Resolutions
Adopted by the
International Labour Conference
at Its 63rd Session

(Geneva, June 1977)
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I

Resolution to Place on the Agenda of the Next Ordinary Session of the Conference an
Item Entitled “Labour Administration: Role, Functions and Organisation”¹

The General Conference of the International Labour Organisation,
Having adopted the report of the Committee appointed to consider the fifth item
on the agenda,
Having in particular approved as general conclusions, with a view to the cons­
sultation of governments, proposals for a Convention and a Recommendation
concerning labour administration;
Decides that an item entitled “Labour Administration: Role, Functions and
Organisation” shall be included in the agenda of its next Ordinary Session for a
second discussion with a view to the adoption of a Convention and a Recommenda­
tion.

II

Resolution concerning the Application of Certain International Labour Standards
to Nursing Personnel ¹

The General Conference of the International Labour Organisation,
Recalling that nursing personnel are covered by many international labour
Conventions and Recommendations laying down general standards concerning
employment and conditions of work,
Noting, in particular, that—
(a) the Freedom of Association and Protection of the Right to Organise Convention,
1948, covers “ workers and employers without distinction whatsoever ”, and that
the exclusion of public servants from the Right to Organise and Collective
Bargaining Convention, 1949, relates only to those engaged in the administration
of the State;
(b) the Discrimination (Employment and Occupation) Convention, 1958, is designed
to promote equality of opportunity and treatment in every employment and
occupation, and that the Equal Remuneration Convention, 1951, is designed to
promote the application “ to all workers ” of the principle of equal remuneration;
(c) the Reduction of Hours of Work Recommendation, 1962, excludes from its
scope only agriculture, maritime transport and maritime fishing, that the
Holidays with Pay Convention (Revised), 1970, applies “ to all employed
persons, with the exception of seafarers ” and that the Paid Educational Leave
Convention, 1974, is general in scope;

¹ Adopted on 20 June 1977.
(d) the Employment Injury Benefits Convention, 1964, covers all employees, the exclusion of public servants being possible only where they are covered by schemes providing equivalent benefits, and that the scope of the Maternity Protection Convention (Revised), 1952, expressly includes "establishments for the treatment and care of the sick [and] infirm";

Appeals to all Members to ensure that the provisions of these and other relevant instruments are fully applied in practice to nursing personnel.

III

Resolution to Place on the Agenda of the Next Ordinary Session of the Conference an Item Entitled "Freedom of Association and Procedures for Determining Conditions of Employment in the Public Service" 1

The General Conference of the International Labour Organisation,

Having adopted the report of the Committee appointed to consider the seventh item on the agenda,

Having in particular approved as general conclusions, with a view to the consultation of governments, proposals for a Convention and a Recommendation concerning protection of the right to organise and procedures for the determination of conditions of employment in the public service;

Decides that an item entitled "Freedom of Association and Procedures for Determining Conditions of Employment in the Public Service" shall be included in the agenda of its next Ordinary Session for a second discussion, with a view to the adoption of a Convention and a Recommendation.

IV

Resolution concerning the Strengthening of Tripartism in ILO Supervisory Procedures of International Standards and Technical Co-operation Programmes 1

The General Conference of the International Labour Organisation,

Noting that the adoption of ILO standards and their universal application in the field of those human rights which are within the competence of the ILO—such as freedom of association for employers' and workers' organisations including those of the rural sector, elimination of discrimination in employment and occupation and remuneration and the abolition of forced labour—continue to be of utmost importance and should exert a lasting influence on the legislation of all countries so that those rights are fully respected,

Recalling the resolution concerning trade union rights and their relation to civil liberties adopted at the 54th (1970) Session of the International Labour Conference,

Noting that the effectiveness of tripartite action in the application of international labour standards has been given an impetus by the adoption by the 61st (1976) Session of the International Labour Conference of the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) and the Tripartite Consultation (Activities of the International Labour Organisation) Recommendation, 1976 (No. 152),

1 Adopted on 21 June 1977.
Emphasising that the establishment of such tripartite consultations at national level and, where appropriate, at other levels of administration is an important means for the development of tripartism within the framework of the ILO,

Considering that the continuous violations of these human rights anywhere constitute a threat to freedom, justice and social progress everywhere,

