarding annual inspection reports. The Committee notes this information with interest. It hopes that the annual inspection reports for 1978 and 1979 will reach the ILO soon, that they will contain all the information requested under Article 21 of the Convention and that in future the deadlines established in Article 20 of the Convention will be respected.

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In addition, requests regarding certain points are being addressed directly to the following States: Algeria, Angola, Argentina, Bahamas, Bangladesh, Barbados, Belgium, Bulgaria, Burundi, United Republic of Cameroon, Chad, Colombia, Costa Rica, Djibouti, Dominican Republic, Ecuador, Egypt, Gabon, Federal Republic of Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, India, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Kenya, Kuwait, Lebanon, Libyan Arab Jamahiriya, Luxembourg, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Morocco, Mozambique, Norway, Pakistan, Panama, Paraguay, Peru, Qatar, Romania, Saudi Arabia, Senegal, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tunisia, Turkey, Uganda, Upper Volta, Uruguay, Venezuela, Yemen, Zaire.

Information supplied by Cyprus, Finland, Singapore and Tanzania (Tanganyika) in answer to a direct request has been noted by the Committee.

**Convention No. 84: Right of Association (Non-Metropolitan Territories), 1947**

A request regarding certain points is being addressed directly to Somalia.

**Convention No. 85: Labour Inspectorates (Non-Metropolitan Territories), 1947**

A request regarding certain points is being addressed directly to Tanzania (Zanzibar).

**Convention No. 87: Freedom of Association and Protection of the Right to Organise, 1948**

A member of the Committee, Mr. Gubinski, stated that he did not associate himself with the observations of the Committee regarding the application of the Conventions on freedom of association in a number of socialist countries because, in his opinion, account should be taken of the economic and social regime existing in these countries. As regards Poland, account had not been taken of the fact that the introduction of the state of war took place in a situation which could be viewed as a state of necessity and served to protect the country against the tragedy of a civil war.

Another member of the Committee, Mr. Ivanov, associated himself with Mr. Gubinski's observation. At the same time, he stated that he could not agree with the comments of the Committee in relation to the USSR. He emphasised that in the world of today characterised by the existence of different social, economic, political and legal systems, the standards of universal international Conventions, which were generally democratic in their social nature, might engender in the course of their implementation norms of internal legal systems which might be socialist or capitalist. This meant that social realities produced as a result of the implementation of international labour Conventions or social realities with which these Conventions were confronted might be different in capitalist and socialist countries although in both cases these realities might be in conformity with the Conventions. This was especially true of those Conventions that touched upon fundamental principles and structures of the existing social systems, as Convention No. 87. In these circumstances there was a tendency to assume that the methods and results of the implementation of these Conventions in the capitalist countries were the only ones which were in conformity with the Conventions. This approach to the implementation of these Conventions made itself felt on occasion and in particular in the Committee's comments relating to the application of Convention No. 87. Such an approach was incompatible with the very foundation of international law, which was peaceful coexistence. In this particular case, it resulted in an erroneous evaluation of the USSR legislation.

In the light of the foregoing statements, the Committee wishes to recall its position as stated in its previous reports. The Committee has never ignored the fact that the social realities existing in countries based on different social and political systems, although differing one from another, may be in conformity with particular ILO

Conventions. Divergences between national legislation or practice and a ratified Convention may, however, occur in countries belonging to any of these systems. In compliance with its terms of reference, while itself noting the various political, economic and social conditions existing in different countries, the Committee has to examine and has in fact examined, from a strictly legal point of view, to what extent countries which have ratified Conventions give effect in their legislation and practice to the obligations which derive therefrom and are binding upon them, irrespective of their political, social or economic systems. The Committee's observations are the conclusions drawn by it from a uniform application of this objective approach.

Argentina (ratification: 1960)

Following its previous observation, the Committee has noted the discussion which took place in the Conference Committee in 1981 as well as the information provided by the Government in its report. The Committee notes in particular that, in the context of the process of normalisation in course, the first degree occupational associations (plant unions) with trade union personality total 1,149, and that 68 second degree organisations (federations) have already been registered. The Committee notes also that 66 constitutions have been approved, that 10 entities have held elections and 20 are in the process of holding elections. The Committee notes further that initiatives have been taken with a view to the participation of trade union leaders in organisations which remain subject to intervention and to the participation of the sectors concerned in the revision of the conditions of work established by specified collective agreements. Other restrictions on trade union activities will be lifted once and for all at the same rhythm as the advance of the process of "institutionalisation".

The Committee notes moreover that the Committee on Freedom of Association observed at its meeting in November 1981 that serious limitations on trade union organisations (suspension of the right to collective bargaining and of the right to strike, administrative intervention in certain trade unions, the impossibility of creating confederations under the trade union law system) continued to remain in force. The Committee on Freedom of Association also indicated that such restrictions may be justified only in exceptional circumstances and for a limited period of time and it has drawn attention to the great importance which it attaches to the prompt lifting of these restrictions, in force for five years.

The Committee again draws attention to the aspects of Act No. 22105 of 1979 on occupational organisations and Decree No. 640 of March 1980 issued under it on which it has made comments. In respect of Act No. 22105, the following points are at issue: approval of constitutions by the authorities, control of trade union funds, trade union structure on a defined geographical basis, prohibition of political activities of trade unions, intervention on internal administration, limitations on the right to form federations and confederations and on the rights deriving from affiliation to international organisations, limitations on the number of leaders of federations and loss of the right to conclude collective agreements by trade unions which join a federation. As to Decree No. 640 which gives the administrative authorities power to issue a prohibition of the election of persons with criminal records to trade union office, on the basis of the offences committed as compared with the moral character required of those who exercise trade union office, the Committee emphasises again that supervisory powers should be exercised only by the judicial authorities.

While taking note of the fact that some workers' members of the Conference Committee had recognised that certain improvements had taken place, and taking into account the intention expressed by the Government to the Conference Committee of ensuring full respect for the Convention and freedom of collective bargaining, the Committee again requests the Government to take measures leading to the prompt lifting of the existing restrictions on trade union activities and to provide information on developments in the situation.<sup>1</sup>

Belgium (ratification: 1951)

The Committee has noted the Government's report. In a previous observation, the Committee had noted that a trade union must be affiliated to an organisation represented on the National Labour Council in order to be considered as representative in the private sector and in particular to be able to sit on a joint committee (Act of 5 December 1968). It had observed that a similar requirement existed in the public sector for a trade union to be able to take part in the work of the general bargaining committees (Act of 19 December 1974). It appears from the Act establishing the National Labour Council (Act of 29 May 1952) that this body is composed, inter alia, of representatives of the representative organisations of workers appointed by the King from among the candidates proposed by the interoccupational organisations which are federated at the national level.

The Committee expressed the view that the legislation might prevent a trade union which was the most representative in a given branch of activity from taking part in collective bargaining for its sector.

The Committee has taken note of the conclusions of the Committee on Freedom of Association in cases relating to the above-mentioned legislation (Cases Nos. 918 and 981, conclusions approved by the Governing Body at its 211th and 216th Sessions).

The Committee considers that it is permissible, to a certain extent, for distinctions to be made on occasion between trade unions on the basis of their degree of representativity, on condition that the determination of the most representative organisations is made on the basis of objective criteria laid down in advance, so as to avoid any possibility of partiality or abuse. The Committee is of the opinion that the criteria fixed by law should enable the trade unions which appear to be the most representative of the workers in a given sector, or of a given category of workers, to be associated in the collective bargaining procedures so as to represent and defend the collective interests of their members.

The Committee requests the Government to re-examine the above-mentioned provisions of the Acts of 1968 and 1974 in the light of these considerations, and to provide information on any developments in this matter.

Bolivia (ratification: 1965)

The Committee notes the discussion which took place in the Conference Committee in 1981, the Government's report and the latest

<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

report of the Committee on Freedom of Association on Case No. 983 concerning Bolivia, in which that Committee made interim conclusions approved by the Governing Body at its session in March 1982 (214th Report, paragraphs 461 to 486).

The Committee notes in particular the statement made by the Government in its report that, in order to resolve gradually for each sector, and through dialogue, the problem of re-establishing trade union activities, it concluded on 19 December 1981 an agreement with representatives of the mineworkers, for which the Catholic Church acted as mediator. The agreement makes provision in particular for the full recognition of the right of workers to associate. The workers are therefore to reconstitute their organisations according to a schedule for each sector drawn up by the Ministry of Labour in the same way as the mineworkers. For this purpose the mineworkers are to set up their trade unions and federations within 90 and 180 days respectively after the conclusion of the agreement. The National Directorate of Bolivian Workers will be set up within 365 days after all the sectors have organised their federations and confederations. Pending the implementation of this timetable the workers will be represented in their relations with the employers by plant committees democratically elected for each sector of activity.

The Committee also notes that the Government has subsequently indicated to the Committee on Freedom of Association that the Ministry of Labour is currently elaborating a new Trade Union Act. It has also supplied the text of Resolution No. 014/82 of 21 January 1982, which sets out the procedures for elections, states that not more than one plant committee shall be set up for each undertaking and that candidates shall be required to satisfy certain requirements; in particular they must be of Bolivian nationality, must have worked at least one year in the undertaking concerned and must not have been convicted of any criminal charge. In conclusion the Government has stated that workers are presently standing for elections to plant committees and that to date 300 plant committees have been recognised. The Committee notes this information; however, it points out that the Ministerial Resolution mentioned above relating to these plant committees contains several rules conflicting with the principles of freedom of association, in particular the obligation of only one committee in each undertaking and various requirements respecting eligibility for office. The Committee therefore expresses the hope that the agreement concluded between the Government and the representatives of the mineworkers will lay the necessary groundwork for the return to normal trade union activities on the basis of law and practice consistent with Conventions Nos. 87 and 98.

The Committee recalls in this connection that it has made several comments in the past few years on the following discrepancies between the General Labour Act and the Decree for its application and the Convention: public servants are denied the right to organise (section 104 of the Act); homeworkers, domestic workers and casual workers are also denied this right (section 4 of the Decree for its application); previous authorisation is necessary to set up a trade union (section 99 of the Act and section 124 of the Decree); not more than one trade union may be set up in an undertaking (section 103 of the Act); the labour inspectorate enjoys broad powers of supervision over the activities of trade unions (section 101 of the Act); trade union organisations may be dissolved by administrative authority (section 129 of the Decree), and the executive power may prohibit a strike by resorting to compulsory arbitration (section 113(c) of the Act).

The Committee trusts that the Government will take the measures necessary to give full consideration to its comments and again



expresses the hope that the new legislation on trade unions currently being elaborated will give full effect to the Convention.<sup>1</sup>

Burma (ratification: 1955)

The Committee notes the information supplied by the Government to the Conference Committee in 1981. It regrets, however, that no report has been received, and recalls that its previous observation covered the following questions:

The Committee pointed out that Burmese legislation provides for the setting up of a single-trade-union system (Act No. 76 of 1976, section 9, and Workers' Organisation Rules, No. 5 of 1976, Chapter 2) contrary to the provisions of the Convention, under which workers shall have the right to establish organisations of their own choosing (Articles 2, 5 and 6 of the Convention).

The Committee has pointed out several times that while there may generally be an advantage for workers in avoiding a large number of competing trade unions, the imposition by law of a single trade union system is contrary to the express requirements of the Convention. It considers that the above-mentioned legislation of 1976 does not allow workers who so wish to establish organisations of their own choosing, distinct from those currently existing, for the purpose of furthering and defending their interests.

The Committee notes the Government's explanations concerning the historical context of these provisions and its willingness to find solutions to the existing problems in collaboration with the ILO. The Committee also notes that the Government is exploring the possibilities of direct contacts.

The Committee hopes that the Government will contact the Office for this purpose and again expresses the hope that the legislation will be amended so as to ensure that all workers and employers have the right to establish and join organisations of their own choosing in accordance with the provisions of the Convention.<sup>1</sup>

Central African Republic (ratification: 1960)

With reference to its previous observation, the Committee notes the discussion which took place at the Conference Committee in 1981. It regrets that no report has been received.

The Committee has made comments on section 10 of the Labour Code (members of the executive committee of a trade union must have been employed in the profession for at least five years), section 22 (collective agreements must be discussed by the delegates of the occupational organisations directly concerned), and section 6 (restrictions on the trade union rights of foreigners).

The Committee had noted that, following the direct contacts of December 1978 and May 1980, amendments to certain provisions of the Code have been proposed in order to give effect to the provisions of the Convention, in accordance with the comments of the Committee.

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<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

The Committee requests the Government to report any development in the situation and to provide a copy of the amendments as soon as they have been adopted.

The Committee also notes the conclusions of the Committee on Freedom of Association in Case No. 1040 (214th Report, paragraphs 600-603, approved by the Governing Body at its 219th Session), which concern the dissolution by administrative authority of the General Union of Central African Workers (UGTC). The Committee recalls in this connection that under Article 4 of the Convention workers' and employers' organisations are not liable to be dissolved or suspended by administrative authority, and that under Article 2 workers have the right to establish organisations of their own choosing.

The Committee requests the Government to supply information on any developments in this matter.<sup>1</sup>

Chad (ratification: 1960)

The Committee notes with regret that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

In its previous observations, the Committee has made comments on section 36 of the Labour Code, which prohibits trade unions from undertaking any political activities. The Committee has, in particular, stated that a wide interpretation of this provision could lead to the conclusion that trade unions were going beyond their statutory competence if they ventured to make suggestions or criticisms concerning the Government's economic and social policy, for instance, the Government's wages policy. The Committee considered that it would be desirable not to prohibit completely any activity which, while directed essentially to the defence of members' interests, might have some political aspects, and to leave it to the courts to repress any abuses by occupational organisations which might attempt to transform unions into political instruments.

In addition, the Committee takes note of Ordinance No. 001 of 8 January 1976. This Ordinance provides that the exercise of trade union rights is exclusively reserved for the private sector and is prohibited in regard to public officials and equivalents. The Committee recalls in this connection that under Article 2 of the Convention, workers, without distinction whatsoever, including public officials, have the right to establish and to join organisations of their own choosing.

The Committee has also taken note of Ordinance No. 30 of 26 November 1975. This Ordinance provides that by reason of the overriding necessity to maintain order and in view of the positive abuses in the practice of freedom of association, all strike activity on the entire national territory is suspended until further notice. The Committee considers in this connection that, to be permissible, a prohibition from striking applied to all workers owing to special circumstances should not last longer than is strictly necessary. In addition, the Committee recalls that a general prohibition from striking considerably restricts the possibilities that trade unions have of furthering and defending the interests of their members (Article 10 of the Convention) and of organising their activities (Article 3).

<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

The Committee hopes that the Government will take, in the very near future, the action necessary to modify the legislation in the light of the comments made above.

In addition, the Committee had noted the statement of the Government that trade unions may affiliate with organisations provided that these have African allegiance. The Committee again requests the Government to indicate whether organisations of workers and employers have the right to affiliate with international organisations of workers and employers, in general, as provided for in Article 5 of the Convention.

Ecuador (ratification: 1967)

The Committee notes the information communicated by the Government in its last report.

Further to its previous comments, the Committee notes that a bill concerning the amendment of section 461 of the Labour Code (dissolution of the works committee by administrative authority when the number of its members is less than 25 per cent of the total number of workers) has been approved by the competent authority of the Ministry of Labour and will be submitted to the President of the Republic and thereafter to the National Chamber of Representatives.

The Committee also notes the repeal of Supreme Decree No. 1475 of 25 May 1977 which supplemented and widened the scope of Decree No. 105; it notes however that the latter Decree - which establishes penal sanctions for those who further strikes, thereby contravening the guarantees provided for in Article 3 of the Convention - continues in force.

With regard to sections 441 and 455 of the Labour Code (refusal to register an occupational organisation), the Committee notes that there is a right of appeal to the administrative court. The Committee would be grateful if the Government would indicate the legal basis for this right and clarify whether the court can re-examine the substance of a case.

The Committee notes that, according to the Government, the prohibition on trade unions and occupational associations from engaging in party politics as stipulated in section 443(11) of the Code tends to prevent trade unions from carrying out party propaganda. The Committee considers, however, that instead of including such prohibition in the union rules, it should be left to the judicial authorities to restrain any abuses which might be committed in practice by trade union organisations whose basic objective is the economic and social advancement of their members.

In respect of section 445 (composition of the managing committee of a workers' organisation), the Committee notes that according to the Government it would be purposeless to allow works unions to be managed by persons who are alien to the undertaking. The Committee considers that this question should not be regulated by the Code, but decided by the unions themselves.

The Committee has made comments on the exclusive powers of representation granted to the association of workers called "works committee" (sections 457 and 501) and has considered that federations and confederations should also have the right to represent workers, to bargain collectively and to strike. Moreover, the Committee had made comments on the compulsory arbitration system provided for in sections 466 and following of the Code, and this system has been carried over by section 31(k) of the new Constitution.

Furthermore, the Committee notes that according to the Government by virtue of article 125 of the Constitution the following workers are not covered by the Labour Code nor do they enjoy the right to organise: employees of administrative state bodies; employees of bodies belonging to the provincial or cantonal administrations; employees of juridical bodies established by law for the exercise of state authority; and persons who exercise managing, supervisory, representative and advisory functions, as well as chiefs of departments or similar categories, in the bodies established by law or by sectional legislative Act to provide public services and in bodies established to carry out economic activities entrusted to the State. The Committee wishes to point out that the Convention applies to all workers including public servants and public employees, and that only the armed forces and the police can be excluded from the right to organise.

The Committee hopes in view of the above comments that the Government will soon take the necessary measures for the full implementation of the Convention and asks the Government to supply information on any developments in this respect.

#### Ethiopia (ratification: 1963)

The Committee has examined the information supplied by the Government representative to the Conference Committee in 1981 and in the Government's report. It notes that the draft of the new Labour Proclamation, which is to replace the Proclamation of 1975, and the amendments to the Chambers of Commerce Proclamation of 1978 have been submitted to the Legal Committee of the Council of Ministers and that in preparing the drafts the Government took account as far as possible of the recommendations made during the direct contacts that had taken place in 1980 and the technical advice sought from the ILO. The Committee notes, however, that, according to the latest report of the Government, the legislative amendments have not yet been adopted.

The comments of the Committee relate to the following provisions of the 1975 Labour Proclamation, which it considers incompatible with the Convention: sections 51(2), 52(3)(b), 50(4) and (7) and 49(2), establishing a single trade union system; sections 106 and 99(3) placing restrictions on the right to strike, and sections 51(2) and 109(13) restricting the right of international affiliation. In addition, the Committee observes that Proclamation No. 130 of 1977 to provide for the establishment of the All-Ethiopia Peasant Association, particularly section 12(5), establishes a single trade union system in agriculture.

Furthermore, the Committee observes that certain classes of workers are not covered by the Labour Proclamation (employees of the public service and domestic servants).

The Committee has made comments about the organisations mentioned in the Chambers of Commerce Proclamation of 1978. It notes with interest in this regard that, according to the statement of the Government, a draft amendment provides that the power of appointment of the Secretary-General of the Ethiopian Chamber of Commerce be transferred from the Ministry of Commerce to the Council of the National Chamber. Nevertheless, the Committee hopes that the draft amendment will take into consideration the whole of the comments formulated in respect of the organisations mentioned in the Proclamation of 1978, which the Committee considered not to constitute employers' organisations in the sense of the Convention, that is to say, organisations whose main purpose is to further and defend the interests of employers.

The Committee trusts that the Government will shortly adopt the amendments ensuring full compliance of the legislation with the provisions of the Convention on the above-mentioned points.<sup>1</sup>

Guatemala (ratification: 1952)

The Committee notes the statement made by the Government representative before the Conference Committee in 1981, as well as the information communicated by the Government in its report. It notes in particular that the comments of the Committee are now part of a general study which the competent authorities are undertaking on the labour legislation, with a view to the adoption of the appropriate standards.

In addition, the Committee notes that in connection with its previous observation the Conference Committee decided to mention this case in its report as a case of continued failure to implement a ratified Convention, given that over many years and despite numerous requests, there were still serious and continuous divergences both in fact and in law, and that the Government was refusing to co-operate with the supervisory bodies. The Committee notes in this connection that the Committee on Freedom of Association at its meetings in November 1981 and February 1982 (see 213th and 215th reports, approved respectively by the Governing Body at its sessions in November 1981 and March 1982) presented a report on the substance of Cases Nos. 954, 957, 975, 978 and 1026 and decided to give the widest publicity to them in view of the extremely serious allegations made therein and the persistent failure of the Government to reply.

As there has been no substantial change in the situation since its last meeting, the Committee is bound once again to recall its comments on the provisions of the legislation in force that are contrary to those of the Convention, namely: prohibition of the re-election of trade union leaders (section 222(a) of the Labour Code); supervision of trade unions by the Government (section 211(a) and (b) of the Code); possibility of refusing the establishment of more than one union in an undertaking (section 211(a) of the Code); dissolution of unions that have been active in questions of electoral or party politics (section 226(a) of the Code); and restrictions on the rights of workers in decentralised, autonomous and semi-autonomous state bodies in union matters (section 4 of Decree No. 1786 of 1968). The Committee has also pointed out that no regulations have been issued in application of section 63 of the Civil Servants Act, which recognises the right of freedom of association of public servants for occupational purposes.

The Committee observes once again that the Government has repeatedly referred to a new Labour Code which would bring the legislation into conformity with the provisions of the Convention, or has referred to the adoption of standards in the future. In view of the time that has passed since it made its first comments and since the Convention is not applied in practice, the Committee considers that the legislation must be brought into conformity with the Convention as soon as possible, either through the adoption of a new Labour Code or simply through the adoption of other legal provisions respecting freedom of association that conform to those of the Convention.<sup>1</sup>

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<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

Liberia (ratification: 1962)

Referring to its previous observation, the Committee notes the information supplied by the Government to the Conference Committee in 1981. It regrets that the Government's report has not been received and recalls that its previous observation covered the following points:

The right to organise of state employees. The Committee has already noted that the national legislation does not recognise the right to organise of state employees. It has also noted that the draft Labour Act, which has been in preparation for a number of years, guarantees this right to employees in public undertakings, but excludes the employees of the Government (section 1(1) (h) and section 1(2)).

The Government repeated in this respect that Convention No. 98 allows the exclusion of public servants engaged in the administration of the State from the rights and guarantees provided for by the Convention concerning collective bargaining, and that Convention No. 87 had been taken in conjunction with Convention No. 98. The Committee is bound to point out once again that Convention No. 87 provides expressly that all workers without distinction whatsoever (including employees of the State) must have the right to establish organisations for furthering and defending the interests of their members. The legislation should therefore recognise the right to organise of all state employees.

The right of agricultural workers to organise jointly with industrial workers. The Committee has already noted that section 4601-A of the Labour Practices Act prohibits industrial workers' trade unions or organisations from exercising any privilege or function on behalf of agricultural workers. It has pointed out that this restriction could have the effect of preventing the development of trade union organisations amongst agricultural workers, as it prohibits both the joint membership of agricultural and industrial workers in the same trade union and the joint membership of industrial and agricultural workers' unions in the same national trade union centre. The Committee had noted that, according to a statement made by the Government representative, trade unions can organise in all sectors, including the agricultural sector. The Committee notes with interest the Government's statement that workers in three agricultural plantations have formed joint organisations with industrial workers and that the draft Labour Act provides for the repeal of section 4601-A.

Repeal of the right to strike. In its previous observation, the Committee noted that Decree No. 12 of 30 June 1980 abolishes strikes and declares that all labour disputes shall be handled exclusively by the Minister of Labour, Youth and Sports. The Committee notes the explanations supplied by the Government in this respect and its indication that measures will be taken to bring the Decree into line with the Convention in the future. The Committee recalls that the prohibition of strikes in all economic activities of the country constitutes a considerable restriction on the possibilities for trade unions to further and defend the interests of their members (Article 10 of the Convention) and the right of trade unions to organise their activities (Article 3). It stresses that the prohibition of strikes is admissible only in the case of essential services in the strict sense of the term, that is those whose interruption would endanger the existence or the well-being of the whole or part of the population.

The Committee hopes that the Government will take the necessary

measures to bring its legislation into line with the Convention with respect to all the above-mentioned points in the near future.<sup>1</sup>

Nicaragua (ratification: 1967)

Referring to its previous observation, the Committee notes the Government's statement before the 1981 Conference Committee and the information supplied in its report, in particular that the following sections of the Regulations on trade union associations are not applied: Regulations Nos. 39 and 41 which authorise the removal of members of trade union executives by administrative action, without appeal to the judiciary; Regulations Nos. 10 and 31 which provide for the representation of the labour administration in constituent meetings and general meetings of trade unions; and Regulation No. 20 which provides for the allocation of a certain percentage of trade union dues to specific objects. In addition, the Committee notes that the Department of Trade Union Associations applies Regulation No. 23(b), (c) and (d) concerning the reasons for exclusion from being a trade union member in so far as such situations are set out in the rules of the trade unions and where the unions request this.

So that all those concerned may clearly know their trade union rights, the Committee considers that it would be advisable for the Government to take steps towards the adoption of legislative provisions expressly to abrogate the regulations which, according to the Government's statement, are not applied.

In addition, the Committee notes that, according to the Government's report, section 207 of the Labour Code - which provides that federations and confederations are governed by the same provisions as the trade unions - excludes the applicability of the restrictions contained in Nos. 44 and 63 of the Regulations on trade union associations concerning the right to collective bargaining and intervention in labour disputes to federations and confederations.

Moreover, the Committee must recall the other comments which it made on the application of Conventions Nos. 87 and 98 and which concern the following points:

- trade union rights of persons excluded from the scope of the Labour Code, that is, public officials, those working in family workshops and self-employed workers in the urban and rural sectors (sections 2, 3, 9 and 175 of the Labour Code);
- the requirement of too high a number of members to set up a trade union in the undertaking, an absolute majority of the workers of the undertaking or workplace being required (section 189 of the Code), this being contrary to Article 2 of the Convention by restricting the possibility of setting up more than one trade union per undertaking if the workers so wish; the excessive limitation on the right to form interoccupational trade unions (section 200(d)) and the impossibility of forming national trade unions (No. 5(4) of the Regulations on trade union associations);
- the legislative provisions under which only employed workers can hold trade union office (No. 24 of the Regulations); members of the executive committee cannot be elected for more than two successive terms (Regulation No. 35);

<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

- the presentation of registers and other documents to the authorities at any time (Regulation No. 36);
- the general prohibition of political activities by trade unions (section 204(b));
- the conditions and restrictions imposed on the right to establish federations and confederations (Regulations Nos. 43 and 62);
- the number of trade union delegates to a federation congress is limited by No. 52 of the Regulations.

In addition, the restrictions on the right to strike provided for in sections 225, 228 and 314 of the Code are not compatible with Articles 3, 8, paragraph 2, and 10 of the Convention. As regards the right to strike, the Committee also takes note of the Act declaring a State of Economic and Social Emergency (Decree No. 812) of 9 September 1981 which is in force for one year. The Committee considers that section 3(a) and (f) of this Act - which provides for prison sentences of one to three years for whoever provokes the concerted suspension of private or public transport as well as for those who incite, aid or participate in the calling for or carrying out of a strike, work stoppage or occupation of a work centre - seriously restrict the freedom of action of trade union organisations. Accordingly, the Committee, as the Committee on Freedom of Association has done when examining Case No. 1084 at its February 1982 meeting, requests the Government to take measures to amend this Act and to bring it into conformity with the Convention.

The Committee notes the Government's statement in its latest report that in reforming the Labour Code it will examine the possibility of taking into account the comments of the Committee. In this connection, it hopes that the future reform of the Code will fully take into account all its comments and that the Government will send information on any developments in this regard.<sup>1</sup>

#### Nigeria (ratification: 1960)

The Committee takes note of the information communicated by the Government to the Conference Committee in 1981 and that contained in its last report.

In its previous comment, the Committee noted that Decree No. 22 of 1978, amending the Trade Unions Decree, 1973 (No. 31), imposes a single trade union system: the Central Labour Organisation is designated by name as the sole confederation; registered trade unions are compulsorily affiliated to the confederation; a number of listed trade unions are automatically registered while the registration of all existing trade unions under the 1973 Decree is automatically cancelled without right of appeal; in addition, only one trade union may exist for each category of workers.

The Committee, referring to its earlier comments, has recalled that the imposition of a single central trade union organisation by legislation or regulation is not compatible with Articles 2, 5 and 6 of the Convention, under which workers have the right to establish organisations of their own choosing. It has pointed out, once more, that while there may be an advantage in the unity of the trade union

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<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.



movement, this unity should be the spontaneous outcome of the free development of the trade unions and should not be imposed by state intervention through legislative or regulations.

It has pointed out, in addition, that the cancellation of the registration of trade unions by decree is equivalent to their dissolution by administrative authority and constitutes a measure contrary to Article 4 of the Convention.

The Committee notes with interest the information provided by the Government that two Nigerian senators are sponsoring a bill to amend the Trade Unions Act. It notes that the bill seeks, inter alia, to harmonise the Trade Unions Act, 1973, with the 1979 Constitution in order to restore to the worker his inalienable freedom to form and belong to any central labour organisation of his choice.

The Committee hopes that the new legislation will be adopted shortly and asks the Government to supply information on any development in the matter.

Panama (ratification: 1958)

1. Further to its previous comments, the Committee notes with satisfaction that sections 401 and 480 of the Labour Code, as amended by Act No. 95 of 31 December 1976, have been amended by Act No. 8 of 30 April 1981, which removes the limitation imposed on the exercise of the right to strike which made such exercise subject to the condition that the demands for better working conditions made by workers should not, in the opinion of the administrative authority, affect the profitability of the undertaking.

2. The Committee also notes with interest the assurance given by the Government in its latest report that a draft Bill to amend sections 344, 346, 347, 359, 369 and 376 of the Labour Code has been prepared to give fuller effect to the Convention. The Committee has examined the text of this draft supplied by the Government with its report, and notes that these provisions are intended to remove the existing discrepancies between the Labour Code and the Convention, namely, that the number of workers required to constitute a trade union is too high (section 344), that it is unlawful to create more than one trade union in any one undertaking (section 346), that the dismissal of a trade union official entails the automatic termination of his duties on its behalf (section 359), that the administration enjoys broad power to supervise the records and accounts of trade unions (section 376, paragraph 4), and that 75 per cent of the members of a trade union must be nationals of Panama (section 347).

The Committee recalls that it has been making comments on these various provisions for a number of years, and therefore once again expresses the hope that the Government will take the necessary measures in the very near future.

3. The Committee also notes with interest the assurance given by the Government that a draft Decree, the text of which it has supplied, provides for the extension to public employees of the provisions of Book III of the Labour Code respecting collective contracts. The Committee therefore once again expresses the hope that all public servants will enjoy in the near future the right to organise guaranteed by the Convention.

Philippines (ratification: 1953)

The Committee has examined the Government's report and Act No. 130 of 17 August 1981, to amend certain sections of the Labor Code.

1. The Committee notes with interest the adoption of new provisions regarding strikes (sections 264 and 265 of the Code). It observes that under section 264 the right of legitimate workers' organisations to strike, consistent with the national interest, shall continue to be recognised and respected. The Committee notes, however, that a certain number of restrictions are still imposed, some of which have already been the subject of comment in previous years.

The Committee notes that, in the case of labour disputes causing or likely to cause strikes adversely affecting the national interest, the Minister of Labor and Employment may assume jurisdiction over the dispute and decide it, or certify the same to the National Labor Relations Commission for compulsory arbitration. It further notes that section 264 contains a very broad and non-limitative list of labour disputes in which a strike could affect "the national interest", going well beyond the concept of essential services in the strict sense of the term, that is, those whose interruption would endanger the existence or well-being of the whole or part of the population.

The Committee also notes that under section 264 the decision to declare a strike must be approved by at least two-thirds of the total union membership in the bargaining unit concerned, obtained by secret ballot. The Committee considers the imposition by law of such a requirement as incompatible with the principles of the Convention.

The Committee finally points out that participation in a strike deemed unlawful may be punished by penalties including imprisonment of up to five years (section 273).

The Committee considers that all the points mentioned above concerning the new legislation on strikes considerably restrict the right of workers' organisations to organise their activities in accordance with Articles 3 and 10 of the Convention, and that they are likely in practice to lead to serious restrictions of the right to strike. The Committee requests the Government to take the necessary measures to bring its legislation into full conformity with the principles of the Convention. Also, the Committee asks the Government to confirm that Instruction No. 368 of 1976 has been abolished by Law No. 130 of 1981.

2. The Committee notes with interest that under new section 234(c) a trade union may henceforth be registered (and thereby acquire the status of a legitimate organisation) if at least 30 per cent of the workers in a bargaining unit belong to it. Although appreciating that the new legislation has reduced this percentage from 50 to 30, the Committee considers that the requirement of a minimum percentage of members, in particular in the case of large undertakings, could still constitute an obstacle to the right of workers to establish organisations of their own choosing in accordance with Article 2 of the Convention. It requests the Government to continue to improve its legislation in this field and to indicate in its future reports any measures taken or contemplated in this respect.

The Committee also recalls that its previous comments concerned section 237(a) which stipulates that, in order to obtain registration, a federation or national union must comprise at least ten trade unions of the same region and for the same branch, each of which is recognised as the collective bargaining agent in the establishment or industry in which it operates, and section 238 which precludes more than one

federation or national union from being registered for any one branch of activity in any given area or region. The Committee has noted a previous statement of the Government that the above requirements are only temporary measures. It hopes that the Government will take the necessary measures to ensure that these provisions are brought into full conformity with Articles 5 and 6 of the Convention.

3. The Committee has noted that section 270 of the Labor Code precludes all aliens from engaging directly or indirectly in any form of trade union activity. The Committee again requests the Government to review the provision in question, in the light of Article 2 of the Convention, which guarantees to employers and workers, without distinction whatsoever, the right to establish organisations of their own choosing.

4. The Committee recalls further that under section 271 of the Labor Code no foreign organisation or entity may give any donations, grants or other forms of assistance to a labour organisation or group of workers in the country without prior authorisation by the Secretary of Labor. The Committee considers that such a provision is likely to deprive workers of considerable resources that may flow from their right to affiliate with international workers' organisations as laid down in Article 5 of the Convention. It therefore requests the Government to reconsider this provision.

5. With regard to the powers of inquiry conferred on the Secretary of Labor in respect of the financial management of trade unions (section 275 of the Code), the Committee had noted that the policy of the Ministry of Labor was to limit itself to inquiry during the presentation of complaints. The Committee consequently would ask the Government to bring the legislation into conformity with the described practice and to modify the text in question, so as to limit inquiries of the Secretary of Labor to exceptional cases.<sup>1</sup>

#### Poland (ratification: 1957)

The Committee notes the information provided by the Government in its report. It also notes the conclusions reached at the February 1982 meeting of the Committee on Freedom of Association regarding Case No. 1097 on Poland (the Committee's 214th Report, approved by the Governing Body at its March 1982 Session).

In its report the Government states that the work relating to the draft trade union law is continuing before Parliament and that a general discussion has begun regarding the form and future of the trade union movement on the basis of outlines recently published by the Council of Ministers Committee for Trade Union Affairs.

While noting these statements, the Committee points out that under the Martial Law Decree of 12 December 1981 (published in Official Journal No. 29 of 1981), the proclamation of a state of war involves suspension of the right of association (section 4(1)), of the right to strike and of the right of protest activities (section 14(1)). The carrying on of activities in a suspended trade union and the organisation or leadership of a strike are punishable by up to three and five years' imprisonment respectively (section 46(1) and (2)).

The Committee can only state that the general suspension of trade union activities removes from workers' organisations any possibility of

<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

promoting and defending the interests of their members. It considers that the measures severely restrict the guarantees provided for in the Convention, particularly in Article 3 according to which employers' and workers' organisations shall have the right to organise their administration and activities and formulate their programmes.

The Committee trusts that the Government will soon take the necessary measures to lift the present restrictions and that new legislation in full conformity with the guarantees provided for by the Convention will be adopted soon. The Committee hopes that this legislation will be able to assure, both in law and in practice, in particular the right of workers without distinction whatsoever to establish organisations of their own choosing and the right of trade unions to elect their representatives in full freedom, to organise their administration, their structure and activities and to formulate their programmes.

The Committee recalls finally that the Governing Body of the ILO at its 219th Session requested the Government to agree to receive an ILO mission entrusted with collecting information on the legal and factual aspects of the present trade union situation in Poland. The Committee hopes that it will be apprised of the results of any such mission which may take place.<sup>1</sup>

#### Seychelles (ratification: 1978)

The Committee notes the observations of the National Workers' Union. It regrets that the report of the Government has not been received and is addressing a direct request to the Government in this connection.

#### Syrian Arab Republic (ratification: 1960)

The Committee notes the information supplied by the Government both in its report and to the Conference Committee in 1981. In particular, the Committee notes that a draft Labour Code has been prepared and was submitted to the competent authority in January 1981 and that it takes account of the observations of the Committee.

The Committee points out that the comments it has been repeating for many years on the legislation now in force relate to the following:

1. With regard to Legislative Decree No. 84 of 1968 (on trade union organisation), the following provisions are not in conformity with the Convention: sections 2 and 7, which impose by law a unified trade union structure; sections 25, 32, 35 and 44, which restrict the trade union rights of foreigners and the administration and management of trade unions in full freedom; sections 2 and 8, which lay down a minimum of 50 workers for the establishment of a trade union organisation; sections 32 and 36 concerning the deposit and the allotment of trade union funds; section 49(c), under which the General Federation may dissolve the executive council of any union on various grounds.

2. Some of the points raised in the previous paragraph have also been raised by the Committee in connection with Legislative Decree No. 250 concerning craftsmen and small employers. They include section

<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

2 (only one system for setting up associations); section 6(a)(4), (b) and (c), which governs the income of associations; and section 12, which lays down the manner of financing federations.

3. With regard to the prohibition of strikes laid down by section 160 of the Agricultural Labour Code and arising from section 19 of the Economic Criminal Code, the Committee points out that the prohibition of strikes, whether direct or indirect, is liable to restrict considerably the possibilities of trade union action, which is contrary to Articles 3 and 8 of the Convention. The Committee hopes that the amendments to the legislation announced by the Government in this connection will be adopted in the near future.

4. The Committee has taken note with interest of the statement by the Government that agricultural workers have the right to join trade unions, whether they are members of a co-operative or not, by virtue of Act No. 21 on peasant organisations. It repeats its request to the Government to supply information on the nature and role of the peasant co-operative associations that can be set up by agricultural workers, by peasants working the land with the help only of members of their family and by landowners whose holdings do not exceed a prescribed area.

The Committee hopes that the Labour Code mentioned by the Government will be adopted in the very near future and that it will be in conformity with the Convention and asks the Government to provide information on any development in this connection.

#### Trinidad and Tobago (ratification: 1963)

With reference to its previous observations, the Committee notes the information in the last report of the Government to the effect that Parliament has agreed to the amendment of all the Acts whose provisions were considered to conflict with those of Convention No. 87. The Government has stated that the drafting of the amendments to the Education Act has already begun.

The comments of the Committee concerned trade union rights in the civil service and related in particular to certain provisions that were incompatible with Articles 2 and 3 of the Convention, namely: section 24 of the Civil Service Act 1965; section 72 of the Education Act 1966; section 26 of the Prison Service Act 1965; and section 28 of the Fire Service Act 1965. Under section 24 of the Civil Service Act 1965 (similar provisions existing in the other Acts), for the purposes of recognition by the Minister, an association being formed or an existing association may not be representative of any class or classes of civil servants already represented by an appropriate recognised association and may not admit to its membership a civil servant who is a member of an appropriate recognised association. It seemed that, where a class of civil servants was already represented by an association, civil servants of this class might form or join other associations, but that these associations would not have any right to represent their members.

The Committee notes with interest that an Act to amend the Education Act was adopted on 21 April 1981 and that it takes account in part of the observations of the Committee (Act No. 1 of 1981).

The Committee is addressing an observation to the Government concerning certain aspects of this Act under Convention No. 98.

The Committee trusts that the other necessary amendments to the legislation will be adopted in the near future and requests the Government to continue to supply information on the adoption of these amendments.

USSR (ratification: 1956)

The Committee notes the discussion which took place within the Conference in 1981, the statements made by the Government representative to the 1981 Conference Committee and the information supplied by the Government in its latest report.

The right of workers to establish organisations of their own choosing

The Committee had noted that provisions of the Labour Code of the RSFSR, such as section 7 concerning collective bargaining and section 230 concerning the rights of trade union committees, and also the 1971 Regulations on the Rights of Factory Works and Local Trade Union Committees, do not contemplate the possible existence of another trade union organisation established by workers of the category represented by the trade union committee referred to in the legislation. By bestowing trade union functions solely on the trade union committee concerned, these provisions seem to preclude the possibility of setting up another organisation representing workers of the same category.

The Government representative at the Conference Committee in 1981 and the Government in its latest report state that the Constitution, in particular article 51, ensures the right of citizens to join together in "social organisations" and that there is no text in the labour legislation imposing a single trade union movement or prohibiting the establishment of trade unions other than those already existing. The Committee notes that, according to the Government, the participation of trade unions in social and economic life is very wide in the fields concerning the interests of the active population. According to the Government, sections 7 and 230 of the Labour Code and the above-mentioned 1971 Regulations do not concern the question of the free choice of trade unions. The Committee also notes that, according to the Government, there are no reasons warranting pluralism in the trade union movement in Soviet society for political, socio-economic and historic reasons.

However, the Committee continues to consider that the provisions at present in force are liable to impair the free establishment of workers' organisations, as was pointed out by the Committee on Freedom of Association (207th Report, paragraphs 100-130). It considers that the workers must be able to set up organisations outside the established trade union structure. Consequently, the Committee again requests the Government to provide information on any measure which may be taken with a view to recognising clearly the right of workers to establish the organisations of their choice.

Role of the Communist Party in trade unions

The Committee had noted in its previous comments that, under the terms of article 6 of the Constitution, the Communist Party is the leading and guiding force of Soviet society and the nucleus of all "social organisations", a term which also covers workers' organisations. The Committee had considered that the law would thus establish a link between the Communist Party and these organisations, in which the leading role would be assigned by law and permanently to the Party.

The Committee notes the Government's statement that the trade unions are not bound by the Communist Party although the Constitution recognises its leading role. According to the Government, the Communist Party cannot prescribe or dictate a policy for trade union organisations. The Party can only implement its intentions through its

own members who are also members of the trade unions, and they for their part can only act through explanations and persuasion. It is only in cases where a member of the Party belonging to a trade union succeeds in persuading the other unionised workers, that the Party line will be followed by the trade union organisation. Consequently, all depends on the attitude of the members of the trade union, the majority of whom are not normally members of the Communist Party. The Committee also notes that, according to the Government, the leading role of the Party is not imposed on the trade unions, but that they have accepted it voluntarily and that it is recorded in their rules.

The Committee notes these explanations which it has carefully examined. The Committee however remains of the opinion that the Constitution imposes a link between the Communist Party and the workers' organisations in their entirety, and thus tends to restrict the right of the trade unions to organise their activities and to formulate their programmes, as provided for in Article 3 of the Convention. The Committee also recalls that under the terms of Article 8, paragraph 2, national legislation shall not impair the guarantees provided for in the Convention.

#### Other questions

As regards the other questions on which the Committee had made comments on previous occasions (in particular the right to hold meetings without previous authorisation), the Committee notes the statement of the Government representative that the Committee will be informed of any new developments which take place in these fields.<sup>1</sup>

#### Uruguay (ratification: 1954)

The Committee notes the statement made by the Government representative to the Conference Committee in 1981 and the information transmitted by the Government in its report, in particular the adoption of Act No. 15137 of 12 May 1981, respecting occupational associations, and Decree No. 513/981 of 9 October 1981, issued under the above Act.

The Committee notes with satisfaction, as the Committee on Freedom of Association has already done at its May 1981 meeting when it examined the above Act, that as a result of the direct contacts which took place, considerable improvements have been made in the Act in comparison with the provisions of the draft on which comments had been made, the following, in particular, being deleted: the obligation to make a statement of political allegiance in order to qualify for office as a trade union official; compulsory ballots in elections and plebiscites; limitation on the duration of trade union assemblies; the requirement to organise plebiscites to consider collective agreements and in other cases provided for by regulations, and the suspension of members who do not vote in ballots. The Committee also observes that the Act has restricted the extensive powers accorded by the draft to the public authorities to request reports on trade union activities, and that lower-degree associations are not responsible for decisions taken by higher-degree organisations to which they are affiliated.

The Committee points out nevertheless that neither the Act respecting occupational associations nor the Decree issued under it makes any reference to the possibility of directly establishing occupational associations for each trade or industry, and that section

<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

9 of the Decree does not indicate the time-limit within which the Ministry of Labour and Social Security is required to register an occupational association.

The Committee further points out that the above texts contain certain provisions conflicting with the Convention. These include the following requirements: as for election to office, to be involved in the activity concerned as a worker or an employer (sections 4, 5, 8 and 9 of the Act and sections 38, 39 and 46(c) of the Decree), to have been a member in certain cases for at least two years of the association concerned (sections 5(c) and 9(a) of the Act and sections 39(c) and 47 of the Decree), not to have held executive office in an organisation declared unlawful and not to have been disqualified from election to office under constitutional order (sections 39(d) and 46(e) of the Decree); and as for re-election, that an interval must elapse before any member of the executive of the association can be re-elected (section 19 of the Decree). Sections 22 to 27 of the Decree also govern affiliation to second-degree and third-degree occupational organisations and to international organisations, and the election and composition of the officials of second-degree and third-degree organisations in a way that might detract from the rights accorded by the Convention on matters which would be more suitably treated in the rules of the organisations.

The Committee further observes the Government's statement that provisions are shortly to be issued governing the right to strike. The Committee hopes that these provisions will be adopted as soon as possible and that they will not contain any provisions contrary to the Convention. It requests the Government to report on any developments in this field.

The Committee also notes that public servants are now accorded the right to organise occupational associations under Act No. 10388 of 13 February 1943 (Conditions of Service of Public Servants). The Committee requests the Government to indicate whether workers in the public sector who do not enjoy the status of public servants have the right to establish trade union organisations and, if so, which are the legal provisions which establish this right.

The Committee also requests the Government to indicate the scope of the restriction provided in section 12(b) of the Decree, which, respecting the rights of occupational associations, prohibits them from representing their members before the courts.

The Committee hopes that in view of its above comments the Government will soon take the necessary measures to ensure the full application of the Convention, and requests it to report on any developments in this connection.

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In addition, requests regarding certain points are being addressed directly to the following States: Ecuador, Nigeria, Seychelles, Trinidad and Tobago, Tunisia, USSE, Yemen.



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**Convention No. 88: Employment Service, 1948****Algeria (ratification: 1962)**

**Articles 4 and 5 of the Convention.** In reply to the previous observation of the Committee, the Government merely states that the Guidance Council of the National Manpower Office (ONAMO) may call on representatives of workers and employers, without stating whether measures have been taken to change the composition of this council so as to ensure equal representation of employers and workers on it or to provide for one or more advisory committees to which these representatives would be appointed in equal numbers. The Committee refers once more to the statement of the Government to the effect that an amendment to the draft statute of the ONAMO would bring the Guidance Council into conformity with the provisions of the Convention in respect of its role and composition. The Committee trusts that the necessary measures will be adopted in the near future and that the Government will also communicate detailed information on the way in which employers' and workers' representatives are consulted at present on the organisation, operation and policy of the ONAMO.

**Costa Rica (ratification: 1967)**

**Articles 1, 2 and 3 of the Convention.** The Committee notes with interest the restructuring of the employment service and the creation under the Ministry of Labour and Social Security, by Decree No. 13251-TSS of 24 December 1981, of the National Employment Directorate, the responsibilities of which include steps towards meeting the needs of the employment market, in co-operation with other governmental and private bodies, and ensuring a greater regionalisation of employment service activities.

**Articles 4 and 5.** Further to its previous observation, the Committee notes with satisfaction that Decree No. 13251-TSS creates an Employment Advisory Council, the members of which include four employers' and four workers' representatives, and that the Council's functions include the collection of information on the labour market and making proposals to the Ministry on the employment policy and the activities of the National Employment Directorate.

The Committee hopes the Government will provide the further information asked for in a direct request.

**Egypt (ratification: 1954)**

**Articles 4 and 5 of the Convention.** The Committee notes the Government's reply to its last observation: under section 76 of the new Labour Code, Act No. 137 of 1981, it is intended to establish a national Higher Consultative Council for Labour; and, under section 79, a series of assistance committees or consultative committees for employment, occupational training and wages at the level of the Republic, the province (muhafazat) and the sector. These different bodies are to include representatives of employers and workers. The Committee understands that, although no consultative bodies for the purposes of these Articles of the Convention were established in fact under the laws and regulations previously covering the case (Ministerial Orders Nos. 108, 109 and 110 of 1961), the Government intends to issue decrees soon to bring sections 76 and 79 of the new Code into operation. The Committee hopes the Government will be in a position in its next report to confirm that advisory bodies with specific competence to participate in the organisation and operation of

the employment service and in the development of employment service policy have been constituted.<sup>1</sup>

Tanzania (Tanganyika) (ratification: 1962)

Articles 6, 7, 8, 10 and 11 of the Convention. The Committee has noted that the Government is now working on a new Bill intended to give effect to these provisions of the Convention. It also notes with interest that informal exchanges have taken place between the Government and an expert of the International Labour Office concerning the possibility of technical co-operation in the implementation of the Convention. The Committee understands that the Office remains at the Government's disposal for further advice in this respect, and it hopes that the Government will communicate a copy of the provisions of the Bill. It also hopes that the Government will provide information on developments in its next report, as well as all available details as to the functioning of the existing employment services and a copy of the regulations governing them.<sup>1</sup>

Venezuela (ratification: 1964)

Further to its previous direct requests, the Committee notes with satisfaction that the Occupational Rehabilitation Centre is now in operation and provides training and placement assistance for the physically disabled and the blind, as called for in Article 7(b) of the Convention.

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In addition, requests regarding certain points are being addressed directly to the following States: Algeria, Angola, Bahamas, Bolivia, Brazil, Central African Republic, Costa Rica, Djibouti, Ecuador, Ethiopia, Ireland, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mozambique, Nigeria, Peru, Philippines, Romania, Sierra Leone, Singapore, Suriname, Syrian Arab Republic, Venezuela.

Information supplied by Australia in answer to a direct request has been noted by the Committee.

### Convention No. 89: Night Work (Women) (Revised), 1948

Greece (ratification: 1959)

Article 5 of the Convention. In its previous comments, the Committee has pointed out that suspensions of the prohibition of night work allowed for the general needs of production are not compatible with this Article of the Convention. It has noted that, following comments made by the Greek Confederation of Labour, the Ministry of Employment addressed a circular dated 21 March 1975 to the services

<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1983.

concerned prescribing that authorisations respecting the night work of women shall conform to the provisions of section 42(4) of Act No. 3239 of 1955, which take over the terms of Article 5 of the Convention. In this connection it has noted the observations of the Manual and Non-Manual Workers' Centre of Arcadia to the effect that a spinning undertaking of that region continues to enjoy exceptions to the prohibition of the night work of women in conditions that do not conform to the provisions of the Convention. With reference to the statement made by the Government in its last report to the effect that, during the period under consideration, limited use has been made of the possibility of suspending the prohibition of night work by women in certain spinning and weaving undertakings, the Committee notes that 131 permits for night work of women were granted for the year 1979. It therefore expresses the hope once more that the Government will continue its efforts to ensure the full observance of these provisions of the Convention.

Italy (ratification: 1952)

The Committee notes that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

The Committee has noted Act No. 903 of 9 December 1977 with respect to equal treatment for men and women with regard to employment, section 5 of which prohibits the employment of women in manufacturing industries between midnight and 6 a.m. It has also noted that this prohibition may be applied differently or removed by collective agreement, including those concluded at enterprise level, and that under section 19 all contrary provisions are repealed. The Committee notes that these provisions are not in conformity with the Convention which requires that night work by women shall be prohibited for at least 11 consecutive hours.

Philippines (ratification: 1953)

The Committee refers to its previous comments, when it noted that the legislation was not in conformity with the Convention on the following points:

1. Section 130 of the Labour Code prohibits the employment of women in industrial undertakings between 10 p.m. and 6 a.m., i.e. a period of only 8 hours, whereas, under Article 2 of the Convention, the prohibition of night work should cover a period of at least 11 hours running.

2. According to section 131(e) of the Code and section 5(e), Chapter XI, Book III of the implementing regulations, the prohibition of night work for women does not apply when the nature of the work requires the manual skill and dexterity of female workers and the same cannot be performed with equal efficiency by male workers, or when the employment of women is already an established practice in the undertakings concerned at the date of entry into force of the implementing regulations. These exceptions are not authorised by the Convention.

The Committee notes with interest the information supplied by the Government in its last report that:

- (i) draft regulations to amend section 5, Chapter XI, Book III of the implementing regulations of the Labour Code were proposed to the legislative commission of the Ministry of Labour and Employment, in order to add a definition of the night period in conformity with the Convention;
- (ii) the legislative commission is to be recommended to prepare another draft to repeal section 131(e) of the Labour Code and section 5(e), Chapter XI, Book III of the implementing regulations.

The Committee hopes these measures will be adopted soon and asks the Government to supply information in this respect.

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In addition, requests regarding certain points are being addressed directly to the following States: Algeria, Angola, Bolivia, Brazil, Dominican Republic, Ghana, Guinea-Bissau, Kuwait, Lebanon, Panama, Romania, Saudi Arabia, South Africa, Spain.

### Convention No. 90: Night Work of Young Persons (Industry) (Revised), 1948

Greece (ratification: 1962)

In its earlier comments, the Committee has pointed out that the legislation in force is not in conformity with certain provisions of the Convention (exclusion of transport undertakings from its scope; definition of the night period conflicting with the Convention; possibility of reducing the night rest period in circumstances going further than those permitted by the Convention; absence of an adequate system of inspection and of provisions concerning the keeping of registers by employers). The Committee notes from the report that the Bill to bring the legislation into conformity with the provisions of

the Convention has not yet been adopted and hopes that it will be adopted shortly.<sup>1</sup>

Guinea (ratification: 1966)

The Committee notes that the Government's report has not been received. It has however noted with interest that following direct contacts which took place in 1981 between the government services concerned and a representative of the Director-General, measures have been proposed in order to give effect to Article 2, paragraph 1, of the Convention. The Committee recalls that, in its previous comments, it has pointed out that section 146 of the Labour Code provides for a period of rest of 11 consecutive hours whereas Article 2, paragraph 1, of the Convention provides for 12 consecutive hours at least. It hopes that the proposed measures will be adopted at an early date and that a report will be supplied for examination at its next session.

Mexico (ratification: 1956)

Article 2 of the Convention. In its earlier comments the Committee has pointed out that section 60 of the Federal Labour Act, which defines night work as a period of 10 consecutive hours, does not give effect to this Article of the Convention, which fixes at 12 consecutive hours the night period during which the work of young persons under 18 years of age in industry is prohibited. The Committee notes from the report of the Government that the draft text intended to bring the Act into conformity with the Convention is part of a group of texts affecting also other Conventions that will be submitted to the competent authority as soon as they are completed. The Committee again expresses the hope that the necessary measures will be adopted very shortly and requests the Government to report any progress made.

Peru (ratification: 1962)

Article 2, paragraph 1, of the Convention. See under Convention No. 79, Article 3, paragraph 1 (night period of at least 12 consecutive hours).

Philippines (ratification: 1953)

Article 2, paragraphs 1 and 3 of the Convention. The Committee refers to its previous comments in which it pointed out that the regulations issued by directive No. 23 of 30 May 1977, which prohibits night work by children under 16 years of age between 10 p.m. and 6 a.m., were not in conformity with these provisions of the Convention under which the prohibition must cover a period of at least 12 consecutive hours. It has noted with interest from the last report that the Legislative Commission of the Ministry of Labour and Employment will be advised to include in the regulations to be issued under the Labour Code a definition of night work applicable to both women and young persons. The Committee hopes the Government will shortly take appropriate measures to bring the legislation into conformity with the Convention on this point, which is dealt with in detail in a direct request.

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1983.

In addition, requests regarding certain points are being addressed directly to the following States: Bangladesh, Bolivia, Burundi, Israel, Lebanon, Philippines, Saudi Arabia.

### Convention No. 91: Paid Vacations (Seafarers) (Revised), 1949

Brazil (ratification: 1965)

Article 3, paragraphs 2 and 3, and Article 7 of the Convention. Further to its previous comments, the Committee notes with interest the draft law communicated with the Government's report which would add a new subsection 7 to section 150 of the Consolidated Labour Laws (as modified by Decree No. 1535/77) with a view to ensuring that seamen who have completed not less than six months' continuous service and who leave the service for any reason whatsoever are entitled to a proportionate holiday and to the related remuneration.

Article 4. The Committee also notes with interest that the proposed draft law would also amend subsection 1 of the same section 150 of the Consolidated Labour Laws, to ensure that annual holidays will be granted by mutual agreement as the requirements of the service allow.

The Committee hopes that the above-mentioned draft law will be adopted in the near future.

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In addition, a request regarding certain points is being addressed directly to Guinea-Bissau.

### Convention No. 92: Accommodation of Crews (Revised), 1949

Sweden (ratification: 1950)

The Committee has noted the observations communicated with the Government's report for the period 1975-80, which were submitted in a common letter dated 3 February 1981 by the Swedish Engineer Officers' Association and the Swedish Mercantile Marine Officers' Association, both affiliated to the Central Organisation of Salaried Employees, and which concern the application of Article 11 of the Convention. The officers' associations express the view that Article 11, paragraph 3, of the Convention permits the number of mess rooms for junior officers and ratings to be reduced but does not allow to dispense with a separate mess room for the master and officers and to merge it with the crew's. The associations state that the abolition of the officers' mess was decided despite their vigorous objections, that it is a breach of the Convention, is contrary to the terms of current collective agreements concluded by the officers' associations which provide that the ship's mess is intended for the officers and their guests and is therefore contrary to Article 19 of the Convention, according to which nothing in the Convention shall affect more favourable conditions obtaining in national law, award, custom or agreement.

The Government's report states, under Article 11 of the Convention, that modern ships represent a high level of technology and therefore require a skilled but reduced number of personnel, thus contributing to an evolution towards social equality between different categories on board. The Government therefore has, on the request of the shipowners concerned, in some cases granted exceptions from Article 11, paragraph 3, by accepting a mess room common to master, officers and ratings, after consultation with the bona fide trade unions of seafarers. The Government refers to Article 1, paragraph 5, of the Convention which permits variations in the crew accommodation requirements and states that the competent authority is satisfied that in these cases the arrangements provide corresponding advantages, as a result of which the over-all conditions are not less favourable than those which would result from the full application of the provisions of the Convention. The Government further states that its comments on the observations of the officers' associations will be submitted as soon as possible.

Pending further comments that may be supplied by the Government on the matter, the Committee notes that the variations provided for in Article 1, paragraph 5, are subject to the conditions recalled above: consultation with the organisations concerned, corresponding advantages resulting in not less favourable conditions. The Committee notes that in this case the associations of seafarers concerned have opposed the variation made under Article 11, and that the corresponding advantage of not having a separate mess room is not clearly shown, because it is not clearly shown that the variation results in conditions not less favourable than those resulting from the full application of Article 11, paragraph 3, and those obtaining from current collective agreements mentioned by the associations concerned. The Committee hopes accordingly that the Government will supply further information on the matter as well as any comments that it may deem appropriate.

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In addition, requests regarding certain points are being addressed directly to the following States: Guinea-Bissau, Iraq, Liberia.

### Convention No. 94: Labour Clauses (Public Contracts), 1949

#### Burundi (ratification: 1963)

The Committee notes that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

The Committee notes from the Government's report that the draft decree intended to apply the Convention has now been prepared, but not yet promulgated. The Committee hopes that the Government will be able to indicate in its next report that all measures necessary to apply the Convention have been taken, and will communicate all the relevant texts.

#### Egypt (ratification: 1960)

The Committee notes that in its report the Government again refers to the Labour Code (Act No. 91 of 1959) as applying the

Convention, and also refers to provisions of the Civil Code (Act No. 131 of 1948). As the Committee has pointed out in its comments for some years, generally applicable labour legislation on contracts of employment does not suffice for the application of this Convention.

The Committee recalls that Article 2 of the Convention requires that labour clauses be inserted in public contracts of the types referred to in Article 1(1)(c) of the Convention, in order to ensure that workers employed under these contracts receive conditions of labour not less favourable than those established for work of the same character in the trade or industry concerned. The Government has indicated in previous reports that provisions to this effect were to be inserted in amendments to the Labour Code, which would lay down the general principle required for the application of the Convention (though, as the Committee pointed out, implementing measures would still be necessary). However, the Government has not referred to these provisions or the necessary implementing regulations in its latest report. In this connection the Committee recalls that the Government has been referring to the possibility of such amendments since 1968.

The Committee hopes that in the light of these explanations, and of the detailed explanatory note which it asked the Office to communicate to the Government in 1979, the Government will be able to indicate in its next report that it has taken the measures necessary to apply the Convention.

#### Guatemala (ratification: 1952)

Following its previous observations and the discussion which took place in the Conference Committee in 1981, the Committee notes with interest the Regulations adopted on 19 September 1981 for the application of this Convention. It notes that the Regulations reiterate the basic principle that the conditions of work provided for in public contracts shall not be less favourable than those established for work of the same character in the industry or region concerned, and that the Ministry of Labour and Social Welfare will furnish the assistance and assessment necessary to study the labour clauses in the contracts awarded by public authorities.

The Regulations do not, however, expressly require that clauses to this effect be inserted in all public contracts. The Committee therefore hopes that in its next report the Government will indicate whether it considers that this requirement does exist, and that it will communicate a copy of the labour clauses to be inserted in public contracts, as well as examples of public contracts which do contain such clauses.

#### Guinea (ratification: 1966)

For a number of years, the Committee has noted that the conditions for applying the Convention are not fulfilled. It notes that direct contacts between the national authorities and a representative of the Director-General were undertaken during 1981 in respect of this and other Conventions and understands that following these contacts the Government plans to examine the provisions which presently exist concerning public contracts and to draft measures to comply with the Convention.

This Convention requires that clauses be inserted in public contracts established between the Government and private firms, for all matters covered in Article 1, paragraph 1(c) of the Convention, to



ensure that workers under these contracts receive wages and other conditions of work which are not less favourable than those established for work of the same character in the trade or industry concerned. In order to assist ratifying States in devising measures to comply with the Convention, the International Labour Office has established an explanatory note indicating the types of measures which may be appropriate in different situations, and the representative of the Director-General passed a copy of this note to the Government during his discussions in the country.

The Committee hopes the Government will indicate in its next report what progress has been achieved on this matter, concerning which the Committee has requested measures for many years. It also hopes that the Government will communicate a draft of any measures contemplated to the Office for its comments before adoption, to ensure that no outstanding problems remain unresolved.

Mauritania (ratification: 1963)

The Committee notes with interest the information communicated in the Government's report, in particular the adoption of Decree No. 80.182/PG concerning public contracts. It notes that sections 50 and 95 of this Decree provide for the insertion in public contracts of labour clauses. Please indicate how the conditions of work to be granted to workers under this Decree are determined (apart from cases in which collective agreements are applicable); how the application of this requirement to subcontractors and assignees is assured; and what measures ensure that the parties concerned are notified of the requirements of such clauses.

The Committee recalls that in its 1979 report the Government communicated the text of a draft decree which would have ensured the application in law of the Convention. The Government is requested to indicate whether this decree has been adopted.

Panama (ratification: 1971)

The Committee notes that in reply to its previous observation, the Government has sent the collective agreement regulating conditions of work in the construction industry. However, the Government has communicated no information indicating that it has taken the measures necessary to apply the Convention, in spite of the detailed explanations which have been given over a number of years.

The basic requirement of the Convention, with regard to public works contracts (Article 1(1)(c)(i) of the Convention), could be met if a clause were inserted in the standard form of agreement for such contracts, stating that compliance with the collective agreement is a condition for the fulfilment of the contract between the contractor and the Government. When the Conference adopted this Convention it considered this requirement to be necessary to allow for additional sanctions in case of non-compliance.

The Government has communicated no information on the kinds of contracts covered by Article 1(1)(c)(ii) and (iii) of the Convention. The Committee again refers the Government to the explanations provided on this requirement (in particular its 1976 direct request and the explanatory note sent in 1974 and 1979). It also again requests the Government to communicate the standard forms of agreement used for all the sorts of public contracts covered by the Convention.

In the light of the explanations which have been provided, the Committee hopes the Government will indicate in its next report that steps have been taken to assure the Convention's application.

Philippines (ratification: 1953)

The Committee recalls that it has been asking for additional measures to apply this Convention since 1956, while the Government continues to state that it is adequately applied by existing legislation. As regards public contracts for public works (i.e. construction), the Convention is mostly applied (Memorandum Circular of the Bureau of Public Works dated 7 May 1975), but it is not applied to other forms of public contracts (Article 1(1)(c)(ii) and (iii) of the Convention). Even in regard to public works contracts the legislation cited by the Government concerning the Convention's application to subcontractors is inadequate since subcontractors are not explicitly covered by the labour clauses applying to contractors. Finally, in spite of repeated requests to do so, the Government has not communicated the information required by point V of the report form on the number of contracts and workers concerned.

In these circumstances, the Committee hopes the Government will reconsider its position. To assist it in its examination, it would ask the Office to communicate a detailed explanatory note to the Government which may help to resolve any difficulties of interpretation.<sup>1</sup>

Rwanda (ratification: 1962)

The Committee notes from the Government's report that draft regulations and a standard contract for tenders for public contracts, which should conform to the requirements of the Convention, were to be examined by an inter-ministerial committee before adoption. The Committee recalls that it has been requesting such measures since 1964, and hopes that the Government will be able to indicate in its next report that they have been adopted.<sup>1</sup>

Turkey (ratification: 1961)

Further to its previous observations, the Committee notes with satisfaction the adoption of Decree No. 8/2912 of 8 May 1981, which establishes the obligation to insert labour clauses in public contracts in conformity with this Convention. It hopes the Government will provide the additional information referred to in the request being addressed directly to the Government, concerning the practical implementation of this obligation.

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In addition, a request regarding certain points is being addressed directly to Turkey.

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<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

**Convention No. 95: Protection of Wages, 1949**Dominican Republic (ratification: 1972)

In its last observation the Committee referred to alleged abuses in the payment of remuneration to migrant workers in the sugar-cane industry (report submitted by the Anti-Slavery Society for the Protection of Human Rights to the United Nations Working Group on Slavery - report of the Working Group, Fifth Session, 1979, document E/CN.4/Sub.2/434). It noted with interest the statement by the Government that, although the Government was not unaware of any such abuses, it was ready to co-operate with the ILO in establishing machinery to enable it to convince the ILO that equal treatment and equal protection under the law had always been granted to Dominican and Haitian cane-cutters. The Committee welcomed this initiative and suggested that the co-operation in question might take the form of direct contacts or of other appropriate type of assistance provided by the Office.

The Committee takes note of the information supplied by the Government in this connection to the Conference Committee and in its last report. However, since this matter is to be considered by the Commission of Inquiry appointed by the Governing Body of the ILO in accordance with article 26 of the Constitution, the Committee has decided to suspend its comments until the Commission of Inquiry finishes its work. With respect to the other points dealt with in its previous comments, the Committee refers to its direct request.

Libyan Arab Jamahiriya (ratification: 1962)

Articles 2, 4, 7 and 8, paragraph 1, of the Convention. With reference to its earlier comments the Committee has noted the information supplied at the Conference Committee in 1981 and in the Government's report, more particularly, that provisions on minimum wages and other benefits apply to all workers, including those in agriculture, and that there is no deduction from wages for housing and meals for these facilities are provided without charge.

The Committee further notes with interest that the Ministry of Agriculture has been informed of the observations of the Committee which have also been communicated to the Commission for the Revision of Legislation so that the points will be taken into account in the revision of the legislation. The Committee accordingly expresses the hope that steps will be taken at an early date to bring the legislation into full conformity with the Convention, by extending the provisions on protection of wages to agricultural workers and by regulating payment in kind and deductions from wages. It requests the Government to provide information on any progress made.

Turkey (ratification: 1961)

With reference to its earlier comments, the Committee has taken due note of the information supplied by the Government to the Conference Committee in 1981 and in its subsequent report.

Article 2 of the Convention. The Committee recalls that the Convention applies to all workers to whom wages are paid or payable and that exclusion may only be allowed (under paragraph 2 of this Article) in the case of persons employed in non-manual labour or in domestic service. It accordingly points out once again that the protection laid

down in the Convention must be extended to workers in agriculture and to workers in small commercial and handicraft undertakings who are at present excluded from the relevant provisions of the Labour Code and are not adequately protected by any other legislation mentioned by the Government in its reports.

Article 13. The Committee notes that the provisions of legislation referred to by the Government and available for examination (section 26 of the Labour Code, section 323 of the Code of Obligations) do not appear to regulate the time and place of payment of wages in accordance with the terms of this Article.

The Committee once again expresses the hope that appropriate measures will be taken in the very near future to give full effect to the Convention on these points.<sup>1</sup>

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In addition, requests regarding certain points are being addressed directly to the following States: Dominican Republic, Lebanon, Nigeria, Saint Lucia, Zambia.

### Convention No. 96: Fee-Charging Employment Agencies (Revised), 1949

#### Syrian Arab Republic (ratification: 1957)

The Committee notes with regret from the report of the Government that the situation has not changed and that the Bill to bring the national legislation into conformity with the Convention, to which the Government has been referring since 1970, has still not been enacted. The Committee hopes that the new legislation will be enacted in the near future and that: (a) it will repeal sections 18 and 22 of the Labour Code (Act No. 91 of 1959), which authorise the setting up of private employment agencies and the use of manpower recruiting agents, or it will regulate these activities in accordance with Articles 5 or 6 and 8 of the Convention; (b) it will contain provisions regulating the placement of domestic staff in accordance with the Convention, either by extending the scope of Chapter III of the Labour Code to this class of workers or by making the fee-charging employment agencies for these workers subject to regulations in accordance with Articles 5 or 6 and 8 of the Convention.<sup>2</sup>

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In addition, a request regarding certain points is being addressed directly to Uruguay.

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<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

<sup>2</sup> The Government is asked to supply full particulars to the Conference at its 68th Session and to report in detail for the period ending 30 June 1982.

**Convention No. 97: Migration for Employment (Revised), 1949**Guatemala (ratification: 1952)

Article 8 of the Convention. With reference to its earlier comments, the Committee notes with satisfaction the adoption on 17 September 1981 of regulations to ensure the application of Convention No. 97, which provides, in accordance with Article 8 of this instrument, that a migrant for employment who has been admitted on a permanent basis and has resided for at least two years in the country and the members of his family cannot be expelled because the migrant is unable to follow his occupation by reason of illness or accident.

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In addition, requests regarding certain points are being addressed directly to the following States: Ecuador, Portugal.

Information supplied by Upper Volta in answer to a direct request has been noted by the Committee.

**Convention No. 98: Right to Organise and Collective Bargaining, 1949**Chad (ratification: 1960)

The Committee notes with regret that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

The Committee noted that sections 121 and 122 of the Labour Code require prior approval for the entry into force of collective agreements. The Committee pointed out that such provisions may constitute obstacles to the development and promotion of free collective bargaining.

The Committee hopes that a report will be supplied for examination at its next session and that it will contain information concerning any refusals to approve collective agreements and the reasons for and the frequency of these refusals.

Ecuador (ratification: 1954)

The Committee notes the information communicated by the Government in its report.

