

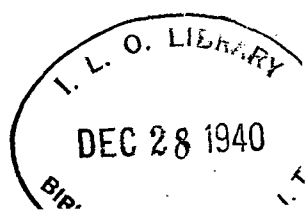
CONFIDENTIAL.

MINUTES
OF THE
SECOND SESSION
OF THE
GOVERNING BODY OF THE
INTERNATIONAL LABOUR OFFICE
HELD IN PARIS, JANUARY 26-28, 1920.



INTERNATIONAL LABOUR OFFICE.

1920.



THE GOVERNING BODY OF THE INTERNATIONAL LABOUR OFFICE.

SECOND SESSION, JANUARY, 1920, PARIS.

MINUTES OF THE FIRST SITTING.

The 26th January, 1920, 10.30 a.m.

The First Sitting of the Second Session of the Governing Body of the International Labour Office took place at 10.30 a.m., on the 26th January, 1920, at the Annexe of the *Ministère des Affaires Etrangères, 3 rue François 1^{er}*, Paris.

The following members were present :—

Mr. ARTHUR FONTAINE (*in the Chair*).
Mr. DE ALVEAR.
Mr. G. H. STUART BUNNING.
Mr. J. CARLIER.
Sir MALCOLM DELEIVINGNE.
Viscount DE EZA.
Mr. L. GUÉRIN.
Mr. F. HODACZ.
Mr. L. JOUHAUX.
Mr. K. LEGIEN.
Dr. LEYMAN.
Mr. E. MAHAIM.
Baron MAYOR DES PLANCHES.
Mr. D. S. MARJORIBANKS (substitute for Sir ALLAN SMITH).
Mr. NAGAOKA.
Mr. J. OUDEGEEST.
Mr. A. PIRELLI.
Mr. H. RÜFENACHT.
Mr. D. SCHINDLER.
Mr. F. SOKAL.
Mr. A. THORBERG (substitute for Mr. LINDQUIST).
Mr. VEDEL.

There were absent :—Mr. F. A. ACLAND and Mr. T. MOORE.

There were also present :—

Mr. ALBERT THOMAS, *Provisional Director of the International Labour Office*.
Mr. H. B. BUTLER, *Secretary-General of the International Labour Conference held at Washington*.

The Chairman, in opening the sitting, spoke as follows :—

“ We are meeting to-day in accordance with the decision which you came to at your Session in Washington, and as we have entered upon the regular course of our work there is, therefore, no necessity for your Chairman to make a formal inaugural speech.

“ But since this Sitting is the first since the ratification of the Treaty of Peace, we may take the opportunity of affirming once more the peaceful character of our work—the harmonising of interests within each nation, and the harmonising of the interests of the different nations of the world. The whole work of the International Labour Organisation is inspired by the noble desire which animates the preamble of its constitution ; to secure, by means of productive and well-organised work, greater happiness and greater unity among all peoples.

“ Whole-heartedly conscious of the magnificent task with which we have been entrusted, let us begin without delay the Agenda of this Session of the Governing Body.”

Those Members who had not already presented their credentials at Washington handed their credentials to the Chairman.

The Chairman stated that he had received a letter from Sir Allan Smith, apologising for the fact that he was forced to be absent.

ITEM 1 OF THE AGENDA.

Constitution of the Governing Body (Membership and appointment of Substitutes).

The Chairman pointed out that the first question to be dealt with was the question of the persons who had the right to be present at the sittings of the Governing Body. In addition to the members of the Governing Body, the Treaty provided for the attendance of the Director of the International Labour Office or his Deputy. Clearly, however,

the attendance of other persons would be necessary, and the Director had certain proposals to make.

The Director suggested that the Secretariat of the Governing Body should be composed for the present of Mr. Phelan, Mr. Pône and Mr. William Martin. He suggested further that Mr. Billot, Mr. Thudichum and Mr. Arnould should attend as interpreters.

These proposals were agreed to.

The Director also drew attention to the fact that Members of the Governing Body who did not speak or understand French or English might wish to bring interpreters with them, and he suggested that this should be permitted, but on the understanding that the Members in question assumed responsibility for such interpreters.

This was agreed to.

The following were admitted on this understanding :—

Mr. SCHRÖDER, who accompanied Mr. VEDEL.

Mr. BACKLUND, who accompanied Mr. THORBERG.

Mr. STEINER, who accompanied Mr. LEGIEN.

Finally, *the Director* drew attention to the general question of principle of admitting to the meetings of the Governing Body a representative of the Secretariat of the League of Nations.

The Chairman pointed out that this question had been considered by the Organising Committee of the Washington Conference which at first decided it in the negative, but such a representative had been admitted to some of the later meetings of the Organising Committee which were held in Washington.

The Director pointed out that there could be no question of the Secretariat of the League having any sort of control over the Governing Body, although there might be certain occasions on which it would be useful to have a member of the Secretariat of the League present, and he suggested that on such occasions it would be for the Governing Body itself to specially authorise the presence of such a representative.

This was agreed to.

In reply to a question from Mr. Mahaim, *the Director* suggested that, although the meetings of the Governing Body were not public, a *communiqué* prepared by the Chairman and the Director should be issued to the press after each Sitting.

The Director then suggested that it should be agreed that Members of the Governing Body might be accompanied by their substitutes, who, however, would not be entitled to speak or vote except in the absence of the Member in question.

After a brief discussion between Mr. Mahaim and Mr. Guérin, this was agreed to on the understanding suggested by the Chairman that the matter would be subsequently dealt with in the Standing Orders.

The Governing Body then proceeded to consider the approval of the Minutes of the two previous Sitzings.

The Director drew attention to an error in the French text in the last line but one of page 2, in which the figure 20 should read 11.

Baron Mayor des Planches pointed out that there was a slight difficulty in so far as all those who had been present at the meetings in Washington were not at the present meeting. He also urged that, as copies of the documents had only been received a few hours before the sitting, and as there had been no opportunity for the representatives of the different Groups to meet, the Sitting should be adjourned to the following morning.

Sir Malcolm Delevingne expressed his sympathy with Baron Mayor des Planches's proposal, but said he was reluctant to lose a whole day, and suggested that they should adjourn immediately and meet again at 3.30 p.m.

The Chairman pointed out that it had not been possible to distribute the documents earlier, as the Members of the Governing Body were travelling and it was not known where documents could be sent to meet them on arrival in Paris.

Mr. Carlier and *Mr. Guérin* made some observations as regards the distribution of the documents.

The Director suggested that in future all Members should notify the Secretariat of the addresses at which they would stay in Paris or wherever the Session of the Governing Body took place. He added that it was not always desirable to distribute the documents too far in advance. In the present case, for example, further information had been obtained within the last few days on seamen's questions, which had necessitated important changes in the report presented on this question.

After a brief discussion on the suggestions of Baron Mayor des Planches and Sir Malcolm Delevingne as regards the time of the next Sitting, it was decided to meet again at 10 a.m. on the 27th January.

