INTERNATIONAL LABOUR OFFICE

Resolutions Adopted by the 29th Session of the International Labour Conference

(Montreal, September 1946)
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Resolutions Adopted by the International Labour Conference at its 29th Session

I


(Adopted on 9 October 1946)

The Conference expresses its keen appreciation of the prompt ratification by the Members of the Organisation of the Constitution of the International Labour Organisation Instrument of Amendment, 1945, and ventures to hope that Members of the Organisation will find it possible to ratify equally promptly the Constitution of the International Labour Organisation Instrument of Amendment, 1946, and the Final Articles Revision Convention, 1946, and that these Instruments may be in force before the opening of the next general session of the International Labour Conference.

II

Resolution concerning provisional arrangements to be applied until the coming into force of the Constitution of the International Labour Organisation Instrument of Amendment, 1946

(Adopted on 9 October 1946)

Whereas the Conference has adopted the Constitution of the International Labour Organisation Instrument of Amendment, 1946, and

Whereas it is necessary to make provisional arrangements concerning certain matters in respect of the period prior to the coming into force of this Instrument,

The Conference:

1. Authorises the Governing Body to decide, subject to any applicable decisions of the Conference, the place of meeting of such
further sessions of the Conference as may be convened before the coming into force of the Constitution of the International Labour Organisation Instrument of Amendment, 1946.

2. Decides that the Director of the International Labour Office shall be known forthwith as the Director-General of the International Labour Office.

3. Authorises the Director-General of the International Labour Office to discharge forthwith the functions in connection with the communication to Members of the Organisation of certified copies of Conventions and Recommendations and in connection with the registration of ratifications of Conventions entrusted to him by the amended text of Article 19 of the Constitution of the Organisation.

III

Resolution for the adoption of the budget for the 29th Financial Period, 1947, and for the allocation of expenses among States Members for 1947

(Adopted on 9 October 1946)

In virtue of the Financial Regulations provisionally adopted by the Conference in accordance with Article 13 (2) (c) of the Constitution of the International Labour Organisation the Conference passes for the 29th Financial Period ending 31 December 1947 the budget of expenditure of the International Labour Organisation amounting to 16,052,980 Swiss francs (gold francs 11,354,378) and the budget of income amounting to 11,354,378 gold francs (Swiss francs 16,052,980) and resolves that the budget of income from States Members shall be allocated among them in accordance with the scale of contributions recommended by the Finance Committee of Government Representatives.¹

IV

Resolution concerning the adoption of the revised Statute of the Administrative Tribunal

(Adopted on 9 October 1946)

Whereas the Governing Body of the International Labour Office decided at its 98th Session held in Montreal in May 1946 that the International Labour Organisation should assume responsibility for

¹ The budget for 1947 will be found in the Official Bulletin, Vol. XXIX, No. 5.
maintaining the Administrative Tribunal on the basis indicated in paragraph 15 of the Resolution adopted on 18 April 1946 by the Twenty-first and last Session of the Assembly of the League of Nations;

The Conference, having noted the proposals for amendments to the Statute of the Administrative Tribunal submitted to it by the Governing Body,

Adopts the Statute of the Administrative Tribunal revised as follows:

STATUTE OF THE ADMINISTRATIVE TRIBUNAL OF THE INTERNATIONAL LABOUR ORGANISATION

Article 1

There is established by the present Statute a Tribunal to be known as the International Labour Organisation Administrative Tribunal.

Article 2

1. The Tribunal shall be competent to hear complaints alleging non-observance, in substance or in form, of the terms of appointment of officials of the International Labour Office, and of such provisions of the Staff Regulations as are applicable to the case.

2. The Tribunal shall be competent to settle any dispute concerning the compensation provided for in cases of invalidity, injury or disease incurred by an official in the course of his employment and to fix finally the amount of compensation, if any, which is to be paid.

3. The Tribunal shall be competent to hear any complaint of non-observance of the Staff Pensions Regulations or of rules made in virtue thereof in regard to an official or the wife, husband or children of an official, or in regard to any class of officials to which the said Regulations or the said rules apply.

4. The Tribunal shall be competent to hear disputes arising out of contracts to which the International Labour Organisation is a party and which provide for the competence of the Tribunal in any case of dispute with regard to their execution.

5. The Tribunal shall be open:

(a) to the official, even if his employment has ceased, and to any person on whom the official's rights have devolved on his death;

(b) to any other person who can show that he is entitled to some right under the terms of appointment of a deceased official or under provisions of the Staff Regulations on which the official could rely.

6. Any dispute as to the competence of the Tribunal shall be decided by it, subject to the provisions of Article 13.
Article 3

1. The Tribunal shall consist of three judges and three deputy judges who shall all be of different nationalities.
2. Subject to the provisions set out at (3) below, the judges and deputy judges shall be appointed for a period of three years by the Conference of the International Labour Organisation.
3. The terms of office of the judges and deputy judges, who were in office on 1 January 1940, are prolonged until 1 April 1947, and thereafter until otherwise decided by the appropriate organ of the International Labour Organisation. Any vacancy which occurs during the period in question shall be filled by the said organ.
4. A meeting of the Tribunal shall be composed of three members, of whom one at least must be a judge.

Article 4

The Tribunal shall hold ordinary sessions at dates to be fixed by the Rules of Court, subject to there being cases on its list and to such cases being, in the opinion of the President, of a character to justify holding the session. An extraordinary session may be convened at the request of the Chairman of the Governing Body of the International Labour Office.

Article 5

The Tribunal shall decide in each case whether the oral proceedings before it or any part of them shall be public or in camera.

Article 6

1. The Tribunal shall take decisions by a majority vote; judgments shall be final and without appeal.
2. The reasons for a judgment shall be stated.
3. The judgment shall be communicated in writing to the Director-General of the International Labour Office and to the complainant.
4. Judgments shall be drawn up in a single copy, which shall be filed in the archives of the International Labour Office, where it shall be available for consultation by any person concerned.

Article 7

1. A complaint shall not be receivable unless the decision impugned in a final decision and the person concerned has exhausted such other means of resisting it as are open to him under the applicable Staff Regulations.
2. To be receivable, a complaint must also have been filed within ninety days after the complainant was notified of the decision impugned or, in the case of a decision affecting a class of officials, after the decision was published.
3. Where the Administration fails to take a decision upon any claim of an official within sixty days from the notification of the claim to it, the person concerned may have recourse to the Tribunal and his complaint shall be receivable in the same manner as a com-
plaint against a final decision. The period of ninety days provided for by the last preceding paragraph shall run from the expiration of the sixty days allowed for the taking of the decision by the Administration.

4. The filing of a complaint shall not involve suspension of the execution of the decision impugned.

_Article 8_ (deleted)¹

_Article 9_

In cases falling under Article 2, the Tribunal, if satisfied that the complaint was well founded, shall order the rescinding of the decision impugned or the performance of the obligation relied upon. If such rescinding of a decision or execution of an obligation is not possible or advisable, the Tribunal shall award the complainant compensation for the injury caused to him.

_Article 10_

1. The administrative arrangements necessary for the operation of the Tribunal shall be made by the International Labour Office in consultation with the Tribunal.

2. Expenses occasioned by sessions of the Tribunal shall be borne by the International Labour Office.

3. Any compensation awarded by the Tribunal shall be chargeable to the budget of the International Labour Organisation.

_Article 11_

1. Subject to the provisions of the present Statute, the Tribunal shall draw up Rules of Court covering:

(a) the election of the President and Vice-President;

(b) the convening and conduct of its sessions;

(c) the rules to be followed in presenting complaints and in the subsequent procedure, including intervention in the proceedings before the Tribunal by persons whose rights as officials may be affected by the judgment;

(d) the procedure to be followed with regard to complaints and disputes submitted to the Tribunal by virtue of paragraphs 3 and 4 of Article 2; and

(e) generally, all matters relating to the operation of the Tribunal which are not settled by the present Statute.

2. The Tribunal may amend the Rules of Court.

¹ The text of this article was as follows:

"No action shall be taken upon a complaint unless the complainant deposits with the administration concerned, within the ninety days allowable under Article 7, an amount equal to one fiftieth of his annual salary (net salary).

The Tribunal, when pronouncing judgment, will order the refund of the deposit to the complainant if and in so far as it considers that there were sufficient grounds for presenting the complaint."
Article 12

The present Statute shall remain in force during the pleasure of the General Conference of the International Labour Organisation. It may be amended by the Conference or such other organ of the Organisation as the Conference may determine.

Article 13

1. In any case in which the Governing Body of the International Labour Office or the Administrative Board of the Pensions Fund challenges a decision of the Tribunal confirming its jurisdiction, or considers that a decision of the Tribunal is vitiated by a fundamental fault in the procedure followed, the question of the validity of the decision given by the Tribunal shall be submitted by the Governing Body, for an advisory opinion, to the International Court of Justice.