Recalling the resolution concerning the strengthening of tripartism in the over-all activities of the ILO adopted by the International Labour Conference at its 56th (1971) Session, which confirmed that the tripartite element in the ILO has proved to be the most solid foundation for its success, as exemplified by the development of the International Labour Code and the functioning of supervisory machinery in respect of standards which is without parallel in the family of nations,

Noting with grave concern that certain countries, while extolling freedom of expression and of association as well as other basic rights proclaimed by ILO Conventions, do not respect them and have consistently refused to submit to these procedures or to extend their collaboration to the ILO, and that there can be no double standard in the application of ILO Conventions and Recommendations; and that every member State of the ILO must adhere to the universal application of ILO standards,

Noting further that an institutionalised participation of the most representative employers' and workers' organisations is essential to provide the objectivity and effectiveness needed for these procedures,

Considering that absolute impartiality in the ILO supervision of international standards is the key to their credibility in order to ensure that obligations freely contracted are complied with and remain the same for all countries irrespective of their size, economic and social system and level of economic development,

Noting also that a well-functioning system of labour administration would contribute considerably to the implementation of the principles contained in this resolution and at the same time be instrumental in improving both tripartite relations and the practical effectiveness of technical co-operation programmes,

Considering that the inquiries by the Committee of Experts known as the McNair Committee in 1955-56, and those carried out subsequently by ILO officials in a number of member States, have helped in assessing the extent to which freedom of association prevailed, and that similar inquiries covering Conventions in the field of human rights within the competence of the ILO could further contribute to their being universally applied,

Noting, in the light of past experience, that there may be a need to find in special cases a form of inquiry adapted to the particular circumstances within a tripartite framework and without jeopardising objectivity, thus strengthening the ILO's capacity to pursue its objective in the field of human rights,

Affirming that the ILO has a legitimate competence and obligation to investigate violations of human rights, particularly freedom of association, elimination of discrimination in employment and occupation and the abolition of forced labour, taking into account the prerogatives and responsibilities of the relevant bodies of the United Nations, and the need for co-ordination of efforts in this regard, and that in this regard, political issues outside the competence of the ILO shall not be a proper subject of inquiry by the ILO, and that member States shall co-operate fully in all investigations of allegations of violations under this section, and the ILO shall conduct such investigations, according all parties due process,

Welcoming the fact that the tripartite element is gradually becoming reflected in the ILO's technical co-operation activities as exemplified by the positive results
achieved through visits of tripartite evaluation teams on technical co-operation programmes of the ILO,

Noting that as regards programmes of technical co-operation of the ILO, including UNDP/ILO Programmes, the Report of the Director-General to the 63rd (1977) Session of the International Labour Conference stresses the need for representatives of workers and employers or their organisations to be closely associated with governments in all stages of such programming and underlining the desirability of tripartism in the programming of technical co-operation in the United Nations system as a whole, especially in the UNDP, at the international, regional and national levels;

1. Declares that scrupulous observance of the tripartite structure of the ILO within its constitutional responsibility in the promoting of social progress in the world constitutes the best means of ensuring that the work of the ILO, both in its standard-setting and its operational activities, is carried out objectively and effectively.

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

(a) to consider all measures—constitutional as well as informal—to ensure not only full compliance with ILO instruments but also promotion of the application in all countries of standards concerning human rights, particularly freedom of association for employers' and workers' organisations including those of the rural sector and elimination of discrimination in employment and occupation and remuneration and the abolition of forced labour with special emphasis on the universal application of ILO Conventions and Recommendations;

(b) to strengthen the participation of employers' and workers' organisations in the supervision of the application of Conventions and Recommendations;

(c) to make every effort to ensure that technical assistance provided to labour departments, and employers' and workers' organisations of member States—with special emphasis on assistance to developing countries in fields within the specific competence of the ILO—is increased where possible and drawing to the maximum extent upon the UNDP and other sources of financing, so as to promote adequate institutional arrangements for continuous and co-ordinated genuine tripartite co-operation at the national level and, where appropriate, at other levels of administration;

(d) to urge in the strongest fashion that the UNDP/ILO programme planning and execution have the full benefit of tripartite consultation at every stage;

(e) to study the possibility of reviving inquiries—with direct participation of employers' and workers' organisations—similar to those conducted in the past by the ILO in the field of freedom of association, and their possible extension to other human rights laid down in ILO standards and civil liberties which are essential for the normal exercise of trade union rights; member States shall co-operate fully in all investigations of allegations under this section, and the ILO shall conduct such investigations according all parties due process;

