INTERNATIONAL LABOUR OFFICE

Resolutions Adopted by the International Labour Conference at its 31st Session

(San Francisco, June-July 1948)

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Resolutions adopted by the International Labour Conference at its 31st Session

I

Resolution concerning international machinery for safeguarding freedom of association

(Adopted on 9 July 1948)

The Conference,

Recalling the Resolution concerning international machinery for safeguarding freedom of association adopted by the Conference at its 30th Session (July 1947), requesting the Governing Body to examine this question in all its aspects and to report back to the Conference at its 31st Session,

Having taken note of the report presented by the Governing Body in conformity with the above-mentioned Resolution,

Having taken note also of the Resolution adopted by the Economic and Social Council of the United Nations at its 5th Session (August 1947), requesting the Secretary-General of the United Nations to arrange for co-operation between the International Labour Organisation and the Commission on Human Rights on the question of enforcement of trade union rights,

Having taken note also of the Resolution adopted by the Assembly of the United Nations at its 2nd Session (September-November 1947), recommending to the International Labour Organisation that it pursue urgently, in collaboration with the United Nations and in conformity with the Resolution of the International Labour Conference, the study of the control of the application of trade union rights,

Considering that the Constitution of the International Labour Organisation provides adequate guarantees for the application of international labour Conventions in general,

Recognising, however, that the exercise of the right of the freedom of association as provided for in the Convention might be endangered by interference with other fundamental rights, the safeguarding of which lies outside the competence of the International Labour Organisation but within the competence of the United Nations, especially that of the Commission on Human Rights,

Considering that additional international machinery for safeguarding freedom of association in all its aspects, established in collaboration with the United Nations, may be necessary effectively to complete the guarantees provided by the Constitution of the
International Labour Organisation, guarantees which may be neither abrogated nor suspended,

Requests the Governing Body, accordingly, to enter into consultations with the competent organs of the United Nations for the purpose of examining what developments to existing international machinery may be necessary to ensure the safeguarding of freedom of association, and to report back to the Conference at an early session.

II

Resolution concerning the guaranteed wage

(Adopted on 9 July 1948)

The General Conference of the International Labour Organisation, Having been convened at San Francisco by the Governing Body of the International Labour Office, and having met in its Thirty-first Session on 17 June 1948, and Noting the views on the subject of wage guarantees as a contribution to minimum income security expressed by the Iron and Steel Committee and the Metal Trades Committee at their second sessions, and Believing that it is of the utmost importance to provide, wherever and whenever possible, steady employment and income for wage earners, adopts this ninth day of July 1948, the following Resolution:

1. The Conference draws attention to the desirability of progressively extending, by means of collective agreements, awards or national laws as appropriate, the application of the principle of a guaranteed wage to wage earners who are subject to temporary lay-off.

2. The Conference requests the Governing Body to arrange for consideration by appropriate Industrial Committees of the International Labour Organisation of methods of facilitating the progressive application in their respective industries of the principle of a guaranteed wage, including methods of eliminating temporary stoppages or fluctuations in plant operations and in employment.

3. The Conference requests the Governing Body to consider the desirability of placing the subject of the guaranteed wage on the agenda of an early session of the Conference.

III

Resolution concerning equal remuneration for work of equal value,
submitted by the United States Government delegation

(Adopted on 7 July 1948)

The General Conference of the International Labour Organisation, Having been convened at San Francisco by the Governing Body of the International Labour Office, and having met in its Thirty-first Session on 17 June 1948, and
Having considered the Resolution concerning the principle of equal pay for equal work for men and women workers, adopted on 10 March 1948 by the United Nations Economic and Social Council, and transmitted to the International Labour Organisation together with the memorandum on this subject submitted by the World Federation of Trade Unions to the Council, and

Recalling that the Constitution of the International Labour Organisation affirms that an improvement of conditions of labour is urgently required and directs attention to the recognition of the principle of equal remuneration for work of equal value as one of the means of improvement,

adopts this seventh day of July 1948, the following Resolution:

1. The Conference draws the attention of States Members of the International Labour Organisation to—

   (a) the statements on the principle of equal remuneration for work of equal value contained in the Constitution of the International Labour Organisation, in the Minimum Wage-Fixing Machinery Recommendation, 1928, and in Resolutions adopted at several sessions of the Conference and at Regional Conferences and Meetings of the International Labour Organisation;

   (b) the importance of taking appropriate measures to secure the effective application of this principle in the case of men and women workers, including in particular measures to extend the opportunities for employment available to women workers, and the provision of adequate facilities for vocational and technical training of women.

2. The Conference invites the Governing Body to request the Industrial Committees, Regional Conferences and other bodies meeting under the auspices of the International Labour Organisation to take fully into account, in dealing with questions concerning the employment of women and girls, the need to secure the recognition of the principle of equal remuneration for work of equal value and the need for action to promote the application of this principle.