2. The opinion given by the Court shall be binding.

V

Resolution confirming the terms of office of the judges of the Administrative Tribunal for three years

(Adopted on 9 October 1946)

The Conference,

Considering Article 3, paragraph 1 (ii) of the Statute of the Administrative Tribunal (revised) adopted by the Conference on 9 October 1946,

Confirms for a further period of three years the terms of office of the judges and deputy judges of the Administrative Tribunal who were in office on 1 January 1940 and whose terms of office were prolonged until 1 April 1947, namely:

Judges: Jonkheer van Rijckevorsel (Netherlands), President; Mr. Eide (Denmark), Vice-President; H. E. M. Deveze (Belgium).
Substitutes: Mr. Georges Scelle (France), Mr. Jason Stavropoulos (Greece).

VI

Resolution concerning the adoption of the revised Staff Pensions Regulations

(Adopted on 9 October 1946)

Whereas the Governing Body of the International Labour Office decided at its 98th Session held in Montreal in May 1946 that the
International Labour Organisation should assume responsibility for financing and administering the Staff Pensions Fund on the basis indicated in paragraph 16 of the Resolution adopted on 18 April 1946 by the Twenty-first and last Session of the Assembly of the League of Nations and on the understanding that arrangements would be made for the Pensions Fund to be examined again by the Consulting Actuary so that such financial provisions as circumstances indicated could be made from League funds by the Liquidation Board before transfer was affected;

The Conference, having noted the proposals for amendments to the Staff Pensions Fund Regulations submitted to it by the Governing Body,

Adopts the Staff Pensions Regulations revised as follows:

**STAFF PENSIONS REGULATIONS OF THE INTERNATIONAL LABOUR OFFICE**

**I. Officials Entitled to the Benefit of the Regulations**

*Article 1*

1. Persons appointed after January 1st, 1931, as officials of the International Labour Office, with salaries borne on the budget of the International Labour Organisation, shall be subject to the present Regulations, provided that the appointment is made without any fixed limit of time, or for a fixed period not less than seven years, and after a medical examination showing that the official is in good health, that he is free from any defect or disease likely to interfere with the proper discharge of his duties, and that there is no pathological personal or family history of, or definite predisposition to, any disease which might result in premature invalidity or premature death.

Provided always that as from September 30th, 1938, no official who has reached the age of forty-five years shall become subject to the present Regulations unless he is appointed as a Principal Officer.

2. The present Regulations shall apply to officials appointed before the date fixed in paragraph 1. Their application to persons who, after having been subject to the Regulations and having left the service of the League of Nations or the International Labour Office, enter or re-enter the service of the International Labour Office, is subject to the provisions of Article 19.

3. If they are below the age of forty-five years when they become subject to the present Regulations, officials who are classed as Principal Officers shall have the choice between the system of pensions provided by the Regulations and the conclusion of policies of insurance on their lives on the terms provided for in Article 8. If they have reached the age of forty-five years, they shall have no option, but must contract such insurances.
As Principal Officers shall be considered the Director-General, Deputy Director and Assistant Directors.

4. Retired officials of the Secretariat of the League of Nations and of the Registry of the Permanent Court of International Justice and their widows and children shall all continue to receive any benefits due to them from the Pensions Fund.

II. ORGANISATION OF THE PENSIONS FUND

Article 2

The Pensions Fund established on the date fixed by Article 1 to provide for the liabilities resulting from the present Regulations, shall become the property of the International Labour Organisation but shall be administered separately from the other assets of the Organisation and be applicable solely for the purposes provided for in the present Regulations.

The Pensions Fund shall be alimented:

(a) by the assets to be transferred from the League of Nations;
(b) by the contributions of officials;
(c) by the contributions of the International Labour Organisation;
(d) by the interest earned by investment of the Fund.

Article 3

Subject to the provisions of Article 3 (ter) the execution of the present Regulations and the management of the Pensions Fund shall be effected by an Administrative Board consisting of three members elected by the International Labour Conference on the nomination of the Governing Body, three representatives of the Director-General of the International Labour Office and three members elected by secret ballot by the officials who are subject to the present Regulations.

The Conference and the officials concerned shall respectively elect three substitute members.

The elected members and their substitutes shall be appointed for three years and be eligible for re-election. The Director-General of the International Labour Office shall, if necessary, be entitled at any time to change his representatives on the Board.

The Administrative Board shall take decisions by a majority; five members shall constitute a quorum.

Those members of the Administrative Board who are not officials of the International Labour Office and the members of the Investments Committee shall be entitled to travelling expenses and subsistence allowance on the scale for the time being applicable to members of Committees of the International Labour Organisation. Officials of the International Labour Office shall, when attending meetings of the Board or the Committee, be treated in the same manner as if they were attending an International Labour Organisation Committee in the ordinary course of their duty.

The execution of all measures regarding the management of the Pensions Fund and of other decisions of the Administrative Board
shall be effected by officials placed at the disposal of the Administrative Board by the Director-General. The Administrative Board may at any time request that they shall be replaced by other officials.

Article 3 (bis)

The Administrative Board shall make regular reports to the Governing Body on the working and administration of the Fund and shall include therein such information as the Governing Body may direct.

Article 3 (ter)

1. Subject always to the complete independence of the Fund’s assets in relation to the other assets of the International Labour Organisation, as provided in Article 2, the investment of the Fund’s assets shall be decided upon by the Director-General and the Officers of the Finance Committee, after consultation with an Investments Committee of three members appointed by the Governing Body on the proposal of the Finance Committee.

2. The execution of the decisions taken shall be entrusted to the Finance Officer.

3. The Administrative Board shall be regularly informed of the decisions of the Officers of the Finance Committee and of the Director-General and shall be authorised to make any observations or suggestions to the same concerning the investment policy and the general administration of the Fund’s assets.

III. REVENUES OF THE PENSIONS FUND

Article 4

The contributions payable by officials to the Pensions Fund shall be the following:

(a) contributions in respect of their current period of service, which shall be continued throughout their whole period of service. These contributions shall be payable monthly in arrears by deduction from their salary and shall be:

(i) in the case of Principal Officers and of other officials classed as belonging to the First Division under the Staff Regulations 6½ per cent. of the official’s pensionable emoluments for the past month;

(ii) in the case of other officials, 5 per cent. of the official’s pensionable emoluments for the past month.

(b) any other payments due from the official to the Pensions Fund under the present Regulations. These payments, subject to the provisions of these Regulations, shall be made at such time and in such manner as may be determined by the Administrative Board or laid down in the Administrative Rules to be made under Article 25.
Article 5

1. During any period of sick leave on full or half pay, officials shall continue to contribute to the Pensions Fund by deduction from their salaries on the basis of their full pensionable emoluments.

2. During any period of authorised leave without pay (including sick leave without pay), officials may continue to contribute to the Pensions Fund. Such contributions must be made on the dates on which their salaries would have been payable and on the basis of their full pensionable emoluments.

Article 6

(a) The official's pensionable emoluments shall comprise the remuneration which he receives for the performance of his duties, including the value of the occupation of any residence attached to his post or any indemnity paid in substitution for such residence.

They shall not compromise:

1. any entertainment allowance;
2. any allowance to meet the cost of living;
3. travelling, transport and subsistence allowances;
4. payment for overtime;
5. fees, honoraria or bonuses of any kind;
6. any additional remuneration given to the official for performing duties of an exceptional character or for acting temporarily in a post of higher rank than his own.

(b) Local officials of the Second Division may elect to contribute on the basis of their actual emoluments or upon the basis of the emoluments of an international official of corresponding rank.

The contributions of the International Labour Organisation will be effected on the basis of the choice made by the official.

Article 7

From and after January 1st, 1947, the International Labour Organisation shall contribute to the Pensions Fund:

(a) monthly, a contribution based on the pensionable emoluments as defined in the preceding article of all the officials who are subject to the present Regulations, which shall be: for the year 1931, 9 per cent. of those emoluments, and for following years a proportion to be fixed by the International Labour Conference on the proposal of the Administrative Board;

(b) yearly, the sum necessary to provide for the amortisation over a period of thirty years of the deficit in the Pensions Fund due to the application of the present Regulations to officials already in the service on January 1st, 1931.

Article 8

1. The following rules shall apply to the insurance mentioned in Article 1, paragraph 3:
(i) The official shall contract the insurance himself with a company selected by him at his own risk; the International Labour Organisation shall incur no obligations towards the company. The insurance must be on the life of the official. It may be a whole life insurance or an endowment insurance. In the latter case, the sum insured must not fall due before the end of the period for which the official has been appointed and must be payable to the official himself. Any bonuses must be applied to increase the amount insured.

(ii) The premiums shall be paid by the Finance Officer on behalf of the official. They shall be charged to the International Labour Organisation's budget up to an amount which, in any twelve months, shall not exceed the amount which the International Labour Organisation would have contributed in that period to the Pensions Fund under Article 7, item (a), if the official had been subject to the normal application of the present Regulations. The official may make out a policy with premiums greater than can be charged to the International Labour Organisation's budget. Any excess of the premiums over the amount chargeable to the budget shall, unless the official prefers to reduce the amount of the insurance, be paid by the official to the Finance Officer before the date on which the premium is due. The official shall be notified in advance of the amount payable by him and the date on which it must be paid.