[*The Governing Body adjourned at noon.*]

ARTHUR FONTAINE.

MINUTES OF THE SECOND SITTING.

The 27th January, 1920, 10 a.m.

The Second Sitting of the Second Session of the Governing Body of the International Labour Office took place at 10 a.m., on the 27th January, 1920, at the Annexe of the *Ministère des Affaires Etrangères*, 3 rue François 1^{er}, Paris.

The following Members were present :—

Mr. ARTHUR FONTAINE (*in the Chair*).
 Mr. DE ALVEAR.
 Mr. G. H. STUART BUNNING.
 Mr. J. CARLIER.
 Sir MALCOLM DELEIVINGNE.
 Viscount DE EZA.
 Mr. L. GUÉRIN.
 Mr. F. HODACZ.
 Mr. L. JOUHAUX.
 Mr. K. LEGIEN.
 Dr. LEYMAN.
 Mr. E. MAHAIM.
 Baron MAYOR DES PLANCHES.
 Mr. NAGAOKA.
 Mr. J. OUDEGEEST.
 Mr. A. PIRELLI.
 Mr. H. RUFENACHT.
 Mr. D. SCHINDLER.
 Mr. F. SOKAL.
 Mr. A. THORBERG (substitute for Mr. LINDQUIST).
 Dr. VEDEL.

There were absent :—Mr. ACLAND, Mr. MARJORIBANKS and Mr. T. MOORE.

There were also present :—

Mr. ALBERT THOMAS, *Director of the International Labour Office*.
 Mr. H. B. BUTLER, *Secretary-General of the Washington Conference*.
 Mr. PHELAN,
 Mr. PÔNE,
 Mr. WILLIAM MARTIN, } *Secretariat*.

Mr. PEDRO SANGRO, accompanying Viscount DE EZA.
 Mr. DI PALMA CASTIGLIONE, accompanying Baron MAYOR DES PLANCHES.
 Mr. BACKLUND, accompanying Mr. THORBERG.
 Mr. STEINER, accompanying Mr. LEGIEN.

The Chairman read a telegram from Mr. Acland, the representative of Canada, which stated that he and Mr. Moore had been delayed on their voyage, but hoped to arrive on Thursday.

ITEM 2 OF THE AGENDA.

Confirmation of the Minutes of the Two Sitzings of the First Session.

The Chairman stated that the first business was the approval of the Minutes of the two Sitzings of the First Session.

Mr. Guérin drew attention to the third paragraph on page 3 of the Minutes of the first Sitting, which, he stated, had not accurately reproduced the statements made by Mr. Jouhaux. He also pointed out that immediately after Mr. Jouhaux's speech he himself had intervened with the suggestion that, as a compromise, the election of the Director should be made on a provisional basis.

After a short discussion, in which *the Chairman, Mr. Jouhaux and Mr. Guérin* described the exact course of events at the Washington Sitting, it was decided that there should be inserted in the Minutes of the first Sitting a summary of the speech of Mr. Jouhaux, which should be approved by himself, and a reference to the intervention of Mr. Guérin.

With these alterations the Minutes of the first Sitting were adopted.

The Minutes of the second Sitting were adopted without alteration.

The Director suggested that in view of the questions which had been raised as to the accuracy of the Minutes of the first two Sittings it might be desirable in future that stenographic notes should be taken of the proceedings. They would not be printed and circulated, but would be available in order to ensure the accuracy of the Minutes.

This was agreed to.

ITEM 3 OF THE AGENDA.

Measures necessary to give effect to the Decisions of the Washington Conference.

The Director drew attention to the circumstances which he had dealt with in the Memorandum already distributed. (See Appendix II.)

Mr. Guérin, in his own name and in the name of French Employers, made the following declaration, which he asked should be inserted in the Minutes :—

“The Washington Conference assembled before the ratification of the Treaty of Peace and before the League of Nations, of which it forms a part, was constituted ; nevertheless, the Employers are not of opinion that the question should be considered from the legal point of view as to whether the Conference had authority to delegate to the Governing Body of the International Labour Office its powers as regards carrying into effect (at a suitable time) the Recommendations drawn up and the Conventions provisionally concluded at Washington. The French Employers do not wish to obstruct the Resolutions adopted, and, in order to cause no delay, the Employers will raise no objections on this matter. On the other hand, they wish to make the following reservations and observations :

“1. They wish to draw attention to the fact that from the time when the text of the French Bill was first under discussion, all French Employers and Workers declared that production must be maintained and even increased, but up to the present time and to an increasing extent it has been clear that production has diminished in almost all industries in proportion to the diminution of hours of work.

“2. That transitional stages should be established so as to enable manufacturers to adapt their systems of production to the new conditions. On the contrary, a sudden change from ten to eight hours has been made. This too hasty change involves the country in great difficulties and threatens the whole of society with an unexpected peril. The Employers, although they acquiesce in the transmission of the text of Resolutions adopted at Washington to the Governments, would draw their attention to the above considerations, and, in conformity with the attitude they have adopted from the beginning, they assume no responsibility for the consequences which may result from the inopportune and too hasty application of the reform in question.

“Having said so much, the Employers have no intention of re-opening the discussion on the Draft Convention on the forty-eight-hours week, which was studied and discussed at Washington as thoroughly and as fully as could be desired.

“As regards the rest of the Recommendations and Conventions, they were discussed too hastily. The votes were so obscure and contradictory that the Employers cannot leave unmentioned the fact that this part of the Conference, which was too overburdened and imperfectly followed, needs to be very carefully reconsidered by each Government concerned. Moreover, at the meeting itself the Employers drew up a resolution demanding that a certain number of these questions should be referred to a subsequent meeting for more thorough consideration, the rights and responsibilities of each Parliament, of course, remaining unaffected by the adoption of this procedure.”

Mr. Pirelli summarised the main arguments of *Mr. Guérin's* speech in English and stated that he was in entire agreement with him.

Mr. Carlier stated that he had received a letter from *Mr. Marjoribanks*, who was ill in bed and who was afraid that he would not be able to attend either to-day or to-morrow. He then continued as follows :—

“*Mr. Guérin* has just expressed the point of view of the French Employers whom he represents. So far as we are concerned and without wishing any more than he did to deal with the legal side of the question which has been submitted to us, nor above all to delay the work begun at Washington, we support the proposal to declare that the first Conference is closed, and that accordingly the decisions arrived at by it are subject to the provisions of Article 405 of the Treaty of Versailles which has now come into force.

“But we desire also to draw attention to the formal reservations which were made in the name of those of us who were present at the time on the subject of certain of these decisions, which, moreover, were only adopted after somewhat confused discussions and votes at the end of the Session at Sittings at which it was doubtful whether the required quorum was present.”

