INTERNATIONAL LABOUR OFFICE

Resolutions
Adopted by the
International Labour Conference
at its 38th Session

(Geneva, June 1955)
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Resolutions
Adopted by the International Labour Conference
at its 38th Session
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I

Resolution Submitted on the Occasion of the Tenth Anniversary
of the United Nations

On the Tenth Anniversary of the signing of the Charter of the United Nations,
The International Labour Conference,

Recalling the determination of the peoples of the United Nations to save succeeding generations from the scourge of war and to promote social progress and better standards of life in larger freedom,

Recalling that the International Labour Organisation is dedicated to the principle that lasting peace can be established only if it is based on social justice, and pledged to full co-operation with all international bodies entrusted with a share of the responsibility for promoting the fuller and broader utilisation of the world’s productive resources and the health, education and well-being of all peoples,

Recalling that the United Nations has recognised the I.L.O. as the specialised agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein,

Bearing in mind the growing recognition of the value of the distinctive role the specialised agencies can play within the framework of the United Nations and the progress which has been made by the United Nations and the I.L.O. in the development of common and parallel action in respect of the observance of human rights, the protection of freedom of association, the suppression of forced labour, the prevention of discrimination, the maintenance of full employment and the development of productivity;

1. Reaffirms its faith in the aims and purposes of the United Nations;

2. Notes with satisfaction that, within the framework of the Charter of the United Nations and the Constitution of the I.L.O. and the Agreement between the United Nations and the I.L.O., the United Nations and the I.L.O. have collaborated increasingly closely and effectively to further among the nations of the world the purposes for which they were created;

3. Notes with satisfaction the recognition by the United Nations of the full responsibility of the I.L.O. for matters within its sphere;

1 Adopted unanimously on 9 June 1955.
4. Recognises the need for continuing intensification of effort by the I.L.O. in respect of all matters in regard to which the I.L.O. has a special contribution to make;

5. Pledges the full co-operation of the I.L.O. in accordance with the terms of its Constitution and the Agreement between the United Nations and the I.L.O. in the further development of co-ordinated international action for the implementation of the common objectives in an ever-widening area of the world;

6. Requests the Director-General to transmit this resolution to the Secretary-General of the United Nations with a view to its being communicated to the General Assembly on the occasion of the commemoration of the Tenth Anniversary of the signing of the United Nations Charter.

II

Resolution concerning the Part-Time Employment of Women and the Employment of Older Women

Whereas the International Labour Conference, at its 30th Session in 1947, unanimously adopted a resolution concerning women's work, in which such essential principles as equality of opportunity, equal remuneration for work of equal value and equal conditions of work were the basis for expressing the hope that the Governing Body would “instruct the International Labour Office to continue the detailed study of the employment of women and its effect on the labour market and to undertake the study of the employment of mothers of families, industrial homework and the status of domestic workers, bearing in mind their role as mothers and homemakers”,

Whereas the employment of women in part-time work should not, as far as possible, adversely affect full employment and the general level of wages, contrary to the provisions of the Convention on equal remuneration for work of equal value,

And whereas various categories of older women, in particular unmarried women who have had dependent relatives, mothers who no longer have family responsibilities and widows whose children are no longer dependent upon them, sometimes find it difficult to obtain employment because of the lack of vocational guidance, vocational training or retraining and other such assistance;

The International Labour Conference—

1. Considers that it would be desirable to study in detail—

(a) the conditions of employment of women in part-time work and the ways in which such work could be made available to women seeking it;
(b) the integration or reintegration of older women into gainful occupations;

and to consider what measures would contribute to the solution of problems in these fields, with due regard to such basic principles as equality of oppor-

1 Adopted unanimously on 22 June 1955.
tunity, equal remuneration for work of equal value and equal conditions of work;

2. Requests the Governing Body—
   (a) to instruct the International Labour Office to continue its work on these subjects;
   (b) to consider the desirability of including these questions in the agenda of future sessions of regional conferences and, if appropriate, of the International Labour Conference.