In its previous observations the Committee had referred to the need to adopt a formal provision ensuring adequate protection to workers against all acts of anti-union discrimination at the time of recruitment (Article 1, paragraph 2(a), of the Convention). In this respect, the Committee notes that a draft decree has been prepared which would add a new paragraph (■) to section 43 of the Labour Code and that it is to be communicated to the President of the Republic for submission to the National House of Representatives. The Committee hopes that the draft decree will be adopted in the near future and requests the Government to provide information on any developments in this matter.

Indonesia (ratification: 1957)

The Committee notes the information provided by the Government in its report.

1. Article 1 of the Convention. With regard to protection against acts of anti-union discrimination, the Government again refers to Act No. 21 of 1954, stating that it prohibits certain forms of discrimination, including anti-union discrimination. However the Committee observes, once more, that section 1(3) of this Act merely declares null and void any stipulation in a collective agreement obliging the employer to accept or to refuse to engage a worker on grounds including membership or non-membership of a trade union. This section seems rather to be aimed at protecting the employer against a "dictatorial" position by a trade union, as indicated in the explanatory text attached to the Act.

The Committee considers that this provides extremely limited protection that does not satisfy the requirements of the Convention. It again asks the Government to adopt the necessary legal provisions to give full effect to Article 1 of the Convention, and so to ensure the protection of workers against acts of anti-union discrimination, both at the time of taking up employment and in the course of their employment relationship.

2. Article 2. With regard to the protection of workers' organisations against acts of interference by employers, the Government refers once more to Ministerial Regulation No. PER.01/MEN/1975. The Committee expressed the view in its previous comments that section 1(b) of this Regulation concerns the definition of a trade union, made up by and for workers. It takes note of the interpretation given by the Government to the effect that an organisation set up on a voluntary basis by the workers is implicitly set up independently of the will of and interference by the employer. The Committee considers, however, that the above-mentioned provision is not sufficient in this respect and requests the Government to adopt the necessary legal provisions to ensure explicitly the protection of workers' organisations against acts of interference by employers.

3. Article 4. The Committee has pointed out that, under Regulation No. 49 of 1954, concerning the elaboration and conclusion of collective agreements, only registered trade unions may conclude agreements (section 1(3)) and that, under Ministerial Regulation No. PER.01/MEN/1975 concerning the registration of occupational organisations, only federations covering at least 20 provinces and uniting 15 trade unions may be registered. Whilst noting the explanations of the Government concerning the development of the trade union movement, the Committee must point out that these provisions are incompatible with Article 4 of the Convention, which provides that measures shall be taken to encourage and promote the development of negotiations between employers' and workers' organisations with a view to the regulation of terms and conditions of employment by means of collective agreements. The Committee asks the Government to re-examine its legislation in order to bring it into full conformity with the Convention.

The Committee further requests the Government to supply a copy of the Act respecting state-owned enterprises referred to in its report.

Malaysia (ratification: 1961)

Referring to its previous observation, the Committee notes the information communicated by the Government to the Conference Committee

in 1981 and in its report. The Committee also notes the conclusions reached by the Committee on Freedom of Association in Case No. 965 concerning Malaysia (211th Report, paragraphs 177-209, approved by the Governing Body at its 219th Session).

The Committee recalls that for many years its comments have referred to sections 13 and 15 of the Industrial Relations Act, 1967 (as amended). These provisions remove from the field of collective bargaining a number of questions related to the conditions of employment and the dismissal of workers and prevent the collective agreements of certain enterprises specified by the law or by the Minister from stipulating more favourable conditions than those set out in Part XII of the Employment Ordinance 1955, unless these have been approved by the Minister.

The Committee has considered that provisions restricting and regulating collective bargaining in this way cannot be compatible with the measures provided for by Article 4 of the Convention.

The Committee notes the statements by the Government representative at the 1981 Conference Committee that the question of amending sections 13 and 15 of the 1967 Act - sections adopted at a time when the country was going through great economic difficulty - to bring them into conformity with the Convention was being kept under active consideration with a view to action at an appropriate time. It hopes that the Government will be in a position to bring its legislation into conformity with the Convention on this point rapidly.

The Committee takes note of the conclusions reached by the Committee on Freedom of Association regarding the Industrial Relations Act, and in particular on section 52 which excludes government and statutory authority employees from the rights guaranteed under the Act. The Committee observes that the Committee on Freedom of Association had noted the Government's statement that this results in a harmonisation of treatment of employees in the public sector as a whole and is not in any way discriminatory. However, that Committee had recalled that Convention No. 98, and in particular Article 4 thereof concerning the encouragement and promotion of collective bargaining, applies both to the private sector and to nationalised undertakings and public bodies, it being possible to exclude from such application only public servants engaged in the administration of the State. As the Committee has pointed out repeatedly, while the concept of public servant may vary to some extent under the various national legal systems, the exclusion from the scope of the Convention of persons employed by the State or in the public sector, who do not act as agents of the public authority (even though they may be granted a status identical with that of public officials engaged in the administration of the State) is contrary to the meaning of the Convention. The distinction to be drawn would appear to be basically between civil servants employed in various capacities in government ministries or comparable bodies, and other persons employed by the government, by public undertakings or by independent public corporations. In the present case, it appears to the Committee that the provision in question is too broad in its scope and is therefore not in conformity with the Convention.

The Committee requests the Government to consider amending its legislation in light of the considerations set out above so as to bring it into conformity with Articles 4 and 6 of the Convention.

#### Nigeria (ratification: 1960)

The Committee has examined the report of the Government. It notes that the Government is continuing to study closely the question

raised by the Committee in its previous observation, which read as follows:

The Committee had noted that the provisions protecting workers against acts of anti-union discrimination, contained in the Labour Decree, 1974, do not apply to certain categories of workers, that is to say, persons exercising administrative, executive, technical or professional functions; representatives, agents and commercial travellers; home workers; and persons employed in vessels or aircrafts to which the laws regulating merchant shipping or civil aviation apply.

The Committee again requests the Government to take the necessary steps to provide protection against acts of discrimination for all the workers covered by the Convention. It requests the Government to provide information on any developments in this respect.

Panama (ratification: 1966)

1. With reference to its previous comments, the Committee notes with satisfaction the Government's statement in its report that Act No. 95 of 31 December 1976, which contained provisions on which the Committee had commented, has been repealed by Act No. 8 of 30 April 1981. The Committee recalls that the repealed Act contained provisions conflicting with Article 4 of the Convention, particularly in that it unduly prolonged the period of validity of collective agreements beyond the date of their expiry and prohibited bargaining during the extended period (section 3). The Act also exempted newly created undertakings from the obligation to conclude collective agreements during the first two years of their operation (section 6) and authorised employers to refuse to conclude a collective agreement where the workers' claims could endanger the profitability of the undertaking - the Minister of Labour was alone competent to evaluate this criterion (section 401 of the Labour Code, as amended).

2. The Committee also took note with interest of the draft Decree, the text of which has been supplied by the Government, which provides for the extension to public employees of the provisions of Book III of the Labour Code respecting collective labour relations, with the exception of the provisions relating to the exercise of the right to strike. The Committee notes in this connection the assurance given by the Government in its report that this text is intended to improve the application of these provisions of the Convention. The Committee recalls that it has been making comments on this matter since 1967 and therefore expresses the firm hope that in the very near future the guarantees provided for by the Convention will be extended to cover workers in the public sector who are not engaged in administration of the State.

Tanzania (ratification: 1962)

The Committee takes note of the information supplied by the Government in its report. It points out that the Government has sought and obtained from the Office advice on the lines along which its legislation might be amended.

The Committee expresses the hope that this assistance from the Office will lead to the adoption, at an early date, of measures to ensure conformity of the legislation with Article 4 of the Convention.



Trinidad and Tobago (ratification: 1963)

With reference to its previous direct requests, the Committee has examined the Government's report.

Article 4 of the Convention. The Committee had pointed out that only a majority union having more than 50 per cent of the workers in a given unit could be certified as a bargaining agent (section 34 of the Industrial Relations Act).

The Committee notes that section 74D of the Education Act, as amended (Act No. 1 of 21 April 1981) which relates to the procedure for recognising an association as an "appropriate recognised association", also restricts recognition to an association supported by more than 50 per cent of the persons in a given bargaining unit. It follows that a trade union, even with a majority, that does not cover 50 per cent of the persons in a unit, cannot obtain a certificate as a recognised bargaining agent. The Committee regrets that the Government did not take its comments into consideration when it amended the Education Act.

The Committee recalls that, if under a system of nominating an exclusive bargaining agent there is no union covering more than 50 per cent of the workers, collective bargaining rights should be granted to all the unions in this unit, at least on behalf of their own members.

The Committee again requests the Government to amend its legislation so as to enable a union, in the absence of a bargaining agent, to negotiate a collective agreement at least on behalf of its own members, if it is voluntarily recognised by the employer.

With reference to the Education Act, as amended (No. 1 of 1981), the Committee also requests the Government to keep it informed of the practical application of this Act. It asks the Government in particular to inform it of any applications for recognition as an "appropriate recognised association" submitted to the Board (as defined in section 71 as amended) and of the decisions taken by the Board in this connection.

Article 2. In its earlier reports, the Government has stated that the possibility of adopting a specific provision for protection against acts of interference was under discussion with the Labour Congress and the Employers' Consultative Association. The Committee again requests the Government to inform it of the result of the discussions with these two bodies.

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In addition, requests regarding certain points are being addressed directly to the following States: Cape Verde, Democratic Yemen, Ecuador, Grenada, Guinea-Bissau, Lebanon, Panama, Uganda, Yemen.

### Convention No. 99: Minimum Wage Fixing Machinery (Agriculture), 1951

A request regarding certain points is being addressed directly to Colombia.

Information supplied by Malawi and Paraguay in answer to a direct request has been noted by the Committee.

**Convention No. 100: Equal Remuneration, 1951**Austria (ratification: 1953)Articles 1 and 2 of the Convention

1. Referring to its earlier observations on this Convention, the Committee notes with interest from the information provided by the Government in its report that most of the discriminatory provisions identified in collective agreements surveyed in 1978 were eliminated or phased out under new agreements concluded following the entry into force of the Equality of Treatment Act of 23 February 1979. The Committee would appreciate it if the Government would supply information on any cases in which discriminatory provisions identified in 1978 have been maintained or renewed and on any measures taken in this regard by the Government and the Equality of Treatment Committees created under the 1979 Act.

2. The Committee would also appreciate it if the Government would indicate whether Equality of Treatment Committees have been set up under section 13 of the 1979 Act in all provinces and if it would continue supplying information on the activities of the federal and provincial Equality of Treatment Committees.

3. The Committee notes from the Government's report that while the Equality of Treatment Committee is to advise on the conformity of provisions in collective and individual agreements with the principle of equal remuneration, its influence must be limited to the clarification of questions of principle, and that such clarification may be considered as a recommendation for an appropriate solution of controversial questions; however, the Equality of Treatment Committee is not to intervene directly for the elimination of discriminatory provisions.

The Committee recalls that in its report for 1976-78 the Government indicated that for the enforcement of the principle of equal remuneration, two distinct legislative measures were being contemplated; one of these has become the Equality of Treatment Act of 1979 setting up the Equality of Treatment Committees; the other was a draft federal Act for the safeguarding of remuneration, under which differences of remuneration established in collective agreements or individual contracts on the basis of sex are to be null and void, and without interfering with the autonomy of collective bargaining partners, the persons concerned are to be entitled to appropriate remuneration, as established by collective agreement for comparable activities. The Committee hopes that this draft legislation, which appears to complement the 1979 Act in ensuring the observance of the Convention, will soon be adopted.

Article 3

4. The Committee notes with interest from the Government's report that the criteria which were elaborated by a study group as a basis for the 1978 survey of discriminatory provisions in collective agreements include differences based on sex in job descriptions and in the evaluation of qualifications and stress factors. The Government states that these studies which formed, inter alia, the basis for the Federal Act of 23 February 1979, are now to be updated in order to examine the effects of that Act, thus it is hoped leading up to the initiation of the objective appraisal of jobs, as anticipated in the Government's previous report. The Committee would appreciate it if the Government would supply information on further developments in this regard.

Belgium (ratification: 1962)

1. With reference to its previous observation, the Committee notes with satisfaction that the provision in the Royal Order of 30 January 1967 granting an accommodation or residence allowance to the staff of ministries, which laid down different conditions for granting the accommodation allowance to male and female staff, has been repealed by the Royal Order of 10 September 1981 and that the accommodation allowance is now paid to married staff without any distinction based on sex.

2. In its previous observation, the Committee noted that the first findings of the general examination of collective agreements undertaken by the Government showed that, although there were still a few cases of direct discrimination in the agreements in force (for example in the agreements concluded by the joint committees for the food industry, paper and cardboard manufacturing and the health services), the main difficulties in giving effect to the principle of equal remuneration were those connected with occupational classification and the appraisal of functions. In its last report, the Government states that the report of the administrative unit of the Labour Relations Service has been transmitted to the joint committees with emphasis on the need to eliminate any remaining direct or indirect discrimination in collective agreements and that the joint committees have taken this into account in drafting their new agreements. The Committee hopes that the Government will be able to provide fuller information on the measures taken in respect both of the elimination of discrimination and of the objective appraisal of jobs and that it will furnish copies of the new collective agreements.

Canada (ratification: 1972)

The Committee notes the detailed information provided in the Government's report and the attached documents. It notes the information concerning the manner in which section 11 of the Canadian Human Rights Act of 1977 is interpreted and applied through a wide range of promotional activities undertaken by the Human Rights Commission and by its publication in the Government Gazette (27 September 1978) of Equal Wage Guidelines concerning the application of section 11 and prescribing factors which may justify different wages for equal work. The Committee hopes that the Government will provide further information on the results achieved by these measures with particular reference to job evaluations in areas where comparison between the work performed by men and women is difficult.

While noting from the report that there has been increased attention to promoting equal employment opportunities and remuneration for women in the provinces, the Committee notes that the federal and Quebec jurisdictions remain the only two jurisdictions to have embodied in legislation the concept of equal remuneration for men and women workers for work of equal value. The Committee refers to its previous observation in expressing the hope that the application of the Canadian Human Rights Act will lead to the development of other provincial legislation so as to give legislative effect to the principle of the Convention. The Committee would accordingly ask the Government to provide information on any measures being taken or contemplated by the provincial governments to this end.

The Committee notes with interest the study undertaken by the Ministry of Labour of Quebec in collaboration with the Human Rights Commission of Quebec ("Les femmes dans les conventions collectives: Pourquoi la différence?") examining discriminatory provisions for

Quebec's women workers, whether direct or indirect, in collective agreements. The Committee would appreciate it if the Government would continue to provide information on any measures taken, as a result of this study, to promote the elimination of discrimination in collective agreements, in accordance with the relevant provincial legislation.

The Committee also notes the various co-operative efforts of the Human Rights Commission with workers' organisations and employers' groups, and the activities of the Women's Bureau of Labour Canada, in promoting application of the principles of the Convention, as well as the equal employment affirmative action and training programmes in several provinces, designed to narrow the wage gap and eliminate job discrimination for women workers. It asks the Government to provide information on the results of these measures in implementing the principle of equal remuneration.

Denmark (ratification: 1960)

The Committee notes that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

With reference to its earlier comments concerning the definition of the principle of equal remuneration under the Act of 4 February 1976, the Committee notes the information provided by the Government to the effect that the scope given to this principle in practice corresponds to the notion of equal remuneration for "work of equal value" adopted by the Convention, owing to the broad interpretation of the notion of "same work", adopted by the social partners and by the Labour Court. It would be grateful if the Government would provide any relevant information (such as decisions of the Courts or other documents) to illustrate this point.

Finland (ratification: 1963)

The Committee notes the detailed information supplied by the Government in its report and attached documents. The Committee notes with interest the adoption of a national programme for promoting equality between men and women during the second half of the United Nations Decade for women and the regulations for its implementation. In particular, the Committee notes the intention to develop legislation prohibiting discrimination in remuneration on the ground of sex; to implement as a priority an improvement of the remuneration of women-dominated groups of low-salaried workers and employees of the State by means of collective agreements; to take measures to balance the groups of professions one-sidedly dominated by either of the sexes; and to encourage the advancement of women to higher levels of employment.

The Committee notes with interest that anti-discriminatory legislation in the public sector will be considered in connection with a comprehensive reform of legislation concerning public servants which is being prepared on the basis of reports of the Committee for the Judicial Position of Public Service Personnel and that attention will also be paid at the same time to employment under the state collective agreement and under a contract of employment in state administration. The Committee would be grateful if the Government would provide further information on the development of these initiatives.

The Committee notes from the report that the Finnish Employers' Confederation and the Confederation of Commerce Employers have in a

joint statement pointed out that in remuneration both competence and work performance should be taken into account to a greater extent, and have also referred to the development of a remuneration policy for office employees based on job classification. It also notes the comments of the Central Organisation of Finnish Trade Unions, calling for more extensive reforms aimed at equality in employment, including, inter alia, measures of job appraisal. The Committee trusts that the Government will indicate the measures that will be taken in this regard.

The Committee notes that both the Central Organisation of Finnish Trade Unions and the Government draw attention to the difficulties of applying this Convention and of narrowing the gap between the wages of men and women workers by referring to the problem of access for women to various levels of employment, which is covered more directly by Convention No. 111. The trade union organisation refers, in addition, to the need to reappraise the concept of productivity in those sectors investing in human resources.

The Committee would ask the Government to indicate in its future reports on both Convention No. 100 and Convention No. 111 what measures are being taken or contemplated to eliminate discrimination on the basis of sex in respect of access to employment.

#### Federal Republic of Germany (ratification: 1956)

The Committee notes with satisfaction that the Act respecting equality of treatment for men and women at the workplace and the maintenance of claims in the event of the transfer of establishments (Labour Law - European Communities Harmonisation Act) of 1980 (L.S. 1980 - Ger.F.R.3) embodies and develops the principle of equal remuneration for men and women for work of equal value and reverses and places on the employer the burden of proof where discrimination is alleged in the courts.

The Committee further notes with interest the report submitted by the Government to the Bundestag in June 1980 on the kind, the scope and the results of the measures taken by the Government as well as by the governments of the Länder and the social partners in respect of the application of Article 119 of the EEC Treaty. It notes from the report that certain progress has been made towards implementing the principle of equal remuneration, although it has not yet been possible to abolish altogether the wage groups for "light work" (having their origin in former "female wage groups"); and it notes the Government's conclusion from a comparison with other European countries that there is still room for improvement if all concerned keep up their efforts to eliminate the manifold causes of existing wage differentials. The Committee would ask the Government to continue to supply information on the measures taken in this regard and the results achieved.

#### Guyana (ratification: 1975)

The Committee notes the information supplied by the Government in response to its previous comments.

1. The Committee notes that articles 22 and 29 of the new Constitution of Guyana, enacted on 20 February 1980, guarantee, inter alia, the right to equal pay for equal work for all workers and proscribe all forms of discrimination against women on the basis of their sex, and that the labour authority has taken on the responsibility to see to the implementation of these articles of the

Constitution. In order to enable it to appreciate more precisely the meaning of the constitutional provisions, in relation to the principle of equal remuneration for "work of equal value" established in the Convention, the Committee would ask the Government to supply all available information (including, in particular, any relevant judicial or administrative decisions) regarding the interpretation and application of the phrase "equal pay for equal work" in article 22 of the Constitution.

The Committee would be grateful if the Government would indicate in its next report the measures taken to revise those Minimum Wage Orders (e.g. Orders Nos. 3, 4, 5 and 6 of 1966) which established different rates of remuneration on the basis of sex and to which the Committee had drawn attention on previous occasions.

More generally, the Committee would ask the Government to supply with its next report information on wage rates now in force that have been fixed by wages councils and advisory committees, particularly in the sugar industry, and in those industries which, according to the report, employ large numbers of women workers, i.e. garment factories, hotels, restaurants and laundries.

2. The Committee notes from the Government's report that the labour authority enforces the constitutional provisions on equal remuneration by inspections and by the vetting of collective labour agreements negotiated between employers and unions. The Committee would be grateful if the Government would include in its next report copies of relevant labour inspection reports and more detailed information on the manner in which collective labour agreements are reviewed, as well as copies of collective agreements now in force in the private sector, in particular for the sugar industry and for industries employing significant numbers of women.

3. The Committee would also ask the Government to supply copies of the latest wage rates for workers in the public service fixed by collective agreement between the Government and the Guyana Trades Union Congress.

#### Iceland (ratification: 1958)

The Committee notes that the Government's report contains no reply to its previous observations. Referring to its previous comments, the Committee would ask the Government to supply information on all practical measures taken to apply the provisions of the Convention. Specifically the Committee would ask the Government to supply information on the application of the relevant provisions of Law No. 78/1976 on Equality of Men and Women, with particular reference to the various activities of the Equality of Treatment Board, to which the above-mentioned act assigned a number of functions relevant to the application of the Convention.

#### Italy (ratification: 1956)

The Committee notes that the Government's report has not been received. It must therefore repeat the following comments made in its previous observation.

The Committee noted the promulgation of the Act of 9 December 1977 respecting equality of treatment as between men and women in questions of employment, which requires among other things the same remuneration for services that are equal or of

equal value and the adoption of common criteria for men and women in occupational classification systems. The Committee would be grateful if the Government would supply information on the application of these provisions, which consolidate those of the National Constitution within the meaning of the Convention, special reference being made to the annual reports that the Government is to submit to Parliament on the enforcement of the 1977 Act by virtue of its section 18.

Netherlands (ratification: 1971)

Referring to its previous observations the Committee notes with interest the information supplied by the Government in its report. It notes, inter alia, that since 15 March 1981, collective labour agreements which distinguish between men and women are no longer declared generally binding. It notes also with interest that the Committee for Equal Treatment of Men and Women with regard to Work in the Public Service was set up on 14 May 1981 in accordance with the Equal Treatment of Men and Women in the Public Service Act of 2 July 1980.

The Committee notes from the investigations made by the Wage Technical Service that a slight difference found between the wages of men and women in comparable positions has tended to increase (from 2 per cent in 1978 to 2.5 per cent in 1979 and 2.8 per cent in 1980). The Committee would ask the Government to continue to supply information on developments in this regard.

It would also ask the Government to supply in future reports further information on the activities of the Wage Technical Service, the Committee on Equal Treatment of Men and Women with regard to Work in the Public Service, and other bodies concerned with equal treatment, and on the results achieved with a view to implementing fully the principle of equal remuneration of men and women for work of equal value.

In addition, the Committee has noted from the Government's report that a detailed questionnaire of the European Economic Community was completed on the application of the EEC directive concerning equal treatment of men and women with regard to access to the labour process, occupational training and promotion prospects and with regard to labour conditions. It would be interested to learn any effects of this questionnaire on the achievement of equal remuneration.

Norway (ratification: 1959)

The Committee notes with interest the information contained in the Government's report on the trends in pay of men and women workers and on the activities of the Equal Status Commissioner in dealing with complaints concerning equal remuneration.

The Committee also notes from the report that the workers' and employers' organisations have an important role to play in giving further practical effect to the provisions of the Equal Status Act, and that in the Equal Status Council's draft Action Plan the introduction is proposed of equal status agreements between the organisations of workers and employers. The Committee trusts that the Government will continue to provide further information on the development of such equal status agreements and, in general, on procedures for the co-operation of occupational organisations as was requested in a previous observation (referring to the comments of the Confederation of Trade Unions in Norway in 1979 on the functioning of the administrative bodies created pursuant to the Act).

The Committee notes that a number of cases received by the Equal Status Commissioner under section 5 of the Act relate to unequal pension conditions for women and men in private pension schemes and that this matter has been referred to the Ministry of Health and Social Affairs. Some other cases, according to the report, concern other supplements or cash bonuses or other benefits given by the employer. The Committee would ask the Government to supply further information on the measures taken to eliminate discrimination in these two areas.

The Committee also notes that the 1980 report of the Institute of Industrial Economics on office employees in industry indicated that wage disparities persist between the sexes even when corrections are made for differences in education and training, age, over-all job experience, seniority, part-time work, size of undertaking, branch of industry and region. The Committee would ask the Government to provide information on the manner in which these different factors were taken into account in preparing the report and to provide information on the study being considered by the Institute on industrial workers.

#### Philippines (ratification: 1953)

The Committee notes with interest the information contained in the Government's report. It notes particularly that, by letter of Instruction No. 974 of 8 January 1980, the President of the Philippines directed all government offices, ministries, agencies, etc., inter alia, to take affirmative steps to implement the constitutional, treaty and statutory mandates for the promotion, regardless of sex, of equality in employment, equal work opportunities and equal pay for work of equal value. The Committee notes that the Letter of Instruction also calls upon these bodies to eliminate, in government or private enterprise subject to their jurisdiction or with which they deal or transact any business practices which discriminate against women where no reasonable bases for classification on the ground of sex exists, contrary to the provisions of the Constitution, laws and international conventions and other agreements entered into by the Philippines.

The Committee would ask the Government to supply information on the practical effect of this Presidential Instruction, and in particular on its implementation in private enterprise, especially as regards the development of an objective appraisal of jobs within the meaning of Article 3 of the Convention.

The Committee would also ask the Government whether the new tripartite National Wages Council includes among its functions the studies, surveys and reports previously carried out by the Wage Commission which were referred to by the Government in an earlier report as a means to promote job evaluation.

The Committee notes with interest the Government's conclusion that the major issue concerning application of the Convention is not equal pay, but rather the equal job opportunities open to women workers. It would request the Government to send information on any developments in this respect as they affect the achievement of equal remuneration for work of equal value.

#### Portugal (ratification: 1967)

In its previous observation, the Committee had noted with satisfaction that Legislative Decree No. 392/79 of 20 September 1979 expressly guarantees to the two sexes equal remuneration for "equal work or work of equal value", and provides that job descriptions and



job evaluation shall be based on objective criteria common to the two sexes and for the establishment of a Committee on Equality in Work and Employment.

The Committee notes with interest that, according to the Government's report, the tripartite Committee on Equality in Work and Employment has been set up and has already started its activities to inform the public, to advise the Government and to examine complaints alleging discrimination. As for the effective application of the principle of equality in work and employment, the Government considers that the results of the adoption of Legislative Decree No. 392/79 are clear, although all the explicitly or implicitly discriminatory texts have not disappeared. The Committee notes with interest that, according to the report, several draft Acts have been modified to take account of the provisions of Legislative Decree No. 392/79; that the Ministry of Labour has refused to extend discriminatory provisions still contained in seven collective agreements concluded in 1980; that during collective bargaining there have been cases of elimination of discriminatory clauses following the adoption of Decree No. 392/79; and that, although the Government is not aware of any increase in discriminatory practices, a growing number of complaints of discrimination in individual labour relationships have been presented by virtue of this Decree and examined in conformity with the law. Finally, the Government states that in the future it will communicate regularly detailed information on the various questions affecting the application of Legislative Decree No. 392/79.

The Committee is looking forward with interest to being able to examine this more detailed information and hopes that it will have a bearing on the various questions mentioned above and on any measures taken to develop job evaluation systems based on objective criteria common to the two sexes.

Sweden (ratification: 1962)

The Committee notes with satisfaction that the Act concerning Equality of Women and Men at Work which aims to promote equality between women and men in respect of employment, conditions of employment and opportunities for career development in employment entered into force on 1 July 1980. The Committee notes that section 4 of the Act which embodies in Swedish law for the first time the principle of equality in relation to all conditions of work (including holiday benefits, working hours, special remuneration, etc.) is, according to the report, intended to guarantee individual justice in matters of remuneration between individual employees or groups of employees of opposite sexes in the service of one and the same employer.

Noting also that section 7 of the Act permits collective agreements concluded or approved by a central organisation of workers to replace the provisions promoting equality in section 6, the Committee would ask the Government to continue to supply information on the development of such agreements; and to indicate any progress made in the application of the Act with special reference to the activities of the Equal Opportunities Ombudsman and the Equal Opportunities Commission which were established by the Act.

The Committee notes that most of the federations of the Swedish Trade Union Confederation (LO) have adopted as a collective agreement the central equal opportunities agreement concluded by IC and the Swedish Employers' Confederation (SAF) in 1977. In addition, the Committee notes that negotiations are under way between SAF and IC-PTK

to replace the two agreements concluded in 1977 with a single new equal opportunities agreement, since the earlier agreements have been invalidated in so far as they deviate from the mandatory provisions of the new Act. The Committee would ask the Government to supply information on the development of this proposed agreement.

The Committee notes with interest that a co-determination agreement was concluded in the municipal sector in 1980, which replaces the Act as far as active equality measures, including equal remuneration, are concerned. Noting that a similar co-determination agreement also exists in the state sector for holders of state-regulated appointments with municipalities and county councils in the education sector, and that negotiations are in progress to conclude an equal opportunities agreement in the state sector, the Committee would ask the Government to continue to supply information on initiatives of this nature.

The Committee notes that work on a general employment nomenclature, referred to in previous reports, was terminated in 1979 by decision of the parties. Noting from the report however that considerable attention has been, or is being, paid to this question and that of job evaluation, the Committee would ask the Government to continue to supply information on measures of this nature which are taken with a view to giving effect to the principle of the Convention.

The Committee also notes with interest the extensive statistical data furnished by the Government indicating, inter alia, that progress has been made in equalising the earnings of men and women. The Committee asks the Government to continue to send information as to the progress made in these efforts.

#### Switzerland (ratification: 1972)

With reference to its previous observation, the Committee notes with satisfaction that section 4 of the federal Constitution has been supplemented by a new subsection 2, which came into force on 14 June 1981, under which "men and women shall be entitled to equal wages for work of equal value". It notes, from the report of the Government, that this provision is meant to be self-executing and that accordingly any woman at a disadvantage in respect of her wages may henceforth appeal to the ordinary courts to have the principle of equal remuneration put into practice. The Government further reports that the Parliament also requested the Government to draw up a supplementary legislative programme to eliminate discriminatory provisions.

The Committee hopes that the Government will provide information on the application of the new provision in the Constitution, including extracts from relevant court decisions, and on any supplementary legislative measures that may be under consideration or adopted to apply the principle of equal remuneration.

The Committee again addresses a direct request to the Government regarding the application of the principle of equal remuneration in collective agreements, in wages actually paid in the private sector and in the public sector of the cantons and communes, and in work carried out under contracts entered into by a public authority with an enterprise.

#### United Kingdom (ratification: 1971)

The Committee notes with interest the detailed report of the Government and the attached documents providing information on the

progress made in the application of the Equal Pay Act 1970. In this connection, the Committee notes that the Equal Opportunities Commission submitted proposed amendments to the Equal Pay Act to the Home Secretary and the Secretary of State for Employment in January 1981. The Committee notes the Government's assurance that it will supply further information on its determination with respect to these proposals together with those submitted earlier by the TUC.

The Committee notes with interest the continuation of measures to examine and promote the concept of an objective appraisal of jobs within the meaning of Article 3 of the Convention. In particular, the Committee notes the research project commissioned jointly by the Equal Opportunities Commission and the Social Science Research Council and the project being commissioned by the Department of Employment. The Committee trusts that the Government will advise it as to the outcome of these projects in future reports.

The Committee also notes with interest the judicial decisions reported by the Government (including several in cases which were referred to the European Court of Justice for a ruling under the European Communities Treaties), especially those in the higher courts which continue to reflect a trend towards a broader interpretation of the concept of equal remuneration. The Committee would be most grateful if the Government would continue to provide information on judicial decisions relevant to the principles of the Convention and with particular regard to issues pertinent to Article 3.

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In addition, requests regarding certain points are being addressed directly to the following States: Afghanistan, Algeria, Argentina, Australia, Barbados, Belgium, Bolivia, Chad, Djibouti, Dominican Republic, France, Ghana, Greece, Guinea-Bissau, Haiti, India, Indonesia, Iran, Iraq, Ireland, Israel, Jamaica, Japan, Lebanon, Libyan Arab Jamahiriya, Luxembourg, Malawi, Mozambique, Nepal, Nicaragua, Nigeria, Paraguay, Saudi Arabia, Sudan, Switzerland, Tunisia, Yemen, Zambia.

### Convention No. 102: Social Security (Minimum Standards), 1952

Niger (ratification: 1966)

The Committee has noted the information furnished by the Government at the 67th Session of the Conference in June 1981. It takes note with interest of the measures taken to increase periodical payments under social security (Article 65, paragraph 10, of the Convention). Furthermore, the Committee hopes that the next report of the Government will mention positive developments in respect of the following points:

1. Part VII of the Convention (family benefit), Article 43 (length of qualifying period). The Committee notes the financial problems facing the family benefits branch, but trusts that the Government is continuing to study the necessary measures to apply this provision of the Convention, by reducing to three months the present qualifying period, which consists of six consecutive months of work with an employer or employers (sections 8 and 9 of Decree No. 65-116 of 18 August 1965). It asks the Government to provide in its next report information on the progress made in this connection.

2. Part XIII (common provisions), Article 69(b) (in conjunction with Articles 30 and 38). The Committee also asks the Government to supply with its next report information on the measures under consideration or already taken to grant, in accordance with this provision of the Convention, to the dependants of an insured person maintained at public expense a benefit equal to the difference between the value of his maintenance and the benefit due under the social security scheme.

3. Part XIV (miscellaneous provisions), Article 76

(a) (in conjunction with Article 44). The Committee takes note with interest of the statistical information provided on the amount of family benefit. It would be grateful if the Government would provide the tables of statistics mentioned in the reply at the 67th Session of the Conference, concerning changes in the number of beneficiaries and of dependent children since 1964 and also the total number of the children of all protected persons.

(b) (in conjunction with Article 65). Since the last information provided on this matter related to the period 1966-70, the Committee again asks the Government to provide statistics in its next report concerning the present amount of old-age, employment injury and maternity benefits.

Peru (ratification: 1961)

Part II (medical care), Articles 9 and 10, and Part VIII (maternity benefits), Articles 48, 51 and 52 of the Convention. With reference to its earlier comments, the Committee has noted the adoption of Legislative Decree No. 22482 of 27 March 1979 setting up a national system of health benefits of the social insurance of Peru, and of Presidential Decree No. 08-80-TR to implement the former. It notes with satisfaction the increased duration of maternity leave and benefits as well as the extension of medical care in case of illness and maternity to the wife and children of the insured person, as provided for in the Convention.

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In addition, requests regarding certain points are being addressed directly to the following States: Bolivia, Libyan Arab Jamahiriya, Peru.

Information supplied by Israel and Norway in answer to a direct request has been noted by the Committee.

## Convention No. 103: Maternity Protection (Revised), 1952

Bolivia (ratification: 1973)

With reference to its earlier comments, the Committee takes note of the information supplied by the Government in its report.

Article 1 of the Convention (scope): (1) The Committee notes with interest that the Supreme Decree No. 16523 of 6 June 1979 has extended to women domestic workers the application of the Social Security Code. However, it notes that neither the Decree mentioned

above nor Decree No. 15697 of 2 August 1978 which introduces the social security scheme for the agricultural sector has yet been implemented in practice; it hopes that the Government will be able to overcome the difficulties encountered and will make every possible effort to achieve this implementation in the very near future. (ii) The Committee also notes the Government's statement that the social security scheme covers women civil servants and public employees; it still requests the Government to indicate the steps taken to extend the other measures of maternity protection (for example, right to maternity leave, nursing breaks, protection from dismissal, etc.) provided for by the Convention and the Labour Act to these women workers as well as to women agricultural wage earners who are equally covered by the Convention.

Article 3, paragraph 2 (duration of maternity leave): The Committee has already noted that the Social Security Code provides for maternity cash benefit for 90 days and draws the attention of the Government to the point that it is still necessary to amend section 61 of the Labour Act in order to provide also for a period of leave of at least 12 weeks in conformity with the Convention and with the national legislation on social security.

Article 3, paragraph 4 (extension of pre-natal leave): The Committee again expresses the hope that the necessary measures will be taken to insert into the Labour Act and the Social Security Code a provision prescribing the possibility of extending pre-natal leave where confinement occurs after the presumed date, without any reduction of post-natal leave, in conformity with the Convention.

Article 4, paragraphs 5 and 8 (benefits for women who have not completed the qualifying period laid down by the Social Security Code or are not yet covered by insurance): The Committee notes the statement by the Government that women workers who have not completed the qualifying period laid down by national social security legislation or who are not yet covered by the insurance scheme can receive the medical care and cash benefit from the employer. As these provisions are contrary to the Convention which prescribes that these benefits should in no case be charged directly to the employer but should be provided by means of an insurance system or out of public funds (e.g. by means of a social assistance scheme), the Committee hopes that the Government will make every possible effort to extend progressively the social insurance system to cover, at least for the risk of maternity, all women workers, and will indicate in its next report progress made in this regard.

#### Brazil (Ratification: 1965)

The Committee has studied the information furnished by the Government to the Conference Committee and in its report received in November 1981. It has also examined the observations submitted by the National Confederation of Workers in Credit Undertakings (CONTEC) concerning the application by Brazil of Article 6 of the Convention in relation to section 391 of the Consolidated Labour Act.

With regard to Article 6, the Committee takes note with interest of the bill forwarded by the Government, with its report, to amend section 392 of the Consolidated Labour Act so as to prohibit the dismissal of a woman on any grounds whatever during her absence on maternity leave and during any extension of this leave, in accordance with the above-mentioned provision of the Convention. The Committee hopes that this bill will be adopted very shortly and that it will give full effect to the Convention on this point.

With regard to Article 5, the Committee has pointed out in its earlier comments that Act No. 1711 of 1952 to lay down regulations for the federal public service contains no provision authorising a woman to interrupt her work, for at least half an hour twice a day, for the purpose of nursing her child, as provided for by the Convention. The Government has stated in reply to these comments that it is at present endeavouring to unify the legislation applicable to public servants with that applicable to other workers coming under the Consolidated Labour Act, so that women officials shall also be entitled to breaks for nursing. It adds, however, in its report that the preliminary draft of the new public service statute does not provide for interruptions of work for the purposes of nursing, although it does establish maternity leave of four months, but that this question may be covered by a special provision in the regulations concerning the social assistance system. The Committee hopes that this provision will be adopted very shortly.

The Committee asks the Government to indicate in its next report any progress made in respect to the full application of the Convention on the above-mentioned points.

Ecuador (ratification: 1962)

The Committee notes with interest, from the reply of the Government to its previous observations, that the drafts to revise sections 153, 154, 155 and 156 of the Labour Code have been submitted to the office of the President of the Republic with a view to their transmission to the National Chamber of Representatives for adoption. These drafts are to bring the national legislation into conformity with the following provisions of the Convention: Article 3, paragraphs 2 and 3, and Article 4, paragraph 1 (duration of leave and of maternity benefits of at least 12 weeks); Article 5 (nursing breaks to be counted in the hours of work and remunerated as such).

The Committee hopes that these drafts will be adopted in the very near future and that they will be completed so as to provide also, in accordance with Article 3, paragraph 4 (read in conjunction with Article 4, paragraph 1), of the Convention, that, when confinement takes place after the presumed date, prenatal leave and maternity benefits shall be extended to the actual date of confinement and that postnatal leave and the corresponding benefits shall not be reduced on that account.

The Committee asks the Government to report any progress made in this connection.<sup>1</sup>

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In addition, requests regarding certain points are being addressed directly to the following States: Ecuador, Libyan Arab Jamahiriya.

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1983.

**Convention No. 104: Abolition of Penal Sanctions (Indigenous Workers), 1955**

Ecuador (ratification: 1969)

With reference to its earlier comments, the Committee takes note with satisfaction of the repeal of the provision in the Penal Code (section 579, subsection 36) that laid down a penalty of imprisonment or fine for children's nurses, cooks or servants who, without just cause or the permission of their employer, are absent from duty for at least one day.

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In addition, requests regarding certain points are being addressed directly to the following States: Guinea Bissau, Libyan Arab Jamahiriya.

**Convention No. 105: Abolition of Forced Labour, 1957**

Algeria (ratification: 1969)

The Committee notes the information communicated by the Government in its report in reply to the Committee's earlier comments.

Article 1(a) of the Convention. In its report the Government states that there are no political prisoners in the country, let alone persons obliged to perform forced labour in such a capacity; that the expression of political or ideological views by peaceful means is possible within the context of the different structures of the Party, which allow for democratic debate on all the country's problems, and that the exaction of compulsory labour as a means of political coercion or education or as a punishment for expressing views ideologically opposed to the established political, social or economic system would be in complete contradiction with the philosophy of the National Revolution, which has always shown the utmost tolerance and clemency towards all persons.

The Committee takes due note of this statement. It recalls that section 2 of Ordinance No. 71-79 of 3 December 1971 on association, as amended by Ordinance No. 72-21 of 7 June 1972, provides that no association can lawfully exist or carry on its activities without the approval of the public authorities. Under sections 3 and 7 of the Ordinance, such approval is to be refused or withdrawn from, in particular, any associations set up, directed or managed by persons who have engaged "in any activity contrary to the interests and objectives of the Socialist Revolution", and any associations "likely to be detrimental to the country's chosen political, economic, social and cultural policies". Under section 23, associations of a political character can only be formed by a decision of the higher organs of the Party. Under section 9, in conjunction with section 11, any person who sets up, directs, manages or belongs to an association that has not been approved and authorised by the public authorities or any association that is continued or re-formed after it has been dissolved, or any person who facilitates meetings of members of such an association by allowing them to use any premises at his disposal, is liable to a sentence of imprisonment involving, under the Penal Administration and Re-education Code, the obligation to work.

As the Committee pointed out in paragraph 139 of its 1979 general survey on the abolition of forced or compulsory labour, there is a divergency between the legislation and the Convention where a

prohibition of all political associations outside a specified national movement or party is enforced with penalties involving compulsory labour.

Having regard to the indications made by the Government on the real situation in the country and the philosophy of the Revolution, the Committee hopes that it will be possible to take appropriate measures to ensure compliance with the Convention both in law and in practice, either by amending the substantive provisions of Ordinance No. 71-79 or by exempting from prison labour persons convicted of offences under this Ordinance or, more generally, offences of a political nature, who have not committed acts of violence or incitement to violence.

Angola (ratification: 1976)

Article 1(c) and (d) of the Convention. In an earlier direct request to the Government, the Committee referred among other things to a number of provisions in Act No. 11-75 of 15 December 1975 under which sentences of imprisonment in a production camp could be inflicted for the following reasons in particular: passive resistance to work; failure to use the means of production; the paralysis of work, and strikes not called by the unions or union committees; any other acts seriously harmful to the production process, including any bargaining on wages carried out in the face of the prohibition laid down by the Order of 30 June 1976 to suspend all bargaining on wages; exceeding the time allowed to union committees and union delegates for performing union activities during working hours; lastly, the abandonment of duty during the days of compulsory labour without pay that the disciplinary council can impose on workers for lack of assiduity or punctuality in work, refusal to observe trade union decisions, unwarranted absence from the workplace during hours of work or "inexcusable error".

Since penalties involving compulsory labour can be inflicted under these provisions for a multitude of breaches of labour discipline and participation in strikes, the Committee asked the Government to indicate the measures taken or under consideration to ensure the observance of the Convention in this connection.

The Committee notes the reply of the Government in its report, to the effect that the nation has been the victim, since independence, of armed aggression, which is today restricted geographically but has seriously disturbed economic production, and that the departure of foreign senior staff has raised increasingly serious problems in production and, as a result, in discipline. The Government has considered that it must put an end to these problems, not only or even mainly by repressive measures, but rather by great efforts in the spheres of education, vocational training, industrial and agricultural reconstruction and construction, labour protection and the elimination of the numerous deficiencies resulting from colonialism. The Government considered that the conditions had been created to enable it to consider replacing shortly, even, perhaps, in 1981, the disciplinary provisions of Act No. 11-75 by provisions to be included in a future labour Act. It adds that the penal measures that are in fact laid down by Act No. 11-75 as measures of labour discipline have been applied only in a limited way and that the penal provisions in question are to be revised in connection with the legislative work concerning offences against the economy.

The Committee hopes that the provisions of Act No. 11-75 of 15 December 1975 that are incompatible with the Convention will be repealed shortly, that the new provisions concerning labour discipline and offences against the economy will no longer make it possible to



punish breaches of labour discipline and participation in strikes with penalties involving compulsory labour, except in essential services where the circumstances are such that the existence or the well-being of the population are endangered; and that the Government will indicate the measures adopted to this end.

Argentina (ratification: 1960)

The Committee notes the Government's report.

Article 1(a) and (d) of the Convention. In its previous comments, the Committee has observed that, since the declaration of the state of siege in 1974 and the subsequent adoption of the Act respecting the process of national reorganisation, of Decrees Nos. 6 and 9 of 24 March 1976 and of Act No. 21400 of 3 September 1976, the constitutional guarantees have been suspended, including the right to participate in political activities and the right to strike, and that numerous political organisations have been dissolved and participation in these organisations and propaganda on their behalf have been prohibited on penalty of imprisonment involving compulsory labour. As the Committee has pointed out in paragraphs 36 and 134 of its 1979 General Survey on the abolition of forced labour, the duration and extent of recourse to emergency measures such as the suspension of fundamental rights and freedoms which, if enforced by sanctions involving compulsory labour, may have a bearing on the application of the Convention, should be limited under the Convention to what is necessary to meet circumstances that would endanger the existence or well-being of the whole or part of the population. Having noted that Act No. 21400 had not been applied in practice, the Committee expressed its confidence that measures would be taken to ensure the observance of Article 1(a) and (d) of the Convention.

As regards Article 1(a) of the Convention, the Committee noted with interest in 1981 the adoption of new regulations for the prison service applying to persons in detention, undergoing trial or sentenced for offences of subversion and held at the disposal of the National Executive, and requested the Government to supply a copy of these regulations and to indicate the manner in which they have been made known to the persons concerned.

The Committee takes due note of these regulations, which form Annex No. I to Decree No. 929 of 5 May 1980. It notes, that according to information contained in the Government's report, prisoners receive from the prison authorities a booklet recording their rights as provided for under Decree No. 929/80 and that the Annex to this Decree may be consulted by any person at the headquarters of the Federal Prison Service.

The Committee points out, however, that under section 62 of the new regulations only persons detained for offences of subversion, and not those sentenced for these offences, are exempted from the requirement to perform compulsory labour. The Committee would appreciate it if the Government would indicate the measures taken or contemplated to guarantee that no person covered by Article 1(a) of the Convention is required to work, and would also supply with its next report a copy of the above-mentioned booklet.

As regards Article 1(d) of the Convention, the Committee hopes that the right to strike without being subject to penalties involving compulsory labour will be reinstituted in cases where the interruption of activities does not endanger or threaten to endanger the existence or well-being of the population.

The Committee hopes that in the near future the Government will indicate the measures taken or planned in this connection and supply information in reply to the Committee's direct request.<sup>1</sup>

Australia (ratification: 1960)

Further to its previous comments the Committee notes with satisfaction that the Navigation Amendment Act 1979, (which came into force in October 1979) has repealed subsections (1) and (2) of section 105 of the Navigation Act 1912 and sections 221 to 224 of the Merchant Shipping Act, which provided for the forcible return of deserting seamen on board ship.

Brazil (ratification: 1965)

Article 1(a), (c) and (d) of the Convention. In its earlier comments the Committee has referred to certain of the provisions in Act No. 6620 of 1978 on national security, in the Penal Code, in the Electoral Code, in Act No. 4330 of 1 June 1964 on strikes and in the legislation on merchant shipping, provisions under which penalties of imprisonment involving compulsory labour may be imposed to punish the peaceful exercise of the freedoms of opinion, publication and association and the right to strike and various breaches of labour discipline. The Committee has asked the Government to take the necessary measures to ensure the observance of the Convention in respect of these provisions, which have also been the subject of a direct request to the Government, and that it will indicate in its next report the progress made in this connection.

The Committee notes that the Labour Law Committee of the Ministry of Labour has asked the National Council for Prison Policy of the Ministry of Justice to consider the advisability of adopting a provision under which persons sentenced for political offences, for breaches of labour discipline or for participation in a strike shall automatically be exempted from the obligation to perform prison labour, so far as they have not committed acts of violence or incitement to violence. The Committee hopes that the Government will be able in the near future to indicate the results of this initiative intended to ensure the observance of the Convention.

Central African Republic (ratification: 1964)

The Committee notes with regret that despite the discussion which took place in the Conference Committee in 1981 on the application of this Convention, the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

Article 1(a) of the Convention. 1. In its earlier comments, the Committee has pointed out that, under the provisions of Act No. 63/411 of 17 May 1963, every active citizen must belong to a designated national movement (MESAN) and follow its political line and the decisions of its executive bodies and that any person forming or attempting to form another group or association of a political character or undertaking political activities in any form outside the said national movement is liable to imprisonment (involving, under section 62 of Order No.

<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.

2772 of 18 August 1955, compulsory prison labour). The Committee has also noted that Act No. 60/169 of 12 December 1960 provides for the prohibition, on penalty of imprisonment involving compulsory labour, of publications that may be prejudicial in particular to "the edification of the Central African nation" and that the penalties provided for by Act No. 60/169 are also applicable in cases of infringement of the provisions of Order No. 3-MI of 25 April 1969 respecting the sale of foreign newspapers and of Decree No. 70/238 of 19 September 1970 establishing conditions for the dissemination of news, under which the distribution of all newspapers and news of foreign origin is subject to prior censorship.

The Committee has asked the Government to review these provisions in the light of Article 1(a) of the Convention and to indicate any measures taken or under consideration to ensure the observance of the Convention in this respect.

The Committee notes with interest from the information supplied by the Government to the Conference in 1980 that, following the direct contacts that took place in December 1978 and May 1980 with the representative of the Director-General of the ILO, the Ministry of Labour has proposed to the Ministry of Justice a draft ordinance and draft decrees to amend section 62 of Order No. 2772 of 18 August 1955 regulating the functioning of prisons and prison labour, so as to exempt from the obligation to perform prison labour persons convicted for political reasons under the provisions of Act No. 60/169 of 12 December 1960, Decree No. 3-MI of 25 April 1969 or Decree No. 70/238 of 19 September 1970. The Committee hopes that these drafts will be adopted in the near future and that measures will also be taken in respect of Act No. 63/411 of 17 May 1963 to ensure the observance of the Convention.

2. In its earlier comments, the Committee has also asked for information on the practical application of a number of provisions of the Penal Code, of Act No. 60/175 and of Ordinance No. 66/22 providing for the prohibition of certain associations. In the absence of a reply, the Committee is again addressing a direct request to the Government on this matter.

#### Chad (ratification: 1961)

The Committee notes with regret that despite the discussion which took place in the Conference Committee in 1979 on the application of this Convention, and for the seventh year in succession the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

Article 1(d) of the Convention. In the comments that it has been addressing to the Government for some years, the Committee has noted that Ordinance No. 30/PR/CSM of 26 November 1975 has suspended all strikes until further notice throughout the whole country and that any person contravening this provision is deemed to be acting to the detriment of good order and treated accordingly. Furthermore, Act No. 15 of 13 November 1959 to punish acts of resistance, disobedience and breach of duty towards the administrative authorities prescribes that persons who refuse to comply shall be punished by imprisonment with the obligation to work. So far as these provisions make it possible to punish participation in any strike with penalties involving the obligation to work, they are contrary to the Convention. The Committee hopes that the Government will take the necessary

measures to ensure the observance of the Convention in this respect.<sup>1</sup>

Cuba (ratification: 1958)

Article 1(c) of the Convention. In its previous observation, the Committee noted that under section 262 of the Penal Code it was possible to impose sentences of imprisonment (involving an obligation to perform labour) on a person who, by breach of the duties placed on him by his office, employment, occupation or profession in a state economic unit, particularly his duties relating to the observance of the standards, rules or instructions concerning technological discipline, causes serious harm or commits an act prejudicial to the output in production or services of the unit or to its equipment, machines, machinery, tools or other technical devices.

The Committee asked the Government to indicate any measures taken or under consideration with regard to this provision, for example limiting its scope to acts committed with malicious intent, in order to ensure that penalties involving compulsory labour cannot be inflicted as a means of labour discipline.

The Committee notes the statement by the Government in its report to the effect that the offence of serious harm or prejudice to the output in production or services necessarily implies the performance of a labour activity, but that what was legally protected by section 262 of the Penal Code was not labour discipline but the national economy, the interests of society and the material property of the undertaking, which was the property of the people; furthermore penal and labour procedures were clearly laid down in the legislation.

The Committee wishes to refer to paragraph 110 of its General Survey of 1979 on the abolition of forced labour, in which it indicated that the Convention does not protect persons responsible for breaches of labour discipline that impair or are liable to endanger the operation of essential services or which are committed either in the exercise of functions that are essential to safety or in circumstances where life or health are in danger. The scope of section 262 of the Penal Code is not confined to such circumstances, and the harm done to the material property of the undertaking is a consequence of the breach of the duties placed on the person by reason of his office, employment, occupation or profession. So far as such a breach - committed without intention to harm - results in a penalty involving the obligation to perform labour, section 262 of the Penal Code is incompatible with the Convention, whether the penalty be classed as penal or as coming within the field of labour.

The Committee hopes that the Government will reconsider the situation, that it will give details of court decisions pronounced under section 262 of the Penal Code and that it will indicate any measure that may have been taken or is under consideration concerning this provision to ensure the observance of the Convention.

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<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

Dominican Republic (ratification: 1958)Article 1(c) of the Convention

1. In its earlier comments the Committee has pointed out that, under Act No. 3143 of 11 December 1951, sentences of imprisonment involving compulsory labour can be inflicted on persons who fail to complete a task by the agreed date or within the period allowed for carrying it out, when payment has been made in advance. The Committee notes the statement by the Government in its report to the effect that the penalties of imprisonment laid down by this Act were established to punish swindlers who obtain advances without fulfilling their obligations by performing the work they have promised. The Committee observes, however, that, under section 3 of the Act, fraudulent intent is proved by the non-execution of the work within the agreed time or the time necessary to carry it out, except in duly proved cases of emergency or where not having received the cost of the work has prevented the due fulfilment of the obligations. The Committee also notes that the Government again states that the possibility of revising this provision will be taken into account in connection with the revision of the Labour Code. The Committee hopes that the necessary measures will be adopted in the near future concerning Act No. 3143 of 1951, as amended by Act No. 5224 of 1959, in order to guarantee that sentences involving compulsory labour cannot be inflicted for breaches of labour discipline and that the Government will report any progress made in this connection.

Article 1(d)

2. With reference to its earlier comments concerning sections 370, 373, 374, 678(16) and 679(3) of the Labour Code, under which sentences of imprisonment involving compulsory labour can be inflicted for participation in certain strikes, the Committee notes with interest the statement by the Government in its report to the effect that the revision of the Labour Code that is before the legislative houses will make it possible to replace the above-mentioned sections by very liberal provisions. The Committee hopes that the revision of the Labour Code will make it possible in the near future to bring the legislation into conformity with Article 1(d) of the Convention.

France (ratification: 1969)

Article 1(c) and (d) of the Convention. In its previous comments, the Committee noted that the provisions of sections 39, paragraph 4, and 59, paragraph 1, of the Disciplinary and Penal Code of the Merchant Navy, under which a penalty of imprisonment (involving compulsory prison labour) may be imposed on any seafarer for irregular absence from his vessel or for refusing to obey an order concerning the service, are contrary to the Convention.

The Committee noted the Government's statement in its report for 1977-79 that the working group set up to study the whole of this Code had started by drawing up the guidelines for reform and that, as the work advanced, it would give the fullest consideration to the observations of the Committee on the present provisions which are contrary to the Convention.

The Committee regrets that the Government's latest report contains no information on the matter. It recalls that the provisions in question have been the subject of comment for a number of years and again expresses the hope that measures will be taken in the near future to bring the legislation on the Merchant Navy into conformity with the Convention.

Gabon (ratification: 1961)

Article 1(c) and (d) of the Convention. In its earlier comments, the Committee has noted that under section 153, subsections 1, 4, 5 and 9 (in conjunction with section 156), and sections 169, 186 and 188 of the Merchant Shipping Code (Act No. 10/63 of 12 January 1963), certain breaches of discipline by seamen are punishable with imprisonment, involving the obligation to perform labour, by virtue of Act No. 55/59 of 15 December 1959 concerning the organisation of the prison services and the penitentiary system, as amended.

The Committee notes with interest the statement by the Government in its last report to the effect that Act No. 10/63 is out of date and is being revised and brought up to date, the new text being at present in process of drafting. The Committee hopes that the draft in question will ensure the observance of the Convention and that the Government will shortly communicate progress in this connection.

Guatemala (ratification: 1959)

Article 1(a) of the Convention. In several observations made over the years, the Committee has pointed out that, according to Legislative Decree No. 9 of 10 April 1963 (sections 2 to 5, 6, subsection 2, and 7) and Legislative Decree No. 387 of 26 October 1965 (sections 20, 21, 30, subsection 2, and 122), and section 396 of the Penal Code, any person carrying on propaganda for a specific ideology, or forming or taking part in any group or association, etc., propounding such ideology, is liable to imprisonment involving compulsory labour. The Committee noted with interest that, according to the Government's statement, a request had been made to the Supreme Court of Justice to take note of the Committee's observations and to draft legislation that it considered appropriate in relation to the provisions conflicting with the Convention.

The Committee duly notes the statement in the Government's report that a second request was submitted to the Supreme Court of Justice concerning the Committee's comments.

The Committee trusts that the necessary measures will be taken in the very near future to bring the legislation into conformity with the Convention, and that the Government will supply information on the progress made in this field and in reply to the Committee's comments which are contained in a new direct request.<sup>1</sup>

Guinea (ratification: 1961)

In its 1981 observation the Committee expressed the hope that the direct contacts that had been asked for by the Government would make it possible to settle the questions raised in its earlier comments concerning the application of the Convention. These direct contacts took place in the autumn of 1981, but the Committee notes that the Government has sent no report on the application of the Convention since then. The Committee has, however, taken note of a report received in February 1981.

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.

Article 1(b) of the Convention

1. Organisation for Work Centres of the Revolution. In the comments that it has been making for 15 years, the Committee has noted that, by virtue of Decree No. 416/PRG of 22 October 1964, all persons between 16 and 25 years of age are placed at the service of the Organisation for Work Centres of the Revolution, which is aimed at overcoming rapidly the technical and economic underdevelopment of the Republic. In answer to the comments of the Committee concerning the conflict between these provisions and Article 1(b) of the Convention (which provides for the suppression of any form of force or compulsory labour as a method of mobilising and using labour for purposes of economic development), the Government stated at the Conference Committee in June 1978 that the question raised was purely formal since the Decree had not been applied in practice.

The Committee again expresses the hope that the Government will take the opportunity of a forthcoming amendment of the legislation to repeal formally the Decree in question, so as to ensure the observance of the Convention in law as well as in practice.

2. In comments that it has been making for a number of years the Committee has noted that, by virtue of section 2 of Ordinance No. 52 of 23 October 1959 (which imposes compulsory military service on all male citizens), active military service may, in case of need, be devoted to the economic development of the country and to works of infrastructure. In this connection, the Committee has drawn the attention of the Government to paragraphs 24 to 26 of its general report of 1971, in which it referred to the adoption of the Special Youth Schemes Recommendation, 1970 (No. 136), and the clarification that the discussions of the International Labour Conference on this instrument had provided concerning the relations between certain compulsory schemes involving the participation of young persons in activities directed towards economic and social development and the Conventions on forced labour. The Committee again expresses the hope that the Government will provide full information on the present situation respecting the application of the above-mentioned Ordinance and that it will indicate the measures taken or under consideration, in accordance with Article 1(b) of the Convention, to ensure that no form of forced or compulsory labour is applied as a method of mobilising and using labour for purposes of economic development.

Supply of legislative texts having  
a bearing on Article 1(a), (c)  
and (d) of the Convention

3. The Committee regrets to note that the legislative texts repeatedly requested are still not available. These are Act No. 45 AN-69 of 24 January 1969 respecting breaches of professional secrecy and the unlawful communication of party and state papers and Act No. 64-66 of 21 September 1966 to issue the Code of criminal procedure and any legislation (other than the Penal Code, which is already available to the Committee) concerning prison labour, the maintenance of public order, the press and publications, meetings and associations, vagrancy and idle persons and the discipline of seamen. The Committee again expresses the hope that the Government will supply the texts in question, since without them it is unable to satisfy itself of the conformity of the legislation with the Convention.

Haiti (ratification: 1958)

1. Suspension of constitutional guarantees. In its earlier observations, the Committee has noted that each year since 1960 a

decree giving full powers to the head of the Executive has suspended for a period of six to eight months a considerable number of constitutional guarantees representing indispensable conditions for the effective application of the Convention. The Committee notes with interest that, in its report on the application of the Convention, the Government communicates the text of a decree adopted on 12 September 1981 which, while granting the head of the Executive full powers to legislate by decree until the second Monday in April 1982, does not suspend any constitutional guarantees. The Committee trusts that, in the future, the constitutional guarantees allowing the effective application of the Convention will thus be normally kept in force.

2. In its earlier comments, the Committee has also referred to certain provisions of the national legislation under which penalties involving compulsory prison labour can be imposed in cases coming under Article 1(a) and (c) of the Convention. It notes with interest that, with its report on the application of the Convention, the Government communicates two draft Acts drawn up with early promulgation in view. One of these is to repeal a Decree of 8 December 1960 - which enforced the obligation of civil servants and private or public employees to be present at their posts with penalties going as far as imprisonment (involving compulsory labour). The other is to insert in the Penal Code provisions granting a special prisoner status which does not involve compulsory labour to persons convicted of offences linked to opinion, so-called political offences or offences related to labour discipline (except where these crimes or offences concern activities falling outside the scope of the Convention, such as incitement to acts of physical violence). The Committee trusts that these Bills will be adopted in the near future and notes the Government's statement that a copy of the promulgating Act will be sent to the Office as soon as it is published in the Official Journal.

#### Ireland (ratification: 1958)

The Committee notes that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

Article 1(c) and (d) of the Convention. In previous comments the Committee had referred to the following legislative provisions:

- (a) sections 221 and 225(1)(b) and (c) of the Merchant Shipping Act, 1894 (as amended by the Adaptation of Enactments Act, 1922 and the Merchant Shipping Act, 1947), under which certain disciplinary offences may render seamen liable to imprisonment (involving, by virtue of section 42 of the Rules for the Government of Prisons, 1947, an obligation to work);
- (b) sections 222 and 224 of the same Act, under which seamen absent without leave may be forcibly conveyed on board ship (in the case of foreign ships, this may be done under section 238 of the Act);
- (c) section 16 of the Conspiracy and Protection of Property Act, 1875, which excludes seamen from the scope of this Act and, accordingly, deprives them of the immunity from criminal liability for conspiracy in respect of acts in contemplation or furtherance of trade disputes which is bestowed on other workers by section 3 of this Act; and section 225(1)(e) of the Merchant Shipping Act, 1894, under which it is an offence, punishable with imprisonment (involving an obligation to work) for seamen to combine to disobey lawful commands or to neglect duty.



The Committee had asked the Government to review these provisions in order to bring the legislation on seamen into conformity with the Convention. It noted the Government's statement in its latest report that measures are being contemplated to eliminate the offending sections. As the matter has been the subject of comments since 1963, the Committee cannot but hope that the legislation will be brought into conformity with the Convention in the near future.

Italy (ratification: 1958)

Article 1(c) of the Convention. In its earlier comments the Committee has noted that under sections 328, 331 and 333 of the Penal Code, sentences of imprisonment (involving compulsory labour under the terms of section 23, subsection 1, of the Penal Code) may be imposed upon public servants and persons responsible for performing a public service in the event of unjustified refusal or failure to perform or delay in performing their functions or service, or interruption or abandonment of their duties in such a way as to disturb, or with a view to disturbing the regularity of the service. The application of these provisions is not confined either to circumstances endangering public safety or order or to essential services the interruption of which would endanger the existence or well-being of the whole or part of the population; they are applicable, inter alia, to officials of public savings funds and employees of transport undertakings operating under licence and tourist offices.

The Committee has also noted that sentences of imprisonment involving compulsory labour may be imposed upon seamen and flight personnel under section 1091, subsection 1, of the Navigation Code in the event of desertion where this gives rise to considerable difficulty in the service in question, and under section 1094, subsection 1, of the same Code in the event of insubordination affecting a technical service on board a ship or airplane. In both cases the sentence is increased if serious disruption of a public service is caused (sections 1091, subsection 2, and 1094, subsection 3). These provisions are applicable even where the act in question involves no danger to the lives or safety of persons or to the safety of the ship or airplane, since special penalties are prescribed in the latter event.

The Government replies in its report that these provisions are interpreted in such a way that the act in question is not considered to be an offence when it can be associated with the exercise of a legitimate right, and in particular the right to strike. The Government therefore considers that these provisions are lawful and compatible with Article 1(c) of the Convention, because, in particular, the obligation for prisoners to work constitutes a general feature of the prison system that does not discriminate against persons sentenced under the provisions in question. In this connection, the Government refers also to the scope of Article 4 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which deals with forced or compulsory labour, and adds that its position is upheld by the employers and workers.

The Committee takes due note of these indications. As concerns the scope of this Convention it recalls that, as explained in paragraphs 102 to 109 of its General Survey of 1979 on the abolition of forced labour, labour imposed on persons as a consequence of a conviction in a court of law will in most cases have no relevance to the application of the Convention. On the other hand, compulsory labour in any form, including compulsory prison labour exacted as a consequence of a sentence of deprivation of freedom in a court of law,

comes under the Convention where it is imposed in one of the five cases specified by the Convention; these cases include not only participation in strikes but also breaches of labour discipline. The Convention contains no judgment as to the legitimacy of breaches of labour discipline or of their punishment by law, but merely prohibits any measure involving compulsory labour on this ground.

Furthermore, as stated in paragraphs 110 and 114 to 116 of the above-mentioned General Survey, the Committee is of the opinion that even penalties involving compulsory labour are compatible with the Convention if their purpose is to punish breaches of labour discipline which impair or are liable to endanger the operation of essential services in the strict sense of the term or which are committed either in the exercise of functions that are essential to safety or in circumstances where life or health are in danger. However, in such cases there must exist a real danger, not mere inconvenience. As the Committee has been pointing out in its comments for a number of years, the above-mentioned provisions of the Penal Code and the Navigation Code do not fall into this category.

The Committee hopes that the Government will reconsider the matter, that it will take appropriate steps to ensure that no penalty involving compulsory labour may be inflicted for breaches of labour discipline under the provisions mentioned above, and that it will indicate shortly what measures have been taken or are contemplated to this end.

#### Liberia (ratification: 1962)

In previous comments the Committee observed that prison sentences (involving, under Chapter 34, section 34-14, paragraph 1 of the Liberian Code of Laws revised, Volume 1, 1973, an obligation to work) might be imposed in circumstances falling within Article 1(a) of the Convention under section 52(1)(b) of the Penal Law (punishing certain forms of criticism of the Government) and section 216 of the Election Law (punishing participation in activities that seek to continue or revive certain political parties).

The Committee noted the Government's statement that the provisions of Chapter 2, section 2.2, of the proposed new Labour Law would prevent the imposition of forced labour on persons given prison sentences for criticism of the Government, or participation in activities that seek to continue or revive certain political parties. The Committee noted that while section 2.2 of the draft law prohibits the exaction of forced or compulsory labour in the circumstances listed in Article 1 of the Convention, it would appear from the definition of "forced or compulsory labour" in section 2.1 of the same Chapter that this prohibition does not extend to any instances in which compulsory labour is exacted as a consequence of a conviction in a court of law. In order to clarify the legal situation the Committee suggested that it would be desirable to insert in Chapter 34, section 34-14, paragraph 1, of the Liberian Code of Laws (Revised), dealing with prison labour, a specific provision according to which prisoners convicted for acts falling within the ambit of the Convention shall not be required to work.

The Committee notes the Government's reply in its report which refers to the provision in section 34-14. It notes that under this provision, all prisoners under sentence shall be required to work. Noting also the Government's statement that measures will be taken to re-examine Chapter 2 of the proposed Labour Law to give effect to the Convention, and that the Ministry of Justice is still to examine the

Committee's observation regarding section 34-14, the Committee hopes that the Government will soon be able to indicate the measures taken or envisaged to ensure the observance of the Convention.

Libyan Arab Jamahiriya (ratification: 1961)

Article 1(a), (c) and (d) of the Convention. In direct requests made for a number of years, the Committee noted that penalties of imprisonment (involving, under section 24(1) of the Penal Code, an obligation to perform prison labour) may be imposed under various provisions of the Publications Act of 1972 and the Penal Code. Such penalties may be imposed, inter alia, for questioning in a publication the objectives and principles of the revolution, for setting up a printing house without having obtained an authorisation - which appears to be left at the discretion of the administrative authorities - and for various breaches of labour discipline by public officials and employees of public institutions. The Committee had asked the Government to indicate the measures taken or contemplated to ensure the observance of the Convention in these regards. It had also asked for information on the practical application of a number of provisions of the Publications Act and the Penal Code and for copies of orders, laws and regulations concerning the protection of the revolution, the trial of those responsible for political corruption, and the establishment, functioning and dissolution of associations and political parties.

The Committee notes from the Government's report that its comments under Article 1(a) of the Convention have been transmitted to the Ministry of Justice. Recalling also the Government's statement in an earlier report that comments under Article 1(c) and (d) would be referred to the committee called upon to revise the Penal Code, the Committee hopes that the necessary measures to ensure the observance of the Convention will be taken at an early date and that the Government will indicate the progress made and supply the information and texts requested.

Malaysia (ratification: 1958)

1. Article 1(a) of the Convention. In its previous observations, the Committee had commented on various provisions of the Internal Security Act, 1960, the States of Malaya Restrictive Residence Ordinance (Cap. 39), the Sabah Undesirable Publications Act (Cap. 151), the States of Malaya Printing Presses Ordinance, 1948, as amended, the Sabah Printing Presses Ordinance (Cap. 107) and the Societies Act, 1966, which grant administrative authorities discretionary powers to make orders imposing restrictions or prohibitions on the exercise of the rights of expression and political activities, and which provide that contraventions thereof shall be punishable with imprisonment involving (by virtue of section 52 of the Prisons Ordinance) an obligation to perform labour.

The Committee pointed out that the Convention does not prevent the punishment by penalties involving compulsory labour of persons who incite to violence or racial hatred, or engage in violence or preparatory acts aimed at violence, nor the imposition by judicial process of certain disabilities on persons who have been convicted of offences of this nature. However, the imposition of such penalties not for the commission of defined offences of the above-mentioned nature but as a means of preventing the participation of certain persons in the normal political processes, including the advocacy of political and ideological views, contravenes the provisions of Article 1(a) of the Convention, which prohibit any form of forced or compulsory labour as

a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system.

The Committee notes from the Government's report that no new information is available on the matter. It again expresses the hope that the Government will take appropriate action (either in relation to the substantive provisions themselves or in relation to the penalties applicable to them) to ensure the full observance of the Convention.

2. Article 1(c) and (d). The Government previously indicated that a new Merchant Shipping Bill was being prepared which will remove the provisions of the Malayan Merchant Shipping Ordinance, 1952, and the Sabah and Sarawak Merchant Shipping Ordinance, 1960, which impose penalties involving compulsory labour on seamen for various breaches of discipline and forcible return to ship in case of abandonment of service. The Committee again expresses the hope that the new legislation will be adopted and that the Government will indicate the action taken.

3. Article 1(d). In its previous observation, the Committee referred to the provisions of the Industrial Relations Act, 1967, as amended in 1975, under which the competent minister may impose compulsory arbitration in respect of any trade dispute if he is satisfied that it is expedient to do so (section 26), thereby rendering any strike action illegal (section 44(b) and (d)) and punishable with imprisonment, involving an obligation to work (sections 46 and 47).