3. The Conference invites the Governing Body to instruct the International Labour Office to continue and develop its studies and enquiries on the subject with a view to facilitating the consideration by the Conference, by the Industrial Committees and by other bodies of the International Labour Organisation, of the most effective methods of securing the application in the case of men and women workers of the principle of equal remuneration for work of equal value.

4. The Conference invites the Governing Body to place on the agenda of the earliest possible session of the Conference, preferably the next general session, with a view to the adoption of appropriate international regulations, the question of equal remuneration for men and women workers for work of equal value.
5. The Conference requests the Governing Body to take such further action as may be appropriate to promote the solution of the various problems involved in the application, in the case of men and women workers, of the principle of equal remuneration for work of equal value, with a view to securing a more widespread and effective application of this principle.

IV

Resolution concerning the night work of women employed in transport

(Adopted on 5 July 1948)

The Conference refers the problem of night work of women employed in transport to the Governing Body for examination with a view to appropriate action.

V

Resolution concerning the night work of young persons employed in transport by inland waterway and air

(Adopted on 8 July 1948)

The Conference refers the problem of night work of young persons employed in transport by inland waterway or air to the Governing Body for examination with a view to appropriate action.

VI

Resolution concerning consultation with employers’ and workers’ organisations prior to suspension of night work regulations in case of serious emergency

(Adopted on 8 July 1948)

The Conference invites the Governing Body to draw to the attention of Governments of States Members the provisions in the Night Work (Women) Convention (Revised), 1948 (Article 5), for consultation with employers’ and workers’ organisations concerned, prior to suspension of night work regulations when in case of serious emergency the national interest demands it, with the recommendation that similar arrangements should be made as regards such suspensions of night work regulations for young persons.
VII

Resolution placing on the agenda of the next general session of the Conference: (1) the question of the application of the principles of the right to organise and to bargain collectively; (2) an item dealing with industrial relations, comprising collective agreements, conciliation and arbitration, and co-operation between public authorities and employers’ and workers’ organisations.

(Adopted on 10 July 1948)

The Conference,

Having before it the eighth item of its agenda, consisting of the following points: application of the principles of the right to organise and to bargain collectively, collective agreements, conciliation and arbitration, and co-operation between public authorities and employers’ and workers’ organisations;

Having realised that it was materially impossible to study the whole of this item during its present session;

Having decided consequently to limit its deliberations to the question of the application of the principles of the right to organise and to bargain collectively;

Having approved the report of the Committee appointed to consider the eighth item on its agenda:

Decides:

(1) to put on the agenda of its next general session the question of the application of the principles of the right to organise and to bargain collectively with a view to the adoption of a Convention or a Recommendation at that session;

(2) to put on the agenda of its next general session for a first discussion an item dealing with industrial relations comprising collective agreements, conciliation and arbitration, and co-operation between public authorities and employers’ and workers’ organisations.

VIII

Resolution placing on the agenda of the next general session of the Conference the question of labour clauses in public contracts

(Adopted on 9 July 1948)

The Conference,

Having approved the report of the Committee appointed to examine item VI (b) on its agenda, and

Having in particular approved as general conclusions, with a view to the consultation of Governments, proposals for a Convention and a Recommendation relating to labour clauses in public contracts,
Decides to place on the agenda of its next general session the question of labour clauses in public contracts with a view to final decision on a Convention and Recommendation on the subject.

IX
Resolution placing on the agenda of the next general session of the Conference the question of protection of wages

(Adopted on 9 July 1948)

The Conference,
Having approved the report of the Committee appointed to examine Item VI (c) on its agenda,
Decides to place on the agenda of its next general session the question of protection of wages with a view to final decision on the subject.

X
Resolution placing on the agenda of the next general session of the Conference the question : wages—general report

(Adopted on 9 July 1948)

The Conference,
Having considered certain of the points raised in the general report on wages (item VI (a) of its agenda), but
Having been unable to complete its consideration of this question at its present session, and
Desiring to consider further at the earliest opportunity the programme for future action by the International Labour Organisation in the field of wages,
Decides to place on the agenda of its next general session the following question : Wages—General report.

XI
Resolution placing on the agenda of the next general session of the Conference the question of vocational guidance

(Adopted on 10 July 1948)

The Conference,
Having approved the report of the Committee appointed to examine item V on its agenda, and
Having in particular approved, as general conclusions, with a view to the consultation of Governments, proposals for a Recommendation concerning vocational guidance,
Decides to place on the agenda of its next general session the question of vocational guidance with a view to final decision on a Recommendation on the subject.
XII
Resolution placing on the agenda of the next general session of the Conference the question of the revision of Convention (No. 34) concerning fee-charging employment agencies, 1933

(Adopted on 8 July 1948)

The Conference decides to place on the agenda of the next session of the International Labour Conference the question of the revision of the Fee-Charging Employment Agencies Convention, 1933.