(iii) If after serving during the period for which he was originally appointed the official is reappointed for a further period or periods, he shall make arrangements, which must be satisfactory to the Administrative Board, having the effect that he continues to be insured in the manner set out at (i) above during the prolongation of his service and that any amounts becoming due on the maturity of policies taken out in application of the present article are applied to increase the total insurance on his life.

(iv) If the official is promoted to a higher post, the provisions of paragraph (iii) shall apply with any necessary modifications.

2. Rules made by the Administrative Board for the application of the present article, in virtue of its powers under Article 25, shall provide, inter alia, for the deposit with it of the insurance policies and for preventing them from being charged or assigned.

IV. BENEFITS ALLOWABLE TO OFFICIALS

A. Retiring Pensions

Article 9

On the termination of his service otherwise than through retirement on the ground of invalidity, the official shall be awarded a
retiring annuity or a capital sum in accordance with the following provisions:

1. The maximum annuity allowable shall be one half of the official's average annual pensionable emoluments calculated in the manner laid down in Article 6 during his last three years of service.

2. If the official has both attained the age of sixty years and completed not less than twenty-five years' service, he shall be awarded at his option either:

(a) the maximum annuity mentioned in paragraph 1; or
(b) a sum equal to the present value of the annuity which could be awarded to him under subparagraph (a) of the present paragraph.

3. If the official has attained the age of sixty years and completed more than ten but less than twenty-five years' service, he shall be awarded at his option either:

(a) an annuity proportionate to his length of service (disregarding fractions of a month) and calculated for each completed year of service at the rate of one fiftieth of the official's average annual pensionable emoluments during his last three years of service; or
(b) a sum equal to the present value of the annuity which could be awarded to him under subparagraph (a) of the present paragraph.

4. If the official has not attained the age of sixty years but has completed not less than ten years' service, he shall be awarded at his option either:

(a) an annuity proportionate to the length of service calculated as provided in paragraph 3 (a), but reduced by a coefficient depending on his age in accordance with the following table, the coefficients for the intervening ages being determined by interpolation:

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<th>Age</th>
<th>Coefficient of reduction per cent.</th>
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<tbody>
<tr>
<td>60</td>
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<td>60</td>
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<td>64</td>
</tr>
</tbody>
</table>

or

(b) a sum equal to the present value of the annuity which could be awarded to him under subparagraph (a) of the present paragraph.

5. Whatever be the age of the official, if he has completed more than three but less than ten years' service, he shall be awarded a capital sum equal to his own contributions to the Pensions Fund and the payments due in respect of him to that Fund from the Inter-
national Labour Organisation, plus simple interest at the rate fixed by Article 21 provided that such sum shall not exceed the value of the annuity which an official would receive after completing ten years’ service.

6. The retiring pension shall not in any case exceed 25,000 Swiss francs.

B. Invalidity Pensions

Article 10

If, after completing not less than two years’ service and before attaining the age of sixty years, an official is discharged on the ground of invalidity, he shall be awarded an invalidity annuity in accordance with the following provisions:

The annuity shall not exceed one half of the official's pensionable emoluments during his last year of service. Subject to this limitation, it shall be proportionate to the length of service (disregarding fractions of a month) which the official would have completed if he had continued to serve until the age of sixty years (or, if his appointment was for a fixed period, until the end of such period).

The annuity shall be calculated for each year of service imputed to him at the rate of one fiftieth of the pensionable emoluments received by the official during his last year of actual service.

Account may be taken of the degree of the official’s incapacity; in such case the annuity shall be reduced by 25 per cent. if the incapacity is not greater than 75 per cent., by 50 per cent. if the incapacity is not greater than 50 per cent., and by 75 per cent. if the incapacity is not greater than 25 per cent.

The amount of the annuity may be revised during a period not exceeding three years, if it is proved by medical evidence that the incapacity of the recipient has diminished or become greater.

C. Pensions in Case of Death

Article 11

1. If the official dies while still in the service of the International Labour Office, after completing not less than two years’ service, leaving a widow, there shall be payable to the widow an annuity equal to one half of the annuity which would have been awarded to the official if on the date of death he had been discharged from the service on the ground of complete and permanent invalidity.

2. If an official in receipt of an annuity dies leaving a widow, there shall be payable to the latter an annuity equal to one half of the annuity which was payable to the official.

3. The annuity provided for by paragraph 2 shall not be payable if the marriage was contracted after the official had left the service.
4. An annuity payable to the widow of a deceased official shall cease on remarriage.

5. Upon the decease of a female official the Administrative Board shall decide if an annuity shall be paid to the widower.

**Article 12**

1. An annuity payable under Article 11 to the wife or husband of an official who dies while still in the service of the International Labour Office, or after retirement while in receipt of an annuity under the present Regulations, shall, if there are children of the official below the age of eighteen years, be increased by the following percentages:

   (a) for one child only, 25 per cent.;
   (b) for two children, 45 per cent.;
   (c) for three children, 60 per cent.;
   (d) for each additional child, a further 10 per cent. up to the maximum of 100 per cent. increase.

   The annuity shall be reduced in accordance with the above scale as and when each child attains the age of eighteen years or in the event of the death of any of the children.

   If any of the children are not being maintained by the recipient of the annuity, the Administrative Board shall apply for their benefit such portion of the increase in the annuity as it shall consider just.

   On cessation of the annuity owing to the remarriage of its recipient, the part payable in respect of children of the official shall continue to be paid in such manner as to ensure its application for the benefit of such children. If the recipient dies, twice the part payable in respect of the children shall become payable for their benefit.

2. If an official who is still in the service of the International Labour Office, and has completed at least two years' service, or a retired official who is in receipt of an annuity under the present Regulations, dies without leaving a wife or husband but leaving children under the age of eighteen, there shall be paid for the benefit of such children an annuity equal to twice the amount by which such wife's or husband's annuity would have been increased in respect of the children and subject to reduction in accordance with the scale set out in paragraph 1 as and when each child attains the age of eighteen years or in the event of a child's death.

3. Where the Administrative Board decides not to grant an annuity to the husband of a female official, it shall have power to make payable at any time for the benefit of the children of the official an annuity not exceeding the maximum annuity allowable to children under this article.

4. The Administrative Board shall decide in each particular case whether the benefits of the present article shall extend to adopted children, stepchildren or children not born in wedlock.
C (bis). Exception to the Normal Rules for Calculating Retiring Pensions, Invalidity Pensions and Pensions in Case of Death

Article 12 (bis)

1. Where, as the result of transfer to another post or category for reasons which are not of a disciplinary character, officials at the end of the later period of service are found to have received lower average pensionable emoluments during their last three years of service than during the last three years of their earlier period of service, the rules for calculating retiring and invalidity pensions which are laid down in Articles 9 and 10 shall, if the Director-General so requests, be applied with the modifications set out in the present articles. Should either of the periods in question be less than three years, the average emoluments for the whole of such period shall be taken. The modifications to be made in applying the rules are:

(i) the emoluments by reference to which a retiring annuity is calculated shall not be the average annual pensionable emoluments for the last three years of the official's service, but shall be determined by using the following formula, in which B represents the emoluments on which the pension is to be based, S and s represent respectively the average annual pensionable emoluments for the last three years of the earlier period of service and for the last three years of the later period of service (or, in case either period is shorter than three years, the average for the period in question) and D and d represent respectively the duration of the earlier and of the later period:

\[ B = \frac{(S \times D) + (s \times d)}{(D + d)} \]

(ii) the same formula shall be used to calculate an invalidity pension (Article 10) or a pension in case of death (Article 11, 1, and Article 12, 1) but, in such cases, S and s shall represent respectively the pensionable emoluments of the last year of the earlier and of the last year of the later period of service, or, if either period is less than one year, the average for the whole of such period.

2. If the official's emoluments for the two periods are payable in different currencies, then:

(i) for the purpose of determining whether a particular case falls within the present article, the official's average annual pensionable emoluments for the last three years of his earlier period of service shall be converted into the currency of the salary of the later period at the average rate of exchange quoted in Geneva on the last day of the earlier period of service in respect of which salary was paid.
(ii) any benefits to which the official or his widow or children become entitled shall be fixed and be payable in the currency of the pensionable emoluments of the later period of service. For the purpose of applying the above formula, the emoluments of the earlier period shall be converted into this latter currency at the above-mentioned rate of exchange.

D. Guarantee of the International Labour Organisation

Article 13

The International Labour Organisation guarantees the payment of all annuities or capital sums falling due under the present Regulations.

If the payment of the benefits due under Article 1, paragraph 4, to retired officials of the Secretariat of the League of Nations and of the Registry of the Permanent Court of International Justice and to their widows and children involves a deficit for the Fund which has to be met by additional contributions from the International Labour Organisation the amounts involved shall be divided among and form part of the contributions of those Members of the Organisation which were Members of the League on 18 April 1946 in the proportions in which those Members contributed to the other expenses of the International Labour Organisation.