III

Resolution concerning the Employment of Women Having Dependent Young Children

Whereas the employment of women having family responsibilities exists on a considerable scale and is tending to increase in many countries,

Whereas in many cases economic necessity appears to be one of the main motives causing women having family responsibilities to seek employment,

Whereas the International Labour Organisation has established the basis for a system of maternity protection, in particular by adopting the Maternity Protection Convention (Revised) and Recommendation, 1952, and the Social Security (Minimum Standards) Convention, 1952,

And whereas the principle adopted by the I.L.O. and contained in the Declaration of Philadelphia affirms that “all human beings... have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity”,

Whereas the Conference, in 1947, noted with satisfaction the work already done by the regional conferences of States Members of the International Labour Organisation to promote the provision of social aids to working mothers, assurance of wages to women adequate to a decent standard of life, and the principle of the “right to work of every individual irrespective of sex or marital condition”, with due regard for occupational qualifications and physical capacity and for the economic and social conditions of every country;

The International Labour Conference—

1. Considers that studies are required of the manifold problems which arise in connection with the employment of women having dependent young children. Such studies should embrace all aspects of the question including problems of a psychological and educative nature affecting the children of mothers who work outside their homes as well as the economic and social conditions under which this employment takes place;

2. Considers that the I.L.O. should study those aspects of these problems which are within its field of competence and consider what measures

1 Adopted unanimously on 22 June 1955.
the I.L.O. might take which would contribute most effectively to the solution of the many problems in this field, inviting the collaboration of the United Nations and the specialised agencies concerned as regards matters within their respective fields of competence;

3. Emphasises that all appropriate measures should be taken in each country to develop and improve maternity protection, taking into account in particular the standards laid down by the I.L.O.;

4. Invites Members to consider the need for the collection of statistics on the number of mothers of families engaged in or seeking employment in the different branches of industry and on the number and age of their children;

5. Expresses the hope that the Governing Body of the International Labour Office will—

(a) instruct the International Labour Office to intensify its studies in this field;

(b) use its influence to ensure that effective co-operation is established between the United Nations and the specialised agencies concerned and that a concerted policy is pursued in this field at the international level;

(c) consider the desirability of including this question in the agenda of future sessions of regional conferences and, if appropriate, of the International Labour Conference.

IV

Resolution concerning Labour-Management Relations

The International Labour Conference—

Considering that the attainment of the objectives of the International Labour Organisation is dependent not only upon the support of governments, employers and workers but also upon the growth throughout the world of co-operation between workers and employers and their respective organisations in support of these objectives,

Considering that accordingly the I.L.O. should endeavour by all means proper to it to promote good labour-management relations in all countries, taking account of the particular needs and conditions prevailing in each,

Considering that such action is important both for the industrially advanced countries in which co-operation between labour and management in industry is necessary to increase the prosperity of all sections of the community, and for the countries at present planning extensive economic development in which the fulfilment of the social objectives of industrialisation will depend in large measure upon the ability of a strong and healthy trade union movement co-operating with employers to work out with governments acceptable social policies for industry, where in accord with national laws and practices,

1 Adopted on 23 June 1955 by 117 votes to 16, with no abstentions.
Considering that good labour-management relations have repercussions beyond the purely labour field and become a source of strength to society as a whole by developing the practice of dealing with issues through a democratic process of discussion and agreement between the parties directly concerned and in the public interest and with a view to strengthening active participation and responsibility on the part of workers in economic and social policy,

Recalling that in the Declaration of Philadelphia this Conference recognised the solemn obligation of the I.L.O. to further among the nations of the world programmes which will achieve the effective recognition of the right of collective bargaining, the co-operation of management and labour in the continuous improvement of productive efficiency, and the collaboration of workers and employers in the preparation and application of social and economic measures,

Noting that the I.L.O. has in recent years given its attention to certain aspects of labour-management relations, and in particular that—