Mr. Mahaim wished to state that the solution proposed by the Director and supported by the opinion of the legal advisers of the League of Nations, appeared to him to be correct and ingenious. The ratification of the Treaty implied the ratification of the Acts which had been carried out beforehand in conformity with it. Since at Washington every care was taken to comply rigorously with all the provisions of the Treaty, the exchange of ratifications had the effect of regularising the decisions taken. *Mr. Mahaim* also pointed out that the question did not only arise as regards the Washington Conference, but many of the provisions of the Treaty relating to other matters had also been carried out beforehand, and in a provisional way, and these must also be now considered as fully valid.

Mr. Jouhaux said: "We are in agreement with the proposal made by *Mr. Albert Thomas* that the Washington Conference should be declared closed.

"I merely wish to raise certain points on the declaration of *Mr. Guérin* on the subject of bringing the decisions of the Washington Conference into operation. It does not appear to us possible in any case that the validity of the decisions of the Conference can be debated. It will be the business of the Parliaments of the different countries to make reservations if they wish. I regret, moreover, that such reservations should be possible, and I take this opportunity of repeating the wish already expressed to the Labour Commission at Paris last year, namely, that International Labour Conventions should have the direct, real and effective force of law without awaiting the ratifications of the different Parliaments, thus constituting a real code of international legislation.

"We think it well to repeat our declaration that for the International Labour Office to be effective it ought to direct its efforts towards the realisation of genuine international legislation and the establishment of legal international principles which will be compulsory instead of optional. We have reached a stage at which the unrest now prevalent among all peoples can only be removed by new and progressive measures."

Baron Mayor des Planches wished to recall that the ideas expressed by *Mr. Jouhaux* were those which had been defended by the Italian Delegation at the Labour Commission. They were of opinion that national, political assemblies were not so well qualified to deal with labour questions as an international meeting of specialists, and they expressed the wish that the Conference should be a sort of super-Parliament.

Mr. Guérin inquired whether these opinions were the opinions of the Italian Government or the personal opinions of *Baron Mayor des Planches*.

Baron Mayor des Planches replied that they were his personal opinions.

Viscount de Eza reminded the meeting that the question before them was whether the Washington Conference was to be considered as closed or not.

Mr. Rüfenacht said: "The Representative of the Swiss Government was instructed to submit to the favourable consideration of the Governing Body the question of whether it would not be practicable to reconvene the Washington Conference, which had only adjourned, so that that Conference itself might bring its decisions of the 28th and 29th November into operation. This procedure would have made it possible to introduce, on a second reading, certain modifications which might be desirable and which seem specially necessary to the Swiss Government in order to enable the Swiss people to ratify the Draft Conventions. It was, therefore, with the object of securing the adherence of Switzerland to the measures adopted at Washington that I would have wished to make it possible to amend those measures, though only in detail and without altering their principles. But in the interviews which I have had the honour to have with persons specially competent to judge, I have gained the impression that our suggestion might be regarded as an obstacle in the way of the general application of the decisions of the Conference and of the continuation of the work of the Labour Organisation. Since it was by no means the intention of my Government to bring about this result, I desire to avoid even appearing to compromise the work which we did together, and, in consequence, I do not wish to insist upon my Government's idea. My Government will be able to abandon this idea all the more easily in view of the fact that authorised persons on the Governing Body and belonging to the Office have explained to me that the interpretation of the Conventions themselves is capable of removing the difficulties felt as regards their application, and that these persons have shown me a means by which they may be revised, if necessary, other than that to which I intended to draw your attention. I think, therefore, that I need not read my report, and I will content myself with merely formulating a general reservation in the event of the ratification of certain points of detail in the Washington decisions meeting with opposition on the part of certain classes of the population in view of our democratic institutions, a reservation which I hope will ultimately be found to be superfluous."

Finally, the question of declaring the Washington Conference closed, in conformity with the conclusions of the Director's memorandum, was put to the vote and carried unanimously.

ITEM 4 OF THE AGENDA.

Appointment of the Director.

Mr. Albert Thomas withdrew.

Sir Malcolm Delevingne said that since the meeting in Washington he had had the opportunity of making the acquaintance of Mr. Albert Thomas, and he had formed the highest opinion of him. He was satisfied that Mr. Albert Thomas possessed all the qualifications which were desirable, and he felt sure that in appointing him the Governing Body would make an excellent choice. He, therefore, proposed that his provisional appointment should be made definite. He urged that the election should be unanimous and that the Director should be appointed by acclamation.

Mr. Guérin thanked *Sir Malcolm* for his support of the candidate originally put forward by *Mr. Jouhaux* and himself.

No secret ballot having been asked for, the election of Mr. Albert Thomas as permanent Director was put to the vote and was carried unanimously with acclamation.

Mr. Albert Thomas was sent for, was informed of his election and congratulated by the Chairman.

In briefly expressing his thanks he emphasised his faith in the idea of a League of Nations, and stated that the knowledge that he possessed, after their unanimous choice, the full confidence of the Governing Body would be of the greatest assistance to him in the heavy and delicate task which he was to undertake.

ITEMS 5 and 6 OF THE AGENDA.

The Organisation of the International Labour Office ; the Budget.

The Director explained briefly the scheme which he had put forward in his Memorandum. He proposed the formation of three Departments of action, which would deal with :—

- (a) The work of preparation for, holding of and following up the work of the Conferences.
- (b) The Bulletin and the collection and distribution of information.
- (c) Propaganda and *liaison* with industrial organizations.

To secure that these Departments should proceed with the assistance of all the necessary expert knowledge, he also proposed the creation of a series of Technical Sections. He explained the considerations by which he had been guided. In accordance with the Resolutions of the Washington Conference, he had conceived the Office not as a purely administrative machine, but as an organisation capable of carrying out as rapidly as possible the tasks entrusted to it by the Peace Treaty. He pointed out that the same considerations would apply in the progressive development of the Office ; the sections would only be created as they became indispensable, and he asked the Governing Body to approve of the main outlines of this scheme.

Mr. Guérin stated that the proposal was a complicated one ; that it would be impossible to arrive at a decision on it at the present meeting. He suggested that they should deal only with questions which required immediate solution, and on those he was ready to proceed to an immediate decision.

Mr. Jouhaux said that on a first examination, the scheme appeared to provide for too many water-tight compartments. He was of opinion that responsibility should not be dissipated, and that the scheme was too complicated. He suggested that the Office should be organised in two great divisions :—

- (1) An internal division, which would comprise all the technical information and inquiry work, and
- (2) An external division, which would maintain a *liaison* with the Governments and the organisations.

Each of these divisions could be divided into four sections—industry, commerce, transport (including seamen) and agriculture.

He suggested that it might be desirable to begin with a general discussion and to obtain explanation on points of detail later.