XIII
Resolution concerning the conditions of employment of domestic workers, submitted by Mr. Roberts, Workers' delegate, United Kingdom

(Adopted on 30 June 1948)

Whereas in 1936 the Committee dealing with holidays with pay passed a Resolution calling upon the Governing Body to place on the agenda, for discussion at an early session of the Conference, the question of the conditions of employment of domestic workers; and

Whereas in 1946 at Montreal the Convention concerning the restriction of night work of children and young workers in non-industrial occupations excluded from its provisions private domestic workers,

The Conference is of the opinion that the time has now arrived for a full discussion upon this important subject, and

Therefore requests the Governing Body to consider the advisability of placing on the agenda of an early session of the Conference, preferably the 1950 Session, the whole question of the status and employment of domestic workers.

XIV
Resolution concerning working conditions in the glass industry, submitted by the Argentine Government delegation

(Adopted on 30 June 1948)

Whereas technical progress in the glass industry calls for a detailed examination of the legislative standards applicable to labour conditions therein in order to adapt them, where necessary, to present circumstances; and
Whereas the Conference in 1934 and 1935 adopted two Conventions relating to different branches of this industry which both came into force in 1938 and which have received to date seven and six ratifications respectively,
The Conference requests the Governing Body—
(a) to instruct the International Labour Office to make a further study of working conditions in all branches of the glass industry;
(b) to undertake the ten-yearly review of these Conventions for the purpose of considering whether their revision is necessary.

XV

Resolution concerning working conditions of aircraft personnel,
submitted by the Argentine Government delegation

(Adopted on 30 June 1948)

In view of the exceptional complexity of all operations connected with the transportation of passengers and goods by air and the importance of aviation as a rapid and easy means of transportation,
The Conference considers that the working conditions of those employed therein merit special attention and study and therefore requests the Governing Body to instruct the International Labour Office, in consultation, as appropriate, with the International Civil Aviation Organisation, to undertake studies on the working conditions of persons employed on aircraft engaged in the transportation of passengers and goods with a view to taking what further action is necessary.

XVI

Resolution concerning non-manual workers, submitted by the Argentine Government delegation

(Adopted on 2 July 1948)

Whereas the living and working conditions of salaried employees, including those engaged in professional and intellectual pursuits, have been greatly affected by economic conditions prevailing during and since the war, and particularly by the rise in living costs in relation to salaries,
Whereas the Governing Body of the International Labour Office has set up a single Committee to deal with matters relating to salaried employees and professional workers and thereby recognised the importance of the problems relating to such workers,
The Conference requests the Governing Body
(a) to consider the advisability of convening that Committee at an early date; and
(b) to invite the suggestions of that Committee on the further action in this field to be taken by the Organisation.

XVII
Resolution concerning the admission of Ceylon to the International Labour Organisation

(Adopted on 28 June 1948)

The General Conference of the International Labour Organisation,
Having been seized of an application from the Government of Ceylon for membership in the International Labour Organisation,
Recalling that it has always been the firm conviction of the Organisation that its ends could be more effectively advanced if the membership of the Organisation could be made universal,
Decides to admit Ceylon to membership in the International Labour Organisation with the same rights and obligations as the other Members of the Organisation.

The Conference takes note that Ceylon accepts the undertakings given on its behalf by the Government of the United Kingdom under the provisions of Article 35 of the Constitution of the International Labour Organisation, and that the Government of Ceylon will give consideration at a very early date to the formal ratification of these Conventions.

The Conference authorises the Governing Body to make the necessary arrangements with the Government of Ceylon in regard to its financial contribution.

The Conference notes that the Government of Ceylon has already communicated to the Director-General of the International Labour Office its formal acceptance of the obligations of the Constitution of the International Labour Organisation, including the obligations of the Constitution of the International Labour Organisation Instrument of Amendment, 1946, and that accordingly the admission of Ceylon to membership in the International Labour Organisation will take effect on the adoption of the present Resolution by the Conference.

XVIII
Resolution concerning Japan, submitted by the United States Government delegation

(Adopted on 7 July 1948)

The Conference,
Having taken note of the Resolution concerning labour standards in Japan, adopted by the Preparatory Asian Regional Conference held in New Delhi in 1947,
In the spirit of that Resolution and as an immediate practical step, extends an invitation to the Supreme Commander Allied Powers to send an observer delegation to this session of the International Labour Conference,

Suggests that the observer delegation should reflect the tripartite character of this Organisation; and

Requests the Governing Body to consider the desirability of inviting the Supreme Commander Allied Powers to send similar observer delegations to future sessions of the Conference and Industrial Committees which are particularly concerned with Japanese labour standards.

XIX
Resolution concerning the United Nations Appeal for Children, submitted by Mr. Fenton, Workers’ delegate, United States

(Adopted on 30 June 1948)

Whereas the International Labour Organisation has, from its inception, sought to advance the best interests of children and young workers, as particularly expressed in the Philadelphia Declaration of 1944 and at the Paris Conference of 1945; and

Whereas expressed policies have little meaning unless children are first given an opportunity to have the food, clothing and shelter necessary for life; and

Whereas the United Nations Appeal for Children, with the support of workers’, employers’ and other non-governmental organisations, is successfully mobilising the people of the world to bring relief to millions upon millions of sick, half-starved children; and

Whereas this great humanitarian effort will save countless lives of children who will be the citizens of tomorrow, and, in addition, help to build world peace; therefore,

Be it resolved, that the International Labour Conference, assembled in the City of San Francisco of the United States of America, endorses the aims of the United Nations Appeal for Children, and expresses the hope that this great endeavour be continued until such time as the children of the world will no longer suffer from lack of the first necessities of life.