While noting the sparing use which had been made of the above-mentioned provisions of the Industrial Relations Act, 1967, the Committee observed that they enable the Minister to prevent or to put an end at any time to strike action, not only in essential services but in respect of any trade dispute, thereby exposing the workers concerned to penal sanctions involving an obligation to perform labour. In the absence of further information on this subject in the Government's report, the Committee again expresses the hope that the Government will re-examine the position with a view to ensuring the full observance of Article 1(d) of the Convention, and that it will supply information on any measures taken or contemplated.

#### Nicaragua (ratification: 1967)

1. Article 1(a) of the Convention. In its previous observation the Committee pointed out the need to repeal or amend article 74 of the Constitution of 1974 and section 523(1) and (2) of the Penal Code, under which a sentence of imprisonment, involving the obligation to perform labour, could be passed on persons who organise, belong to, help or take part in the activities of certain political parties.

The Committee takes note with interest of the reply furnished by the Government in its report and notes that the Constitution of 1974 has been repealed by the Fundamental Charter of 29 July 1979 (Official Gazette of 22 August 1979), section 8 of which embodies the unrestricted freedom of spoken or written thought, and of political and trade union organisation, subject only to the limitations deriving from the Charter of the Rights and Guarantees of the Nicaraguans. The Committee also notes that the latter Charter, which was approved by Decree No. 52 of 21 August 1979 (Official Gazette of 17 September 1979), provides in its section 25 that every citizen shall be entitled without restriction to organise or belong to political parties or groups. The Committee also notes the statement by the Government to

the effect that the provisions of section 523 of the Penal Code have no longer any legal basis and will not be applied any more but that it will nevertheless be sought to eliminate them in a forthcoming revision of the Penal Code. The Committee would ask the Government to indicate any measure adopted or under consideration for the purpose.

2. Article 1(d). The Committee has also pointed out the need to repeal or amend sections 225, 228, 309, 311, 314, 319 and 320 of the Labour Code, read together with section 523(3) of the Penal Code, which place restrictions on the peaceful exercise of the right to strike, under penalty of imprisonment involving the obligation to work.

The Committee takes due note of the statement by the Government that the above-mentioned provisions have not been applied in practice since the triumph of the revolution and that the Government also intends to amend this part of the Labour Code.

The Committee would appreciate it if the Government would indicate the measures adopted or under consideration to give statutory effect to the practice it refers to and to amend the above-mentioned provisions in order to ensure that no penalty involving an obligation to work can be inflicted for the peaceful exercise of the right to strike.

3. The Committee has taken note of the Act declaring a state of economic and social emergency throughout the national territory for the period of one year, promulgated by Decree No. 812 of 9 September 1981; it notes that under clauses (a) and (f) of section 3 of this Act the following are deemed to be offences against the economic and social security of the nation punishable by imprisonment for between one and three years: to cause a concerted suspension of public or private transport, and to encourage, help or take part in the calling or continuation of a strike, stoppage or occupation of workplaces. The Committee also notes that section 5 of the Act suspends the right to strike and the exercise of the right to appeal (amparo).

The Committee refers to paragraph 126 of its General Survey of 1979 on the abolition of forced labour, in which it indicated that the suspension of the right to strike under emergency legislation or powers, enforced by penalties involving compulsory labour, is compatible with the Convention only where it is necessary to cope with cases of force majeure in the strict sense of the term, namely when the existence or well-being of the whole or part of the population is endangered and provided that the duration of the prohibition is limited to the period of immediate necessity. The Committee would appreciate it if the Government would state in its next report whether the measures introduced by Decree No. 812 are still in force. The Committee would also ask the Government to provide copies of Decree No. 388 of 2 May 1980 and of Decree No. 5 of 20 July 1979 and the Decrees amending it mentioned in Decree No. 812 and to supply any information which it may consider useful concerning the compatibility of this last Decree with Article 1(d) of the Convention.

#### Nigeria (ratification: 1960)

#### Article 1(a) of the Convention

1. Further to its previous comments, the Committee notes with satisfaction from the Government's report that the Public Order Act, No. 33 of 1966 (prohibiting all bodies, societies or associations from pursuing any political cause or objective) and the Newspaper (Prohibition of Circulation) Act, No. 17 of 1967, both of which were

enforceable with prison sentences (involving an obligation to work) have been repealed by the Constitution (Certain Consequential Repeals) Act, No. 105 of 1979. The Committee trusts that the Government will forward a copy of the repealing legislation.

Article 1(c) and (d)

2. In previous observations, the Committee noted that under section 81(b) and (c) of the Labour Act, 1974, a court may direct fulfilment of a contract of employment and posting of security for the due performance of so much of the contract as remains unperformed, and a person failing to comply with such direction may be committed to prison. The Committee notes from the Government's report that committal to prison in such circumstances does not necessarily involve an obligation to perform labour, and that the non-compliance with a court order constitutes contempt. The Committee wishes to point out that any compulsory labour flowing from imprisonment for non-compliance with a court order seeking to secure the due performance of a contract of employment would fall within the scope of the Convention. The Committee hopes that the Government will be able to indicate measures taken to ensure that committal to prison in such circumstances does not involve an obligation to perform labour.

3. In previous comments, the Committee referred to section 117(b), (c) and (e) of the Merchant Shipping Act, under which seamen are liable to imprisonment involving an obligation to work for breaches of labour discipline even in the absence of a danger to the safety of the ship or of persons. The Committee notes that examination of section 117(b), (c) and (e) of the Merchant Shipping Act is being broached with the Ministry of Transport, and that it is hoped that further progress on this matter will be reported in the very near future. The Committee trusts that the necessary measures will be taken to bring the Merchant Shipping Act into conformity with the Convention, and that the Government will soon be in a position to indicate progress made in this respect.

Article 1(d)

4. The Committee had previously noted that under section 13(1) and (2) of the Trade Disputes Act, No. 7 of 1976, participation in strikes may be punished with imprisonment involving an obligation to work in the following cases: (a) where the mediation and reporting procedure imposed by sections 3 and 4 of the Act for all industrial disputes has not been complied with; (b) where arbitration procedures under sections 7 to 9 of the Act, which shall be initiated by the Federal Commissioner whenever conciliation attempts have failed, have led to an award by the arbitration tribunal and that award has become binding; (c) when the Federal Commissioner has referred the dispute to the National Industrial Court; (d) when the National Industrial Court has issued an award on the reference.

The Committee notes the Government's statement in its report that section 13 of the Act merely imposes on an employer or a worker an obligation to observe and exhaust some prescribed procedures before engaging in a lock-out or a strike. In this connection, the Committee would refer to paragraph 130 of its 1979 General Survey on the Abolition of Forced Labour, where it has explained that the imposition of temporary restrictions on the right to strike until all facilities for negotiation and conciliation have been exhausted and while voluntary arbitration procedures are in progress are to be distinguished from compulsory arbitration systems which result in binding awards allowing practically all strikes to be prohibited or rapidly stopped. When such systems provide for sanctions involving compulsory

labour, they should be limited to essential services in the strict sense of the term (that is, services whose interruption would endanger the existence or well-being of the whole or part of the population). The Committee hopes that the Government will indicate measures taken or contemplated to ensure the observance of the Convention in this regard.

Pakistan (ratification: 1960)

Article 1(c) and (d) of the Convention. In earlier comments, the Committee had asked the Government to review sections 100 to 103 of the Merchant Shipping Act, under which various offences against discipline by seamen may be punished with imprisonment, which may involve liability to compulsory labour.

In reply, the Government states in its report that these provisions cannot be repealed because this is the only power which the master has against a deserter. The Government considers this not to be forced labour but disciplinary action against those who fail to discharge their lawful agreement. The Government further states that there is no law in the country which requires any person to undergo forced labour, and that the implication of a penalty of imprisonment for the commission of an offence, after proper trial in accordance with the accepted principles of law of procedure and based on sufficient evidence could not be termed forced labour.

The Committee takes due note of these indications. It refers to paragraphs 105 to 109 of the 1979 General Survey on the abolition of forced labour where it indicated that although labour imposed as a consequence of a conviction in a court of law would in most cases have no relevance to the application of the Convention, it falls within the scope of the Convention where the punishment is imposed in the circumstances specified in Article 1 of the Convention. Thus, penalties involving compulsory labour imposed for breaches of labour discipline or for having participated in a strike contravene Article 1(c) and (d).

The Committee also refers to paragraphs 117 and 125 of its 1979 General Survey, where it pointed out that sanctions relating to acts tending to endanger the ship or the life or health of persons on board do not fall within the scope of the Convention. However, as regards more generally, breaches of labour discipline such as desertion, absence without leave or disobedience, all sanctions involving compulsory labour should be abolished under the Convention. In a great number of maritime nations, similar penal provisions have been repealed, restricted in scope to cases involving a danger to the ship or the life or health of persons, or otherwise amended so as to provide for a fine or some other penalty not falling within the Convention.

The Committee trusts that appropriate measures will be taken to bring sections 100 to 103 of the Merchant Shipping Act into conformity with the Convention and that the Government will indicate the action taken or envisaged.

Paraguay (ratification: 1967)

Article 1 of the Convention. In its earlier comments the Committee has observed that, by virtue of section 67 of the Penal Code and section 39 of Act No. 210 of 1970, imprisonment involving an obligation to perform prison labour may be imposed for infringement of sections 4, 5 and 6 (prohibiting rallies or meetings, subscription to any publications or the display of any emblems disseminating communist doctrine) of Act No. 294 of 1955 on the defence of democracy, and

sections 4 and 8 (prohibiting the public advocacy of the destruction of the social classes; the printing, distribution or sale of publications advocating the communist doctrine; membership of communist parties and assistance in corresponding activities) of Act No. 209 of 1970 on the defence of public peace and the freedom of persons. The Committee has noted that a Bill was before the National Congress to exempt from the obligation to perform prison labour those sentenced for political offences who have not been involved in acts of violence or inciting to violence.

The Committee regrets to note from the last report of the Government that the Bill has not been adopted and that the Government is of the opinion that section 39 of Act No. 210/70 does not conflict with the provisions of the Convention. As the Committee has indicated in paragraphs 102 to 108 of its General Survey of 1979 on forced labour, the Convention is not opposed to the exaction of forced or compulsory labour from an offender under ordinary law; accordingly, labour exacted of a person as a consequence of a sentence in a court of law will in most cases have no relation with the application of the Convention; on the other hand, this instrument applies to cases in which the person is compelled in any way to perform labour for holding or expressing certain political opinions. Recalling that the Government has stated on several occasions that in practice prison labour is not compulsory, the Committee hopes that the necessary measures will be adopted to bring the legislation into conformity with the Convention.

#### Peru (ratification: 1960)

Article 1(e) of the Convention. In its earlier comments the Committee has referred to section 44 of the Penal Code, under which, where offences are committed by "savages" (salvajes), the judges may substitute for sentences of imprisonment assignment to a penal agricultural colony for an indefinite period of up to 20 years, irrespective of the maximum duration of the sentence that the offence would entail under the law if it had been committed by a "civilised man". The Committee has also referred to the drafting of a Bill to repeal the above-mentioned section 44. It now takes note of the information supplied by the Government to the Conference Committee in 1981 and in its last report to the effect that the Bill in question will be examined as soon as it can be included in the agenda of Congress. The Committee hopes that the Government will take the necessary steps at a very early date and that the Bill to repeal section 44 of the Labour Code will be adopted shortly.

#### Philippines (ratification: 1960)

1. Further to its earlier comments on the application of the Convention, the Committee notes with great interest that martial law was lifted by Proclamation No. 2045 on 17 January 1981. While, under the proclamation, the suspension of the right to the writ of habeas corpus shall continue in respect of certain regions and persons, including persons at present detained, the Committee notes from the Government's report that under section 11(d) of Act No. 621 of 27 October 1977, scrupulous adherence to and respect for the constitutional rights of detainees shall at all times be observed, and under section 14, article IV, of the Constitution no involuntary servitude shall exist except as a punishment for a crime whereof the party shall have been duly convicted. As for the compulsory labour imposed on convicted persons, the Committee would again draw attention to certain penal provisions falling within Article 1(d) of the Convention.



Article 1(d) of the Convention

2. In its previous comments, the Committee referred to article 14, sections 6 and 7, of the Constitution and sections 1 and 4 of the Commonwealth Act No. 358, enabling the Government to take over the possession and control of public utilities or businesses involving a public interest and thereby make strikes of their employees unlawful and punishable with imprisonment. It also referred to the takeover by the Government of steel mills and other businesses under several letters of instructions. The Committee also noted that under Presidential Decree No. 823, as amended, and its implementing rules and regulations, strikes were prohibited in a wide range of industries and severely restricted elsewhere, and that under section 11 of Presidential Decree No. 823, as amended, and section 19 of its implementing rules and regulations, any person participating in a strike in violation of any provision of a decision of the Secretary of Labor or of Presidential Decree No. 823, and its implementing rules and regulations, was punishable by imprisonment from one to five years.

The Committee notes that new provisions on strikes were introduced by Act No. 130 of 17 August 1981 amending the Labour Code and its implementing rules of 4 September 1981. Having noted the Repealing Clause contained in section 16 of Act No. 130, the Committee would be grateful if the Government would specify the provisions of Commonwealth Act No. 358, Presidential Decree No. 823 and its implementing rules and regulations that were repealed with the adoption of the new Act.

3. The Committee notes that under article 273 of the Labour Code, violation of any provision of Title VIII of the Code concerning strikes and lockouts may be punished with imprisonment of one year to five years, involving compulsory labour under section 1727 of the Revised Administrative Code.

It refers in this regard to paragraphs 102 to 109, 123, 124 and 129 of its 1979 General Survey on the abolition of forced or compulsory labour, where it indicated that while prison labour exacted from common offenders has no relevance to the Convention, compulsory labour in any form, including compulsory prison labour, falls within the scope of the Convention if imposed on persons convicted for having participated in a strike. The Committee has however considered that it is not incompatible with the Convention to impose penalties (even if involving an obligation to perform labour) for participation in strikes in essential services in the strict sense of the term, i.e. services whose interruption would endanger the existence or well-being of the whole or part of the population, provided that appropriate alternative dispute settlement procedures are made available. The Committee observes that the provisions of Article 264(g) of the Labour Code, as amended, place limitations on the right to strike which go well beyond the concept of essential services in the strict sense of the term. Likewise, the procedural requirement of approval by at least two-thirds of the union membership in the bargaining unit has the effect of restricting the exercise of the right to strike. To the extent that the enforcement of these provisions were to entail sentences of imprisonment, involving compulsory prison labour, this would not be compatible with Article 1(d) of the Convention.

The Committee hopes that in the light of these considerations the Government will examine further the relevant provisions of Title VIII of the Labour Code and of the Revised Administrative Code with a view to the adoption of appropriate measures to ensure the observance of the Convention on these points.

Tanzania (ratification: 1962)Tanganyika

In previous comments, the Committee had noted that forced or compulsory labour might be imposed in circumstances falling within Article 1(a), (c) and (d) of the Convention, under the following legislative provisions:

Article 1(a) of the Convention. Under section 25 of the Newspaper Act, 1976 (replacing similar provisions in previous legislation) the President may, if he considers it necessary in the public interest or of peace and order, prohibit the further publication of any newspaper. Any person who prints, publishes, sells or distributes in a public place, such a newspaper, may be punished with imprisonment (involving, by virtue of Part XI of the Prisons Act, 1977, an obligation to perform labour).

Article 1(c). Under section 284A of the Penal Code (added by Act No. 2 of 1970) any employee of a "specified authority" (i.e. the government, a local authority, a registered trade union, the Tanganyika African National Union or any body affiliated to it, any publicly owned company, etc.) who causes pecuniary loss to his employer or damage to his employer's property, by any wilful act or omission, negligence or misconduct, or failure to take reasonable care or to discharge his duties in a reasonable manner, may be punished with imprisonment for up to two years (involving an obligation to work).

Article 1(c) and (d). Under section 145(1) (b), (c) and (e) and section 147 of the Merchant Shipping Act, 1967, various breaches of discipline by seamen are punishable by imprisonment, involving an obligation to perform labour. Under section 151, any seaman who deserts from a foreign ship may be forcibly conveyed on board ship or delivered to the master, mate or owner of the ship or his agent.

Article 1(d). Sections 4, 8, 11 and 27 of the Permanent Labour Tribunal Act, 1967, which contain general provisions for compulsory arbitration in labour disputes, make it possible in practice to render all strikes illegal and punishable with imprisonment (including compulsory prison labour).

The Committee recalls that these questions have been the subject of comments for many years, and that in 1976 direct contacts took place between the Government and a representative of the Director-General of the ILO to discuss the measures to be taken to ensure the observance of the Convention.

In its latest report, the Government refers to the consultations which it had in 1981 with the ILO Regional Adviser on International Labour Standards, and indicates that it would like to have further assistance from the International Labour Office in the form of specific proposals.

The Committee hopes that the Government will take measures in the very near future to ensure that no form of forced or compulsory labour may be imposed in circumstances falling within the scope of the Convention, and requests the International Labour Office to provide any necessary assistance in this respect.

The Committee once more expresses the hope that the Government will supply the information on the practical application of a number of legislative provisions which the Committee has requested for many years, and which it again enumerates in a direct request.

Zanzibar

In previous comments the Committee had referred to the Afro-Shirazi Party Decree, 1965, by virtue of which the Afro-Shirazi Party was declared the sole political party and all other political parties, organisations or societies were declared unlawful (sections 2 and 8). Under sections 4 and 5 of the Decree, membership or management of any prohibited party, organisation or society is punishable with imprisonment. In so far as persons serving a sentence of imprisonment are required to perform compulsory labour (section 47 of the Prisons Decree) the foregoing provisions permit the imposition of forced or compulsory labour as a means of political coercion in violation of Article 1(a) of the Convention.

The Committee had also sought information on the effect on the application of the Convention of the state of emergency which had been in force since 1961, on the measures taken to abolish compulsory labour as a punishment for breach of labour discipline under section 110 of the Penal Decree and the Zanzibar Government Shipping Decree, and on the practical application of various statutory provisions.

The Committee notes the Government's statement that it will do its best to ensure that the position in Zanzibar, as regards the Convention, is remedied in the shortest possible time. It hopes that the necessary measures will be taken at an early date and that it will be possible to provide full information on the manner in which the observance of the Convention is ensured in Zanzibar.<sup>1</sup>

Tunisia (ratification: 1959)

The Committee notes the information supplied by the Government in its reports received in 1980 and 1981.

Article 1(d) of the Convention. In its earlier comments, the Committee has pointed out that, under the Labour Code, participation in a strike is unlawful and punishable by imprisonment involving compulsory labour when it has not been approved by the Central Workers' Organisation (sections 376 bis, subsection 2, 387 and 388) or when the Government has ordered compulsory arbitration, considering that the national interest might be in danger (sections 384 to 388). The Committee has also pointed out that workers may be called up under penalty of imprisonment (also involving compulsory labour) when a strike is considered to be such as to jeopardise the vital interest of the nation (sections 389 and 390).

The Committee has taken note with interest of a proposal to replace the expression "vital interest of the nation" with a reference to the essential services whose interruption would endanger the existence and the well-being of the population. It notes the statement by the Government in its report to the effect that the revision of the Labour Code, which was to be submitted without delay to the Council of Ministers and to the National Assembly, gives effect to this proposal and contains amendments to bring certain provisions concerning strikes into conformity with the Convention.

The Committee trusts that the necessary amendments will be adopted in the near future to limit the scope of the provisions on  
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<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session and to report in detail for the period ending 30 June 1982.

compulsory arbitration and on the call-up of workers, where they include penalties involving compulsory labour, to essential services in the strict sense, and also to ensure that participation in a strike cannot be punished by sentences involving compulsory labour in the case covered by section 376 bis, subsection 2, read in conjunction with sections 387 and 388 of the Labour Code.

Uganda (ratification: 1960)

Article 1(a) of the Convention

1. The Committee notes with interest from the Government's reply to its previous comments that the process to have the Public Order and Security Act repealed is under way, and that the Suspension of Political Activities Decree, 1971, was repealed by proclamation of 22 May 1980 under Legal Notice No. 5 of 1980. The Committee trusts that the Government will soon communicate copies of Legal Notice No. 5 of 1980 and of the instrument repealing the Public Order and Security Act.

2. The Committee hopes that measures will also be taken to repeal or amend section 21A of the Newspaper and Publications Act (inserted by Decree No. 35 of 1972), under which the publication of any newspaper may be prohibited if the competent minister considers it to be in the public interest to do so and which is enforceable with imprisonment (involving an obligation to perform work).

3. In its previous comments, the Committee noted that sections 54(2)(c), 55, 56 and 56A of the Penal Code empower the competent minister to declare any combination of two or more persons to be an unlawful society (a power exercised in respect of various political, religious and student organisations by Statutory Instruments Nos. 12 of 1968, 153 of 1972 and 63 of 1973) and thus render any speech, publication or activity on behalf of or in support of any such association illegal and punishable with imprisonment (involving an obligation to perform work).

The Committee notes with interest that a number of orders made under these provisions between 1975 and 1977 were revoked by the Penal Code (Unlawful Society) (Revocation) Order, 1979. However, sections 54(2)(c), 55, 56 and 56A of the Penal Code do not appear to have been repealed or amended so far. The Committee trusts that appropriate measures will also be taken in regard to these provisions to ensure the observance of Article 1(a) of the Convention. Pending the adoption of such measures, it would ask the Government to supply details on all cases in which prohibitions are newly made or remain in force under these provisions.

Article 1(c) and (d)

4. In previous comments the Committee noted that, under section 16(a) of the Trade Disputes (Arbitration and Settlement) Act, 1964, workers employed in "essential services" may be prohibited from terminating their contract of service, even by notice, that, by virtue of sections 16, 17 and 20A of the same Act, strikes may be prohibited in various services which, while including those generally recognised as essential ones, also extend to other services interruption of which would not necessarily endanger the existence or well being of the population, and that contravention of these prohibitions may be punished with imprisonment (involving, as previously noted, an obligation to perform work).

The Committee notes with interest from the Government's report that the process to review the law is under way. It hopes that the Government will thus soon be able to indicate the measures taken to bring sections 16, 17 and 20A of the Trade Disputes (Arbitration and Settlement) Act, 1964, into conformity with the Convention.

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In addition, requests regarding certain points are being addressed directly to the following States: Algeria, Angola, Argentina, Australia, Barbados, Belgium, Brazil, Burundi, United Republic of Cameroon, Canada, Cape Verde, Central African Republic, Chad, Colombia, Comoros, Cuba, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, El Salvador, Fiji, France, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Iceland, Iran, Iraq, Israel, Italy, Jamaica, Liberia, Malaysia, Malta, Mauritius, Morocco, Mozambique, New Zealand, Nicaragua, Pakistan, Panama, Papua-New Guinea, Philippines, Poland, Portugal, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Somalia, Suriname, Tanzania, Trinidad and Tobago, Tunisia, United Kingdom, Zambia.

### Convention No. 106: Weekly Rest (Commerce and Offices), 1957

#### Cyprus (ratification: 1968)

The Committee notes from the information provided by the Government in reply to its previous observation that it has not been possible to make any progress in the promotion of the draft Employment Law, which was to ensure the full application of the Convention, but that the Government is willing to consider other ways of covering any gaps in the existing legislation. The Committee points out that the adoption of a text providing expressly, for all the persons covered by the Convention, an uninterrupted weekly rest period comprising not less than 24 hours and compensatory rest in the event of work on the weekly rest day would bring the national legislation into conformity with the Convention. It trusts that the Government will not fail to take the necessary measures in the near future.

#### Syrian Arab Republic (ratification: 1958)

Article 8, paragraph 3, of the Convention. With reference to its previous observation, the Committee takes note of the information provided by the Government showing that the bill to give compensatory rest to workers who have worked during the weekly days of rest (by virtue of the exceptions provided for at section 120 of the Labour Code) has not been promulgated, since the Government is preparing a new draft labour code.

The Committee points out that the Government has been referring for many years to draft texts that should bring the national legislation into conformity with the Convention on the above-mentioned point. It expresses once more the hope that the Government will not

fail to take the necessary measures very shortly to give full effect to this provision of the Convention.<sup>1</sup>

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In addition, requests regarding certain points are being addressed directly to the following States: Guinea-Bissau, Lebanon, Saudi Arabia.

### Convention No. 107: Indigenous and Tribal Populations, 1957

#### Argentina (ratification: 1960)

The Committee notes with interest the detailed information furnished by the Government in reply to its previous comments, and in particular the legislation adopted by various provinces for the integration and protection of indigenous populations and the management of indigenous affairs. It notes that there has again been a reorganisation on the federal level of the responsibility for indigenous affairs, and that most responsibilities for planning and practical implementation of programmes affecting the indigenous populations lie with the provinces.

The Committee recalls that it is the Government's responsibility under the Convention to adopt special measures for the protection of the institutions, persons, property and labour of these populations, and to protect their cultures, customs and religions. It would appear from the information available that there is no central body with sufficient authority to co-ordinate the measures and policies adopted by the provinces and to ensure that they have objectives compatible with the aims of the Convention. The Committee hopes the Government will consider what measures it might take in this regard, and that it will provide further information in this connection in its next report.

#### Bolivia (ratification: 1962)

The Committee notes with regret that for the fourth consecutive year no report has been received. It recalls that a very brief report was received in 1977 and that the last detailed report dates back to 1974. In these circumstances, the Committee is not in a position to examine the situation of the indigenous populations of the country and to assess the extent to which the Convention is applied in Bolivia. It points out that there are a number of important questions in this respect on which it has requested information.

The Committee also recalls the discussion of this case which took place in the Conference Committee in 1981, when the representative of the Government promised that a detailed report on this Convention would be communicated.

It notes, however, that the Bolivian Indian Institute of the National Service of Community Development has addressed a letter to the International Labour Office concerning possibilities of ILO assistance

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<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

in improving the administration of indigenous affairs. The Office is following up this request and the Committee hopes that it will prove fruitful.

In the direct request addressed to the Government every year since 1978, the Committee has referred to the fact that the indigenous populations of the country are divided into two groups, those living in the Sierra regions, which form the more settled rural portion of these populations, and the forest-dwelling tribal populations. As these two groups have distinct problems, the Committee divided its request into two parts. Among the questions raised in that request, which the Committee is again addressing to the Government, were the following:

Indigenous populations of the Sierra

Article 5 of the Convention. What opportunities are being given the indigenous populations to participate in the planning of programmes for their benefit?

Article 7. To what extent are indigenous populations allowed, under national law, to retain their own customs and practices?

Article 10. What measures have been taken to permit and assist indigenous populations in taking legal proceedings for the effective protection of their rights?

Articles 11 to 14. In connection with the revision of agrarian reform legislation, what action is being taken to take account of the special needs of indigenous populations?

Article 15. The Committee has noted the allegations, made in a report of the Anti-Slavery Society to the United Nations Ad Hoc Working Group on Slavery in 1977, referring to all the indigenous groups in the country, concerning forced indebtedness of indigenous groups, forced labour on rubber plantations, conditions of transport and of work of migrant workers, agricultural workers and miners, many of whom are members of the indigenous populations, and freedom of association among these populations. The Government is therefore requested to furnish detailed information on the conditions of work of these workers.

Articles 20 and 21 to 24. See under forest-dwelling tribal populations.

Forest-dwelling tribal populations

Articles 2, 3 and 27. The Committee has noted the Government's statement that it has been unable to take direct action in favour of indigenous populations, and has delegated certain functions to the Summer Institute of Linguistics, a missionary and linguistic organisation. It has also noted that there is no government agency with over-all responsibility for supervising or implementing programmes involving forest-dwelling tribal populations, which are currently carried out by various government bodies and missionary groups without any co-ordination. It has suggested that recent measures taken in other countries might serve as a model for such an agency, and that this might be an appropriate subject for consultation with the International Labour Office.

Articles 11 to 14. The Committee has requested information on several questions concerning the protection of the indigenous populations against encroachments on their lands by settlers, including a proposed scheme of large-scale settlement in areas occupied by them, indications of how current legislation intended to protect them is being implemented, and information on proposed changes in current legislation.

Article 15. Bearing in mind that these populations are

increasingly entering the employment market, the Committee would be grateful if the Government would indicate what special measures have been taken for their protection, as required by this Article.

Article 20. What health services are provided by the Government or by missionary groups?

Articles 21 to 24. What educational services are provided by the Government or by missionary groups, and how does the Government co-ordinate such activities?

The Committee expresses the firm hope that the Government will not fail to transmit a report for examination next year and that it will contain full information on the above points, which are further elaborated in a request being addressed directly to the Government.<sup>1</sup>

#### Brazil (ratification: 1965)

The Committee notes with interest the detailed information communicated by the Government in its report, and provided to the Conference Committee in 1981. It notes, in particular, the continuing progress in the demarcation of lands already reserved for Indian occupation, though much remains to be done, and the Government's statement that it intends to continue its policy of protecting the indigenous populations in the face of accelerating incursions into the lands they occupy.

The Committee remains concerned, however, by the general situation of the Indians in Brazil and by the extent to which non-Indian settlers and prospectors appear to be moving into Indian lands without government permission. While it is certainly difficult to maintain control of such vast and isolated areas, the Committee hopes that the Government will continue its efforts to provide protection for these communities.

The Committee also notes from the report that there are still a large number of officially approved leases to non-Indians of lands officially reserved for Indians, with consequent removals of Indian communities from the lands they have previously occupied, which does not seem to be in conformity with section 18 of the Indian Statute (Act No. 6001 of 1973) and which may affect the application of Article 12 of the Convention. It hopes that in the very near future it will be possible for the Government to ensure that all lands reserved for Indian occupation will in fact be available for their use, and that the Government will continue its efforts to complete the demarcation of reserved lands (in particular with regard to the planned Yancmami Park).

#### Ecuador (ratification: 1969)

The Committee has noted with interest the detailed information provided by the Government, and in particular the draft legislation now under consideration which would affect the indigenous populations of the country. It recalls that it had previously suggested that the Government might wish to request the assistance of the International Labour Office in drafting the legislation necessary to apply the Convention and in examining the policies which might be adopted, and notes with satisfaction that the Government has requested the Office's assistance and that consultations in this regard are under way.

<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.



The Committee considers that the initial measures taken by the Government constitute an important step towards meeting the Convention's objectives of protecting and promoting the lands, lives and cultures of the indigenous populations, in consultation with their representatives wherever possible. It hopes the Government will keep it informed of developments in this connection.

Paraguay (ratification: 1969)

The Committee notes from the information provided by the Government that draft legislation is under consideration concerning the structure and functions of the National Indian Institute and the legal regulation of the indigenous communities. If this legislation has not yet been adopted, the Committee suggests that the Government may wish to communicate copies to the International Labour Office, which may be able to provide guidance concerning the conformity of this draft legislation with the requirements of the present Convention. If the legislation has already been adopted, the Committee requests the Government to communicate a copy with its next report.

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In addition, requests regarding certain points are being addressed directly to the following States: Angola, Argentina, Bolivia, Brazil, Costa Rica, Ecuador, Guinea-Bissau, Paraguay, Peru.

**Convention No. 108: Seafarers' Identity Documents, 1958**

Brazil (ratification: 1963)

With reference to its earlier comments, the Committee takes note with satisfaction of the printed copy supplied by the Government of the new seafarer's identity document, which meets the requirements of the Convention.

Guatemala (ratification: 1960)

With reference to its earlier comments, the Committee takes note with satisfaction of the adoption on 17 September 1981 of regulations to facilitate the entry into Guatemala of those holding a seafarer's identity document, in the cases laid down in Article 6, paragraph 2, of the Convention, and to remind the competent authorities at regular intervals that they must inform seafarers of their right to obtain the identity document provided for by the Convention.

Italy (ratification: 1963)

The Committee notes that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

The Committee notes with interest that, since the existing navigation booklet does not meet the requirements of the Convention, a model seafarers' identity card has been worked out in agreement with the shipowners' and seafarers' organisations and is awaiting the approval of the competent ministry. The

Committee hopes that the Government will be able in its next report to enclose a copy of the document approved, that this will conform to the provisions of the Convention and that it will remain in the seafarer's possession at all times, as provided by Article 3.

Furthermore, the Committee again requests the Government to give details on the application of Article 6 of the Convention (entry of a seafarer holding a valid seafarer's identity document issued by another country).

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In addition, requests regarding certain points are being addressed directly to the following States: Angola, Barbados, Cuba, Djibouti, Guatemala, Guinea-Bissau, Honduras, Panama, Portugal, Romania, Spain, Tanzania.

Information supplied by Uruguay in answer to a direct request has been noted by the Committee.

### Convention No. 110: Plantations, 1958

Guatemala (ratification: 1961)

The Committee refers to its previous comments and to the discussion that took place in the Conference Committee in 1981.

1. In respect of measures to ensure the application of Articles 11 to 15 of the Convention, the Government's report refers to the self-executing nature of these provisions which are supplemented in their main aspects, by provisions of national law. The report also quotes section 33 of the Labour Code which provides for reasonable transport expenses to be paid by the employer to the workers and, where appropriate, to their families. The Committee wishes to point out that the Articles in question of the Convention in most cases are not self-executing and require the competent authority not only to prescribe conditions to be observed but also to ensure that such conditions are effectively observed as regards the medical examination (Article 11, paragraphs 3 to 5) and the transportation of recruited workers and their families including their health and welfare during their journey (Article 12, paragraphs 2 and 3; Article 15). As the Committee has pointed out in its earlier comments, existing national provisions are not adequate to give effect to the Convention on these points. For instance, section 33 of the Labour Code merely requires reasonable expenses to be paid by the employer for the journey of the worker and his family while Article 12, paragraph 1, of the Convention requires that the recruiter or employer shall, whenever possible, provide transport to the place of employment and Article 13 requires that expenses of the journey, including all expenses incurred for the protection of recruited workers during the journey shall be borne by the recruiter or employer and also that the latter shall furnish recruited workers with everything necessary for their welfare during the journey. The Committee trusts accordingly that the Government will take the necessary legislative and supervisory measures to ensure the full application of the provisions of Articles 11 to 15 of the Convention.

2. The Committee reiterates the hope that statutory measures will be adopted very shortly:

- (i) to limit the advances on wages that may be made to recruited workers in accordance with Article 16 of the Convention;
- (ii) to lay down the maximum period of service that may be provided for in a contract of employment, in accordance with Article 20 of the Convention.

3. The Committee refers to its 1981 comments on allegations of abuses as regards recruitment, advances on wages, housing and welfare of plantation workers (report submitted by the Anti-Slavery Society for the Protection of Human Rights to a United Nations Working Group, document ECN.4/sub.2/410). It would stress again the utmost importance of the effective working of the labour inspectorate which, in the event, is not only responsible for supervising application of relevant provisions concerning conditions of employment and of life of plantation workers but also for authorising and supervising the activities of recruiting agents.

In this connection, as the Committee has noted under Convention No. 81, the Government has communicated the published inspection report for 1980. The Committee observes, however, that while the report indicates that the inspections carried out also included undertakings of the agricultural sector, no specific information is supplied, as requested by the Committee since 1966, on the practical operation of the inspection services on plantations. The Committee notes the statement made by a Government representative to the Conference Committee in 1981 that labour inspection in plantations come within the purview of the Ministry of Agriculture. The Committee must once again request the Government to indicate the number and frequency of inspections carried out on plantations (Article 81 of the Convention) and to provide copies of inspection reports relating to plantations (Article 84).

4. The Committee also refers to the observation it is making this year on Convention No. 87.

5. Finally, the Committee notes that the Government representative stated to the Conference Committee in 1981 that the Government intended to request direct contacts to help it apply the Convention. The Committee recalls that various provisions giving effect to Articles of the Convention were adopted as a result of previous direct contacts. It shares the hope expressed by the Conference Committee in 1981 that new direct contacts would lead to further improvements in the application of the Convention.

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In addition, a request regarding certain points is being addressed directly to Guatemala.

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

#### Argentina (ratification: 1968)

In its previous observation the Committee referred to the provision of section 8(g) of Act No. 22140 approving the basic conditions of employment of the civil service, under which entry to the

National Public Administration is denied to "any person who belongs or has belonged in the country or abroad to groups or bodies that, through their doctrine or activities, advocate, disseminate, or put into practice the illegal use of force or the denial of the principles, rights and guarantees laid down by the National Constitution and, in general, those who carry out or have carried out activities of this kind, in the country or abroad". Likewise, section 33(g) of this Act provides for the dismissal of public servants who are in the same situation. The Committee has asked the Government to indicate the measures adopted or under consideration in this respect to ensure the observance of the provisions of the Convention concerning the elimination of discrimination on the basis of political opinion.

In its communication to the Conference Committee in 1981 the Government replied that the quoting of section 8(g) of Act No. 22140 in the previous observation, confined to the criterion of negating the constitutional principles, rights and guarantees, prevents a proper understanding of the fact that the Act has introduced safeguard clauses to protect the basic principles of the institutions of the community and that, in its opinion, "the various acts and dissolving actions to which the Argentinian law refers do not constitute any legitimate form of political expression, but are instead a clear manifestation of a nihilism which has become notorious throughout the world and of which Europe is at this moment experiencing the grave repercussions". In this connection, the Government refers to Article 4 of the Convention and states that the National Constitution guarantees the right to work and declares that all inhabitants of the nation are equal before the law and eligible for employment on no other condition than suitability. The Government adds that any arbitrary denial of these rights would be open to judicial redress and, in the event of dismissal, to the appeals procedure laid down by section 40 of Act No. 22140.

While noting these statements and arguments, the Committee must observe that the above-mentioned provisions deprive persons of the possibility of entering the national public administration and permit the dismissal of public servants not only for personal or group responsibility in the promotion or use of illegal force which is wholly outside the scope of the Convention, but also for having a link with groups or bodies that, by their doctrine, advocate the negation of constitutional principles or for the personal holding of a doctrine of this kind.

The Committee recalls that since the adoption, among other instruments, of the Declaration of the state of siege in 1974, the Order for national reorganisation of 24 March 1976 and Decree No. 6 of the same date, the constitutional guarantees and in particular the right to take part in political activities have been suspended. The Committee also recalls that the Ordinance for national reorganisation published on 31 March 1976 lays down the basic provisions to be followed by the government of the nation, including the provision that the national and provincial governments shall adjust their action to the basic aims laid down by the Military Junta, the said Ordinance and the National and Provincial Constitutions "where they do not conflict with those aims" (section 14). In these circumstances, and having regard in particular to the fact that exceptional measures take precedence over the national Constitution, it appears that the application of sections 8(g) and 33(g) of Act No. 22140 does not permit to ensure the observance of the Convention.

Article 4 of the Convention, which is referred to by the Government, refers only to measures affecting an individual who is justifiably suspected of, or engaged in, activities prejudicial to the security of the State and does not envisage provisions restricting in

a general way all employment in the public service. As the Committee has pointed out on several occasions, the measures authorised by the Convention to take account of the security of the State or the requirements of certain jobs are not to be such as to conflict with the basic principle concerning discrimination in respect of employment on the basis of political opinion.

The Committee hopes that the necessary measures will be taken with a view to eliminating all discrimination on the basis of political opinion, in respect of public servants and candidates for public service and that the Government will indicate any progress made in this regard.<sup>1</sup>

Chad (ratification: 1966)

The Committee notes with regret that this year again the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

Following the discussions on the application of this Convention at the Conference Committee in 1979, the Committee notes with regret that it still has no replies to the points referred to in its previous observation and in its direct requests repeatedly made since 1969. Therefore it urges the Government to supply full information as regards: (a) measures taken or contemplated to ensure in practice the promotion of equality in matters of training and employment opportunities of the various groups of the population distinguished by ethnic, racial or social origin, etc.; (b) the policy followed with a view to allowing women to benefit in practice from equality of opportunities in matters of vocational training and employment; (c) occupations from which women are excluded under article 9 of the Civil Service Regulations.

Chile (ratification: 1971)

The Committee notes the information provided by the Government to the Conference Committee in 1981 and in its report.

1. Article 8 of the Constitution. In its previous observation, the Committee referred to the provisions of the new Constitution adopted in 1980. The Constitution provides, generally, for equality of rights and opportunities and, more specifically, for freedom of work, non-discrimination in employment and access to public service and employment, subject to no requirements except those imposed by the Constitution and laws. However, article 8 of the Constitution declares illegal and contrary to the institutional order of the Republic every act of a person or group intended to propagate certain doctrines, including those advocating a conception of society, the State or legal order "of totalitarian character or based on class war". The same article provides that persons who have been found, by the Constitutional Court, to have contravened these provisions shall be barred for ten years from access to public offices or appointments or shall automatically lose such employment, and that such persons may not during the said period be directors of teaching establishments, teachers or trade union leaders or exercise any function in communications media connected with the publication or diffusion of

<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

opinions or information. In its previous observation, the Committee expressed concern about these provisions, since they might result in removing from the scope of legal guarantees against discrimination in employment persons who expressed certain political opinions or ideas not conforming to the views of the established authorities.

In its report, the Government states that the Constitution contains no provision which punishes persons for expressing views not conforming to those of the authorities, but that it imposes sanctions for the act of propagating doctrines attacking certain essential foundations of Chilean institutions. The Government states, further, that the sanction provided for in article 8 of the Constitution has to be imposed by the Constitutional Court, an independent court of the highest rank, on the basis of objective facts and in accordance with the procedure laid down in Act No. 17.997, published in the Official Journal of 19 May 1981. The Government considers that these provisions are in conformity with Article 4 of the Convention, by virtue of which any measures affecting an individual engaged in activities prejudicial to the security of the State (or justifiably suspected of such activities) shall not be deemed discrimination, provided that the individual has the right to appeal to a competent body established in accordance with national practice.

The Committee notes the distinction which the Government makes between the expression of political opinions and acts to propagate certain doctrines. In this connection, the Committee recalls the view which it has expressed on earlier occasions that in protecting workers against discrimination on the basis of political opinion, the Convention implies that this protection shall be afforded to them also in respect of activities expressing or demonstrating opposition to the established political principles, since the protection of opinions which are neither expressed nor demonstrated would be pointless. The Committee therefore considers that the expression of political opinions cannot be removed from the protection laid down in the Convention by defining it as the act of propagating particular doctrines.

The Committee has also pointed out previously that the protection afforded by the Convention is not limited to differences of opinion within the framework of established principles. Therefore, even if certain doctrines are aimed at fundamental changes in the institutions of the State, this does not constitute a reason for considering their propagation beyond the protection of the Convention, in the absence of the use or advocacy of violent or unconstitutional methods to bring about that result.

As regards the Government's claim that the constitutional provisions in question are in conformity with Article 4 of the Convention, the Committee had already pointed out in previous observations in the present case that the definition of "activities prejudicial to the security of the State" must be sufficiently narrow to avoid conflict with the main protection provided for in the Convention in respect of political opinion. Article 8 of the Constitution of Chile, in providing for the exclusion of persons from certain employments by reason of their propagation of certain doctrines, appears not to observe the limits of Article 4 of the Convention.

In these circumstances, the fact that procedural safeguards are laid down as regards application of the constitutional provision does not suffice to ensure observance of the Convention. It may, moreover, be expected that the fact that a person had expressed views proscribed by the Constitution would, even in the absence of a decision by the Constitutional Court, be taken into account in decisions concerning

appointments and termination of appointments of public servants, particularly in view of the unrestricted powers which have been bestowed upon the Government in these respects by various legislative texts mentioned below.

The Committee accordingly trusts that the necessary measures will be taken to bring the provisions in question into conformity with the Convention.

2. Measures affecting persons in the public service. In its previous observations, the Committee had referred to Legislative Decree No. 2345 of 17 October 1978, which made the Minister of the Interior responsible for carrying out the policy of "debureaucratising" and introducing flexibility in the administration of the State and provided, in section 5, that the Government might terminate the employment of any person employed in the administration of the State or in state or municipal enterprises, irrespective of any other requirement or legal provision, free from all existing guarantees of security of tenure, and without being subject to the Administrative Regulations laid down by Legislative Decree No. 338 of 1960. It expressed concern that these provisions would permit arbitrary measures, and requested information on the organisation of procedural and other guarantees necessary to ensure the observance of the Convention.

In its report, the Government states that section 5 of Legislative Decree No. 2345 does not confer discretionary or arbitrary powers to dismiss officials of the public administration. Decisions to terminate the employment of officials are taken by the President on the proposal of the Minister of the Interior, when this is considered necessary to give effect to the standards on introduction of administrative flexibility in a particular service and for no other reason. The Government states that the Decree is used for purposes of efficiency in the functioning of the service, institution or public undertaking, rationalisation, and self-financing of state undertakings, and that in practice the following criteria are taken into account when it is necessary to terminate the employment of officials: (a) fulfilment of the legal requirements for entitlement to a pension; (b) insufficient administrative qualifications and shortcomings in meeting official responsibilities; (c) the skills, ability and suitability for discharge of the functions in accordance with the new requirements of the service; and (d) the need for the effective functioning of the service, institution or public undertaking. Any official who considers that the termination of his employment has been the result of political, religious or sex discrimination, age, colour, national extraction or social origin may apply to the Court of Appeal for the protection of the rights established by article 19(16) of the Constitution. The Government states that since the publication of Legislative Decree No. 2345 no one has made such an application, because in practice it has not been applied arbitrarily and there has been no violation of Convention No. 111.

The Committee recognises that it may be necessary to take decisions affecting public servants for the sake of ensuring the efficiency of the administration, institution or undertaking concerned and its adaptation to changing needs, or where their qualifications or conduct do not meet the requisite standards. However, it is important that the criteria justifying such measures should be clearly stated in the relevant legislative texts. The Committee notes that the Administrative Regulations laid down by Decree No. 338 of 1960, while providing security of employment for public employees, already permitted the termination of employment on the grounds of suppression or fusion of the post in question, failure to meet required

qualifications, or misconduct. While noting the Government's statement that the powers granted by Legislative Decree No. 2345 have been applied in practice according to certain criteria, the Committee cannot but express concern at the fact that the Decree expressly permits the termination of employment without any restraints or guarantees. In view of this express removal of all safeguards, the Committee attaches no particular significance to the fact that no person dismissed under the Decree appears to have applied to the Court of Appeal for protection of his rights. It would appear, furthermore, having regard to the provisions of article 8 of the Constitution previously mentioned, that persons who propagate doctrines proscribed by that article would be considered not to be suitable for exercising any function in public employment and would therefore be liable to dismissal under Legislative Decree No. 2345 according to the criteria which the Government has stated to be used in practice.

The Committee has noted several other texts which have bestowed far-reaching powers on the authorities in relation to public servants. Legislative Decree No. 3410 of 16 May 1980, published in the Official Journal of 28 May 1980, provided that assignments of staff which the President had made or might make in future at his discretion had been exercised and would be exercised free from any guarantee of security of tenure which might have applied to or might affect staff of the service concerned. Legislative Decree No. 3357 of 12 May 1980, published in the Official Journal of 24 May 1980, empowered the Minister of Education, for a period of one year, to assign and transfer teachers without being subject to the provisions laid down in Legislative Decree No. 2327 of 1978 on the teaching profession, non-compliance with any such decision being a ground for dismissal.

In this connection, the Committee has noted indications in certain reports submitted to the General Assembly of the United Nations by the Special Rapporteur appointed by the Commission on Human Rights concerning the dismissal of a considerable number of teachers, especially university teachers, apparently for political reasons - see documents A/35/522 of 23 October 1980 (paragraphs 337 to 357 and 431) and A/36/594 of 6 November 1981 (paragraphs 377 to 386).

The Committee hopes that the Government will make a thorough examination of the various legislative provisions mentioned above in the light of the provisions of the Convention and the Committee's comments, with a view to making decisions relating to appointments, assignments, transfers and termination of employment of public servants once again subject to criteria and safeguards specifically stated in legislation, such as those contained in the Administrative Regulations of 1960.

3. Persons dismissed under emergency measures between 1973 and 1975. In its previous observation, the Committee had sought further information on the present situation of persons dismissed under emergency measures which were in force from September 1973 to March 1975. In this connection, the Government again states that this question no longer constitutes a problem, since the persons concerned had been reinstated or compensated, had found employment, had retired, had left the country or had died. The Government does not believe that persons dismissed nine years ago, allegedly on the ground of political discrimination, would still expect to be reinstated in their former jobs, having regard also to the many changes in the structure and number of services and undertakings and jobs available. It also states that the country's legal order would not permit the reopening of proceedings or review of decisions taken many years ago, as would be necessary if it were sought to re-examine decisions given in 1973 by tribunals which no longer exist.



In these circumstances, the Committee can only note that unfortunately it has not been able to obtain full and comprehensive information on the measures taken to implement the recommendation made by the Commission of Inquiry established under article 26 of the ILO Constitution regarding the impartial re-examination of the situation of the persons concerned.<sup>1</sup>

Czechoslovakia (ratification: 1964)

In its previous observation the Committee had referred to various questions arising out of the examination by the Governing Body of the International Labour Office of a representation under articles 24 and 25 of the ILO Constitution concerning dismissals and other measures taken against workers who had signed or supported the manifesto known as "Charter 77", the report on which had been published in the Official Bulletin, Vol. LXI, 1978, Series A, No. 3, Supplement. It had asked the Government to provide more detailed information on the investigations carried out following appeals by the persons concerned against the measures taken against them, the grounds taken into consideration and the decisions reached. The Committee also expressed the hope that the Government would take all suitable measures to guarantee more effectively that the provisions of national laws might not be applied for reasons incompatible with the protection laid down by the Convention with regard to the elimination of discrimination on the basis of political opinion, and asked for further information on the measures taken to that end.

The Committee notes the further information and explanations provided by the Government to the Conference Committee in 1981 and in its latest report. It also notes the comments concerning the application of the Convention received from the International Confederation of Free Trade Unions.

The Committee notes that the Government has once more stated that the dismissals referred to in the above-mentioned representation and in the Committee's previous observations had nothing to do with the workers' political opinions. In this connection, the Government has provided the following further information. It has indicated that appeals against dismissals had been made to the courts, in accordance with section 64 of the Labour Code, by 24 workers. In five cases, there had been a settlement based on withdrawal of the dismissal by the employer. In two cases there was an agreed settlement involving payment of compensation to the worker. In one case the court ruled the dismissal illegal and, because the worker did not wish to continue the employment, a settlement was reached to terminate the employment with an award of compensation and costs to the worker. In the remaining 16 cases the appeals were unsuccessful, on the ground that the dismissed persons had engaged in activities which went beyond the protection provided by the Convention and/or were inconsistent with certain other stipulations of the Labour Code. The Government states that it was established that some of these persons, by means of a document referred to as "Charter 77" and by its circulation, created conditions and prerequisites for the foundation of an association for the promotion of political demands and that the aim of that association and of those activities was to change the existing social order. Some of these persons drafted the said document and a plan of activities of the association, distributed the document and enlisted further persons in its support especially among colleagues at the workplace. They sent

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<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

the text of this document and of other similar documents, manifestos, etc. to the press abroad. Other persons concerned copied and/or mimeographed the said document, mostly during working hours and using facilities of the enterprise, and attached to the basic text several additions. Such activities were in a few cases prejudicial to the normal operation of the enterprises and organisations. The Government states that the potential importance of these activities can be documented by the fact that they were carried out according to instructions received from abroad and were also financed from abroad; some of the persons concerned received, in and after 1977, through different channels large amounts of money from abroad and stepped up their activities against the social order protected by the Constitution. The Government states that it has ample evidence about the activities of the association which came into existence in connection with the said document as well as about the control and financing of those activities from abroad; the persons concerned did not limit themselves to criticism or to expressing political opinions but carried out activities prejudicial to the security of the State. The Government observes that in the overwhelming majority of cases there existed a further valid reason for dismissal: the concrete action was prejudicial to the operation of the enterprises and organisations concerned because it was at variance with work discipline, and in certain cases the persons concerned were public servants who could, in accordance with Article 1, paragraph 2, of the Convention, be expected to respect the constitutional principles of the Czechoslovak Socialist Republic. The Government has concluded from the examination of the above-mentioned cases that the existing guarantees for the observance of the Convention, especially the possibility of appeal to the courts under the Labour Code, are effective and that the respective decisions of the courts were materially correct although the reasons given by the courts were not always complete.

The Government has also provided information on discussions and decisions by various public bodies and authorities. At a joint sitting of the Constitutional Law Committees of both Chambers of the Federal Assembly on 4 March 1981 to consider the report submitted by the President of the Supreme Court concerning the evaluation of experience acquired by courts in the application of Law No. 20 of 1975 in respect of termination of employment, Decision No. 223 was adopted recommending the President of the Supreme Court to continue to pay systematic attention to the correct application of the Labour Code to ensure the promotion of legitimate interests of workers and, by the same token, the fulfilment of obligations ensuing from ratified international Conventions. The Government had considered the Committee of Experts' observations at a meeting on 14 January 1982, when the Minister of Labour and Social Affairs had reported on the measures taken to ensure full compliance with the obligations ensuing from the Convention. The Government had noted that the measures adopted were effective and that since the beginning of 1978 there had been no cases of termination of employment at the initiative of the employer that would give rise to doubts about the application of the Convention, and it had recalled the continued validity of Government Decision No. 102 of 1972 requesting all Ministers and heads of Central Authorities to ensure compliance of all legal provisions with ILO Conventions ratified by the Czechoslovak Socialist Republic. Following the criticism relating to the decisions of certain employers, the case had been extensively dealt with in the plenary sitting of the Employers' Section of the Czechoslovak Chamber of Commerce and Industry. It was concluded that, in the overwhelming majority of cases of termination of employment, the employers had proceeded in full accord with the Labour Code and with the obligations ensuing from the ratified Convention. It was further stated that, present practice was fully consistent with these obligations and that, in recent years, the ground of "endangering the security of the State"

had not been used at all for dismissal. However, in order to forestall potential future inconsistency with the Convention in cases of dismissal on that ground, the Section had invited all members of the Czechoslovak Chamber of Commerce and Industry to interpret "endangering the security of the State" to be an activity endangering the integrity of the state order, the integrity of the state territory, defence capacity, international relations of the State and of state bodies, and state secrets. The Central Council of Trade Unions had invited its bodies which supervise the application of labour law to bear in mind the decisions referred to above. The Central Council of Trade Unions had dealt with the problem of application of labour law already at its ninth plenary session in 1980 and had emphasised the principle of full respect of obligations resulting from international Conventions.

Finally, the Government indicates that the Federal Ministry of Labour and Social Affairs is at present evaluating the application of individual sections of the Labour Code, which may lead to drafting amendments. If so, the need for close coherence of the labour law with ILO Conventions and Recommendations will be borne in mind, including the possibility of ratifying further Conventions.

In its comments, the International Confederation of Free Trade Unions recalls the statement made by the Public Prosecutor of the Republic on 31 March 1977 that the declaration known as "Charter 77" was in itself a potential danger to the socialist and state system of the Republic and the court decisions based on that statement. The ICFTU stresses that the above-mentioned opinion of the Public Prosecutor has not been changed. It states, moreover, that the Supreme Court, in its evaluation of court practice in the application of Law No. 20 of 1975 published in the Digest of Court Decisions No. 9-10/1978, had accepted an interpretation of section 46(1)(e) of the Labour Code which practically dismantled the significance of the amendments to the Code made in 1975. According to that interpretation, an organisation might dismiss a worker for non-compliance, through no fault of the organisation, with requirements that are an essential condition for the proper performance of his work; such requirements did not have to be established by any law or regulation and could be related to the kind of work done or function held, to facts described as civic engagement, moral and political qualities of the worker, etc. The ICFTU considers that this interpretation of the Supreme Court practically confirms that an organisation may dismiss anybody for political reasons and that such a decision will be upheld by the courts.

The Committee, after having carefully considered the information referred to above, feels it appropriate to make the following observations:

1. The Government has maintained the view, already expressed in its observations furnished to the committee of the Governing Body which examined the representation under article 24 of the Constitution and in subsequent reports and statements to the Conference Committee, that the dismissals referred to in the representation and in the Committee's previous observations had nothing to do with the workers' political opinions. However, the Committee is bound to note that this view is not borne out by the documents submitted in support of the representation, in particular the various notices of dismissal and three court decisions, which gave as the reason for dismissal the fact that the worker had signed or supported the manifesto known as "Charter 77".

2. The Committee recalls the conclusion stated in its earlier observations that the fact of signing or supporting the above-mentioned

manifesto could not justify derogation from the protection provided by the Convention against discrimination on the basis of political opinion.

3. The Committee recalls, in this connection, its earlier statement, already made in its observation of 1972, that, in protecting workers against discrimination on the basis of political opinion, the Convention implies that this protection shall be afforded to them also in respect of activities expressing or demonstrating opposition to the established political principles, since the protection of opinions which are neither expressed nor demonstrated would be pointless, and that the protection of the Convention is not limited to simple differences of opinion within the framework of the established principles. Therefore, even if the aim of the authors of the "Charter 77" manifesto had been to change the existing social order, this would not have constituted a reason for considering them beyond the protection of the Convention, in the absence of any indication that they sought to bring about that result by violent or unconstitutional methods.

4. The Committee has noted the information provided by the Government regarding the outcome of appeals to the courts of persons dismissed on account of their connection with the "Charter 77" manifesto, including a summary of the grounds on which the courts rejected appeals in those cases in which the dismissals were held to be justified. However, the only cases in which the Committee has been able to examine the full texts of the judgments rendered by the courts are the three cases in respect of which the judgments were furnished by the ICFTU in support of the representation under article 24 of the Constitution. Importance attaches to such documents not only because they show what decisions were reached in particular cases, but more especially because they show how the relevant provisions of the law are interpreted and applied by the courts in practice. The Committee recalls that, in the three cases for which it has texts of the judgments, the courts held, in the light of a statement by the Public Prosecutor of the Republic that the declaration known as "Charter 77" was objectively a potential source of danger to the socialist and state system of the Republic, that the dismissals were justified. There is no indication in the information supplied by the Government or in the conclusions or decisions of various public bodies or authorities to which the Government has referred that any change of interpretation or in the manner of application of these provisions has been ordered or brought about. It notes, for example, that the interpretation of the concept of "endangering the security of the State" which the Employers' Section of the Czechoslovak Chamber of Commerce and Industry has invited its members to adopt in applying the provisions of the Labour Code relating to dismissal on that ground corresponds to that stated by the court in one of the judgments of 1977 the text of which is available to the Committee and in which the mere fact of signing the "Charter 77" manifesto was held to justify dismissal.

5. In so far as any change in court practice in interpreting and applying the relevant provisions of the Labour Code may have occurred, the Committee requests the Government to provide the texts of the judgments which would manifest that change.

6. The Committee notes the Government's statement that, since the beginning of 1978, there has been no case of termination of employment at the initiative of the employer that would give rise to doubts about the application of the Convention, and the statement by the Employers' Section of the Czechoslovak Chamber of Commerce and Industry that in recent years "endangering the security of the State" has not been used at all as a ground for dismissal. It also notes the

statement by the Government that, when dismissal had occurred previously, in the overwhelming number of cases the dismissal could be justified also on the ground of a breach of work discipline. In this connection, the Committee notes the statement by the International Confederation of Free Trade Unions that, by reason of an interpretation by the Supreme Court of section 46(1)(e) of the Labcur Code published in the Digest of Court Decisions, workers may be dismissed under that provision for political reasons. The Committee requests the Government to provide the text of the decision of the Supreme Court in question.

7. The Committee notes from a number of the documents submitted in support of the representation under article 24 of the Constitution, including the three court judgments, that the qualifications for occupying the posts in question included requirements of a political nature. Thus, work in the National Museum was stated to involve the carrying out of "the political-cum-cultural tasks of the socialist State". The work regulations of the National Insurance Company required employees "to increase their political qualifications" and required their behaviour to be "compatible with the interests of the entire country" (in respect of which the court observed that "political maturity and class consciousness cannot be dissociated from the requirement that he should work and live in such a way as to promote the national interest"). The work regulations in a pastry and mineral water factory, referring to the directives of the Central Committee of the Czechoslovak Communist Party on work of supervisory and lower grades, mentioned political maturity and class consciousness among the personal qualifications required of an employee responsible for occupational safety and health in that undertaking, the essence of that qualification being defined as "the political attitude of fidelity to socialism and the Marxist-Leninist policy of the Czechoslovak Communist Party". In the light of these indications, the Committee requests the Government to provide the text of the directives on work of supervisory and lower staff, and to provide information on the criteria according to which requirements of a political nature are included among the personal qualifications to be fulfilled by incumbents of posts at different levels and in different types of activities.

8. The Committee notes the information given by the Government concerning measures taken with a view to ensuring the observance of the Convention. It hopes that, in the evaluation of the application of the Labour Code which is currently being made by the Federal Ministry of Labour and Social Affairs, particular attention will be given to this question, bearing in mind the difficulties which have been encountered and the Committee's observations. It requests the Government to provide information on any developments resulting from this review.<sup>1</sup>

#### Federal Republic of Germany (ratification: 1961)

In observations made in 1980 and 1981, the Committee referred to the rules of procedure for the verification of loyalty to the Constitution adopted on 17 January 1979 for the federal administration; it requested the Government to provide detailed information on the practical application of these rules and on the development of the situation in the Länder. Having noted certain allegations by the World Federation of Trade Unions that previous practices continued after the entry into force of the new rules of procedure on 1 April 1979 and affected in the first year more than 30 persons, including some

<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

occupying subordinate posts in the postal services and federal railways, the Committee more particularly asked the Government to supply information on the investigations carried out, the points taken into consideration and the decisions reached in cases of exclusion from the public service that have occurred since April 1979.

In seeking this information, the Committee followed the assessment of the Governing Body committee set up to consider the representation presented by the World Federation of Trade Unions under article 24 of the Constitution alleging non-observance of the Convention by the Federal Republic of Germany. In its report of 15 June 1979, the Governing Body Committee noted that the Federal Constitutional Court order of 22 May 1975 regarding the obligation of loyalty in the public service did not specify the nature of the elements which might be taken into consideration in individual cases and left wide discretion to the employing authorities in this respect; while the procedural principles adopted on 17 January 1979 for the federal administration appeared likely to limit such powers, the Governing Body committee concluded that their effect would depend on their future practical application, which would be subject to examination in accordance with established ILO procedures. It recalled that these opportunities for examination would also apply fully as regards the evolution of the situation at the level of the Länder, which had been able to apply different principles and where cases involving inquiries and the rejection of candidates had been proportionally more numerous than in the federal administration.

The Committee regrets that the Government's latest report, while reaffirming that the rejection of candidates for public service is founded upon the requirements of the employment sought and does not involve any discrimination falling within the scope of the Convention, does not contain the information requested. As a result, in the continued absence of the necessary factual information, the Committee remains unable to ascertain whether, following the adoption of the 1979 rules of procedure for the verification of loyalty by the Federal Government and similar provisions in some Länder, investigations are limited to special cases in which there are serious and justified doubts regarding the responsible conduct that may be expected from public servants and applicants for employment in the public service, with particular reference to the nature of the posts they are to occupy. Furthermore, measures do not yet appear to have been taken to make investigations of loyalty in other Länder subject to corresponding limitations.

The Committee accordingly hopes that the Government will in the near future supply the detailed information requested on the investigations carried out, the points taken into consideration and the decisions reached by the federal and local authorities in the cases of exclusion from the public service that have occurred since April 1979, as well as copies of any provisions or directives newly adopted, in particular by the Länder, and of recent decisions by administrative tribunals and the Constitutional Court in the matter.<sup>1</sup>

#### Guinea (ratification: 1960)

In comments made for a number of years, the Committee has noted that access to employment in public service and in economic undertakings is obtained through specialised services set up by the

<sup>1</sup> The Government is asked to supply full particulars to the Conference at its 68th Session.

Government upon a decision of the party and under its supervision. The Committee has requested the Government to indicate the measures taken or envisaged in this connection to ensure the elimination of all discrimination in matters of employment on grounds of political opinion.

In 1981, in the absence of new data in the reports received from the Government in October 1980 and February 1981, the Committee expressed the hope that direct contacts which had been requested by the Government, and which have taken place in October and November 1981, would lead to a solution that would ensure compliance with the Convention on this point. The Committee trusts that the necessary measures are being studied and that the Government will shortly indicate the measures taken.

Malta (ratification: 1968)

Further to its previous observation, the Committee notes with satisfaction that Act No. XI of 1981 amended the Conditions of Employment (Regulation) Act, 1952 so as to protect women workers against termination of employment on grounds of marriage or maternity.

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In addition, requests regarding certain points are being addressed directly to the following States: Brazil, Chad, Czechoslovakia, Federal Republic of Germany, Iraq, Jamaica, Lebanon, Libyan Arab Jamahiriya, Peru, Saudi Arabia, Somalia, Trinidad and Tobago, Yemen, Zambia.

**Convention No. 112: Minimum Age (Fishermen), 1959**

Liberia (ratification: 1960)

The Committee has pointed out in its previous observations that section 326 of the Maritime Law, which lays down a minimum age, applies only to vessels engaged in foreign trade and that section 74 of the Labour Law, which prohibits the employment of children under 16 years of age during the hours when they are required to attend school, do not ensure that children under 15 years of age shall not be employed for work on board fishing vessels, in accordance with Article 2, paragraph 1, of the Convention.

The Committee notes from the information supplied by the Government to the Conference Committee in 1981 that the latter has amended certain provisions of the maritime laws - Title 22 of the Liberian Code of Laws of 1956 - relative to the Convention. In the absence of a report, the Committee hopes that the Government will supply the text of the amendments adopted.

Panama (ratification: 1970)

With reference to its previous comments, the Committee notes with satisfaction that under section 6 of Decree No. 24 of 30 November 1981 it is now forbidden to employ young persons under the age of 18 years on fishing vessels as trimmers or stokers, which is in accord with Article 3 of the Convention.

**Convention No. 113: Medical Examination (Fishermen), 1959**Guatemala (ratification: 1961)

Further to its previous comments, the Committee notes with satisfaction the adoption of the new Regulations concerning the medical examination of workers, of which sections 2 and 4, give effect to Article 4, paragraph 2, and to Article 5 of the Convention respectively.

Guinea (ratification: 1960)

With reference to its previous comments, the Committee notes that direct contacts took place in October and November 1981 between the national authorities and a representative of the Director-General of the ILO. It hopes that the Government will be able to state in its next report that the draft Order respecting fishermen's articles of agreement has been adopted, and hopes further that this Order will ensure the application of all the provisions of the Convention, including Article 3, paragraph 1, and Article 5.

Liberia (ratification: 1960)

The Committee had pointed out in its previous observations that section 336(3) (d) of the Maritime Law, as amended, which provides that a seaman shall not be entitled to sickness or injury benefit if at the time of his employment he refused to be medically examined, does not ensure the medical examination of persons to be employed on board fishing vessels, in accordance with Articles 2 to 5 of the Convention. Moreover, under section 290(2) (a), even the above provisions do not apply to vessels under 75 tons net.

The Committee notes from the information supplied by the Government to the Conference Committee in 1981 that it has amended certain provisions of the maritime laws - Title 22 of the Liberian Code of Laws of 1956 - relative to the Convention. In the absence of a report, the Committee hopes that the Government will supply the text of the amendments adopted.

Panama (ratification: 1970)

With reference to its previous comments, the Committee notes with satisfaction the adoption of Decree No. 24 of 30 November 1981, sections 2, 3 and 4 of which give effect to the provisions of Articles 2, 3 and 4 of the Convention.

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In addition, a request regarding certain points is being addressed directly to Tunisia.



**Convention No. 114: Fishermen's Articles of Agreement, 1959**Guinea (ratification: 1960)

With reference to its previous comments, the Committee notes with interest that direct contacts were held in October and November 1981 between the national authorities and a representative of the Director-General of the ILO. It hopes that the Government will be able to state in its next report that the draft Order respecting fishermen's articles of agreement has been adopted, and hopes further that this Order will ensure the application of all the provisions of the Convention, including Articles 4, 10 and 11.

Liberia (ratification: 1960)

In the comments that it has been making for several years, the Committee has pointed out that the Maritime Law is far from sufficient to ensure the application of the Convention. The Committee notes from the information supplied to the Conference Committee in 1981 that the Government has amended certain provisions of the maritime laws - Title 22 of the Liberian Code of Laws of 1956 - relative to the Convention. In the absence of a report the Committee hopes that the Government will supply the text of the amendments adopted.

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In addition, requests regarding certain points are being addressed directly to the following States: Cyprus, Uruguay.

**Convention No. 115: Radiation Protection, 1960**Ghana (ratification: 1961)

The Committee notes, from the reply of the Government to its previous direct request, that the Radiation Protection Bill, mentioned by the Government in its earlier reports, has not yet been adopted. The Committee takes note of the difficulties encountered by the Government in this connection, difficulties due to changes in the hierarchy of the Ghana Atomic Energy Commission and the present political situation of the country, but points out that protection against radiation is provided at present only by a code of practice devoid of binding power and that this code, moreover, does not give effect to the following provisions of the Convention:

Article 9, paragraph 2, of the Convention concerning the instruction of all workers directly engaged in radiation work;

Article 13(a), (b) and (d) concerning the action to be taken in specified circumstances because of the nature or degree of the exposure.

Article 14 concerning the prohibition from employing a worker on work that may expose him to ionising radiations contrary to qualified medical advice.

The Committee trusts that the above-mentioned Bill will be promulgated very soon and that the Government will provide a copy with its next report.

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In addition, requests regarding certain points are being addressed directly to the following States: Guinea, Lebanon.

### Convention No. 117: Social Policy (Basic Aims and Standards), 1962

Guinea (ratification: 1966)

The Committee notes the information provided by the Government in its last report in reply to the observations made in 1980 with regard to Articles 7, 10 and 13 of the Convention.

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In addition, requests regarding certain points are being addressed directly to the following States: Guinea, Jamaica, Kuwait.

### Convention No. 118: Equality of Treatment (Social Security), 1962

Guinea (ratification: 1967)

The Committee takes note of the intention of the Government, declared in particular during the direct contacts held in October and November 1981, to take advantage of the present revision of the Social Security Code to settle the questions raised in the Committee's earlier comments. It accordingly expresses the hope that the next report will indicate the measures taken or contemplated on the following points:

Article 4, paragraph 1, of the Convention. The Government stated in its report for 1970-71 that the term "international conventions" used in section 113 of the Social Security Code was interpreted as referring to Convention No. 118 and that measures would be taken to deal with cases of residence or transfer of residence abroad. The Committee would again request the Government to state in its next report whether, on that assumption, it has taken steps to ensure that foreign workers who are citizens of a State Member for which the Convention is in force, and their survivors, receive benefits in the form of a pension in the same way as nationals without any condition of residence.

Article 5. In its first report the Government stated that old-age and survivors' benefits, death grants and employment injury pensions were paid in cases of residence abroad, but in its report for the period 1970-71 it stated that such payments were subject to the conclusion of agreements with friendly countries. The Committee noted that only one draft agreement of this kind had been planned with Senegal, Mali and Mauritania within the framework of the Organisation of Senegal River States, but that this project was in abeyance. The Committee would stress that, according to the Convention, the payment of the benefits in question must be automatically guaranteed in case of residence abroad, irrespective of the country of residence and even when no agreement has been concluded, both to citizens of Guinea and to citizens of any other State Member which has accepted the obligations of the Convention in respect of the

branch in question,<sup>1</sup> agreements with States of residence being justified only as a means of determining, where necessary, the methods of payment. As the legislation in Guinea does not appear to contain any restriction as to the territories in which such benefits may be paid (except for the restriction applying only to the non-nationals mentioned under Article 4 above), the Committee would request the Government to take the necessary steps to apply the Convention in practice in this respect.

Article 6. Since section 38 of the Social Security Code provides that family allowances shall be payable only in respect of children residing in Guinea, the Committee would once again request the Government to state what measures it proposes to take, by bilateral or multilateral agreement with the States concerned or otherwise, to guarantee the payment of family allowances to all workers covered by Guinean legislation in so far as they are nationals of Guinea or of another State Member which has accepted the obligations of the Convention concerning family allowances, in respect of the children of those workers who are resident in any of those States.