Baron Mayor des Planches said that before beginning the discussion, which would doubtless be long, he would like to make a proposal. He quoted from the concluding paragraphs of the Director's Memorandum on the organisation of the Office, and drew attention to the Director's contemplation of the establishment of the English system

involving the appointment of a Deputy-Director. Baron Mayor des Planches said he thought they might approve this principle, and he, therefore, proposed the following resolution :

“RESOLVED that a Deputy-Director be appointed who, under the orders of the Director, will assist him in carrying on the work of the Office, will see that his directions are duly carried out by the Departments and Sections, and will, to that end, supervise generally the work of the Staff.”

Mr. Pirelli proposed that a Committee of three should be appointed to examine the Director's proposals and the resolution of Baron Mayor des Planches.

This proposal was supported by *Mr. Jouhaux* who expressed some apprehension lest the appointment of a Deputy-Director should lessen the responsibility of the Director.

Baron Mayor des Planches explained that he had not proposed the appointment of any person. The Deputy-Director would be appointed by the Director and would be under his orders.

Mr. Guérin stated that the Employers' Group agreed with *Mr. Jouhaux's* point of view and thought that the question of such appointment should be left to the Director.

Some discussion then took place on the text of the Treaty, in the English text of which in Article 394 the words “The Director or his deputy” occur.

Mr. Guérin again emphasised the desirability of allowing the Director to choose his own staff.

Baron Mayor des Planches said that he understood that the Director was in agreement with him.

The Director stated that he appreciated the difficulty of dealing with the somewhat voluminous documents which had been placed before them, but he hoped that it would be possible for them to arrive at an approval of the general lines of the organisation. He was of opinion that, at all events, the early stages of the organisation would largely be carried out on the principles suggested by *Mr. Jouhaux*. As regards the criticism which had been made, he wished to point out that in a big administration the division into sections centralised responsibility rather than dissipated it. He was willing to accept the proposal of *Mr. Pirelli*, provided that the suggested Committee would consider both the question of organisation and the estimates. He had been consulted by the Government Delegates on the previous day as regards the question of the Deputy-Director and had agreed with the proposal put forward by Baron Mayor des Planches. It was, however, clearly understood that the Deputy-Director would have no responsibility independent of that confided to the Director, and would be exclusively under his orders. He thought that the proposed Committee might also examine this question.

Mr. Guérin suggested that, as the Committee was also to examine the Estimates, it should consist of two representatives of each Group.

Sir Malcolm Delevingne observed that he was not opposed to the idea of a Committee, but it would take time. The most that could be done at the present Sitting, he thought, was to approve the general lines of the organisation. He was of the opinion that there was no real difference of principle between the Director and *Mr. Jouhaux*, and suggested that they should agree on the general basis of the organisation at present, and that subsequent developments would be a matter to be considered at future meetings, where they would be brought up by the Director from time to time as the necessity might arise.

Mr. Guérin said that he was anxious to get on as quickly as possible, but that it was impossible to deal with the mass of detail which had been put before them. He proposed that they should give the Director anything he required for the immediate work of the Office, including, if he so desired, a Deputy-Director to assist him.

The Chairman proposed that they should deal with the Estimates and the general lines of the organisation, and leave the Director's Memorandum to be considered by a Committee which would report at the next Session.

Sir Malcolm Delevingne, *Mr. Pirelli* and *Mr. Jouhaux* accepted this proposal.

Mr. Jouhaux raised the question of the payment of the Workers' representatives, and drew attention to the fact that the Delegates of the Workers were not appointed by their Governments, but were elected at the International Conference, and should, therefore, he thought, be paid by the International Labour Office and not by their particular Governments.

Sir Malcolm Delevingne pointed out that what *Mr. Jouhaux* had proposed was what was provided in the Treaty. Article 393 placed the twelve persons representing the Governments on the Governing Body in a special category. Article 399 stated that

"each of the Members will pay the travelling and subsistence expenses of Delegates and their advisers and its *Representatives* attending the meetings of the Conference or the Governing Body, as the case may be. All the other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid to the Director by the Secretary-General of the League of Nations out of the general funds of the League." As the Employers' and Workers' Members of the Governing Body were not referred to as representatives in Article 393, it clearly followed their expenses were to be paid out of the fund of the International Labour Office.

Mr. Jouhaux raised the question as to whether this would also apply to the payment of the substitutes of these members.

Some further discussion took place on this point, and it was generally agreed that Sir Malcolm Delevingne's interpretation of the Treaty was correct. It was understood that it would also apply in the case of substitutes.

The Chairman proposed the appointment of two committees, one Committee which would report to the next Session on the scheme of organisation, and the other a Committee which would consider the Estimates and report immediately.

This was agreed to.

[*The Governing Body adjourned at 12.40 p.m., having decided to meet at 3 p.m.*]

ARTHUR FONTAINE.

MINUTES OF THE THIRD SITTING.

The 27th January, 1920, 3 p.m.

The Third Sitting of the Second Session of the Governing Body of the International Labour Office took place at the Annexe of the *Ministère des Affaires Étrangères*, 3 p.m., on the 27th January, 1920, at 3 rue François 1^{er}, Paris.

The following Members were present :—

MR. ARTHUR FONTAINE (*in the Chair*).
 MR. DE ALVEAR.
 MR. G. H. STUART BUNNING.
 MR. J. CARLIER.
 SIR MALCOLM DELEVINGNE.
 VISCOUNT DE EZA.
 MR. GOINEAU (substitute for Mr. GUÉRIN).
 MR. F. HODACZ.
 MR. L. JOUHAUX.
 MR. K. LEGIEN.
 DR. LEYMAN.
 MR. E. MAHAIM.
 BARON MAYOR DES PLANCHES.
 MR. NAGAOKA.
 MR. J. OUDEGEEST.
 MR. A. PIRELLI.
 MR. H. RÜFENACHT.
 MR. D. SCHINDLER.
 MR. F. SOKAL.
 MR. A. THORBERG (substitute for Mr. LINDQUIST).
 MR. VEDEL.

There were absent :—

MR. ACLAND, MR. MARJORIBANKS and MR. T. MOORE.

There were also present :—

MR. ALBERT THOMAS, *Director of the International Labour Office*.

MR. BUTLER, *Secretary-General of the Washington Conference*.

MR. PHELAN,
 MR. PÔNE,
 MR. WILLIAM MARTIN, } *Secretariat*.

MR. PEDRO SANGRO, accompanying Viscount DE EZA.

MR. DI PALMA CASTIGLIONE, accompanying Baron MAYOR DES PLANCHES.

MR. BACKLUND, accompanying Mr. THORBERG.

MR. STEINER, accompanying Mr. LEGIEN.

The Chairman pointed out that there were two Committees to be appointed, one to examine the Estimates and report immediately, and the other to examine the question of the organisation of the Office and to report at the next Session.

The Employers' Group said that they had chosen Mr. Carlier to represent them on the Finance Committee and Mr. Guérin and Mr. Hodacz to represent them on the Committee on Organisation.

The Workers' Group stated that Mr. Jouhaux would represent them on the Finance Committee and Mr. Jouhaux and Mr. Oudegeest on the Organisation Committee.