XX
Resolution concerning the adoption of the budget for the 31st financial period (1949) and for the allocation of expenses among States Members for 1949

(Adopted on 10 July 1948)

In virtue of the Financial Regulations, the Conference passes for the 31st financial period ending 31 December 1949 the budget
of expenditure of the International Labour Organisation amounting to $5,215,539 and the budget of income amounting to $5,215,539 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.

XXI
Resolution concerning the appointment of a judge and deputy judge of the Administrative Tribunal

(Adopted on 6 July 1948)

The Conference, in accordance with Article 3 of the Statute of the Administrative Tribunal (revised), appoints, for a period of three years, Mr. Charles E. Wyzanski (United States) as Judge of the Administrative Tribunal, and Mr. M. A. Soofi (Pakistan) as Deputy Judge of the Administrative Tribunal.

XXII
Resolution concerning the election of members of the Administrative Board of the Staff Pensions Fund

(Adopted on 6 July 1948)

The Conference, in accordance with Article 3 of the Staff Pensions Regulations, elects on the nomination of the Governing Body of the International Labour Office for a period of two years from 9 October 1948 as members of the Administrative Board of the Staff Pensions Fund, Miss Sternberg (Netherlands) and Professor Kirkaldy (United Kingdom), and as substitute members, Mrs. Ida C. Merriam (United States) and Mr. P. Juhl Christensen (Denmark).

XXIII
Resolution concerning the contributions payable to the Staff Pensions Fund in 1949

(Adopted on 6 July 1948)

The International Labour Conference:
Decides that the contribution of the International Labour Organisation to the Pensions Fund for 1949 under Article 7, paragraph (a) of the Staff Pensions Regulations shall be 14 per cent. of the pensionable emoluments of the members of the Fund;
Decides that, for the year 1949, the officials mentioned in Article 4, paragraph (a)(i) of the Staff Pensions Regulations shall continue to pay an additional one 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 1,518.70 U.S. dollars (6,500 Swiss francs) per annum, and an additional quarter per cent. if these emoluments are 1,518.70 U.S. dollars (6,500 Swiss francs) per annum or below that figure.

Resolves that, in continuation of the arrangement approved in previous years, the whole budgetary vote for 1949 in respect of Part II of the budget shall be paid to the Fund.

XXIV

Resolution concerning the privileges and immunities of the International Labour Organisation

(Adopted on 10 July 1948)

Whereas the Constitution of the International Labour Organisation, as amended by the 1946 Instrument of Amendment, provides that the International Labour Organisation 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; and

Whereas the General Assembly of the United Nations adopted on 13 February 1946 a resolution contemplating the unification as far as possible of the privileges and immunities enjoyed by the United Nations and the various specialised agencies; and

Whereas consultations concerning the implementation of the aforesaid resolution have taken place between the United Nations and the specialised agencies, including the International Labour Organisation; and

Whereas by a resolution adopted on 21 November 1947 the General Assembly of the United Nations approved a Convention on the privileges and immunities of the specialised agencies which is submitted to the specialised agencies for acceptance and to every Member of the United Nations and every other State Member of one or more of the specialised agencies for accession; and

Whereas the Convention on the privileges and immunities of the specialised agencies approved by the General Assembly of the United Nations consists of standard clauses applicable to all specialised agencies and of draft annexes relating to each of the agencies; and
Whereas this Convention becomes applicable to each specialised agency only when the final text of the annex relating to that agency has been adopted by it and transmitted to the Secretary-General of the United Nations; and

Whereas this Convention in no way limits or prejudices the privileges and immunities which have been or may hereafter be accorded by any State to any specialised agency by reason of the location in the territory of that State of its headquarters or regional offices:

The General Conference of the International Labour Organisation,

Desiring to define the privileges and immunities of the International Labour Organisation within the meaning of paragraph 3 of Article 40 of the Constitution of the Organisation,

Accepts on behalf of the International Labour Organisation the standard clauses of the privileges and immunities of the specialised agencies as modified by the annex relating to the International Labour Organisation attached to the present Resolution;

Authorises the Director-General of the International Labour Office to transmit to the Secretary-General of the United Nations the said annex and to inform him that the International Labour Organisation accepts the standard clauses as modified by the said annex and undertakes to give effect to the provisions indicated in Section 37 of the standard clauses in accordance with the terms thereof;

Invites the States Members of the International Labour Organisation to accede to the Convention on the privileges and immunities of the specialised agencies and to undertake to apply the provisions thereof to the International Labour Organisation; and

Authorises the Director-General to communicate the text of the Convention on the privileges and immunities of the specialised agencies, including the annex relating to the International Labour Organisation, to those of the Members of the International Labour Organisation which are not Members of the United Nations and to invite them to accede thereto in accordance with the terms of Article 42 of the Convention.