V. GENERAL PROVISIONS

A. Computation of Service: Evidence of Title

Article 14

The following provisions shall apply to the computation of the length of an official’s service for the purpose of the present Regulations:

1. Service means service on terms rendering the official subject to the provisions of the present Regulations, except in the case of officials already serving on the fixed date, who shall be entitled to count their service prior to their becoming subject to the present Regulations. Account shall be taken only of service continued without interruption down to the date at which the official’s length of service is to be computed. If there has been an interruption in the official’s service, service prior to such interruption shall be disregarded.

2. The continuity of the official’s service shall not be interrupted by authorised absence from duty, but account shall not be taken of the period of such absence unless the official shall have continued during such period to contribute regularly to the Pensions Fund on the basis of his full pensionable emoluments.

3. The Administrative Board, on the proposal of the Director-General, may condone a break of service for a period not exceeding six months.

1 January 1931.
4. If an official reaches the age of sixty years without having accomplished twenty-five years of service, and, if he is authorised to remain in the service beyond sixty years of age, the period of service falling between this age and the age at which he retires will be taken into account in calculating the annuity, subject to the maximum period of service of twenty-five years not being exceeded.

**Article 15**

Every official admitted to the benefits and obligations of the present Regulations shall furnish all necessary documentary evidence regarding himself and his wife and children. The Administrative Rules provided for by Article 25 shall determine in what cases and in what form such evidence, or any documentary evidence found to be necessary, shall be supplied.

**B. Forfeiture, Suspension or Reduction of Benefits**

**Article 16**

The official may be deprived of his right to the benefits provided by the present Regulations by a decision taken by the Director-General in case of the dismissal of the official for misconduct in accordance with the procedure and subject to the conditions laid down in the applicable Staff Regulations.

Provided always that, if the official has completed not less than three years’ service, he shall be repaid with simple interest his contributions to the Pensions Fund (including the payments, if any, mentioned in paragraph (b) of Article 4, as well as those mentioned in paragraph (a) of that article).

**Article 17**

No right arising from the present Regulations may be in any manner whatsoever alienated from the person who is, either already or in expectation, entitled thereto under the present Regulations.

In the event that, whether through his own act or through operation of law, the person entitled to an annuity or other benefit would on receipt thereof be legally compellable to apply it, in whole or part, otherwise than for the maintenance of himself and his family, the right to the annuity or benefit shall automatically be forfeited.

Provided always that:

(a) such person may be reinstated in his right to the annuity or benefit on the Administrative Board’s being notified that he has become able to dispose freely thereof;

(b) an equal or smaller annuity or benefit may, pending or in lieu of such reinstatement, be paid to the wife or husband of such person or to his children or to a trustee for such a wife, husband or children.

**Article 18**

If a person who has become entitled to an annuity or capital sum, or is actually in receipt of an annuity, is found by the Director-General after due enquiry:
(a) To have been guilty of misappropriation of International Labour Organisation money or property which, if it had been discovered earlier, would have rendered him liable to discharge; or

(b) To have made a false statement for the purpose of obtaining such annuity or capital sum, knowing the statement to be false;

his rights or the payment of his annuity shall be in whole or in part suspended, provided always that he shall at least receive a capital sum equal to his own contributions, with simple interest.

Article 19

1. If a former official who is in receipt of a retiring annuity under Article 9, paragraphs 1 to 4, or has received the present value of such an annuity, or has received a capital sum under Article 9, paragraph 5, again enters the service of the International Labour Office with a salary borne on the International Labour Organisation's budget, the following provisions shall apply:

(i) If the new appointment is such that its holder would normally be subject to the present Regulations, the former official shall nevertheless only become subject to these Regulations in respect of the new appointment if he undertakes to repay to the Fund the benefits which he has already received from it, together with compound interest at 4¼ per cent. per annum reckoned from the date on which the benefits became due down to the date on which he again became subject to these Regulations. In that case, any annuity payable as the result of his first period of service shall be finally terminated and his two periods of service shall (disregarding the intervening period) be treated for all the purposes of the present Regulations as though they constituted a single period. In order to become subject to the Regulations, the former official must notify to the Director-General and to the Administrative Board (through the Director-General), within thirty days of entering upon the duties of his new post, his decision to make the necessary repayment. The payments due from officials under the present paragraph shall be made in such instalments and within such periods as the Administrative Board may fix in exercise of its powers under Article 4, paragraph (b).

(ii) If the former official does not become subject to the present Regulations in respect of the new appointment, then:

(a) if he is in receipt of a retiring annuity, such annuity shall be suspended during the continuance of the new appointment, unless the annual emoluments of the new appointment are less than the average annual pensionable emoluments of his last three years of service under the old appointment, in which case the difference shall continue to be paid;

(b) if he has received the present value of an annuity, he shall, while holding the new appointment, pay each year to the Fund by monthly instalments such amount (not exceeding the amount
of the said annuity) as is equal to the amount (if any) by which the emoluments of the new appointment, together with the amount of the said annuity, exceed his average annual pensionable emoluments for his last three years of service under the old appointment;

(c) if he has received a capital sum under Article 9, paragraph 5, he shall, while holding the new appointment, pay each year to the Fund by monthly instalments such amount (not exceeding the annuity for life which is estimated to correspond to the sum which he has received) as is equal to the amount (if any) by which the emoluments of the new appointment, together with the amount of such annuity, exceed his average annual pensionable emoluments for the last three years of service under the old appointment. The amount of the estimated annuity referred to above shall be determined by using the following formula:

\[
\text{Annuity} = \frac{\text{Amount of contributions refunded under Article 9, par. 5}}{\text{Commutation rate under Administrative Rule 24}}
\]

in which the age to be taken in calculating the commutation rate is the age at the end of the first period of service.

2. (i) If a former official who is in receipt of an invalidity annuity again enters the service of the International Labour Office with a salary borne on the International Labour Organisation's budget, the annuity shall be subject to revision in the manner provided in Article 10, last paragraph, even if more than three years have elapsed since it was granted. The annuity may be finally terminated by the Board. If not terminated by the Board, the annuity shall be suspended unless the emoluments of the new appointment are less than the annuity, in which case the difference shall continue to be paid. Pending the Board's decision, no payment in respect of the pension shall be made.

(ii) At the end of the second appointment, the official, if his invalidity annuity has been terminated and he has not been subject to the present Regulations in respect of that appointment, shall be entitled, as the case may be, to a retiring annuity (of which he may take the present value) or to a capital sum, such annuity or capital sum to be equal to the annuity or capital sum (if any) which he would have received if Article 9 had been applicable on the termination of his first appointment.

3. (i) If a widow at the time when she becomes eligible for an annuity under Article 11 (widow's pension) is herself employed as an official of the International Labour Office with a salary borne on the International Labour Organisation's budget, she shall, during the continuance of the appointment, receive only 25 per cent. of the annuity, unless her annual emoluments are less than the annuity, in which case the difference shall continue to be payable in addition to the said
20

25 per cent. On the termination of her service, she shall receive the said annuity in full or, if she is eligible for benefits under Article 9 or Article 10, she shall choose whether she will henceforth receive the full annuity alone or 50 per cent. thereof, together with the said benefits.

(ii) If a widow having become entitled to an annuity under Article 11 (widow's pension) subsequently enters the service of the International Labour Office with a salary borne on the International Labour Organisation's budget, the provisions of subparagraph (i) shall apply.

(iii) If an official's widow is herself a former official who is in receipt of a retiring annuity or an invalidity annuity or has received the present value of her retiring annuity or a capital sum under Article 9, paragraph 5, she shall receive only so much of the annuity provided for by Article 11 (widow's pension) as amounts to 50 per cent. of such annuity, plus the amount (if any) by which the full annuity exceeds the amount of her retiring annuity or invalidity annuity, or, if she has received the present value of her retiring annuity or a capital sum, exceeds the annuity which is estimated to correspond to such payment, the said annuity to be calculated as provided in paragraph 1, subparagraph (c), of the present article.

(iv) If the Administrative Board decides to award an annuity to the widower of a female official, it shall make such annuity tenable on the conditions imposed above in respect of annuities awarded to widows.

(v) The annuities for the children of officials which are provided for under Article 12 shall always be payable whether the provisions of the present article apply or not.

4. For all the purposes of the present article, the emoluments of an official are to be calculated in the manner laid down in Article 6, paragraph (a).

5. The payments due from officials in virtue of the present article shall be payable by deduction from their salaries, unless some other method of payment is accepted by the Administrative Board.

6. Subparagraphs (i) and (ii) of paragraph 3 of the present article shall not apply if the date of the widow's marriage to the official and the date on which she became subject to the present Regulations, or, if she has not become subject thereto, the date of her entry into the service, are both earlier than October 5th, 1937.

7. The provisions of the present article shall not apply to cases in which the period for which the former official is re-employed does not exceed three months in any period of twelve months.

8. The present article shall not be interpreted as permitting the payment out of the Pensions Fund to a former official or to a widow of more than the total annual payment to which the pensioner would be entitled under the other provisions of these Regulations.

Article 20

Contributions or other payments due from the official to the Pensions Fund and unpaid at the date of his retirement or death
shall be a first charge upon and be deducted from any annuity or other payment due under the present Regulations.