The Chairman stated that the Government Representatives on these Committees had not yet been chosen, but that they would be nominated at the end of the present Sitting. He suggested that the Finance Committee should meet on the morning of the 28th.

The Director suggested that the question of the Standing Orders of the Governing Body might be referred to the Committee on Organisation.

This was agreed to.

Mr. Carlier stated that, as he was leaving Paris that evening, he would be unable to sit on the Finance Committee and accordingly the Employers would be represented by Mr. Guérin.

ITEM 7 OF THE AGENDA.

Date, Place and Agenda of the Seamen's Conference.

The Director explained that two documents had been distributed, the second of which was a summary of the resolutions adopted by the Seamen's Trade Union Conference at Antwerp.

As regards the date, he pointed out the desirability of holding the meeting as soon as possible, but that they were bound by the requirement of the Treaty of Peace to the effect that the Agenda must be sent out so as to reach the Members at least four months before the meeting of the Conference. He suggested that a suitable date would be June 15th.

Mr. Jouhaux stated that he agreed with the suggested date, but drew attention to the phrase "organisations légale" in one of the documents circulated and stated that he wanted it to be clearly understood that the Seamen's Conference would be held on the same footing as regards membership as the Washington Conference, and that the organisations represented should be those which were "most representative."

The Director pointed out that they were bound by the Treaty, and not by the Antwerp Resolutions, in which the phrase quoted by Mr. Jouhaux occurred.

The date suggested, the 15th June, was adopted.

The Director then dealt with the place at which the Conference should be held, and said that, although the Antwerp Congress had suggested Paris, there would be very great advantages in holding the meeting at the same place as the Office, which would probably be in London.

Baron Mayor des Planches said that the Italian Government would be extremely pleased if the Governing Body should decide to hold the Conference in some Italian port, and would be willing to afford them every facility for carrying on the necessary work.

Mr. Oudegeest emphasised the desirability of holding the meeting at a seaport, and expressed his general acquiescence with the suggestion of Baron Mayor des Planches. If Italy were not thought suitable, he proposed Antwerp.

Mr. Rüfenacht thought that the meeting should be held at the future headquarters of the Office. Although the Swiss adhesion to the League of Nations was not yet formally completed, he hoped, nevertheless, that the seat of the League would shortly be transferred to Geneva, which had already declared itself ready to put at the disposal of the League the necessary accommodation. He proposed that the Office should be provisionally established at Geneva straight away and the Seamen's Conference held there.

The Director said that that was his desire in respect of the General Conference. As regards the Seamen's Conference he thought there were many serious reasons in favour of accepting the proposal of Baron Mayor des Planches. Mr. Havelock Wilson, for instance, had suggested that the Conference should be held at Genoa, Marseilles or some other southern port, and he thought there was a great deal to be said in favour of not associating seamen's questions purely with the northern countries.

Baron Mayor des Planches, in reply to a question, stated that he himself had been Secretary-General to two large Conferences which were held at Venice, and, therefore, he could assure them, from his own experience, that the necessary facilities existed.

Mr. Jouhaux urged his preference for Antwerp, pointing out that seamen of all nationalities traded from it and that it had been the birthplace of the Seamen's Organisation. He agreed with the Director on the importance of linking together the seamen of the north and south.

Mr. Mahaim assured the Governing Body that, if Antwerp were chosen, the Belgian Government would welcome the Conference and would do its utmost to facilitate its work.

Mr. Oudegeest thought that, although the attractions of Venice were considerable, Genoa would be the more suitable place.

A vote was taken on the question as to whether the Seamen's Conference should be held at Genoa, and the proposal was carried by 16 votes against 3.

The Director then dealt with the proposals for the Agenda of the Seamen's Conference.

In the first place, there was the question of hours which arose directly out of the decisions of the Washington Conference, and which necessitated dealing with the subsidiary questions of manning and accommodation.

Secondly, the English seamen had been anxious that the question of a minimum wage should be dealt with. Under present conditions there was, however, the insurmountable difficulty of the abnormal condition of the rates of exchange all over the world, and accordingly the Seamen's Congress at Antwerp had given up this idea. Something, however, could be done, and he suggested that the Conference might be asked to deal with conditions and methods of engagement.

In the third place, he suggested that the Conference might also deal with the question of the employment of children under the age of 14 years.

As regards pilotage, free board, wireless telegraphy, etc., the seamen would be satisfied with a resolution to the effect that these should be dealt with at a subsequent Conference.

Considerable discussion took place as to the exact meaning to be attached to the second of these items, and various members expressed the opinion that it would be impossible to deal with the conditions of employment without dealing with the question of wages.

Mr. Jouhaux in particular urged that, although the Governing Body could not go further than the seamen's own demands for fear of hurting their interests, nevertheless they should attempt so to frame the Agenda as to leave it open to the Conference to deal with wider issues, especially if the seamen's associations which were not represented at Antwerp should be in favour of such a course being followed.

The Chairman drew attention to the insuperable difficulty of the present abnormal rates of exchange, and quoted the prevailing rates.

Mr. Jouhaux said he was aware of the difficulty, but he was afraid that, if the Conference dealt with the application of the eight hours day and the forty-eight hours week without taking into account the question of wages, the results might be the opposite of what they desired.

Mr. Goineau said that the Governing Body had had before it the views of the organised maritime Workers, but he wished to enquire whether the Director had obtained the views of the Employers, and, if so, if he would communicate them to the meeting.

The Director pointed out that two documents had been circulated, one summarising the resolutions adopted by the Seamen's Conference at Antwerp, the other a Memorandum based on consultation both with Employers' and Seamen's organisations.

The Chairman pointed out that the principle of the eight hours day for seamen had been already adopted in France, and had been brought up at Washington on the demand of the French Joint Committee of Employers and Seamen. The Employers on the Governing Body had, therefore, been aware that the question would have to be dealt with and should not plead that they were not prepared.

Mr. Oudegeest suggested that the Agenda should consist of only two points—

1. the application of the eight hours day and forty-eight hours week;
2. the possibility of international legislation for seamen.

Mr. Mahaim urged that their experience at Washington had shown that only an agenda divided into items could produce results, and suggested that, if the Agenda of the Seamen's Conference were too general, the Conference would probably be ineffective.

Mr. Jouhaux drew attention to the desire of the American Seamen's Organisation, led by Mr. Furuseth, to secure that the seamen of all countries should have the same privilege as the American seamen of leaving their ships when in port. He understood that the French and English seamen approved this proposal, and he thought it should be dealt with.