**Standard Clauses of the Convention on the Privileges and Immunities of the Specialised Agencies**

Whereas the General Assembly of the United Nations adopted on 13 February 1946 a resolution contemplating the unification as far as possible of the privileges and immunities enjoyed by the United Nations and by the various specialised agencies; and

Whereas consultations concerning the implementation of the aforesaid resolution have taken place between the United Nations and the specialised agencies;

Consequently, by a resolution adopted on 21 November 1947 the General Assembly has approved the following Convention, which is submitted to the specialised agencies for acceptance and to every Member of the United Nations and to every other State Member of one or more of the specialised agencies for accession.
ARTICLE I

Definitions and Scope

Section 1

In this Convention:

(i) The words "standard clauses" refer to the provisions of Articles II to IX.

(ii) The words "specialised agencies" mean:

(a) The International Labour Organisation;
(b) The Food and Agriculture Organisation of the United Nations;
(c) The United Nations Educational, Scientific and Cultural Organisation;
(d) The International Civil Aviation Organisation;
(e) The International Monetary Fund;
(f) The International Bank for Reconstruction and Development;
(g) The World Health Organisation;
(h) The Universal Postal Union;
(i) The International Telecommunications Union; and
(j) Any other agency in relationship with the United Nations in accordance with Articles 57 and 63 of the Charter.

(iii) The word "Convention" means, in relation to any particular specialised agency, the standard clauses as modified by the final (or revised) text of the annex transmitted by that agency in accordance with sections 36 and 38.

(iv) For the purposes of Article III, the words "property and assets" shall also include property and funds administered by a specialised agency in furtherance of its constitutional functions.

(v) For the purposes of Articles V and VII, the expression "representatives of members" shall be deemed to include all representatives, alternates, advisers, technical experts and secretaries of delegations.

(vi) In sections 13, 14, 15 and 25, the expression "meetings convened by a specialised agency" means meetings of (1) its assembly and of its executive body (however designated), and (2) of any commission provided for in its constitution; (3) of any international conference convened by it, and (4) of any committees of any of these bodies.

(vii) The term "executive head" means the principal executive official of the specialised agency in question, whether designated "Director-General" or otherwise.

Section 2

Each State party to this Convention in respect of any specialised agency to which this Convention has become applicable in accordance with section 37 shall accord to, or in connection with, that agency the privileges and immunities set forth in the standard clauses on the conditions specified therein, subject to any modification of those clauses contained in the provisions of the final (or revised) annex relating to that agency and transmitted in accordance with sections 36 or 38.

ARTICLE II

Juridical Personality

Section 3

The specialised agencies shall possess juridical personality. They shall have the capacity (a) to contract, (b) to acquire and dispose of immovable and movable property, (c) to institute legal proceedings.
ARTICLE III

Property, Funds and Assets

Section 4

The specialised agencies, their property and assets wherever located and by whomever held, shall enjoy immunity from every form of legal process except in so far as in any particular case they have expressly waived their immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

Section 5

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

Section 6

The archives of the specialised agencies, and in general all documents belonging to them or held by them, shall be inviolable, wherever located.

Section 7

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

(a) the specialised agencies may hold funds, gold or currency of any kind and operate accounts in any currency;

(b) the specialised agencies may freely transfer their funds, gold or currency from one country to another or within any country and to convert any currency held by them into any other currency.

Section 8

Each specialised agency shall, in exercising its rights under section 7 above, pay due regard to any representations made by the Government of any State party to this Convention in so far as it is considered that effect can be given to such representations without detriment to the interests of the agency.

Section 9

The specialised agencies, their assets, income and other property shall be:

(a) exempt from all direct taxes; it is understood, however, that the specialised agencies 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 specialised agencies for their 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 their publications.

Section 10

While the specialised agencies 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 specialised agencies are making important purchases for official use of
property on which such duties and taxes have been charged or are chargeable, States parties to this Convention will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

**ARTICLE IV**

*Facilities in Respect of Communications*

**Section 11**

Each specialised agency shall enjoy, in the territory of each State party to this Convention in respect of that agency, for its official communications, treatment not less favourable than that accorded by the Government of such State to any other Government, including the latter's diplomatic mission in the matter of priorities, rates and taxes on mails, cables, radiograms, telegraphs, telephotos, telephone and other communications, and press rates for information to the press and radio.

**Section 12**

No censorship shall be applied to the official correspondence and other official communications of the specialised agencies.

The specialised agencies shall have the right to use codes and to despatch and receive correspondence by courier or in sealed bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

Nothing in this section shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a State party to this Convention and a specialised agency.