C. Management and Accounts of the Pensions Fund

Article 21

The rate of interest mentioned in Article 9, paragraph 5, and in Article 28 shall be 4 per cent. or such other rate as may be fixed by the Administrative Board with the approval of the International Labour Conference. Subject to the provisions of Article 28, such interest shall be calculated annually upon the sum total of the official's contributions to the Pensions Fund down to the date of calculation and of the payments due in respect of him to that Fund from the International Labour Organisation down to the same date.

Article 22

1. All accounts kept for the purposes of the present Regulations shall be kept in Swiss francs.

2. The books and accounts of the Pensions Fund shall be balanced to December 31st in each year and a balance sheet shall be prepared. This balance sheet shall be communicated to the Governing Body and the International Labour Conference and to all the Members of the International Labour Organisation.

3. The accounts and annual balance sheets shall be audited annually by the auditor of the International Labour Organisation and his report thereon shall be communicated to the Governing Body and the International Labour Conference and to all the Members of the International Labour Organisation.

Article 23

The Pensions Fund shall be valued as at December 31st, 1931, and as at the end of each subsequent triennial period, by an actuary appointed by the Administrative Board. The actuary shall make a report showing the method and results of his investigation and valuation and giving, as regards any surplus or deficiency, his opinion as to the causes and as to the action which should be taken.

Article 24

All expenses resulting from the operation of the Pensions Fund (including the cost of the employment of actuaries and medical boards and the obtaining of legal assistance) shall form a separate Part of the budget of the International Labour Organisation.

VI. Administrative Rules

Article 25

The Administrative Board shall make administrative rules for the purpose of carrying out the provisions of the present Regulations. It shall in such rules deal, inter alia, with:
(a) the circumstances in which medical examinations shall be re-
quired for the purpose of admission to the benefits and obliga-
tions of the present Regulations or for the purpose of any
particular provision of those Regulations or of the adminis-
trative rules, and the form of any medical certificate;
(b) the date and method of making any contribution or payment
to the Pensions Fund;
(c) the calculation of any interest or capital sum;
(d) the form and name in which accounts shall be kept;
(e) the method by which annuities or capital sums shall be paid
and, in particular, the evidence of the recipient's title which shall
be required;
(f) any other matter which under these Regulations may be dealt
with by administrative rules and, generally, all matters relevant
to the carrying out of the objects and purposes of the present
Regulations.

The administrative rules and all amendments thereof shall be
communicated to the Governing Body and the International Labour
Conference and to all the Members of the International Labour
Organisation. Copies shall be supplied to the Director-General and
through his intermediary to the officials subject to the present
Regulations.

VII. Disputes

Article 26

Any complaint of non-observance of the present Regulations or
of rules made in virtue thereof in regard to an official or the wife,
husband or children of an official, or in regard to any class of officials
to which the Regulations or the rules apply, shall be deemed to be
a complaint of non-observance of the terms of appointment of the
official or class of officials within the meaning of the Statute of the
International Labour Organisation Administrative Tribunal and may
accordingly be submitted to that Tribunal, whose decision shall be
final.

For the purpose of the present article, the Tribunal shall be open
to former officials of the Secretariat of the League of Nations and
of the Registry of the Permanent Court of International Justice
and their wives or husbands and their children.

VIII. Transitional Provisions

Article 27

Section 1. — Officials whose appointments are suspended as the
result of the emergency.

1. (i) The following provisions shall apply to an official subject
to the present Regulations whose appointment is suspended
as the result of the emergency.
(ii) These provisions shall be applicable to the official during the period which commences with the date on which he ceased to perform his duties and ends with the date on which he returns to his duties or, if he does not return to duty, the date certified by the Director-General to be that on which his services as an official finally terminated.

(iii) The decision of the Director-General as to whether an official satisfies the conditions of subparagraph (i) above shall be final.

2. The International Labour Organisation shall pay the official's contributions to the Pensions Fund as well as those due from it in respect of the official. These contributions shall be assessed on the pensionable emoluments of the official determined as provided in Section II, paragraph (i) below.

3. (i) The return of the official to duty shall be subject to medical evidence that he is not suffering from the effects of a physical injury or illness incurred or aggravated by events during the period of suspension and likely to render him incapable of his duties.

(ii) The official shall cause the Director-General to be notified at the earliest possible moment of any physical injury or illness likely to render him incapable of satisfactorily performing his duties as an official. The notification shall be accompanied by a medical certificate from a doctor who has attended or examined the official. Such certificate may be treated, but need not necessarily be treated, by the Director-General and by the Administrative Board as sufficient evidence of the official's condition.

4. If the official is discharged from the service of the International Labour Office on the ground of invalidity, he shall not be entitled to an invalidity pension, but shall be treated as if his service had been terminated for a reason other than invalidity, and Article 9 shall be applicable to the case.

5. (i) In the event of the death of an official having not less than ten years' service, Articles 11 and 12 shall apply, with the modification that the benefits due shall be based on the retiring pension to which the official would have been entitled under Article 9 if, on the day of his death, his service had terminated for a reason other than invalidity or death.

(ii) If the official dies having the minimum length of service required by Article 11 (not less than two years' service) and he leaves a widow, she shall receive half the sum which would have been payable to the official under Article 9, paragraph 5, if on the day of his death his service had terminated for a reason other than invalidity or death. If there are children of the official below the age of eighteen years, the sum payable shall be increased by the following percentages:

(a) for one child only, 25 per cent.;

(b) for two children, 45 per cent.;
(c) for three children, 60 per cent.;
(d) for each additional child, a further 10 per cent. up to the maximum of 100 per cent. increase.

If the official leaves no wife or husband, but leaves children under the age of eighteen, there shall be paid for the benefit of such children a sum equal to twice the amount by which the payment which would have been made to the official’s widow would have been increased in respect of the children. The Administrative Board shall decide in each particular case whether the benefit of the present subparagraph shall extend to a widower; if it decides not to grant a payment to a widower, it may pay for the benefit of the deceased official’s children a sum not exceeding the maximum allowable to children under the present paragraph. The Board shall also decide in each particular case whether the paragraph shall apply to adopted children, stepchildren or children not born in wedlock.

6. If the Administrative Board, after consulting the Director-General is satisfied that an official who has been discharged on the ground of invalidity has, through his own fault, failed to notify an injury or illness at the earliest possible moment as required by paragraph 3, subparagraph (ii), above, and that, if he had done so, his appointment would have been terminated at an earlier date, it may treat the official in the same manner as if his service had terminated at such earlier date. In this case, if an annuity is due, it shall be payable as from the earlier date and any contributions received by the Fund after that date in respect of the official shall be repaid to the International Labour Organisation.

7. An annuity becoming due on the death of an official shall be payable as from the date of the death and any contributions received after that date in respect of the official shall be repaid to the International Labour Organisation.

8. The present article shall not prevent the official’s appointment from terminating on his reaching the age limit, or at the end of the period for which he was engaged; nor shall it affect the exercise of any power to terminate the official’s service which may belong to the Director.

Section II. — Calculation of pensionable emoluments.

So long as the present article is in force, Article 6 shall be applied, with the following modifications:

(i) the pensionable emoluments of an official whose appointment is suspended shall be deemed to be the emoluments receivable by him when he ceased to perform his duties;

(ii) a reduction made as a result of the emergency in the emoluments of an official whose appointment is not suspended shall be disregarded in determining the amount of his pensionable emoluments, which shall be deemed to remain the same as they were before the reduction. Reductions made for any other reason shall reduce proportionately the amount of the official’s pensionable emoluments.
Section III. — Officials in receipt of leave without pay.

So long as the present article is in force, the provisions of paragraph 3, subparagraph (ii) and paragraphs 4, 5, 6, 7 and 8 of Section I above shall be applicable to an official to whom leave without pay has been granted, during the period during which he is in receipt of such leave, and paragraph 3, subparagraph (i), shall apply as regards the official's return to duty.

Article 28

Where a capital sum becomes payable under Article 9, paragraph 5, to an official who is entitled to count service prior to the date at which he became subject to the present Regulations, the official shall be treated as though there had been paid into the Pensions Fund during such period of service the contributions which he would have made to the Fund and the payments which would have been due in respect of him to the Fund from the International Labour Organisation if the present Regulations had been in operation during the said period, but no interest shall be allowed in respect of any period prior to January 1st, 1931.

Article 29

There shall be transferred to the Pensions Fund from the Staff Provident Fund:

(a) during or at the close of the year 1932, the balances of the accounts of all members of the Provident Fund who become subject to the present Regulations;

(b) at the end of the year 1932, a part of the account, known as the Death and Invalidity Fund, and a part of the Reserve, bearing the same proportion respectively to the total amount of the Death and Invalidity Fund and the total amount of the Reserve as the total amount transferred under (a) bears to the total assets of the Provident Fund at the end of the year;

(c) on the final liquidation of the Provident Fund, the remaining assets of that Fund.

Article 30

As from January 1st, 1931, no new members shall be admitted to the Staff Provident Fund.

The Staff Provident Fund shall, as soon as possible, be liquidated and its assets be transferred to the Pensions Fund.