The Director pointed out that he was fully in agreement with Mr. Jouhaux' proposal of securing for the seamen as complete liberty as possible, but he was afraid that the proposal in question might carry them too far. Moreover, it raised many very difficult points. America was building a huge mercantile marine, for which she would require seamen, and no doubt it would be questioned in many quarters whether the American proposal was wholly disinterested. Above all, he apprehended the opposition of certain States, who might consider that their sovereign rights were involved, and, in this connection, he feared a rebuff to the Conference. He suggested that the Agenda should consist of the following three items :—

1. Conditions of application of the Conventions on the eight hours day and the forty-eight hours week, with the necessary adjustments as regards manning and accommodation.
2. The control of the conditions of engagement of sailors, and the application of the Conventions on unemployment and unemployment insurance.
3. The application of the Convention dealing with the prohibition of the employment of children under 14 years.

Mr. Oudegeest again urged that the question of the possibility of international legislation for seamen should be placed on the Agenda.

Sir Malcolm Delevingne pointed out that the discussion would appear to show that the Governing Body was in favour of limiting the Agenda to well-defined questions.

Mr. Jouhaux regretted that he must persist in his proposal, as too much importance could not be attached to the fundamental questions of the seamen's liberty which was involved.

Mr. Stuart Bunning supported the proposal of Mr. Oudegeest on the ground that the Seamen's Conference would be the first Conference at which all parties—Employers, Seamen and Governments—would be represented. Therefore, he argued that the Agenda should be as simple and general as possible, and that the question of the desirability of dealing with the American proposal should be decided by the Seamen's Conference itself.

The Director pointed out that under the Treaty the Seamen's Conference must deal with an Agenda designed with the object of having as a result a series of draft conventions or recommendations; therefore it should start with a definite Agenda, and he was afraid that, if it did not, no practical, definite results would be achieved.

After some further discussion, *the Chairman* pointed out that as regards the application of the eight hours day and the forty-eight hours week no decision was needed as this was a necessary consequence of the Washington Conference.

The first item of the Agenda would therefore be as follows :—

"Application to seamen of the Convention adopted at Washington last November, limiting the hours of work in all industrial undertakings, including transport by sea, and transport by inland waterways, to eight hours in the day and forty-eight hours in the week."

"Effect of the above on the manning of vessels and in the application of the maritime regulations relating to accommodation and hygiene."

He then put to the vote the question that the second item of the Agenda should be :—

"Supervision of Articles of Agreement. Provision of facilities for finding employment for seamen. Application to seamen of the Convention and Recommendations adopted at Washington in November last in regard to unemployment and unemployment insurance."

This was adopted.

He then put to the vote the question that the third item of the Agenda should be :—

"Application to seamen of the Convention adopted at Washington prohibiting the employment of children under 14 years of age."

This was adopted.

He next put to the vote the question of adding as a fourth item the proposal of Mr. Oudegeest, viz. : "Consideration of the possibility of drawing up an international seamen's code."

This was carried by 14 votes against 7.

Mr. Pirelli explained that the Employers had abstained from voting on the second item because they were not clear as to its significance. They had, however, voted in favour of Mr. Oudegeest's proposal (item 4), because of its general character.

The Chairman also explained that the abstention from voting of certain members of the Government Group must not be interpreted as meaning that they were opposed to Mr. Oudegeest's suggestion, but that they considered that the first Seamen's Conference should itself suggest the questions for future Conferences.

Mr. Goineau asked for assurance that the Conference would be held as regards membership, &c., in the form provided for the General Conferences under the Treaty.

The Chairman assured him that that course must be followed.

Mr. Carlier, having to leave after the Sitting, asked where the next Session of the Governing Body would be held.

The Chairman replied that the Director, in view of the heavy and urgent work which would fall upon the Office in the immediate future, desired that the next Session should take place wherever the Office was set up. He proposed that the next meeting should take place in two months' time in London, or at Geneva if the Office had been transferred to Geneva by that time. The Director suggested that the date should be the 22nd March.

This proposal was adopted.

ITEM 8 OF THE AGENDA.

Date, Place and Agenda of the next General Conference.

The Director urged that it should take place as late as possible, say in November or December, and he hoped in Geneva.

Mr. Oudegeest suggested that it should be postponed to the spring of 1921 when action on the Washington Conventions would have begun to be taken.

The Director pointed out that the legal advisers of the League were of opinion that the Seamen's Conference would count as an ordinary Conference, and would, therefore, fulfil the obligation of holding a Conference during 1920.

Baron Mayor des Planches and *Mr. Sokal* thought it was dangerous, in view of the rapidly changing situation in all countries, to postpone the Conference to 1921.

Mr. Hodacz supported the proposal of Mr. Oudegeest, and thought that, if the Conference was to be really effective, further time must be left for the completion of the necessary preliminary work.

Viscount de Eza supported Baron Mayor des Planches and Mr. Sokal. He thought that in order that there should be no doubt about fulfilling the obligations of the Treaty a Conference should be held with, however, a very limited Agenda.

Mr. Carlier pointed out that, now that the Governing Body and the International Labour Organisation were permanently set up, there was not the same urgency as regards the Conference. He urged, however, that they should come to an immediate decision.

Mr. Hodacz pointed out that the Washington Conference had only been formally closed by their decision that morning, and that therefore there was no obligation to hold a further Conference in 1920.

Finally, a vote was taken, and it was decided by 12 votes to 6 to hold the Conference in the spring of 1921.

Baron Mayor des Planches asked that it should be inserted in the Minutes that this decision was the result of a proposal made by the Workers and supported by the Employers.

[*The Governing Body adjourned at 5.30 p.m. till 3 p.m. on the following day.*]

ARTHUR FONTAINE.

MINUTES OF THE FOURTH SITTING.

The 28th January, 1920, 3 p.m.

The Fourth Sitting of the Second Session of the Governing Body of the International Labour Office took place at the Annexe of the *Ministère des Affaires Etrangères*, 3 p.m., on the 28th January, 1920, at 3 rue François 1^{er}, Paris.

The following Members were present :—

Mr. ARTHUR FONTAINE (*in the Chair*).
 Mr. DE ALVEAR.
 Mr. G. H. STUART BUNNING.
 Sir MALCOLM DELEIVINGNE.
 Viscount DE EZA.
 Mr. GOINEAU (substitute for Mr. GUÉRIN).
 Mr. F. HODACZ.
 Mr. L. JOUHAUX.
 Mr. K. LEGIEN.
 Dr. LEYMAN.
 Mr. E. MAHAIM.
 Baron MAYOR DES PLANCHES.
 Mr. NAGAOKA.
 Mr. J. OUDEGEEST.
 Mr. A. PIRELLI.
 Mr. H. RÜFENACHT.
 Mr. D. SCHINDLER.
 Mr. F. SOKAL.
 Mr. A. THORBERG (substitute for Mr. LINDQUIST).
 Mr. VEDEL.

There were absent :—

Mr. ACLAND, Mr. CARLIER, Mr. MARJORIBANKS and Mr. T. MOORE.

There were also present :—

Mr. ALBERT THOMAS, *Director of the International Labour Office*.

Mr. BUTLER, *Secretary-General of the Washington Conference*.