Articles 7 and 8. The Government stated, in its report for 1970-71, that steps would be taken by the Government, as soon as the need arose, to participate with other Members for which the Convention was in force in a system for the maintenance of acquired rights and rights in course of acquisition. The Committee noted that a draft agreement, which was in abeyance, had been drawn up with Senegal, Mali and Mauritania. It would request the Government to indicate in its future reports any measures that may be taken to implement these Articles of the Convention.

Syrian Arab Republic (ratification: 1963)

1. Article 5 of the Convention. The Committee notes with interest the adoption of Act No. 46 of 3 July 1980, which amends section 94 of Act No. 92 of 1959 respecting social insurance and provides for the award of pensions to persons resident abroad, including both Syrian nationals and nationals of other States without distinction.

However, the Committee notes that the award of such benefits to persons resident abroad is subject to the award of the same benefits by the country of residence of the foreign beneficiary to Syrian nationals. In its previous comments, the Committee expressed a number of reservations specifically relating to this condition, which is in conflict with this Article of the Convention. The Committee notes the Government's statement in its report that the Committee's previous comments have been referred to the committee elaborating a new draft General Act concerning social insurance. The Committee hopes that the draft unlike Law No. 46 of 3 July 1980 will include a provision for payment abroad of invalidity, old-age, survivors' and employment injury benefits and death grants to nationals of any other State that has accepted the obligations of the Convention in respect of the branch or branches for which the obligations of the Convention have been accepted by the Syrian Arab Republic,<sup>1</sup> in whatever country they may reside and irrespective of whether that country accords them the same treatment or not, in view of the fact that ratification of the Convention institutes a system of reciprocal treatment between countries ratifying it.

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<sup>1</sup> A list of these States is appended to the text of the observation communicated to the Government.

The Committee would be grateful if in its next report the Government would supply information on any developments in this connection.

2. Article 7. The Committee notes that the Syrian Arab Republic does not participate in any scheme for the maintenance of acquired rights and rights in course of acquisition. It requests the Government to indicate in future reports whether any agreements have been concluded with other member States parties to the Convention concerning participation in such schemes for the maintenance of rights.

3. Article 10. As regards refugees and stateless persons, the Committee notes that, according to the Government's report, such persons are not excluded from insurance schemes. It hopes, however, that the new draft Act respecting social insurance will contain express provision for equal treatment to them in this respect.

4. The Committee would also be grateful if the Government would supply, in accordance with point V of the report form and so far as available statistics permit, information concerning the number of Syrian workers employed abroad and in which countries, and the number and nationalities of foreign workers employed in the Syrian Arab Republic.

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In addition, requests regarding certain points are being addressed directly to the following States: Bolivia, Irag, Libyan Arab Jamahiriya.

### Convention No. 119: Guarding of Machinery, 1963

#### Central African Republic (ratification: 1964)

The Committee notes that the Government's report has not been received. However, it notes that during the discussions which took place in the 1981 Conference Committee, the Government explained the administrative difficulties which were holding up the adoption of the draft legislation to give effect to the Convention. The Committee recalls the importance of ensuring the application of the provisions contained in Articles 2, 10, paragraph 1, and 11 of the Convention, and again expresses the hope that a text will be adopted in the near future to give full effect to the Convention.<sup>1</sup>

#### Ghana (ratification: 1965)

Articles 1 and 17 of the Convention. The Committee has been calling the attention of the Government for more than ten years to the necessity of extending the legislation giving effect to the Convention to agriculture, forestry, road and rail transport and shipping, in accordance with Articles 1 and 17 of the Convention. The Committee notes, from the last report of the Government and from information supplied to the Conference in 1980, that no progress has yet been made in this direction, despite the assurances given by the Government on

<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.

many occasions. It trusts that the next report will mention the adoption of provisions in laws or regulations to ensure the application of the Convention in each of the above-mentioned sectors.

With regard to the application of the Convention in mines, the Government stated in its report for 1976-79 that the Mining Regulations applied the Convention in this sector, except for Articles 2 and 8. Since the texts of the Mining Regulations 1970 and the Mining (Amendment) Regulations 1971, mentioned to the Conference Committee in 1980 and in the last report, have not been received, the Committee again asks the Government to furnish these texts with its next report.<sup>1</sup>

Guinea (ratification: 1966)

Following the direct contacts which took place in 1981, the Committee has been informed of the Government's intention to remodel the national legislation on occupational safety and health, possibly with the technical assistance of the International Labour Office.

The Committee hopes that, during the preparation of the new provisions, account will be taken of its earlier comments concerning Article 11 of the Convention (no worker shall use any machinery without the guards provided being in position, nor shall the guards be removed or made inoperative) and Article 17 (measures to be taken to apply the Convention in the maritime and agricultural sectors) so as to ensure the full application of the Convention.<sup>1</sup>

Jordan (ratification: 1964)

The Committee notes that, according to information supplied by the Government during the Conference in 1981, the new Labour Act was to be adopted by the end of 1981.

The Committee expresses once again the hope that this Act will ensure the full application of the Convention, and that the text will be submitted with the Government's next report.<sup>1</sup>

Malaysia (ratification: 1974)

With reference to its earlier comments, the Committee notes with interest that the Factories and Machinery Act and Regulations have been extended to Sabah and Sarawak with effect from 4 July 1980.

Niger (ratification: 1964)

The Committee has noted, from the information supplied by the Government to the Conference Committee in 1981 that, in the absence of national legislation on the guarding of machinery, the provisions of the French Labour Code, in particular section E.233-3 and subsequent

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.

ones, are applied in Niger. The Government also states that the mission carried out in January 1981 by an ILO expert in occupational hygiene and safety would no doubt be followed by the drawing up of legislation in this field.

The Committee recalls that the relevant regulations at present in force in Niger - General Order No. 5253 of 19 July 1954 - do not give full effect to the Convention. It trusts that the necessary provisions will be adopted at an early date with a view to ensuring the application of Articles 2 to 4 of the Convention (prohibition of the sale, hire, transfer and exhibition of machinery without appropriate guards) of Article 10 (information and instruction to workers) and of Article 11 (prohibition of the use of any machinery without the guards being in position and operative) and that the national legislation giving effect to the Convention will be applicable to all branches of activity, in accordance with its Article 17.<sup>1</sup>

Panama (ratification: 1971)

The Committee notes with satisfaction that following direct contacts between the national authorities concerned and a representative of the Director-General of the ILO, Decree No. 27 of 30 November 1981 was adopted and that it ensures the full application of the Convention, in particular of its Articles 2, 3, 4 and 15 which were the subject of earlier comments.

Turkey (ratification: 1967)

The Committee has noted the information supplied by the Government to the Conference Committee in 1981 and in its last report in reply to the Committee's previous observation.

Part II of the Convention. The Committee had pointed out that, if effect was to be given to this Part of the Convention, Circular No. 1978/20 of 12 July 1978 issued by the Prime Minister, which was mandatory only for the ministries to which it was addressed, needed to be supplemented (a) by standards prescribing the guards to be provided for machinery in accordance with Article 2, paragraphs 3 and 4, of the Convention, and (b) by measures imposing an obligation on persons selling, letting out on hire, transferring in any other manner or exhibiting machinery to ensure that the machinery complied with the prescribed standards, as required by Articles 4 and 15 of the Convention.

In reply to this observation, the Government has supplied in its latest report a "list of machines causing major industrial accidents" and a "list of safety standards prescribed by the Turkish Standardisation Institute between 1960 and 1981". It states that the sum of 1 million Turkish pounds has been allocated to this Institute so that it may fix safety standards for machinery, and that a letter was sent to various ministries in September 1981 in order to prohibit in 1982 the importing of any machinery not complying with the prescribed safety standards.

While taking due note of these measures, the Committee notes that the "list of machines causing major accidents" does not correspond to the "list of machines which ought to be provided with guards"

<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.

communicated by the Government to the Conference Committee in 1981, and that its purpose does not appear to be clear. The Committee would be grateful if the Government would indicate which machines or parts of machines have been declared by the competent authority to be dangerous and to require guards, in accordance with Article 2 of the Convention, and what safety standards have been prescribed for these machines or parts of machines.

The Committee further notes that the Government has not indicated what measures have been taken to ensure the application of Articles 4 and 15 of the Convention, and once again requests it to supply information on this point.

Article 10, paragraph 1. The Committee has taken note of the provisions of the Safety and Health Regulations cited by the Government, which require employers to inform workers of the dangers arising and the precautions to be observed in the use of machinery. It requests the Government to specify whether measures have been taken to embody in the law the requirement that employers must bring the laws or regulations relating to the guarding of machinery to the notice of workers, as stipulated by this paragraph of the Convention.

Article 17. As the Committee has already observed, the provisions of the Labour Code and the Safety and Health Regulations relating to the use of machinery do not apply to agriculture or to sea and air transport. The activities covered by subsection 11 of section 5 of the Labour Code (Act No. 1475), cited by the Government in its report, relate to dockwork operations performed on the ground in connection with air transport and the manufacture of agricultural machinery. The Committee accordingly once again requests the Government to take the necessary measures to apply Part III of the Convention to machinery in agriculture and in sea and air transport.<sup>1</sup>

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In addition, requests regarding certain points are being addressed directly to the following States: Malaysia, Panama.

### Convention No. 120: Hygiene (Commerce and Offices), 1964

Guinea (ratification: 1966)

At its previous session, the Committee suspended its examination of the application of this Convention, pending the direct contacts which were to take place between the national authorities concerned and a representative of the Director-General of the ILO. On the occasion of these direct contacts in 1981, the Government has expressed its intention to make a complete revision of the legislation on occupational health and safety, possibly with technical assistance of the ILO. The Committee trusts that, in its next report, the Government will not fail to indicate the measures adopted to give effect to the following provisions of the Convention which were the subject of earlier comments.

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.

Article 6, paragraph 2, of the Convention. The Labour Code does not provide any penalties for infringements of provisions on health and safety in workplaces contained in section 168 of the Code and in regulations made under section 173.

Article 14. Section 16 of Order No. 5253 of 19 July 1954 and section 181 of the Labour Code provide for texts to be made available to women workers only, whereas the present Article of the Convention applies to workers without distinction of sex.

Article 18. National legislation does not contain provisions to ensure that noise and vibration likely to have harmful effects on workers shall be reduced as far as possible.<sup>1</sup>

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In addition, requests regarding certain points are being addressed directly to the following States: Belgium, Lebanon.

### Convention No. 121: Employment Injury Benefits, 1964

Guinea (ratification: 1967)

The Committee referred in its previous observation to the direct contacts which were due to take place at the request of the Government. It also noted from the information supplied by the Government that provisions to ensure the application of the Convention were to be introduced during the current revision of the Social Security Code and that directives were to be issued to ensure that the standards embodied in the Convention were applied in practice immediately.

The Committee notes that a direct-contacts mission was carried out in Guinea in October-November 1981. It notes, however, that the Government has not furnished a report on the application of the Convention. In these circumstances it can only repeat the comments it has been making for a number of years, in the hope that a report will be supplied for examination at its next session and that this will contain detailed information and indicate the measures taken on the following points:

1. Article 4 of the Convention. The Government had previously indicated that the new Social Security Code being prepared would cover all workers employed in the Republic of Guinea without exception, including "persons holding permanent jobs in a government administrative office or in its subsidiary services or in national public establishments", who are not at present covered by the social insurance scheme and therefore not entitled to compensation for employment injuries. The Committee hopes that the new Code will be adopted soon and, in the meantime, it would ask the Government to state whether the group of workers in question is covered by any special compensation scheme.

2. Article 8. The Government had stated that the new Social Security Code would contain the complete list of occupational diseases appearing in the schedule to Convention No.

<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1982.



121. The Committee hopes that the new Code will, in particular, take account of the following points:

- (a) items 2, 3, 4, 5, 6, 7, 9, 12, 13 and 14 of Schedule I to the Convention should be included in the list in the national legislation (these items refer respectively to diseases caused by beryllium (glucinium), phosphorus, chromium, manganese, arsenic, mercury, carbon bisulphide and the toxic compounds of each of these substances, and also diseases caused by the nitro- and amino-toxic derivatives of benzene or its homologues, diseases caused by ionising radiations and primary epitheliomatous cancer of the skin caused by tar, pitch, bitumen, mineral oil, anthracene or the compounds, products or residues of these substances);
- (b) the list in the national legislation should not refer merely to silicosis (as is done in point 8 of section 136 of the Social Security Code at present in force), but should be supplemented so as to include other pneumoconioses caused by sclerogenic mineral dusts (anthracosis-silicosis, asbestosis) and silico-tuberculosis, provided that silicosis is an essential factor in causing the resultant incapacity or death (see item 1 of Schedule I to the Convention);
- (c) the list in the national legislation (point 5 of the section mentioned above), which refers only to poisoning by carbon tetrachloride, should be drafted in general terms, as is done in the Convention (item 10 of Schedule I), so as to cover all diseases caused by the toxic halogen derivatives of hydrocarbons of the aliphatic series;
- (d) the list in the national legislation (point 6 of the section mentioned above), which refers to anthrax infection, should be supplemented so as to indicate the work that involves a presumption of the occupational origin of the disease, as shown in the right-hand column of item 15 of Schedule I to the Convention, taking account, however, of the obligations arising out of Convention No. 18.

3. Article 15, paragraph 1. The new Social Security Code should also give full effect to this provision of the Convention, under which the conversion of periodical payments into a lump sum should only be authorised in exceptional circumstances and when the competent authority has reason to believe that such lump sum will be used in a manner which is particularly advantageous for the injured person.

4. Article 18, paragraph 1. Section 108 of the present Social Security Code provides for the granting of a pension to the "surviving spouse". The Government is requested to state whether this term includes a widower, at least as long as he is disabled and dependent, as specified in the Convention.

5. Articles 19 and 20 (in conjunction with Articles 13, 14 and 18). The Committee asks the Government, in its future reports, to provide all the information required by the report form, including statistical information, to show that the rates of benefit payable in cases of temporary incapacity, permanent incapacity and the death of the breadwinner attain the levels prescribed in Schedule II to the Convention (family allowances paid before, or possibly during, the contingency being taken into consideration). The Government is requested to state whether Article 19 or Article 20 of the Convention is taken as the basis for determining whether the required rates have been attained.

6. Article 21. The Government is requested to supply the information required by the report form and state whether the rates of pensions have been reviewed during the period covered by each report.

7. Article 22, paragraph 2. The Government is requested to state whether steps have been taken, where benefits have been suspended, to ensure that part of these benefits can be paid to the dependants of the person covered in the cases and within the limits prescribed by national law.

8. Article 23. The Government is requested to state what right of appeal exists if benefits are refused in disputes other than those concerning the assessment of incapacity, which are governed by section 84 of the Social Security Code.

9. Article 25. The Government is requested to state what responsibility the Government takes for guaranteeing the payment of benefits in practice.

10. Furthermore, the Committee, with reference to point V of the report form, asks the Government to indicate how the Convention is applied in practice (as shown, for example, by extracts from the administrative reports of the National Social Security Fund).

#### Senegal (ratification: 1962)

Further to its earlier comments concerning the application of Article 21 of the Convention, the Committee has noted with satisfaction the adoption of Decree No. 81-1049 of 31 October 1981 prescribing the conditions for the reassessment of employment injury pensions. It has also noted the adoption of Decree No. 81-846 of 29 August 1981 prescribing the organisation and rules of functioning of the Social Security Fund.

The Committee is addressing a direct request to the Government concerning the application of Article 8 of the Convention, and requests the Government to supply the information, in particular the statistical data, requested in the report form adopted by the Governing Body.

#### Zaire (ratification: 1965)

The Committee notes that the report of the Government has not been received. It is therefore bound to return to its earlier comments, which related to the following points:

1. The Committee noted, from the information supplied by the Government, that Ordinance No. 75-099 of 1 March 1975 establishes the procedure for nominating the members and the manner of functioning of the National Social Security Committee and the regional committees and also the appeal procedure for insured persons and their dependants, in accordance with the provisions of Article 23 of the Convention. The Committee expressed the hope that the members of these committees might be nominated shortly. It asks the Government to state whether they have been nominated and to supply information on the functioning of these bodies in practice.

2. The Committee also noted that the Government was considering the adoption of measures to amend the list of occupational diseases appended to Ordinance No. 66-370 of 29 June 1966 by adding the diseases caused by the toxic halogen derivatives of hydrocarbons of the aliphatic series and those caused by benzene or its toxic derivatives, in accordance with Article 8 of the Convention. The Committee again asks the Government to indicate any progress made in this connection.

3. From a more general point of view, the Committee asks the Government to supply detailed information on the way in which effect is given to the provisions of the Convention, referring to the various questions appearing in the report form adopted by the Governing Body.

In addition, requests regarding certain points are being addressed directly to the following States: Belgium, Bolivia, Ecuador, Ireland, Japan, Libyan Arab Jamahiriya, Luxembourg, Senegal, Uruguay.

Information supplied by Cyprus, Finland, the Federal Republic of Germany, the Netherlands and Sweden in answer to a direct request has been noted by the Committee.

### Convention No. 122: Employment Policy, 1964

#### Australia (ratification: 1969)

1. The Committee notes the replies to its last direct request and the documentation supplied by the Government in the report for the period July 1978 to June 1980, which was received too late for examination at its last session.

It is not clear to the Committee from the report that a policy designed to deal with heavy unemployment is being actively pursued. In the terms of the report, the Government's economic strategy has been directed towards providing an environment in which private sector investment can be undertaken with confidence. The Government reaffirms that the first priority of its economic strategy remains the reduction of the rate of inflation; by this means it hopes to return to conditions of sustainable growth and high employment based on buoyant export and domestic markets.

As to the measures taken, the Government states that while it has been deeply concerned about high unemployment, it has not sponsored large-scale job creation schemes; rather it has concentrated, according to the report, on sound economic management and an attack on the root causes of unemployment, which it regards as inflation and excessive real wages; the Government considers that it is only as inflation is reduced that the pre-conditions for sustainable expansion in private sector output and employment can be established. The Government declares itself opposed to public sector job creation schemes and makes no reference to measures taken to promote new employment opportunities in the private sector or elsewhere. Most of the report relates to questions of manpower supply and to special measures for providing vocational training, particularly for the young. It stresses the need to promote greater flexibility and adaptability in the labour force.

Whilst the Government points to a slight decline in unemployment from 6.3 per cent of the total labour force in 1978-79 to 6.1 per cent in 1979-80, the Committee has noted in this connection the trend towards a falling labour force participation rate. Moreover, recent studies in the Australian Economic Review show a deterioration in the general performance of the economy, a growth in the rate of recorded unemployment in the second half of 1981 (after a fall to 5.6 per cent in mid-1981) and, in the context of existing contractionary fiscal and monetary policies, an expected sharp downturn in activity and a rise in unemployment in 1982-83. It appears at the same time, according to the studies and to figures published in the ILO Year Book of Labour Statistics, that the rate of inflation has not shown the anticipated reduction.

The Committee would emphasise that, under the Convention, an active policy aimed at ensuring that there is work for all who are

available for and seeking work should be a major goal. Since such a policy must be pursued by methods that are appropriate to national conditions and practices, the Committee would have wished to find in the Government's report a more detailed appreciation of the results of the policies being operated, in order to clarify their bearing on the requirements of the Convention, and in particular to demonstrate, in the light of the evidence mentioned above, that the appropriateness of these policies is being kept under review. It hopes the Government will provide details of measures taken or contemplated to ensure the application of the Convention, with these considerations in mind.

2. The Committee has noted the formal arrangements in force in the National Labour Consultative Council for consultation of representatives of employers and workers concerning employment policies. It requests the Government to describe the experience and views of these representatives, the extent to which they are taken into account, and the form taken by their co-operation in formulating and supporting such policies, in accordance with Article 3 of the Convention.

#### Finland (ratification: 1968)

Further to its previous observation, the Committee notes the information communicated by the Government to the Conference in 1981, concerning the consultation of employers' and workers' organisations under Article 3 of the Convention, which had been the subject of comments by employers' and workers' organisations. The Government states that the principle of consultation laid down in Article 3 is applied without exception, in all fields and at all levels of manpower administration, although in the Finnish constitutional system it cannot be guaranteed that political decisions would always follow the recommendations agreed upon by advisory bodies. However, the Government agrees that the functions of the different advisory bodies and the relationship between them should be reorganised and it decided to study the question in 1981. The Manpower Council met several times during 1980, and agreement was reached on the appointment of a new general secretary for it.

The Committee has noted with interest that a consensus has been reached between the Government and the employers' and workers' organisations with regard to the functioning of the Manpower Council and in respect of the need to reorganise the system of advisory bodies. It hopes that the Government will indicate the measures taken or contemplated, as a result of the above-mentioned examination, to improve the existing system and would recall that the purpose of the consultation called for in Article 3 of the Convention is to take fully into account the experience and views of employers' and workers' representatives, so as to secure their full co-operation in formulating and enlisting support for employment policies.

#### Guinea (ratification: 1966)

For many years the Committee has been pointing out that in the absence of adequate information it is not in a position to appraise the manner in which effect is given to the Convention. The Committee has been informed that, following the direct contacts which took place in 1981, consideration was to be given by the Ministry of Labour, together with other competent ministries and services, to the measures to be taken and the information to be supplied in relation to this Convention. The Committee hopes that the Government will supply a

detailed report on the measures taken to give effect to the Convention, on the basis of the report form approved by the Governing Body.

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In addition, requests regarding certain points are being addressed directly to the following States: Algeria, Barbados, Brazil, Costa Rica, Ecuador, Iran, Lebanon, Madagascar, Papua New Guinea, Paraguay, Peru, Thailand.

### Convention No. 123: Minimum Age (Underground Work), 1965

Rwanda (ratification: 1970)

The Committee refers to its earlier observations, in which it took note of the statement by the Government that a draft order has been prepared under section 124 of the Labour Code with a view to prohibiting underground work by persons aged less than 18 years. It again expresses the hope that this draft will be adopted shortly and that in addition to fixing the prescribed minimum age it will lay down appropriate penalties to ensure the enforcement of this age limit in accordance with Article 4, paragraph 1, of the Convention.

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In addition, requests regarding certain points are being addressed directly to the following States: Bolivia, Malaysia, Rwanda, Saudi Arabia.

### Convention No. 124: Medical Examination of Young Persons (Underground Work) 1965

A request regarding certain points is being addressed directly to Belgium.

### Convention No. 125: Fishermen's Competency Certificates, 1966

Sierra Leone (ratification: 1967)

The Committee notes with regret that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

Referring to its earlier comments, the Committee notes that the Fisheries Division of the Ministry of Natural Resources, with the assistance of a legal consultant, is working towards the preparation of legislation on fisheries that will include provisions on fishermen's certificates of competency.

The Committee trusts that the present efforts will rapidly lead to the adoption of national legislation in conformity with the Convention.

**Convention No. 127: Maximum Weight, 1967**Algeria (ratification: 1969)

Further to its previous observations, the Committee notes that the Bill concerning the prevention of occupational hazards, which according to the Government contains provisions to give effect to the Convention, has not yet been enacted. It has also noted the information given to the Conference Committee in 1980, according to which texts of a technical nature dating from before independence, such as the Order of 22 January 1954 regulating the work of children employed in industry and commerce, continue to be applied pending the adoption of new legal provisions. Since this Order gives only partial effect to the Convention, and since the Government's latest report does not refer to it but makes mention only of national practice, the Committee trusts that, in order to eliminate any doubt in the matter, appropriate legislation or regulations will be adopted very shortly and that they will ensure the application of the Convention to adult men, to women and to children, both in the public and in the private sectors.<sup>1</sup>

France (ratification: 1973)

With reference to its earlier comments, the Committee notes with satisfaction that Decree No. 80.857 of 30 October 1980 extends to the agricultural sector, in accordance with Article 2, paragraph 2, of the Convention, the provisions of the Labour Code limiting the weight of loads that may be carried by workers.

Italy (ratification: 1971)

The Committee notes that the report has not been received. It has however noted the information supplied by the Government to the Conference Committee in 1980 in reply to its previous observation, and it would be grateful if the Government would communicate with its next report the texts referred to at the Conference, namely the directive of the Central Commission for the Regulation of Portage limiting the weight which independent workers could carry and the texts of the collective agreements which had been concluded recently containing standards on maximum weight, as well as those containing specific provisions for women in this field.

Madagascar (ratification: 1971)

The Committee notes with regret that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

The Committee notes that no measures have yet been taken to limit the weight which may be carried by adult men but that its comments will be taken into consideration when provisions are made to give effect to the requirements of the Convention. It reiterates the hope that such provisions will be adopted soon and will ensure the application of the Convention to adult male workers.

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<sup>1</sup> The Government is asked to report in detail for the period ending 30 June 1983.

Panama (ratification: 1970)

Following its previous comments, the Committee notes with satisfaction that Order No. 21 of 30 November 1981, drawn up during direct contacts, regulates the maximum weight to be carried by young workers and women of less than 21 years of age in conformity with Article 7 of the Convention and that it gives effect to Article 5 of the Convention (training for workers) and Article 6 (use of suitable technical devices).

Tunisia (ratification: 1970)

In its previous observation, the Committee has taken note of the draft Order to fix the maximum weight to be carried by one worker, the draft text of which had been communicated by the Government in its report. The Committee notes that, according to the most recent report, no progress has been made regarding the adoption of this draft which would ensure the application of Articles 1 to 4 and 7 of the Convention. It hopes that this draft will be adopted in the very near future and that the final text will be communicated with the Government's next report.

In addition, the Committee notes the information sent by the Government in reply to its previous direct request concerning the medical check-up of workers in undertakings having less than 40 employees. It requests the Government to supply information on the practical measures taken to ensure the application of Article 5 (training of workers) and Article 6 (use of technical devices in the transport of loads) of the Convention.

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In addition, requests regarding certain points are being addressed directly to the following States: Lebanon, Madagascar, Nicaragua, Panama, Spain, Turkey.

Information supplied by Bulgaria in answer to a direct request has been noted by the Committee.

**Convention No. 128: Invalidity, Old-Age and Survivors' Benefits, 1967**Cyprus (ratification: 1968)

The Committee has examined the information provided by the Government in its last report. In particular, it notes with satisfaction that, following the adoption of the Social Insurance Law of 1980, the rate of survivors' benefit has reached the level laid down by the Convention.

Uruguay (ratification: 1973)

The Committee takes note of the last report supplied by the Government and of the adoption of Constitutional Decree No. 9 of 23 October 1979 respecting the general principles of social security, reorganising some of the social security services and revising the pensions system.

With reference to its earlier comments, the Committee is nevertheless bound once more to ask the Government to supply with its next report the statistics called for by the report form concerning this Convention to enable it the better to assess the extent to which effect is given to the instrument in respect of the level of benefits. The Committee takes up this question and certain other points in a new direct request.

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In addition, requests regarding certain points are being addressed directly to the following States: Ecuador, Libyan Arab Jamahiriya, Uruguay.

### Convention No. 129: Labour Inspection (Agriculture), 1969

France (ratification: 1972)

In its previous observation, the Committee noted the comments made by the National Staff Union of the Inspectorate of Labour Laws in Agriculture (SNPILSA-CFDT). The Government's reply arrived just before the opening of the session and the Committee therefore deferred its examination.

#### Article 6, paragraph 3, Articles 14 and 21 of the Convention

1. The SNPILSA-CFDT considers that Decree No. 77-1146 of 12 October 1977 to organise the external services for agricultural labour and social protection, has caused an increase in the tasks assigned to agricultural labour inspectors. In particular, the external services are responsible for increasing numbers of administrative duties, while they continue to supervise the agricultural mutual social insurance funds and perform the functions of secretariat for various agricultural social protection organisations, without any increase in the number of inspectors and supervisors. According to the union, these duties take up a large amount of the inspectors' time and detract from their efficiency, which leads to a perceptible decrease in the number of inspections carried out in undertakings and relegates to last place the principal duties of labour inspectors provided for in Article 6 of the Convention.

The Government's reply indicates that the duties assigned to the external services for agricultural labour and social protection by the above Decree are identical to those previously discharged by the Inspectorate of Labour Laws in Agriculture under Decree No. 53-850 of 16 September 1953 as amended. The new Decree of 1977 does not therefore extend the competence of the external services for agricultural labour and social protection. It also considers that the administrative tasks assigned to inspectors are not of such a volume that they interfere with the discharge of their primary duty of supervising the application of the labour legislation.

The problem consists in evaluating whether, owing to the numerous duties assigned to them, labour inspectors are likely to neglect their primary duties, which would conflict with Article 6, paragraph 3, of the Convention. The Committee recalls in this respect that, in its report for 1977-79, the Government itself recognised that the relatively low frequency of inspections was due to the lack of inspectors and supervisors. According to the latest statistics



supplied by the Government, the increase in their number that was considered necessary at the time does not seem to have taken place. In fact, according to information available to the Committee, it does not appear that the agricultural labour inspectors are able to devote enough time to the inspection of undertakings, owing to the number of duties which they are required to discharge, particularly as regards social protection in agriculture.

The Committee would therefore be grateful if the Government would re-examine the situation in the light of the above considerations, and study the possibility of taking measures to relieve the labour inspectors of the tasks which do not relate to their primary duties as defined in Article 6, paragraphs 1 and 2, of the Convention, particularly those relating to the supervision of agricultural mutual social insurance funds. Meanwhile, it also hopes that the Government's next report will indicate the measures taken or planned to increase the number of labour inspectors in agriculture, so as to improve the efficiency of the inspections conducted in agricultural undertakings, which, under Article 21 of the Convention, must be inspected as often and as thoroughly as is necessary to ensure the effective application of the relevant legal provisions.

#### Article 8

2. The SNPILSA-CFDT claims that the labour inspection staff in agriculture does not enjoy the independence necessary to discharge its duties. It claims that, firstly, the independence of the labour inspectorate is threatened because it is subject to the political authority of the Prefect and affected by the hierarchical structure of the department. Secondly, its independence is threatened by the fact that the external services for agricultural labour and social protection are to some extent financed by the agricultural mutual social insurance funds, which tends to dissuade inspectors from entering into disputes with these funds.

As regards the first point, the Government stresses that national legislation now formally excludes "the inspection of labour legislation" from the scope of the Prefect's authority. It points out that "the different levels of an administration are part of a hierarchical structure and that therefore each level is responsible for supervising and directing the activities of the level below it". The Government also disputes the financial dependence of the labour inspection services in agriculture on the agricultural mutual social insurance funds. If certain officials are actually paid by such funds, this is because they are performing tasks which regulations require to be financed by the funds themselves. As for the defrayment of certain expenses of the external services by the agricultural mutual social insurance funds' budget, the strict controls which are exercised are adequate to prevent abuses.

The Committee recalls that by requiring the inspection staff to be composed of public officials, Article 8 of the Convention is aimed at ensuring labour inspectors a genuine guarantee of independence and stability. On the other hand, this provision is not intended to prevent the labour inspectorate from being organised as an administrative structure with a gradation of responsibility in the planning and implementation of inspection policy. More particularly, as regards the claims made by the SNPILSA-CFDT concerning the financial independence of the labour inspection service in agriculture in respect of the agricultural mutual social insurance funds, the Committee refers to its comments contained in point 1 above.

Article 23

3. The SNPILSA-CFDT states that the Ministry of Agriculture requires all inspection staff to have their reports initialled by the regional director before submitting them to the prosecutor's office, which conflicts with Article 23 of this Convention. This requirement grants regional directors full power to approve or reject them on grounds of advisability. The Government's reply indicates that the initialling of the reports by the regional director before their submission to the judicial authorities is not required by legislation or regulations, but is necessary to avoid the submission of reports which lack legal foundation or are inadequately substantiated; they are not checked for advisability.

As is clear from the text of Article 23 of the Convention and the preparatory work, the aim of this provision is to confer direct on the labour inspectors the right to refer infringements to the authority competent to institute legal proceedings without passing through their administrative hierarchy. Such power is the logical consequence of the authority which the Convention was intended to allocate to labour inspectors, but it should be recalled that the latter are required to possess the appropriate qualifications and training. The Committee therefore considers that the practice of submitting reports to the regional director before their submission to the prosecutor's office conflicts with Article 23 of the Convention. It hopes that the Government will indicate in its next report the measures taken or planned to confer on labour inspectors in agriculture the right to submit their reports direct to the prosecutor's office without passing through their administrative hierarchy, as is also provided for in section L.611-10 of the Labour Code. It requests the Government to indicate the progress made in this connection.

Article 26

4. In reply to the statements made by the SNPILSA-CFDT, the Government indicates that the annual report on its activities will shortly be published. The Committee notes this statement. It recalls, however, that under Article 26 of the Convention such a report must be published each year not later than 12 months after the end of the period to which it refers, and must be communicated to the ILO not later than 3 months after its publication. The Committee therefore trusts that the Government will in the near future take the measures necessary to ensure the publication of the annual reports of inspection in agriculture, containing all the information mentioned in Article 27 of the Convention, within the period laid down.

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In addition, requests regarding certain points are being addressed directly to the following States: Colombia, Costa Rica, France, Federal Republic of Germany, Guyana, Malawi, Norway, Romania, Spain, Syrian Arab Republic, Upper Volta, Uruguay, Yugoslavia.

Information supplied by Finland in answer to a direct request has been noted by the Committee.

### Convention No. 130: Medical Care and Sickness Benefits, 1969

Requests regarding certain points are being addressed directly to the following States: Denmark, Ecuador, Libyan Arab Jamahiriya.

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**Convention No. 131: Minimum Wage Fixing, 1970**

Requests regarding certain points are being addressed directly to the following States: Costa Rica, Lebanon, Libyan Arab Jamahiriya, Upper Volta, Yemen.

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

Requests regarding certain points are being addressed directly to the following States: Guinea, Iraq, Luxembourg, Upper Volta, Uruguay, Yemen.

**Convention No. 134: Prevention of Accidents (Seafarers), 1970**

Greece (ratification: 1977)

With reference to its previous direct requests, the Committee takes note with satisfaction of the adoption of Presidential Decree No. 131 of 4 February 1981 concerning the approval and application of the Regulations on the inspection of hoisting equipment on board ship, which contains provisions on the safety measures to be taken in respect of loading and unloading equipment in accordance with Article 4, paragraph 3(e), of the Convention.

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In addition, requests regarding certain points are being addressed directly to the following States: Costa Rica, Greece, Guinea, New Zealand, Romania, Uruguay.

**Convention No. 135: Workers' Representatives, 1971**

Federal Republic of Germany (ratification: 1973)

With reference to its previous observations concerning the access of certain workers' representatives to church-run undertakings, the Committee notes the information provided by the Government in its report as well as the comments made by the German Confederation of Trade Unions in this connection.

In particular, it notes that the Federal Constitutional Court upheld the appeal by an orthopaedic establishment managed by the Evangelical Church deciding that the right of entry to a workplace of trade union representatives not employed there cannot be derived from the pertinent Article of the Federal Basic Law guaranteeing the right to form associations.

The Government states that this decision does not jeopardise the application of this Convention because (a) usual trade union activities are permitted on such premises to any union which is already represented at the workplace; (b) the Convention itself does not specify that union representatives not employed on the premises should

enjoy this right and (c) the Convention provides that account shall be taken of the characteristics of the industrial relations system of the ratifying country in determining what facilities should be afforded to workers' representatives. In addition, it points out that until now no dispute has arisen between employers and workers concerning the access to a workplace of trade union representatives not employed there.

After having examined the decision of the Federal Constitutional Court, the Committee considers that the question relates essentially to the right to organise in church-run establishments, in particular the right of workers without distinction whatsoever to join organisations of their own choosing and the right of workers' organisations to organise their activities in full freedom. Accordingly it intends to examine this matter under Convention No. 87, also ratified by the Federal Republic of Germany, at its next session.

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In addition, requests regarding certain points are being addressed directly to the following States: Costa Rica, Denmark, Gabon, Luxembourg, Mexico, Romania, Sri Lanka, Yemen.

Information supplied by Barbados, Norway and Suriname in answer to a direct request has been noted by the Committee.

### Convention No. 136: Benzene, 1971

#### Finland (ratification: 1976)

The Committee has studied the observations of the Finnish Employers' Confederation and the Confederation of Commerce Employers on the legislation concerning the protection of workers exposed to benzene, which is in course of preparation.

1. According to the above-mentioned employers' organisations, the proposal to reduce the maximum permissible concentration of benzene from 10 parts per million to 5 p.p.m. is not justified on scientific grounds. The Committee points out that Article 6, paragraph 2, of the Convention leaves the competent authority free to fix the maximum concentration of benzene in the air of workplaces, provided that it does not exceed a ceiling value of 25 parts per million. The level thus fixed, however, must be binding on the employer, which is not at present the case in Finland.

2. In the opinion of the above-mentioned employers' organisations, the distribution of petrol and comparable work carried out in service and distribution stations should be expressly excluded from the legislation concerning benzene. The Committee points out that, under Article 1, the Convention applies to all activities involving the exposure of workers to benzene or to products the benzene content of which exceeds 1 per cent by volume. If the petrol marketed in Finland contains less than 1 per cent of benzene by volume, the service stations could reasonably be excluded from the scope of the entire legislation giving effect to the Convention. If it does not, the service stations should come under this legislation, subject to the possible temporary or permanent exceptions expressly allowed by certain provisions of the Convention.

Ivory Coast (ratification: 1972)

1. The Committee notes the information supplied by the Government to the Conference Committee in 1981 in reply to certain points raised in its previous comments.

Article 6, paragraph 2 of the Convention. The Committee notes that new provisions may be envisaged which will in time change the maximum level of concentration of benzene in the air, at present 100mg/m<sup>3</sup>, so as to bring it into conformity with the provision of the Convention which requires a level of 80mg/m<sup>3</sup>. The Committee hopes that these measures will be taken in the near future.

Article 8, paragraph 1. The types of personal protection mentioned in the report are only effective against the risk of inhaling benzene vapour and it does not appear that means of protection shall be provided against the risk of absorption through the skin when workers have skin contact with liquid benzene or liquid products containing benzene. The Committee hopes that protective measures will be so provided against the risk of skin absorption.

Article 11, paragraph 2. It appears from the Government's reply that young persons of less than 18 years of age engaged in work processes involving exposure to benzene or products containing benzene, with the special authorisation of a doctor, are not necessarily undergoing training and are not under adequate technical supervision. The Committee hopes that the necessary measures will be taken in the near future to limit the possibility of employing young persons under 18 years of age in the above-mentioned processes to those cases provided for in this Article of the Convention.

2. The Committee notes that the Government has not replied to certain points raised for many years in its previous comments which it considers itself obliged to repeat herewith:

Article 1, Article 3, paragraph 1, and Article 4 of the Convention. The Committee notes that, under the national regulations (Decree No. 67-321 of 21 July 1967), the application of the provisions on the prevention of benzene poisoning (establishments and occupations covered; possible exceptions; prohibition of use as a solvent) is determined on the basis of the level of distillation of products containing benzene that are used. Since the scope of the Convention is determined on the basis of a benzene content of 1 per cent by volume of products used, the Committee expresses the hope that the Government may contemplate taking appropriate measures to bring the national regulations into harmony with the terms of the Convention.

Article 2. The Government is requested to indicate the measures taken or contemplated to prescribe expressly the compulsory use of harmless or less harmful substitute products, where available, instead of benzene and products containing benzene.

The Committee trusts that the next report will contain the information requested.

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In addition, requests regarding certain points are being addressed directly to the following States: Colombia, Ecuador, Finland, Guinea, Romania, Switzerland, Syrian Arab Republic, Uruguay.

**Convention No. 137: Dock Work, 1973**

Requests regarding certain points are being addressed directly to the following States: Costa Rica, France, Poland.

**Convention No. 138: Minimum Age, 1973**

Spain (ratification: 1977)

Article 2 of the Convention. With reference to its earlier comments, the Committee takes note with satisfaction of the adoption of Act No. 8 of 10 March 1980 to promulgate a Workers' Charter, section 6(1) of which prohibits the employment of young persons under 16 years of age.

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In addition, requests regarding certain points are being addressed directly to the following States: Costa Rica, Finland, Ireland, Luxembourg, Netherlands, Spain, Zambia.

Information supplied by Cuba, the Federal Republic of Germany, Romania and Uruguay in answer to a direct request has been noted by the Committee.

**Convention No. 139: Occupational Cancer, 1974**

Hungary (ratification: 1975)

With reference to its earlier direct requests, the Committee takes note with satisfaction of the adoption of Ordinance No. 2/1981/II.7, under which certain carcinogenic agents and substances have been replaced by less harmful substances and agents, in accordance with Article 2, paragraph 1, of the Convention, and which prescribes the measures to be taken if the maximum permissible level of exposure should be exceeded, in accordance with Article 3 of the Convention.

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In addition, requests regarding certain points are being addressed directly to the following States: Denmark, Ecuador, Federal Republic of Germany, Guinea, Hungary, Norway, Sweden, Syrian Arab Republic, Yugoslavia.

**Convention No. 140: Paid Educational Leave, 1974**

Requests regarding certain points are being addressed directly to the following States: Guinea, Poland.

Information supplied by Mexico in answer to a direct request has been noted by the Committee.

**Convention No. 141: Rural Workers' Organisations, 1975**

Requests regarding certain points are being addressed directly to the following States: Denmark, Ecuador, India, Philippines.

Information supplied by Austria, Cyprus, the Federal Republic of Germany, Mexico and Spain in answer to a direct request has been noted by the Committee.

**Convention No. 142: Human Resources Development, 1975**Finland (ratification: 1977)

The Committee has taken due note of the information supplied by the Government in reply to its last direct request concerning the application of Articles 1 (co-ordination of the different vocational guidance and vocational training activities), 3 (the working of the vocational guidance system) and 4 (facilities for retraining, further training and refresher training) of the Convention.

In its report, the Government also refers to comments made by the Finnish Employers' Confederation and the Confederation of Commerce Employers, to the effect that they have been insufficiently consulted with regard to the co-ordination and revision of vocational training legislation and more generally as to policy-making and implementation in the field of vocational guidance and training. The Central Organisation of Finnish Trade Unions, while it does not agree with this view, considers that co-ordination between the Vocational Training Council and the Vocational Guidance Council is inefficient due to inadequacy of resources.

The Committee would ask the Government to give full information of developments in this respect, with particular reference to the report of the working group of the Vocational Guidance Council on the development of vocational guidance legislation. It has noted in this connection the information supplied by the Government to the Conference in 1981 with regard to Convention No. 122, concerning possible improvement in the system and functioning of different tripartite advisory bodies. The Committee recalls that under Article 5 of the Convention, policies and programmes of vocational guidance and vocational training should be formulated and implemented in co-operation with employers' and workers' organisations and that under Article 1, paragraph 3, they are to be pursued by methods appropriate to national conditions. Also, Paragraphs 19 to 22 of the Human Resources Development Recommendation, 1975 (No. 150), suggest steps to be taken by or in co-operation with undertakings in respect of initial, on-the-job and further training and Paragraph 71 recommends that the respective roles of all those concerned with the development of human resources should be clearly defined. The Committee will keep the situation under review, bearing in mind in particular the requirements of Article 5 of the Convention.

Nicaragua (ratification: 1977)

Following its previous direct request, the Committee notes with satisfaction the enactment of the Act creating the National Council of Higher Education (CNES) of 28 February 1980; and of the Act creating the National System for the Training of Workers (SINAFORP) of 15 May

1980. SINAFORP is responsible, inter alia, for drawing up and approving measures leading to the better implementation of activities for the vocational training of workers, in conformity with the objectives of Articles 1 and 2 of the Convention. The functions of CNES will include the elaboration of national higher education policy and the guidance of students into the various occupations, in application of the provisions of Article 3 of the Convention.

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In addition, requests regarding certain points are being addressed directly to the following States: Cyprus, Ecuador, Guinea, Hungary, Nicaragua, Poland.

Information supplied by Switzerland in answer to a direct request has been noted by the Committee.

### **Convention No. 143: Migrant Workers (Supplementary Provisions), 1975**

Requests regarding certain points are being addressed directly to the following States: United Republic of Cameroon, Guinea, Portugal.

### **Convention No. 144: Tripartite Consultation (International Labour Standards) 1976**

Requests regarding certain points are being addressed directly to the following States: Austria, Bangladesh, Federal Republic of Germany.

### **Convention No. 145: Continuity of Employment (Seafarers), 1976**

Requests regarding certain points are being addressed directly to the following States: Cuba, Netherlands, Poland.

### **Convention No. 148: Working Environment (Air Pollution, Noise and Vibration), 1977**

Requests regarding certain points are being addressed directly to the following States: Ecuador, Sweden.

### **Convention No. 149: Nursing Personnel, 1977**

Finland (ratification: 1979)

The Committee notes that, with its first report the Government communicated observations made by the Finnish Federation of Nurses in



connection with Article 5 of the Convention. This Federation has stated that the nursing personnel in Finland has not been provided with adequate possibilities of participating in the planning of nursing services and in consultations on decisions concerning the nursing personnel. It also considers that the collective bargaining procedure does not ensure that a definite agreement is reached on all the questions connected with the conditions of employment referred to in Recommendation No. 157.

The Committee requests the Government in its next report to comment on the first observation mentioned above, bearing in mind Article 5, paragraph 1, of the Convention, which provides for measures to promote the participation of nursing personnel in the planning of nursing services and consultation with such personnel on decisions concerning them, in a manner appropriate to national conditions.

On the second observation, the Committee would point out that Article 5, paragraph 2, of the Convention, does not require that an agreement be reached between employers' and workers' organisations concerned on all conditions of employment and work; it states that the determination of conditions of employment and work shall preferably be made by negotiations between these organisations, which appears to be the case in Finland.

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In addition, requests regarding certain points are being addressed directly to the following States: Bangladesh, Ecuador, Finland, Philippines.

**Appendix I. Receipt of Detailed Reports on Ratified Conventions  
(States Members) as at 24 March 1982**

*(Article 22 of the Constitution)*

Reports received: 1,210      Reports not received: 333      Total: 1,543

State Member	Reports received		Reports not received		Grand total
	Total	Conventions Nos.	Total	Conventions Nos.	
Afghanistan .....	9	41, 45, 100, 105, 137, 139, 140, 141, 142	0	—	9
Algeria .....	11	6, 17, 29, 42, 81, 88, 89, 100, 105, 122, 127	0	—	11
Angola .....	11	6, 12, 17, 18, 29, 45, 81, 88, 89, 105, 108	2	100, 104	13
Argentina .....	16	2, 12, 17, 29, 32, 41, 42, 45, 50, 79, 81, 87, 88, 90, 100, 105	0	—	16
Australia .....	9	12, 29, 42, 45, 81, 88, 100, 105, 144	0	—	9
Austria .....	15	6, 12, 17, 29, 42, 45, 81, 88, 89, 100, 105, 135, 141, 142, 144	0	—	15
Bahamas .....	12	12, 17, 29, 42, 45, 50, 64, 65, 81, 86, 88, 105	1	144	13
Bangladesh .....	9	18, 29, 45, 81, 89, 90, 105, 144, 149	0	—	9
Barbados .....	14	12, 17, 29, 42, 50, 65, 81, 86, 90, 100, 105, 108, 122, 135	0	—	14
Belgium .....	12	6, 12, 29, 45, 77, 81, 88, 89, 100, 105, 121, 124	0	—	12
Benin .....	7	6, 18, 29, 41, 85, 100, 105	0	—	7
Bolivia .....	10	26, 81, 87, 102, 103, 117, 118, 121, 128, 130	13	45, 78, 88, 89, 90, 95, 100, 107, 123, 124, 129, 131, 136	23

## OBSERVATIONS CONCERNING RATIFIED CONVENTIONS

State Member	Reports received		Reports not received		Grand total
	Total	Conventions Nos.	Total	Conventions Nos.	
Brazil .....	12	6, 12, 29, 42, 45, 88, 89, 100, 104, 105, 108, 127	0	—	12
Bulgaria .....	11	6, 12, 17, 29, 42, 45, 79, 81, 100, 108, 127	0	—	11
Burma .....	0	—	7	2, 6, 17, 29, 42, 52, 87	7
Burundi .....	0	—	11	12, 17, 29, 42, 50, 64, 81, 89, 90, 94, 105	11
Byelorussian SSR .....	8	29, 45, 79, 90, 100, 138, 142, 149	0	—	8
Cameroon, United Republic of .....	11	29, 45, 50, 64, 65, 81, 89, 90, 100, 105, 135	0	—	11
Canada .....	4	88, 100, 105, 108	0	—	4
Cape Verde .....	5	17, 29, 81, 100, 105	0	—	5
Central African Republic ..	0	—	16	2, 6, 17, 18, 29, 33, 41, 52, 62, 81, 87, 88, 100, 104, 105, 119	16
Chad .....	0	—	17	5, 6, 11, 13, 14, 26, 29, 33, 41, 52, 81, 87, 95, 98, 100, 105, 111	17
Chile .....	16	2, 6, 12, 17, 18, 24, 25, 29, 35, 36, 37, 38, 45, 100, 111, 127	0	—	16
Colombia .....	15	2, 3, 4, 12, 17, 18, 29, 81, 88, 99, 100, 104, 105, 129, 136	0	—	15
Comoros .....	7	6, 12, 17, 42, 81, 89, 100	2	29, 105	9
Congo .....	3	6, 29, 89	0	—	3
Costa Rica .....	16	29, 45, 81, 88, 89, 90, 100, 105, 122, 127, 129, 131, 134, 135, 137, 138	0	—	16
Cuba .....	18	12, 17, 29, 42, 45, 79, 81, 88, 89, 90, 100, 104, 105, 108, 135, 138, 141, 145	0	—	18
Cyprus .....	12	29, 45, 81, 88, 89, 90, 105, 106, 114, 121, 141, 142	0	—	12
Czechoslovakia .....	11	12, 17, 29, 42, 45, 88, 89, 90, 100, 111, 142	0	—	11

State Member	Reports received		Reports not received		Grand total
	Total	Conventions Nos.	Total	Conventions Nos.	
Democratic Yemen . . . . .	0	—	8	15, 29, 58, 64, 65, 86, 98, 105	8
Denmark . . . . .	5	6, 81, 108, 129, 141	7	12, 29, 42, 88, 100, 105, 135	12
Djibouti . . . . .	13	1, 6, 12, 17, 18, 29, 45, 81, 88, 89, 100, 105, 108	0	—	13
Dominican Republic . . . . .	11	29, 45, 79, 81, 88, 89, 90, 95, 100, 104, 105	0	—	11
Ecuador . . . . .	16	29, 45, 88, 100, 103, 104, 105, 121, 122, 127, 136, 139, 141, 142, 148, 149	3	81, 86, 144	19
Egypt . . . . .	11	2, 17, 18, 29, 45, 81, 88, 89, 100, 104, 105	0	—	11
El Salvador . . . . .	0	—	3	12, 104, 105	3
Ethiopia . . . . .	3	2, 87, 88	0	—	3
Fiji . . . . .	10	12, 29, 45, 50, 64, 65, 85, 86, 105, 108	0	—	10
Finland . . . . .	18	2, 11, 12, 29, 45, 81, 100, 105, 108, 121, 129, 135, 136, 138, 141, 142, 148, 149	0	—	18
France . . . . .	16	6, 12, 17, 29, 42, 45, 81, 85, 88, 89, 100, 105, 108, 127, 129, 135	0	—	16
Gabon . . . . .	10	6, 12, 29, 41, 45, 81, 100, 105, 135, 150	0	—	10
German Democratic Republic . . . . .	11	45, 77, 78, 100, 103, 108, 124, 127, 135, 138, 142	0	—	11
Germany, Federal Republic of . . . . .	17	12, 29, 45, 73, 81, 88, 100, 105, 111, 113, 121, 129, 135, 138, 139, 141, 144	0	—	17
Ghana . . . . .	0	—	12	29, 45, 50, 64, 65, 81, 88, 89, 90, 100, 105, 108	12
Greece . . . . .	13	2, 17, 29, 42, 45, 81, 88, 89, 90, 100, 105, 108, 134	0	—	13
Grenada . . . . .	0	—	11	12, 19, 29, 50, 64, 65, 81, 86, 97, 105, 108	11
Guatemala . . . . .	14	45, 65, 79, 81, 86, 87, 88, 89, 90, 94, 100, 105, 108, 110	0	—	14

## OBSERVATIONS CONCERNING RATIFIED CONVENTIONS

State Member	Reports received		Reports not received		Grand total
	Total	Conventions Nos.	Total	Conventions Nos.	
Guinea .....	0	—	14	11, 29, 45, 81, 89, 90, 100, 105, 121, 132, 134, 135, 136, 139	14
Guinea-Bissau .....	14	6, 12, 17, 18, 29, 45, 81, 88, 89, 98, 100, 104, 105, 108	0	—	14
Guyana .....	14	2, 12, 29, 42, 45, 50, 64, 65, 81, 86, 100, 105, 108, 129	0	—	14
Haiti .....	0	—	10	12, 17, 29, 42, 45, 81, 87, 90, 100, 105	10
Honduras .....	6	29, 42, 45, 100, 105, 108	0	—	6
Hungary .....	11	2, 6, 12, 17, 29, 42, 45, 100, 135, 139, 142	0	—	11
Iceland .....	5	2, 29, 100, 105, 108	1	102	6
India .....	10	29, 42, 45, 81, 88, 89, 90, 100, 123, 141	0	—	10
Indonesia .....	3	29, 45, 100	0	—	3
Iran .....	5	29, 100, 104, 105, 108	1	122	6
Iraq .....	0	—	25	1, 15, 17, 23, 27, 29, 30, 42, 58, 78, 81, 88, 89, 98, 100, 105, 111, 132, 135, 137, 139, 140, 142, 144, 145	25
Ireland .....	8	6, 81, 88, 89, 100, 108, 121, 122	6	12, 29, 45, 105, 142, 144	14
Israel .....	12	29, 79, 81, 88, 90, 100, 105, 136, 138, 141, 142, 150	0	—	12
Italy .....	1	105	16	2, 12, 29, 32, 42, 45, 79, 81, 89, 90, 100, 108, 127, 141, 142, 144	17
Ivory Coast .....	8	6, 18, 29, 41, 45, 100, 105, 135	1	85	9
Jamaica .....	5	50, 64, 65, 86, 105	5	29, 81, 100, 111, 117	10
Japan .....	9	2, 29, 45, 50, 69, 81, 88, 100, 121	0	—	9
Jordan .....	7	29, 81, 100, 105, 106, 135, 142	0	—	7

State Member	Reports received		Reports not received		Grand total
	Total	Conventions Nos.	Total	Conventions Nos.	
Democratic Kampuchea . . .	0	—	5	4, 6, 13, 29, 122	5
Kenya . . . . .	11	12, 17, 29, 45, 50, 63, 64, 65, 86, 89, 105	13	2, 81, 88, 129, 131, 132, 135, 137, 138, 140, 141, 142, 143	24
Kuwait . . . . .	6	29, 81, 89, 105, 106, 117	0	—	6
Lao Republic . . . . .	0	—	4	4, 6, 13, 29	4
Lebanon . . . . .	22	17, 19, 29, 52, 59, 77, 78, 81, 88, 89, 90, 95, 98, 100, 105, 106, 111, 115, 120, 122, 127, 131	1	45	23
Lesotho . . . . .	8	11, 26, 29, 45, 64, 65, 87, 98	0	—	8
Liberia . . . . .	3	65, 92, 104	7	22, 29, 87, 105, 112, 113, 114	10
Libyan Arab Jamahiriya . . .	7	29, 81, 88, 100, 104, 105, 121	3	14, 89, 96	10
Luxembourg . . . . .	15	2, 12, 29, 45, 79, 81, 88, 89, 90, 100, 105, 121, 132, 135, 138	0	—	15
Madagascar . . . . .	8	6, 12, 26, 29, 41, 81, 100, 111	3	122, 127, 129	11
Malawi . . . . .	11	12, 45, 50, 64, 65, 81, 86, 89, 100, 104, 129	0	—	11
Malaysia . . . . .	7	29, 50, 64, 65, 81, 88, 105	0	—	7
Peninsular Malaysia . . . .	3	12, 17, 45	0	—	3
Sabah . . . . .	1	86	0	—	1
Sarawak . . . . .	2	12, 86	0	—	2
Mali . . . . .	8	6, 17, 18, 29, 41, 81, 100, 105	0	—	8
Malta . . . . .	9	2, 12, 29, 42, 81, 88, 89, 105, 108	0	—	9
Mauritania . . . . .	0	—	9	17, 18, 26, 29, 53, 62, 81, 89, 90	9
Mauritius . . . . .	6	2, 50, 64, 65, 86, 108	7	12, 16, 17, 29, 42, 81, 105	13
Mexico . . . . .	14	9, 12, 17, 29, 42, 45, 49, 90, 100, 105, 108, 135, 140, 141	0	—	14

## OBSERVATIONS CONCERNING RATIFIED CONVENTIONS

State Member	Reports received		Reports not received		Grand total
	Total	Conventions Nos.	Total	Conventions Nos.	
Mongolia .....	1	100	0	—	1
Morocco .....	11	2, 12, 17, 29, 41, 42, 45, 65, 100, 104, 105	3	81, 122, 129	14
Mozambique .....	0	—	6	17, 18, 81, 88, 100, 105	6
Nepal .....	0	—	1	100	1
Netherlands .....	16	12, 29, 45, 81, 88, 90, 100, 105, 121, 129, 135, 137, 138, 141, 142, 145	0	—	16
New Zealand .....	16	8, 12, 17, 23, 29, 42, 45, 50, 64, 65, 81, 88, 89, 104, 105, 134	0	—	16
Nicaragua .....	15	2, 4, 6, 12, 17, 18, 29, 45, 77, 78, 87, 100, 105, 127, 142	0	—	15
Niger .....	6	6, 18, 29, 41, 65, 135	4	81, 100, 104, 105	10
Nigeria .....	13	26, 29, 45, 50, 64, 65, 81, 87, 88, 98, 100, 104, 105	0	—	13
Norway .....	20	12, 16, 29, 42, 47, 81, 88, 90, 100, 105, 108, 129, 134, 135, 139, 141, 142, 143, 145, 148	1	50	21
Pakistan .....	8	15, 18, 29, 45, 81, 89, 90, 105	0	—	8
Panama .....	19	12, 17, 29, 42, 45, 52, 64, 65, 69, 81, 86, 87, 88, 89, 100, 104, 105, 108, 127	0	—	19
Papua New Guinea .....	0	—	8	2, 12, 29, 42, 45, 85, 105, 122	8
Paraguay .....	9	29, 79, 81, 89, 90, 99, 100, 105, 122	0	—	9
Peru .....	15	12, 29, 41, 45, 68, 69, 73, 79, 81, 88, 90, 100, 105, 112, 139	0	—	15
Philippines .....	9	17, 87, 88, 89, 90, 100, 105, 141, 149	0	—	9
Poland .....	17	2, 12, 17, 29, 42, 45, 79, 87, 90, 100, 105, 127, 135, 137, 140, 142, 145	0	—	17

## REPORT OF THE COMMITTEE OF EXPERTS

State Member	Reports received		Reports not received		Grand total
	Total	Conventions Nos.	Total	Conventions Nos.	
Portugal .....	15	6, 12, 17, 18, 26, 29, 45, 81, 88, 89, 100, 104, 105, 108, 135	0	—	15
Qatar .....	0	—	1	81	1
Romania .....	14	6, 9, 29, 81, 88, 89, 100, 108, 127, 129, 134, 135, 136, 138	0	—	14
Rwanda .....	7	12, 17, 42, 50, 64, 89, 105	0	—	7
Saint Lucia .....	8	12, 17, 29, 50, 64, 65, 105, 108	0	—	8
Saudi Arabia .....	7	29, 45, 81, 89, 90, 100, 105	0	—	7
Senegal .....	6	6, 12, 29, 81, 105, 121	3	89, 100, 135	9
Seychelles .....	0	—	14	2, 7, 11, 15, 26, 29, 50, 58, 64, 65, 87, 99, 105, 108	14
Sierra Leone .....	1	81	13	15, 17, 29, 45, 50, 59, 64, 65, 86, 88, 100, 105, 125	14
Singapore .....	9	12, 29, 45, 50, 64, 65, 81, 86, 88	0	—	9
Somalia .....	0	—	6	17, 29, 45, 65, 85, 105	6
Spain .....	19	12, 17, 29, 42, 45, 79, 81, 88, 89, 90, 100, 105, 108, 127, 129, 135, 138, 141, 146	0	—	19
Sri Lanka .....	7	18, 29, 45, 81, 89, 90, 135	0	—	7
Sudan .....	5	2, 29, 81, 100, 105	0	—	5
Suriname .....	8	17, 29, 41, 42, 81, 88, 105, 135	1	144	9
Swaziland .....	7	12, 29, 50, 64, 65, 86, 105	0	—	7
Sweden .....	16	12, 29, 81, 88, 100, 105, 108, 121, 129, 135, 139, 141, 148, 149, 150, 151	0	—	16
Switzerland .....	14	2, 6, 18, 29, 45, 81, 88, 89, 100, 105, 136, 139, 141, 142	0	—	14
Syrian Arab Republic .....	19	1, 2, 18, 19, 29, 45, 81, 88, 89, 96, 100, 104, 105, 106, 118, 129, 135, 136, 139	1	17	20
Tanzania .....	9	12, 17, 29, 50, 64, 65, 86, 98, 105	0	—	9



## OBSERVATIONS CONCERNING RATIFIED CONVENTIONS

State Member	Reports received		Reports not received		Grand total
	Total	Conventions Nos.	Total	Conventions Nos.	
Tanganyika .....	4	45, 81, 88, 108	0	—	4
Zanzibar .....	0	—	4	7, 58, 85, 97	4
Thailand .....	5	29, 88, 104, 105, 127	0	—	5
Togo .....	0	—	4	6, 29, 41, 85	4
Trinidad and Tobago .....	5	29, 50, 65, 85, 105	0	—	5
Tunisia .....	18	12, 17, 18, 29, 45, 65, 73, 81, 87, 88, 89, 90, 100, 104, 105, 108, 113, 127	0	—	18
Turkey .....	10	42, 45, 81, 88, 94, 95, 100, 105, 119, 127	0	—	10
Uganda .....	11	12, 17, 29, 45, 50, 64, 65, 81, 86, 98, 105	0	—	11
Ukrainian SSR .....	9	29, 45, 79, 90, 100, 108, 138, 142, 149	0	—	9
USSR .....	10	29, 45, 79, 87, 90, 100, 108, 138, 142, 149	0	—	10
United Kingdom .....	19	2, 12, 17, 29, 42, 45, 50, 64, 65, 81, 85, 86, 88, 100, 105, 108, 135, 141, 148	0	—	19
Upper Volta .....	9	6, 17, 18, 29, 41, 81, 100, 129, 135	0	—	9
Uruguay .....	17	2, 22, 79, 81, 87, 89, 90, 96, 105, 108, 114, 121, 129, 132, 134, 136, 138	0	—	17
Venezuela .....	8	2, 6, 29, 41, 45, 81, 88, 105	0	—	8
Yemen .....	0	—	5	29, 81, 100, 104, 135	5
Yugoslavia .....	13	12, 29, 32, 45, 81, 88, 89, 90, 100, 121, 129, 136, 139	0	—	13
Zaire .....	6	50, 64, 81, 88, 89, 100	3	12, 29, 121	9
Zambia .....	9	45, 50, 64, 65, 89, 95, 103, 111, 135	11	12, 17, 18, 29, 86, 100, 105, 122, 138, 141, 144	20

State Member	Reports received		Reports not received		Grand total
	Total	Conventions Nos.	Total	Conventions Nos.	
<i>Other States</i>					
Albania <sup>1</sup> .....	0	—	3	6, 29, 100	3
Nauru .....	0	—	3	29, 42, 105	3
South Africa <sup>1</sup> .....	7	2, 19, 26, 42, 45, 63, 89	0	—	7
Western Samoa .....	0	—	5	29, 50, 64, 65, 104	5

<sup>1</sup> Albania and South Africa have withdrawn from the ILO, but these States continue to be bound by the Conventions they have ratified (article 1, paragraph 5, of the Constitution).

# Appendix II. Statistical Table of Reports on Ratified Conventions as at 24 March 1982

(Article 22 of the Constitution)

Period	Reports requested	Reports received at the date requested		Reports received in time for the session of the Committee		Reports received in time for the session of the Conference	
		Number	Percentage	Number	Percentage	Number	Percentage
1931-1932	447	—	—	406	90.8	423	94.6
1932-1933	522	—	—	435	83.3	453	86.7
1933-1934	601	—	—	508	84.5	544	90.5
1934-1935	630	—	—	584	92.7	620	98.4
1935-1936	662	—	—	577	87.2	604	91.2
1936-1937	702	—	—	580	82.6	634	90.3
1937-1938	748	—	—	616	82.4	635	84.9
1938-1939	766	—	—	588	76.8	—	—
1943-1944	583	—	—	251	43.1	314	53.9
1944-1945	725	—	—	351	48.4	523	72.2
1945-1946	731	—	—	370	50.6	578	79.1
1946-1947	763	—	—	581	76.1	666	87.3
1947-1948	799	—	—	521	65.2	648	81.1
1948-1949	806	134 <sup>1</sup>	16.6	666	82.6	695	86.2
1949-1950	831	253	30.4	597	71.8	666	80.1
1950-1951	907	288	31.7	705	77.7	761	83.9
1951-1952	981	268	27.3	743	75.7	826	84.2
1952-1953	1 026	212	20.6	840	81.8	917	89.3
1953-1954	1 175	268	22.8	1 077	91.7	1 119	95.2
1954-1955	1 234	283	22.9	1 063	86.1	1 170	94.8
1955-1956	1 333	332	24.9	1 234	92.5	1 283	96.2
1956-1957	1 418	210	14.7	1 295	91.3	1 349	95.1
1957-1958	1 558	340	21.4	1 484	95.2	1 509	96.8
1958-1959	995 <sup>2</sup>	200	20.4	864	86.8	902	90.6
1958-1960	1 100	256	23.2	838	76.1	963	87.4
1959-1961	1 362	243	18.1	1 090	80.0	1 142	83.8
1960-1962	1 309	200	15.5	1 059	80.9	1 121	85.6
1961-1963	1 624	280	17.2	1 314	80.9	1 430	88.0
1962-1964	1 495	213	14.2	1 268	84.8	1 356	90.7
1963-1965	1 700	282	16.6	1 444	84.9	1 527	89.8
1964-1966	1 562	245	16.3	1 330	85.1	1 395	89.3
1965-1967	1 833	323	17.4	1 551	84.5	1 643	89.6
1966-1968	1 647	281	17.1	1 409	85.5	1 470	89.1
1967-1969	1 821	249	13.4	1 498	82.4	1 601	87.9
1968-1970	1 898	360	18.9	1 463	77.0	1 549	81.6
1969-1971	1 992	237	11.8	1 504	75.5	1 707	85.6
1970-1972	2 025	297	14.6	1 572	77.6	1 753	86.5
1971-1973	2 048	300	14.6	1 521	74.3	1 691	82.5
1972-1974	2 189	370	16.5	1 854	84.6	1 358	89.4
1973-1975	2 034	301	14.8	1 663	81.7	1 764	86.7
1974-1976	2 200	292	13.2	1 831	83.0	1 914	87.0
-1977	1 529 <sup>3</sup>	215	14.0	1 120	73.2	1 328	87.0
-1978	1 701	251	14.7	1 289	75.7	1 391	81.7
-1979	1 593	234	14.7	1 270	79.8	1 376	86.4
-1980	1 581	168	10.6	1 302	82.2	1 437	90.8
-1981	1 543	127	8.1	1 210	78.4	—	—

<sup>1</sup> First year for which this figure is available.

<sup>2</sup> As a result of a decision by the Governing Body, detailed reports were requested as from 1958-59 until 1976 only on certain ratified Conventions.

<sup>3</sup> As a result of a decision by the Governing Body (November 1976) detailed reports are now requested, according to certain criteria, at yearly, two-yearly or four-yearly intervals.

## **II. Observations on the Application of Conventions in Non-Metropolitan Territories (Article 22 and Article 35, Paragraphs 6 and 8, of the Constitution)**

### **A. GENERAL OBSERVATIONS**

#### **Netherlands**

The Committee notes with regret that for the second year in succession the reports due in respect of the application of Conventions in the Netherlands Antilles have not been received. It hopes the reports in question will be available for examination by the Committee at its next session.

#### **New Zealand**

The Committee notes that the reports due in respect of the application of Conventions in Cook Islands, Niue Island and Tokelau Islands have not been received. It hopes the reports in question will be available for examination by the Committee at its next session.

#### **United Kingdom**

The Committee notes with regret that for the second year in succession reports due in respect of Falkland Islands (Malvinas) have not been received. Further, reports due in respect of Anguilla, Gibraltar, Guernsey, Jersey, Isle of Man, St. Christopher and Nevis, and St. Helena have not been received. Finally, the majority of reports due in respect of Brunei have not been received. The Committee hopes the reports in question will be available for examination by it at its next session.

### **B. INDIVIDUAL OBSERVATIONS**

#### **Convention No. 3: Maternity Protection, 1919**

Requests regarding certain points are being addressed directly to France (New Caledonia, St. Pierre and Miquelon).

Information supplied by France (French Polynesia) in answer to a direct request has been noted by the Committee.

#### **Convention No. 9: Placing of Seamen, 1920**

Requests regarding certain points are being addressed directly to the following States: Denmark (Farøe Islands), France (French Polynesia).

**Convention No. 16: Medical Examination of Young Persons (Sea), 1921**DenmarkFarøe Islands

Article 3 of the Convention. The Committee regrets to note that the Government has not yet replied to the requests it has been repeating since 1977 on the provisions that were to be adopted in 1976 to provide for the annual repetition of the medical examination of seafarers under 18 years of age. The Committee once more expresses the hope that the Government will shortly indicate the measures adopted.

Greenland

With reference to its earlier comments concerning the absence of provisions to give effect to the Convention, the Committee notes from the report of the Government that the Danish Seamen's Act of 1973 has not yet been declared applicable to Greenland, but that the provisions of section 3, subsection 4, of Order No. 351 of 10 July 1978 respecting seamen's articles of agreement are complied with. These provisions lay down that the master, before signing the articles, must satisfy himself that the requirements of the legislation concerning medical examinations are met. Since the Order in question has been made under the above-mentioned 1973 Act, the Committee requests the Government to state what legislation must be observed in respect of the medical examination prescribed by the Convention.

**Convention No. 17: Workmen's Compensation (Accidents), 1925**NetherlandsNetherlands Antilles

Article 7 of the Convention. In its earlier comments, the Committee requested the Government to take all necessary measures to amend section 4, subsection 2, of the Workmen's Compensation Ordinance of 1966 (PB No. 14), so as to bring it into line with the above Article of the Convention, which provides for additional compensation in cases where the injury results in incapacity of such a nature that the injured workman must have the constant help of another person.

In its report received in 1978, the Government indicated that the competent authorities were already studying the financial consequences of such an amendment.

As the Government has not submitted a report for the current period, the Committee is unable to determine whether effect has been given to the Convention on this point. It therefore trusts that a report will be submitted for examination at its next session, containing information on the measures taken.

United KingdomHong Kong

The Committee has examined the reply of the Government to its earlier comments and notes with satisfaction that, following the adoption of the Workmen's Compensation (Amendment) Ordinance, No. 44 of 1980, the Government has been able to renounce, through a new declaration, the modification concerning the application of Article 10 of the Convention. The Committee also notes with interest that, by virtue of the above-mentioned amendment, non-manual workers, whatever the amount of their remuneration, are no longer excluded from the compensation scheme, and that compensation in case of death or permanent incapacity and the additional compensation payable to injured workmen requiring the constant help of another person have been increased.