IX. Final Provisions

Article 31

The provisions of the present Regulations shall apply notwithstanding any contrary provision in the Staff Regulations.

The present Regulations shall enter into force as from the date of their adoption by the Assembly of the League of Nations. They may be amended by the International Labour Conference.
VII

Resolution concerning the election by the Conference of members of the Administrative Board of the Staff Pensions Fund

(Adopted on 9 October 1946)

The Conference, in accordance with Article 3 of the revised Staff Pensions Regulations, elects on the nomination of the Governing Body of the International Labour Office for a period of one year from 9 October 1946 as members of the Administrative Board of the Staff Pensions Fund, Mr. F. T. Cremins (Ireland), Professor W. Rappard (Switzerland), and Professor H. Cramer (Sweden), and as substitute members, Miss Sternberg (Netherlands), first substitute member, and Professor Kirkaldy (United Kingdom), second substitute member.

VIII

Resolution concerning the contributions payable to the Pensions Fund in 1947

(Adopted on 9 October 1946)

The International Labour Conference:

Decides that the contribution of the International Labour Organisation to the Pensions Fund for 1947 under Article 7, paragraph (a) of the Staff Pensions Regulations shall be 10.5 per cent. of the pensionable emoluments of the members of the Fund;

Decides that, for the year 1947, the officials mentioned in Article 4, paragraph (a) (i), of the Staff Pensions Regulations shall continue to pay an additional 1 per cent. of their pensionable emoluments, and those mentioned in Article 4, paragraph (a) (ii), an additional half per cent. if their pensionable emoluments exceed 6,500 francs per annum, and an additional quarter per cent. if these emoluments are 6,500 francs or below that figure;

Resolves that, in continuation of the arrangement approved in previous years, the whole budgetary vote for 1947, in respect of Part II of the budget, shall be paid to the Fund.
IX

Resolution referring to the Governing Body for fuller consideration the preliminary text of a proposed Convention on the privileges and immunities of the International Labour Organisation

(Adopted on 8 October 1946.)

The Conference refers to the Governing Body for fuller consideration in the light of further negotiation and consultation with the United Nations and other agencies the annexed preliminary text of a proposed Convention on the privileges and immunities of the International Labour Organisation with a view to a revised draft agreement being submitted to the 1947 Session of the Conference.

ANNEX

CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS AND PRELIMINARY TEXT OF A CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE INTERNATIONAL LABOUR ORGANISATION IN PARALLEL COLUMNS

Preliminary Text of a Convention on the Privileges and Immunities of the International Labour Organisation¹

The General Conference of the International Labour Organisation,

Having been convened at Montreal by the Governing Body of the International Labour Office, and having met in its Twenty-ninth Session on 19 September 1946, and

Having adopted an amendment to the Constitution of the International Labour Organisation which provides that the International Labour Organisation

Convention on the Privileges and Immunities of the United Nations²

(Whereas Article 104 of the Charter of the United Nations provides that the Organisation shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes, and

Whereas Article 105 of the Charter of the United Nations provides that the Organisation shall enjoy in the territory of each of its Members such privi-

¹ Italics indicate parts of the text which differ from the text of the United Nations Convention in the opposite column.

² Those parts of the text printed within brackets are not reproduced in the Preliminary Text in the opposite column.
shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes and that delegates to the Conference, members of the Governing Body and the Director-General and officials of the Office shall likewise enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organisation,

Having noted the Resolution adopted by the General Assembly of the United Nations on 13 February 1946 contemplating the unification as far as possible of the privileges and immunities enjoyed by the United Nations and the various specialised agencies in the light of the General Convention on the Privileges and Immunities of the United Nations adopted on the same date and of the consideration that the privileges and immunities of the United Nations should be regarded, as a general rule, as a maximum within which the various specialised agencies should enjoy such privileges and immunities as the appropriate fulfilment of their respective functions may require, and that no privileges and immunities which are not really necessary should be asked for, and

Having decided to adopt an international Convention defining, in the light of the said general Convention and of the Resolution adopted by the General Assembly, until such time as any more comprehensive arrangements for the unification of the privileges and immunities of the United Nations and the various specialised agencies may be agreed upon with the participation of the International Labour Organisa-
tion, the privileges and immunities necessary for the appropriate fulfilment of the purposes of the Organisation,

Adopts this day of 1946 the following Convention, which may be cited as the Privileges and Immunities of the International Labour Organisation Convention, 1946.

(Covered by Article 39 of the amended Constitution).

(Article 1)

JURIDICAL PERSONALITY

Section 1. — The United Nations shall possess juridical personality. It shall have the capacity:

(a) to contract;
(b) to acquire and dispose of immovable and movable property;
(c) to institute legal proceedings.

Article I

PROPERTY, FUNDS AND ASSETS

1. The International Labour Organisation, its property and assets, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case it has expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

2. The premises of the International Labour Organisation shall be inviolable. The property and assets of the International Labour Organisation, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

Article II

PROPERTY, FUNDS AND ASSETS

Section 2. — (The United Nations,) its property and assets wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except insofar as in any particular case it has expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

Section 3. — The premises of the (United Nations) shall be inviolable. The property and assets of the (United Nations,) wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.
3. The archives of the *International Labour Organisation*, and in general all documents belonging to it or held by it, shall be inviolable wherever located.

4. Without being restricted by financial controls, regulations or moratoria of any kind,

(a) *the International Labour Organisation* may hold funds, gold or currency of any kind and operate accounts in any currency;

(b) *the International Labour Organisation* shall be free to transfer its funds, gold or currency from one country to another or within any country and to convert any currency held by it into any other currency.

5. In exercising its rights under paragraph 4 above, the *International Labour Organisation* shall pay due regard to any representations made by the Government of any Member in so far as it is considered that effect can be given to such representations without detriment to the interests of the *International Labour Organisation*.

6. *The International Labour Organisation*, its assets, income and other property shall be:

(a) exempt from all direct taxes; it is understood, however, that the *International Labour Organisation* will not claim exemption from taxes which are, in fact, no more than charges for public utility services;

(b) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the *International Labour Organisation*.
for its official use. It is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed with the Government of that country;

(c) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of its publications.

7. While the International Labour Organisation will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless when the International Labour Organisation is making important purchases for official use of property on which such taxes have been charged or are charged, Members will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

**Article II**

Facilities in Respect of Communications

1. The International Labour Organisation shall enjoy in the territory of each Member for its official communications treatment not less favourable than that accorded by the Government of that Member to any other Government including its diplomatic mission in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications; and press rates for information to the press and radio.

**Article III**

Facilities in Respect of Communications

Section 9. — The (United Nations) shall enjoy in the territory of each Member for its official communications treatment not less favourable than that accorded by the Government of that Member to any other Government including its diplomatic mission in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications; and press rates for information to the press and radio. No censorship shall be applied to the official correspondence and other official commu-
2. Subject to appropriate security precautions being agreed upon with the Governments concerned:

(a) no censorship shall be applied to the official communications of the International Labour Organisation;

(b) the International Labour Organisation shall have the right to use codes and to despatch and receive its correspondence by courier or in bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

Article 3

The Representatives of Members

1. Representatives of Members at meetings of the International Labour Organisation and Employers' and Workers' members of the Governing Body shall, while exercising their functions and during their journey to and from the place of meeting, enjoy the following privileges and immunities:

(a) immunity from personal arrest or detention and from seizure of their personal baggage, and, in respect of words spoken or written and all acts done by them in their capacity as representatives, immunity from legal process of every kind;

(b) inviolability for all papers and documents;

(c) exemption in respect of themselves and their spouses from immigration restrictions, ali-

Section 10. — The (United Nations) shall have the right to use codes and to despatch and receive its correspondence by courier or in bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

Article IV

The Representatives of Members

Section 11. — Representatives of Members (to the principal and subsidiary organs of the United Nations) and to conferences convened (by the United Nations,) shall while exercising their functions and during their journey to and from the place of meeting, enjoy the following privileges and immunities:

(a) immunity from personal arrest or detention and from seizure of their personal baggage and, in respect of words spoken or written and all acts done by them in their capacity as representatives, immunity from legal process of every kind;

(b) inviolability for all papers and documents;

(c) (the right to use codes and to receive papers or correspondence by courier or in sealed bags);

(d) exemption in respect of themselves and their spouses from immigration restric-
ens registration or national service obligations in the State they are visiting or through which they are passing in the exercise of their functions;

(d) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;

(e) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys, and also;

(f) such other privileges, immunities and facilities not inconsistent with the foregoing as diplomatic envoys enjoy, except that they shall have no right to claim exemption from customs duties on goods imported (otherwise than as part of their personal baggage) or from excise duties or sales taxes.

2. In order to secure for the representatives of Members at meetings of the International Labour Organisation and Employer's and Workers' members of the Governing Body complete freedom of speech and independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer the representatives of Members at meetings of the International Labour Organisation or Employers' or Workers' members of the Governing Body.

3. Where the incidence of any form of taxation depends upon

Section 13. — Where the incidence of any form of taxation
residence, periods during which the representatives of Members at meetings of the International Labour Organisation or Employers' or Workers' members of the Governing Body are present in a State for the discharge of their duties shall not be considered as periods of residence.