Mr. PHELAN,
 Mr. PÔNE,
 Mr. WILLIAM MARTIN, } *Secretariat.*

Mr. PEDRO SANGRO, accompanying Viscount DE EZA.

Mr. DI PALMA CASTIGLIONE, accompanying Baron MAYOR DES PLANCHES.

Mr. BACKLUND, accompanying Mr. THORBERG.

Mr. STEINER, accompanying Mr. LEGIEN.

The Chairman read the following letter from the French Minister of Labour :—

SIR,

PARIS, *The 26th January, 1920.*

I would have been most anxious to greet personally, in the name of the French Government, the distinguished members who have been chosen by the Governments, the Employers and the Workers of the whole world to constitute the Governing Body of the International Labour Office.

A sudden indisposition has deprived me of this honour and pleasure.

I should be very grateful if you would express to the Members of the Governing Body my deep regret, and assure them of the great interest with which the French Government will follow their work, inspired as it is by the spirit of equity and humanity as well as by the desire to secure a lasting world peace founded on the basis of social justice.

With the assurance of my highest consideration,

(Signed) JOURDAIN.

Mr. Mahaim asked the Chairman to convey to the Minister the appreciation of the Governing Body.

The Chairman also communicated to the meeting a letter which had been received suggesting the use of an international language.

ITEM 8 OF THE AGENDA. (*Continued*).*Date, Place and Agenda of the next General Conference.*

The discussion on Item 8 of the Agenda was resumed.

The Director pointed out that it was desirable that decisions on certain points should be taken, and in particular as regards the question of the reform of the constitution of the Governing Body.

Baron Mayor des Planches asked if he referred to the Conference of 1921. If he referred to the Conference to be held in 1920, and if that Conference were a General Conference, there were certain questions of great interest to Italy which he wished to propose should be added to the Agenda.

The Chairman pointed out that the Governing Body had already decided on the Agenda of the 1920 Conference.

Baron Mayor des Planches said he did not understand that that Agenda had been definitely voted, and that the matter was closed.

Mr. Mahaim drew attention to the special character of the 1920 Conference, and to the fact that the Delegates attending it would be specialists on maritime questions, and would not be competent to deal with other questions.

Mr. Hodacz pointed out that they had closed the Washington Conference only the day before, and that, therefore, it was not necessary to hold another Conference in 1920.

Baron Mayor des Planches urged that this was a purely technical argument. Practically speaking, the Washington Conference had been closed on the 29th November of last year and, in his opinion, the workers would not be satisfied with the argument that the Washington Conference had technically taken place in 1920.

The Chairman pointed out that yesterday they had decided to hold the Seamen's Conference in 1920 and the one following in the spring of 1921, and *Mr. Schindler* urged that they should not re-open yesterday's discussion.

Baron Mayor des Planches asked that it should be inserted in the Minutes that, in his opinion, the Washington Conference was completed in 1919, and that he disagreed with the suggestion to hold no further Conference till 1921.

Mr. Jouhaux stated that he was prepared to submit to yesterday's decision. He thought that a postponement to 1921 was desirable, so that the Conference, when it then met, might be a kind of international tribunal which would be able to examine the results of the decisions taken at Washington, and to consider what sanctions should be applied in order to make those decisions effective.

Mr. Mahaim pointed out that the Conventions adopted at Washington could not come into force before July, 1921, and that, therefore, it would be impossible in the Spring of that year for the Conference to examine the way in which they were being applied. He supported the idea of holding the Conference in 1921, but on the ground that more time was necessary for adequate preparation.

Sir Malcolm Delevingne said that he did not entirely agree with *Mr. Mahaim*, and that it would be possible for the Conference at the beginning of 1921 to take some notice of the steps taken by the different Governments under Article 405 of the Treaty.

Mr. Pirelli asked *Baron Mayor des Planches* not to persist in his attitude, as it would suggest that there was a difference in the zeal of various members of the Governing Body. The suggestion to postpone the Conference to 1921 had been put forward by the Workers and supported by the Director and the Employers. Both they and *Baron Mayor des Planches* had the same end in view.

Baron Mayor des Planches said that he did not attach much importance to the choice between the end of 1920 and the beginning of 1921, but he wished to insist that they were not adhering to the spirit of the Treaty. There were certain demands among the Italian workers, and he was very anxious to secure that, in consequence, certain items should be placed on the Agenda.

Mr. Jouhaux thought that the point of greatest importance was that the 1921 Conference would, as pointed out by *Sir Malcolm Delevingne*, be able to examine the steps taken by the different Governments, and would, therefore, have a special importance in the eyes of the Workers who attached a greater importance to the authority which the Conference might secure than to its actual action on points of detail.

Sir Malcolm Delevingne said that he thought there was some confusion about the meaning of the words "General Conference." Article 388 of the Treaty laid down that the permanent Labour Organisation should consist of—

"1. A general Conference of the Representatives of the Members . . ."

This did not mean a Conference which would discuss general questions, but a Conference which was general in the sense that it would consist of representatives of all the Members. The Conference at Washington was a General Conference, but even it did not deal with questions of universal application. For example, it did not deal with shipping, agriculture or commerce. The Seamen's Conference was, therefore, exactly similar in its essential character. If this were not so, he would agree with Baron Mayor des Planches, but he was of opinion that their action was strictly in accordance with the terms of the Treaty.

The Director pointed out that he agreed with *Sir Malcolm Delevingne*, and emphasised the fact that the permanent International Labour Organisation comprised an Office and a General Conference which corresponded to a Parliament and which, therefore, must be considered as a permanent body which would hold its Sessions from time to time, and for the consideration of various matters. If one followed to its logical conclusion the principle embodied in the Treaty, the Delegates even should be considered as permanent with the Advisers as their assistants. But clearly this logical conclusion cannot be adopted in practice now as regards the Seamen's Conference. He attached, also, great importance to the point of view of *Mr. Jouhaux* that the Conference to be held in the spring of 1921 should be able to examine the application of the decisions arrived at in Washington. He understood the point of view of Baron Mayor des Planches and the desire of certain countries to have certain items placed on the Agenda. It was, however, understood that there should be a general exchange of views of the Governing Body in this respect.

Mr. Jouhaux stated that the Workers found the Director's explanation satisfactory, and that it confirmed them in the attitude they had taken on the previous day. The Conference should be considered as the regular, permanent International Labour Parliament, and he hoped that Baron Mayor des Planches would accept this interpretation.

Viscount de Eza thought that they should not waste time on legal subtleties. The practical point was that they had considered the matter on the previous day and come to a decision.

Baron Mayor des Planches stated that, if the 1920 Conference was a General Conference, then the Italian Government was anxious that there should be added to the Agenda the question of giving effect to the decisions of Washington as regards agriculture, and the question of modifying the Articles of the Treaty which laid down the relative representation of the different groups in the Conference. He also drew attention to the fact that resolutions were passed at the Washington Conference suggesting the creation of Commissions to study, for example, the question of emigration, and to report to the 1920 Conference.