**ARTICLE V**

*Representatives of Members*

**Section 13**

Representatives of Members at meetings convened by a specialised agency shall, while exercising their functions and during their journeys 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 official capacity, 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 restrictions, aliens' registration or national service obligations in the State they are visiting or through which they are passing in the exercise of their functions;

(e) the same facilities in respect 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 members of comparable rank of diplomatic missions.

**Section 14**

In order to secure for the representatives of Members of the specialised agencies at meetings convened by them complete freedom of speech and complete 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 engaged in the discharge of such duties.

Section 15

Where the incidence of any form of taxation depends upon residence, periods during which the representatives of Members of the specialised agencies at meetings convened by them are present in a Member State for the discharge of their duties shall not be considered as periods of residence.

Section 16

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 specialised agencies. Consequently, a Member not only has the right but is under a duty to waive the immunity of its representatives in any case where, in the opinion of the Member, the immunity would impede the course of justice and where it can be waived without prejudice to the purpose for which the immunity is accorded.

Section 17

The provisions of sections 13, 14 and 15 are not applicable in relation to the authorities of a State of which the person is a national or of which he is or has been a representative.

ARTICLE VI

Officials

Section 18

Each specialised agency will specify the categories of officials to which the provisions of this Article and of Article VIII shall apply. It shall communicate them to the Governments of all States parties to this Convention in respect of that agency and to the Secretary-General of the United Nations. The names of the officials included in these categories shall from time to time be made known to the above-mentioned Governments.

Section 19

Officials of the specialised agencies 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) enjoy the same exemptions from taxation in respect of the salaries and emoluments paid to them by the specialised agency and on the same conditions as are enjoyed by officials of the United Nations;

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

(d) be accorded the same privileges in respect of exchange facilities as are accorded to officials of comparable rank of diplomatic missions;

(e) be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crises as officials of comparable rank of diplomatic missions;

(f) 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.

Section 20

The officials of the specialised agencies shall be exempt from national service obligations, provided that, in relation to the States of which they are nationals, such exemption shall be confined to officials of the specialised agencies whose names have, by reason of their duties, been placed upon a
list compiled by the executive head of the specialised agency and approved by the State concerned.
Should other officials of specialised agencies be called up for national service, the State concerned shall, at the request of the specialised agency concerned, grant such temporary deferments in the call-up of such officials as may be necessary to avoid interruption in the continuation of essential work.

Section 21

In addition to the immunities and privileges specified in sections 19 and 20, the executive head of each specialised agency including any official acting on his behalf during his absence from duty, shall be accorded in respect of himself, his spouse and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

Section 22

Privileges and immunities are granted to officials in the interests of the specialised agencies only and not for the personal benefit of the individuals themselves. Each specialised agency shall have the right and the duty to waive the immunity of any official in any case where, in its opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the specialised agency.

Section 23

Each specialised agency shall co-operate at all times with the appropriate authorities of Member States to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuses in connection with the privileges, immunities and facilities mentioned in this Article.

ARTICLE VII

Abuses of Privilege

Section 24

If any State party to this Convention considers that there has been an abuse of a privilege or immunity conferred by this Convention, consultations shall be held between that State and the specialised agency concerned to determine whether any such abuse has occurred and, if so, to attempt to ensure that no repetition occurs. If such consultations fail to achieve a result satisfactory to the State and the specialised agency concerned, the question whether an abuse of a privilege or immunity has occurred shall be submitted to the International Court of Justice in accordance with section 32. If the International Court of Justice finds that such an abuse has occurred, the State party to this Convention affected by such abuse shall have the right, after notification to the specialised agency in question, to withhold from the specialised agency concerned the benefits of the privilege or immunity so abused.

Section 25

1. Representatives of Members at meetings convened by specialised agencies, while exercising their functions and during their journeys to and from the place of meeting, and officials within the meaning of Section 18, shall not be required by the territorial authorities to leave the country in which they are performing their functions on account of any activities by them in their official capacity. In the case, however, of the abuse of privileges of residence committed by any such person in activities in that country outside his official functions, he may be required to leave by the Government of that country provided that:
2. (I) Representatives of Members, or persons who are entitled to
diplomatic immunity under section 21, shall not be required to leave the
country otherwise than in accordance with the diplomatic procedure appli­
cable to diplomatic envoys accredited to that country.

(II) In the case of an official to whom section 21 is not applicable, no
order to leave the country shall be issued other than with the approval
of the Foreign Minister of the country in question, and such approval shall
be given only after consultation with the executive head of the specialised
agency concerned; and, if expulsion proceedings are taken against an official,
the executive head of the agency shall have the right to appear in such
proceedings on behalf of the person against whom they are instituted.

ARTICLE VIII

Laissez-passer

Section 26

Officials of the specialised agencies shall be entitled to use the United
Nations laissez-passer in conformity with administrative arrangements to be
concluded between the Secretary-General of the United Nations and the
competent authorities of the specialised agencies, to which agencies special
powers to issue laissez-passer may be delegated. The Secretary-General
of the United Nations shall notify each State party to this Convention of
each administrative arrangement so concluded.