(a) the Freedom of Association and Protection of the Right to Organise Convention, 1948, and the Right to Organise and Collective Bargaining Convention, 1949, endeavoured to establish safeguards for the development of co-operative relations between workers and employers and their respective organisations;

(b) the Recommendations concerning collective agreements (1951), voluntary conciliation and arbitration (1951) and consultation and co-operation between employers and workers at the level of the undertaking (1952), and the resolution concerning consultation and co-operation between employers and workers at the level of the undertaking (1952) set forth guidance for governments and the parties concerned as to the general form and principles applicable to collective bargaining procedures;

(c) the technical assistance activities of the I.L.O. provide the means of assisting governments which so desire to develop their services so as to facilitate the development of labour-management relations in various ways;

(d) the Industrial Committees of the I.L.O. have considered certain problems touching the relations between employers and workers in their respective industries;

Considering further that it is desirable for the I.L.O. to extend its programme of activities in this field so as to give particular emphasis to the promotion in practice of co-operation between employers and workers and their organisations throughout the world, and that to this end the Director-General has sought advice from the Conference by making this subject the theme of his Report;

Accordingly decides—

1. To ask the Director-General, in the light of the observations made by members of the Conference speaking in the general debate, to review the I.L.O.'s activities as a whole and to consider how these activities should be modified or supplemented so as to contribute effectively towards promoting labour-management co-operation and better human relations in industry throughout the world;
2. To ask the Governing Body—

(a) to draw up a practical programme of I.L.O. action for this purpose on the basis of proposals to be submitted by the Director-General as a result of the aforementioned review; and

(b) to consider bringing this matter before a future session of the Conference in some appropriate form.

Resolution concerning the Protection of Trade Union Rights

The International Labour Conference—

Considering the fundamental importance of real respect for the trade union rights of the workers; the serious violations of these rights in certain countries; and the need in some countries for appropriate laws and regulations to safeguard the normal exercise of these rights,

Considering that the International Labour Conference adopted, in 1948, the Freedom of Association and Protection of the Right to Organise Convention (No. 87) and, in 1949, the Right to Organise and Collective Bargaining Convention (No. 98), which define the fundamental rights both of employers and workers and of their respective organisations,

Considering that the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), has so far been ratified by 18 countries and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), by 19 countries,

Considering that, despite the outstanding achievements of the Governing Body Committee on Freedom of Association, the efforts of the International Labour Organisation to ensure adequate protection for the rights of workers to organise freely cannot be fully effective until those countries, which have hitherto refused to do so, agree to co-operate with the Governing Body and to permit the Fact-Finding and Conciliation Commission on Freedom of Association to carry out investigations on the spot;

1. Addresses an urgent appeal to governments which have not yet ratified the above-mentioned Conventions and requests them to consider the possibility of doing so at as early a date as possible;

2. Reaffirms the importance which it attaches to the fundamental rights both of employers and workers in their respective organisations, and in particular the rights of freedom and independence;

3. Notes that the Governing Body has approved unanimous reports by the Committee on Freedom of Association on 108 cases and unanimous interim reports on five further cases, and invites the Governing Body to pursue expeditiously the examination of the cases still pending;

4. Invites the Governing Body to keep under constant review the question of improving the procedure of its Committee on Freedom of Association and to give earnest consideration to any recommendations which may from time to time be made by the Committee to that end, including any recommendations relating to the question of hearings of all the parties concerned;

1 Adopted on 22 June 1955 by 173 votes to 0, with 30 abstentions.
5. Requests the Governing Body—

(a) to study, on the occasion of the examination of the report of the independent committee on freedom of employers' and workers' organisations from government domination or control, whether out of this report certain points arise which would justify a revision in whole or in part of the existing Conventions dealing with freedom of association and industrial relations;

(b) to take into account other points not arising from the report of the independent committee which may affect the existing Conventions or give rise to the need for a new Convention;

(c) to report on the matter as a whole to an early session of the Conference.