(f) to encourage member States, Conference delegates and employers' and workers' organisations to observe fully those human rights within the competence of the ILO in all member States, utilising to this end all existing procedures—constitutional as well as informal—ensuring, however, that these procedures avoid actions which violate the rules of due process and are utilised in such a manner to guarantee the objectivity which must be shown by the ILO in this field;

(g) to urge governments of member States:

(i) to associate more closely and to the fullest extent possible employers' and workers' organisations in the elaboration, implementation and control of
all technical co-operation activities at the national level and, where appropriate, at other levels of administration, including particularly UNDP/ILO joint programming;

(ii) to co-operate fully with the tripartite evaluation teams on technical co-operation programmes of the ILO and to give effect to the recommendations made by these teams;

(iii) to strengthen systems of labour administration, also with a view to fulfilling in a more effective way, all their reporting obligations under the ILO Constitution;

(iv) to endeavour to accelerate the ratification and application of the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144);

(h) to draw the attention of the appropriate United Nations bodies to the need to ensure the effective operation of supervisory and complaints procedures to control the implementation of the United Nations instruments in the field of human rights, which procedures should be of easy access to workers’ and employers’ organisations.

3. Urges member States to bear in mind the desirability of modifying to the extent possible policies of aid to States which, after examination by the appropriate ILO machinery, have been found consistently to violate basic human, social and trade union rights.

V

Resolution concerning the Promotion, Protection and Strengthening of Freedom of Association, Trade Union and Other Human Rights

1

The General Conference of the International Labour Organisation,

Considering that full exercise of trade union rights and freedom of association are priority objectives of the International Labour Organisation and constitute essential elements of human rights,

Noting with concern that many member States have not yet ratified the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and the Workers’ Representatives Convention, 1971 (No. 135), which lay down the minimum standards of freedom of association,

Believing that one of the fundamental bases of democracy in all its forms is the existence of trade union freedoms as expressed in ILO standards and that the rights accorded to trade unions should reflect these freedoms,

Welcoming the adoption by the International Labour Conference at its 56th (1971) Session of the resolution concerning the strengthening of tripartism in the over-all activities of the ILO and at its 61st (1976) Session of Convention No. 144 concerning tripartite consultations to promote the implementation of international labour standards and of Recommendation No. 152 concerning tripartite consultations to promote the implementation of international labour standards and national action relating to the activities of the ILO,

Convinced that the tripartite consultations envisaged in the said instruments would be meaningless unless within member States conditions exist which ensure that employer and worker participants are free to act effectively in accordance with the

1 Adopted on 21 June 1977.
provisions of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87),

Considering that, in the context of national economic and social development of member States, the ILO, in view of its tripartite structure, should be able to promote conditions of work and life capable of exercising a dynamic and lasting influence in ensuring social progress,

Noting that over the years the constitutional supervisory bodies and other reporting procedures, including the special investigations and inquiries, carried out in a limited number of countries so far, have proved their effectiveness in varying degrees of success,

Considering that over the years special machinery for examining allegations of violation of human and trade union rights and other ad hoc methods to study specific questions have been evolved and have been useful in preparing the way for satisfactory solutions, while guaranteeing impartial treatment to the countries involved,

Considering the systematic violation in certain countries of the basic principles relating to universally recognised human rights and, in particular, freedom of association, and trade union and other human rights;

1. Invites the Governing Body of the International Labour Office to request the Director-General:

(a) strongly to urge member States to ratify and apply the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and the Workers' Representatives Convention, 1971 (No. 135), and, pending ratification, to ensure strict observance of the basic principles in these Conventions;

(b) to urge the governments of member States:

(i) to ratify, as soon as possible, Convention No. 144 concerning tripartite consultations to promote the implementation of international labour standards and to give full effect thereto as well as to Recommendation No. 152 concerning tripartite consultations to promote the implementation of international labour standards and national action relating to the activities of the ILO—both of which instruments were adopted by the International Labour Conference at its 61st (1976) Session—and to the resolution concerning the strengthening of tripartism in the over-all activities of the ILO, adopted by the International Labour Conference at its 56th (1971) Session;

(ii) to undertake to co-operate actively to ensure sound operation of the system for supervising the application of international labour standards, particularly in the field of human rights such as freedom of association and trade union freedoms, including in the rural sector, the elimination of discrimination in employment, remuneration and occupation and the abolition of forced labour, it being understood that such systems of control will be implemented with strict impartiality and with full regard for due process and the rights of Members involved in inquiries concerned with the application of those standards;

(c) to improve the operation of existing machinery and procedures for establishing facts relating to the application of standards, in order to ensure their full effectiveness, particularly by speeding up the consideration of complaints and representations relating thereto;

(d) to provide that such machinery and procedures guarantee, without reprisals to interested parties at the level among others of member States, full opportunities
to present such information and comments as may be necessary to reach objective and impartial conclusions.