The Committee also takes note with interest of the statement by the Government to the effect that the working party set up in 1978 to review comprehensively the legislation on workmen's compensation has recommended other improvements to the scheme (concerning which the drafting of legislation is in progress) and the introduction of a compulsory insurance system.

The Committee hopes that these new amendments will be adopted shortly and that, in relation to the social insurance scheme that is under consideration, the Government may study the possibility of establishing the principle of paying compensation in the form of periodical payments in the event of death or permanent incapacity and where additional compensation is due to injured workmen requiring the constant help of another person, in accordance with Articles 5 and 7 of the Convention.

The Committee also hopes that the social insurance system will be introduced by next year, as the Government states in its report, and that it will guarantee at the same time the full application of Article 11 of the Convention.

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In addition, requests regarding certain points are being addressed directly to the United Kingdom (Anguilla, Bermuda, British Virgin Islands, Falkland Islands (Malvinas), Guernsey, Jersey, Isle of Man, Montserrat, St. Helena, St. Kitts-Nevis).

Information supplied by France (St. Pierre and Miquelon) in answer to a direct request has been noted by the Committee.

### Convention No. 19: Equality of Treatment (Accident Compensation), 1925

A request regarding certain points is being addressed directly to France (St. Pierre and Miquelon).

**Convention No. 24: Sickness Insurance (Industry), 1927**

A request regarding certain points is being addressed directly to France (French Polynesia).

**Convention No. 26: Minimum Wage-Fixing Machinery, 1928**

Information supplied by the United Kingdom (British Virgin Islands) in answer to a direct request has been noted by the Committee.

**Convention No. 29: Forced Labour, 1930**

Requests regarding certain points are being addressed directly to the following States: France (Overseas Departments: French Guiana, Guadeloupe, Martinique, Réunion, St. Pierre and Miquelon); French Polynesia, New Caledonia), United Kingdom (Bermuda, Brunei, St. Helena).

**Convention No. 32: Protection against Accidents (Dockers) (Revised), 1932**France

Overseas Departments (French Guiana, Guadeloupe, Martinique, Réunion)

The Committee notes with regret that for the fourth consecutive year the Government has not sent a report and therefore no information is available in reply to the direct requests that have been made previously, on the application of the Convention. It must take up the matter once again in a new direct request. It trusts that the Government will make every effort to supply the information requested.

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In addition, requests regarding certain points are being addressed directly to France (Overseas Departments: French Guiana, Guadeloupe, Martinique, Réunion).

**Convention No. 35: Old-Age Insurance (Industry, etc.), 1933**France

New Caledonia

Article 12, paragraph 5, of the Convention. The Committee has pointed out that the provision in the national legislation (section 1 of Resolution No. 300 of 17 June 1961) under which foreign workers are entitled to old-age benefit only if they have their residence and legal

domicile in New Caledonia or reside in a country that has entered into a reciprocity agreement with France is not in conformity with the Convention. Under the terms of the Convention, nationals of States that have ratified it are entitled to these benefits when they reside in the territory of any of the ratifying States, irrespective of the conclusion of a bilateral agreement in this connection.

The Committee notes with interest the statement by the Government in its report to the effect that an amendment of the above-mentioned provision is under consideration. It trusts that this amendment will be adopted in the near future and asks the Government to provide detailed information in this connection.

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In addition, requests regarding certain points are being addressed directly to France (French Polynesia, St. Pierre and Miquelon).

### Convention No. 36: Old-Age Insurance (Agriculture), 1933

#### France

#### New Caledonia

Article 12, paragraph 5, of the Convention. See under Convention No. 35.

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In addition, requests regarding certain points are being addressed directly to France (French Polynesia, St. Pierre and Miquelon).

### Convention No. 37: Invalidity Insurance (Industry, etc.), 1933

#### France

#### New Caledonia

With reference to its earlier comments, the Committee takes note of the information provided by the Government, in its last report, on the application of Article 9, paragraph 2(d), of the Convention (suspension of the pension while the person concerned remains in employment involving compulsory insurance).

With reference to the application of Article 13, paragraph 5, of the Convention, it takes note of the statement by the Government that the invalidity pension continues to be paid when the disabled person resides abroad, irrespective of his nationality, provided that the State of which he is a national is bound by the Convention.



St. Pierre and Miquelon

The Committee has examined the last report sent by the Government. The Government states in particular that no invalidity insurance scheme has yet been established and that in the absence of such a scheme the practice consists of paying without limitation in time the daily allowances of the sickness insurance scheme. Since, however, section 6 of Order No. 174 of 15 March 1966 (to set up a sickness insurance scheme) provides for the payment of sickness benefit only "until the wound is healed or stabilised", the Committee asks the Government, pending the setting up of an invalidity scheme (as provided for by section 3, subsection 2, of Ordinance No. 77-1102 of 26 September 1977), to take suitable measures to remove explicitly this limitation, which is not compatible with the provisions of the Convention.

Article 2 of the Convention. Sickness insurance applies to the occupational classes covered by Order No. 170 of 15 March 1966 to establish the family benefits scheme in St. Pierre and Miquelon. The Committee asks the Government to state whether homeworkers and manual and non-manual workers employed in the liberal professions also come under sickness insurance.

Article 12. The Committee asks the Government to state whether the insured person or his legal representatives have a right of appeal in any dispute concerning the benefits paid for invalidity and, if so, to state how they exercise it.

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In addition, a request regarding certain points is being addressed directly to France (French Polynesia).

**Convention No. 38: Invalidity Insurance (Agriculture), 1933**FranceNew Caledonia

See under Convention No. 37.

St. Pierre and Miquelon

The Committee takes note of the information provided by the Government in its latest reports on the application of the Convention and of Convention No. 37. The Government states in particular that no invalidity insurance scheme has yet been set up and that in the absence of such a scheme practice consists in paying without limitation in time the daily allowances of the sickness insurance scheme. Since, however, section 6 of Order No. 174 of 15 March 1966 (to set up a sickness insurance scheme) provides for the payment of sickness benefit only "until the wound is healed or stabilised", the Committee asks the Government, pending the setting up of an invalidity scheme (as provided for by section 3, subsection 2, of Ordinance No. 77-1102 of 26 September 1977), to take suitable measures to remove explicitly this limitation, which is not compatible with the provisions of the Convention.

Article 2 of the Convention. Sickness insurance applies to the occupational classes covered by Order No. 170 of 15 March 1966 to establish the family benefits scheme in Saint Pierre and Miquelon. The Committee asks the Government to state whether agricultural wage earners also come under sickness insurance.

Article 12. The Committee asks the Government to state whether the insured person or his legal representatives have a right of appeal in any dispute concerning the benefits paid for invalidity and, if so, to state how they exercise it.

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In addition, a request regarding certain points is being addressed directly to France (French Polynesia).

### Convention No. 42: Workmen's Compensation (Occupational Diseases) (Revised), 1934

#### France

Overseas Departments (French Guiana, Guadeloupe, Martinique, Réunion)

See under France, Convention No. 42.

#### United Kingdom

#### Brunei

Article 2 of the Convention. With reference to its earlier comments, the Committee notes with satisfaction the coming into force on 16 August 1979 of the amendment to the second schedule to the Workmen's Compensation Enactment, 1957, as amended by the 1978 Enactment, which completes the list of occupational diseases by including silicosis with tuberculosis, in accordance with the schedule of the Convention.

#### Gibraltar

For several years the Committee has been drawing attention to discrepancies between the schedule of occupational diseases appended to the Employment Injuries Insurance (Occupational Diseases) Regulations (Cap. 147) and the Schedule to Article 2 of the Convention relating to the following points:

(a) Anthrax infection: The schedule to the national legislation does not include "loading and unloading or transport of merchandise" in general among the activities involving a risk of this disease, as the Convention does.

(b) Poisoning by the halogen derivatives of hydrocarbons of the aliphatic series: The schedule to the national legislation mentions only some of these derivatives, whereas the Convention, worded in general terms in this respect, covers all the substances in question.

(c) Silicosis-tuberculosis: Part II of the schedule to the above-mentioned regulations, which refers to compensation for the

pneumoconioses, does not mention tuberculosis in association with these diseases, as the Convention does.

The Committee has accordingly requested the Government to amend the national legislation to bring it into line with the Convention.

In reply to these comments, the Government has stated on several occasions that the question of amending the national legislation was under consideration.

As it has supplied no report for the period currently under review, the Committee is not in a position to know what progress has been made in this respect. It can therefore only raise the matter once again in the hope that a report will be furnished for examination at the Committee's next session and that it will contain detailed information as to the measures taken to ensure full application of the Convention on the points mentioned.

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In addition, requests regarding certain points are being addressed directly to France (French Polynesia, New Caledonia, St. Pierre and Miquelon).

### **Convention No. 44: Unemployment Provision, 1934**

Requests regarding certain points are being addressed directly to France (French Polynesia, St. Pierre and Miquelon).

### **Convention No. 58: Minimum Age (Sea) (Revised), 1936**

#### Netherlands

#### Netherlands Antilles

The Committee notes that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

The Committee notes from the information supplied by the Government to the Conference Committee in 1980 that the draft to amend the Decree concerning the recruitment of seamen (PB 1960, No. 201) with a view to establishing a minimum age of 16 years has now been submitted to the competent authorities. The Committee trusts that it will be adopted in the near future, since there is at present no provision in this field.

### **Convention No. 63: Statistics of Wages and Hours of Work, 1938**

A request regarding certain points is being addressed directly to France (St. Pierre and Miquelon).

**Convention No. 77: Medical Examination of Young Persons (Industry), 1946**FranceNew Caledonia

The Committee has examined the reply by the Government to its earlier comments and notes the information provided on Article 1, paragraph 1, of the Convention.

Article 6, paragraphs 1 and 2. The Committee also notes with satisfaction the adoption of Order No. 246/CG of 10 June 1980 to set up a committee for the guidance and resettlement of handicapped persons, whose functions will include providing guidance for handicapped persons, including minors, and, where appropriate, facilitating their resettlement.

The Committee asks the Government to keep it informed of the activities of this Committee in forthcoming reports.

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In addition, a request regarding certain points is being addressed directly to France (French Polynesia).

**Convention No. 78: Medical Examination of Young Persons  
(Non-Industrial Occupations), 1946**FranceNew Caledonia

Articles 1, paragraph 1, and 6, paragraphs 1 and 2, of the Convention. See under Convention No. 77.

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In addition, requests regarding certain points are being addressed directly to France (French Polynesia, New Caledonia).

**Convention No. 81: Labour Inspection, 1947**FranceFrench Polynesia

Article 20 of the Convention. The Committee notes with satisfaction the publication of the annual report on the activities of the Labour and Social Laws Inspection for 1980, in pursuance of this Article of the Convention.

NetherlandsNetherlands Antilles

The Committee notes that the Government's report has not been received. It must therefore repeat its previous observation which read as follows:

Articles 10, 20 and 21 of the Convention. In reply to the earlier comments of the Committee, the Government had stated that the prolonged serious shortage of labour inspection staff was the reason why it had not been possible to draw up annual reports of inspection. It was endeavouring, however, to recruit staff sufficiently competent to carry out the work. The Committee has taken note of this information. Since the last annual report of inspection relates to the year 1962, it wishes to point out the importance of such reports, which are an essential means of assessing, both nationally and internationally, the practical results of labour inspection activities and, in general, the actual application of labour legislation. Accordingly, it can only urge the Government to take the necessary measures to ensure the publication and transmission to the ILO, within the periods laid down by Article 20 of the Convention, of annual reports of inspection containing all the information called for by Article 21.

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In addition, requests regarding certain points are being addressed directly to the following States: France (French Polynesia, New Caledonia), United Kingdom (Hong Kong).

Information supplied by the United Kingdom (Gibraltar) in answer to a direct request has been noted by the Committee.

**Convention No. 85: Labour Inspectorates (Non-Metropolitan Territories), 1947**United KingdomMontserrat

Article 5(b) (labour inspectors bound not to reveal manufacturing or commercial secrets) and (c) (obligation to treat as confidential the source of any complaint) of the Convention. The Committee notes with satisfaction the adoption of Ordinance No. 27 of 1979 to amend the Labour Ordinance, which, according to information supplied by the Government, gives effect to these provisions of the Convention.

It requests the Government to supply the text of Ordinance No. 27 of 1979.

**Convention No. 88: Employment Service, 1948**

A request regarding certain points is being addressed directly to France (St. Pierre and Miquelon).

**Convention No. 94: Labour Clauses (Public Contracts), 1949**

Requests regarding certain points are being addressed directly to the following States: France (French Polynesia), United Kingdom (Hong Kong).

**Convention No. 98: Right to Organise and Collective Bargaining, 1949**

Information supplied by France (French Polynesia) in answer to a direct request has been noted by the Committee.

**Convention No. 99: Minimum Wage Fixing Machinery (Agriculture), 1951**

Information supplied by the United Kingdom (St. Kitts-Nevis) in answer to a direct request has been noted by the Committee.

**Convention No. 100: Equal Remuneration, 1951**

Requests regarding certain points are being addressed directly to the following States: France (Overseas Departments: French Guiana, Guadeloupe, Martinique, Reunion, St. Pierre and Miquelon; French Polynesia, New Caledonia), United Kingdom (Gibraltar).

**Convention No. 105: Abolition of Forced Labour, 1957**United KingdomMontserrat

Article 1(c) of the Convention. With reference to its earlier comments, the Committee notes with satisfaction that the Merchant Seamen's Discipline (Amendment) Ordinance No. 20 of 1979 has amended section 2 of the Merchant Seamen's Discipline Act (Cap. 145) so as to abolish provisions for the forcible return of deserters to their ship and the punishment of disciplinary offences with imprisonment (involving compulsory labour).

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In addition, requests regarding certain points are being addressed directly to the following States: Denmark (Farøe Islands), France (French Polynesia, New Caledonia), New Zealand (Niue), United Kingdom (Bermuda, British Virgin Islands, Brunei).

**Convention No. 108: Seafarers' Identity Documents, 1958**

Requests regarding certain points are being addressed directly to the United Kingdom (Anguilla, Brunei, Falkland Islands (Malvinas), St. Kitts-Nevis).

**Convention No. 115: Radiation Protection, 1960**

Requests regarding certain points are being addressed directly to France (French Polynesia, New Caledonia).

**Convention No. 120: Hygiene (Commerce and Offices), 1964**

Requests regarding certain points are being addressed directly to France (French Polynesia, New Caledonia).

**Convention No. 122: Employment Policy, 1964**

Requests regarding certain points are being addressed directly to the following States: France (French Polynesia, St. Pierre and Miquelon), Netherlands (Netherlands Antilles), United Kingdom (Isle of Man).

**Convention No. 124: Medical Examination of Young Persons (Underground Work)  
1965**

A request regarding certain points is being addressed directly to Belgium.

**Convention No. 135: Workers' Representatives, 1971**

Requests regarding certain points are being addressed directly to the United Kingdom (Gibraltar, Guernsey).

**Convention No. 140: Paid Educational Leave, 1974**

Requests regarding certain points are being addressed directly to the United Kingdom (Jersey, St. Kitts-Nevis).

**Convention No. 141: Rural Workers' Organisations, 1975**

A request regarding certain points is being addressed directly to the United Kingdom (Guernsey).

Information supplied by the United Kingdom (Hong Kong) in answer to a direct request has been noted by the Committee.

**Convention No. 142: Human Resources Development, 1975**

Requests regarding certain points are being addressed directly to the United Kingdom (Gibraltar, Guernsey).



**Appendix. Receipt of Detailed Reports on Ratified Conventions  
(Non-Metropolitan Territories) as at 24 March 1982**

*(Articles 22 and 35 of the Constitution)*

Reports received: 170      Reports not received: 175      Total: 345

Countries and Territories	Reports received		Reports not received		Popula- tion <sup>1*</sup> (thou- sands)
	Total	Conventions Nos.	Total	Conventions Nos.	
<i>Australia</i> .....	2		0		
Norfolk .....	2	29, 105	0	—	1.6
<i>Denmark</i> .....	18		0		
Farøe Islands .....	14	6, 7, 9, 11, 12, 15, 16, 18, 29, 87, 92, 98, 105, 126	0	—	40
Greenland .....	4	6, 16, 29, 105	0	—	50
<i>France</i> .....	88		33		
<i>Overseas Departments:</i>					
French Guyana .....	9	6, 12, 17, 42, 45, 89, 100, 108, 135	6	27, 29, 32, 81, 105, 124	70
Guadeloupe .....	9	6, 12, 17, 42, 45, 89, 100, 108, 135	6	27, 29, 32, 81, 105, 124	320
Martinique .....	9	6, 12, 17, 42, 45, 89, 100, 108, 135	6	27, 29, 32, 81, 105, 124	320
Reunion .....	9	6, 12, 17, 42, 45, 89, 100, 108, 135	6	27, 29, 32, 81, 105, 124	490
St. Pierre and Miquelon ..	11	6, 12, 16, 42, 45, 81, 88, 89, 100, 108, 125	9	17, 19, 22, 29, 36, 38, 105, 123, 124	5
<i>Overseas Territories:</i>					
French Polynesia .....	28	3, 6, 11, 12, 17, 24, 26, 29, 35, 36, 37, 38, 42, 43, 44, 45, 49, 52, 77, 78, 81, 88, 89, 94, 100, 105, 108, 122	0	—	150
New Caledonia .....	13	6, 12, 17, 29, 42, 45, 81, 84, 88, 89, 100, 105, 108	0	—	140

\* For footnotes see end of the table.

Countries and Territories	Reports received		Reports not received		Population <sup>1</sup> (thousands)
	Total	Conventions Nos.	Total	Conventions Nos.	
<i>Netherlands</i> .....	0		18		
<i>Netherlands Antilles</i> ....	0	—	18	9, 10, 11, 12, 17, 29, 42, 45, 58, 74, 81, 87, 88, 89, 90, 105, 118, 122	260
<i>New Zealand</i> .....	0		16		
<i>Cook Islands</i> .....	0	—	6	29, 50, 64, 65, 104, 105	20
<i>Niue Islands</i> .....	0	—	6	29, 50, 64, 65, 104, 105	3
<i>Tokelau Islands</i> .....	0	—	4	29, 65, 104, 105	1.5
<i>United Kingdom</i> .....	62		108		
<i>Anguilla</i> .....	0	—	11	12, 17, 29, 42, 50, 64, 65, 85, 86, 105, 108	35
<i>Bermuda</i> .....	8	12, 17, 29, 42, 65, 105, 108, 135	0	—	60
<i>British Virgin Islands</i> ....	18	7, 11, 12, 17, 26, 29, 50, 58, 64, 65, 84, 85, 86, 87, 97, 98, 105, 108	0	—	10
<i>Brunei</i> .....	10	12, 29, 42, 50, 64, 65, 81, 86, 105, 108	0	—	210
<i>Falkland Islands (Malvinas)</i> .....	0	—	16	7, 11, 12, 17, 26, 29, 35, 36, 42, 45, 58, 84, 87, 98, 105, 108	1.9
<i>Gibraltar</i> .....	0	—	14	2, 12, 17, 29, 42, 45, 81, 86, 88, 100, 105, 108, 135, 142	30
<i>Guernsey</i> .....	0	—	17	2, 12, 17, 29, 42, 45, 50, 64, 65, 81, 86, 88, 105, 108, 135, 141, 142	53
<i>Hong Kong</i> .....	15	2, 12, 17, 29, 42, 45, 50, 64, 65, 86, 90, 105, 108, 141, 142	81		4,900
<i>Jersey</i> .....	0	—	15	2, 12, 17, 29, 42, 45, 50, 64, 65, 81, 86, 88, 105, 108, 140	74
<i>Isle of Man</i> .....	0	—	14	2, 12, 17, 29, 42, 45, 50, 64, 65, 81, 86, 88, 105, 108	60

NON-METROPOLITAN TERRITORIES

Countries and Territories	Reports received		Reports not received		Popula- tion <sup>1</sup> (thou- sands)
	Total	Conventions Nos.	Total	Conventions Nos.	
Montserrat . . . . .	11	12, 17, 29, 42, 50, 64, 65, 85, 86, 105, 108	0	—	10
St. Christopher and Nevis . . . . .	0	—	11	12, 17, 29, 42, 50, 64, 65, 85, 86, 105, 108	35
St. Helena . . . . .	0	—	9	12, 17, 29, 64, 65, 85, 86, 105, 108	5

<sup>1</sup> Source: United Nations: *Demographic Year Book*, 1979.

### **III. Observations concerning the Submission to the Competent Authorities of the Conventions and Recommendations Adopted by the International Labour Conference (Article 19 of the Constitution)**

#### **Afghanistan**

The Committee notes that the Government has not replied to its previous observation. It hopes that the Government will state whether the instruments adopted at the 64th Session of the Conference have been submitted to the competent authorities and that it will communicate in this connection the information called for at points I and II(a) of the questionnaire on page 4 of the Memorandum adopted by the Governing Body. In addition, the Committee recalls that, according to information provided previously by the Government, the instruments adopted from the 52nd to the 63rd Sessions but still pending, were being thoroughly examined. It hopes that the Government will shortly state that these instruments and those adopted at the 65th and 66th Sessions have been submitted and that it will also provide in this connection the information and documents called for in the Memorandum adopted by the Governing Body.

#### **Botswana**

The Committee notes from the information provided by the Government that the submission document of the instruments adopted at the 64th and 65th Sessions of the Conference has been prepared. It therefore hopes that the Government will soon be able to state that these instruments have been submitted to the competent authorities and that in this connection it will provide the information and documents called for in the Memorandum adopted by the Governing Body. In addition, the Committee would be grateful if the Government would indicate whether Recommendation No. 162, adopted at the 66th Session, has been submitted.

#### **Brazil**

With reference to its previous observation, the Committee notes from the information provided by the Government that the procedure for the submission of the many remaining instruments has been set in motion. It hopes that the Government will soon be able to state that these instruments have been submitted and that it will provide in this respect the information and documents called for in the Memorandum adopted by the Governing Body (points I and II of the questionnaire).

#### **Bulgaria**

With reference to its earlier comments, the Committee notes with interest, from the information supplied by the Government, that the decision of the Council of State concerning the instrument adopted by the Conference at its 66th Session has also been communicated to the

## SUBMISSION TO COMPETENT AUTHORITIES

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deputies of the National Assembly. The Committee hopes that this practice may be followed on the occasion of every new submission and that the texts of the instruments concerned will also be placed at the disposal of the deputies.

### Byelorussian SSR

The Committee takes note of the submission to the Presidium of the Supreme Soviet of Recommendation No. 162, which was adopted at the 66th Session of the Conference.

With reference to its earlier comments and to the discussion held at the Conference Committee on the matter, the Committee notes with satisfaction, from the statement by a Government representative at the Conference Committee in 1981, that the instruments adopted by the Conference and submitted to the Presidium of the Supreme Soviet are also submitted to the various competent committees of the Supreme Soviet of the Byelorussian SSR.

### Chad

The Committee refers to the discussion that took place at the Conference Committee in 1981 and hopes that the Government will soon be able to state that the instruments adopted at the 55th to 66th Sessions of the Conference have been submitted to the competent authorities and that in respect of these instruments and also of those adopted from the 50th to the 54th Sessions, which have already been submitted, it will provide the information and documents called for in the Memorandum adopted by the Governing Body (points II and III of the questionnaire).

### Costa Rica

With reference to its previous observation, the Committee notes with interest the measures taken in respect of the instruments adopted at the 61st Session of the Conference and some of those adopted at the 62nd and 63rd Sessions, which were submitted to the Legislative Assembly in April 1980.

The Committee hopes that the Government will shortly indicate the proposals made and the decisions taken with respect to the remaining instruments submitted on that occasion (Conventions Nos. 146 and 149 and Recommendations Nos. 136 to 141). It also hopes that the Government will state whether the instruments adopted at the 65th and 66th Sessions have been submitted.

Moreover, the Committee has taken note of the observations addressed to the ILO by the Union of Electrical and Telecommunications Workers on the obligation of the Government to submit to the competent authority the Labour Relations (Public Service) Convention, 1978 (No. 151), adopted at the 64th Session of the Conference, comments that have been communicated to the Government. The Committee notes the statement by the Government that it will submit the Convention to the Legislative Assembly, recommending its ratification.

### Democratic Yemen

The Committee notes with regret that the Government has not replied to its direct requests of 1980 and 1981, in which it pointed out that the instruments adopted at the 62nd, 63rd and 64th Sessions of

the Conference (like those of various earlier sessions) had been sent to the Director-General of the secretariat of the Council of Ministers for submission to the authorities concerned. The Committee again asks the Government to indicate the measures actually taken to submit Conventions and Recommendations to the People's Supreme Council, the legislative body that is considered by the Government to be the competent authority to which submission must be made, and to provide a copy of the documents by means of which the instruments have been submitted. Furthermore, the Committee hopes that the Government will state whether the instruments adopted at the 65th and 66th Sessions have been submitted.

#### El Salvador

The Committee notes with regret that there has been no reply to its previous observations and hopes that the Government will shortly be able to communicate the information and documents called for concerning the instruments adopted at the 52nd, 55th, 56th and 59th Sessions and that it will state whether it has submitted the instruments adopted from the 62nd to 66th Sessions.

#### Ethiopia

With reference to its previous observation, the Committee notes with interest, from the information and documents supplied by the Government, that numerous instruments adopted from the 58th to the 61st and from the 63rd to the 66th Sessions of the Conference have been submitted to the Council of Ministers, which will refer them to the Provisional Military Administrative Council. Since the latter Council, according to information provided earlier by the Government, is the competent authority in the matter, the Committee hopes that the above-mentioned instruments will be submitted shortly, and also those adopted at the 62nd (Maritime) Session of the Conference, which are now being examined by a special committee, and that the Government will provide, in respect of all these instruments, the information and documents called for in the Memorandum adopted by the Governing Body.

#### Fiji

The Committee notes with regret that the Government has not replied to its direct requests of 1980 and 1981. It hopes that the Government will shortly be able to state that the instruments adopted from the 59th to the 65th Sessions of the Conference, some of which have already been submitted to the Cabinet, have been submitted to Parliament. It would also be grateful if the Government would state whether Recommendation No. 162, which was adopted at the 66th Session, has been submitted.

#### Gabon

With reference to its previous observation, the Committee notes from the information provided by the Government to the Conference Committee in 1981 that instruments adopted by the Conference are submitted to the Council of Ministers and that only Conventions that the Council considers desirable to ratify are submitted to the National Assembly. The Committee points out that, even where there is no intention of ratifying, both Conventions and Recommendations must be submitted to the authority vested with the power to legislate in the fields covered by the instruments in question. Since the National

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Assembly in Gabon is the body invested with the power to legislate, the Committee hopes that the Government will, as in the past, submit Conventions and Recommendations to the National Assembly also and that it will shortly state that submission to the National Assembly has taken place for all the instruments still appearing in the right-hand column of the table to Appendix I to the present section (some of which have already been submitted either to the Council of Ministers or to the President of the Republic).

The Committee also hopes that the Government will provide a copy of the documents by means of which several instruments adopted from the 51st Session of the Conference were submitted in January 1978 to the National Assembly.

### Ghana

With reference to its earlier comments, the Committee notes, from the statement made by a Government representative at the Conference Committee in 1981, that the Government has instructed the Labour Advisory Committee to give its opinion on the instruments adopted from the 60th to the 65th Sessions of the Conference, with a view to submitting them to Parliament and to make recommendations to the Government on the instruments adopted previously, which have already been submitted. The Committee hopes that Recommendation No. 162, which was adopted at the 66th Session of the Conference, will be examined at the same time as the other instruments and that the Government will shortly provide information in connection with all of these instruments.

### Guinea

With reference to its previous observation, the Committee notes that, on the occasion of the direct contacts held in October and November 1981, the documents for the submission of the instruments adopted at the 58th, 61st, 62nd, 63rd, 64th, 65th and 66th Sessions of the Conference and the remaining instruments from the 60th Session (Convention No. 141 and Recommendation No. 149) were drafted with a view to the submission of these instruments to the National Assembly. It therefore hopes that the Government will shortly be able to state that these instruments have been submitted to the competent authorities and that it will provide in this connection the information and documents called for in the Memorandum adopted by the Governing Body.

### Hungary

With reference to its earlier comments, the Committee notes with interest the information provided by the Government and the statement made by a Government representative to the Conference Committee in 1981, to the effect that the Council of the President's Office will keep the National Assembly regularly informed of the submission of Conventions and Recommendations and, in addition, that the instruments will in future not only be submitted to the Council but also be brought to the knowledge of the National Assembly.

The Committee takes note of the information and documents subsequently provided on the submission of the instrument adopted at the 66th Session of the Conference to the Council of the President's Office, which Council has informed the National Assembly of the submission.

The Committee hopes that the text of the instrument in question will also be brought to the knowledge of the National Assembly, in accordance with what is stated above.

#### Indonesia

With reference to its previous observation, the Committee notes from the information and documents supplied by the Government that the instruments adopted at the 64th and 65th Sessions of the Conference have been submitted to Parliament. It hopes that the Government will soon be able to state that Recommendation No. 162, adopted at the 66th Session of the Conference, has also been submitted to the competent authorities.

With reference to its earlier comments, the Committee also notes with interest, from the information supplied by the Government to the Conference Committee in 1981, that the Government has made proposals to Parliament concerning the instruments adopted from the 52nd to the 56th Sessions of the Conference, which have already been submitted, and that it is awaiting the decision of the competent authorities.

#### Iraq

The Committee notes with regret the absence of any reply to its previous observation. It hopes that the Government will shortly be able to state that the many instruments listed in the last column of the table appearing in Appendix I to this section of the report have been submitted to the competent authorities and that, in connection with these instruments and with Convention No. 151 and Recommendation No. 159, adopted at the 64th Session, it will provide the information and documents called for in the Memorandum adopted by the Governing Body (points II and III of the questionnaire).

#### Ivory Coast

The Committee notes with regret that the Government has not replied to its direct requests of 1980 and 1981. It hopes that the Government will shortly provide, in connection with the instruments adopted at the 63rd and 64th Sessions, which have already been submitted, the information called for in the Memorandum adopted by the Governing Body (point II(c) of the questionnaire) on any proposals that may have been made concerning the action to be taken on the instruments in question, since such proposals are not mentioned in the document of submission to the National Assembly. The Committee hopes that the Government will also state whether the instruments adopted at the 62nd, 65th and 66th Sessions have been submitted.

#### Jamaica

The Committee notes with regret that the Government has not replied to its direct requests of 1980 and 1981. It hopes that the Government will shortly state that all the remaining instruments (Convention No. 132 and Recommendation No. 136 and the instruments adopted at the 61st to 66th Sessions) have been submitted. It also hopes that the Government will provide information on the proposals made and the decisions taken in respect of the 45 instruments submitted to Parliament by means of a communication from the Minister of Labour and Employment dated 22 November 1976.



Democratic Kampuchea

The Committee takes note of the absence of information concerning the submission to the competent authorities of the instruments adopted by the Conference.

Lao Republic

As it has not supplied any information, the Committee hopes that the Government will soon be able to state whether the instruments adopted from the 48th to the 66th Sessions of the Conference have been submitted to the competent authorities and that it will communicate in this respect the information and documents called for in the Memorandum adopted by the Governing Body.

Lebanon

With reference to its previous observation, the Committee takes note with interest of the information provided by the Government to the effect that Conventions Nos. 132 to 153 and Recommendations Nos. 129 to 134 and 136 to 162, adopted from the 51st to the 65th Sessions of the Conference, have been referred to the Prime Minister's Office with a view to being submitted to the National Assembly. The Committee hopes that these instruments will be submitted shortly, and also those, adopted from the 31st to the 50th Sessions, that appear in the last column of the table of Appendix I to the present section, and that the Government will provide in this respect the information and documents called for in the Memorandum adopted by the Governing Body.

Liberia

In the absence of any reply to its earlier comments, the Committee hopes that the remaining instruments, adopted from the 31st to the 64th Sessions, will shortly be submitted. In addition, it would be grateful if the Government would state whether Recommendation No. 162, adopted at the 66th Session, has been submitted.

Malawi

With reference to its previous observations and to the discussion which took place at the Conference Committee in 1981, the Committee recalls that, under article 19, paragraphs 5 and 6, of the Constitution of the ILO, Conventions and Recommendations adopted by the Conference must be brought before the authority or authorities within whose competence the matter lies for the enactment of legislation or other action. Since, under section 35, subsection 2, of the Constitution of Malawi, "the legislative power of Parliament shall be exercised by bills passed by the National Assembly and assented to by the President", the National Assembly appears to be the competent authority for the enactment of legislation for the purposes of article 19 of the Constitution of the ILO, Conventions and Recommendations should therefore, as a rule, be submitted to the National Assembly.

The Committee hopes that the Government will be able to re-examine the question, in the light of the comments of the Committee and of the Conference Committee, and that it will also submit to the National Assembly the instruments adopted at the 55th and from the 58th to the 66th Sessions of the Conference.

#### Malaysia

With reference to its previous observations, the Committee notes from the information supplied by the Government to the Conference Committee in 1981 that measures had then been taken with a view to submitting to Parliament in June 1981 the instruments adopted from the 58th to the 65th Sessions of the Conference. In the absence of further information, the Committee hopes that the Government will soon be able to state that all these instruments, and also Recommendation No. 162, adopted at the 66th Session, have actually been submitted to Parliament and that in this connection it will provide the information and documents called for in the Memorandum adopted by the Governing Body.

#### Mauritania

With reference to its previous observation and to the discussion that took place in the Conference Committee in 1981, the Committee hopes that the Government will shortly state that all the instruments adopted from the 47th to the 66th Sessions of the Conference and as yet not submitted to the competent authorities have been submitted to the Military Committee for National Salvation and that it will communicate, in respect of the above-mentioned instruments, the information and documents called for in the Memorandum adopted by the Governing Body.

#### Mauritius

With reference to its previous observation, the Committee takes note of the information supplied by the Government to the Conference Committee in 1981 concerning the stage reached in the procedure for the submission of instruments adopted at the 59th and 60th Sessions and from the 63rd to the 65th Sessions of the Conference. The Committee hopes that the Government will shortly state that the above-mentioned instruments, and Recommendation No. 162, adopted at the 66th Session, have been submitted to Parliament and that it will communicate, in this connection, the information and documents called for in the Memorandum adopted by the Governing Body.

#### Mongolia

The Committee notes with regret that no information has been provided in reply to its previous observation concerning the submission of the instruments adopted from the 58th to the 65th Sessions of the Conference. It again asks the Government to provide full information on the authorities considered to be competent and on their decisions, and to provide copies, if possible, of the documents by means of which the above-mentioned instruments were submitted, in accordance with paragraphs 5(c) and 6(c) of article 19 of the Constitution of the ILO and the Memorandum adopted by the Governing Body (points I, II(b) and (c) and III of the questionnaire).

#### Mozambique

With reference to its previous observation, the Committee notes the information communicated by the Government to the Conference Committee in 1981 on the measures that have been taken with a view to submitting to the competent authorities the instruments adopted from the 61st to the 66th Sessions of the Conference. It hopes that these instruments will be submitted shortly and recalls that the authorities to which they must be submitted are the authorities invested with the

power to legislate. The Committee also hopes that the Government will provide the information and documents called for in this connection in the Memorandum adopted by the Governing Body, particularly in respect of the proposals or comments of the Government on the action to be taken on the instruments in question.

#### Nepal

With reference to its previous observation, the Committee notes with interest the information supplied by the Government to the Conference Committee in 1981, to the effect that the question of the competent authority has now been clarified and that the necessary measures will be taken to submit the Conventions and Recommendations adopted by the Conference also to Parliament.

The Committee hopes that the Government will shortly be able to state that all the instruments adopted from the 51st to the 61st Sessions and at the 66th Session of the Conference have been submitted and that, in respect of them and of the instruments adopted at the 64th and 65th Sessions, which have already been submitted, it will supply the information and documents called for in the Memorandum adopted by the Governing Body (points I, II and III of the questionnaire).

#### Nicaragua

The Committee refers to its previous observation and takes due note of the information supplied by the Government to the Conference Committee in 1981 concerning the attributions of the Junta of the Government and Council of State in respect of legislation. The Government states that it continues to think that the competent authority is the Junta of the Government. It follows, however, from the information provided by the Government that the Council of State shares with the Junta of the Government the power to legislate, in particular the power to initiate bills. The Committee therefore again expresses the hope that the instruments adopted by the Conference will be submitted not only to the Junta of the Government but also to the Council of State.

#### Niger

With reference to its previous observation, the Committee notes with satisfaction, from the information and documents communicated by the Government to the Conference Committee in 1981, that the instruments adopted at the 51st and 56th Sessions and from the 58th to the 64th Sessions of the Conference have been submitted to the competent authorities.

#### Qatar

The Committee notes with regret that the Government has not replied to its previous observation. It trusts that the Government will shortly state whether the remaining instruments adopted at the 58th and 59th Sessions of the Conference and those adopted from the 60th to the 66th Sessions have been submitted to the competent authorities and that it will provide in this respect the information and documents called for in the Memorandum adopted by the Governing Body.

### Seychelles

The Committee notes with regret that the Government has not replied to the direct requests it has been sending since 1979. It trusts that the Government will shortly state that the instruments adopted from the 63rd to the 65th Sessions of the Conference have been submitted to the competent authorities, in accordance with article 19, paragraphs 5(b) and 6(b), of the Constitution of the ILO. It would also be grateful if the Government would state whether Recommendation No. 162, adopted at the 66th Session, has been submitted. It points out that the authorities to which these instruments must be submitted are the authorities vested with the power to legislate. The Committee hopes that the Government will also provide the information and documents called for in this connection in the Memorandum adopted by the Governing Body, particularly in respect of the proposals or comments of the Government concerning the action to be taken on the instruments in question.

### Sierra Leone

The Committee notes with regret that the Government has not replied to the direct requests which have been sent earlier. It hopes that the Government will soon state that the remaining instruments adopted at the 62nd Session of the Conference (Convention No. 146 and Recommendation No. 154) and those adopted from the 63rd to the 65th Sessions have been submitted to Parliament. It would also be grateful if the Government would state whether Recommendation No. 162, which was adopted at the 66th Session of the Conference, has been submitted.

The Committee also hopes that the Government will shortly supply information on the proposals made to Parliament and the action Parliament may have taken on those of the instruments adopted from the 46th to the 62nd Sessions of the Conference which have already been submitted.

### Tanzania

With reference to its earlier comments, the Committee notes the statement by a Government representative at the Conference Committee in 1981 to the effect that the instruments adopted by the Conference from the 54th to the 65th Sessions might be submitted to Parliament before the 1982 Session of the Conference. The Committee trusts that the Government will shortly state that the above-mentioned instruments have been submitted to the competent authorities and that it will supply in connection with these instruments and those adopted from the 47th to the 53rd Sessions, which have already been submitted, the information and documents called for in the Memorandum adopted by the Governing Body.

### Togo

The Committee notes with regret that the Government has not replied to its previous observation. It hopes that the Government will shortly state that the instruments adopted from the 60th to the 66th Sessions of the Conference have been submitted to the competent authorities and that it will supply in this connection the information and documents called for in the Memorandum adopted by the Governing Body.

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### Ukrainian SSR

With reference to its earlier comments and to the discussion held at the Conference Committee on the matter, the Committee notes with satisfaction, from the statement of a Government representative at the Conference Committee in 1981, that the instruments adopted by the Conference and submitted to the Presidium of the Supreme Soviet are also submitted to the various competent committees of the Supreme Soviet of the Ukrainian SSR.

### Yemen

The Committee notes with regret the absence of a reply to its previous observation. It hopes that the Government will not fail to provide shortly, in respect of the instruments adopted from the 50th to the 56th and from the 60th to the 64th Sessions of the Conference, which have been submitted to the legislative authority, the information and documents called for in the Memorandum adopted by the Governing Body, particularly in respect of point II of the questionnaire. The Committee would also be grateful if the Government would state whether the instruments adopted at the 65th and 66th Sessions have been submitted to the competent authorities.

### Yugoslavia

Further to its earlier comments, the Committee notes with satisfaction that the instruments adopted from the 55th to the 65th Sessions of the Conference have been submitted to the Federal Assembly. The Committee also notes the decisions which were taken in respect of many instruments.

### Zaire

The Committee takes note with interest of the information and documents provided by the Government on the submission to the President of the Republic of the instruments adopted from the 50th to the 61st and from the 63rd to the 65th Sessions of the Conference.

With reference to its earlier comments, the Committee hopes that the above-mentioned instruments will also be placed before the Legislative Council.

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In addition, requests regarding certain points are being addressed directly to the following States: Algeria, Angola, Austria, Bahamas, Bangladesh, Barbados, Belgium, Benin, Bolivia, Burma, Burundi, Canada, Central African Republic, Comoros, Congo, Cuba, Denmark, Djibouti, Dominican Republic, Ecuador, France, Federal Republic of Germany, Greece, Grenada, Guinea-Bissau, Honduras, Iceland, Iran, Ireland, Israel, Italy, Jordan, Kenya, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malta, Mongolia, Morocco, Namibia, Netherlands, Niger, Nigeria, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Romania, Saint Lucia, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United States, Upper Volta, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia.

Information supplied by the United Republic of Cameroon in answer to a direct request has been noted by the Committee.

**Appendix I. Information Supplied by Governments with Regard to the Obligation to Submit  
Conventions and Recommendations to the Competent Authorities**

*(31st to 66th Sessions of the International Labour Conference, 1948-80)<sup>1</sup>*

*Note.* The number of the Convention or Recommendation is given in parentheses, preceded by the letter "C" or "R" as the case may be, when only some of the texts adopted at any one session have been submitted. Ratified Conventions are considered as having been submitted.

Account has been taken of the date of admission or readmission of States Members to the ILO for determining the sessions of the Conference whose texts are taken into consideration.

State	Sessions of which the adopted texts have been submitted to the authorities considered as competent by governments	Sessions of which the adopted texts have not been submitted (including cases in which no information has been supplied)
Afghanistan .....	31 to 51, 53 (C 129, 130), 54 (C 131, 132), 55 (C 133, 134), 56 (C 135, 136) and 58 to 60	52, 53 (R 133, 134), 54 (R 135, 136), 55 (R 137, 138, 139, 140, 141, 142), 56 (R 143, 144), 61, 62, 63, 64, 65 and 66
Algeria .....	47 to 64	65 and 66
Angola .....	61 to 65	66
Argentina .....	31 to 66	—
Australia .....	31 to 66	—
Austria .....	31 to 64	65 and 66
Bahamas .....	61 to 65	66
Bahrain .....	63 to 66	—
Bangladesh .....	58 to 65	66
Barbados .....	51 to 66	—
Belgium .....	31 to 65	66
Benin .....	45 to 65	66
Bolivia .....	31 to 59, 60 (C 141, 142, 143; R 149, 150), 61 and 62	60 (R 151), 63, 64, 65 and 66
Botswana .....	—	64, 65 and 66
Brazil .....	31 to 45, 46 (C 117, 118; R 116), 47 (C 119), 48 (C 120, 121, 122; R 120), 49 (C 123, 124; R 124, 125), 50 (C 125; R 126), 51 (C 127; R 128, 131), 53 (R 133, 134), 55 (C 133, 134; R 139), 56 (C 135, 136; R 144), 58 (C 137, 138; R 145), 59 (C 140; R 148), 60 (C 142; R 150) and 63 (C 148; R 156)	46 (R 117), 47 (R 118, 119), 48 (R 121, 122), 49 (R 123), 50 (C 126; R 127), 51 (C 128; R 129, 130), 52, 53 (C 129, 130), 54, 55 (R 137, 138, 140, 141, 142), 56 (R 143), 58 (R 146), 59 (C 139; R 147), 60 (C 141, 143; R 149, 151), 61, 62, 63 (C 149; R 157), 64, 65 and 66
Bulgaria .....	31 to 66	—

<sup>1</sup> The Conference did not adopt any Conventions or Recommendations at its 57th Session (June 1972).

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State	Sessions of which the adopted texts have been submitted to the authorities considered as competent by governments	Sessions of which the adopted texts have not been submitted (including cases in which no information has been supplied)
Burma .....	31 to 65	66
Burundi .....	47 to 61, 62 (R 153, 154), 64 (C 150, 151) and 65	62 (C 145, 146, 147; R 155), 63, 64 (R 158, 159) and 66
Byelorussian SSR .....	37 to 66	—
United Republic of Cameroon .....	44 to 66	—
Canada .....	31 to 65	66
Cape Verde .....	65 and 66	—
Central African Republic .....	45 to 63	64, 65 and 66
Chad .....	45 to 54	55, 56, 58, 59, 60, 61, 62, 63, 64, 65 and 66
Chile .....	31 to 66	—
Colombia .....	31 to 66	—
Comoros .....	—	65 and 66
Congo .....	45 to 53, 54 (C 131, 132), 55 (C 133, 134), 56, 58 (C 138; R 146), 59, 63 (C 149; R 157) and 64	54 (R 135, 136), 55 (R 137, 138, 139, 140, 141, 142), 58 (C 137; R 145), 60, 61, 62, 63 (C 148; R 156), 65 and 66
Costa Rica .....	31 to 63 and 64 (C 150; R 158)	64 (C 151; R 159), 65 and 66
Cuba .....	31 to 62, 63 (C 148; R 156) and 64	63 (C 149; R 157), 65 and 66
Cyprus .....	45 to 66	—
Czechoslovakia .....	31 to 65	66
Democratic Kampuchea	53, 54 and 56	55, 58, 59, 60, 61, 62, 63, 64, 65 and 66
Democratic Yemen ....	53 to 61	62, 63, 64, 65 and 66
Denmark .....	31 to 65	66
Djibouti .....	64 and 65	66
Dominican Republic ....	31 to 62 and 64	63, 65 and 66
Ecuador .....	31 to 64	65 and 66
Egypt .....	31 to 66	—
El Salvador .....	31 to 61	62, 63, 64, 65 and 66
Ethiopia .....	31 to 53, 54 (C 131, 132; R 135), 55 and 56	54 (R 136), 58, 59, 60, 61, 62, 63, 64, 65 and 66
Fiji .....	59 and 60	61, 62, 63, 64, 65 and 66
Finland .....	31 to 66	—
France .....	31 to 66	—

State	Sessions of which the adopted texts have been submitted to the authorities considered as competent by governments	Sessions of which the adopted texts have not been submitted (including cases in which no information has been supplied)
Gabon .....	45 to 50, 51 (C 127, 128; R 128), 53, 54 (C 131, 132; R 135), 56 (C 135; R 143), 58, 60, 61, 62 (C 145, 146, 147; R 153, 155), 63 and 64	51 (R 129, 130, 131), 52, 54 (R 136), 55, 56 (C 136; R 144), 59, 62 (R 154), 65 and 66
German Democratic Republic .....	59 to 66	—
Germany, Federal Republic of .....	34 to 62, 63 (C 149; R 157), 64 (C 150; R 158), 65 (C 152, 153; R 160) and 66	63 (C 148; R 156), 64 (C 151; R 159) and 65 (R 161)
Ghana .....	40 to 59	60, 61, 62, 63, 64, 65 and 66
Greece .....	31 to 44, 45, 46 (C 118; R 116), 47 to 61, 62 (C 147; R 155), 63 and 64 (C 151; R 159)	46 (C 117; R 117), 62 (C 145, 146; R 153, 154), 64 (C 150; R 158), 65 and 66
Grenada .....	—	66
Guatemala .....	31 to 66	—
Guinea .....	43 to 56, 59 and 60 (C 142, 143; R 150, 151)	58, 60 (C 141; R 149), 61, 62, 63, 64, 65 and 66
Guinea-Bissau .....	—	63, 64, 65 and 66
Guyana .....	50 to 66	—
Haiti .....	31 to 66	—
Honduras .....	39 to 66	—
Hungary .....	31 to 66	—
Iceland .....	31 to 64	65 and 66
India .....	31 to 66	—
Indonesia .....	33 to 65	66
Iran .....	31 to 61	62, 63, 64, 65 and 66
Iraq .....	31, 32 (C 92, 95, 98), 34, 35 (C 102, 103), 36, 40 (C 105, 106), 42 (C 111; R 111), 43 (C 112, 113, 114), 44, 45 (C 116), 46 (C 117, 118), 48 (C 122), 49 (C 123, 124), 51 to 56, 58 (C 137; R 145), 59, 60 (C 142; R 150), 61, 62 (C 145; R 154), 63 (C 149; R 157) and 64	32 (C 91, 93, 94, 96, 97; R 84, 85, 86, 87), 33, 35 (C 101; R 93, 94, 95), 37, 38, 39, 40 (C 107; R 103, 104), 41, 42 (C 110; R 110), 43 (R 112), 45 (R 115), 46 (R 116, 117), 47, 48 (C 120, 121; R 120, 121, 122), 49 (R 123, 124, 125), 50, 58 (C 138; R 146), 60 (C 141, 143; R 149, 151), 62 (C 146, 147; R 153, 155), 63 (C 148; R 156), 65 and 66
Ireland .....	31 to 61	62, 63, 64, 65 and 66
Israel .....	32 to 65	66



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State	Sessions of which the adopted texts have been submitted to the authorities considered as competent by governments	Sessions of which the adopted texts have not been submitted (including cases in which no information has been supplied)
Italy .....	31 to 66	—
Ivory Coast .....	45 to 61, 63 and 64	62, 65 and 66
Jamaica .....	47 to 53, 54 (C 131; R 135), 55 to 60	54 (C 132; R 136), 61, 62, 63, 64, 65 and 66
Japan .....	35 to 66	—
Jordan .....	39 to 65	66
Kenya .....	48 to 63	64, 65 and 66
Kuwait .....	45 to 66	—
Lao Republic .....	—	48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65 and 66
Lebanon .....	31 (C 88, 89, 90; R 83), 32 (C 95, 98; R 85), 34 (C 100; R 90), 35 (C 102, 103), 40 (C 105, 106; R 103), 42 (C 111; R 111), 44 (C 115), 45 (C 116), 46 (C 117, 118), 47 (C 119), 48 (C 120, 121, 122; R 120, 122), 49 (C 123, 124), 50 (C 125, 126), 51 (C 127, 128; R 128), 53 (C 129, 130) and 54 (C 131; R 135)	31 (C 87), 32 (C 91, 92, 93, 94, 96, 97; R 84, 86, 87), 33, 34 (C 99; R 89, 91, 92), 35 (C 101; R 93, 94, 95), 36, 37, 38, 39, 40 (C 107; R 104), 41, 42 (C 110; R 110), 43, 44 (R 113, 114), 45 (R 115), 46 (R 116, 117), 47 (R 118, 119), 48 (R 121), 49 (R 123, 124, 125), 50 (R 126, 127), 51 (R 129, 130, 131), 52, 53 (R 133, 134), 54 (C 132; R 136), 55, 56, 58, 59, 60, 61, 62, 63, 64, 65 and 66
Lesotho .....	—	66
Liberia .....	31 (C 87, 88, 89), 32 (C 91, 92, 93, 94, 98), 34 (C 100), 35 (C 101, 102, 103), 38 (C 104), 40 (C 105, 106), 41 (C 108), 42, 43 (C 112, 113, 114), 44 (C 115), 46 (C 117), 48 to 51, 53 (C 129, 130; R 133), 54, 55 (C 133, 134; R 137, 138, 139, 140, 141), 56 to 61, 62 (C 145, 146, 147; R 154, 155), 63 (R 156, 157), 64 (C 151; R 158, 159) and 65	31 (C 90; R 83), 32 (C 95, 96, 97; R 84, 85, 86, 87), 33, 34 (C 99; R 89, 90, 91, 92), 35 (R 93, 94, 95), 36, 37, 38 (R 99, 100), 39, 40 (C 107; R 103, 104), 41 (C 109; R 105, 106, 107, 108, 109), 43 (R 112), 44 (R 113, 114), 45, 46 (C 118; R 116, 117), 47, 52, 53 (R 134), 55 (R 142), 62 (R 153), 63 (C 148, 149), 64 (C 150) and 66
Libyan Arab Jamahiriya .....	35 to 63	64, 65 and 66
Luxembourg .....	31 to 66	—
Madagascar .....	45 to 54, 56 to 66	55
Malawi .....	49 to 54 and 56	55, 58, 59, 60, 61, 62, 63, 64, 65 and 66
Malaysia .....	41 to 56	58, 59, 60, 61, 62, 63, 64, 65 and 66
Mali .....	44 to 66	—
Malta .....	49 to 55, 56, 58 to 62, 63 (C 148; R 156) and 64 (C 150; R 158)	63 (C 149; R 157), 64 (C 151; R 159), 65 and 66
Mauritania .....	45, 46, 47 (C 119), 48, 49, 50 (C 125, 126), 51 (C 127, 128), 52, 53 and 55	47 (R 118, 119), 50 (R 126, 127), 51 (R 128, 129, 130, 131), 54, 56, 58, 59, 60, 61, 62, 63, 64, 65 and 66

State	Sessions of which the adopted texts have been submitted to the authorities considered as competent by governments	Sessions of which the adopted texts have not been submitted (including cases in which no information has been supplied)
Mauritius .....	53 to 58, 59 (C 139; R 147), 61 and 62	59 (C 140; R 148), 60, 63, 64, 65 and 66
Mexico .....	31 to 66	—
Mongolia .....	53 to 65	66
Morocco .....	39 to 65	66
Mozambique .....	—	61, 62, 63, 64, 65 and 66
Namibia .....	—	66
Nepal .....	54 (C 131), 62, 63, 64 and 65	51, 52, 53, 54 (C 132; R 135, 136), 55, 56, 58, 59, 60, 61 and 66
Netherlands .....	31 to 63, 64 (C 150; R 158), 65 and 66	64 (C 151; R 159)
New Zealand .....	31 to 66	—
Nicaragua .....	40 to 66	—
Niger .....	45 to 64	65 and 66
Nigeria .....	45 to 64	65 and 66
Norway .....	31 to 66	—
Pakistan .....	31 to 63	64, 65 and 66
Panama .....	31 to 66	—
Papua New Guinea .....	61 to 65	66
Paraguay .....	40 to 66	—
Peru .....	31 to 64	65 and 66
Philippines .....	31 to 66	—
Poland .....	31 to 66	—
Portugal .....	31 to 66	—
Qatar .....	58 (C 137, 138; R 145) and 59 (R 147)	58 (R 146), 59 (C 139, 140; R 148), 60, 61, 62, 63, 64, 65 and 66
Romania .....	39 to 66	—
Rwanda .....	47 to 66	—
Saint Lucia .....	—	66
Saudi Arabia .....	61 to 66	—

# SUBMISSION TO COMPETENT AUTHORITIES

State	Sessions of which the adopted texts have been submitted to the authorities considered as competent by governments	Sessions of which the adopted texts have not been submitted (including cases in which no information has been supplied)
Senegal .....	44 to 66	—
Seychelles .....	—	63, 64, 65 and 66
Sierra Leone .....	45 to 62 (C 145, 147; R 153, 155)	62 (C 146; R 154), 63, 64, 65 and 66
Singapore .....	50 to 65	66
Somalia .....	45 to 66	—
Spain .....	39 to 60, 61 (R 152), 62, 63 (C 148; R 156), 64 (C 150; R 158) and 65 (C 152; R 160)	61 (C 144), 63 (C 149; R 157), 64 (C 151; R 159), 65 (C 153; R 161) and 66
Sri Lanka .....	31 to 64	65 and 66
Sudan .....	39 to 66	—
Suriname .....	61 and 64	62, 63, 65 and 66
Swaziland .....	60 to 66	—
Sweden .....	31 to 65	66
Switzerland .....	31 to 66	—
Syrian Arab Republic ...	31 to 58 (C 138; R 146), 59 and 60 (C 141, 143; R 149, 151)	58 (C 137; R 145), 60 (C 142; R 150), 61, 62, 63, 64, 65 and 66
Tanzania .....	46 to 53	54, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65 and 66
Thailand .....	31 to 66	—
Togo .....	44 to 59	60, 61, 62, 63, 64, 65 and 66
Trinidad and Tobago ...	47 to 62 and 64	63, 65 and 66
Tunisia .....	39 to 61 and 63	62, 64, 65 and 66
Turkey .....	31 to 66	—
Uganda .....	47 to 65	66
Ukrainian SSR .....	37 to 65	66
United Arab Emirates ..	58 to 63	64, 65 and 66
United Kingdom .....	31 to 66	—
United States <sup>1</sup> .....	31 to 60 and 66	61, 62 and 63
Upper Volta .....	45 to 58, 60 (C 143; R 151), 61, 62, 63 and 64	59, 60 (C 141, 142; R 149, 150), 65 and 66
Uruguay .....	31 to 64 and 66	65

<sup>1</sup> 64th and 65th Sessions: At these Sessions (1978 and 1979), the United States was not a Member of the ILO.

REPORT OF THE COMMITTEE OF EXPERTS

State	Sessions of which the adopted texts have been submitted to the authorities considered as competent by governments	Sessions of which the adopted texts have not been submitted (including cases in which no information has been supplied)
USSR .....	37 to 64	65 and 66
Venezuela .....	31 to 63, 64 (C 150, 151; R 158) and 65 (C 153; R 161)	64 (R 159), 65 (C 152; R 160) and 66
Viet Nam .....	—	66
Yemen .....	49 to 64	65 and 66
Yugoslavia .....	31 to 65	66
Zaire .....	45 to 61 and 63 to 65	62 and 66
Zambia .....	49 to 64	65 and 66
Zimbabwe .....	66	—

## Appendix II. Over-all position of member States at 24 March 1982

Sessions at which decisions were adopted	Number of States in which, according to information supplied by Government			
	All the texts have been submitted	Some of these texts have been submitted	None of these texts have been submitted (including cases in which no information has been supplied by the Government)	Number of States which were Members of the Organisation at the time of the session
31 (June 1948) .....	58	2	—	60
32 (June 1949) .....	58	3	—	61
33 (June 1950) .....	60	— <sup>1</sup>	3	63
34 (June 1951) .....	62	2	—	64
35 (June 1952) .....	63	3	—	66
36 (June 1953) .....	64	—	2	66
37 (June 1954) .....	66	— <sup>1</sup>	3	69
38 (June 1955) .....	66	1	2	69
39 (June 1956) .....	73	—	3	76
40 (June 1957) .....	74	3	—	77
41 (April/May 1958) .....	76	1	2	79
42 (June 1958) .....	77	2	—	79
43 (June 1959) .....	77	2	1	80
44 (June 1960) .....	81	1	1	83
45 (June 1961) .....	98	3	—	101
46 (June 1962) .....	97	5	—	102
47 (June 1963) .....	102	4	2	108
48 (June/July 1964) .....	106	3	1	110
49 (June 1965) .....	110	3	1	114
50 (June 1966) .....	109	4	2	115
51 (June 1967) .....	113	4	—	117
52 (June 1968) .....	109	— <sup>1</sup>	9	118
53 (June 1969) .....	113	6	2	121
54 (June 1970) .....	111	9	1	121
55 (October 1970) .....	105	7	9	121
56 (June 1971) .....	109	5	7	121
58 (June 1973) .....	102	7	14	123
59 (June 1974) .....	109	2	14	125
60 (June 1975) .....	105	2	19	126
61 (June 1976) .....	104	—	27	131
62 (October 1976) .....	96	—	36	132
63 (June 1977) .....	90	3	42	135
64 (June 1978) .....	88	9	39	136
65 (June 1979) .....	71	3	65	139
66 (June 1980) .....	52	— <sup>1</sup>	92	144

<sup>1</sup> At this session the Conference adopted one Recommendation only.



International Labour Conference  
68th Session 1982

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Report III  
(Part 5)

Third Item on the Agenda :

Information and Reports on the Application  
of Conventions and Recommendations

# **List of Ratifications of Conventions**

**(as at 31 December 1981)**

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# TABLES OF RATIFICATIONS OF CONVENTIONS

## 1. HOURS OF WORK (INDUSTRY) CONVENTION, 1919

This Convention came into force on 13 June 1921

States	Ratification registered on	States	Ratification registered on
Angola .....	4. 6.76	India .....	14. 7.21
Argentina .....	30.11.33	Iraq .....	24. 8.65
Austria <sup>1</sup> .....	12. 6.24	Israel .....	26. 6.51
Bangladesh .....	22. 6.72	Italy <sup>1</sup> .....	6.10.24
Belgium .....	6. 9.26	Kuwait .....	21. 9.61
Bolivia .....	15.11.73	Lebanon .....	1. 6.77
Bulgaria .....	14. 2.22	Libyan Arab Jamahiriya .....	27. 5.71
Burma .....	14. 7.21	Luxembourg .....	16. 4.28
Burundi .....	30. 7.71	Mozambique .....	6. 6.77
Canada .....	21. 3.35	New Zealand .....	29. 3.38
Chile .....	15. 9.25	Nicaragua .....	12. 4.34
Colombia .....	20. 6.33	Pakistan .....	14. 7.21
Comoros .....	23.10.78	Paraguay .....	21. 3.66
Cuba .....	20. 9.34	Peru .....	8.11.45
Czechoslovakia .....	24. 8.21	Portugal .....	3. 7.28
Djibouti .....	3. 8.78	Romania .....	13. 6.21
Dominican Republic .....	4. 2.33	Saudi Arabia .....	15. 6.78
Egypt .....	10. 5.60	Spain .....	22. 2.29
France <sup>1</sup> .....	2. 6.27	Syrian Arab Republic .....	10. 5.60
Ghana .....	19. 6.73	Uruguay .....	6. 6.33
Greece .....	19.11.20	Venezuela .....	20.11.44
Guinea-Bissau .....	21. 2.77		
Haiti .....	31. 3.52		

<sup>1</sup>Conditional ratification.

# RATIFIED CONVENTIONS

## 2. UNEMPLOYMENT CONVENTION, 1919

This Convention came into force on 14 July 1921

States	Ratification registered on	States	Ratification registered on
Argentina .....	30.11.33	Kenya .....	13. 1.64
Australia .....	15. 6.72	Luxembourg .....	16. 4.28
Austria .....	12. 6.24	Malta .....	4. 1.65
Belgium .....	25. 8.30	Mauritius .....	2.12.69
Bulgaria <sup>1</sup> .....	14. 2.22	Morocco .....	14.10.60
Burma .....	14. 7.21	Netherlands .....	6. 2.32
Central African Republic ...	9. 6.64	New Zealand .....	29. 3.38
Chile .....	31. 5.33	Nicaragua .....	12. 4.34
Colombia .....	20. 6.33	Norway .....	23.11.21
Cyprus .....	8.10.65	Papua New Guinea .....	1. 5.76
Denmark .....	13.10.21	Poland .....	21. 6.24
Djibouti .....	3. 8.78	Romania .....	13. 6.21
Ecuador .....	5. 2.62	Seychelles .....	6. 2.78
Egypt .....	3. 7.54	South Africa .....	20. 2.24
Ethiopia .....	11. 6.66	Spain .....	4. 7.23
Finland .....	19.10.21	Sudan .....	18. 6.57
France .....	25. 8.25	Sweden .....	27. 9.21
Federal Republic of Germany	6. 6.25	Switzerland .....	9.10.22
Greece .....	19.11.20	Syrian Arab Republic .....	26. 7.60
Guyana .....	8. 6.66	Turkey .....	14. 7.50
Hungary .....	1. 3.28	United Kingdom .....	14. 7.21
Iceland .....	17. 2.58	Uruguay .....	6. 6.33
India <sup>1</sup> .....	14. 7.21	Venezuela .....	20.11.44
Ireland .....	4. 9.25	Yugoslavia .....	1. 4.27
Italy .....	10. 4.23		
Japan .....	23.11.22		

<sup>1</sup>Has denounced this Convention.

## 3. MATERNITY PROTECTION CONVENTION, 1919

This Convention came into force on 13 June 1921

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Ivory Coast .....	5. 5.61
Argentina .....	30.11.33	Libyan Arab Jamahiriya .....	27. 5.71
Brazil <sup>1</sup> .....	26. 4.34	Luxembourg .....	16. 4.28
Bulgaria .....	14. 2.22	Mauritania .....	8.11.63
United Republic of Cameroon	25. 5.70	Nicaragua .....	12. 4.34
Central African Republic ...	9. 6.64	Panama .....	3. 6.58
Chile .....	15. 9.25	Romania .....	13. 6.21
Colombia .....	20. 6.33	Spain .....	4. 7.23
Cuba .....	6. 8.28	Upper Volta .....	30. 6.69
France .....	16.12.50	Uruguay <sup>1</sup> .....	6. 6.33
Gabon .....	13. 6.61	Venezuela .....	20.11.44
Federal Republic of Germany	31.10.27	Yugoslavia .....	1. 4.27
Greece .....	19.11.20		
Guinea .....	12.12.66		
Hungary .....	19. 4.28		
Italy .....	22.10.52		

<sup>1</sup>Has denounced this Convention and ratified Convention No. 103.

# RATIFIED CONVENTIONS

## 4. NIGHT WORK (WOMEN) CONVENTION, 1919

This Convention came into force on 13 June 1921

States	Ratification registered on	States	Ratification registered on
Afghanistan .....	12. 6.39	Madagascar .....	1.11.60
Albania <sup>1</sup> .....	17. 3.32	Mali .....	22. 9.60
Angola .....	4. 6.76	Mauritania <sup>2</sup> .....	20. 6.61
Argentina .....	30.11.33	Morocco .....	13. 6.56
Austria .....	12. 6.24	Netherlands <sup>2</sup> .....	4. 9.22
Bangladesh .....	22. 6.72	Nicaragua .....	12. 4.34
Belgium <sup>2</sup> .....	12. 7.24	Niger .....	27. 2.61
Benin .....	12.12.60	Pakistan .....	14. 7.21
Brazil <sup>2</sup> .....	26. 4.34	Peru .....	8.11.45
Bulgaria <sup>1</sup> .....	14. 2.22	Portugal .....	10. 5.32
Burma <sup>2</sup> .....	14. 7.21	Romania <sup>2</sup> .....	13. 6.21
Burundi .....	11. 3.63	Rwanda .....	18. 9.62
United Republic of Cameroon <sup>2</sup>	7. 6.60	Senegal .....	4.11.60
Central African Republic ...	27.10.60	South Africa <sup>2</sup> .....	1.11.21
Chad .....	10.11.60	Spain .....	29. 9.32
Chile <sup>1</sup> .....	8.10.31	Sri Lanka <sup>2</sup> .....	8.10.51
Colombia .....	20. 6.33	Switzerland <sup>2</sup> .....	9.10.22
Congo <sup>2</sup> .....	10.11.60	Togo .....	7. 6.60
Cuba .....	6. 8.28	Tunisia <sup>2</sup> .....	15. 5.57
Czechoslovakia <sup>2</sup> .....	24. 8.21	United Kingdom <sup>2</sup> .....	14. 7.21
France <sup>2</sup> .....	14. 5.25	Upper Volta .....	21.11.60
Gabon .....	14.10.60	Uruguay <sup>2</sup> .....	6. 6.33
Greece <sup>2</sup> .....	19.11.20	Venezuela <sup>2</sup> .....	7. 3.33
Guinea <sup>2</sup> .....	21. 1.59	Viet Nam <sup>2</sup> .....	6. 6.53
Guinea-Bissau .....	21. 2.77	Yugoslavia <sup>2</sup> .....	1. 4.27
Hungary <sup>2</sup> .....	19. 4.28	Zaire .....	20. 9.60
India .....	14. 7.21		
Ireland <sup>2</sup> .....	4. 9.25		
Italy .....	10. 4.23		
Ivory Coast .....	21.11.60		
Democratic Kampuchea .....	24. 2.69		
Lao Republic .....	23. 1.64		
Luxembourg .....	16. 4.28		

<sup>1</sup>Has denounced this Convention.

<sup>2</sup>Has denounced this Convention (see under Conventions Nos. 41 and 89 the States which have ratified the revised Conventions).

# RATIFIED CONVENTIONS

## 5. MINIMUM AGE (INDUSTRY) CONVENTION, 1919

This Convention came into force on 13 June 1921

States	Ratification registered on	States	Ratification registered on
Albania .....	17. 3.32	Lesotho .....	31.10.66
Argentina .....	30.11.33	Luxembourg <sup>1</sup> .....	16. 4.28
Austria .....	26. 2.36	Madagascar .....	1.11.60
Bahamas .....	25. 5.76	Mali .....	22. 9.60
Barbados .....	8. 5.67	Malta .....	4. 1.65
Belgium .....	12. 7.24	Mauritania .....	20. 6.61
Benin .....	12.12.60	Mauritius .....	2.12.69
Bolivia .....	19. 7.54	Netherlands <sup>1</sup> .....	21. 7.28
Brazil .....	26. 4.34	Nicaragua <sup>1</sup> .....	12. 4.34
Bulgaria <sup>1</sup> .....	14. 2.22	Niger <sup>1</sup> .....	27. 2.61
United Republic of Cameroon	7. 6.60	Norway <sup>1</sup> .....	7. 7.37
Central African Republic ...	27.10.60	Poland <sup>1</sup> .....	21. 6.24
Chad .....	10.11.60	Romania <sup>1</sup> .....	13. 6.21
Chile .....	15. 9.25	Saint Lucia .....	14. 5.80
Colombia .....	20. 6.33	Senegal .....	4.11.60
Comoros .....	23.10.78	Seychelles .....	6. 2.78
Congo .....	10.11.60	Sierra Leone .....	15. 6.61
Cuba <sup>1</sup> .....	6. 8.28	Singapore .....	25.10.65
Czechoslovakia .....	24. 8.21	Spain <sup>1</sup> .....	29. 9.32
Denmark .....	4. 1.23	Sri Lanka .....	27. 9.51
Djibouti .....	3. 8.78	Swaziland .....	26. 4.78
Dominican Republic .....	4. 2.33	Switzerland .....	9.10.22
Fiji .....	19. 4.74	Tanzania:	
France .....	29. 4.39	Zanzibar .....	22. 6.64
Gabon .....	14.10.60	Togo .....	7. 6.60
Greece .....	19.11.20	Uganda .....	4. 6.63
Grenada .....	9. 7.79	United Kingdom .....	14. 7.21
Guinea .....	21. 1.59	Upper Volta .....	21.11.60
Guyana .....	8. 6.66	Uruguay <sup>1</sup> .....	6. 6.33
Haiti .....	12. 4.57	Venezuela .....	20.11.44
India .....	9. 9.55	Viet Nam .....	6. 6.53
Ireland <sup>1</sup> .....	4. 9.25	Yugoslavia .....	1. 4.27
Israel <sup>1</sup> .....	23.12.53	Zambia <sup>1</sup> .....	2.12.64
Ivory Coast .....	21.11.60		
Japan .....	7. 8.26		
Kenya <sup>1</sup> .....	13. 1.64		

<sup>1</sup>Convention denounced as a result of the ratification of Convention No. 138.