VI

Resolution concerning the Improvement of the Protection of Labour and Industrial Safety

The International Labour Conference—

Recognising the importance of protecting workers against injuries and diseases arising out of their employment,

Noting that the Conventions and Recommendations adopted by the International Labour Organisation in the field of occupational safety and health do not cover all branches of economic activity or contain provisions of a general nature only,

Recognising, therefore, the importance of the widespread application of effective measures based upon detailed standards of occupational safety and health covering the various branches of economic activity,

Considering, in addition, that the value of legislation is all the greater when it has been formulated after consulting the workers' and employers' organisations, and that its provisions include the widest opportunity for these organisations to play an appropriate role in the efficient application of it,

Recognising, finally, the need to provide governments and industry with information of a practical nature concerning protective measures of proven value and, if necessary, with appropriate assistance in the field of occupational safety and health;

1. Invites States Members to examine—

(a) the need for sufficiently detailed laws and regulations on the prevention of occupational accidents and diseases and on the protection of the health of workers in places of employment to be enacted in those countries and for those branches of economic activity for which no such laws and regulations exist at present;

(b) the desirability of ratifying Conventions already adopted by the International Labour Conference, particularly the Protection against Accidents (Dockers) Convention (Revised), 1932, and the Safety Provisions (Building) Convention, 1937;

1 Adopted on 23 June 1955 by 133 votes to 0, with 21 abstentions.
(c) the desirability of taking account, in framing rules and regulations to implement relevant laws, of the standards and guiding principles concerning occupational safety and health published by the I.L.O., and particularly the model codes for the guidance of governments and industry;

(d) the need to dispose, in the official inspection services, of an adequate staff possessing the necessary qualifications in occupational safety and health;

(e) the need to further the establishment in places of employment of safety and health committees or other similar bodies charged with, or advising on, the application of protective measures, and in which representatives of workers, after consultation with the organisations concerned, would participate;

(f) the need to promote a wider distribution of the publications of the International Labour Office and to take advantage, where necessary, of the opportunities provided by I.L.O. technical assistance in the field of occupational safety and health;

(g) the need to recognise that employers' and workers' organisations are competent and qualified to co-operate with the proper authorities in the application by the latter of laws and regulations concerning the protection of workers against injuries and diseases arising out of their employment;

(h) the need to ensure that the right to include questions of occupational safety and health in collective agreements is not denied.

2. Invites the Governing Body of the International Labour Office—

(a) to study the means whereby the action undertaken by the I.L.O. in the field of the prevention of occupational accidents and diseases and of the protection of the health of workers in places of employment may be developed, particularly as regards the organisation of occupational health services in places of employment;

(b) to consider what measures can be taken to extend, improve and standardise statistics concerning industrial accidents and occupational diseases;

(c) to instruct the Director-General to submit to it concrete proposals concerning the action which might be taken by the I.L.O. to improve safety and health conditions in the various branches of economic activity throughout the world;

(d) to consider submitting a report thereon to the Conference or putting specific aspects thereof on the agenda of the Conference.

VII

Resolution concerning the Peaceful Uses of Atomic Energy

Whereas the General Assembly of the United Nations at its Ninth Session adopted a resolution expressing its desire to promote energetically the use of atomic energy to the end that it will serve only the peaceful pursuits of mankind and ameliorate their living conditions, and

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1 Adopted on 23 June 1955 by 168 votes to 0, with 1 abstention.
Whereas the General Assembly, with this aim in view, welcomed the proposal to establish an International Atomic Energy Agency and decided further to convene, under the auspices of the United Nations, an International Conference on the Peaceful Uses of Atomic Energy, which will be held in August 1955, and

Whereas the International Labour Organisation shares the concern of the United Nations for the promotion of peace and the improvement of living conditions everywhere, and has in addition a specific responsibility for securing a steady improvement in the working conditions of all workers;

This Conference—

1. Welcomes the holding of the International Conference on the Peaceful Uses of Atomic Energy and expresses the hope that it will be successful in stimulating international co-operation in this important field;

2. Requests the Governing Body, in the light of the information available as a result of that conference, to consider what part the I.L.O., by all means proper to it, can play in giving advice and assistance in—

(a) promoting the development of the use of atomic energy for peaceful purposes and as a means of raising living standards;

(b) studying and solving the problems of adjustment which will arise within the fields of competence of the I.L.O.;

(c) promoting the highest possible standards of health, safety and welfare among workers in atomic plants and in other undertakings affected by the development of the industrial uses of atomic energy.