2. Further requests the Governing Body of the International Labour Office:
   (a) to remind member States that freedom of association and non-discrimination are basic principles of the ILO's Constitution and their furtherance constitutes a constitutional obligation for all member States;
   (b) to study ways of establishing or strengthening procedures for supervision of this constitutional obligation;
   (c) to consider whether improvements might be made in the functioning of the credentials procedure with a view to increasing its effectiveness.

3. Further requests the Governing Body of the International Labour Office:
   (a) to instruct the Director-General to undertake direct contacts, wherever possible on a tripartite basis, whenever this promises to be useful;
   (b) to improve the application of the existing procedures so as to ensure speedy and effective action in cases in which freedom of association is impaired, particularly when human life is in jeopardy;
   (c) to invite the member States of the ILO and the employers' and workers' organisations to encourage and promote—in all instances where they possess the right to intervene—fullest co-operation with the established ILO complaints and supervisory machinery so as to ensure respect for trade union rights and freedom of association.

VI

Resolution concerning the Granting of Permission to Vote to the Republic of Bolivia

The General Conference of the International Labour Organisation,
Having regard to the terms of the financial arrangement adopted by the Conference at its 54th (1970) Session for the settlement of the arrears of contributions of Bolivia and to the extent that Bolivia has made payments called for under this arrangement in spite of its continuing economic difficulties;
Decides that Bolivia shall be permitted to vote in accordance with paragraph 4 of article 13 of the Constitution of the International Labour Organisation.

VII

Resolution concerning the Granting of Permission to Vote to the Yemen Arab Republic

The General Conference of the International Labour Organisation,
Having regard to the terms of the financial arrangement adopted by the Conference at its 57th (1972) Session for the settlement of the arrears of contributions of the Yemen Arab Republic and to the extent that Yemen has made payments called for under this arrangement in spite of its continuing economic difficulties;

1 Adopted on 8 June 1977 by 229 votes in favour, 44 against, with 53 abstentions.
2 Adopted on 8 June 1977 by 304 votes in favour, 11 against, with 9 abstentions.
Decides that the Yemen Arab Republic shall be permitted to vote in accordance with paragraph 4 of article 13 of the Constitution of the International Labour Organisation.

VIII

Resolution concerning the Contribution of the Dominican Republic

The General Conference of the International Labour Organisation,
Having regard to paragraph 6 of article 10 of the Financial Regulations;
Noting that the Government of the Dominican Republic wishes to replace arrangements approved by the Conference in 1976 for the settlement of the arrears of contributions due for the period 1966 to 1975 by a new arrangement;
Accepts the arrangement now proposed by the Government of the Dominican Republic for the settlement of the arrears of contributions due for the period 1966 to 1976 to the effect that:
(i) in 1977 the Dominican Republic will pay its contribution for the year 1977 in full;
(ii) in subsequent years the Dominican Republic will continue to pay its current contribution in full in the year for which it is due; and
(iii) the Dominican Republic will settle the arrears that have accumulated up to and including 31 December 1976, amounting in total to $266,286, by the payment of 19 equal annual instalments of $13,314 beginning in 1977 and a final instalment of $13,320.

IX

Resolution concerning the Composition of the Administrative Tribunal of the International Labour Organisation

The General Conference of the International Labour Organisation,
In accordance with article III of the Statute of the Administrative Tribunal;
Extends the term of office of Mr. Maxime Letourneur (France) and Mr. A. T. Markose (India) respectively as judge and deputy judge of the Administrative Tribunal of the International Labour Organisation for a further period of three years.