# RATIFIED CONVENTIONS

## 6. NIGHT WORK OF YOUNG PERSONS (INDUSTRY) CONVENTION, 1919

This Convention came into force on 13 June 1921

States	Ratification registered on	States	Ratification registered on
Albania .....	17. 3.32	Lao Republic .....	23. 1.64
Algeria .....	19.10.62	Luxembourg .....	16. 4.28
Angola .....	4. 6.76	Madagascar .....	1.11.60
Argentina .....	30.11.33	Mali .....	22. 9.60
Austria .....	12. 6.24	Mauritania .....	20. 6.61
Bangladesh .....	22. 6.72	Mexico <sup>1</sup> .....	20. 5.37
Belgium .....	12. 7.24	Netherlands <sup>1</sup> .....	17. 3.24
Benin .....	12.12.60	Nicaragua .....	12. 4.34
Brazil .....	26. 4.34	Niger .....	27. 2.61
Bulgaria .....	14. 2.22	Pakistan .....	14. 7.21
Burma .....	14. 7.21	Poland .....	21. 6.24
United Republic of Cameroon <sup>1</sup>	7. 6.60	Portugal .....	10. 5.32
Central African Republic ...	27.10.60	Romania .....	13. 6.21
Chad .....	10.11.60	Senegal .....	4.11.60
Chile .....	15. 9.25	Spain .....	29. 9.32
Comoros .....	23.10.78	Sri Lanka <sup>1</sup> .....	26.10.50
Congo .....	10.11.60	Switzerland .....	9.10.22
Cuba .....	6. 8.28	Togo .....	7. 6.60
Denmark .....	4. 1.23	Tunisia <sup>1</sup> .....	12. 1.59
Djibouti .....	3. 8.78	United Kingdom <sup>2</sup> .....	14. 7.21
France .....	25. 8.25	Upper Volta .....	21.11.60
Gabon .....	14.10.60	Uruguay <sup>1</sup> .....	6. 6.33
Greece .....	19.11.20	Venezuela .....	7. 3.33
Guinea <sup>1</sup> .....	21. 1.59	Viet Nam .....	6. 6.53
Guinea-Bissau .....	21. 2.77	Yugoslavia <sup>1</sup> .....	1. 4.27
Hungary .....	19. 4.28		
India .....	14. 7.21		
Ireland .....	4. 9.25		
Italy .....	10. 4.23		
Ivory Coast .....	21.11.60		
Democratic Kampuchea .....	24. 2.69		

<sup>1</sup>Has denounced this Convention and has ratified Convention No. 90.

<sup>2</sup>Has denounced this Convention.

# RATIFIED CONVENTIONS

## 7. MINIMUM AGE (SEA) CONVENTION, 1920

This Convention came into force on 27 September 1921

States	Ratification registered on	States	Ratification registered on
Angola .....	4. 6.76	Mexico <sup>1</sup> .....	17. 8.48
Argentina .....	30.11.33	Netherlands <sup>2</sup> .....	26. 3.25
Australia .....	28. 6.35	Nicaragua <sup>2</sup> .....	12. 4.34
Bahamas .....	25. 5.76	Norway <sup>2</sup> .....	7.10.27
Barbados .....	9. 5.67	Papua New Guinea .....	1. 5.76
Belgium .....	4. 2.25	Poland <sup>2</sup> .....	21. 6.24
Brazil <sup>1</sup> .....	8. 6.36	Portugal .....	24.10.60
Bulgaria <sup>2</sup> .....	16. 3.23	Romania <sup>2</sup> .....	8. 5.22
Canada .....	31. 3.26	Saint Lucia .....	14. 5.80
Chile .....	18.10.35	Seychelles .....	6. 2.78
China .....	2.12.36	Sierra Leone .....	15. 6.61
Colombia .....	20. 6.33	Singapore .....	25.10.65
Cuba <sup>2</sup> .....	6. 8.28	Spain <sup>2</sup> .....	20. 6.24
Denmark .....	12. 5.24	Sri Lanka .....	2. 9.50
Dominican Republic .....	4. 2.33	Sweden .....	27. 9.21
Finland <sup>2</sup> .....	10.10.25	Tanzania:	
Federal Republic of Germany <sup>2</sup>	11. 6.29	Zanzibar .....	22. 6.64
Greece .....	16.12.25	United Kingdom .....	14. 7.21
Grenada .....	9. 7.79	Uruguay <sup>2</sup> .....	6. 6.33
Guinea-Bissau .....	21. 2.77	Venezuela .....	20.11.44
Guyana .....	8. 6.66	Yugoslavia .....	1. 4.27
Hungary .....	1. 3.28		
Ireland <sup>2</sup> .....	4. 9.25		
Italy <sup>2</sup> .....	14. 7.32		
Jamaica .....	8. 7.63		
Japan .....	7. 6.24		
Luxembourg <sup>2</sup> .....	16. 4.28		
Malaysia:			
Sarawak .....	3. 3.64		
Malta .....	4. 1.65		
Mauritius .....	2.12.69		

<sup>1</sup>Has denounced this Convention and has ratified Convention No. 58.

<sup>2</sup>Convention denounced as a result of the ratification of Convention No. 138.

# RATIFIED CONVENTIONS

## 8. UNEMPLOYMENT INDEMNITY (SHIPWRECK) CONVENTION, 1920

This Convention came into force on 16 March 1923

States	Ratification registered on	States	Ratification registered on
Argentina .....	30.11.33	Mexico .....	20. 5.37
Australia .....	28. 6.35	Netherlands .....	15.12.37
Belgium .....	4. 2.25	New Zealand .....	11. 1.80
Bulgaria .....	16. 3.23	Nicaragua .....	12. 4.34
Canada .....	31. 3.26	Nigeria .....	16. 6.61
Chile .....	18.10.35	Norway .....	21. 7.36
Colombia .....	20. 6.33	Panama .....	19. 6.70
Cuba .....	6. 8.28	Papua New Guinea .....	1. 5.76
Denmark .....	15. 2.38	Peru .....	4. 4.62
Fiji .....	19. 4.74	Poland .....	21. 6.24
Finland .....	20. 1.50	Portugal .....	19. 5.81
France .....	21. 3.29	Romania .....	10.11.30
Federal Republic of Germany	4. 3.30	Saint Lucia .....	14. 5.80
Ghana .....	18. 3.65	Seychelles .....	6. 2.78
Greece .....	16.12.25	Sierra Leone .....	15. 6.61
Grenada .....	9. 7.79	Singapore .....	25.10.65
Iraq .....	19. 4.66	Spain .....	20. 6.24
Ireland .....	5. 7.30	Sri Lanka .....	25. 4.51
Italy .....	8. 9.24	Sweden .....	1. 1.35
Jamaica .....	8. 7.63	Switzerland .....	21. 4.60
Japan .....	22. 8.55	Tunisia .....	14. 4.70
Luxembourg .....	16. 4.28	United Kingdom .....	12. 3.26
Malta .....	4. 1.65	Uruguay .....	6. 6.33
Mauritius .....	2.12.69	Yugoslavia .....	30. 9.29

## 9. PLACING OF SEAMEN CONVENTION, 1920

This Convention came into force on 23 November 1921

States	Ratification registered on	States	Ratification registered on
Argentina .....	30.11.33	Japan .....	23.11.22
Australia .....	3. 8.25	Luxembourg .....	16. 4.28
Belgium .....	4. 2.25	Mexico .....	1. 9.39
Bulgaria .....	16. 3.23	Netherlands .....	9. 1.48
United Republic of Cameroon	25. 5.70	New Zealand .....	29. 3.38
Chile .....	18.10.35	Nicaragua .....	12. 4.34
Colombia .....	20. 6.33	Norway .....	23.11.21
Cuba .....	6. 8.28	Panama .....	19. 6.70
Denmark .....	23. 8.38	Peru .....	4. 4.62
Djibouti .....	3. 8.78	Poland .....	21. 6.24
Finland .....	7.10.22	Romania .....	10.11.30
France .....	25. 1.28	Spain .....	23. 2.31
Federal Republic of Germany	6. 6.25	Sweden .....	27. 9.21
Greece .....	16.12.25	Uruguay .....	6. 6.33
Israel .....	19. 6.69	Yugoslavia .....	30. 9.29
Italy .....	8. 9.24		

# RATIFIED CONVENTIONS

## 10. MINIMUM AGE (AGRICULTURE) CONVENTION, 1921

This Convention came into force on 31 August 1923

States	Ratification registered on	States	Ratification registered on
Albania .....	3. 6.57	Israel <sup>1</sup> .....	23.12.53
Algeria .....	19.10.62	Italy <sup>1</sup> .....	8. 9.24
Argentina .....	26. 5.36	Japan .....	19.12.23
Australia .....	24.12.57	Luxembourg <sup>1</sup> .....	16. 4.28
Austria .....	12. 6.24	Malta .....	4. 1.65
Bahamas .....	25. 5.76	Netherlands <sup>1</sup> .....	28.11.56
Barbados .....	2.10.78	New Zealand .....	8. 7.47
Belgium .....	13. 6.28	Nicaragua <sup>1</sup> .....	12. 4.34
Bulgaria <sup>1</sup> .....	6. 3.25	Norway <sup>1</sup> .....	28. 1.57
Byelorussian SSR <sup>1</sup> .....	6.11.56	Panama .....	19. 6.70
United Republic of Cameroon	25. 5.70	Papua New Guinea .....	1. 5.76
Central African Republic ...	9. 6.64	Peru .....	1. 2.60
Chile .....	18.10.35	Poland <sup>1</sup> .....	21. 6.24
Comoros .....	23.10.78	Romania <sup>1</sup> .....	10.11.30
Cuba <sup>1</sup> .....	22. 8.35	Senegal .....	22.10.62
Czechoslovakia .....	31. 8.23	Seychelles .....	6. 2.78
Djibouti .....	3. 8.78	Spain <sup>1</sup> .....	29. 8.32
Dominican Republic .....	4. 2.33	Sweden .....	27.11.23
France .....	7. 6.51	Ukrainian SSR <sup>1</sup> .....	14. 9.56
Gabon .....	13. 6.61	USSR <sup>1</sup> .....	10. 8.56
Federal Republic of Germany <sup>1</sup>	20. 3.57	United Kingdom .....	11. 7.63
Grenada .....	9. 7.79	Uruguay <sup>1</sup> .....	6. 6.33
Guinea .....	12.12.66		
Guyana .....	8. 6.66		
Hungary .....	2. 2.27		
Ireland <sup>1</sup> .....	26. 5.25		

<sup>1</sup>Convention denounced as a result of the ratification of Convention No. 138.



# RATIFIED CONVENTIONS

## 11. RIGHT OF ASSOCIATION (AGRICULTURE) CONVENTION, 1921

This Convention came into force on 11 May 1923

States	Patification registered on	States	Ratification registered on
Albania .....	3. 6.57	Mali .....	22. 9.60
Algeria .....	19.10.62	Malta .....	4. 1.65
Argentina .....	26. 5.36	Mauritania .....	20. 6.61
Australia .....	24.12.57	Mauritius .....	2.12.69
Austria .....	12. 6.24	Mexico .....	20. 5.37
Bahamas .....	25. 5.76	Morocco .....	20. 5.57
Bangladesh .....	22. 6.72	Mozambique .....	6. 6.77
Barbados .....	8. 5.67	Netherlands .....	20. 8.26
Belgium .....	19. 7.26	New Zealand .....	29. 3.38
Benin .....	12.12.60	Nicaragua .....	12. 4.34
Brazil .....	25. 4.57	Niger .....	27. 2.61
Bulgaria .....	6. 3.25	Nigeria .....	16. 6.61
Burma .....	11. 5.23	Norway .....	11. 6.29
Burundi .....	11. 3.63	Pakistan .....	11. 5.23
Byelorussian SSR .....	6.11.56	Panama .....	19. 6.70
United Republic of Cameroon	7. 6.60	Papua New Guinea .....	1. 5.76
Central African Republic ...	27.10.60	Paraguay .....	16. 5.68
Chad .....	10.11.60	Peru .....	8.11.45
Chile .....	15. 9.25	Poland .....	21. 6.24
China .....	27. 4.34	Portugal .....	27. 9.77
Colombia .....	20. 6.33	Romania .....	10.11.30
Comoros .....	23.10.78	Rwanda .....	18. 9.62
Congo .....	10.11.60	Saint Lucia .....	14. 5.80
Costa Rica .....	16. 9.63	Senegal .....	4.11.60
Cuba .....	22. 8.35	Seychelles .....	6. 2.78
Cyprus .....	8.10.65	Singapore .....	25.10.65
Czechoslovakia .....	31. 8.23	Spain .....	29. 8.32
Denmark .....	20. 6.30	Sri Lanka .....	25. 8.52
Djibouti .....	3. 8.78	Suriname .....	15. 6.76
Ecuador .....	10. 3.69	Swaziland .....	26. 4.78
Egypt .....	3. 7.54	Sweden .....	27.11.23
Ethiopia .....	4. 6.63	Switzerland .....	23. 5.40
Fiji .....	19. 4.74	Syrian Arab Republic .....	26. 7.60
Finland .....	19. 6.23	Tanzania:	
France .....	23. 3.29	Tanganyika .....	19.11.62
Gabon .....	14.10.60	Zanzibar .....	22. 6.64
German Democratic Republic .	1. 1.74	Togo .....	7. 6.60
Federal Republic of Germany	6. 6.25	Tunisia .....	15. 5.57
Ghana .....	14. 3.68	Turkey .....	29. 3.61
Greece .....	13. 6.52	Uganda .....	4. 6.63
Grenada .....	9. 7.79	Ukrainian SSR .....	14. 9.56
Guinea .....	21. 1.59	USSR .....	10. 8.56
Guyana .....	8. 6.66	United Kingdom .....	6. 8.23
Iceland .....	21. 8.56	Upper Volta .....	21.11.60
India .....	11. 5.23	Uruguay .....	6. 6.33
Ireland .....	17. 6.24	Venezuela .....	20.11.44
Italy .....	8. 9.24	Yugoslavia .....	30. 9.29
Ivory Coast .....	21.11.60	Zaire .....	20. 9.60
Jamaica .....	8. 7.63	Zambia .....	2.12.64
Kenya .....	13. 1.64		
Lesotho .....	31.10.66		
Luxembourg .....	16. 4.28		
Madagascar .....	1.11.60		
Malawi .....	22. 3.65		
Malaysia:			
Peninsular Malaysia .....	11. 1.60		
Sarawak .....	3. 3.64		

# RATIFIED CONVENTIONS

## 12. WORKMEN'S COMPENSATION (AGRICULTURE) CONVENTION, 1921

This Convention came into force on 26 February 1923

States	Ratification registered on	States	Ratification registered on
Angola .....	4. 6.76	Malta .....	4. 1.65
Argentina .....	26. 5.36	Mauritius .....	2.12.69
Australia .....	7. 6.60	Mexico .....	1.11.37
Austria .....	14. 6.54	Morocco .....	20. 9.56
Bahamas .....	25. 5.76	Netherlands .....	20. 8.26
Barbados .....	8. 5.67	New Zealand .....	29. 3.38
Belgium .....	26.10.32	Nicaragua .....	12. 4.34
Brazil .....	25. 4.57	Norway .....	22. 1.63
Bulgaria .....	6. 3.25	Panama .....	3. 6.58
Burundi .....	11. 3.63	Papua New Guinea .....	1. 5.76
Chile .....	15. 9.25	Peru .....	4. 4.62
Colombia .....	20. 6.33	Poland .....	21. 6.24
Comoros .....	23.10.78	Portugal .....	16. 5.60
Cuba .....	22. 8.35	Rwanda .....	18. 9.62
Czechoslovakia .....	12. 6.50	Saint Lucia .....	14. 5.80
Denmark .....	26. 2.23	Senegal .....	22.10.62
Djibouti .....	3. 8.78	Singapore .....	25.10.65
El Salvador .....	11.10.55	Spain .....	1.10.31
Fiji .....	19. 4.74	Swaziland .....	26. 4.78
Finland .....	20. 1.50	Sweden .....	27.11.23
France .....	4. 4.28	Tanzania:	
Gabon .....	13. 6.61	Tanganyika .....	19.11.62
Federal Republic of Germany	6. 6.25	Zanzibar .....	22. 6.64
Grenada .....	9. 7.79	Tunisia .....	15. 5.57
Guinea-Bissau .....	21. 2.77	Uganda .....	4. 6.63
Guyana .....	8. 6.66	United Kingdom .....	6. 8.23
Haiti .....	19. 4.55	Uruguay <sup>1</sup> .....	6. 6.33
Hungary .....	8. 6.56	Yugoslavia .....	27. 1.58
Ireland .....	17. 6.24	Zaire .....	20. 9.60
Italy .....	1. 9.30	Zambia .....	2.12.64
Kenya .....	13. 1.64		
Luxembourg .....	16. 4.28		
Madagascar .....	10. 8.62		
Malawi .....	22. 3.65		
Malaysia:			
Peninsular Malaysia .....	5. 6.61		
Sarawak .....	3. 3.64		

<sup>1</sup>Has denounced this Convention and has ratified Convention No. 121.

# RATIFIED CONVENTIONS

## 13. WHITE LEAD (PAINTING) CONVENTION, 1921

This Convention came into force on 31 August 1923

States	Ratification registered on	States	Ratification registered on
Afghanistan .....	12. 6.39	Democratic Kampuchea .....	24. 2.69
Algeria .....	19.10.62	Lao Republic .....	23. 1.64
Argentina .....	26. 5.36	Luxembourg .....	16. 4.28
Austria .....	12. 6.24	Madagascar .....	1.11.60
Belgium .....	19. 7.26	Mali .....	22. 9.60
Benin .....	12.12.60	Mauritania .....	20. 6.61
Bulgaria .....	6. 3.25	Mexico .....	7. 1.38
United Republic of Cameroon	7. 6.60	Morocco .....	13. 6.56
Central African Republic ...	27.10.60	Netherlands .....	15.12.39
Chad .....	10.11.60	Nicaragua .....	12. 4.34
Chile .....	15. 9.25	Niger .....	27. 2.61
Colombia .....	20. 6.33	Norway .....	11. 6.29
Comoros .....	23.10.78	Panama .....	19. 6.70
Congo .....	10.11.60	Poland .....	21. 6.24
Cuba .....	7. 7.28	Romania .....	4.12.25
Czechoslovakia .....	31. 8.23	Senegal .....	4.11.60
Djibouti .....	3. 8.78	Spain .....	20. 6.24
Finland .....	5. 4.29	Suriname .....	15. 6.76
France .....	19. 2.26	Sweden .....	27.11.23
Gabon .....	14.10.60	Togo .....	7. 6.60
Greece .....	22.12.26	Tunisia .....	12. 6.56
Guinea .....	21. 1.59	Upper Volta .....	21.11.60
Hungary .....	8. 6.56	Uruguay .....	6. 6.33
Iraq .....	19. 4.66	Venezuela .....	28. 4.33
Italy .....	22.10.52	Viet Nam .....	6. 6.53
Ivory Coast .....	21.11.60	Yugoslavia .....	30. 9.29

# RATIFIED CONVENTIONS

## 14. WEEKLY REST (INDUSTRY) CONVENTION, 1921

This Convention came into force on 19 June 1923

States	Ratification registered on	States	Ratification registered on
Afghanistan .....	12. 6.39	Lebanon .....	26. 7.62
Algeria .....	19.10.62	Lesotho .....	31.10.66
Angola .....	4. 6.76	Libyan Arab Jamahiriya .....	27. 5.71
Argentina .....	26. 5.36	Luxembourg .....	16. 4.28
Bahamas .....	25. 5.76	Madagascar .....	1.11.60
Bahrain .....	11. 6.81	Malaysia:	
Bangladesh .....	22. 6.72	Sarawak .....	3. 3.64
Belgium .....	19. 7.26	Mali .....	22. 9.60
Benin .....	12.12.60	Mauritania .....	20. 6.61
Bolivia .....	19. 7.54	Mauritius .....	2.12.69
Brazil .....	25. 4.57	Mexico .....	7. 1.38
Bulgaria .....	6. 3.25	Morocco .....	20. 9.56
Burma .....	11. 5.23	Mozambique .....	6. 6.77
Burundi .....	11. 3.63	Netherlands .....	14. 7.65
Byelorussian SSR .....	26. 2.68	New Zealand .....	29. 3.38
United Republic of Cameroon	7. 6.60	Nicaragua .....	12. 4.34
Canada .....	21. 3.35	Niger .....	27. 2.61
Central African Republic ...	27.10.60	Norway .....	7. 7.37
Chad .....	10.11.60	Pakistan .....	11. 5.23
Chile .....	15. 9.25	Paraguay .....	21. 3.66
China .....	17. 5.34	Peru .....	8.11.45
Colombia .....	20. 6.33	Poland .....	21. 6.24
Comoros .....	23.10.78	Portugal .....	3. 7.28
Congo .....	10.11.60	Romania .....	18. 8.23
Cuba .....	20. 7.53	Rwanda .....	18. 9.62
Czechoslovakia .....	31. 8.23	Saint Lucia .....	14. 5.80
Denmark .....	30. 8.35	Saudi Arabia .....	15. 6.78
Djibouti .....	3. 8.78	Senegal .....	4.11.60
Egypt .....	10. 5.60	Spain .....	20. 6.24
Finland .....	19. 6.23	Suriname .....	15. 6.76
France .....	3. 9.26	Swaziland .....	26. 4.78
Gabon .....	14.10.60	Sweden .....	22.12.31
Ghana .....	19. 6.73	Switzerland .....	16. 1.35
Greece .....	11. 5.29	Syrian Arab Republic .....	10. 5.60
Grenada .....	9. 7.79	Thailand .....	5. 4.68
Guinea .....	21. 1.59	Togo .....	7. 6.60
Guinea-Bissau .....	21. 2.77	Tunisia .....	15. 5.57
Haiti .....	14. 5.52	Turkey .....	27.12.46
Honduras .....	17.11.64	Ukrainian SSR .....	19. 6.68
Hungary .....	8. 6.56	USSR .....	22. 9.67
India .....	11. 5.23	Upper Volta .....	21.11.60
Iran .....	10. 6.72	Uruguay .....	6. 6.33
Iraq .....	12. 5.60	Venezuela .....	20.11.44
Ireland .....	22. 7.30	Viet Nam .....	14. 6.55
Israel .....	26. 6.51	Yemen .....	29. 7.76
Italy .....	8. 9.24	Yugoslavia .....	1. 4.27
Ivory Coast .....	21.11.60	Zaire .....	20. 9.60
Kenya .....	13. 1.64	Zimbabwe .....	6. 6.80

# RATIFIED CONVENTIONS

## 15. MINIMUM AGE (TRIMMERS AND STOKERS) CONVENTION, 1921

This Convention came into force on 20 November 1922

States	Ratification registered on	States	Ratification registered on
Argentina .....	26. 5.36	Mauritania .....	8.11.63
Australia .....	28. 6.35	Mauritius .....	2.12.69
Bangladesh .....	22. 6.72	Morocco .....	14. 3.58
Belgium .....	19. 7.26	Netherlands <sup>1</sup> .....	17. 6.31
Bulgaria <sup>1</sup> .....	6. 3.25	New Zealand .....	26.11.59
Burma .....	20.11.22	Nicaragua <sup>1</sup> .....	12. 4.34
Byelorussian SSR <sup>1</sup> .....	6.11.56	Nigeria .....	17.10.60
United Republic of Cameroon	3. 9.62	Norway <sup>1</sup> .....	7.10.27
Canada .....	31. 3.26	Pakistan .....	20.11.22
Chile .....	18.10.35	Panama .....	19. 6.70
China .....	2.12.36	Poland <sup>1</sup> .....	21. 6.24
Colombia .....	20. 6.33	Romania <sup>1</sup> .....	18. 8.23
Cuba <sup>1</sup> .....	7. 7.28	Saint Lucia .....	14. 5.80
Cyprus .....	23. 9.60	Seychelles .....	6. 2.78
Democratic Yemen .....	14. 4.69	Sierra Leone .....	13. 6.61
Denmark .....	12. 5.24	Singapore .....	25.10.65
Djibouti .....	3. 8.78	Spain <sup>1</sup> .....	20. 6.24
Finland <sup>1</sup> .....	10.10.25	Sri Lanka .....	25. 4.51
France .....	16. 1.28	Sweden .....	14. 7.25
Federal Republic of Germany	11. 6.29	Switzerland .....	21. 4.60
Ghana .....	20. 5.57	Tanzania:	
Greece .....	14. 6.30	Tanganyika .....	30. 1.62
Grenada .....	9. 7.79	Zanzibar .....	22. 6.64
Guyana .....	8. 6.66	Trinidad and Tobago .....	24. 5.63
Hungary .....	1. 3.28	Turkey .....	29. 9.59
Iceland .....	21. 8.56	Ukrainian SSR <sup>1</sup> .....	14. 9.56
India .....	20.11.22	USSR <sup>1</sup> .....	10. 8.56
Iraq .....	19. 4.66	United Kingdom .....	8. 3.26
Ireland <sup>1</sup> .....	5. 7.30	Uruguay <sup>1</sup> .....	6. 6.33
Italy <sup>1</sup> .....	8. 9.24	Yugoslavia .....	1. 4.27
Jamaica .....	26.12.62		
Japan .....	4.12.30		
Kenya <sup>1</sup> .....	13. 1.64		
Lebanon .....	1. 6.77		
Luxembourg <sup>1</sup> .....	16. 4.28		
Malaysia:			
Sabah .....	3. 3.64		
Saravak .....	3. 3.64		
Malta .....	4. 1.65		

<sup>1</sup>Convention denounced as a result of the ratification of Convention No. 138.

# RATIFIED CONVENTIONS

## 16. MEDICAL EXAMINATION OF YOUNG PERSONS (SEA) CONVENTION, 1921

This Convention came into force on 20 November 1922

States	Ratification registered on	States	Ratification registered on
Albania .....	3. 6.57	Luxembourg .....	16. 4.28
Argentina .....	26. 5.36	Malaysia:	
Australia .....	28. 6.35	Sabah .....	3. 3.64
Bangladesh .....	22. 6.72	Sarawak .....	3. 3.64
Belgium .....	19. 7.26	Malta .....	4. 1.65
Brazil .....	8. 6.36	Mauritius .....	2.12.69
Bulgaria .....	6. 3.25	Mexico .....	9. 3.38
Burma .....	20.11.22	Netherlands .....	9. 3.28
Byelorussian SSR .....	6.11.56	New Zealand .....	5.12.61
United Republic of Cameroon	3. 9.62	Nicaragua .....	12. 4.34
Canada .....	31. 3.26	Nigeria .....	17.10.60
Chile .....	18.10.35	Norway .....	5.12.80
China .....	2.12.36	Pakistan .....	20.11.22
Colombia .....	20. 6.33	Panama .....	19. 6.70
Cuba .....	7. 7.28	Poland .....	21. 6.24
Cyprus .....	23. 9.60	Romania .....	18. 8.23
Democratic Yemen .....	14. 4.69	Saint Lucia .....	14. 5.80
Denmark .....	23. 4.38	Seychelles .....	6. 2.78
Djibouti .....	3. 8.78	Sierra Leone .....	13. 6.61
Finland .....	10.10.25	Singapore .....	25.10.65
France .....	22. 3.28	Somalia .....	18.11.60
German Democratic Republic	1. 1.74	Spain .....	20. 6.24
Federal Republic of Germany	11. 6.29	Sri Lanka .....	25. 4.51
Ghana .....	20. 5.57	Sweden .....	14. 7.25
Greece .....	28. 6.30	Switzerland .....	21. 4.60
Grenada .....	9. 7.79	Tanzania:	
Guinea .....	12.12.66	Tanganyika .....	30. 1.62
Hungary .....	1. 3.28	Zanzibar .....	22. 6.64
India .....	20.11.22	Trinidad and Tobago .....	24. 5.63
Iraq .....	19. 4.66	Tunisia .....	14. 4.70
Ireland .....	5. 7.30	Ukrainian SSR .....	14. 9.56
Italy .....	8. 9.24	USSR .....	10. 8.56
Jamaica .....	26.12.62	United Kingdom .....	8. 3.26
Japan .....	7. 6.24	Uruguay .....	6. 6.33
Kenya .....	9. 2.71	Yugoslavia .....	1. 4.27

# RATIFIED CONVENTIONS

## 17. WORKMEN'S COMPENSATION (ACCIDENTS) CONVENTION, 1925

This Convention came into force on 1 April 1927

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Mauritania .....	8.11.63
Angola .....	4. 6.76	Mauritius .....	2.12.69
Argentina .....	14. 3.50	Mexico .....	12. 5.34
Austria .....	21. 8.36	Morocco .....	20. 9.56
Bahamas .....	25. 5.76	Mozambique .....	6. 6.77
Barbados .....	8. 5.67	Netherlands .....	13. 9.27
Belgium .....	3.10.27	New Zealand .....	29. 3.38
Bolivia .....	15.11.73	Nicaragua .....	12. 4.34
Bulgaria .....	5. 9.29	Panama .....	3. 6.58
Burma .....	16. 2.56	Philippines .....	17.11.60
Burundi .....	11. 3.63	Poland .....	3.11.37
Cape Verde .....	3. 4.79	Portugal .....	27. 3.29
Central African Republic ...	9. 6.64	Rwanda .....	18. 9.62
Chile .....	8.10.31	Saint Lucia .....	14. 5.80
Colombia .....	20. 6.33	Sierra Leone .....	13. 6.61
Comoros .....	23.10.78	Somalia .....	18.11.60
Cuba .....	6. 8.28	Spain .....	22. 2.29
Czechoslovakia .....	12. 6.50	Suriname .....	15. 6.76
Djibouti .....	3. 8.78	Sweden <sup>1</sup> .....	8. 9.26
Egypt .....	10. 5.60	Syrian Arab Republic .....	10. 5.60
Finland .....	20. 1.50	Tanzania:	
France .....	17. 5.48	Tanganyika .....	30. 1.62
Federal Republic of Germany	14. 6.55	Zanzibar .....	22. 6.64
Greece .....	13. 6.52	Tunisia .....	15. 5.57
Guinea .....	12.12.66	Uganda .....	4. 6.63
Guinea-Bissau .....	21. 2.77	United Kingdom .....	28. 6.49
Haiti .....	19. 4.55	Upper Volta .....	30. 6.69
Hungary .....	19. 4.28	Uruguay <sup>1</sup> .....	6. 6.33
Iraq .....	5. 7.60	Yugoslavia .....	1. 4.27
Kenya .....	13. 1.64	Zaire .....	20. 9.60
Lebanon .....	1. 6.77	Zambia .....	2.12.64
Luxembourg .....	16. 4.28		
Malaysia:			
Peninsular Malaysia .....	11.11.57		
Mali .....	12. 7.68		

<sup>1</sup>Has denounced this Convention and has ratified Convention No. 121.

# RATIFIED CONVENTIONS

## 18. WORKMEN'S COMPENSATION (OCCUPATIONAL DISEASES) CONVENTION, 1925

This Convention came into force on 1 April 1927

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Mali .....	22. 9.60
Angola .....	4. 6.76	Mauritania .....	20. 6.61
Argentina .....	24. 9.56	Morocco .....	20. 9.56
Australia .....	22. 4.59	Mozambique .....	6. 6.77
Austria .....	29. 9.28	Netherlands <sup>1</sup> .....	1.11.28
Bangladesh .....	22. 6.72	Nicaragua .....	12. 4.34
Belgium .....	3.10.27	Niger .....	27. 2.61
Benin .....	12.12.60	Norway .....	11. 6.29
Bulgaria .....	5. 9.29	Pakistan .....	30. 9.27
Burma .....	30. 9.27	Papua New Guinea .....	1. 5.76
Burundi .....	11. 3.63	Poland .....	3.11.37
Central African Republic ...	9. 6.64	Portugal .....	27. 3.29
Chile .....	31. 5.33	Rwanda .....	18. 9.62
Colombia .....	20. 6.33	Senegal <sup>1</sup> .....	4.11.60
Comoros .....	23.10.78	Spain .....	29. 9.32
Cuba .....	6. 8.28	Sri Lanka .....	17. 5.52
Czechoslovakia .....	19. 9.32	Sweden <sup>1</sup> .....	15.10.29
Denmark .....	18. 6.34	Switzerland .....	16.11.27
Djibouti .....	3. 8.78	Syrian Arab Republic .....	10. 5.60
Egypt .....	10. 5.60	Tunisia .....	12. 1.59
Finland .....	17. 9.27	United Kingdom <sup>2</sup> .....	6.10.26
France .....	13. 8.31	Upper Volta .....	21.11.60
Federal Republic of Germany	18. 9.28	Uruguay <sup>1</sup> .....	6. 6.33
Guinea .....	21. 1.59	Yugoslavia .....	1. 4.27
Guinea-Bissau .....	21. 2.77	Zaire .....	20. 9.60
Hungary .....	19. 4.28	Zambia .....	22. 2.65
India .....	30. 9.27		
Iraq .....	26.11.38		
Ireland <sup>1</sup> .....	25.11.27		
Italy .....	22. 1.34		
Ivory Coast .....	21.11.60		
Japan .....	8.10.28		
Luxembourg .....	16. 4.28		

<sup>1</sup>Has denounced this Convention and has ratified Convention No. 121.

<sup>2</sup>Has denounced this Convention and has ratified Convention No. 42.



# RATIFIED CONVENTIONS

## 19. EQUALITY OF TREATMENT (ACCIDENT COMPENSATION) CONVENTION, 1925 This Convention came into force on 8 September 1926

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Lesotho .....	31.10.66
Angola .....	4. 6.76	Luxembourg .....	16. 4.28
Argentina .....	14. 3.50	Madagascar .....	10. 8.62
Australia .....	12. 6.59	Malawi .....	22. 3.65
Austria .....	29. 9.28	Malaysia:	
Bahamas .....	25. 5.76	Peninsular Malaysia .....	11.11.57
Bangladesh .....	22. 6.72	Sarawak .....	3. 3.64
Barbados .....	8. 5.67	Mal .....	17. 8.64
Belgium .....	3.10.27	Malta .....	4. 1.65
Bolivia .....	19. 7.54	Mauritania .....	8.11.63
Brazil .....	25. 4.57	Mauritius .....	2.12.69
Bulgaria .....	5. 9.29	Mexico .....	12. 5.34
Burma .....	30. 9.27	Morocco .....	13. 6.56
Burundi .....	11. 3.63	Netherlands .....	13. 9.27
United Republic of Cameroon .....	3. 9.62	Nicaragua .....	12. 4.34
Central African Republic .....	9. 6.64	Nigeria .....	17.10.60
Chile .....	8.10.31	Norway .....	11. 6.29
China .....	27. 4.34	Pakistan .....	30. 9.27
Colombia .....	20. 6.33	Panama .....	19. 6.70
Comoros .....	23.10.78	Papua New Guinea .....	1. 5.76
Cuba .....	6. 8.28	Peru .....	8.11.45
Cyprus .....	23. 9.60	Poland .....	28. 2.28
Czechoslovakia .....	8. 2.27	Portugal .....	27. 3.29
Democratic Yemen .....	14. 4.69	Rwanda .....	18. 9.62
Denmark .....	31. 3.28	Saint Lucia .....	14. 5.80
Djibouti .....	3. 8.78	Senegal .....	22.10.62
Dominican Republic .....	5.12.56	Sierra Leone .....	13. 6.61
Egypt .....	29.11.48	Singapore .....	25.10.65
Fiji .....	19. 4.74	Somalia .....	18.11.60
Finland .....	17. 9.27	South Africa .....	30. 3.26
France .....	4. 4.28	Spain .....	22. 2.29
Gabon .....	13. 6.61	Sudan .....	18. 6.57
Federal Republic of Germany .....	18. 9.28	Suriname .....	15. 6.76
Ghana .....	20. 5.57	Swaziland .....	26. 4.78
Greece .....	30. 5.36	Sweden .....	8. 9.26
Grenada .....	9. 7.79	Switzerland .....	1. 2.29
Guatemala .....	2. 8.61	Syrian Arab Republic .....	26. 7.60
Guinea-Bissau .....	21. 2.77	Tanzania:	
Guyana .....	8. 6.66	Tanganyika .....	30. 1.62
Haiti .....	19. 4.55	Zanzibar .....	22. 6.64
Hungary .....	19. 4.28	Thailand .....	5. 4.68
India .....	30. 9.27	Trinidad and Tobago .....	24. 5.63
Indonesia .....	12. 6.50	Tunisia .....	12. 6.56
Iran .....	10. 6.72	Uganda .....	4. 6.63
Iraq .....	30. 4.40	United Kingdom .....	6.10.26
Ireland .....	5. 7.30	Upper Volta .....	30. 6.69
Israel .....	5. 5.58	Uruguay .....	6. 6.33
Italy .....	15. 3.28	Venezuela .....	20.11.44
Ivory Coast .....	5. 5.61	Yugoslavia .....	1. 4.27
Jamaica .....	26.12.62	Zaire .....	20. 9.60
Japan .....	8.10.28	Zambia .....	2.12.64
Kenya .....	13. 1.64	Zimbabwe .....	6. 6.80
Lebanon .....	1. 6.77		

# RATIFIED CONVENTIONS

## 20. NIGHT WORK (BAKERIES) CONVENTION, 1925

This Convention came into force on 26 May 1928

States	Ratification registered on	States	Ratification registered on
Argentina <sup>1</sup> .....	17. 2.55	Luxembourg .....	16. 4.28
Bolivia .....	15.11.73	Nicaragua <sup>1</sup> .....	12. 4.34
Bulgaria .....	5. 9.29	Panama .....	19. 6.70
Chile .....	31. 5.33	Peru .....	4. 4.62
Colombia .....	20. 6.33	Spain .....	29. 8.32
Cuba .....	6. 8.28	Sweden <sup>1</sup> .....	5. 1.40
Finland .....	26. 5.28	Uruguay <sup>1</sup> .....	6. 6.33
Ireland <sup>1</sup> .....	15. 3.37		
Israel .....	26. 7.51		

<sup>1</sup>Has denounced this Convention.

## 21. INSPECTION OF EMIGRANTS CONVENTION, 1926

This Convention came into force on 29 December 1927

States	Ratification registered on	States	Ratification registered on
Albania .....	17. 3.32	India .....	14. 1.28
Argentina .....	14. 3.50	Ireland .....	5. 7.30
Australia .....	18. 4.31	Japan .....	8.10.28
Austria .....	29.12.27	Luxembourg .....	16. 4.28
Bangladesh .....	22. 6.72	Mexico .....	9. 3.38
Belgium .....	15. 2.28	Netherlands .....	13. 9.27
Brazil .....	18. 6.65	New Zealand .....	29. 3.38
Bulgaria .....	29.11.29	Nicaragua .....	12. 4.34
Burma .....	14. 1.28	Norway .....	28. 1.57
Colombia .....	20. 6.33	Pakistan .....	14. 1.28
Cuba .....	7. 9.54	Panama .....	19. 6.70
Czechoslovakia .....	25. 5.28	Sweden .....	28. 1.57
Denmark .....	18. 5.55	United Kingdom <sup>1</sup> .....	16. 9.27
Finland .....	5. 4.29	Uruguay .....	6. 6.33
France <sup>1</sup> .....	13. 1.32	Venezuela .....	20.11.44
Hungary .....	3. 2.31		

<sup>1</sup>Conditional ratification.

# RATIFIED CONVENTIONS

## 22. SEAMEN'S ARTICLES OF AGREEMENT CONVENTION, 1926

This Convention came into force on 4 April 1928

States	Ratification registered on	States	Ratification registered on
Argentina .....	14. 3.50	Liberia .....	21. 6.77
Australia .....	1. 4.35	Luxembourg .....	16. 4.28
Bahamas .....	25. 5.76	Malta .....	4. 1.65
Bangladesh .....	22. 6.72	Mauritania .....	8.11.63
Barbados .....	8. 5.67	Mexico .....	12. 5.34
Belgium .....	3.10.27	Morocco .....	14. 3.58
Brazil .....	18. 6.65	Netherlands .....	15.12.37
Bulgaria .....	29.11.29	New Zealand .....	29. 3.38
Burma .....	31.10.32	Nicaragua .....	12. 4.34
Canada .....	30. 6.38	Norway .....	29. 3.40
Chile .....	18.10.35	Pakistan .....	31.10.32
China .....	2.12.36	Panama .....	19. 6.70
Colombia .....	20. 6.33	Papua New Guinea .....	1. 5.76
Cuba .....	7. 7.28	Peru .....	4. 4.62
Djibouti .....	3. 8.78	Poland .....	8. 8.31
Finland .....	8. 4.47	Sierra Leone .....	15. 6.61
France .....	4. 4.28	Singapore .....	25.10.65
Federal Republic of Germany	20. 9.30	Somalia .....	18.11.60
Ghana .....	18. 3.65	Spain .....	23. 2.31
India .....	31.10.32	Tunisia .....	14. 4.70
Iraq .....	4.10.66	United Kingdom .....	14. 6.29
Ireland .....	5. 7.30	Uruguay .....	6. 6.33
Italy .....	10.10.29	Venezuela .....	20.11.44
Japan .....	22. 8.55	Yugoslavia .....	30. 9.29

## 23. REPATRIATION OF SEAMEN CONVENTION, 1926

This Convention came into force on 16 April 1928

States	Ratification registered on	States	Ratification registered on
Argentina .....	14. 3.50	Mauritania .....	8.11.63
Belgium .....	3.10.27	Mexico .....	12. 5.34
Bulgaria .....	29.11.29	Netherlands .....	5. 5.48
China .....	2.12.36	New Zealand .....	11. 1.80
Colombia .....	20. 6.33	Nicaragua .....	12. 4.34
Cuba .....	7. 7.28	Panama .....	19. 6.70
Djibouti .....	3. 8.78	Peru .....	4. 4.62
France .....	4. 3.29	Philippines .....	17.11.60
German Democratic Republic	1. 1.74	Poland .....	8. 8.31
Federal Republic of Germany	14. 3.30	Somalia .....	18.11.60
Ghana .....	18. 3.65	Spain .....	23. 2.31
Greece .....	6. 5.81	Switzerland .....	21. 4.60
Iraq .....	23. 9.76	Tunisia .....	14. 4.70
Ireland .....	5. 7.30	Ukrainian SSR .....	17. 6.70
Italy .....	10.10.29	USSR .....	4.11.69
Liberia .....	21. 6.77	Uruguay .....	6. 6.33
Luxembourg .....	16. 4.28	Yugoslavia .....	30. 9.29

# RATIFIED CONVENTIONS

## 24. SICKNESS INSURANCE (INDUSTRY) CONVENTION, 1927

This Convention came into force on 15 July 1928

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Netherlands .....	15.11.65
Austria .....	18. 2.29	Nicaragua .....	12. 4.34
Austria .....	18. 2.29	Norway .....	29. 5.61
Bulgaria .....	1.11.30	Peru .....	8.11.45
Chile .....	8.10.31	Poland .....	29. 9.48
Colombia .....	20. 6.33	Romania .....	28. 6.29
Czechoslovakia <sup>1</sup> .....	17. 1.29	Spain .....	29. 9.32
Djibouti .....	3. 8.78	United Kingdom .....	20. 2.31
Ecuador .....	5. 2.62	Uruguay <sup>1</sup> .....	6. 6.33
France .....	17. 5.48	Yugoslavia .....	30. 9.29
Germany, Federal Republic of	23. 1.28		
Haiti .....	19. 4.55		
Hungary .....	19. 4.28		
Luxembourg .....	16. 4.28		

<sup>1</sup>Has denounced this Convention and has ratified Convention No. 130.

## 25. SICKNESS INSURANCE (AGRICULTURE) CONVENTION, 1927

This Convention came into force on 15 July 1928

States	Ratification registered on	States	Ratification registered on
Austria .....	18. 2.29	Norway .....	29. 5.61
Bulgaria .....	1.11.30	Peru .....	1. 2.60
Chile .....	8.10.31	Poland .....	29. 9.48
Colombia .....	20. 6.33	Spain .....	29. 9.32
Czechoslovakia <sup>1</sup> .....	17. 1.29	United Kingdom .....	20. 2.31
Federal Republic of Germany	23. 1.28	Uruguay <sup>1</sup> .....	6. 6.33
Haiti .....	19. 4.55	Yugoslavia .....	21. 5.52
Luxembourg .....	16. 4.28		
Netherlands .....	15.11.65		
Nicaragua .....	12. 4.34		

<sup>1</sup>Has denounced this Convention and has ratified Convention No. 130.

# RATIFIED CONVENTIONS

## 26. MINIMUM WAGE-FIXING MACHINERY CONVENTION, 1928

This Convention came into force on 14 June 1930

States	Ratification registered on	States	Ratification registered on
Angola .....	4. 6.76	Lesotho .....	31.10.66
Argentina .....	14. 3.50	Libyan Arab Jamahiriya .....	27. 5.71
Australia .....	9. 3.31	Luxembourg .....	3. 3.58
Austria .....	15. 3.74	Madagascar .....	1.11.60
Bahamas .....	25. 5.76	Malawi .....	22. 3.65
Barbados .....	8. 5.67	Mali .....	22. 9.60
Belgium .....	11. 8.37	Malta .....	4. 1.65
Benin .....	12.12.60	Mauritania .....	20. 6.61
Bolivia .....	19. 7.54	Mauritius .....	2.12.69
Brazil .....	25. 4.57	Mexico .....	12. 5.34
Bulgaria .....	4. 6.35	Morocco .....	14. 3.58
Burma .....	21. 5.54	Netherlands .....	10.11.36
Burundi .....	11. 3.63	New Zealand .....	29. 3.38
United Republic of Cameroon	7. 6.60	Nicaragua .....	12. 4.34
Canada .....	25. 4.35	Niger .....	27. 2.61
Central African Republic ...	27.10.60	Nigeria .....	16. 6.61
Chad .....	10.11.60	Norway .....	7. 7.33
Chile .....	31. 5.33	Panama .....	19. 6.70
China .....	5. 5.30	Papua New Guinea .....	1. 5.76
Colombia .....	20. 6.33	Paraguay .....	24. 6.64
Comoros .....	23.10.78	Peru .....	4. 4.62
Congo .....	10.11.60	Portugal .....	10.11.59
Costa Rica .....	16. 3.72	Rwanda .....	18. 9.62
Cuba .....	24. 2.36	Saint Lucia .....	14. 5.80
Czechoslovakia .....	12. 6.50	Senegal .....	4.11.60
Djibouti .....	3. 8.78	Seychelles .....	6. 2.78
Dominican Republic .....	5.12.56	Sierra Leone .....	15. 6.61
Ecuador .....	6. 7.54	South Africa .....	28.12.32
Egypt .....	10. 5.60	Spain .....	8. 4.30
Fiji .....	19. 4.74	Sri Lanka .....	9. 6.71
France .....	18. 9.30	Sudan .....	18. 6.57
Gabon .....	14.10.60	Swaziland .....	26. 4.78
Federal Republic of Germany	30. 5.29	Switzerland .....	7. 5.47
Ghana .....	2. 7.59	Syrian Arab Republic .....	10. 5.60
Grenada .....	9. 7.79	Tanzania:	
Guatemala .....	4. 5.61	Tanganyika .....	19.11.62
Guinea .....	21. 1.59	Zanzibar .....	22. 6.64
Guinea-Bissau .....	21. 2.77	Togo .....	7. 6.60
Guyana .....	8. 6.66	Tunisia .....	15. 5.57
Hungary .....	30. 7.32	Turkey .....	29. 1.75
India .....	10. 1.55	Uganda .....	4. 6.63
Iraq .....	26.11.62	United Kingdom .....	14. 6.29
Ireland .....	3. 6.30	Upper Volta .....	21.11.60
Italy .....	9. 9.30	Uruguay .....	6. 6.33
Ivory Coast .....	21.11.60	Venezuela .....	20.11.44
Jamaica .....	8. 7.63	Viet Nam .....	14. 6.55
Japan .....	29. 4.71	Zaire .....	20. 9.60
Kenya .....	13. 1.64	Zambia .....	2.12.64
Lebanon .....	26. 7.62		

# RATIFIED CONVENTIONS

## 27. MARKING OF WEIGHT (PACKAGES TRANSPORTED BY VESSELS) CONVENTION, 1929

This Convention came into force on 9 March 1932

States	Ratification registered on	States	Ratification registered on
Angola .....	4. 6.76	Japan .....	16. 3.31
Argentina .....	14. 3.50	Kenya .....	9. 2.71
Australia .....	9. 3.31	Luxembourg .....	1. 4.31
Austria .....	16. 8.35	Mexico .....	12. 5.34
Bangladesh .....	22. 6.72	Morocco .....	20. 9.56
Belgium .....	6. 6.34	Netherlands .....	4. 1.33
Bulgaria .....	4. 6.35	Nicaragua .....	12. 4.34
Burma .....	7. 9.31	Norway .....	1. 7.32
Burundi .....	11. 3.63	Pakistan .....	7. 9.31
Byelorussian SSR .....	11. 3.70	Panama .....	19. 6.70
Canada .....	30. 6.38	Papua New Guinea .....	1. 5.76
Chile .....	31. 5.33	Peru .....	4. 4.62
China .....	24. 6.31	Poland .....	18. 6.32
Cuba .....	7. 9.54	Portugal .....	1. 3.32
Czechoslovakia .....	26. 3.34	Romania .....	7.12.32
Denmark .....	1.10.81	South Africa <sup>1</sup> .....	21. 2.33
Finland .....	8. 8.32	Spain .....	29. 8.32
France .....	29. 7.35	Suriname .....	15. 6.76
German Democratic Republic ..	1. 1.74	Sweden .....	11. 4.32
Federal Republic of Germany ..	5. 7.33	Switzerland .....	8.11.34
Greece .....	30. 5.36	Ukrainian SSR .....	17. 6.70
Guinea-Bissau .....	21. 2.77	USSR .....	4.11.69
Honduras .....	9. 6.80	Uruguay .....	6. 6.33
Hungary .....	6.12.37	Venezuela .....	17.12.32
India .....	7. 9.31	Viet Nam .....	6. 6.53
Indonesia .....	12. 6.50	Yugoslavia .....	22. 4.33
Iraq .....	21.11.66	Zaire .....	20. 9.60
Ireland .....	5. 7.30		
Italy .....	18. 7.33		

<sup>1</sup>Conditional ratification.

## 28. PROTECTION AGAINST ACCIDENTS (DOCKERS) CONVENTION, 1929

This Convention came into force on 1 April 1932

States	Ratification registered on
Ireland <sup>1</sup> .....	5. 7.30
Luxembourg .....	1. 4.31
Nicaragua .....	12. 4.34
Spain <sup>1</sup> .....	29. 8.32

<sup>1</sup>Convention denounced as a result  
of the ratification of Convention  
No. 32.

# RATIFIED CONVENTIONS

## 29. FORCED LABOUR CONVENTION, 1930 This Convention came into force on 1 May 1932

States	Ratification registered on	States	Ratification registered on
Albania .....	25. 6.57	Japan .....	21.11.32
Algeria .....	19.10.62	Jordan .....	6. 6.66
Angola .....	4. 6.76	Kampuchea, Democratic .....	24. 2.69
Argentina .....	14. 3.50	Kenya .....	13. 1.64
Australia .....	2. 1.32	Kuwait .....	23. 9.68
Austria .....	7. 6.60	Lao Republic .....	23. 1.64
Bahamas .....	25. 5.76	Lebanon .....	1. 6.77
Bahrain .....	11. 6.81	Lesotho .....	31.10.66
Bangladesh .....	22. 6.72	Liberia .....	1. 5.31
Barbados .....	8. 6.67	Libyan Arab Jamahiriya .....	13. 6.61
Belgium .....	20. 1.44	Luxembourg .....	24. 7.64
Benin .....	12.12.60	Madagascar .....	1.11.60
Brazil .....	25. 4.57	Malaysia:	
Bulgaria .....	22. 9.32	Peninsular Malaysia .....	11.11.57
Burma .....	4. 3.55	Sabah .....	3. 3.64
Burundi .....	11. 3.63	Sarawak .....	3. 3.64
Byelorussian SSR .....	21. 8.56	Mali .....	22. 9.60
United Republic of Cameroon .....	7. 6.60	Malta .....	4. 1.65
Cape Verde .....	3. 4.79	Mauritania .....	20. 6.61
Central African Republic .....	27.10.60	Mauritius .....	2.12.69
Chad .....	10.11.60	Mexico .....	12. 5.34
Chile .....	31. 5.33	Morocco .....	20. 5.57
Colombia .....	4. 3.69	Netherlands .....	31. 3.33
Comoros .....	23.10.78	New Zealand .....	29. 3.38
Congo .....	10.11.60	Nicaragua .....	12. 4.34
Costa Rica .....	2. 6.60	Niger .....	27. 2.61
Cuba .....	20. 7.53	Nigeria .....	17.10.60
Cyprus .....	23. 9.60	Norway .....	1. 7.32
Czechoslovakia .....	30.10.57	Pakistan .....	23.12.57
Democratic Yemen .....	14. 4.69	Panama .....	16. 5.66
Denmark .....	11. 2.32	Papua New Guinea .....	1. 5.76
Dibouti .....	3. 8.78	Paraguay .....	28. 6.67
Dominican Republic .....	5.12.56	Peru .....	1. 2.60
Ecuador .....	6. 7.54	Poland .....	30. 7.58
Egypt .....	29.11.55	Portugal .....	26. 6.56
Fiji .....	19. 4.74	Romania .....	28. 5.57
Finland .....	13. 1.36	Saint Lucia .....	14. 5.80
France .....	24. 6.37	Saudi Arabia .....	15. 6.78
Gabon .....	14.10.60	Senegal .....	4.11.60
Federal Republic of Germany .....	13. 6.56	Seychelles .....	6. 2.78
Ghana .....	20. 5.57	Sierra Leone .....	13. 6.61
Greece .....	13. 6.52	Singapore .....	25.10.65
Grenada .....	9. 7.79	Somalia .....	18.11.60
Guinea .....	21. 1.59	Spain .....	29. 8.32
Guinea-Bissau .....	21. 2.77	Sri Lanka .....	5. 4.50
Guyana .....	8. 6.66	Sudan .....	18. 6.57
Haiti .....	4. 3.58	Suriname .....	15. 6.76
Honduras .....	21. 2.57	Swaziland .....	26. 4.78
Hungary .....	8. 6.56	Sweden .....	22.12.31
Iceland .....	17. 2.58	Switzerland .....	23. 5.40
India .....	30.11.54	Syrian Arab Republic .....	26. 7.60
Indonesia .....	12. 6.50	Tanzania:	
Iran .....	10. 6.57	Tanganyika .....	30. 1.62
Iraq .....	27.11.62	Zanzibar .....	22. 6.64
Ireland .....	2. 3.31	Thailand .....	26. 2.69
Israel .....	7. 6.55	Togo .....	7. 6.60
Italy .....	18. 6.34	Trinidad and Tobago .....	24. 5.63
Ivory Coast .....	21.11.60	Tunisia .....	17.12.62
Jamaica .....	26.12.62	Uganda .....	4. 6.63

# RATIFIED CONVENTIONS

## 29. FORCED LABOUR CONVENTION, 1930 (continued)

States	Ratification registered on	States	Ratification registered on
Ukrainian SSR .....	10. 8.56	Yemen .....	29. 7.76
USSR .....	23. 6.56	Yugoslavia .....	4. 3.33
United Kingdom .....	3. 6.31	Zaire .....	20. 9.60
Upper Volta .....	21.11.60	Zambia .....	2.12.64
Venezuela .....	20.11.44	Zimbabwe .....	6. 6.80
Viet Nam .....	6. 6.53		

## 30. HOURS OF WORK (COMMERCE AND OFFICES) CONVENTION, 1930

This Convention came into force on 29 August 1933

States	Ratification registered on	States	Ratification registered on
Argentina .....	14. 3.50	Luxembourg .....	3. 3.58
Austria <sup>1</sup> .....	16. 2.33	Mexico .....	12. 5.34
Bolivia .....	15.11.73	Morocco .....	22. 7.74
Bulgaria .....	22. 6.32	Mozambique .....	6. 6.77
Chile .....	18.10.35	New Zealand .....	29. 3.38
Colombia .....	4. 3.69	Nicaragua .....	12. 4.34
Cuba .....	24. 2.36	Norway .....	29. 6.53
Egypt .....	10. 5.60	Panama .....	16. 2.59
Finland .....	13. 1.36	Paraguay .....	21. 3.66
Ghana .....	19. 6.73	Saudi Arabia .....	15. 6.78
Guatemala .....	4. 8.61	Spain .....	29. 8.32
Haiti .....	31. 3.52	Syrian Arab Republic .....	10. 5.60
Iraq .....	26.11.62	Uruguay .....	6. 6.33
Israel .....	26. 6.51		
Kuwait .....	21. 9.61		
Lebanon .....	1. 6.77		

<sup>1</sup>Conditional ratification.

## 31. HOURS OF WORK (COALMINES) CONVENTION, 1931

This Convention has not yet come into force

States	Ratification registered on
Argentina .....	24. 9.56
Spain .....	29. 8.32



# RATIFIED CONVENTIONS

## 32. PROTECTION AGAINST ACCIDENTS (DOCKERS) CONVENTION (REVISED), 1932

This Convention came into force on 30 October 1934

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Netherlands .....	25. 8.64
Argentina .....	14. 3.50	New Zealand .....	29. 3.38
Bangladesh .....	22. 6.72	Nigeria .....	16. 6.61
Belgium .....	2. 7.52	Norway <sup>1</sup> .....	23. 6.56
Bulgaria .....	29.12.49	Pakistan .....	10. 2.47
Byelorussian SSR .....	11. 3.70	Panama .....	4. 6.71
Canada .....	6. 4.46	Peru .....	4. 4.62
Chile .....	18.10.35	Sierra Leone .....	15. 6.61
China .....	30.11.35	Singapore .....	25.10.65
Cuba .....	7. 9.54	Spain .....	28. 7.34
Denmark .....	22. 6.70	Sweden <sup>1</sup> .....	3. 8.38
Finland <sup>1</sup> .....	23. 8.49	Tanzania:	
France .....	27. 5.55	Tanganyika .....	19.11.62
Honduras .....	17.11.64	Ukrainian SSR .....	17. 6.70
India .....	10. 2.47	USSR .....	4.11.69
Ireland .....	13. 6.72	United Kingdom .....	10. 1.35
Italy .....	30.10.33	Uruguay .....	6. 6.33
Kenya .....	13. 1.64	Yugoslavia .....	6. 3.75
Malta .....	4. 1.65		
Mauritius .....	2.12.69		
Mexico .....	12. 5.34		

<sup>1</sup>Convention denounced as a result of the ratification of Convention No. 152.

## 33. MINIMUM AGE (NON-INDUSTRIAL EMPLOYMENT) CONVENTION, 1932

This Convention came into force on 6 June 1935

States	Ratification registered on	States	Ratification registered on
Argentina .....	14. 3.50	Ivory Coast .....	21.11.60
Austria .....	26. 2.36	Madagascar .....	1.11.60
Belgium .....	6. 6.34	Mali .....	22. 9.60
Benin .....	12.12.60	Mauritania .....	20. 6.61
United Republic of Cameroon	7. 6.60	Netherlands <sup>1</sup> .....	12. 7.35
Central African Republic ...	27.10.60	Niger <sup>1</sup> .....	27. 2.61
Chad .....	10.11.60	Senegal .....	4.11.60
Comoros .....	23.10.78	Spain <sup>1</sup> .....	22. 6.34
Congo .....	10.11.60	Togo .....	7. 6.60
Cuba <sup>1</sup> .....	24. 2.36	Upper Volta .....	21.11.60
Djibouti .....	3. 8.78	Uruguay <sup>1</sup> .....	6. 6.33
France .....	29. 4.39		
Gabon .....	14.10.60		
Guinea .....	21. 1.59		

<sup>1</sup>Convention denounced as a result of the ratification of Convention No. 138.

# RATIFIED CONVENTIONS

## 34. FEE-CHARGING EMPLOYMENT AGENCIES CONVENTION, 1933

This Convention came into force on 18 October 1936

States	Ratification registered on	States	Ratification registered on
Argentina .....	14. 3.50	Spain <sup>1</sup> .....	27. 4.35
Bulgaria .....	29.12.49	Sweden <sup>1</sup> .....	1. 1.36
Chile .....	18.10.35	Turkey <sup>1</sup> .....	27.12.46
Czechoslovakia .....	12. 6.50		
Finland <sup>1</sup> .....	13. 1.36		
Mexico .....	21. 2.38		
Norway <sup>1</sup> .....	4. 7.49		

<sup>1</sup>Convention denounced as a result of the ratification of Convention No. 96.

## 35. OLD-AGE INSURANCE (INDUSTRY, ETC.) CONVENTION, 1933

This Convention came into force on 18 July 1937

States	Ratification registered on	States	Ratification registered on
Argentina .....	17. 2.55	Peru .....	8.11.45
Bulgaria .....	29.12.49	Poland .....	29. 9.48
Chile .....	18.10.35	United Kingdom .....	18. 7.36
Czechoslovakia .....	1. 7.49		
Djibouti .....	3. 8.78		
Ecuador <sup>1</sup> .....	5. 2.62		
France .....	23. 8.39		
Italy .....	22.10.47		
Malta .....	4. 1.65		

<sup>1</sup>Convention denounced as a result of the ratification of Convention No. 128 (Part III).

## 36. OLD-AGE INSURANCE (AGRICULTURE) CONVENTION, 1933

This Convention came into force on 18 July 1937

States	Ratification registered on	States	Ratification registered on
Argentina .....	17. 2.55	Italy .....	22.10.47
Bulgaria .....	29.12.49	Malta .....	4. 1.65
Chile .....	18.10.35	Peru .....	1. 2.60
Czechoslovakia .....	1. 7.49	Poland .....	29. 9.48
Djibouti .....	3. 8.78	United Kingdom .....	18. 7.36
France .....	23. 8.39		

# RATIFIED CONVENTIONS

## 37. INVALIDITY INSURANCE (INDUSTRY, ETC.) CONVENTION, 1933

This Convention came into force on 18 July 1937

States	Ratification registered on	States	Ratification registered on
Bulgaria .....	29.12.49	Peru .....	8.11.45
Chile .....	18.10.35	Poland .....	29 9.48
Czechoslovakia .....	1. 7.49	United Kingdom .....	18. 7.36
Djibouti .....	3. 8.78		
Ecuador <sup>1</sup> .....	5. 2.62		
France .....	23. 8.39		
Italy .....	22.10.47		

<sup>1</sup>Convention denounced as a result of the ratification of Convention No. 128 (Part II).

## 38. INVALIDITY INSURANCE (AGRICULTURE) CONVENTION, 1933

This Convention came into force on 18 July 1937

States	Ratification registered on	States	Ratification registered on
Bulgaria .....	29.12.49	Italy .....	22.10.47
Chile .....	18.10.35	Peru .....	1. 2.60
Czechoslovakia .....	1. 7.49	Poland .....	29. 9.48
Djibouti .....	3. 8.78	United Kingdom .....	18. 7.36
France .....	23. 8.39		

## 39. SURVIVORS' INSURANCE (INDUSTRY, ETC.) CONVENTION, 1933

This Convention came into force on 8 November 1946

States	Ratification registered on
Bulgaria .....	29.12.49
Czechoslovakia .....	1. 7.49
Ecuador <sup>1</sup> .....	5. 2.62
Italy .....	22.10.52
Peru .....	8.11.45
Poland .....	29. 9.48
United Kingdom .....	18. 7.36

<sup>1</sup>Convention denounced as a result of the ratification of Convention No. 128 (Part IV).

# RATIFIED CONVENTIONS

## 40. SURVIVORS' INSURANCE (AGRICULTURE) CONVENTION, 1933

This Convention came into force on 29 September 1949

States	Ratification registered on
Bulgaria .....	29.12.49
Czechoslovakia .....	1. 7.49
Italy .....	22.10.52
Peru .....	1. 2.60
Poland .....	29. 9.48
United Kingdom .....	18. 7.36

## 41. NIGHT WORK (WOMEN) CONVENTION (REVISED), 1934

This Convention came into force on 22 November 1936

States	Ratification registered on	States	Ratification registered on
Afghanistan .....	12. 6.39	Mauritania <sup>1</sup> .....	20. 6.61
Argentina .....	14. 3.50	Morocco .....	13. 6.56
Belgium <sup>1</sup> .....	4. 8.37	Netherlands <sup>1</sup> .....	9.12.35
Benin .....	12.12.60	New Zealand <sup>1</sup> .....	29. 3.38
Brazil <sup>1</sup> .....	8. 6.36	Niger .....	27. 2.61
Burma <sup>2</sup> .....	22.11.35	Pakistan <sup>1</sup> .....	22.11.35
Central African Republic ..	27.10.60	Peru .....	8.11.45
Chad .....	10.11.60	Senegal <sup>1</sup> .....	4.11.60
Congo <sup>1</sup> .....	10.11.60	South Africa <sup>1</sup> .....	28. 5.35
Egypt <sup>1</sup> .....	11. 7.47	Sri Lanka <sup>1</sup> .....	2. 9.50
France <sup>1</sup> .....	25. 1.38	Suriname .....	15. 6.76
Gabon .....	14.10.60	Switzerland <sup>1</sup> .....	4. 6.36
Greece <sup>1</sup> .....	30. 5.36	Togo .....	7. 6.60
Guinea <sup>1</sup> .....	21. 1.59	United Kingdom <sup>2</sup> .....	25. 1.37
Hungary <sup>2</sup> .....	18.12.36	Upper Volta .....	21.11.60
India <sup>1</sup> .....	22.11.35	Venezuela .....	20.11.44
Iraq <sup>1</sup> .....	28. 3.38		
Ireland <sup>1</sup> .....	15. 3.37		
Ivory Coast .....	21.11.60		
Madagascar .....	1.11.60		
Mali .....	22. 9.60		

<sup>1</sup>Convention denounced as a result of the ratification of Convention No. 89.

<sup>2</sup>Has denounced this Convention.

# RATIFIED CONVENTIONS

## 42. WOMEN'S COMPENSATION (OCCUPATIONAL DISEASES) CONVENTION (REVISED), 1934

This Convention came into force on 17 June 1936

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Ireland <sup>1</sup> .....	15. 3.37
Argentina .....	14. 3.50	Italy .....	22.10.52
Australia .....	29. 4.59	Japan <sup>1</sup> .....	6. 6.36
Austria .....	26. 2.36	Luxembourg <sup>1</sup> .....	3. 3.58
Bahamas .....	25. 5.76	Malta .....	4. 1.65
Barbados .....	8. 5.67	Mauritius .....	2.12.69
Belgium <sup>1</sup> .....	3. 8.49	Mexico .....	20. 5.37
Bolivia .....	19. 7.54	Morocco .....	20. 5.57
Brazil .....	8. 6.36	Netherlands <sup>1</sup> .....	1. 9.39
Bulgaria .....	29.12.49	New Zealand .....	29. 3.38
Burma .....	17. 5.57	Norway .....	21. 5.35
Burundi .....	11. 3.63	Panama .....	16. 2.59
Comoros .....	23.10.78	Papua New Guinea .....	1. 5.76
Cuba .....	22.10.36	Poland .....	29. 9.48
Czechoslovakia .....	1. 7.49	Rwanda .....	18. 9.62
Denmark .....	22. 6.39	South Africa .....	26. 2.52
Finland <sup>1</sup> .....	20. 1.50	Spain .....	24. 6.58
France .....	17. 5.48	Suriname .....	15. 6.76
Federal Republic of Germany <sup>1</sup> .....	17. 6.55	Sweden <sup>1</sup> .....	24. 2.37
Greece .....	13. 6.52	Turkey .....	27.12.46
Guyana .....	8. 6.66	United Kingdom .....	29. 4.36
Haiti .....	19. 4.55	Uruguay <sup>1</sup> .....	18. 3.54
Honduras .....	17.11.64	Zaire <sup>1</sup> .....	20. 9.60
Hungary .....	17. 6.35		
India .....	13. 1.64		
Iraq .....	25. 7.41		

<sup>1</sup>Convention denounced as a result of the ratification of Convention No. 121.

## 43. SHEET-GLASS WORKS CONVENTION, 1934

This Convention came into force on 13 January 1938

States	Ratification registered on	States	Ratification registered on
Belgium .....	4. 8.37	Norway .....	21. 5.35
Bulgaria .....	29.12.49	Panama .....	19. 6.70
Czechoslovakia .....	19. 9.38	United Kingdom <sup>1</sup> .....	13. 1.37
Djibouti .....	3. 8.78	Uruguay .....	18. 3.54
France .....	5. 2.38		
Ireland .....	15. 5.39		
Mexico .....	9. 3.38		

<sup>1</sup>Has denounced this Convention.

# RATIFIED CONVENTIONS

## 44. UNEMPLOYMENT PROVISION CONVENTION, 1934

This Convention came into force on 10 June 1938

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	New Zealand .....	29. 3.38
Bulgaria .....	29.12.49	Norway .....	20. 5.57
Cyprus .....	8.10.65	Peru .....	4. 4.62
Czechoslovakia <sup>1</sup> .....	12. 6.50	Spain .....	5. 5.71
Djibouti .....	3. 8.78	Switzerland .....	14. 6.39
France .....	21. 2.49	United Kingdom .....	29. 4.36
Ireland .....	10. 6.37		
Italy .....	22.10.52		
Netherlands .....	17. 1.66		

<sup>1</sup>Has denounced this Convention.

# RATIFIED CONVENTIONS

## 45. UNDERGROUND WORK (WOMEN) CONVENTION, 1935

This Convention came into force on 30 May 1937

States	Ratification registered on	States	Ratification registered on
Afghanistan .....	14. 5.37	Lebanon .....	26. 7.62
Angola .....	4. 6.76	Lesotho .....	31.10.66
Argentina .....	14. 3.50	Luxembourg .....	3. 3.58
Australia .....	7.10.53	Malawi .....	22. 3.65
Austria .....	3. 7.37	Malaysia:	
Bahamas .....	25. 5.76	Peninsular Malaysia .....	11.11.57
Bangladesh .....	22. 6.72	Mexico .....	21. 2.38
Belgium .....	4. 8.37	Morocco .....	20. 9.56
Bolivia .....	15.11.73	Netherlands .....	20. 2.37
Brazil .....	22. 9.38	New Zealand .....	29. 3.38
Bulgaria .....	29.12.49	Nicaragua .....	1. 3.76
Byelorussian SSR .....	4. 8.61	Nigeria .....	17.10.60
United Republic of Cameroon	3. 9.62	Pakistan .....	25. 3.38
Canada <sup>1</sup> .....	16. 9.66	Panama .....	16. 2.59
Chile .....	16. 3.46	Papua New Guinea .....	1. 5.76
China .....	2.12.36	Peru .....	8.11.45
Costa Rica .....	22. 3.60	Poland .....	15. 6.57
Cuba .....	14. 4.36	Portugal .....	18.10.37
Cyprus .....	23. 9.60	Saudi Arabia .....	15. 6.78
Czechoslovakia .....	12. 6.50	Sierra Leone .....	13. 6.61
Djibouti .....	3. 8.78	Singapore .....	25.10.65
Dominican Republic .....	12. 8.57	Somalia .....	18.11.60
Ecuador .....	6. 7.54	South Africa .....	25. 6.36
Egypt .....	11. 7.47	Spain .....	24. 6.58
Fiji .....	19. 4.74	Sri Lanka .....	20.12.50
Finland .....	3. 3.38	Swaziland .....	5. 6.81
France .....	25. 1.38	Sweden <sup>1</sup> .....	11. 7.36
Gabon .....	13. 6.61	Switzerland .....	23. 5.40
German Democratic Republic .	20. 8.75	Syrian Arab Republic .....	26. 7.60
Federal Republic of Germany	15.11.54	Tanzania:	
Ghana .....	20. 5.57	Tanganyika .....	30. 1.62
Greece .....	30. 5.36	Tunisia .....	15. 5.57
Guatemala .....	7. 3.60	Turkey .....	21. 4.38
Guinea .....	12.12.66	Uganda .....	4. 6.63
Guinea-Bissau .....	21. 2.77	Ukrainian SSR .....	4. 8.61
Guyana .....	8. 6.66	USSR .....	4. 5.61
Haiti .....	5. 4.60	United Kingdom .....	18. 7.36
Honduras .....	20. 6.60	Uruguay <sup>1</sup> .....	18. 3.54
Hungary .....	19.12.38	Venezuela .....	20.11.44
India .....	25. 3.38	Viet Nam .....	6. 6.53
Indonesia .....	12. 6.50	Yugoslavia .....	21. 5.52
Ireland .....	20. 8.36	Zambia .....	2.12.64
Italy .....	22.10.52	Zimbabwe .....	6. 6.80
Ivory Coast .....	5. 5.61		
Japan .....	11. 6.56		
Kenya .....	13. 1.64		

<sup>1</sup>Has denounced this Convention.