VIII

Resolution concerning Disarmament and the Use of the Resources Which Would Be Set Free by a Reduction of Armament Expenditure

The International Labour Conference—

Considering that the States Members of the United Nations have agreed to pursue the purposes, and to act in accordance with the principles, set out in the Charter signed at San Francisco on 26 June 1945,

Considering that the preamble of that Charter affirms the determination of the peoples "to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind",

1. Notes the adoption by the General Assembly of the United Nations at its Ninth Session of the following resolutions:

(a) International Convention or Treaty on the Reduction of Armaments and the Prohibition of Atomic, Hydrogen and other Weapons of Mass Destruction (adopted 4 November 1954);

(b) International Co-operation in Developing the Peaceful Uses of Atomic Energy (adopted 4 December 1954);

(c) Question of the Establishment of a Special United Nations Fund for Economic Development (adopted 11 December 1954);

1 Adopted on 23 June 1955 by 177 votes to 0, with no abstentions.
(d) Question of the Establishment of an International Finance Corporation (adopted 11 December 1954);

2. Expresses the hope that the work of the Disarmament Commission set up by the United Nations may be brought to a speedy and fruitful conclusion;

3. Notes the studies on the question of economic development undertaken under the auspices of the United Nations Economic and Social Council and expresses the hope that progress with internationally supervised worldwide disarmament will soon produce the conditions required in General Assembly Resolution 724 (VIII).

IX

Resolution concerning the Placing on the Agenda of a Future Session of the Conference of the Question of the Adoption of an Instrument Extending the Scope of the Conventions of 1939 and 1955 Relating to Penal Sanctions

The Conference,

Having at its 25th Session adopted the Penal Sanctions (Indigenous Workers) Convention, 1939, which declares that all penal sanctions for any breach of contract to which the Convention applies shall be abolished progressively and as soon as possible,

Having at its 38th Session adopted the Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955, which declares that all such penal sanctions should be abolished by an appropriate measure of immediate application and, in those cases where immediate abolition is not considered to be practicable, in any event not later than one year from the date of ratification of this Convention,

Expresses the hope that this Convention will be widely and promptly ratified and applied, and

Feeling that a wider review of the whole question of penal sanctions for breaches of contract of employment is necessary with a view to the total abolition of those penal sanctions which are contrary to modern conceptions of the proper contractual relationship between employer and worker;

Invites the Governing Body of the International Labour Office to instruct the Office to prepare a law and practice report dealing with the question of penal sanctions for breaches of contract of employment imposed on workers, whether indigenous or not, with a view to considering, having regard to the provisions of the Penal Sanctions (Indigenous Workers) Convention, 1939, and the Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955, the desirability of placing on the agenda of a future session of the Conference the question of the adoption of an instrument of extended scope as regards both the workers and the various types of breaches of contract of employment to be covered.

1 Adopted on 21 June 1955 by 148 votes to 1, with 4 abstentions.
X

Resolution concerning Persons Disabled in War

The Conference,
Having adopted the Vocational Rehabilitation (Disabled) Recommendation, 1955,
Desirous of expressing its interest in efforts made to improve the living and working conditions of persons suffering from disability arising from war;
Stresses the fact that this Recommendation gives formal recognition to the principles and methods already employed in many countries in the field of vocational rehabilitation of war disabled; and
Invites governments and interested organisations to increase their efforts, within the framework of national legislation and in the light of the principles of the Recommendation, to assist war-disabled persons to return to a normal occupation.