X

Resolution concerning the Amendment of the Regulations of the ILO Staff Pensions Fund and the Payment of an Additional Annuity into the Fund

The General Conference of the International Labour Organisation;
Decides to amend the Regulations of the ILO Staff Pensions Fund with effect from 1 January 1977 by the inclusion of a new article, to read as follows:

Article 36

Notwithstanding the provisions of articles 9, 11, 12bis, 33 and 35, pensions in payment on 1 January 1977 the amount of which relates to a period of service shorter than that completed by the official concerned shall be increased with effect from 1 January 1977 in the ratio which the actual period of service of the official bears to the period of service previously reflected in the pensions, provided only that—

1 Adopted on 14 June 1977.
(a) the actual period of service to be taken into consideration for the pension shall be limited to 32 years; and

(b) the actual period of service in excess of 30 years shall be counted only at the rate of half a year for each year of service.

Decides that the amount required to cover the increased liabilities of the ILO Staff Pensions Fund arising out of the foregoing amendment to the Regulations of the Fund and the continuation in 1977 and 1978 of the cost-of-living adjustment measure approved for 1975 and 1976 shall be amortised by payment by the International Labour Organisation to the Fund of an additional annuity of US$70,170 a year for ten years commencing on 1 January 1978.

XI

Resolution concerning the Amendment of Article 11 of the Financial Regulations

The General Conference of the International Labour Organisation;

Decides to amend with effect from 1 January 1978 paragraph 2 of article 11 of the Financial Regulations, which reads as follows:

The Director-General may pay up to 50 per cent of the income from the sale of publications, including related royalties and fees, into a Publications Revolving Fund in accordance with rules to be established for the Fund under article 40 of these Regulations, by substituting the figure of 75 per cent for that of 50 per cent.

XII

Resolution concerning the Delegation of Authority to Abolish Posts

The General Conference of the International Labour Organisation;

Agrees that, in the event of a sharp reduction of resources resulting from a decision by the United States to withdraw from the Organisation with effect from November 1977, the Governing Body be authorised to abolish regular budget posts so that the Director-General, in conformity with the Constitution of the International Labour Organisation and the Staff Regulations of the International Labour Office will be in a position to achieve savings by making the necessary staff cuts without having to wait until the June 1978 Session of the Conference to obtain approval of the abolition of posts. This delegation of authority will expire on 6 June 1978.

Further requests the Governing Body to report back to the Conference at its 64th (June 1978) Session on the use made of this delegation of authority.

XIII

Resolution concerning Appointments to the Staff Pensions Bodies of the International Labour Organisation

The General Conference of the International Labour Organisation;

Appoints to the Administrative Board of the ILO Staff Pensions Fund and the ILO Staff Pension Committee (United Nations Joint Staff Pension Fund) for a period

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1 Adopted on 14 June 1977.
of three years until 8 October 1980 the following members and substitute members of these bodies, namely:

**Members:**
- Mr. W. M. Yoffee (*United States*)
- Mr. A. N. Leslie (*Jamaica*)
- Mr. S. H. Sirag (*Sudan*)

**Substitute members:**
- Mr. E. Kaiser (*Switzerland*)
- Mr. M. V. Sohonie (*India*)
- Mr. G. M. J. Veldkamp (*Netherlands*).

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### XIV

**Resolution concerning the Adoption of the Budget for the 56th Financial Period (1978-79) and for the Allocation of Expenses among Member States for 1978-79**

The General Conference of the International Labour Organisation,

In virtue of the Financial Regulations;

Passes for the 56th financial period, ending 31 December 1979, the budget for expenditure of the International Labour Organisation amounting to US$169,074,000 and the budget of income amounting to US$169,074,000;

Noting that the above amount includes in Part III (Working Capital Fund) the sum of US$5,000,000 for the purpose of making an advance reimbursement in 1978 to the Working Capital Fund of part of the withdrawal required to finance the estimated budgetary shortfall in the 56th financial period (1978-79),

Decides accordingly that, notwithstanding article 10, paragraph 1, of the Financial Regulations, the amounts to be assessed on member States shall be US$87,037,000 for the calendar year 1978 and US$82,037,000 for the calendar year 1979, and resolves that these amounts shall be assessed on member States in accordance with the scales of contributions recommended for 1978 and to be recommended for 1979 by the Finance Committee of Government Representatives;

Requests the Governing Body to make recommendations to the Conference at its session in 1978 on the extent of any additional provision that may be required in 1979 in Part III (Working Capital Fund).

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1 Adopted on 15 June 1977 by 342 votes in favour, 1 against, with 52 abstentions