4. Privileges and immunities are accorded to the representatives of Members and to Employers' and Workers' members of the Governing Body not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the International Labour Organisation. Consequently a Member not only has the right but is under a duty to waive the immunity of its representative in any case where in the opinion of the Member the immunity would impede the course of justice, and it can be waived without prejudice to the purpose for which the immunity is accorded. In like manner the Governing Body not only has the right but is under the duty to waive the immunity of an Employers' or Workers' member of the Governing Body in any case where in the opinion of the Governing Body the immunity would impede the course of justice, and it can be waived without prejudice to the purpose for which the immunity is accorded.

5. The provisions of paragraphs 1, 2 and 3 of the present article are not applicable in relation to the authorities of the State of which the person concerned is a national or of which he is or has been the representative.

Section 14. — Privileges and immunities are accorded to the representatives of Members not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the (United Nations.) Consequently a Member not only has the right but is under a duty to waive the immunity of its representative in any case where in the opinion of the Member the immunity would impede the course of justice, and it can be waived without prejudice to the purpose for which the immunity is accorded.

Section 15. — The provisions of (Sections 11, 12 and 13) are not applicable as between a representative and the authorities of the State of which he is a national or of which he is or has been the representative.
6. In this article the expression "representatives" shall be deemed to include all delegates, deputy delegates, advisers, technical experts and secretaries of delegations, and the expression "members of the Governing Body" shall be deemed to include all Employers' and Workers' members of the Governing Body and deputy members of the Governing Body.

Section 16. — In this article the expression "representatives" shall be deemed to include all delegates, deputy delegates, advisers, technical experts and secretaries of delegations.

Article 4
OFFICIALS

1. The Director-General of the International Labour Office will specify the categories of officials to which the provisions of this article and Article 5 shall apply. He shall submit these categories to the Governing Body. Thereafter these categories shall be communicated to the Governments of all Members. The names of the officials included in these categories shall from time to time be made known to the Governments of Members.

2. Officials of the International Labour Organisation shall:

(a) be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;

(b) be exempt from taxation on the salaries and emoluments paid to them by the International Labour Organisation;

(c) be immune, together with their spouses and relatives dependent on them, from immigration restrictions and aliens registration;

Section 17. — The (Secretary-General) will specify the categories of officials to which the provisions of this article and (Article VII) shall apply. He shall submit these categories to the (General Assembly). Thereafter these categories shall be communicated to the Governments of all Members. The names of the officials included in these categories shall from time to time be made known to the Governments of Members.

Section 18. — Officials of the (United Nations) shall:

(a) be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;

(b) be exempt from taxation on the salaries and emoluments paid to them by the (United Nations);

(c) be immune from national service obligations;

(d) be immune, together with their spouses and relatives dependent on them, from immigration restrictions and aliens registration;
(d) be accorded the same privileges in respect of exchange facilities as are accorded to the officials of comparable ranks forming part of diplomatic missions to the Government concerned;

(e) be accorded the same privileges in respect of exchange facilities as are accorded to the officials of comparable ranks forming part of diplomatic missions to the Government concerned;

(f) be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crisis as diplomatic envoys;

(g) have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.

3. In addition to the immunities and privileges specified in paragraph 1 of this article, the Director-General and the Assistant Directors shall be accorded in respect of themselves, their spouses and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

4. Privileges and immunities are granted to officials in the interests of the International Labour Organisation and not for the personal benefit of the individuals themselves. The Director-General shall have the right and the duty to waive the immunity of any official in any case where, in his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the International Labour Organisation. In the case of the Director-General, the Governing Body shall have the right to waive immunity.

5. The International Labour Organisation shall co-operate at all
all times with the appropriate authorities of Members to facilitate the proper administration of justice, secure the observance of police regulations, and prevent the occurrence of any abuse in connection with the privileges, immunities and facilities mentioned in this article.

Article 5

EXPERTS ON MISSIONS FOR THE INTERNATIONAL LABOUR ORGANISATION

1. Experts (other than officials coming within the scope of Article 4) performing missions for the International Labour Organisation shall be accorded such privileges and immunities as are necessary for the independent exercise of their functions.

Article VI

EXPERTS ON MISSIONS FOR THE UNITED NATIONS

Section 22. — Experts (other than officials coming within the scope of Article V) performing missions for the United Nations shall be accorded such privileges and immunities as are necessary for the independent exercise of their functions (during the period of their mission, including the time spent on journeys in connection with their missions. In particular they shall be accorded:

(a) (immunity from personal arrest or detention and from seizure of their personal baggage;)
(b) (in respect of words spoken or written and acts done by them in the course of the performance of their mission, immunity from legal process of every kind. This immunity from legal process shall continue to be accorded notwithstanding that the persons concerned are no longer employed on missions for the United Nations;)
(c) (inviolability for all papers and documents;)
(d) (for the purpose of their communications with the
United Nations, the right to use codes and to receive papers or correspondence by courier or in sealed bags;

\((e)\) (the same facilities in respect of currency or expectation of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;)

\((f)\) (the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys.)

2. Privileges and immunities are granted to experts in the interests of the International Labour Organisation and not for the personal benefit of the individuals themselves. The Director-General shall have the right and the duty to waive the immunity of any expert in any case where, in his opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the International Labour Organisation.

\(\text{Section 23. — (Privileges and immunities are granted to experts in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any expert in any case where, in his opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the United Nations.)}\)

\(\text{Article 6} \)

\(\text{International Labour Organisation} \)

\(\text{Laissez-passer} \)

1. The International Labour Organisation may issue International Labour Organisation laissez-passer to its officials. These laissez-passer shall be recognised and accepted as valid travel documents by the authorities of Members, taking into account the provisions of paragraph 2 of this article.

2. Application for visas (where required) from the holders of International Labour Organisation laissez-passer, when accom-
panied by a certificate that they are travelling on the business of the International Labour Organisation, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

3. Similar facilities to those specified in paragraph 2 of this article shall be accorded to experts and other persons who, though not the holders of International Labour Organisation laissez-passer have a certificate that they are travelling on the business of the International Labour Organisation.

4. The Director-General, Assistant Directors and other officials holding positions equivalent to positions of Director in the Secretariat of the United Nations travelling on International Labour Organisation laissez-passer on the business of the International Labour Organisation shall be granted the same facilities as are accorded to diplomatic envoys.

5. The International Labour Organisation may make arrangements with the United Nations for the issue to officials of the International Labour Organisation, in substitution for the International Labour Organisation laissez-passer provided for in this article, of the United Nations laissez-passer provided for in Article 7 of the Convention on the privileges and immunities of the United Nations.

Article 7

1. The Conference or the Governing Body may draw to the attention of the Members of the Organisation any further matters in regard to which it may appear desirable that appropriate arrangements should be made to facili-
tate the working of the International Labour Organisation.

2. In making any recommendations in regard to such matters the Conference or Governing Body, as the case may be, shall pay due regard to the desirability of the unification as far as possible of the privileges and immunities enjoyed by the United Nations and the various specialised agencies.

3. The Members of the Organisation shall give sympathetic consideration to any recommendation which the Conference or the Governing Body may address to them in regard to such matters.

**Article 8**

**SETTLEMENT OF DISPUTES**

1. The International Labour Organisation shall make provision for appropriate modes of settlement of:

(a) disputes arising out of contracts or other disputes of a private law character, to which the International Labour Organisation is a party;

(b) disputes involving any official of the International Labour Organisation who by reason of his official position enjoys immunity, if immunity has not been waived by the Director-General.

2. All differences arising out of the interpretation or application of the present Convention shall be referred to the International Court of Justice, unless in any case it is agreed by the parties to have recourse to another mode of settlement. If a difference arises between the International Labour Organisation on

**Article VIII**

**SETTLEMENT OF DISPUTES**

Section 29. — The (United Nations) shall make provisions for appropriate modes of settlement of:

(a) disputes arising out of contracts or other disputes of a private law character, to which the (United Nations) is a party;

(b) disputes involving any official of the (United Nations) who by reason of his official position enjoys immunity, if immunity has not been waived by the (Secretary-General).

Section 30. — All differences arising out of interpretation of application of the present Convention shall be referred to the International Court of Justice, unless in any case it is agreed by the parties to have recourse to another mode of settlement. If a difference arises between the (United Nations) on the one
the one hand and a Member on the other hand, a request shall be made for an advisory opinion on any legal question involved in accordance with Article 96 of the Charter, and Article 65 of the Statute of the Court, and Article IX of the Agreement between the United Nations and the International Labour Organisation. The opinion given by the Court shall be accepted as decisive by the parties.

**Final Article**

Section 31. — (This Convention is submitted to every Member of the United Nations for accession.)

**Article 9**

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

**Article 10**

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

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

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

**Article 11**

1. The Director-General of the International Labour Office shall inform all Members of the International Labour Organisation of the deposit of each ratification or acceptance.

2. It is understood that when an instrument of ratification or acceptance is deposited on behalf of any Member, the Member will be in a position under its own law to give effect to the terms of this Convention.