# RATIFIED CONVENTIONS

## 46. HOURS OF WORK (COAL MINES) CONVENTION (REVISED), 1935

This Convention has not yet come into force

States	Ratification registered on
Cuba .....	14. 4.36
Mexico .....	1. 9.39
Spain .....	30.11.71

## 47. FORTY-HOUR WEEK CONVENTION, 1935

This Convention came into force on 23 June 1957

States	Ratification registered on
Australia .....	22.10.70
Byelorussian SSR .....	21. 8.56
German Democratic Republic .	14. 7.77
New Zealand .....	29. 3.38
Norway .....	13. 3.79
Ukrainian SSR .....	10. 8.56
USSR .....	23. 6.56

## 48. MAINTENANCE OF MIGRANTS' PENSION RIGHTS CONVENTION, 1935

This Convention came into force on 10 August 1938

States	Ratification registered on
Czechoslovakia <sup>1</sup> .....	12. 6.50
Hungary .....	10. 8.37
Israel .....	16. 1.63
Italy .....	22.10.52
Netherlands .....	6.10.38
Poland <sup>1</sup> .....	21. 3.38
Spain .....	8. 7.37
Yugoslavia .....	4. 1.46

<sup>1</sup>Has denounced this Convention.



# RATIFIED CONVENTIONS

## 49. REDUCTION OF HOURS OF WORK (GLASS-BOTTLE WORKS) CONVENTION, 1935

This Convention came into force on 10 June 1938

States	Ratification registered on
Bulgaria .....	29.12.49
Czechoslovakia .....	19. 9.38
Djibouti .....	3. 8.78
France .....	25. 1.38
Ireland .....	10. 6.37
Mexico .....	21. 2.38
New Zealand .....	29. 3.38
Norway .....	21. 7.36

## 50. RECRUITING OF INDIGENOUS WORKERS CONVENTION, 1936

This Convention came into force on 8 September 1939

States	Ratification registered on	States	Ratification registered on
Argentina .....	14. 3.50	Nigeria .....	17.10.60
Bahamas .....	25. 5.76	Norway .....	7. 7.37
Barbados .....	8. 5.67	Rwanda .....	18. 9.62
Belgium .....	26. 7.48	Saint Lucia .....	14. 5.80
Burundi .....	11. 3.63	Seychelles .....	6. 2.78
United Republic of Cameroon	3. 9.62	Sierra Leone .....	13. 6.61
Fiji .....	19. 4.74	Singapore .....	25.10.65
Ghana .....	20. 5.57	Somalia:	
Grenada .....	9. 7.79	ex-British Somaliland <sup>1</sup> ...	18.11.60
Guyana .....	8. 6.66	Swaziland .....	26. 4.78
Jamaica .....	26.12.62	Tanzania:	
Japan .....	8. 9.38	Tanganyika .....	30. 1.62
Kenya .....	13. 1.64	Zanzibar .....	22. 6.64
Malawi .....	7. 6.66	Trinidad and Tobago .....	24. 5.63
Malaysia:		Uganda .....	4. 6.63
Peninsular Malaysia .....	11.11.57	United Kingdom .....	22. 5.39
Sabah .....	3. 3.64	Zaire .....	20. 9.60
Sarawak .....	3. 3.64	Zambia .....	2.12.64
Mauritius .....	2.12.69	Zimbabwe .....	6. 6.80
New Zealand .....	8. 7.47		

<sup>1</sup>Has denounced this Convention

# RATIFIED CONVENTIONS

## 52. HOLIDAYS WITH PAY CONVENTION, 1936

This Convention came into force on 22 September 1939

States	Ratification registered on	States	Ratification registered on
Albania .....	3. 6.57	Ivory Coast .....	5. 5.61
Argentina .....	14. 3.50	Kuwait .....	21. 9.61
Brazil .....	22. 9.38	Lebanon .....	26. 7.62
Bulgaria .....	29.12.49	Libyan Arab Jamahiriya .....	20. 6.62
Burma .....	21. 5.54	Madagascar <sup>1</sup> .....	10. 8.62
Burundi .....	30. 7.71	Mali .....	12. 7.68
Byelorussian SSR .....	6.11.56	Mauritania .....	8.11.63
United Republic of Cameroon <sup>1</sup> .....	25. 5.70	Mexico .....	9. 3.38
Central African Republic ...	9. 6.64	Morocco .....	20. 9.56
Chad .....	8. 6.61	New Zealand .....	10.11.50
Colombia .....	7. 6.63	Panama .....	3. 6.58
Comoros .....	23.10.78	Paraguay .....	21. 3.66
Cuba .....	20. 7.53	Peru .....	1. 2.60
Czechoslovakia .....	12. 6.50	Senegal .....	22.10.62
Denmark .....	22. 6.39	Spain <sup>1</sup> .....	5. 5.71
Djibouti .....	3. 8.78	Syrian Arab Republic .....	26. 7.60
Dominican Republic .....	5.12.56	Tunisia .....	15. 5.57
Egypt .....	3. 7.54	Ukrainian SSR .....	14. 9.56
Finland .....	23. 8.49	USSR .....	10. 8.56
France .....	23. 8.39	Upper Volta <sup>1</sup> .....	30. 6.69
Gabon .....	13. 6.61	Uruguay <sup>1</sup> .....	18. 3.54
Greece .....	13. 6.52	Viet Nam .....	6. 6.53
Guinea <sup>1</sup> .....	12.12.66	Yugoslavia <sup>1</sup> .....	26. 3.53
Hungary .....	8. 6.56		
Iraq <sup>1</sup> .....	12. 5.60		
Israel .....	22. 8.51		
Italy <sup>1</sup> .....	22.10.52		

<sup>1</sup>Convention denounced as a result of the ratification of Convention No. 132.

## 53. OFFICERS' COMPETENCY CERTIFICATES CONVENTION, 1936

This Convention came into force on 29 March 1939

States	Ratification registered on	States	Ratification registered on
Argentina .....	17. 2.55	Liberia .....	9. 5.60
Belgium .....	11. 4.38	Libyan Arab Jamahiriya .....	15.11.74
Brazil .....	12.10.38	Mauritania .....	8.11.63
Bulgaria .....	29.12.49	Mexico .....	1. 9.39
China .....	10.12.64	New Zealand .....	29. 3.38
Cuba .....	5. 2.71	Norway .....	7. 7.37
Denmark .....	13. 7.38	Panama .....	19. 6.70
Djibouti .....	3. 8.78	Peru .....	4. 4.62
Egypt .....	20. 5.39	Philippines .....	17.11.60
Finland .....	8. 4.47	Spain .....	5. 5.71
France .....	19. 6.47	Syrian Arab Republic .....	26. 7.60
Israel .....	19. 6.69	United States .....	29.10.38
Italy .....	22.10.52	Yugoslavia .....	26. 5.61

# RATIFIED CONVENTIONS

## 54. HOLIDAYS WITH PAY (SEA) CONVENTION, 1936

This Convention has not come into force

States	Ratification registered on
Belgium <sup>1</sup> .....	11. 4.38
Bulgaria .....	29.12.49
France <sup>1</sup> .....	19. 6.47
Mexico .....	12. 6.42
United States .....	29.10.38
Uruguay .....	18. 3.54

<sup>1</sup>Convention denounced as a result  
of the ratification of Convention  
No. 91.

## 55. SHIPOWNERS' LIABILITY (SICK AND INJURED SEAMEN) CONVENTION, 1936

This Convention came into force on 29 October 1939

States	Ratification registered on	States	Ratification registered on
Belgium .....	11. 4.38	Mexico .....	15. 9.39
Bulgaria .....	29.12.49	Morocco .....	14. 3.58
Djibouti .....	3. 8.78	Panama .....	4. 6.71
France .....	19. 6.47	Peru .....	4. 4.62
Greece .....	19. 6.68	Spain .....	30.11.71
Italy .....	22.10.52	Tunisia .....	14. 4.70
Liberia .....	9. 5.60	United States .....	29.10.38

## 56. SICKNESS INSURANCE (SEA) CONVENTION, 1936

This Convention came into force on 9 December 1949

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Norway .....	6. 6.66
Belgium .....	3. 8.49	Panama .....	4. 6.71
Bulgaria .....	29.12.49	Peru .....	4. 4.62
Djibouti .....	3. 8.78	Spain .....	30.11.71
France .....	9.12.48	United Kingdom .....	30. 9.44
Federal Republic of Germany	12.12.56	Yugoslavia .....	13.10.58

# RATIFIED CONVENTIONS

## 57. HOURS OF WORK AND MANNING (SEA) CONVENTION, 1936

This Convention has not yet come into force

States	Ratification registered on
Australia .....	24. 9.38
Belgium .....	11. 4.38
Bulgaria .....	29.12.49
United States .....	29.10.38

## 58. MINIMUM AGE (SEA) CONVENTION (REVISED), 1936

This Convention came into force on 11 April 1939

States	Ratification registered on	States	Ratification registered on
Albania .....	3. 6.57	Mexico .....	18. 7.52
Algeria .....	19.10.62	Netherlands <sup>1</sup> .....	8. 7.47
Argentina .....	17. 2.55	New Zealand .....	7. 6.46
Belgium .....	11. 4.38	Nigeria .....	16. 6.61
Brazil .....	12.10.38	Norway <sup>1</sup> .....	7. 7.37
Bulgaria <sup>1</sup> .....	29.12.49	Panama .....	19. 6.70
Byelorussian SSR <sup>1</sup> .....	6.11.56	Peru .....	4. 4.62
Canada .....	10. 9.51	Seychelles .....	6. 2.78
China .....	10.12.64	Sierra Leone .....	13. 6.61
Cuba <sup>1</sup> .....	20. 7.53	Spain <sup>1</sup> .....	5. 5.71
Democratic Yemen .....	14. 4.69	Sri Lanka .....	18. 5.59
Denmark .....	4. 6.55	Sweden .....	6. 1.39
Djibouti .....	3. 8.78	Switzerland .....	21. 4.60
Fiji .....	19. 4.74	Tanzania:	
France .....	9.12.48	Zanzibar .....	22. 6.64
Ghana .....	20. 5.57	Tunisia .....	14. 4.70
Greece .....	9.10.63	Turkey .....	29. 9.59
Grenada .....	9. 7.79	Ukrainian SSR <sup>1</sup> .....	14. 9.56
Guatemala .....	30.10.61	USSR <sup>1</sup> .....	10. 8.56
Iceland .....	21. 8.56	United States .....	29.10.38
Iraq .....	30.12.39	Uruguay <sup>1</sup> .....	18. 3.54
Italy <sup>1</sup> .....	22.10.52	Yugoslavia .....	5. 5.58
Jamaica .....	26.12.62		
Japan .....	22. 8.55		
Kenya <sup>1</sup> .....	13. 1.64		
Liberia .....	9. 5.60		
Mauritania .....	8.11.63		
Mauritius .....	2.12.69		

<sup>1</sup>Convention denounced as a result  
of the ratification of Convention  
No. 138.

# RATIFIED CONVENTIONS

## 59. MINIMUM AGE (INDUSTRY) CONVENTION (REVISED), 1937

This Convention came into force on 21 February 1941

States	Ratification registered on	States	Ratification registered on
Albania .....	3. 6.57	Norway <sup>1</sup> .....	26. 8.38
Bangladesh .....	22. 6.72	Pakistan .....	26. 5.55
Bulgaria <sup>1</sup> .....	22. 7.60	Paraguay .....	21. 3.66
Burundi .....	30. 7.71	Peru .....	4. 4.62
Byelorussian SSR <sup>1</sup> .....	6.11.56	Philippines .....	17.11.60
China .....	21. 2.40	Romania <sup>1</sup> .....	6. 6.73
Cuba <sup>1</sup> .....	7. 9.54	Sierra Leone .....	15. 6.61
Democratic Yemen .....	14. 4.69	Spain <sup>1</sup> .....	5. 5.71
Fiji .....	19. 4.74	Swaziland .....	26. 4.78
Ghana .....	20. 5.57	Tanzania:	
Iraq .....	5. 7.60	Tanganyika .....	30. 1.62
Italy <sup>1</sup> .....	22.10.52	Zanzibar .....	22. 6.64
Kenya <sup>1</sup> .....	13. 1.64	Tunisia .....	14. 4.70
Lebanon .....	1. 6.77	Ukrainian SSR <sup>1</sup> .....	14. 9.56
Libyan Arab Jamahiriya <sup>1</sup> .....	27. 5.71	USSR <sup>1</sup> .....	10. 8.56
Luxembourg <sup>1</sup> .....	3. 3.58	Uruguay <sup>1</sup> .....	18. 3.54
Mauritius .....	2.12.69		
Mongolia .....	3. 6.69		
New Zealand .....	8. 7.47		
Nigeria .....	16. 6.61		

<sup>1</sup>Convention denounced as a result of the ratification of Convention No. 138.

## 60. MINIMUM AGE (NON-INDUSTRIAL EMPLOYMENT) CONVENTION (REVISED), 1937

This Convention came into force on 29 December 1950

States	Ratification registered on	States	Ratification registered on
Bulgaria <sup>1</sup> .....	29.12.49	USSR <sup>1</sup> .....	10. 8.56
Byelorussian SSR <sup>1</sup> .....	6.11.56	Uruguay <sup>1</sup> .....	18. 3.54
Cuba <sup>1</sup> .....	7. 9.54		
Italy <sup>1</sup> .....	22.10.52		
Luxembourg <sup>1</sup> .....	3. 3.58		
New Zealand <sup>2</sup> .....	8. 7.47		
Paraguay .....	21. 3.66		
Spain <sup>1</sup> .....	5. 5.71		
Ukrainian SSR <sup>1</sup> .....	14. 9.56		

<sup>1</sup>Convention denounced as a result of the ratification of Convention No. 138.

<sup>2</sup>Has denounced this Convention.

# RATIFIED CONVENTIONS

## 62. SAFETY PROVISIONS (BUILDING) CONVENTION, 1937

This Convention came into force on 4 July 1942

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Ireland .....	13. 6.72
Belgium .....	3.10.51	Mauritania .....	8.11.63
Bulgaria .....	29.12.49	Mexico .....	4. 7.41
Burundi .....	11. 3.63	Netherlands .....	2. 5.50
Central African Republic ...	9. 6.64	Peru .....	4. 4.62
Colombia .....	4. 3.69	Poland .....	17. 4.50
Denmark .....	30.11.72	Rwanda .....	18. 9.62
Finland .....	8. 4.47	Spain .....	24. 6.58
France .....	16.12.50	Suriname .....	15. 6.76
Federal Republic of Germany	14. 6.55	Switzerland .....	23. 5.40
Guatemala .....	9. 1.73	Tunisia .....	12. 1.59
Guinea .....	12.12.66	Uruguay .....	18. 3.54
Honduras .....	17.11.64	Zaire .....	20. 9.60
Hungary .....	8. 6.56		

## 63. CONVENTION CONCERNING STATISTICS OF WAGES AND HOURS OF WORK, 1938

This Convention came into force on 22 June 1940

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	New Zealand <sup>1</sup> .....	18. 1.40
Australia .....	5. 9.39	Nicaragua .....	1.10.81
Austria <sup>1,2</sup> .....	26.11.58	Norway <sup>3</sup> .....	29. 3.40
Barbados <sup>3</sup> .....	8. 5.67	Panama <sup>2</sup> .....	15. 7.71
Burma <sup>2,3</sup> .....	24.11.61	South Africa <sup>1,2</sup> .....	8. 8.39
Canada .....	6. 4.46	Spain .....	5. 5.71
Chile <sup>3</sup> .....	10. 5.57	Sri Lanka <sup>2</sup> .....	25. 8.52
Cuba .....	7. 9.54	Sweden <sup>3</sup> .....	21. 6.39
Czechoslovakia .....	12. 6.50	Switzerland <sup>2,3</sup> .....	23. 5.40
Denmark <sup>3</sup> .....	22. 6.39	Syrian Arab Republic <sup>2,3</sup> ....	26. 7.60
Djibouti .....	3. 8.78	Tanzania:	
Egypt <sup>2,3</sup> .....	5.10.40	Tanganyika <sup>1</sup> .....	19.11.62
Finland <sup>3</sup> .....	8. 4.47	Zanzibar .....	22. 6.64
France .....	28. 6.51	United Kingdom .....	26. 5.47
Federal Republic of Germany	22. 6.54	Uruguay .....	18. 3.54
Guatemala .....	4. 8.61		
Ireland .....	9.10.46		
Kenya .....	13. 1.64		
Mauritius <sup>1</sup> .....	2.12.69		
Mexico .....	16. 7.42		
Netherlands .....	9. 3.40		

<sup>1</sup>Excluding Part II.

<sup>2</sup>Excluding Part IV.

<sup>3</sup>Excluding Part III.

# RATIFIED CONVENTIONS

## 64. CONTRACTS OF EMPLOYMENT (INDIGENOUS WORKERS) CONVENTION, 1939

This Convention came into force on 8 July 1948

States	Ratification registered on	States	Ratification registered on
Bahamas .....	25. 5.76	Nigeria .....	17.10.60
Belgium .....	26. 7.48	Panama .....	19. 6.70
Burundi .....	11. 3.63	Rwanda .....	18. 9.62
United Republic of Cameroon	3. 9.62	Saint Lucia .....	14. 5.80
Democratic Yemen .....	14. 4.69	Seychelles .....	6. 2.78
Fiji .....	19. 4.74	Sierra Leone .....	13. 6.61
Ghana .....	20. 5.57	Singapore .....	25.10.65
Grenada .....	9. 7.79	Somalia:	
Guyana .....	8. 6.66	ex-British Somaliland <sup>1</sup> ...	18.11.60
Jamaica .....	26.12.62	Swaziland .....	26. 4.78
Kenya .....	13. 1.64	Tanzania:	
Lesotho .....	31.10.66	Tanganyika .....	30. 1.62
Malawi .....	7. 6.66	Zanzibar .....	22. 6.64
Malaysia:		Uganda .....	4. 6.63
Peninsular Malaysia .....	11.11.57	United Kingdom .....	24. 8.43
Sabah .....	3. 3.64	Zaire .....	20. 9.60
Sarawak .....	3. 3.64	Zambia .....	2.12.64
Mauritius .....	2.12.69		
New Zealand .....	8. 7.47		

<sup>1</sup>Has denounced this Convention.

## 65. PENAL SANCTIONS (INDIGENOUS WORKERS) CONVENTION, 1939

This Convention came into force on 8 July 1948

States	Ratification registered on	States	Ratification registered on
Bahamas .....	25. 5.76	Morocco .....	27. 3.63
Barbados .....	8. 5.67	New Zealand .....	8. 7.47
United Republic of Cameroon	3. 9.62	Niger .....	23. 3.62
Democratic Yemen .....	14. 4.69	Nigeria .....	17.10.60
Fiji .....	19. 4.74	Panama .....	19. 6.70
Ghana .....	20. 5.57	Saint Lucia .....	14. 5.80
Grenada .....	9. 7.79	Seychelles .....	6. 2.78
Guatemala .....	4. 8.61	Sierra Leone .....	13. 6.61
Guyana .....	8. 6.66	Singapore .....	25.10.65
Jamaica .....	26.12.62	Somalia .....	18.11.60
Kenya .....	13. 1.64	Swaziland .....	26. 4.78
Lesotho .....	31.10.66	Tanzania:	
Liberia .....	25. 5.62	Tanganyika .....	30. 1.62
Malawi .....	22. 3.65	Zanzibar .....	22. 6.64
Malaysia:		Trinidad and Tobago .....	24. 5.63
Peninsular Malaysia .....	11.11.57	Tunisia .....	17.12.62
Sabah .....	3. 3.64	Uganda .....	4. 6.63
Sarawak .....	3. 3.64	United Kingdom .....	24. 8.43
Mauritius .....	2.12.69	Zambia .....	2.12.64

# RATIFIED CONVENTIONS

## 67. HOURS OF WORK AND REST PERIODS (ROAD TRANSPORT) CONVENTION, 1939

This Convention came into force on 18 March 1955

States	Ratification registered on
Central African Republic ...	9. 6.64
Cuba .....	20. 7.53
Peru .....	4. 4.62
Uruguay .....	18. 3.54

## 68. FOOD AND CATERING (SHIPS' CREWS) CONVENTION, 1946

This Convention came into force on 24 March 1957

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Italy .....	22.10.52
Angola .....	4. 6.76	Netherlands .....	17. 6.58
Argentina .....	24. 9.56	New Zealand .....	31. 5.77
Belgium .....	5.12.51	Norway .....	28. 1.57
Bulgaria .....	29.12.49	Panama .....	4. 6.71
Canada .....	19. 3.51	Peru .....	4. 4.62
France .....	9.12.48	Poland .....	13. 4.54
Greece .....	28. 8.81	Portugal .....	13. 6.52
Guinea-Bissau .....	21. 2.77	Spain .....	14. 7.71
Ireland .....	12. 6.56	United Kingdom .....	6. 8.53

## 69. CERTIFICATION OF SHIPS' COOKS CONVENTION, 1946

This Convention came into force on 22 April 1953

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Netherlands .....	23. 2.51
Angola .....	4. 6.76	New Zealand .....	11. 1.80
Belgium .....	5.12.51	Norway .....	6. 3.52
Bulgaria .....	29.12.49	Panama .....	4. 6.71
Canada .....	19. 3.51	Peru .....	4. 4.62
Djibouti .....	3. 8.78	Poland .....	13. 4.54
France .....	9.12.48	Portugal .....	13. 6.52
Ghana .....	18. 3.65	Spain .....	5. 5.71
Greece .....	9.10.63	Ukrainian SSR .....	17. 6.70
Guinea-Bissau .....	21. 2.77	USSR .....	4.11.69
Ireland .....	16. 6.51	United Kingdom .....	29. 7.49
Italy .....	22.10.52	Yugoslavia .....	6. 3.61
Japan .....	29. 7.75		



# RATIFIED CONVENTIONS

## 70. SOCIAL SECURITY (SEAFARERS) CONVENTION, 1946

This Convention has not yet come into force

States	Ratification registered on
Algeria .....	19.10.62
France .....	9.12.48
Netherlands .....	22.12.61
Peru .....	4. 4.62
Poland .....	8.10.56
Spain .....	8. 5.73
United Kingdom .....	20. 5.53

## 71. SEAFARERS' PENSIONS CONVENTION, 1946

This Convention came into force on 10 October 1962

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Italy .....	10. 4.62
Argentina .....	17. 2.55	Netherlands .....	27. 8.57
Bulgaria .....	29.12.49	Norway .....	4. 7.49
Djibouti .....	3. 8.78	Panama .....	4. 6.71
France .....	9.12.48	Peru .....	4. 4.62

## 72. PAID VACATIONS (SEAFARERS) CONVENTION, 1946

This Convention has not come into force

States	Ratification registered on
Algeria <sup>1</sup> .....	19.10.62
Bulgaria .....	29.12.49
Cuba <sup>1</sup> .....	13. 1.54
Finland <sup>1</sup> .....	23. 8.49
France <sup>1</sup> .....	9.12.48

<sup>1</sup>Convention denounced as a result  
of the ratification of Convention  
No. 91.

# RATIFIED CONVENTIONS

## 73. MEDICAL EXAMINATION (SEAFARERS) CONVENTION, 1946

This Convention came into force on 17 August 1955

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Japan .....	22. 8.55
Angola .....	4. 6.76	Netherlands .....	17. 6.58
Argentina .....	17. 2.55	Norway .....	17. 2.55
Belgium .....	5.12.51	Panama .....	4. 6.71
Bulgaria .....	29.12.49	Peru .....	4. 4.62
Canada .....	19. 3.51	Poland .....	13. 4.54
China .....	10.12.64	Portugal .....	13. 6.52
Denmark .....	28. 7.80	Spain .....	14. 7.71
Djibouti .....	3. 8.78	Sweden .....	9. 1.62
Finland .....	15. 5.56	Tunisia .....	14. 4.70
France .....	9.12.48	Ukrainian SSR .....	17. 6.70
Federal Republic of Germany	8.10.76	USSR .....	4.11.69
Greece .....	6. 5.81	Uruguay .....	18. 3.54
Guinea-Bissau .....	21. 2.77	Yugoslavia .....	25.11.66
Italy .....	22.10.52		

## 74. CERTIFICATION OF ABLE SEAMEN CONVENTION, 1946

This Convention came into force on 14 July 1951

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Mauritius .....	2.12.69
Angola .....	4. 6.76	Netherlands .....	14. 7.50
Barbados .....	8. 5.67	New Zealand .....	5.12.61
Belgium .....	5.12.51	Panama .....	4. 6.71
Canada .....	19. 3.51	Poland .....	13. 4.54
Egypt .....	30. 3.67	Portugal .....	13. 6.52
France .....	9.12.48	Spain .....	5. 5.71
Ghana .....	18. 3.65	United Kingdom .....	13. 5.52
Guinea-Bissau .....	21. 2.77	United States .....	9. 4.53
Ireland .....	21. 6.57	Yugoslavia .....	22.12.61
Italy .....	23. 6.81		

# RATIFIED CONVENTIONS

## 75. ACCOMMODATION OF CREWS CONVENTION, 1946

This Convention has not come into force

States	Ratification registered on
Bulgaria .....	29.12.49
Finland <sup>1</sup> .....	23. 8.49
France <sup>1</sup> .....	9.12.48
Norway <sup>1</sup> .....	4. 7.49
Sweden <sup>1</sup> .....	21.10.47

<sup>1</sup>Convention denounced as a result  
of the ratification of Convention  
No. 92.

## 76. WAGES, HOURS OF WORK AND MANNING (SEA) CONVENTION, 1946

This Convention has not yet come into force

States	Ratification registered on
Australia .....	25. 1.49

## 77. MEDICAL EXAMINATION OF YOUNG PERSONS (INDUSTRY) CONVENTION, 1946

This Convention came into force on 29 December 1950

States	Ratification registered on	States	Ratification registered on
Albania .....	3. 6.57	Haiti .....	12. 4.57
Algeria .....	19.10.62	Hungary .....	8. 6.56
Argentina .....	17. 2.55	Iraq .....	13. 1.51
Belgium .....	10. 4.79	Israel .....	23.12.53
Bolivia .....	15.11.73	Italy' .....	22.10.52
Bulgaria .....	29.12.49	Lebanon .....	1. 6.77
Byelorussian SSR .....	6.11.56	Luxembourg .....	3. 3.58
United Republic of Cameroon .....	25. 5.70	Nicaragua .....	1. 3.76
Comoros .....	23.10.78	Panama .....	15. 7.71
Cuba .....	13. 1.54	Paraguay .....	21. 3.66
Czechoslovakia .....	23. 4.80	Peru .....	4. 4.62
Djibouti .....	3. 8.78	Philippines .....	17.11.60
Dominican Republic .....	19. 6.73	Poland .....	11.12.47
Ecuador .....	18. 7.75	Spain .....	5. 5.71
France .....	28. 6.51	Tunisia .....	14. 4.70
German Democratic Republic .....	19. 6.79	Ukrainian SSR .....	14. 9.56
Greece .....	28. 8.81	USSR .....	10. 8.56
Guatemala .....	13. 2.52	Uruguay .....	18. 3.54

# RATIFIED CONVENTIONS

## 78. MEDICAL EXAMINATION OF YOUNG PERSONS (NON-INDUSTRIAL OCCUPATIONS) CONVENTION, 1946

This Convention came into force on 29 December 1950

States	Ratification registered on	States	Ratification registered on
Albania .....	3. 6.57	Honduras .....	20. 6.60
Algeria .....	19.10.62	Hungary .....	8. 6.56
Argentina .....	17. 2.55	Iraq .....	5. 7.60
Bolivia .....	15.11.73	Israel .....	23.12.53
Bulgaria .....	29.12.49	Italy .....	22.10.52
Byelorussian SSR .....	6.11.56	Lebanon .....	1. 6.77
United Republic of Cameroon	25. 5.70	Luxembourg .....	3. 3.58
Comoros .....	23.10.78	Nicaragua .....	1. 3.76
Cuba .....	7. 9.54	Panama .....	19. 6.70
Czechoslovakia .....	23. 4.80	Paraguay .....	21. 3.66
Djibouti .....	3. 8.78	Peru .....	4. 4.62
Ecuador .....	26. 8.75	Poland .....	11.12.47
France .....	28. 6.51	Spain .....	5. 5.71
German Democratic Republic	19. 6.79	Ukrainian SSR .....	14. 9.56
Greece .....	28. 8.81	USSR .....	10. 8.56
Guatemala .....	13. 2.52	Uruguay .....	18. 3.54
Haiti .....	12. 4.57		

## 79. NIGHT WORK OF YOUNG PERSONS (NON-INDUSTRIAL OCCUPATIONS) CONVENTION, 1946

This Convention came into force on 29 December 1950

States	Ratification registered on	States	Ratification registered on
Argentina .....	17. 2.55	Luxembourg .....	3. 3.58
Bulgaria .....	29.12.49	Paraguay .....	21. 3.66
Byelorussian SSR .....	6.11.56	Peru .....	4. 4.62
Cuba .....	7. 9.54	Poland .....	11.12.47
Dominican Republic .....	22. 9.53	Spain .....	5. 5.71
Guatemala .....	13. 2.52	Ukrainian SSR .....	14. 9.56
Israel .....	23.12.53	USSR .....	10. 8.56
Italy .....	22.10.52	Uruguay .....	18. 3.54

# RATIFIED CONVENTIONS

## 80. FINAL ARTICLES REVISION CONVENTION, 1946

This Convention came into force on 28 May 1947

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Japan .....	27. 5.54
Argentina .....	14. 3.50	Luxembourg .....	29.10.48
Australia .....	25. 1.49	Mexico .....	20. 4.48
Austria .....	31. 3.49	Morocco .....	20. 5.57
Bangladesh .....	22. 6.72	Netherlands .....	15. 1.48
Belgium .....	3. 8.49	New Zealand .....	8. 7.47
Brazil .....	13. 4.48	Norway .....	5. 1.49
Bulgaria .....	7.11.55	Pakistan .....	25. 3.48
Canada .....	31. 7.47	Panama .....	13. 5.54
Chile .....	3.11.49	Peru .....	4. 4.62
China .....	4. 8.47	Poland .....	11.12.47
Colombia .....	10. 6.47	South Africa .....	19. 6.47
Cuba .....	20. 7.53	Spain .....	24. 6.58
Czechoslovakia .....	12. 6.50	Sri Lanka .....	19. 9.50
Denmark .....	30. 6.49	Sweden .....	29. 5.47
Dominican Republic .....	29. 8.47	Switzerland .....	22. 4.47
Egypt .....	7. 6.49	Syrian Arab Republic .....	26. 7.60
Ethiopia .....	23. 7.47	Thailand .....	5.12.47
Finland .....	28. 6.47	Turkey .....	13. 7.49
France .....	20. 1.48	United Kingdom .....	28. 5.47
Greece .....	13. 6.52	United States .....	24. 6.48
Guatemala .....	1.10.47	Uruguay .....	18. 3.54
India .....	17.11.47	Venezuela .....	13. 9.48
Iraq .....	9. 9.47	Viet Nam .....	6. 6.53
Ireland .....	14. 6.47	Yugoslavia .....	21. 5.52
Italy .....	11.12.47		

# RATIFIED CONVENTIONS

## 81. LABOUR INSPECTION CONVENTION, 1947

This Convention came into force on 7 April 1950

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Madagascar .....	21.12.71
Angola .....	4. 6.76	Malawi .....	22. 3.65
Argentina .....	17. 2.55	Malaysia:	
Australia <sup>1</sup> .....	24. 6.75	Peninsular Malaysia .....	1. 7.63
Austria .....	30. 4.49	Sabah .....	3. 3.64
Bahamas .....	25. 5.76	Sarawak .....	3. 3.64
Bahrain .....	11. 6.81	Mali .....	2. 3.64
Bangladesh .....	22. 6.72	Malta <sup>1</sup> .....	4. 1.65
Barbados <sup>1</sup> .....	8. 5.67	Mauritania .....	8.11.63
Belgium .....	5. 4.57	Mauritius .....	2.12.69
Bolivia .....	15.11.73	Morocco .....	14. 3.58
Brazil <sup>2</sup> .....	25. 4.57	Mozambique .....	6. 6.77
Bulgaria .....	29.12.49	Netherlands .....	15. 9.51
Burundi .....	30. 7.71	New Zealand <sup>1</sup> .....	30.11.59
United Republic of Cameroon <sup>1</sup>	3. 9.62	Niger .....	9. 1.79
Cape Verde .....	16.10.79	Nigeria <sup>1</sup> .....	17.10.60
Central African Republic ...	9. 6.64	Norway .....	5. 1.49
Chad .....	30.11.65	Pakistan .....	10.10.53
China <sup>1</sup> .....	13. 2.62	Panama .....	3. 6.58
Colombia <sup>1</sup> .....	13.11.67	Paraguay .....	28. 8.67
Comoros .....	23.10.78	Peru .....	1. 2.60
Costa Rica .....	2. 6.60	Portugal .....	12. 2.62
Cuba .....	7. 9.54	Qatar .....	18. 8.76
Cyprus <sup>1</sup> .....	23. 9.60	Romania .....	6. 6.73
Denmark .....	6. 8.58	Rwanda .....	2.12.80
Djibouti .....	3. 8.78	Saudi Arabia .....	15. 6.78
Dominican Republic .....	22. 9.53	Senegal .....	22.10.62
Ecuador .....	26. 8.75	Sierra Leone <sup>1</sup> .....	13. 6.61
Egypt .....	11.10.56	Singapore .....	25.10.65
Finland .....	20. 1.50	Spain .....	30. 5.60
France .....	16.12.50	Sri Lanka .....	3. 4.56
Gabon .....	17. 7.72	Sudan .....	22.10.70
Federal Republic of Germany	14. 6.55	Suriname .....	15. 6.76
Ghana .....	2. 7.59	Swaziland .....	5. 6.81
Greece .....	16. 6.55	Sweden .....	25.11.49
Grenada <sup>1</sup> .....	9. 7.79	Switzerland .....	13. 7.49
Guatemala .....	13. 2.52	Syrian Arab Republic .....	26. 7.60
Guinea .....	26. 3.59	Tanzania:	
Guinea-Bissau .....	21. 2.77	Tanganyika <sup>1</sup> .....	30. 1.62
Guyana <sup>1</sup> .....	8. 6.66	Tunisia .....	15. 5.57
Haiti .....	31. 3.52	Turkey .....	5. 3.51
India <sup>1</sup> .....	7. 4.49	Uganda <sup>1</sup> .....	4. 6.63
Iraq .....	13. 1.51	United Kingdom <sup>1</sup> .....	28. 6.49
Ireland <sup>1</sup> .....	16. 6.51	Upper Volta .....	21. 5.74
Israel .....	7. 6.55	Uruguay .....	28. 6.73
Italy .....	22.10.52	Venezuela .....	21. 7.67
Jamaica <sup>1</sup> .....	26.12.62	Viet Nam .....	6. 1.64
Japan .....	20.10.53	Yemen .....	29. 7.76
Jordan .....	27. 3.69	Yugoslavia .....	18. 8.55
Kenya .....	13. 1.64	Zaire .....	19. 4.68
Kuwait .....	23.11.64		
Lebanon .....	26. 7.62		
Libyan Arab Jamahiriya .....	27. 5.71		
Luxembourg .....	3. 3.58		

<sup>1</sup>Excluding Part II.

<sup>2</sup>Has denounced this Convention.

# RATIFIED CONVENTIONS

## 82. SOCIAL POLICY (NON-METROPOLITAN TERRITORIES) CONVENTION, 1947

This Convention came into force on 19 June 1955

States	Ratification registered on
Belgium .....	27. 1.55
France .....	26. 7.54
New Zealand .....	19. 6.54
United Kingdom .....	27. 3.50

## 83. LABOUR STANDARDS (NON-METROPOLITAN TERRITORIES) CONVENTION, 1947

This Convention came into force on 15 June 1974

States	Ratification registered on
Australia .....	15. 6.73
United Kingdom .....	27. 3.50

## 84. RIGHT OF ASSOCIATION (NON-METROPOLITAN TERRITORIES) CONVENTION, 1947

This Convention came into force on 1 July 1953

States	Ratification registered on
Belgium .....	27. 1.55
France .....	26. 7.54
New Zealand .....	1. 7.52
United Kingdom .....	27. 3.50

## 85. LABOUR INSPECTORATES (NON-METROPOLITAN TERRITORIES) CONVENTION, 1947

This Convention came into force on 26 July 1955

States	Ratification registered on
Australia .....	30. 9.54
Belgium .....	27. 1.55
France .....	26. 7.54
Papua New Guinea .....	1. 5.76
United Kingdom .....	27. 3.50

# RATIFIED CONVENTIONS

## 86. CONTRACTS OF EMPLOYMENT (INDIGENOUS WORKERS) CONVENTION, 1947

This Convention came into force on 13 February 1953

States	Ratification registered on	States	Ratification registered on
Australia .....	15. 6.73	Mauritius .....	2.12.69
Bahamas .....	25. 5.76	Panama .....	19. 6.70
Barbados .....	8. 5.67	Sierra Leone .....	13. 6.61
Democratic Yemen .....	14. 4.69	Singapore .....	25.10.65
Ecuador .....	3.10.69	Swaziland .....	26. 4.78
Fiji .....	19. 4.74	Tanzania:	
Grenada .....	9. 7.79	Tanganyika .....	30. 1.62
Guatemala .....	13. 2.52	Zanzibar .....	22. 6.64
Guyana .....	8. 6.66	Uganda .....	4. 6.63
Jamaica .....	26.12.62	United Kingdom .....	27. 3.50
Kenya .....	13. 1.64	Zambia .....	2.12.64
Malawi .....	22. 3.65	Zimbabwe .....	6. 6.80
Malaysia:			
Sabah .....	3. 3.64		
Sarawak .....	3. 3.64		



# RATIFIED CONVENTIONS

## 87. FREEDOM OF ASSOCIATION AND PROTECTION OF THE RIGHT TO ORGANISE CONVENTION, 1948

This Convention came into force on 4 July 1950

States	Ratification registered on	States	Ratification registered on
Albania .....	3. 6.57	Ivory Coast .....	21.11.60
Algeria .....	19.10.62	Jamaica .....	26.12.62
Argentina .....	18. 1.60	Japan .....	14. 6.65
Australia .....	28. 2.73	Kuwait .....	21. 9.61
Austria .....	18.10.50	Lesotho .....	31.10.66
Bangladesh .....	22. 6.72	Liberia .....	25. 5.62
Barbados .....	8. 5.67	Luxembourg .....	3. 3.58
Belgium .....	23.10.51	Madagascar .....	1.11.60
Benin .....	12.12.60	Mali .....	22. 9.60
Bolivia .....	4. 1.65	Malta .....	4. 1.65
Bulgaria .....	8. 6.59	Mauritania .....	20. 6.61
Burma .....	4. 3.55	Mexico .....	1. 4.50
Byelorussian SSR .....	6.11.56	Mongolia .....	3. 6.69
United Republic of Cameroon	7. 6.60	Netherlands .....	7. 3.50
Canada .....	23. 3.72	Nicaragua .....	31.10.67
Central African Republic ...	27.10.60	Niger .....	27. 2.61
Chad .....	10.11.60	Nigeria .....	17.10.60
Colombia .....	16.11.76	Norway .....	4. 7.49
Comoros .....	23.10.78	Pakistan .....	14. 2.51
Congo .....	10.11.60	Panama .....	3. 6.58
Costa Rica .....	2. 6.60	Paraguay .....	28. 6.62
Cuba .....	25. 6.52	Peru .....	2. 3.60
Cyprus .....	24. 5.66	Philippines .....	29.12.53
Czechoslovakia .....	21. 1.64	Poland .....	25. 2.57
Denmark .....	13. 6.51	Portugal .....	14.10.77
Djibouti .....	3. 8.78	Romania .....	28. 5.57
Dominican Republic .....	5.12.56	Saint Lucia .....	14. 5.80
Ecuador .....	29. 5.67	Senegal .....	4.11.60
Egypt .....	6.11.57	Seychelles .....	6. 2.78
Ethiopia .....	4. 6.63	Sierra Leone .....	15. 6.61
Finland .....	20. 1.50	Spain .....	20. 4.77
France .....	28. 6.51	Suriname .....	15. 6.76
Gabon .....	14.10.60	Swaziland .....	26. 4.78
German Democratic Republic .	7. 5.75	Sweden .....	25.11.49
Federal Republic of Germany	20. 3.57	Switzerland .....	25. 3.75
Ghana .....	2. 6.65	Syrian Arab Republic .....	26. 7.60
Greece .....	30. 3.62	Togo .....	7. 6.60
Guatemala .....	13. 2.52	Trinidad and Tobago .....	24. 5.63
Guinea .....	21. 1.59	Tunisia .....	18. 6.57
Guyana .....	25. 9.67	Ukrainian SSR .....	14. 9.56
Haiti .....	5. 6.79	USSR .....	10. 8.56
Honduras .....	27. 6.56	United Kingdom .....	27. 6.49
Hungary .....	6. 6.57	Upper Volta .....	21.11.60
Iceland .....	19. 8.50	Uruguay .....	18. 3.54
Ireland .....	4. 6.55	Yemen .....	29. 7.76
Israel .....	28. 1.57	Yugoslavia .....	23. 7.58
Italy .....	13. 5.58		

# RATIFIED CONVENTIONS

## 88. EMPLOYMENT SERVICE CONVENTION, 1948

This Convention came into force on 10 August 1950

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Japan .....	20.10.53
Angola .....	4. 6.76	Kenya .....	13. 1.64
Argentina .....	24. 9.56	Lebanon .....	1. 6.77
Australia .....	24.12.49	Libyan Arab Jamahiriya .....	20. 6.62
Austria .....	25. 9.73	Luxembourg .....	3. 3.58
Bahamas .....	25. 5.76	Malaysia .....	6. 6.74
Belgium .....	16. 3.53	Malta .....	4. 1.65
Bolivia .....	31. 1.77	Mozambique .....	6. 6.77
Brazil .....	25. 4.57	Netherlands .....	7. 3.50
Bulgaria <sup>1</sup> .....	29.12.49	New Zealand .....	3.12.49
Canada .....	24. 8.50	Nicaragua .....	1.10.81
Central African Republic ...	9. 6.64	Nigeria .....	16. 6.61
Colombia .....	31.10.67	Norway .....	4. 7.49
Costa Rica .....	2. 6.60	Panama .....	19. 6.70
Cuba .....	29. 4.52	Peru .....	6. 4.62
Cyprus .....	23. 9.60	Philippines .....	29.12.53
Czechoslovakia .....	12. 6.50	Portugal .....	23. 6.72
Denmark .....	30.11.72	Romania .....	6. 6.73
Djibouti .....	3. 8.78	Sierra Leone .....	13. 6.61
Dominican Republic .....	22. 9.53	Singapore .....	25.10.65
Ecuador .....	26. 8.75	Spain .....	30. 5.60
Egypt .....	3. 7.54	Suriname .....	15. 6.76
Ethiopia .....	4. 6.63	Sweden .....	25.11.49
France .....	15.10.52	Switzerland .....	19. 1.52
Federal Republic of Germany	22. 6.54	Syrian Arab Republic .....	26. 7.60
Ghana .....	4. 4.61	Tanzania:	
Greece .....	16. 6.55	Tanganyika .....	30. 1.62
Guatemala .....	13. 2.52	Thailand .....	26. 2.69
Guinea-Bissau .....	21. 2.77	Tunisia .....	11.10.68
India .....	24. 6.59	Turkey .....	14. 7.50
Iraq .....	22. 6.51	United Kingdom <sup>1</sup> .....	10. 8.49
Ireland .....	29.10.69	Venezuela .....	16.11.64
Israel .....	21. 8.59	Yugoslavia .....	23. 7.58
Italy <sup>1</sup> .....	22.10.52	Zaire .....	16. 6.69

<sup>1</sup>Has denounced this Convention.

# RATIFIED CONVENTIONS

## 89. NIGHT WORK (WOMEN) CONVENTION (REVISED), 1948

This Convention came into force on 27 February 1951

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Lebanon .....	26. 7.62
Angola .....	4. 6.76	Libyan Arab Jamahiriya .....	20. 6.62
Austria .....	5.10.50	Luxembourg .....	3. 3.58
Bahrain .....	11. 6.81	Malawi .....	22. 3.65
Bangladesh .....	22. 6.72	Malta .....	4. 1.65
Belgium .....	1. 4.52	Mauritania .....	8.11.63
Bolivia .....	15.11.73	Netherlands <sup>1</sup> .....	22.10.54
Brazil .....	25. 4.57	New Zealand <sup>1</sup> .....	10.11.50
Burundi .....	11. 3.63	Pakistan .....	14. 2.51
United Republic of Cameroon	25. 5.70	Panama .....	19. 6.70
Comoros .....	23.10.78	Paraguay .....	21. 3.66
Congo .....	4. 6.71	Philippines .....	29.12.53
Costa Rica .....	2. 6.60	Portugal .....	2. 6.64
Cuba .....	29. 4.52	Romania .....	28. 5.57
Cyprus .....	8.10.65	Rwanda .....	18. 9.62
Czechoslovakia .....	12. 6.50	Saudi Arabia .....	15. 6.78
Djibouti .....	3. 8.78	Senegal .....	22.10.62
Dominican Republic .....	22. 9.53	South Africa .....	2. 3.50
Egypt .....	26. 7.60	Spain .....	24. 6.58
France .....	21. 9.53	Sri Lanka .....	31. 3.66
Ghana .....	2. 7.59	Swaziland .....	5. 6.81
Greece .....	27. 4.59	Switzerland .....	6. 5.50
Guatemala .....	13. 2.52	Syrian Arab Republic .....	1.12.49
Guinea .....	12.12.66	Tunisia .....	15. 5.57
Guinea-Bissau .....	21. 2.77	Uruguay .....	18. 3.54
India .....	27. 2.50	Viet Nam .....	26.10.65
Iraq .....	17.11.67	Yugoslavia .....	20. 6.56
Ireland .....	14. 1.52	Zaire .....	20. 9.60
Italy .....	22.10.52	Zambia .....	22. 2.65
Kenya .....	30.11.65		
Kuwait .....	21. 9.61		

<sup>1</sup>Has denounced this Convention.

# RATIFIED CONVENTIONS

## 90. NIGHT WORK OF YOUNG PERSONS (INDUSTRY) CONVENTION (REVISED), 1948

This Convention came into force on 12 June 1951

States	Ratification registered on	States	Ratification registered on
Argentina .....	24. 9.56	Lebanon .....	26. 7.62
Bangladesh .....	22. 6.72	Luxembourg .....	3. 3.58
Barbados .....	15. 1.76	Mauritania .....	8.11.63
Bolivia .....	15.11.73	Mexico .....	20. 6.56
Burundi .....	30. 7.71	Netherlands .....	22.10.54
Byelorussian SSR .....	6.11.56	Norway .....	20. 5.57
United Republic of Cameroon	25. 5.70	Pakistan .....	14. 2.51
Costa Rica .....	2. 6.60	Paraguay .....	21. 3.66
Cuba .....	29. 4.52	Peru .....	4. 4.62
Cyprus .....	8.10.65	Philippines .....	29.12.53
Czechoslovakia .....	12. 6.50	Poland .....	26. 6.68
Dominican Republic .....	12. 8.57	Saudi Arabia .....	15. 6.78
Ghana .....	4. 4.61	Spain .....	5. 5.71
Greece .....	30. 3.62	Sri Lanka .....	18. 5.59
Guatemala .....	13. 2.52	Swaziland .....	5. 6.81
Guinea .....	12.12.66	Tunisia .....	26. 4.61
Haiti .....	12. 4.57	Ukrainian SSR .....	14. 9.56
India .....	27. 2.50	USSR .....	10. 8.56
Israel .....	23.12.53	Uruguay .....	18. 3.54
Italy .....	22.10.52	Yugoslavia .....	20. 2.57

## 91. PAID VACATIONS (SEAFARERS) CONVENTION (REVISED), 1949

This Convention came into force on 14 September 1967

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Mauritania .....	8.11.63
Angola .....	4. 6.76	Netherlands <sup>1</sup> .....	22.12.61
Belgium .....	30. 8.62	Norway .....	29. 6.50
Brazil .....	18. 6.65	Poland .....	8.10.56
China .....	14. 3.67	Portugal .....	29. 7.52
Cuba .....	29. 4.52	Spain <sup>1</sup> .....	5. 5.71
Djibouti .....	3. 8.78	Tunisia .....	14. 4.70
Finland .....	22.12.51	Yugoslavia .....	11. 8.67
France <sup>1</sup> .....	26.10.51		
Guinea-Bissau .....	21. 2.77		
Iceland .....	15. 7.52		
Israel .....	30. 3.53		
Italy <sup>1</sup> .....	5. 5.71		

<sup>1</sup>Convention denounced as a result  
of the ratification of Convention  
No. 146.

# RATIFIED CONVENTIONS

## 92. ACCOMMODATION OF CREWS CONVENTION (REVISED), 1949

This Convention came into force on 29 January 1953

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Israel .....	21. 8.80
Angola .....	4. 6.76	Italy .....	23. 6.81
Belgium .....	30. 8.62	Liberia .....	21. 6.77
Brazil .....	8. 6.54	Netherlands .....	17. 6.58
China .....	3. 2.71	New Zealand .....	31. 5.77
Costa Rica .....	2. 6.60	Norway .....	29. 6.50
Cuba .....	29. 4.52	Panama .....	4. 6.71
Denmark .....	30. 9.50	Poland .....	13. 4.54
Finland .....	22.12.51	Portugal .....	29. 7.52
France .....	26.10.51	Spain .....	14. 7.71
Federal Republic of Germany	14. 8.74	Sweden .....	18. 7.50
Ghana .....	18. 3.65	Ukrainian SSR .....	17. 6.70
Guinea-Bissau .....	21. 2.77	USSR .....	4.11.69
Iraq .....	1.12.77	United Kingdom .....	6. 8.53
Ireland .....	21. 7.52	Yugoslavia .....	25.11.66

## 93. WAGES, HOURS OF WORK AND MANNING (SEA) CONVENTION (REVISED), 1949

This Convention has not yet come into force.

States	Ratification registered on
Australia .....	3. 3.54
Brazil .....	18. 6.65
Cuba .....	29. 4.52
Philippines .....	29.12.53
Uruguay .....	18. 3.54

# RATIFIED CONVENTIONS

## 94. LABOUR CLAUSES (PUBLIC CONTRACTS) CONVENTION, 1949

This Convention came into force on 20 September 1952

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Malaysia:	
Austria .....	10.11.51	Sabah .....	3. 3.64
Bahamas .....	25. 5.76	Sarawak .....	3. 3.64
Barbados .....	8. 5.67	Mauritania .....	8.11.63
Belgium .....	13.10.52	Mauritius .....	2.12.69
Brazil .....	18. 6.65	Morocco .....	20. 9.56
Bulgaria .....	7.11.55	Netherlands .....	20. 5.52
Burundi .....	11. 3.63	Nigeria .....	17.10.60
United Republic of Cameroon	3. 9.62	Panama .....	4. 6.71
Central African Republic ...	9. 6.64	Philippines .....	29.12.53
Costa Rica .....	2. 6.60	Rwanda .....	18. 9.62
Cuba .....	29. 4.52	Saint Lucia .....	14. 5.80
Cyprus .....	23. 9.60	Sierra Leone .....	15. 6.61
Democratic Yemen .....	14. 4.69	Singapore .....	25.10.65
Denmark .....	15. 8.55	Somalia .....	18.11.60
Djibouti .....	3. 8.78	Spain .....	5. 5.71
Egypt .....	26. 7.60	Suriname .....	15. 6.76
Finland .....	22.12.51	Swaziland .....	5. 6.81
France .....	20. 9.51	Syrian Arab Republic .....	7. 6.57
Ghana .....	4. 4.61	Tanzania:	
Grenada .....	9. 7.79	Tanganyika .....	30. 1.62
Guatemala .....	13. 2.52	Zanzibar .....	22. 6.64
Guinea .....	12.12.66	Turkey .....	29. 3.61
Guyana .....	8. 6.66	Uganda .....	4. 6.63
Israel .....	30. 3.53	United Kingdom .....	30. 6.50
Italy .....	22.10.52	Uruguay .....	18. 3.54
Jamaica .....	26.12.62	Zaire .....	20. 9.60
Kenya .....	13. 1.64		

# RATIFIED CONVENTIONS

## 95. PROTECTION OF WAGES CONVENTION, 1949

This Convention came into force on 24 September 1952

States	Ratification registered on	States	Ratification registered on
Afghanistan .....	7. 1.57	Madagascar .....	1.11.60
Algeria .....	19.10.62	Malaysia:	
Argentina .....	24. 9.56	Peninsular Malaysia .....	17.11.61
Austria .....	10.11.51	Sabah .....	3. 3.64
Bahamas .....	25. 5.76	Sarawak .....	3. 3.64
Barbados .....	8. 5.67	Mali .....	22. 9.60
Belgium .....	22. 4.70	Malta .....	4. 1.65
Benin .....	12.12.60	Mauritania .....	20. 6.61
Bolivia .....	31. 1.77	Mauritius .....	2.12.69
Brazil .....	25. 4.57	Mexico .....	27. 9.55
Bulgaria .....	7.11.55	Netherlands .....	20. 5.52
Byelorussian SSR .....	4. 8.61	Nicaragua .....	1. 3.76
United Republic of Cameroon	7. 6.60	Niger .....	27. 2.61
Central African Republic ...	27.10.60	Nigeria .....	17.10.60
Chad .....	10.11.60	Norway .....	29. 6.50
China .....	16.11.62	Panama .....	19. 6.70
Colombia .....	7. 6.63	Paraguay .....	21. 3.66
Comoros .....	23.10.78	Philippines .....	29.12.53
Congo .....	10.11.60	Poland .....	25.10.54
Costa Rica .....	2. 6.60	Romania .....	6. 6.73
Cuba .....	29. 4.52	Saint Lucia .....	14. 5.80
Cyprus .....	23. 9.60	Senegal .....	4.11.60
Democratic Yemen .....	14. 4.69	Sierra Leone .....	15. 6.61
Djibouti .....	3. 8.78	Somalia .....	18.11.60
Dominican Republic .....	19. 6.73	Spain .....	24. 6.58
Ecuador .....	6. 7.54	Sudan .....	22.10.70
Egypt .....	26. 7.60	Suriname .....	15. 6.76
France .....	15.10.52	Swaziland .....	26. 4.78
Gabon .....	14.10.60	Syrian Arab Republic .....	7. 6.57
German Democratic Republic .	7. 5.75	Tanzania:	
Greece .....	16. 6.55	Tanganyika .....	30. 1.62
Grenada .....	9. 7.79	Zanzibar .....	22. 6.64
Guatemala .....	13. 2.52	Togo .....	7. 6.60
Guinea .....	21. 1.59	Tunisia .....	28. 5.58
Guyana .....	8. 6.66	Turkey .....	29. 3.61
Honduras .....	20. 6.60	Uganda .....	4. 6.63
Hungary .....	8. 6.56	Ukrainian SSR .....	4. 8.61
Iran .....	10. 6.72	USSR .....	4. 5.61
Iraq .....	12. 5.60	United Kingdom .....	24. 9.51
Israel .....	12. 1.59	Upper Volta .....	21.11.60
Italy .....	22.10.52	Uruguay .....	18. 3.54
Ivory Coast .....	21.11.60	Zaire .....	16. 6.69
Lebanon .....	1. 6.77	Zambia .....	23.10.79
Libyan Arab Jamahiriya .....	20. 6.62		

# RATIFIED CONVENTIONS

## 96. FEE-CHARGING EMPLOYMENT AGENCIES CONVENTION (REVISED), 1949

This Convention came into force on 18 July 1951

States	Ratification registered on	States	Ratification registered on
Algeria <sup>1</sup> .....	19.10.62	Mauritania <sup>1</sup> .....	31. 3.64
Bangladesh <sup>1</sup> .....	22. 6.72	Netherlands <sup>1</sup> .....	20. 5.52
Belgium <sup>1</sup> .....	4. 7.58	Norway <sup>1</sup> .....	29. 6.50
Bolivia <sup>1</sup> .....	19. 7.54	Pakistan <sup>1</sup> .....	26. 5.52
Brazil <sup>2</sup> .....	21. 6.57	Panama <sup>1</sup> .....	15. 7.71
Costa Rica <sup>1</sup> .....	2. 6.60	Poland <sup>1</sup> .....	25.10.54
Cuba <sup>1</sup> .....	3. 2.53	Senegal <sup>3</sup> .....	22.10.62
Djibouti <sup>1</sup> .....	3. 8.78	Spain <sup>1</sup> .....	5. 5.71
Egypt <sup>1</sup> .....	26. 7.60	Sri Lanka <sup>3</sup> .....	30. 4.58
Finland <sup>1</sup> .....	22.12.51	Suriname <sup>1</sup> .....	15. 6.76
France <sup>1</sup> .....	10. 3.53	Swaziland <sup>1</sup> .....	5. 6.81
Gabon <sup>1</sup> .....	13. 6.61	Sweden <sup>1</sup> .....	18. 7.50
Federal Republic of Germany <sup>1</sup>	8. 9.54	Syrian Arab Republic <sup>1</sup> .....	7. 6.57
Ghana <sup>1</sup> .....	21. 8.73	Turkey <sup>3</sup> .....	23. 1.52
Guatemala <sup>1</sup> .....	3. 1.53	Uruguay <sup>3</sup> .....	7. 7.76
Ireland <sup>3</sup> .....	13. 6.72		
Israel <sup>3</sup> .....	19. 6.61		
Italy <sup>1</sup> .....	9. 1.53		
Ivory Coast <sup>1</sup> .....	22. 5.61		
Japan <sup>3</sup> .....	11. 6.56		
Libyan Arab Jamahiriya <sup>1</sup> .....	20. 6.62		
Luxembourg <sup>1</sup> .....	15.12.58		

<sup>1</sup>Has accepted the provisions of Part II.

<sup>2</sup>Has denounced this Convention.

<sup>3</sup>Has accepted the provisions of Part III.



# RATIFIED CONVENTIONS

## 97. MIGRATION FOR EMPLOYMENT CONVENTION (REVISED), 1949

This Convention came into force on 22 January 1952

States	Ratification registered on	States	Ratification registered on
Algeria <sup>1</sup> .....	19.10.62	Portugal .....	12.12.78
Bahamas <sup>2</sup> .....	25. 5.76	Saint Lucia <sup>2</sup> .....	14. 5.80
Barbados <sup>2</sup> .....	8. 5.67	Spain .....	21. 3.67
Belgium .....	27. 7.53	Tanzania:	
Brazil .....	18. 6.65	Zanzibar <sup>2</sup> .....	22. 6.64
United Republic of Cameroon <sup>2</sup>	3. 9.62	Trinidad and Tobago <sup>2</sup> .....	24. 5.63
Cuba .....	29. 4.52	United Kingdom <sup>4</sup> .....	22. 1.51
Cyprus <sup>2</sup> .....	23. 9.60	Upper Volta .....	9. 6.61
Ecuador <sup>2</sup> .....	5. 4.78	Uruguay .....	18. 3.54
France <sup>1</sup> .....	29. 3.54	Yugoslavia <sup>5</sup> .....	4.12.68
Federal Republic of Germany	22. 6.59	Zambia <sup>2</sup> .....	2.12.64
Grenada <sup>2</sup> .....	9. 7.79		
Guatemala .....	13. 2.52	<sup>1</sup> Has excluded the provisions of Annex II.	
Guyana <sup>2</sup> .....	8. 6.66		
Israel .....	30. 3.53	<sup>2</sup> Has excluded the provisions of Annex I to III.	
Italy .....	22.10.52		
Jamaica <sup>2</sup> .....	26.12.62	<sup>3</sup> Has excluded the provisions of Annex I.	
Kenya <sup>2</sup> .....	30.11.65		
Malawi .....	22. 3.65	<sup>4</sup> Has excluded the provisions of Annexes I and III.	
Malaysia:			
Sabah <sup>2</sup> .....	3. 3.64	<sup>5</sup> Has excluded the provisions of Annex III.	
Mauritius <sup>2</sup> .....	2.12.69		
Netherlands .....	20. 5.52		
New Zealand <sup>3</sup> .....	10.11.50		
Nigeria <sup>2</sup> .....	17.10.60		
Norway .....	17. 2.55		

# RATIFIED CONVENTIONS

## 98. RIGHT TO ORGANISE AND COLLECTIVE BARGAINING CONVENTION, 1949

This Convention came into force on 18 July 1951

States	Ratification registered on	States	Ratification registered on
Albania .....	3. 6.57	Jordan .....	12.12.68
Algeria .....	19.10.62	Kenya .....	13. 1.64
Angola .....	4. 6.76	Lebanon .....	1. 6.77
Argentina .....	24. 9.56	Lesotho .....	31.10.66
Australia .....	28. 2.73	Liberia .....	25. 5.62
Austria .....	10.11.51	Libyan Arab Jamahiriya .....	20. 6.62
Bahamas .....	25. 5.76	Luxembourg .....	3. 3.58
Bangladesh .....	22. 6.72	Malawi .....	22. 3.65
Barbados .....	8. 5.67	Malaysia:	
Belgium .....	10.12.53	Peninsular Malaysia .....	5. 6.61
Benin .....	16. 5.68	Sabah .....	3. 3.64
Bolivia .....	15.11.73	Sarawak .....	3. 3.64
Brazil .....	18.11.52	Mali .....	2. 3.64
Bulgaria .....	8. 6.59	Malta .....	4. 1.65
Byelorussian SSR .....	6.11.56	Mauritius .....	2.12.69
United Republic of Cameroon	3. 9.62	Mongolia .....	3. 6.69
Cape Verde .....	3. 4.79	Morocco .....	20. 5.57
Central African Republic ...	9. 6.64	Nicaragua .....	31.10.67
Chad .....	8. 6.61	Niger .....	23. 3.62
China .....	11.10.62	Nigeria .....	17.10.60
Colombia .....	16.11.76	Norway .....	17. 2.55
Comoros .....	23.10.78	Pakistan .....	26. 5.52
Costa Rica .....	2. 6.60	Panama .....	16. 5.66
Cuba .....	29. 4.52	Papua New Guinea .....	1. 5.76
Cyprus .....	24. 5.66	Paraguay .....	21. 3.66
Czechoslovakia .....	21. 1.64	Peru .....	13. 3.64
Democratic Yemen .....	14. 4.69	Philippines .....	29.12.53
Denmark .....	15. 8.55	Poland .....	25. 2.57
Djibouti .....	3. 8.78	Portugal .....	1. 7.64
Dominican Republic .....	22. 9.53	Romania .....	26.11.58
Ecuador .....	28. 5.59	Saint Lucia .....	14. 5.80
Egypt .....	3. 7.54	Senegal .....	28. 7.61
Ethiopia .....	4. 6.63	Sierra Leone .....	13. 6.61
Fiji .....	19. 4.74	Singapore .....	25.10.65
Finland .....	22.12.51	Spain .....	20. 4.77
France .....	26.10.51	Sri Lanka .....	13.12.72
Gabon .....	29. 5.61	Sudan .....	18. 6.57
German Democratic Republic .	7. 5.75	Swaziland .....	26. 4.78
Federal Republic of Germany	8. 6.56	Sweden .....	18. 7.50
Ghana .....	2. 7.59	Syrian Arab Republic .....	7. 6.57
Greece .....	30. 3.62	Tanzania:	
Grenada .....	9. 7.79	Tanganyika .....	30. 1.62
Guatemala .....	13. 2.52	Zanzibar .....	22. 6.64
Guinea .....	26. 3.59	Trinidad and Tobago .....	24. 5.63
Guinea-Bissau .....	21. 2.77	Tunisia .....	15. 5.57
Guyana .....	8. 6.66	Turkey .....	23. 1.52
Haiti .....	12. 4.57	Uganda .....	4. 6.63
Honduras .....	27. 6.56	Ukrainian SSR .....	14. 9.56
Hungary .....	6. 6.57	USSR .....	10. 8.56
Iceland .....	15. 7.52	United Kingdom .....	30. 6.50
Indonesia .....	15. 7.57	Upper Volta .....	16. 4.62
Iraq .....	27.11.62	Uruguay .....	18. 3.54
Ireland .....	4. 6.55	Venezuela .....	19.12.68
Israel .....	28. 1.57	Viet Nam .....	6. 1.64
Italy .....	13. 5.58	Yemen .....	29. 7.76
Ivory Coast .....	5. 5.61	Yugoslavia .....	23. 7.58
Jamaica .....	26.12.62	Zaire .....	16. 6.69
Japan .....	20.10.53		

# RATIFIED CONVENTIONS

## 99. MINIMUM WAGE FIXING MACHINERY (AGRICULTURE) CONVENTION, 1951

This Convention came into force on 23 August 1953

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Malawi .....	22. 3.65
Australia .....	19. 6.69	Malta .....	28.11.69
Austria .....	29.10.53	Mauritius .....	2.12.69
Belgium .....	17.10.68	Mexico .....	23. 8.52
Brazil .....	25. 4.57	Morocco .....	14.10.60
United Republic of Cameroon	25. 5.70	Netherlands .....	11. 6.54
Central African Republic ...	9. 6.64	New Zealand .....	1. 7.52
Colombia .....	4. 3.69	Papua New Guinea .....	1. 5.76
Comoros .....	23.10.78	Paraguay .....	24. 6.64
Costa Rica .....	2. 6.60	Peru .....	1. 2.60
Cuba .....	13. 1.54	Philippines .....	29.12.53
Czechoslovakia .....	21. 1.64	Poland .....	5. 7.77
Djibouti .....	3. 8.78	Senegal .....	22.10.62
France .....	29. 3.54	Seychelles .....	6. 2.78
Gabon .....	13. 6.61	Sierra Leone .....	13. 6.61
Federal Republic of Germany	25. 2.54	Spain .....	4. 6.70
Grenada .....	9. 7.79	Sri Lanka .....	5. 4.54
Guatemala .....	4. 8.61	Swaziland .....	5. 6.81
Guinea .....	12.12.66	Syrian Arab Republic .....	10. 8.65
Hungary .....	18. 6.69	Tunisia .....	12. 1.59
Ireland .....	22. 6.78	Turkey .....	23. 6.70
Italy .....	5. 5.71	United Kingdom .....	9. 6.53
Ivory Coast .....	5. 5.61	Uruguay .....	18. 3.54
Kenya .....	9. 2.71	Zambia .....	20. 6.72

# RATIFIED CONVENTIONS

## 100. EQUAL REMUNERATION CONVENTION, 1951

This Convention came into force on 23 May 1953

States	Ratification registered on	States	Ratification registered on
Afghanistan .....	22. 8.69	Ireland .....	18.12.74
Albania .....	3. 6.57	Israel .....	9. 6.65
Algeria .....	19.10.62	Italy .....	8. 6.56
Angola .....	4. 6.76	Ivory Coast .....	5. 5.61
Argentina .....	24. 9.56	Jamaica .....	14. 1.75
Australia .....	10.12.74	Japan .....	24. 8.67
Austria .....	29.10.53	Jordan .....	22. 9.66
Barbados .....	19. 9.74	Lebanon .....	1. 6.77
Belgium .....	23. 5.52	Libyan Arab Jamahiriya .....	20. 6.62
Benin .....	16. 5.68	Luxembourg .....	23. 8.67
Bolivia .....	15.11.73	Madagascar .....	10. 8.62
Brazil .....	25. 4.57	Malawi .....	22. 3.65
Bulgaria .....	7.11.55	Mali .....	12. 7.68
Byelorussian SSR .....	21. 8.56	Mexico .....	23. 8.52
United Republic of Cameroon .....	25. 5.70	Mongolia .....	3. 6.69
Canada .....	16.11.72	Morocco .....	11. 5.79
Cape Verde .....	16.10.79	Mozambique .....	6. 6.77
Central African Republic .....	9. 6.64	Nepal .....	10. 6.76
Chad .....	29. 3.66	Netherlands .....	16. 6.71
Chile .....	20. 9.71	Nicaragua .....	31.10.67
China .....	1. 5.58	Niger .....	9. 8.66
Colombia .....	7. 6.63	Nigeria .....	8. 5.74
Comoros .....	23.10.78	Norway .....	24. 9.59
Costa Rica .....	2. 6.60	Panama .....	3. 6.58
Cuba .....	13. 1.54	Paraguay .....	24. 6.64
Czechoslovakia .....	30.10.57	Peru .....	1. 2.60
Denmark .....	22. 6.60	Philippines .....	29.12.53
Djibouti .....	3. 8.78	Poland .....	25.10.54
Dominican Republic .....	22. 9.53	Portugal .....	20. 2.67
Ecuador .....	11. 3.57	Romania .....	28. 5.57
Egypt .....	26. 7.60	Rwanda .....	2.12.80
Finland .....	14. 1.63	Saudi Arabia .....	15. 6.78
France .....	10. 3.53	Senegal .....	22.10.62
Gabon .....	13. 6.61	Sierra Leone .....	15.11.68
German Democratic Republic .....	7. 5.75	Spain .....	6.11.67
Federal Republic of Germany .....	8. 6.56	Sudan .....	22.10.70
Ghana .....	14. 3.68	Swaziland .....	5. 6.81
Greece .....	6. 6.75	Sweden .....	20. 6.62
Guatemala .....	2. 8.61	Switzerland .....	25.10.72
Guinea .....	11. 8.67	Syrian Arab Republic .....	7. 6.57
Guinea-Bissau .....	21. 2.77	Tunisia .....	11.10.68
Guyana .....	13. 6.75	Turkey .....	19. 7.67
Haiti .....	4. 3.58	Ukrainian SSR .....	10. 8.56
Honduras .....	9. 8.56	USSR .....	30. 4.56
Hungary .....	8. 6.56	United Kingdom .....	15. 6.71
Iceland .....	17. 2.58	Upper Volta .....	30. 6.69
India .....	25. 9.58	Yemen .....	29. 7.76
Indonesia .....	11. 8.58	Yugoslavia .....	21. 5.52
Iran .....	10. 6.72	Zaire .....	16. 6.69
Iraq .....	28. 8.63	Zambia .....	20. 6.72

# RATIFIED CONVENTIONS

## 101. HOLIDAYS WITH PAY (AGRICULTURE) CONVENTION, 1952

This Convention came into force on 24 July 1954

States	Ratification registered on	States	Ratification registered on
Algeria .....	19.10.62	Netherlands .....	27.11.58
Austria .....	14. 6.54	New Zealand .....	24. 7.53
Barbados .....	8. 5.67	Norway <sup>1</sup> .....	30. 9.54
Belgium .....	20. 3.54	Paraguay .....	21. 3.66
Brazil .....	25. 4.57	Peru .....	1. 2.60
Burundi .....	30. 7.71	Poland .....	8.10.56
United Republic of Cameroon <sup>1</sup>	25. 5.70	Saint Lucia .....	14. 5.80
Central African Republic ...	9. 6.64	Senegal .....	22.10.62
Colombia .....	4. 3.69	Sierra Leone .....	15. 6.61
Comoros .....	23.10.78	Spain .....	5. 5.71
Cuba .....	7. 9.54	Suriname .....	15. 6.76
Djibouti .....	3. 8.78	Swaziland .....	5. 6.81
Ecuador .....	3.10.69	Sweden <sup>1</sup> .....	12. 8.53
Egypt .....	9. 4.56	Syrian Arab Republic .....	26. 7.60
France .....	29. 3.54	Tanzania:	
Gabon .....	13. 6.61	Tanganyika .....	30. 1.62
Federal Republic of Germany <sup>1</sup>	5. 1.55	United Kingdom .....	25. 6.56
Guatemala .....	4. 8.61	Upper Volta <sup>1</sup> .....	30. 6.69
Hungary .....	8. 6.56	Uruguay <sup>1</sup> .....	18. 3.54
Israel .....	14. 7.53	Yugoslavia <sup>1</sup> .....	30. 4.55
Italy <sup>1</sup> .....	8. 6.56		
Madagascar <sup>1</sup> .....	10. 8.62		
Mauritania .....	8.11.63		
Morocco .....	14.10.60		

<sup>1</sup>Convention denounced as a result  
of the ratification of Convention  
No. 132.