Section 27

States parties to this Convention shall recognise and accept the United
Nations laissez-passer issued to officials of the specialised agencies as valid
travel documents.

Section 28

Applications for visas, where required, from officials of specialised
agencies holding United Nations laissez-passer, when accompanied by a
certificate that they are travelling on the business of a specialised agency,
shall be dealt with as speedily as possible. In addition, such persons shall
be granted facilities for speedy travel.

Section 29

Similar facilities to those specified in section 28 shall be accorded to
experts and other persons who, though not the holders of United Nations
laissez-passer, have a certificate that they are travelling on the business of a
specialised agency.

Section 30

The executive heads, assistant executive heads, heads of departments
and other officials of a rank not lower than head of department of the special­
ised agencies, travelling on United Nations laissez-passer on the business of
the specialised agencies, shall be granted the same facilities for travel as
are accorded to officials of comparable rank in diplomatic missions.

ARTICLE IX

Settlement of Disputes

Section 31

Each specialised agency shall make provision for appropriate modes of
settlement of:

(a) disputes arising out of contracts or other disputes of private character
to which the specialised agency is a party;
(b) disputes involving any official of a specialised agency who by reason of his official position enjoys immunity, if immunity has not been waived in accordance with the provisions of section 22.

Section 32

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 one of the specialised agencies on 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 the relevant provisions of the agreements concluded between the United Nations and the specialised agency concerned. The opinion given by the Court shall be accepted as decisive by the parties.

ARTICLE X

Annexes and Application to Individual Specialised Agencies

Section 33

In their application to each specialised agency, the standard clauses shall operate subject to any modifications set forth in the final (or revised) text of the annex relating to that agency, as provided in sections 36 and 38.

Section 34

The provisions of the Convention in relation to any specialised agency must be interpreted in the light of the functions with which that agency is entrusted by its constitutional instrument.

Section 35

Draft annexes 1 to 9 are recommended to the specialised agencies named therein. In the case of any specialised agency not mentioned by name in section 1, the Secretary-General of the United Nations shall transmit to the agency a draft annex recommended by the Economic and Social Council.

Section 36

The final text of each annex shall be that approved by the specialised agency in question in accordance with its constitutional procedure. A copy of the annex as approved by each specialised agency shall be transmitted by the agency in question to the Secretary-General of the United Nations and shall thereupon replace the draft referred to in section 35.

Section 37

The present Convention becomes applicable to each specialised agency when it has transmitted to the Secretary-General of the United Nations the final text of the relevant annex and has informed him that it accepts the standard clauses, as modified by this annex and undertakes to give effect to sections 8, 18, 22, 23, 24, 31, 32, 42 and 45 (subject to any modification of section 32 which may be found necessary in order to make the final text of the annex consonant with the constitutional instrument of the agency) and any provisions of the annex placing obligations on the agency. The Secretary-General shall communicate to all Members of the United Nations and other States Members of the specialised agencies certified copies of all annexes transmitted to him under this section and of revised annexes transmitted under section 38.
Section 38

If, after the transmission of a final annex under section 36, any specialised agency approves any amendments thereto in accordance with its constitutional procedure, a revised annex shall be transmitted by it to the Secretary-General of the United Nations.

Section 39

The provisions of this Convention shall in no way limit or prejudice the privileges and immunities which have been, or may hereafter, be accorded by any State to any specialised agency by reason of the location in the territory of that State of its headquarters or regional offices. This Convention shall not be deemed to prevent the conclusion between any State party thereto and any specialised agency of supplemental agreements adjusting the provisions of this Convention or extending or curtailing the privileges and immunities thereby granted.

Section 40

It is understood that the standard clauses, as modified by the final text of an annex sent by a specialised agency to the Secretary-General of the United Nations under section 36 (or any revised annex sent under section 38), will be consistent with the provisions of the constitutional instrument then in force of the agency in question, and that if any amendment to that instrument is necessary for the purpose of making the constitutional instrument so consistent, such amendment will have been brought into force in accordance with the constitutional procedure of that agency before the final (or revised) annex is transmitted.

The Convention shall not itself operate so as to abrogate, or derogate from, any provisions of the constitutional instrument of any specialised agency or any rights or obligations which the agency may otherwise have, acquire, or assume.

ARTICLE XI

Final Provisions

Section 41

Accession to this Convention by a Member of the United Nations and (subject to section 42) by any State Member of a specialised agency shall be effected by deposit with the Secretary-General of the United Nations of an instrument of accession, which shall take effect on the date of its deposit.

Section 42

Each specialised agency concerned shall communicate the text of this Convention together with the relevant annexes to those of its members which are not Members of the United Nations and shall invite them to accede thereto in respect of that agency by depositing an instrument of accession to this Convention in respect thereof either with the Secretary-General of the United Nations or with the executive head of the specialised agency.