XI

Resolution concerning the Adoption of a Future Convention concerning Migrant Workers in Underdeveloped Countries and Territories

The Conference,
Having adopted the Migrant Workers (Underdeveloped Countries) Recommendation, 1955;
Requests the Governing Body to instruct the Director-General of the International Labour Office to proceed to an examination of the provisions of the said Recommendation so as to enable the Governing Body to decide which of them might warrant consideration for inclusion in a future Convention dealing with migrant workers in underdeveloped countries and territories.

XII

Resolution concerning the Inclusion in the Agenda of the Next Session of the Conference of the Question of Vocational Training in Agriculture

The Conference,
Having approved the report of the Committee appointed to examine item VII on its agenda,
Having in particular approved as general conclusions, with a view to the consultation of governments, proposals for a Recommendation relating to vocational training in agriculture;
Decides to place on the agenda of its next session the question of vocational training in agriculture with a view to a final decision on a Recommendation on the subject.

1 Adopted on 22 June 1955 by 183 votes to 0, with no abstentions.
2 Adopted on 22 June 1955 by 115 votes to 23, with 28 abstentions.
3 Adopted on 18 June 1955 by 184 votes to 0, with no abstentions.
XIII

Resolution concerning the Placing on the Agenda of the Next General Session of the Conference of the Question of Welfare Facilities for Workers

The Conference,

Having approved the report of the Committee appointed to examine item VIII on its agenda,

Having in particular approved as general conclusions, with a view to consultation of governments, proposals for a Recommendation relating to welfare facilities for workers;

Decides to place the question of welfare facilities for workers on the agenda of its next general session for a second discussion with a view to final decision on a Recommendation on this question;

Decides also to invite the Governing Body to include in the agenda of a future session of the Conference an item concerning welfare facilities in agriculture.

XIV

Resolution concerning the Adoption of the Budget for the 38th Financial Period (1956) and for the Allocation of Expenses among States Members for 1956

In virtue of the Financial Regulations the Conference passes for the 38th financial period, ending 31 December 1956, the budget of expenditure of the International Labour Organisation amounting to 7,395,729 U.S. dollars and the budget of income amounting to 7,395,729 U.S. dollars, 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.

XV

Resolution concerning Contributions Payable to the I.L.O. Staff Pensions Fund in 1956

The International Labour Conference—

Decides that the contribution of the International Labour Organisation to the Pensions Fund for 1956 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;

1 Adopted on 22 June 1955 by 171 votes to 0, with 46 abstentions.
2 Adopted on 20 June 1955 by 184 votes to 7, with 2 abstentions.
3 Adopted unanimously on 20 June 1955.
Decides that, for the year 1956, the officials mentioned in article 4, paragraph (a) (i), of the I.L.O. Staff Pensions Regulations shall continue to pay an additional 1 per cent, of their pensionable emoluments (making a total of $7\frac{1}{2}$ per cent.), and those mentioned in article 4, paragraph (a) (ii), an additional $\frac{1}{2}$ per cent. (making a total of $5\frac{1}{2}$ per cent.) if their pensionable emoluments exceed the equivalent of Swiss francs 6,500 per annum, and an additional $\frac{1}{4}$ per cent. (making a total of $5\frac{3}{4}$ per cent.) if these emoluments are the equivalent of Swiss francs 6,500 or less;

Resolves that, in continuation of the arrangement approved in previous years, the whole budgetary vote for 1956 in respect of the contributions of the Organisation to the I.L.O. Staff Pensions Fund should be paid to the Fund.

**XVI**

**Resolution concerning Appointments to the Administrative Tribunal of the International Labour Organisation**

The Conference, in accordance with article III of the Statute of the Administrative Tribunal,

Appoints Mr. Robert G. Simmons (United States of America) and Sir John Forster, K.B.E., Q.C. (United Kingdom of Great Britain and Northern Ireland) as deputy judges of the Administrative Tribunal of the International Labour Organisation for a period of three years.

1 Adopted unanimously on 20 June 1955.