# RATIFIED CONVENTIONS

## 102. SOCIAL SECURITY (MINIMUM STANDARDS) CONVENTION, 1952

This Convention came into force on 27 April 1955

States	Ratification registered on	States	Ratification registered on
Austria <sup>1</sup> ,# ..... 4.11.69		Libyan Arab	
Barbados <sup>2</sup> ,# ..... 11. 7.72		Jamahiriya <sup>3</sup> ,*,#,+ ..... 19. 6.75	
Belgium <sup>3</sup> ,* ..... 26.11.59		Luxembourg <sup>3</sup> ,*,+ ..... 31. 8.64	
Bolivia <sup>4</sup> ,*,#,+ ..... 31. 1.77		Mauritania <sup>15</sup> ..... 15. 7.68	
Costa Rica <sup>5</sup> ..... 16. 3.72		Mexico <sup>16</sup> ..... 12.10.61	
Denmark <sup>6</sup> ..... 15. 8.55		Netherlands <sup>3</sup> ,*,# ..... 11.10.62	
Ecuador <sup>7</sup> ,*,#,+ ..... 25.10.74		Niger <sup>17</sup> ..... 9. 8.66	
France <sup>8</sup> ..... 14. 6.74		Norway <sup>18</sup> ,#,+ ..... 30. 9.54	
Germany, Federal Republic of <sup>3</sup> ,*,#,+ ..... 21. 2.58		Peru <sup>19</sup> ..... 23. 8.61	
Greece <sup>9</sup> ..... 16. 6.55		Senegal <sup>20</sup> ,* ..... 22.10.62	
Iceland <sup>10</sup> ..... 20. 2.61		Sweden <sup>21</sup> ,*,+ ..... 12. 8.53	
Ireland <sup>11</sup> ..... 17. 6.68		Switzerland <sup>15</sup> ,# ..... 18.10.77	
Israel <sup>12</sup> ..... 16.12.55		Turkey <sup>22</sup> ..... 29. 1.75	
Italy <sup>13</sup> ..... 8. 6.56		United Kingdom <sup>23</sup> ..... 27. 4.54	
Japan <sup>14</sup> ,* ..... 2. 2.76		Yugoslavia <sup>24</sup> ,* ..... 20.12.54	

<sup>1</sup>Parts II, IV, V, VII and VIII.

<sup>2</sup>Parts III, V, VI, IX and X.

<sup>3</sup>Parts II to X.

<sup>4</sup>Parts II, III and V to X.

<sup>5</sup>Parts II and V to X.

<sup>6</sup>Parts II, IV to VI and IX.

<sup>7</sup>Parts III, V, VI, IX and X.

<sup>8</sup>Parts II and IV to IX.

<sup>9</sup>Parts II to VI and VIII to X.

<sup>10</sup>Parts V, VII and IX.

<sup>11</sup>Parts III, IV and X.

<sup>12</sup>Parts V, VI and X.

<sup>13</sup>Parts V, VII and VIII.

<sup>14</sup>Parts III to VI.

<sup>15</sup>Parts V to VII, IX and X.

<sup>16</sup>Parts II, III, V, VI and VIII to X.

<sup>17</sup>Parts V to VIII.

<sup>18</sup>Parts II to VII.

<sup>19</sup>Parts II, III, V, VIII and IX.

<sup>20</sup>Parts VI to VIII.

<sup>21</sup>Parts II to IV and VI to VIII.

<sup>22</sup>Parts II, III, V, VI and VIII to X.

<sup>23</sup>Parts II to V, VII and X.

<sup>24</sup>Parts II to VI, VIII and X.

\*Part VI is no longer applicable as a result of the ratification of Convention No. 121.

■As a result of the ratification of Convention No. 128 and pursuant to Article 45 of that Convention certain parts of the present Convention are no longer applicable.

\*Part III is no longer applicable as a result of the ratification of Convention No. 130.

# RATIFIED CONVENTIONS

## 103. MATERNITY PROTECTION CONVENTION (REVISED), 1952

This Convention came into force on 7 September 1955

States	Ratification registered on	States	Ratification registered on
Austria <sup>1</sup> .....	4.12.69	Uruguay .....	18. 3.54
Bolivia .....	15.11.73	Yugoslavia .....	30. 4.55
Brazil <sup>2</sup> .....	18. 6.65	Zambia .....	23.10.79
Byelorussian SSR .....	6.11.56		
Cuba .....	7. 9.54		
Ecuador .....	5. 2.62		
German Democratic Republic ..	19. 6.79		
Hungary .....	8. 6.56		
Italy .....	5. 5.71		
Libyan Arab Jamahiriya .....	19. 6.75		
Luxembourg .....	10.12.69		
Mongolia .....	3. 6.69		
Netherlands <sup>2</sup> .....	18. 9.81		
Poland .....	10. 3.76		
Spain <sup>3</sup> .....	17. 8.65		
Ukrainian SSR .....	14. 9.56		
USSR .....	10. 8.56		

<sup>1</sup>With the exception of the work specified in Article 7, paragraph 1(c).

<sup>2</sup>With the exception of the occupations and work specified in Article 7, paragraph 1(b) and (c).

<sup>3</sup>With the exception of persons specified in Article 7, paragraph 1(d).

## 104. ABOLITION OF PENAL SANCTIONS (INDIGENOUS WORKERS) CONVENTION, 1955

This Convention came into force on 7 June 1958

States	Ratification registered on	States	Ratification registered on
Angola .....	4. 6.76	Libyan Arab Jamahiriya .....	20. 6.62
Brazil .....	18. 6.65	Malawi .....	22. 3.65
Central African Republic ...	9. 6.64	Morocco .....	27. 3.63
China .....	14. 3.67	New Zealand .....	28. 6.56
Colombia .....	4. 3.69	Niger .....	23. 3.62
Cuba .....	15. 8.57	Nigeria .....	25.10.62
Dominican Republic .....	10. 2.58	Panama .....	19. 6.70
Ecuador .....	3.10.69	Portugal .....	12. 4.60
Egypt .....	18.12.58	Swaziland .....	5. 6.81
El Salvador .....	18.11.58	Syrian Arab Republic .....	7. 6.57
Guinea-Bissau .....	21. 2.77	Thailand .....	29. 7.64
Iran .....	13. 4.59	Tunisia .....	17.12.62
Liberia .....	25. 5.62	Yemen .....	22. 8.69

# RATIFIED CONVENTIONS

## 105. ABOLITION OF FORCED LABOUR CONVENTION, 1957 This Convention came into force on 17 January 1959

States	Ratification registered on	States	Ratification registered on
Afghanistan .....	16. 5.63	Liberia .....	25. 5.62
Algeria .....	12. 6.69	Libyan Arab Jamahiriya .....	13. 6.61
Angola .....	4. 6.76	Luxembourg .....	24. 7.64
Argentina .....	18. 1.60	Malaysia:	
Australia .....	7. 6.60	Peninsular Malaysia .....	13.10.58
Austria .....	5. 3.58	Sabah .....	3. 3.64
Bahamas .....	25. 5.76	Sarawak .....	3. 3.64
Bangladesh .....	22. 6.72	Mali .....	28. 5.62
Barbados .....	8. 5.67	Malta .....	4. 1.65
Belgium .....	23. 1.61	Mauritius .....	2.12.69
Benin .....	18. 6.65	Mexico .....	1. 6.59
Brazil .....	11. 3.63	Morocco .....	1.12.66
Burundi .....	3. 9.62	Mozambique .....	6. 6.77
United Republic of Cameroon .....	14. 7.59	Netherlands .....	18. 2.59
Canada .....	3. 4.79	New Zealand .....	14. 6.68
Cape Verde .....	9. 6.64	Nicaragua .....	31.10.67
Central African Republic .....	8. 6.61	Niger .....	23. 3.62
Chad .....	31. 3.59	Nigeria .....	17.10.60
China .....	7. 6.63	Norway .....	14. 4.58
Colombia .....	23.10.78	Pakistan .....	15. 2.60
Comoros .....	4. 5.59	Panama .....	16. 5.66
Costa Rica .....	2. 6.58	Papua New Guinea .....	1. 5.76
Cuba .....	23. 9.60	Paraguay .....	16. 5.68
Cyprus .....	14. 4.69	Peru .....	6.12.60
Democratic Yemen .....	17. 1.58	Philippines .....	17.11.60
Denmark .....	3. 8.78	Poland .....	30. 7.58
Djibouti .....	23. 6.58	Portugal .....	23.11.59
Dominican Republic .....	5. 2.62	Randa Lucia .....	18. 9.62
Ecuador .....	23.10.58	Saudi Arabia .....	14. 5.80
Egypt .....	19.11.58	Senegal .....	15. 6.78
El Salvador .....	18.12.69	Sierra Leone .....	28. 7.61
Fiji .....	27. 5.60	Singapore! .....	6. 2.78
Finland .....	15.12.58	Somalia .....	13. 6.61
France .....	22. 6.59	Spain .....	8.12.61
Federal Republic of Germany .....	30. 3.62	Sudan .....	6.11.67
Ghana .....	9. 7.79	Suriname .....	22.10.70
Grenada .....	9.12.59	Swaziland .....	15. 6.76
Guatemala .....	11. 7.61	Sweden .....	28. 2.79
Guinea .....	21. 2.77	Switzerland .....	2. 6.58
Guinea-Bissau .....	8. 6.66	Syrian Arab Republic .....	18. 7.58
Guyana .....	4. 3.58	Tanzania:	23.10.58
Haiti .....	29.11.60	Tanganyika .....	30. 1.62
Honduras .....	13. 4.59	Zanzibar .....	22. 6.64
Iran .....	15. 6.59	Trinidad and Tobago .....	24. 5.63
Iraq .....	11. 6.58	Tunisia .....	29. 1.59
Ireland .....	10. 4.58	Turkey .....	29. 3.61
Israel .....	15. 3.68	Uganda .....	4. 6.63
Ivory Coast .....	26.12.62	United Kingdom .....	30.12.57
Jamaica .....	31. 3.58	Uruguay .....	22.11.68
Jordan .....	21. 9.61	Venezuela .....	16.11.64
Kenya .....	1. 6.77	Zambia .....	22. 2.65
Kuwait .....		Zimbabwe .....	6. 6.80
Lebanon .....			

\*Has denounced this Convention.



# RATIFIED CONVENTIONS

## 106. WEEKLY REST (COMMERCE AND OFFICES) CONVENTION, 1957

This Convention came into force on 4 March 1959

States	Ratification registered on	States	Ratification registered on
Afghanistan .....	16. 5.63	Lebanon .....	1. 6.77
Angola .....	4. 6.76	Mexico <sup>3</sup> .....	1. 6.59
Bangladesh <sup>1</sup> .....	22. 6.72	Morocco .....	22. 7.74
Bolivia .....	15.11.73	Netherlands .....	8.10.71
Brazil <sup>2</sup> .....	18. 6.65	Pakistan <sup>1</sup> .....	15. 2.60
Bulgaria .....	22. 7.60	Paraguay .....	21. 3.66
Byelorussian SSR .....	26. 2.68	Portugal .....	24.10.60
Colombia .....	4. 3.69	Saudi Arabia .....	15. 6.78
Comoros <sup>3</sup> .....	23.10.78	Spain .....	5. 5.71
Costa Rica .....	4. 5.59	Suriname .....	15. 6.76
Cuba .....	2. 6.58	Syrian Arab Republic <sup>3</sup> .....	23.10.58
Cyprus .....	20.12.66	Tunisia <sup>3</sup> .....	28. 5.58
Denmark <sup>4</sup> .....	17. 1.58	Ukrainian SSR .....	19. 6.68
Djibouti <sup>3</sup> .....	3. 8.78	USSR .....	22. 9.67
Dominican Republic .....	23. 6.58	Uruguay .....	28. 6.73
Ecuador .....	3.10.69	Yugoslavia <sup>3</sup> .....	13.10.58
Egypt .....	23.10.58		
France <sup>3</sup> .....	5. 5.71		
Gabon .....	26. 4.73		
Ghana .....	15.12.58		
Greece .....	28. 8.81		
Guatemala <sup>3</sup> .....	9.12.59		
Guinea-Bissau .....	21. 2.77		
Haiti <sup>3</sup> .....	4. 3.58		
Honduras .....	20. 6.60		
Indonesia .....	23. 8.72		
Iran .....	22. 1.68		
Iraq .....	5. 7.60		
Israel <sup>5</sup> .....	19. 6.61		
Italy .....	12. 8.63		
Jordan .....	23. 7.79		
Kuwait .....	21. 9.61		

<sup>1</sup>The Convention also applies to the establishments specified in Article 3, paragraph 1(c).  
<sup>2</sup>The Convention also applies to the establishments specified in Article 3, paragraph 1(a), (c) and (d).  
<sup>3</sup>The Convention also applies to the establishments specified in Article 3, paragraph 1.  
<sup>4</sup>The Convention also applies to the establishments specified in Article 3, paragraph 1(a).  
<sup>5</sup>The Convention also applies to the establishments specified in Article 3, paragraph 1(b), (c) and (d).

# RATIFIED CONVENTIONS

## 107. INDIGENOUS AND TRIBAL POPULATIONS CONVENTION, 1957

This Convention came into force on 2 June 1959

States	Ratification registered on	States	Ratification registered on
Angola .....	4. 6.76	Ghana .....	15.12.58
Argentina .....	18. 1.60	Guinea-Bissau .....	21. 2.77
Bangladesh .....	22. 6.72	Haiti .....	4. 3.58
Belgium .....	19.11.58	India .....	29. 9.58
Bolivia .....	12. 1.65	Malawi .....	22. 3.65
Brazil .....	18. 6.65	Mexico .....	1. 6.59
China .....	11.10.62	Pakistan .....	15. 2.60
Colombia .....	4. 3.69	Panama .....	4. 6.71
Costa Rica .....	4. 5.59	Paraguay .....	20. 2.69
Cuba .....	2. 6.58	Peru .....	6.12.60
Dominican Republic .....	23. 6.58	Portugal .....	22.11.60
Ecuador .....	3.10.69	Syrian Arab Republic .....	14. 1.59
Egypt .....	14. 1.59	Tunisia .....	17.12.62
El Salvador .....	18.11.58		

## 108. SEAFARERS' IDENTITY DOCUMENTS CONVENTION, 1958

This Convention came into force on 19 February 1961

States	Ratification registered on	States	Ratification registered on
Angola .....	4. 6.76	Malta .....	4. 1.65
Barbados .....	8. 5.67	Mauritius .....	2.12.69
Brazil .....	5.11.63	Mexico .....	11. 9.61
Bulgaria .....	26. 1.77	Norway .....	26.10.70
Canada .....	31. 5.67	Panama .....	19. 6.70
Cuba .....	30.12.75	Portugal .....	3. 8.67
Denmark .....	26.10.70	Romania .....	20. 9.76
Djibouti .....	3. 8.78	Saint Lucia .....	14. 5.80
Fiji .....	19. 4.74	Seychelles .....	6. 2.78
Finland .....	26.10.70	Spain .....	5. 5.71
France .....	8. 6.67	Sweden .....	26.10.70
German Democratic Republic .....	7. 5.75	Tanzania:	
Ghana .....	19. 2.60	Tanganyika .....	26.11.62
Greece .....	9.10.63	Tunisia .....	26.10.59
Grenada .....	9. 7.79	Ukrainian SSR .....	17. 6.70
Guatemala .....	28.11.60	USSR .....	4.11.69
Guinea-Bissau .....	21. 2.77	United Kingdom <sup>1</sup> .....	18. 2.64
Guyana .....	8. 6.66	Uruguay .....	28. 6.73
Honduras .....	20. 6.60		
Iceland .....	26.10.70		
Iran .....	13. 3.67		
Ireland .....	17. 6.61		
Italy .....	12. 8.63		
Liberia .....	8. 7.81		

<sup>1</sup>In conformity with Article 1, paragraph 2, of the Convention fishermen shall not be regarded as seafarers for the purpose of this Convention.

# RATIFIED CONVENTIONS

## 109. WAGES, HOURS OF WORK AND MANNING (SEA) CONVENTION (REVISED), 1958

This Convention has not yet come into force.

States	Ratification registered on	States	Ratification registered on
Australia .....	15. 6.72	Portugal .....	9. 1.81
Brazil <sup>1</sup> .....	30.11.66	Spain .....	14. 7.71
France <sup>1</sup> .....	8. 6.67	Yugoslavia .....	14. 1.66
Guatemala .....	2. 8.61		
Italy .....	23. 6.81		
Mexico .....	11. 9.61		
Norway <sup>2</sup> .....	30. 8.66		

<sup>1</sup>Excluding Part II.

<sup>2</sup>Conditional ratification and  
excluding Part II.

## 110. PLANTATIONS CONVENTION, 1958

This Convention came into force on 22 January 1960

States	Ratification registered on	States	Ratification registered on
Brazil <sup>1</sup> .....	1. 3.65	Mexico .....	20. 6.60
Cuba .....	30.12.58	Nicaragua .....	1.10.81
Ecuador .....	3.10.69	Panama .....	15. 7.71
Guatemala .....	4. 8.61	Philippines .....	10.10.68
Ivory Coast .....	5. 5.61	Uruguay .....	28. 6.73
Liberia <sup>1</sup> .....	22. 7.59		

<sup>1</sup>Has denounced this Convention.

# RATIFIED CONVENTIONS

## 111. DISCRIMINATION (EMPLOYMENT AND OCCUPATION) CONVENTION, 1958 This Convention came into force on 15 June 1960

States	Ratification registered on	States	Ratification registered on
Afghanistan .....	1.10.69	Jordan .....	4. 7.63
Algeria .....	12. 6.69	Kuwait .....	1.12.66
Angola .....	4. 6.76	Lebanon .....	1. 6.77
Argentina .....	18. 6.68	Liberia .....	22. 7.59
Australia .....	15. 6.73	Libyan Arab Jamahiriya .....	13. 6.61
Austria .....	10. 1.73	Madagascar .....	11. 8.61
Bangladesh .....	22. 6.72	Malawi .....	22. 3.65
Barbados .....	14.10.74	Mali .....	2. 3.64
Belgium .....	22. 3.77	Malta .....	1. 7.68
Benin .....	22. 5.61	Mauritania .....	8.11.63
Bolivia .....	31. 1.77	Mexico .....	11. 9.61
Brazil .....	26.11.65	Mongolia .....	3. 6.69
Bulgaria .....	22. 7.60	Morocco .....	27. 3.63
Byelorussian SSR .....	4. 8.61	Mozambique .....	6. 6.77
Canada .....	26.11.64	Nepal .....	19. 9.74
Cape Verde .....	3. 4.79	Netherlands .....	15. 3.73
Central African Republic ..	9. 6.64	Nicaragua .....	31.10.67
Chad .....	29. 3.66	Niger .....	23. 3.62
Chile .....	20. 9.71	Norway .....	24. 9.59
China .....	13. 2.62	Pakistan .....	24. 1.61
Colombia .....	4. 3.69	Panama .....	16. 5.66
Costa Rica .....	1. 3.62	Paraguay .....	10. 7.67
Cuba .....	26. 8.65	Peru .....	10. 8.70
Cyprus .....	2. 2.68	Philippines .....	17.11.60
Czechoslovakia .....	21. 1.64	Poland .....	30. 3.61
Denmark .....	22. 6.60	Portugal .....	19.11.59
Dominican Republic .....	13. 7.64	Qatar .....	18. 8.76
Ecuador .....	10. 7.62	Romania .....	6. 6.73
Egypt .....	10. 5.60	Rwanda .....	2. 2.81
Ethiopia .....	11. 6.66	Saudi Arabia .....	15. 6.78
Finland .....	23. 4.70	Senegal .....	13.11.67
France .....	28. 5.81	Sierra Leone .....	14.10.66
Gabon .....	29. 5.61	Somalia .....	8.12.61
German Democratic Republic ..	7. 5.75	Spain .....	6.11.67
German Federal Republic of ..	15. 6.61	Sudan .....	22.10.70
Ghana .....	4. 4.61	Swaziland .....	5. 6.81
Guatemala .....	11.10.60	Sweden .....	20. 6.62
Guinea .....	1. 9.60	Switzerland .....	13. 7.61
Guinea-Bissau .....	21. 2.77	Syrian Arab Republic .....	10. 5.60
Guyana .....	13. 6.75	Trinidad and Tobago .....	26.11.70
Haiti .....	9.11.76	Tunisia .....	14. 9.59
Honduras .....	20. 6.60	Turkey .....	19. 7.67
Hungary .....	20. 6.61	Ukrainian SSR .....	4. 8.61
Iceland .....	29. 7.63	USSR .....	4. 5.61
India .....	3. 6.60	Upper Volta .....	16. 4.62
Iran .....	30. 6.64	Venezuela .....	3. 6.71
Iraq .....	15. 6.59	Viet Nam .....	6. 1.64
Israel .....	12. 1.59	Yemen .....	22. 8.69
Italy .....	12. 8.63	Yugoslavia .....	2. 2.61
Ivory Coast .....	5. 5.61	Zambia .....	23.10.79
Jamaica .....	10. 1.75		

# RATIFIED CONVENTIONS

## 112. MINIMUM AGE (FISHERMEN) CONVENTION, 1959

This Convention came into force on 7 November 1961

States	Ratification registered on	States	Ratification registered on
Albania .....	11. 8.64	Mexico .....	9. 8.61
Australia .....	15. 6.71	Netherlands <sup>1</sup> .....	15. 2.65
Belgium .....	8. 5.63	Norway <sup>1</sup> .....	22. 1.63
Bulgaria <sup>1</sup> .....	2. 3.61	Panama .....	19. 6.70
China .....	13. 2.62	Peru .....	4. 4.62
Costa Rica <sup>1</sup> .....	29.12.64	Poland <sup>1</sup> .....	20. 6.66
Cuba <sup>1</sup> .....	5. 2.71	Spain <sup>1</sup> .....	7. 8.61
Denmark .....	27. 2.62	Suriname .....	15. 6.76
Ecuador .....	10. 3.69	Tunisia .....	14. 1.63
France .....	8. 6.67	Ukrainian SSR <sup>1</sup> .....	4. 8.61
Federal Republic of Germany <sup>1</sup>	11. 2.63	USSR <sup>1</sup> .....	4. 5.61
Guatemala .....	2. 8.61	Uruguay <sup>1</sup> .....	28. 6.73
Guinea .....	7.11.60	Yugoslavia .....	2. 2.61
Israel <sup>1</sup> .....	19. 6.61		
Italy <sup>1</sup> .....	5. 5.71		
Kenya <sup>1</sup> .....	9. 2.71		
Liberia .....	16. 5.60		
Mauritania .....	8.11.63		

<sup>1</sup>Convention denounced as a result of the ratification of Convention No. 138.

## 113. MEDICAL EXAMINATION (FISHERMEN) CONVENTION, 1959

This Convention came into force on 7 November 1961

States	Ratification registered on	States	Ratification registered on
Belgium .....	8. 5.63	Liberia .....	16. 5.60
Brazil .....	1. 3.65	Norway .....	5.12.80
Bulgaria .....	2. 3.61	Panama .....	19. 6.70
China .....	13. 2.62	Peru .....	4. 4.62
Costa Rica .....	29.12.64	Poland .....	11. 1.80
Cuba .....	5. 2.71	Spain .....	7. 8.61
Ecuador .....	10. 3.69	Tunisia .....	14. 1.63
France .....	8. 6.67	Ukrainian SSR .....	17. 6.70
Federal Republic of Germany	8.10.76	USSR .....	4.11.69
Guatemala .....	2. 8.61	Uruguay .....	28. 6.73
Guinea .....	7.11.60	Yugoslavia .....	26. 5.61

# RATIFIED CONVENTIONS

## 114. FISHERMEN'S ARTICLES OF AGREEMENT CONVENTION, 1959

This Convention came into force on 7 November 1961

States	Ratification registered on	States	Ratification registered on
Belgium .....	8. 5.63	Liberia .....	16. 5.60
China .....	13. 2.62	Mauritania .....	8.11.63
Costa Rica .....	29.12.64	Netherlands .....	8. 8.80
Cyprus .....	20.12.66	Panama .....	19. 6.70
Ecuador .....	5. 4.78	Peru .....	4. 4.62
France .....	8. 6.67	Spain .....	7. 8.61
Federal Republic of Germany	1. 7.64	Tunisia .....	14. 1.63
Guatemala .....	2. 8.61	United Kingdom .....	20.12.74
Guinea .....	7.11.60	Uruguay .....	28. 6.73
Italy .....	10. 4.62	Yugoslavia .....	22.12.61

## 115. RADIATION PROTECTION CONVENTION, 1960

This Convention came into force on 17 June 1962

States	Ratification registered on	States	Ratification registered on
Argentina .....	15. 6.78	India .....	17.11.75
Barbados .....	8. 5.67	Iraq .....	26.10.62
Belgium .....	2. 7.65	Italy .....	5. 5.71
Brazil .....	5. 9.66	Japan .....	31. 7.73
Byelorussian SSR .....	26. 2.68	Lebanon .....	6.12.77
Czechoslovakia .....	21. 1.64	Netherlands .....	29.11.66
Denmark .....	7. 2.74	Nicaragua .....	1.10.81
Djibouti .....	3. 8.78	Norway .....	17. 6.61
Ecuador .....	9. 3.70	Paraguay .....	10. 7.67
Egypt .....	18. 3.64	Poland .....	23.12.64
Finland .....	16.10.78	Spain .....	17. 7.62
France .....	18.11.71	Sweden .....	12. 4.61
German Democratic Republic	7. 5.75	Switzerland .....	29. 5.63
Federal Republic of Germany	26. 9.73	Syrian Arab Republic .....	15. 1.64
Ghana .....	7.11.61	Turkey .....	15.11.68
Guinea .....	12.12.66	Ukrainian SSR .....	19. 6.68
Guyana .....	8. 6.66	USSR .....	22. 9.67
Hungary .....	8. 6.68	United Kingdom .....	9. 3.62

# RATIFIED CONVENTIONS

## 116. FINAL ARTICLES REVISION CONVENTION, 1961

This Convention came into force on 5 February 1962

States	Ratification registered on	States	Ratification registered on
Australia .....	29.10.63	Luxembourg .....	4. 3.64
Austria .....	14.11.63	Madagascar .....	1. 6.64
Bangladesh .....	22. 6.72	Mauritania .....	8.11.63
Bolivia .....	12. 1.65	Mexico .....	3.11.66
Brazil .....	5. 9.66	Morocco .....	14.11.62
Bulgaria .....	3.10.69	Netherlands .....	13.11.64
Byelorussian SSR .....	11. 3.70	New Zealand .....	1. 3.63
United Republic of Cameroon	29.12.64	Niger .....	23. 3.62
Canada .....	25. 4.62	Nigeria .....	27. 6.62
Central African Republic ...	10. 6.63	Norway .....	22. 1.63
Chad .....	5. 2.62	Pakistan .....	17.11.67
China .....	16.11.62	Panama .....	19. 6.70
Colombia .....	4. 3.69	Paraguay .....	20. 2.69
Cuba .....	5. 2.71	Poland .....	22. 4.64
Cyprus .....	20. 7.64	Romania .....	9. 4.65
Czechoslovakia .....	21. 1.64	Senegal .....	13.11.67
Denmark .....	10. 7.62	South Africa .....	9. 8.63
Ecuador .....	10. 3.69	Spain .....	17. 7.62
Egypt .....	26. 3.62	Sri Lanka .....	26. 4.74
Ethiopia .....	11. 6.66	Sweden .....	3. 4.62
Finland .....	1. 6.64	Switzerland .....	5.11.62
France .....	8. 6.67	Syrian Arab Republic .....	10. 8.65
Federal Republic of Germany	7.10.63	Thailand .....	24. 9.62
Ghana .....	27. 8.63	Tunisia .....	15. 1.62
Guatemala .....	25. 1.65	Turkey .....	2. 9.68
Honduras .....	17.11.64	Ukrainian SSR .....	17. 6.70
India .....	21. 6.62	USSR .....	4.11.69
Iraq .....	26.10.62	United Kingdom .....	9. 3.62
Ireland .....	27. 2.63	Upper Volta .....	16. 4.62
Israel .....	24. 5.63	Uruguay .....	28. 6.73
Ivory Coast .....	2. 1.63	Venezuela .....	16.11.64
Japan .....	29. 4.71	Viet Nam .....	7.12.70
Jordan .....	4. 7.63	Yugoslavia .....	9. 3.65
Kuwait .....	23. 4.63	Zaire .....	5. 9.67

# RATIFIED CONVENTIONS

## 117. SOCIAL POLICY (BASIC AIMS AND STANDARDS) CONVENTION, 1962

This Convention came into force on 23 April 1964

States	Ratification registered on	States	Ratification registered on
Bahamas .....	25. 5.76	Madagascar .....	1. 6.64
Bolivia .....	31. 1.77	Nicaragua .....	1.10.81
Brazil .....	24. 3.69	Niger .....	23.11.64
Central African Republic ...	9. 6.64	Panama .....	4. 6.71
China .....	10.12.64	Paraguay .....	20. 2.69
Costa Rica .....	27. 1.66	Portugal .....	9. 1.81
Ecuador .....	3.10.69	Romania .....	6. 6.73
Ghana .....	18. 6.64	Senegal .....	13.11.67
Guinea .....	12.12.66	Spain .....	8. 5.73
Israel .....	15. 1.64	Sudan .....	22.10.70
Italy .....	27.12.66	Syrian Arab Republic .....	11.12.64
Jamaica .....	4. 1.66	Tunisia .....	14. 4.70
Jordan .....	7. 3.63	Viet Nam .....	7.12.70
Kuwait .....	23. 4.63	Zaire .....	5. 9.67
		Zambia .....	2.12.64



# RATIFIED CONVENTIONS

## 118. EQUALITY OF TREATMENT (SOCIAL SECURITY) CONVENTION, 1962

This Convention came into force on 25 April 1964

States	Ratification registered on	States	Ratification registered on
Bangladesh <sup>1</sup> .....	22. 6.72	Italy <sup>17</sup> .....	5. 5.67
Barbados <sup>2</sup> .....	14.10.74	Jordan <sup>18</sup> .....	7. 3.63
Bolivia <sup>3</sup> .....	31. 1.77	Kenya <sup>19</sup> .....	9. 2.71
Brazil <sup>4</sup> .....	24. 3.69	Libyan Arab Jamahiriya <sup>17</sup> ...	19. 6.75
Central African Republic <sup>5</sup> ..	8.10.64	Madagascar <sup>20</sup> .....	22. 6.64
China <sup>6</sup> .....	4. 1.65	Mauritania <sup>21</sup> .....	15. 7.68
Denmark <sup>7</sup> .....	17. 6.69	Mexico <sup>4</sup> .....	6. 1.78
Ecuador <sup>8</sup> .....	9. 3.70	Netherlands <sup>17</sup> .....	3. 7.64
Finland <sup>9</sup> .....	15. 8.69	Norway <sup>22</sup> .....	28. 8.63
France <sup>10</sup> .....	13. 5.74	Pakistan <sup>1</sup> .....	27. 3.69
Federal Republic of Germany <sup>11</sup>	19. 3.71	Suriname <sup>23</sup> .....	15. 6.76
Guatemala <sup>12</sup> .....	4.11.63	Sweden <sup>11</sup> .....	25. 4.63
Guinea <sup>13</sup> .....	11. 8.67	Syrian Arab Republic <sup>24</sup> .....	18.11.63
India <sup>14</sup> .....	19. 8.64	Tunisia <sup>25</sup> .....	20. 9.65
Iraq <sup>4</sup> .....	28. 4.78	Turkey <sup>4</sup> .....	25. 6.74
Ireland <sup>15</sup> .....	26.11.64	Viet Nam <sup>26</sup> .....	7.12.70
Israel <sup>16</sup> .....	9. 6.65	Zaire <sup>27</sup> .....	1.11.67

- <sup>1</sup>Branches (c) and (g).
- <sup>2</sup>Branches (b), (c) and (e) to (g).
- <sup>3</sup>Branches (a) to (c) and (i).
- <sup>4</sup>Branches (a) to (g).
- <sup>5</sup>Branches (c), (e), (g) and (i).
- <sup>6</sup>Branches (a) and (c) to (g).
- <sup>7</sup>Branches (a), (b), (g) and (h).
- <sup>8</sup>Branches (a) to (d), (f) and (g).
- <sup>9</sup>Branches (a), (b) and (g).
- <sup>10</sup>Branches (a) to (d), (f), (g) and (i).
- <sup>11</sup>Branches (a) to (c), (g) and (h).
- <sup>12</sup>Branch (c).
- <sup>13</sup>Branches (a) to (c), (e) to (g) and (i).
- <sup>14</sup>Branches (a) to (c).

- <sup>15</sup>Branches (a), (b), (h) and (i).
- <sup>16</sup>Branches (c), (e) to (g) and (i).
- <sup>17</sup>Branches (a) to (i).
- <sup>18</sup>Branches (c), (d), (f) and (g).
- <sup>19</sup>Branches (d) to (f).
- <sup>20</sup>Branches (b) to (d) and (g).
- <sup>21</sup>Branches (d) to (g) and (i).
- <sup>22</sup>Branches (f) and (i).
- <sup>23</sup>Branch (g).
- <sup>24</sup>Branches (d) to (g).
- <sup>25</sup>Branches (a) to (g) and (i).
- <sup>26</sup>Branches (c), (g) and (i).
- <sup>27</sup>Branches (d), (e) and (g).

# RATIFIED CONVENTIONS

## 119. GUARDING OF MACHINERY CONVENTION, 1963

This Convention came into force on 21 April 1965.

States	Ratification registered on	States	Ratification registered on
Algeria .....	12. 6.69	Panama .....	15. 7.71
Byelorussian SSR .....	11. 3.70	Paraguay .....	10. 7.67
Central African Republic ...	9. 6.64	Poland .....	3. 2.77
China .....	22. 2.66	Sierra Leone .....	21. 4.64
Congo .....	23.11.64	Spain .....	30.11.71
Cyprus .....	29. 3.65	Sweden .....	29.12.64
Dominican Republic .....	9. 3.65	Syrian Arab Republic .....	10. 6.65
Ecuador .....	3.10.69	Tunisia .....	14. 4.70
Finland .....	15. 8.69	Turkey .....	13.11.67
Ghana .....	18. 3.65	Ukrainian SSR .....	17. 6.70
Guatemala .....	26. 2.64	USSR .....	4.11.69
Guinea .....	12.12.66	Uruguay .....	2. 6.77
Italy .....	5. 5.71	Yugoslavia .....	7. 5.70
Japan .....	31. 7.73	Zaire .....	5. 9.67
Jordan .....	4. 5.64		
Kuwait .....	23.11.64		
Madagascar .....	1. 6.64		
Malaysia .....	6. 6.74		
Morocco .....	22. 7.74		
Nicaragua .....	1.10.81		
Niger .....	23.11.64		
Norway <sup>1</sup> .....	10.12.69		

<sup>1</sup>In conformity with the provisions of Article 17, paragraph 1, of the Convention a declaration specifies to which undertakings and to which ships, boats and barges the provisions of the Convention apply.

## 120. HYGIENE (COMMERCE AND OFFICES) CONVENTION, 1964

This Convention came into force on 29 March 1966

States	Ratification registered on	States	Ratification registered on
Algeria .....	12. 6.69	Jordan .....	11. 3.65
Belgium .....	17. 5.78	Lebanon .....	1. 6.77
Bolivia .....	31. 1.77	Madagascar .....	21.11.66
Brazil .....	24. 3.69	Mexico .....	18. 6.68
Bulgaria .....	29. 3.65	Norway .....	6. 6.66
Byelorussian SSR .....	26. 2.68	Panama .....	19. 6.70
Costa Rica .....	27. 1.66	Paraguay .....	10. 7.67
Cuba .....	5. 2.71	Poland .....	26. 6.68
Denmark .....	17. 6.70	Senegal .....	25. 4.66
Djibouti .....	3. 8.78	Spain .....	16. 6.70
Ecuador .....	10. 3.69	Sweden .....	11. 6.65
Finland .....	23. 9.68	Switzerland .....	18. 2.66
France .....	6. 4.72	Syrian Arab Republic .....	10. 6.65
German Democratic Republic .	7. 5.75	Tunisia .....	14. 4.70
Federal Republic of Germany	5.12.73	Ukrainian SSR .....	19. 6.68
Ghana .....	21.11.66	USSR .....	22. 9.67
Guatemala .....	21.10.75	United Kingdom .....	21. 4.67
Guinea .....	12.12.66	Venezuela .....	3. 6.71
Indonesia .....	13. 6.69	Viet Nam .....	7.12.70
Italy .....	5. 5.71	Zaire .....	5. 9.67

# RATIFIED CONVENTIONS

## 121. EMPLOYMENT INJURY BENEFITS CONVENTION, 1964

This Convention came into force on 28 July 1967

States	Ratification registered on	States	Ratification registered on
Belgium .....	22. 4.70	Senegal .....	25. 4.66
Bolivia .....	31. 1.77	Sweden .....	17. 6.69
Cyprus .....	28. 7.66	Uruguay <sup>1</sup> .....	28. 6.73
Ecuador .....	5. 4.78	Yugoslavia .....	7. 5.70
Finland .....	23. 9.68	Zaire .....	5. 9.67
Federal Republic of Germany	1. 3.72		
Guinea .....	11. 8.67		
Ireland .....	9. 6.69		
Japan <sup>1</sup> .....	7. 6.74		
Libyan Arab Jamahiriya .....	19. 6.75		
Luxembourg .....	24. 7.72		
Netherlands .....	2. 8.66		

<sup>1</sup>Has accepted the text of the List of Occupational Diseases (Schedule I) duly amended by the General Conference of the International Labour Organisation during its 66th Session (1980).

# RATIFIED CONVENTIONS

## 122. EMPLOYMENT POLICY CONVENTION, 1964

This Convention came into force on 15 July 1966

States	Ratification registered on	States	Ratification registered on
Algeria .....	12. 6.69	Libyan Arab Jamahiriya .....	27. 5.71
Australia .....	12.11.69	Madagascar .....	21.11.66
Austria .....	27. 7.72	Mauritania .....	30. 7.71
Barbados .....	15. 3.76	Mongolia .....	24.11.76
Belgium .....	8. 7.69	Morocco .....	11. 5.79
Bolivia .....	31. 1.77	Netherlands .....	9. 1.67
Brazil .....	24. 3.69	New Zealand .....	15. 7.65
Byelorussian SSR .....	26. 2.68	Nicaragua .....	1.10.81
United Republic of Cameroon	25. 5.70	Norway .....	6. 6.66
Canada .....	16. 9.66	Panama .....	19. 6.70
Chile .....	24.10.68	Papua New Guinea .....	1. 5.76
Comoros .....	23.10.78	Paraguay .....	20. 2.69
Costa Rica .....	27. 1.66	Peru .....	27. 7.67
Cuba .....	5. 2.71	Philippines .....	13. 1.76
Cyprus .....	28. 7.66	Poland .....	24.11.66
Czechoslovakia .....	15. 7.75	Portugal .....	9. 1.81
Denmark .....	17. 6.70	Romania .....	6. 6.73
Djibouti .....	3. 8.78	Senegal .....	25. 4.66
Ecuador .....	13.11.72	Spain .....	28.12.70
Finland .....	23. 9.68	Sudan .....	22.10.70
France .....	5. 8.71	Suriname .....	15. 6.76
German Democratic Republic .	7. 5.75	Sweden .....	11. 6.65
Federal Republic of Germany	17. 6.71	Thailand .....	26. 2.69
Guinea .....	12.12.66	Tunisia .....	17. 2.66
Honduras .....	9. 6.80	Turkey .....	13.12.77
Hungary .....	18. 6.69	Uganda .....	23. 6.67
Iran .....	10. 6.72	Ukrainian SSR .....	19. 6.68
Iraq .....	2. 3.70	USSR .....	22. 9.67
Ireland .....	20. 6.67	United Kingdom .....	27. 6.66
Israel .....	26. 1.70	Uruguay .....	2. 6.77
Italy .....	5. 5.71	Viet Nam .....	7.12.70
Jamaica .....	10. 1.75	Yugoslavia .....	23. 8.71
Jordan .....	10. 3.66	Zambia .....	23.10.79
Democratic Kampuchea .....	28. 9.71		
Lebanon .....	1. 6.77		

# RATIFIED CONVENTIONS

## 123. MINIMUM AGE (UNDERGROUND WORK) CONVENTION, 1965

This Convention came into force on 10 November 1967

States	Ratification registered on	States	Ratification registered on
Australia <sup>1</sup> .....	12.12.71	Swaziland <sup>1</sup> .....	5. 6.81
Belgium <sup>2</sup> .....	17. 5.78	Switzerland <sup>6</sup> .....	10.11.66
Bolivia <sup>1</sup> .....	31. 1.77	Syrian Arab Republic <sup>7</sup> .....	26. 6.72
Bulgaria <sup>3</sup> .....	3.10.69	Thailand <sup>2</sup> .....	5. 4.68
Byelorussian SSR <sup>3</sup> .....	11. 3.70	Tunisia <sup>2</sup> .....	24. 7.67
United Republic of Cameroon <sup>1</sup> .....	6.11.70	Uganda <sup>1</sup> .....	23. 6.67
China <sup>1</sup> .....	6. 4.67	Ukrainian SSR <sup>3</sup> .....	17. 6.70
Cyprus <sup>1</sup> .....	11. 4.67	USSR <sup>3</sup> .....	4.11.69
Czechoslovakia <sup>2</sup> .....	7. 6.68	Viet Nam <sup>1</sup> .....	7.12.70
Djibouti <sup>1</sup> .....	3. 8.78	Yugoslavia <sup>2</sup> .....	7. 5.70
Ecuador <sup>2</sup> .....	10. 3.69	Zambia <sup>2</sup> .....	3. 4.67
France <sup>1</sup> .....	18.11.71		
Gabon <sup>2</sup> .....	18.10.68		
Hungary <sup>1</sup> .....	8. 6.68		
India <sup>1</sup> .....	20. 3.75		
Italy <sup>3</sup> .....	5. 5.71		
Jordan <sup>1</sup> .....	6. 6.66		
Kenya <sup>3</sup> .....	20. 6.68		
Madagascar <sup>2</sup> .....	23.10.67		
Malaysia <sup>1</sup> .....	6. 6.74		
Mexico <sup>1</sup> .....	29. 8.68		
Mongolia <sup>2</sup> .....	3.12.81		
Netherlands <sup>3</sup> .....	8. 4.69		
Nigeria <sup>1</sup> .....	14. 5.74		
Panama <sup>2</sup> .....	24. 9.70		
Paraguay <sup>2</sup> .....	10.10.68		
Poland <sup>4</sup> .....	30. 9.69		
Rwanda <sup>2</sup> .....	1. 6.70		
Saudi Arabia <sup>2</sup> .....	15. 6.78		
Spain <sup>5</sup> .....	6.11.67		

<sup>1</sup>Minimum age specified: 16 years.

<sup>2</sup>Minimum age specified: 18 years.

<sup>3</sup>Convention denounced as a result of the ratification of Convention No. 138.

<sup>4</sup>Minimum age specified: for apprentices and trainees, under certain conditions, 16 years; for other categories of workers, 18 years.

<sup>5</sup>Minimum age specified: for apprentices, under certain conditions, 16 years; for other categories of workers, 18 years.

<sup>6</sup>Minimum age specified: 19 full years; for apprentices, 20 full years.

<sup>7</sup>Minimum age specified: 17 years.

# RATIFIED CONVENTIONS

## 124. MEDICAL EXAMINATION OF YOUNG PERSONS (UNDERGROUND WORK) CONVENTION, 1965

This Convention came into force on 13 December 1967

States	Ratification registered on	States	Ratification registered on
Austria .....	8.12.71	Italy .....	5. 5.71
Belgium .....	6. 5.77	Jordan .....	6. 6.66
Bolivia .....	31. 1.77	Madagascar .....	23.10.67
Brazil .....	21. 8.70	Mexico .....	29. 8.68
Bulgaria .....	3.10.69	Netherlands .....	8. 4.69
Byelorussian SSR .....	11. 3.70	Panama .....	19. 6.70
China .....	19. 4.67	Paraguay .....	10. 7.67
Cyprus .....	18. 1.67	Poland .....	26. 6.68
Czechoslovakia .....	23. 4.80	Spain .....	30.11.71
Djibouti .....	3. 8.78	Syrian Arab Republic .....	18. 8.72
Ecuador .....	10. 3.69	Tunisia .....	3. 5.67
Finland .....	23. 9.68	Uganda .....	23. 6.67
France .....	5. 8.71	Ukrainian SSR .....	17. 6.70
Gabon .....	18.10.68	USSR .....	4.11.69
German Democratic Republic .....	19. 6.79	United Kingdom .....	13.12.66
Greece .....	28. 8.81	Viet Nam .....	7.12.70
Hungary .....	8. 6.68	Zambia .....	10. 3.67

## 125. FISHERMEN'S COMPETENCY CERTIFICATES CONVENTION, 1966

This Convention came into force on 15 July 1969.

States	Ratification registered on	States	Ratification registered on
Belgium .....	22. 7.69	Senegal .....	15. 7.68
Brazil .....	21. 8.70	Sierra Leone .....	6.11.67
Djibouti .....	3. 8.78	Syrian Arab Republic .....	6. 5.69
France .....	2. 4.70	Trinidad and Tobago .....	14.12.72
Panama .....	19. 6.70		

## 126. ACCOMMODATION OF CREWS (FISHERMEN) CONVENTION, 1966

This Convention came into force on 6 November 1968

States	Ratification registered on	States	Ratification registered on
Belgium .....	22. 7.69	Panama .....	4. 6.71
Denmark .....	6. 6.78	Sierra Leone .....	6.11.67
Djibouti .....	3. 8.78	Spain .....	8.11.68
France .....	18.11.71	Ukrainian SSR .....	17. 6.70
Federal Republic of Germany .....	14. 8.74	USSR .....	4.11.69
Netherlands .....	12. 5.76	Yugoslavia .....	23.11.73
Norway .....	6. 7.67		

# RATIFIED CONVENTIONS

## 127. MAXIMUM WEIGHT CONVENTION, 1967

This Convention came into force on 10 March 1970

States	Ratification registered on	States	Ratification registered on
Algeria .....	12. 6.69	Lebanon .....	1. 6.77
Brazil .....	21. 8.70	Madagascar .....	4. 1.71
Bulgaria .....	21. 6.78	Nicaragua .....	1. 3.76
Chile .....	3.11.72	Panama .....	19. 6.70
China .....	2. 2.70	Poland .....	2. 5.73
Costa Rica .....	16. 3.72	Romania .....	28.10.75
Ecuador .....	10. 3.69	Spain .....	7. 6.69
France .....	31. 5.73	Thailand .....	26. 2.69
German Democratic Republic .	20. 8.75	Tunisia .....	14. 4.70
Italy .....	5. 5.71	Turkey .....	13.11.75

## 128. INVALIDITY, OLD-AGE AND SURVIVORS' BENEFITS CONVENTION, 1967

This Convention came into force on 1 November 1969

States	Ratification registered on	States	Ratification registered on
Austria <sup>1</sup> .....	4.11.69	Switzerland <sup>3</sup> .....	13. 9.77
Barbados <sup>2</sup> .....	15. 9.72	Uruguay <sup>3</sup> .....	28. 6.73
Bolivia <sup>3</sup> .....	31. 1.77		
Cyprus <sup>4</sup> .....	7. 1.69		
Ecuador <sup>3</sup> .....	5. 4.78		
Finland <sup>3</sup> .....	13. 1.76		
Federal Republic of Germany <sup>3</sup>	15. 1.71		
Libyan Arab Jamahiriya <sup>3</sup> ....	19. 6.75		
Netherlands <sup>3</sup> .....	27.10.69		
Norway <sup>3</sup> .....	1.11.68		
Sweden <sup>3</sup> .....	26. 7.68		

<sup>1</sup>Has accepted Part III. In accordance with Article 39, paragraph 1(b), public servants are excluded from the application of the Convention.

<sup>2</sup>Has accepted Parts II and III.

<sup>3</sup>Has accepted all Parts.

<sup>4</sup>Has accepted Part IV.

# RATIFIED CONVENTIONS

## 129. LABOUR INSPECTION (AGRICULTURE) CONVENTION, 1969

This Convention came into force on 19 January 1972

States	Ratification registered on	States	Ratification registered on
Bolivia .....	31. 1.77	Malawi .....	20. 7.71
Colombia .....	16.11.76	Morocco .....	11. 5.79
Costa Rica .....	16. 3.72	Netherlands .....	29. 6.73
Denmark .....	30.11.72	Norway .....	14. 4.71
Finland .....	3. 9.74	Romania .....	28.10.75
France .....	28.12.72	Spain .....	5. 5.71
Federal Republic of Germany	26. 9.73	Sweden .....	14. 5.70
Guyana .....	19. 1.71	Syrian Arab Republic .....	18. 4.72
Italy .....	23. 6.81	Upper Volta .....	21. 5.74
Kenya .....	9. 4.79	Uruguay .....	28. 6.73
Madagascar .....	21.12.71	Yugoslavia .....	22. 7.75

## 130. MEDICAL CARE AND SICKNESS BENEFITS CONVENTION, 1969

This Convention came into force on 27 May 1972

States	Ratification registered on	States	Ratification registered on
Bolivia .....	31. 1.77	Federal Republic of Germany	8. 8.74
Costa Rica .....	16. 3.72	Libyan Arab Jamahiriya .....	19. 6.75
Czechoslovakia .....	27. 5.71	Luxembourg .....	3. 7.80
Denmark .....	6. 6.78	Norway .....	15. 2.72
Ecuador .....	5. 4.78	Sweden .....	14. 5.70
Finland .....	3. 9.74	Uruguay .....	28. 6.73

## 131. MINIMUM WAGE FIXING CONVENTION, 1970

This Convention came into force on 29 April 1972

States	Ratification registered on	States	Ratification registered on
Australia .....	15. 6.73	Nepal .....	19. 9.74
Bolivia .....	31. 1.77	Netherlands .....	10.10.73
United Republic of Cameroon	6. 7.73	Nicaragua .....	1. 3.76
Costa Rica .....	8. 6.79	Niger .....	24. 4.80
Cuba .....	5. 1.72	Romania .....	28.10.75
Ecuador .....	2.12.70	Spain .....	30.11.71
Egypt .....	12. 5.76	Sri Lanka .....	17. 3.75
France .....	28.12.72	Swaziland .....	5. 6.81
Iraq .....	16. 5.74	Syrian Arab Republic .....	18. 4.72
Japan .....	29. 4.71	Upper Volta .....	21. 5.74
Kenya .....	9. 4.79	Uruguay .....	2. 6.77
Lebanon .....	1. 6.77	Yemen .....	29. 7.76
Libyan Arab Jamahiriya .....	27. 5.71	Zambia .....	20. 6.72
Mexico .....	18. 4.73		



# RATIFIED CONVENTIONS

## 132. HOLIDAYS WITH PAY CONVENTION (REVISED), 1970

This Convention came into force on 30 June 1973

States	Ratification registered on	States	Ratification registered on
United Republic of Cameroon <sup>1*</sup>	7. 8.73	Norway <sup>6*</sup>	22. 6.73
Federal Republic of Germany <sup>2*</sup>	1.10.75	Portugal <sup>7*</sup>	17. 3.81
Guinea <sup>3*</sup>	2. 6.77	Spain <sup>1+</sup>	30. 6.72
Iraq <sup>1*</sup>	19. 2.74	Sweden <sup>8*</sup>	7. 6.78
Ireland <sup>1+</sup>	20. 6.74	Upper Volta <sup>3*</sup>	12. 7.74
Italy <sup>1*</sup>	28. 7.81	Uruguay <sup>9*</sup>	2. 6.77
Kenya <sup>1*</sup>	9. 4.79	Yemen <sup>10+</sup>	1.11.76
Luxembourg <sup>5*</sup>	1.10.79	Yugoslavia <sup>2*</sup>	12. 5.75
Madagascar <sup>1*</sup>	8. 2.72		

<sup>1</sup>Length of holiday specified:  
3 weeks.  
<sup>2</sup>Length of holiday specified:  
18 working days.  
<sup>3</sup>Length of holiday specified:  
1 calendar month.  
<sup>4</sup>Length of holiday specified:  
21 working days.  
<sup>5</sup>Length of holiday specified:  
25 working days.  
<sup>6</sup>Length of holiday specified:  
24 working days.  
<sup>7</sup>Length of holiday specified:  
21 days.

<sup>8</sup>Length of holiday specified:  
5 weeks.  
<sup>9</sup>Length of holiday specified:  
20 working days.  
<sup>10</sup>Length of holiday specified: 21  
days for workers and 30 days for  
employees.  
<sup>\*</sup>Has accepted the provisions of  
Article 15, paragraph 1(a) and (b).  
<sup>\*</sup>Has accepted the provisions of  
Article 15, paragraph 1(a).

## 133. ACCOMMODATION OF CREWS (SUPPLEMENTARY PROVISIONS) CONVENTION, 1970

This Convention has not yet come into force.

States	Ratification registered on	States	Ratification registered on
Finland	22.11.74	New Zealand	31. 5.77
France	24. 3.72	Nigeria	12. 6.73
Federal Republic of Germany	14. 8.74	Norway	14. 3.75
Guinea	26. 5.77	Poland	9.10.75
Israel	21. 8.80	Sweden	17. 2.72
Italy	23. 6.81	United Kingdom	26. 3.81
Ivory Coast	19. 6.72	Uruguay	2. 6.77
Liberia	8. 5.78		

# RATIFIED CONVENTIONS

## 134. PREVENTION OF ACCIDENTS (SEAFARERS) CONVENTION, 1970

This Convention came into force on 17 February 1973

States	Ratification registered on	States	Ratification registered on
Costa Rica .....	8. 6.79	Mexico .....	2. 5.74
Denmark .....	28. 7.80	New Zealand .....	31. 5.77
Finland .....	22.11.74	Nigeria .....	12. 6.73
France .....	27. 2.78	Norway .....	9. 3.76
Federal Republic of Germany	14. 8.74	Poland .....	26. 6.80
Greece .....	8. 6.77	Romania .....	28.10.75
Guinea .....	26. 5.77	Spain .....	30.11.71
Israel .....	21. 8.80	Sweden .....	17. 2.72
Italy .....	23. 6.81	Uruguay .....	2. 6.77
Japan .....	3. 7.78		

## 135. WORKERS' REPRESENTATIVES CONVENTION, 1971

This Convention came into force on 30 June 1973

States	Ratification registered on	States	Ratification registered on
Austria .....	6. 8.73	Mexico .....	2. 5.74
Barbados .....	25. 4.77	Netherlands .....	19.11.75
United Republic of Cameroon	5. 4.76	Nicaragua .....	1.10.81
Costa Rica .....	7.12.77	Niger .....	5. 4.72
Cuba .....	17.11.72	Norway .....	24.11.76
Denmark .....	6. 6.78	Poland .....	9. 6.77
Finland .....	13. 1.76	Portugal .....	31. 5.76
France .....	30. 6.72	Romania .....	28.10.75
Gabon .....	13. 6.75	Senegal .....	24. 8.76
German Democratic Republic	7. 5.75	Spain .....	21.12.72
Federal Republic of Germany	26. 9.73	Sri Lanka .....	16.11.76
Guinea .....	26. 5.77	Suriname .....	15. 6.76
Hungary .....	11. 9.72	Sweden .....	11. 8.72
Iraq .....	27. 7.72	Syrian Arab Republic .....	6. 3.75
Italy .....	23. 6.81	United Kingdom .....	15. 3.73
Ivory Coast .....	21. 2.73	Upper Volta .....	21. 5.74
Jordan .....	23. 7.79	Yemen .....	29. 7.76
Kenya .....	9. 4.79	Zambia .....	24. 5.73
Luxembourg .....	9.10.79		

# RATIFIED CONVENTIONS

## 136. BENZENE CONVENTION, 1971

This Convention came into force on 27 July 1973

States	Ratification registered on	States	Ratification registered on
Bolivia .....	31. 1.77	Italy .....	23. 6.81
Colombia .....	16.11.76	Ivory Coast .....	21. 2.73
Cuba .....	17.11.72	Kuwait .....	29. 3.74
Czechoslovakia .....	23. 4.80	Morocco .....	22. 7.74
Ecuador .....	27. 3.75	Nicaragua .....	1.10.81
Finland .....	13. 1.76	Romania .....	6.11.75
France .....	30. 6.72	Spain .....	8. 5.73
Federal Republic of Germany	26. 9.73	Switzerland .....	25. 3.75
Greece .....	24. 1.77	Syrian Arab Republic .....	7. 2.77
Guinea .....	26. 5.77	Uruguay .....	2. 6.77
Hungary .....	11. 9.72	Yugoslavia .....	24. 6.75
Iraq .....	27. 7.72	Zambia .....	24. 5.73
Israel .....	21. 6.79		

## 137. DOCK WORK CONVENTION, 1973

This Convention came into force on 24 July 1975

States	Ratification registered on	States	Ratification registered on
Afghanistan .....	16. 5.79	Nicaragua .....	1.10.81
Australia .....	25. 6.74	Norway .....	21.10.74
Costa Rica .....	3. 7.75	Poland .....	22. 2.79
Cuba .....	7. 1.75	Portugal .....	9. 1.81
Finland .....	13. 1.76	Romania .....	28.10.75
France .....	15. 2.77	Spain .....	22. 4.75
Iraq .....	9. 3.78	Sweden .....	24. 7.74
Italy .....	23. 6.81	Uruguay .....	31. 7.80
Kenya .....	9. 4.79		
Netherlands .....	14. 9.76		

# RATIFIED CONVENTIONS

## 138. MINIMUM AGE CONVENTION, 1973

This Convention came into force on 19 June 1976

States	Ratification registered on	States	Ratification registered on
Bulgaria <sup>1</sup> .....	23. 4.80	Niger <sup>3</sup> .....	4.12.78
Byelorussian SSR <sup>1</sup> .....	3. 5.79	Norway <sup>2</sup> .....	8. 7.80
Costa Rica <sup>2</sup> .....	11. 6.76	Poland <sup>2</sup> .....	22. 3.78
Cuba <sup>2</sup> .....	7. 3.75	Romania <sup>1</sup> .....	19.11.75
Finland <sup>2</sup> .....	13. 1.76	Rwanda <sup>3</sup> .....	15. 4.81
German Democratic Republic <sup>1</sup>	19. 6.79	Spain <sup>2</sup> .....	16. 5.77
Federal Republic of Germany <sup>2</sup>	8. 4.76	Ukrainian SSR <sup>1</sup> .....	3. 5.79
Honduras <sup>3</sup> .....	9. 6.80	USSR <sup>1</sup> .....	3. 5.79
Ireland <sup>2</sup> .....	22. 6.78	Uruguay <sup>2</sup> .....	2. 6.77
Israel <sup>2</sup> .....	21. 6.79	Zambia <sup>2</sup> .....	9. 2.76
Italy <sup>2</sup> .....	28. 7.81		
Kenya <sup>1</sup> .....	9. 4.79		
Libyan Arab Jamahiriya <sup>4</sup> ....	19. 6.75		
Luxembourg <sup>2</sup> .....	24. 3.77		
Netherlands <sup>2</sup> .....	14. 9.76		
Nicaragua <sup>2</sup> .....	2.11.81		

<sup>1</sup>Minimum age specified: 16 years.

<sup>2</sup>Minimum age specified: 15 years.

<sup>3</sup>Minimum age specified: 14 years.

<sup>4</sup>Minimum age specified: 18 years.

## 139. OCCUPATIONAL CANCER CONVENTION, 1974

This Convention came into force on 10 June 1976

States	Ratification registered on	States	Ratification registered on
Arghanistan .....	16. 5.79	Japan .....	26. 7.77
Argentina .....	15. 6.78	Nicaragua .....	1.10.81
Denmark .....	6. 6.78	Norway .....	14. 6.77
Ecuador .....	27. 3.75	Peru .....	16.11.76
Finland .....	4. 5.77	Sweden .....	23. 9.75
Federal Republic of Germany	23. 8.76	Switzerland .....	28.10.76
Guinea .....	20. 4.76	Syrian Arab Republic .....	1. 2.79
Hungary .....	10. 6.75	Uruguay .....	31. 7.80
Iraq .....	31. 3.78	Yugoslavia .....	19. 8.77
Italy .....	23. 6.81		

# RATIFIED CONVENTIONS

## 140. PAID EDUCATIONAL LEAVE CONVENTION, 1974

This Convention came into force on 23 September 1976

States	Ratification registered on	States	Ratification registered on
Afghanistan .....	16. 5.79	Iraq .....	9. 5.78
Cuba .....	30.12.75	Kenya .....	9. 4.79
Czechoslovakia .....	24. 5.76	Mexico .....	17. 2.77
France .....	20.10.75	Netherlands .....	14. 9.76
German Democratic Republic .	14. 7.77	Nicaragua .....	1.10.81
Federal Republic of Germany	30.11.76	Poland .....	23. 4.79
Guinea .....	20. 4.76	Spain .....	18. 9.78
Hungary .....	10. 6.75	Sweden .....	23. 9.75
		United Kingdom .....	4.12.75

## 141. RURAL WORKERS' ORGANISATIONS CONVENTION, 1975

This Convention came into force on 24 November 1977

States	Ratification registered on	States	Ratification registered on
Afghanistan .....	16. 5.79	Kenya .....	9. 4.79
Austria .....	18. 9.78	Mexico .....	28. 6.78
Cuba .....	14. 4.77	Netherlands .....	26. 1.77
Cyprus .....	28. 6.77	Nicaragua .....	1.10.81
Denmark .....	6. 6.78	Norway .....	24.11.76
Ecuador .....	26.10.77	Philippines .....	18. 6.79
Finland .....	14. 9.77	Spain .....	28. 4.78
Federal Republic of Germany	5.12.78	Sweden .....	19. 7.76
India .....	18. 8.77	Switzerland .....	23. 5.77
Israel .....	21. 6.79	United Kingdom .....	15. 2.77
Italy .....	18.10.79	Zambia .....	4.12.78

# RATIFIED CONVENTIONS

## 142. HUMAN RESOURCES DEVELOPMENT CONVENTION, 1975

This Convention came into force on 19 July 1977

States	Ratification registered on	States	Ratification registered on
Afghanistan .....	16. 5.79	Israel .....	21. 6.79
Argentina .....	15. 6.78	Italy .....	18.10.79
Austria .....	2. 3.79	Jordan .....	23. 7.79
Brazil .....	24.11.81	Kenya .....	9. 4.79
Byelorussian SSR .....	3. 5.79	Mexico .....	28. 6.78
Cuba .....	5. 1.78	Netherlands .....	19. 6.79
Cyprus .....	28. 6.77	Nicaragua .....	4.11.77
Czechoslovakia .....	6. 3.79	Norway .....	24.11.76
Denmark .....	5. 6.81	Poland .....	10.10.79
Ecuador .....	26.10.77	Portugal .....	9. 1.81
Finland .....	14. 9.77	Spain .....	16. 5.77
German Democratic Republic ..	19. 6.79	Sweden .....	19. 7.76
Federal Republic of Germany	29.12.80	Switzerland .....	23. 5.77
Guinea .....	5. 6.78	Ukrainian SSR .....	3. 5.79
Hungary .....	17. 6.76	USSR .....	3. 5.79
Iraq .....	26. 7.78	United Kingdom .....	15. 2.77
Ireland .....	22. 6.79		

## 143. MIGRANT WORKERS (SUPPLEMENTARY PROVISIONS) CONVENTION, 1975

This Convention came into force on 9 December 1978

States	Ratification registered on	States	Ratification registered on
Benin .....	11. 6.80	Portugal .....	12.12.78
United Republic of Cameroon	4. 7.78	Uganda .....	31. 3.78
Cyprus .....	28. 6.77	Upper Volta .....	9.12.77
Guinea .....	5. 6.78	Yugoslavia .....	19. 6.81
Italy .....	23. 6.81		
Kenya .....	9. 4.79		
Norway <sup>1</sup> .....	24. 1.79		

<sup>1</sup>Excluding Part I.

# RATIFIED CONVENTIONS

## 144. TRIPARTITE CONSULTATION (INTERNATIONAL LABOUR STANDARDS) CONVENTION, 1976

This Convention came into force on 16 May 1978

States	Ratification registered on	States	Ratification registered on
Australia .....	11. 6.79	India .....	27. 2.78
Austria .....	2. 3.79	Iraq .....	11. 9.78
Bahamas .....	16. 8.79	Ireland .....	22. 6.79
Bangladesh .....	17. 4.79	Italy .....	18.10.79
Costa Rica .....	29. 7.81	Mexico .....	28. 6.78
Cyprus .....	28. 6.77	Netherlands .....	27. 7.78
Denmark .....	6. 6.78	Nicaragua .....	1.10.81
Ecuador .....	23.11.79	Norway .....	9. 8.77
Finland .....	2.10.78	Portugal .....	9. 1.81
Federal Republic of Germany	23. 7.79	Suriname .....	16.11.79
Greece .....	28. 8.81	Swaziland .....	5. 6.81
Iceland .....	30. 6.81	Sweden .....	16. 5.77
		United Kingdom .....	15. 2.77
		Zambia .....	4.12.78

## 145. CONTINUITY OF EMPLOYMENT (SEAFARERS) CONVENTION, 1976

This Convention came into force on 3 May 1979

States	Ratification registered on	States	Ratification registered on
Costa Rica .....	16. 6.81	Morocco .....	7. 3.80
Cuba .....	9. 2.79	Netherlands .....	10. 1.79
Finland .....	2.10.78	New Zealand .....	11. 1.80
France .....	3. 5.78	Norway .....	24. 1.79
Hungary .....	8. 6.78	Poland .....	10.10.79
Iraq .....	14.11.79	Spain .....	28. 4.78
Italy .....	23. 6.81	Sweden .....	6.10.81

# RATIFIED CONVENTIONS

## 146. SEAFARERS' ANNUAL LEAVE WITH PAY CONVENTION, 1976

This Convention came into force on 13 June 1979

States	Ratification registered on	States	Ratification registered on
United Republic of Cameroon <sup>1</sup>	13. 6.78	Netherlands <sup>3</sup>	12.11.80
France <sup>2</sup>	15. 6.78	Nicaragua <sup>3</sup>	1.10.81
Italy <sup>3</sup>	28. 7.81	Spain <sup>4</sup>	9. 3.79
Morocco <sup>3</sup>	10. 7.80	Sweden <sup>5</sup>	7. 6.78

<sup>1</sup>Length of annual leave specified:  
60 consecutive days for officers and 3  
consecutive days per month for seamen.

<sup>2</sup>Length of annual leave specified:  
116 days for officers and seamen em-  
ployed on board French merchant ves-  
sels and a minimum of 111 days for  
crews of tugboats and port vessels.

<sup>3</sup>Length of annual leave specified:  
30 days.

<sup>4</sup>Length of annual leave specified:  
37, 40 or 60 days according to the  
different types of navigation and 44,  
60 or 64 days for special leave  
according to the cargoes carried by the  
different types of ships.

<sup>5</sup>Length of annual leave specified:  
5 weeks.

## 147. MERCHANT SHIPPING (MINIMUM STANDARDS) CONVENTION, 1976

This Convention came into force on 28 November 1981

States	Ratification registered on	States	Ratification registered on
Costa Rica	24. 6.81	Liberia	8. 7.81
Denmark	28. 7.80	Morocco	15. 6.81
Finland	2.10.78	Netherlands	25. 1.79
France	2. 5.78	Norway	24. 1.79
Federal Republic of Germany	14. 7.80	Spain	28. 4.78
Greece	18. 9.79	Sweden	20.12.78
Italy	23. 6.81	United Kingdom	28.11.80



# RATIFIED CONVENTIONS

## 148. WORKING ENVIRONMENT (AIR POLLUTION, NOISE AND VIBRATION) CONVENTION, 1977

This Convention came into force on 11 July 1979

States	Ratification registered on	States	Ratification registered on
Costa Rica .....	16. 6.81	Portugal .....	9. 1.81
Cuba .....	29.12.80	Spain <sup>1</sup> .....	17.12.80
Ecuador .....	11. 7.78	Sweden .....	10. 7.78
Finland .....	8. 6.79	United Kingdom <sup>2</sup> .....	8. 3.79
Norway .....	13. 3.79	Zambia .....	19. 8.80

<sup>1</sup>Has accepted the obligations of the Convention in respect of air pollution and noise only.

<sup>2</sup>Has accepted the obligations of the Convention in respect of air pollution only.

## 149. NURSING PERSONNEL CONVENTION, 1977

This Convention came into force on 11 July 1979

States	Ratification registered on	States	Ratification registered on
Bangladesh .....	17. 4.79	Poland .....	4.11.80
Byelorussian SSR .....	3. 5.79	Sweden .....	10. 7.78
Denmark .....	5. 6.81	Ukrainian SSR .....	3. 5.79
Ecuador .....	11. 7.78	USSR .....	3. 5.79
Finland .....	8. 6.79	Uruguay .....	31. 7.80
Iraq .....	4. 6.80	Zambia .....	19. 8.80
Philippines .....	18. 6.79		

## 150. LABOUR ADMINISTRATION CONVENTION, 1978

This Convention came into force on 11 October 1980

States	Ratification registered on	States	Ratification registered on
Cuba .....	29.12.80	Netherlands .....	8. 8.80
Cyprus .....	6. 7.81	Norway .....	19. 3.80
Denmark .....	5. 6.81	Portugal .....	9. 1.81
Finland .....	25. 2.80	Suriname .....	29. 9.81
Gabon .....	11.10.79	Sweden .....	11. 6.79
Federal Republic of Germany	26. 2.81	Switzerland .....	3. 3.81
Iraq .....	10. 7.80	United Kingdom .....	19. 3.80
Israel .....	7.12.79	Upper Volta .....	3. 4.80
		Zambia .....	19. 8.80

# RATIFIED CONVENTIONS

## 151. LABOUR RELATIONS (PUBLIC SERVICE) CONVENTION, 1978

This Convention came into force on 25 February 1981

States	Ratification registered on	States	Ratification registered on
Cuba .....	29.12.80	Portugal .....	9. 1.81
Cyprus .....	6. 7.81	Suriname .....	29. 9.81
Denmark .....	5. 6.81	Sweden .....	11. 6.79
Finland .....	25. 2.80	Switzerland .....	3. 3.81
Norway .....	19. 3.80	United Kingdom .....	19. 3.80
Peru .....	27.10.80	Zambia .....	19. 8.80

## 152. OCCUPATIONAL SAFETY AND HEALTH (DOCK WORK) CONVENTION, 1979

This Convention came into force on 5 December 1981

States	Ratification registered on
Finland .....	3. 7.81
Norway .....	5.12.80
Sweden .....	13. 6.80

## 153. HOURS OF WORK AND REST PERIODS (ROAD TRANSPORT) CONVENTION, 1979

This Convention has not yet come into force.

State	Ratification registered on
Switzerland .....	4. 5.81