**Article 12**

1. This Convention shall continue in force as between the International Labour Organisation and every Member which has deposited an instrument of ratification or acceptance for so long as that Member remains a Member of the International Labour Organisation, or until a revised Convention on the privileges and immunities of the International Labour Organisation has been approved by the International Labour Conference and that Member has become a party to this revised Convention.

2. Provided that, in the event of any more comprehensive arrangements for the unification of the privileges and immunities of the United Nations and the various specialised agencies being agreed upon with the participation of the International Labour Organisation the International Labour Conference may suspend the operation of this Convention while such arrangements are in force.

Section 33. — The (Secretary-General) shall inform all Members of the (United Nations) of the deposit of each (accession).

Section 34. — It is understood that, when an instrument of (accession) is deposited on behalf of any Member, the Member will be in a position under its own law to give effect to the terms of this Convention.

Section 35. — This Convention shall continue in force as between the (United Nations) and every Member which has deposited an instrument of (accession) for so long as that Member remains a Member of the (United Nations,) or until a revised (general) Convention has been approved by the (General Assembly) and that Member has become a party to this revised Convention.
Article 13

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

(a) the ratification or acceptance by a Member of the new revising Convention shall, ipso jure, involve the denunciation of this Convention if and when the new revising Convention shall come into force;

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

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

Article 14

1. This Convention does not prejudice the agreement between the Swiss Federal Council and the International Labour Organisation concerning the legal status of the International Labour Organisation in Switzerland of 11 March 1946 or the Arrangement for the execution of the said agreement of the same date.

2. The Director-General may conclude with any Member or Members supplementary agreements adjusting the provisions of this Convention in so far as that Member or those Members are concerned. These supplementary agreements shall in each case be subject to the approval of the Governing Body.

Section 36. — The (Secretary-General) may conclude with any Member or Members supplementary agreements adjusting the provisions of this Convention in so far as that Member or those Members are concerned. These supplementary agreements shall in each case be subject to the approval of the (General Assembly.)
X

Resolution concerning the extension of medical examination to young agricultural workers
(Adopted on 7 October 1946.)

The Conference earnestly requests the Governing Body to consider the possibility of instructing the Permanent Agricultural Committee to study with the least possible delay the question of extending medical examination for fitness for employment to children and young persons under eighteen years of age employed in agriculture or in the raising of livestock so that this question may, at the conclusion of the study, be placed on the agenda of the International Labour Conference as the Conference proposed last year.

XI

Resolution concerning freedom of labour
(Adopted on 5 October 1946.)

The Conference,

Considering that systems of forced labour and of labour compulsion are contrary to human dignity, and to the sacred trust and the principle accepted by States responsible for the administration of non-self-governing territories that the interests of the inhabitants of these territories are paramount,

Considering, nevertheless, that there would be no purpose in duplicating the Conventions which it has already adopted for the establishment of freedom of labour,

Draws attention to the urgent importance of the general ratification and application by the States responsible for non-self-governing territories, and by other States where the conditions covered by the Conventions may occur, of the Forced Labour Convention, 1930, the Recruiting of Indigenous Workers Convention, 1936, the Contracts of Employment (Indigenous Workers) Convention, 1939, and the Penal Sanctions (Indigenous Workers) Convention, 1939.

In this connection, the Conference notes statements made on behalf of States, indicating in cases in which the Conventions have not yet been ratified that:

(a) In Australia, early consideration will be given to the ratification of those Conventions not so far ratified;
(b) The Belgian Government has laid before Parliament a Bill for the ratification of the Conventions concerning recruiting and
contracts of employment, and proposes to recommend the ratification of the Convention concerning penal sanctions with reservations so that penal sanctions will be abolished as applying to workers of less than eighteen years of age;

(c) In the case of France, the war delayed action in this sphere but the French Government now declares its readiness to initiate the process of ratification of the Conventions concerning recruiting, contracts of employment and penal sanctions with the shortest possible delay;

(d) In India, while forced or compulsory labour is not permissible and any person resorting to such practice is liable to prosecution, there has been a technical difficulty inasmuch as the rigid provisions of the Convention contravene the provisions of the Indian Criminal Tribes Act, but the Government of India is re-examining the position with a view to finding a solution;

(e) In the case of Italy, since the three Conventions other than the Forced Labour Convention were adopted during Italy's absence from the International Labour Organisation, these three Conventions should be notified to Italy in order that a decision may be taken regarding their ratification;

(f) In the case of the Netherlands, the ratification of the Convention concerning recruiting had already been authorised in 1939, but has been delayed by the need of a few minor adaptations of the Netherlands Indies Recruiting Ordinance, the Convention concerning penal sanctions will be ratified as in complete accordance with existing law and the ratification of the Convention concerning contracts of employment will be considered as soon as conditions in Indonesia permit further consideration of applying it;

(g) The Government of New Zealand states that ratification will be effected in the near future;

(h) The Government of Portugal reports that, while it favours the revision of the four Conventions, their ratification in their present form nevertheless presents no difficulties.

XII

Resolution placing certain questions with regard to non-self-governing territories on the agenda of the next general session of the International Labour Conference

( Adopted on 9 October 1946.)

The Conference,

Having approved the report of the Committee appointed to examine item IV on its agenda, and
Having in particular approved, as general conclusions with a view to the consultation of Governments, proposals suggesting the adoption of Conventions concerning social policy in non-self-governing territories, concerning the application of international labour standards to non-self-governing territories and concerning the maximum length of contracts of employment,

Decides to place on the agenda of its next general session the three subjects mentioned in the previous paragraph with a view to a final decision on a Convention or Conventions.

XIII

Resolution concerning action by the Governing Body

(Adopted on 5 October 1946.)

The Twenty-ninth Session of the International Labour Conference,

Having approved the report of its Committee on social policy in dependent territories,

Invites the Governing Body of the International Labour Office:

I. In view of the need for official enquiries into living conditions proposed in the Conclusions of the Committee, relating to a Convention concerning social policy in non-self-governing territories, Section II, paragraph 3,

To instruct the International Labour Office to be prepared to furnish technical assistance to Governments making such enquiries, so that the information made available shall be on a comparable basis, and contribute in the future towards the establishment of an international minimum standard of living.

II. To consider the question and the methods of holding regular meetings of the interests concerned to further the practical application of the provisions of the proposed Convention concerning social policy in non-self-governing territories, in the event that such a Convention is adopted by the next general session of the Conference.

III. To consider, in virtue of Articles III and VIII of the Agreement between the United Nations and the International Labour Organisation, the submission to the United Nations of the proposal that international regional commissions should be constituted of an economic and scientific character; such commissions to include the representatives of the dependent territories concerned; their object to be to provide for the study and removal of the barriers to the economic and social progress of the African continent impeding
production and lowering living levels (in particular, epidemics, sleeping sickness, locusts, soil erosion and general soil deterioration), the removal of which is dependent upon permanent international collaboration; in order to permit measures to be taken designed to ensure the economic protection of the peoples in dependent territories.

IV. To study the possibility of establishing a regional office on the African continent as soon as possible, in order to facilitate the supply of information by the International Labour Office to the competent authorities in non-self-governing territories with regard to matters arising from any proposed application of any Convention adopted by the International Labour Conference which has for its aim the improvement of the social standards of African people; and also the possibility of the International Labour Office, where so desired by the competent authorities, making its services available through such regional office in the carrying out of investigations into the social conditions in the non-self-governing territories of Africa, and reporting thereon.

XIV

Resolution concerning minimum standards of social policy applicable to indigenous populations in independent territories, submitted by Mr. Sachs, Workers' delegate of the Union of South Africa

(Adopted on 8 October 1946.)

Whereas a Draft Convention concerning minimum standards of social policy in dependent territories has been under consideration by the International Labour Organisation,

Whereas conditions of indigenous populations of independent territories offer special problems which, while differing from those prevailing in dependent territories, nevertheless should receive prompt and careful consideration,

Whereas the provisions of the proposed Convention on dependent territories cannot be applied to indigenous populations in the independent territories because of the different aspects of the problems facing the two categories of territories,

The Conference decided to ask the Governing Body of the International Labour Office to consider the desirability of placing on the agenda of a forthcoming session of the International Labour Conference discussion of the social problems of indigenous populations of independent countries.
Resolution concerning a tribute to war victims, submitted by the delegation of the Argentine Republic and amended by Mr. Watt, Workers' delegate of the United States of America, and the Indian delegation

(Adopted on 8 October 1946.)

Whereas the International Labour Organisation was established to build the economic and social foundations for enduring peace, and

Whereas hundreds of millions of men, women and children suffered untold anguish through war, famine and disease because of the failure of the world to establish social justice and true democracy,

Be it resolved: That the Twenty-ninth Session of the International Labour Conference pay tribute to those brave people who suffered and especially to the millions who died in the struggle for freedom and liberty and herewith ask all Member Governments to develop and strengthen their democratic institutions and social principles in accordance with the Atlantic Charter and the Declaration of Philadelphia, to prevent the reappearance of Fascist exploitation anywhere.