Section 43

Each State party to this Convention shall indicate in its instrument of accession the specialised agency or agencies in respect of which it undertakes to apply the provisions of this Convention. Each State party to this Convention may by a subsequent written notification to the Secretary-General of the United Nations undertake to apply the provisions of this Convention to one or more further specialised agencies. This notification shall take effect on the date of its receipt by the Secretary-General.
Section 44

This Convention shall enter into force for each State party to this Convention in respect of a specialised agency when it has become applicable to that agency in accordance with section 37 and the State party has undertaken to apply the provisions of the Convention to that agency in accordance with section 43.

Section 45

The Secretary-General of the United Nations shall inform all Members of the United Nations, as well as all members of the specialised agencies, and executive heads of the specialised agencies of the deposit of each instrument of accession received under section 41 and of subsequent notifications received under section 43. The executive head of a specialised agency shall inform the Secretary-General of the United Nations and the members of the agency concerned of the deposit of any instrument of accession deposited with him under section 42.

Section 46

It is understood that, when an instrument of accession or a subsequent notification is deposited on behalf of any State, this State will be in a position under its own law to give effect to the terms of this Convention, as modified by the final texts of any annexes relating to the agencies covered by such accessions or notifications.

Section 47

1. Subject to the provisions of paragraphs 2 and 3 of this section, each State party to this Convention undertakes to apply this Convention in respect of each specialised agency covered by its accession or subsequent notification, until such time as a revised Convention or annex shall have become applicable to that agency and the said State shall have accepted the revised Convention or annex. In the case of a revised annex, the acceptance of States shall be by a notification addressed to the Secretary-General of the United Nations, which shall take effect on the date of its receipt by the Secretary-General.

2. Each State party to this Convention, however, which is not, or has ceased to be, a member of a specialised agency, may address a written notification to the Secretary-General of the United Nations and the executive head of the agency concerned to the effect that it intends to withhold from that agency the benefits of this Convention as from a specified date, which shall not be earlier than three months from the date of receipt of the notification.

3. Each State party to this Convention may withhold the benefit of this Convention from any specialised agency which ceases to be in relationship with the United Nations.

4. The Secretary-General of the United Nations shall inform all Member States parties to this Convention of any notification transmitted to him under the provisions of this section.

Section 48

At the request of one third of the States parties to this Convention, the Secretary-General of the United Nations will convene a conference with the view to its revision.

Section 49

The Secretary-General of the United Nations shall transmit copies of this Convention to each specialised agency and to the Government of each Member of the United Nations.
ANNEX TO THE CONVENTION RELATING TO THE INTERNATIONAL LABOUR ORGANISATION

In their application to the International Labour Organisation the standard clauses shall operate subject to the following provisions:

1. Article V (other than paragraph (c) of section 13) and section 25 paragraphs 1 and 2 (I) of Article VII shall extend to the Employers' and Workers' members and deputy members of the Governing Body of the International Labour Office and their substitutes; except that any waiver of the immunity of any such person member under section 18 shall be by the Governing Body.

2. The privileges, immunities, exemptions and facilities referred to in section 21 of the standard clauses shall also be accorded to any Deputy Director-General of the International Labour Office and any Assistant Director-General of the International Labour Office.

3. (i) Experts (other than officials coming within the scope of Article VI) serving on committees of, or performing missions for, the Organisation shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connection with service on such committees or missions:

   (a) immunity from personal arrest or seizure of their personal baggage;

   (b) in respect of words spoken or written or acts done by them in the performance of their official functions, immunity of legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organisation;

   (c) the same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions;

   (d) inviolability of their papers and documents relating to the work on which they are engaged for the Organisation.

   (ii) In connection with (d) of 3 (i) above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

   (iii) Privileges and immunities are granted to the experts of the Organisation in the interests of the Organisation and not for the personal benefit of the individuals themselves. The Organisation shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organisation.

XXV

Resolution concerning interim arrangements in regard to the privileges and immunities of the International Labour Organisation

(Adopted on 10 July 1948)

Whereas the General Assembly of the United Nations has recognised that it is necessary that the specialised agencies should enjoy, at the earliest possible date, the privileges and immunities essential for an efficient exercise of their respective functions, and has pointed out that a considerable delay will necessarily ensue before the Convention on Privileges and Immunities of the Specialised Agencies becomes operative in the case of the various agencies; and
Whereas the General Assembly has therefore recommended that the States Members of the United Nations, pending their formal accession to the general Convention concerning the privileges and immunities of specialised agencies, including the annexes relating to each agency, should immediately accord as far as possible to or in connection with the specialised agencies, the benefit of the privileges and immunities provided in the said general Convention and its annexes, it being understood that the specialised agencies may take any necessary parallel action in regard to those of their Members which are not Members of the United Nations:

The General Conference of the International Labour Organisation

Recommends that the States Members of the International Labour Organisation, whether or not they are Members of the United Nations, should, pending their formal accession to the general Convention concerning the privileges and immunities of the specialised agencies as modified by the annex relating to the International Labour Organisation, immediately accord as far as possible to and in connection with the International Labour Organisation the benefit of the privileges and immunities provided for in the said general Convention as modified by the annex relating to the International Labour Organisation.