Mr. de Alvear stated that he was entirely in agreement with the Director's Memorandum as regards the Agenda for the next Conference, and that the Argentine Government attached great importance to the inclusion therein of the points brought forward by them at Washington.

Viscount de Eza stated that he approved generally the Director's Memorandum, but the subjects mentioned therein to be reported upon by the Office numbered seventeen, and if the Conference had to consider seventeen reports he was afraid that the work would be too heavy. As regards the question of agriculture, he agreed upon the necessity of dealing with it, but pointed out that it involved many considerable difficulties, and there was a danger of its being treated too vaguely. On the other hand, if the Conference dealt with certain questions, it would have to deal with questions closely related to them. For example, it was impossible to separate certain aspects of agriculture from the question of emigration. As regards the question of the eight States of chief industrial importance, he thought that this question should be left to the League of Nations.

The Director explained that it was not his intention that the Office should prepare seventeen separate reports, but a single report which would review the state of all these various subjects and would suggest to the Conference those which were ripe for treatment. In brief, the Office would present a comprehensive report, somewhat similar to the report issued at a meeting of a big company. As regards agriculture, his object would be to examine on what points it would be possible to arrive at Draft Conventions or Recommendations, and to define the limits of such points as accurately as possible. He agreed that the question of the eight States of chief industrial importance should not be

referred to the Conference, but he thought that before the League of Nations gave its decision the Governing Body might consider the matter and might be able to make suggestions.

Mr. Goineau stated that they were all anxious to arrive at practical results, but he asked the Director, in making his enquiries, to keep in touch with the Governments, so that they should know what the Governments were prepared to do.

The Chairman pointed out that the Governments were represented on the Governing Body, and their representatives could speak with authority.

Mr. Goineau replied that it was not always possible to tell when they were speaking in the name of their Governments and when from their personal point of view.

Baron Mayor des Planches explained that, although on the previous day he had given expression to his personal views, he wished to add that the attitude of the Italian Delegation at the Peace Conference had been approved by the Italian Supreme Labour Council, which contained representatives of the Government, the Workers and the Employers.

The Director summarised the discussion and pointed out that the exchange of views which had taken place seemed to indicate that three questions should be dealt with, namely, agriculture, the constitution of the Governing Body, and the question of social insurance.

Mr. Jouhaux said that he thought that the question of representation in the Conference itself should be dealt with.

Mr. Rüfenacht said he wished to emphasise the importance of dealing with social insurance, especially against sickness and accidents.

The Chairman then announced the names of the members of the Committee which it had been decided to set up to deal with the organisation of the Office and with the Standing Orders of the Governing Body :—

Mr. Mahaim.	Mr. Guérin.
Mr. Sokal.	Mr. Hodacz.
Mr. Jouhaux.	Mr. Oudegeest.

The Director stated that the Office would be ready to render the Committee every possible assistance and would provide it with a secretary if it so desired.

The Chairman then stated that the Finance Committee had been composed as follows :—

The Chairman.	Sir Malcolm Delevingne.
Mr. Guérin.	Mr. Jouhaux.

They had met during the morning and had consulted the Director, who had prepared a Report summarising their decisions.

The Director then read the Report of the Finance Committee as follows :—

The Committee is of the opinion that it is not possible to draw up detailed estimates for the year 1920. The whole organisation of the Office, as a matter of fact, according to the decision of the Governing Body, is to be examined by a Committee specially appointed for this purpose by the Governing Body itself, which will report to the next Session.

The Committee is also strongly of the opinion that no sinecure posts should be created. In order that no appointments should be made which are not immediately necessary, the Office should have as its object to fulfil in the most direct and rapid manner the tasks which have been confided to it.

It is on these principles that the following figures are put forward to cover a period of six months :—

1. *Salary of the Director.*—The Governing Body is of opinion that the Director, taking into account the position which he occupies as an international figure, should receive a salary of £3,600 plus £2,400, as “*frais de représentation*,” that is, £6,000.

In accordance with the principle adopted in the organisation of the Secretariat of the League of Nations, the Deputy-Director should receive a salary of £2,600 plus £1,000 as “*frais de représentation*,” that is, £3,600.

In view of the journeys which he will be called upon to take, the Chairman of the Governing Body should also have “*frais de représentation*” amounting to £1,000.

This amounts for six months to £5,300

2. As a result of the decision of the Governing Body as regards the expenses of the representatives of the Workers and the Employers on the Governing Body and of their substitutes, it will be necessary to provide an annual sum in round figures of £10,000.

Hence for six months £5,000

3. In accordance with the principles adopted by the Finance Committee, the Director will not create before the next Session a definite organisation. He will provide for the fulfilment of the tasks which have been entrusted to him in whatever way seems to him to be the most appropriate.

He wishes to have attached to himself four or five competent and thoroughly qualified persons who will be capable of dealing with all the work of *liaison*, propaganda, diffusion of information as regards the work of the Office, &c. His secretariat, thus reinforced, will replace the political department and will suffice to deal with emergencies.

In view of the present circumstances and the relations with certain other important bodies such as the portion of the staff of the League of Nations which is here, the Director asks in addition to have one or two persons located in Paris.

This represents a total expenditure, including the subordinate staff (assistants, stenographers, &c.), which we estimate for six months at.. £7,000

4. It is necessary to estimate for the work of translation for six months about £3,000

5. £1,000 must also be estimated for the staff which will deal with questions of finance, establishment and *matériel* (rent, purchase of furniture, &c.) £1,000

6. All the work of correspondence with the Governments in connection with the application of the Conventions and with the material preparation for the Conferences, &c., would seem to necessitate a total sum during the forthcoming six months of £4,750

7. The Office must further take in hand immediately the preparation of certain memoranda which are in the nature of scientific research.

The question of International Legislation as regards seamen is extremely complicated. It would appear that a certain number of competent persons should be engaged on this work immediately, and also on the subjects which may be expected to figure on the Agenda of the next General Conference.

For all of this work we estimate a round sum of £5,000

8. Finally, two men qualified to undertake, without assistance, the work of preparing and editing the Periodical Bulletin provided for in the Treaty of Peace.

This will require for a period of six months the sum of £1,500, to which must be added for the first issues, in three languages, a sum of £5,000, giving accordingly as a total £6,500

9. The expenses of a material character (rent, light, coal, repairs, &c.) may be taken for six months as £3,000

10. Stationery; preliminary purchase of books or subscriptions for publications, which may be indispensable for the immediate work (without attempting to secure immediately a complete, methodical collection, although this is one of the tasks of the Office), may be estimated as £3,000

11. Expenses for postage, telegrams, telephones £1,000

12. £2,000 may be added for sundries and emergency £2,000

We thus arrive at a total of £46,550

The Committee is of opinion that with this sum, which in round figures may be taken as £50,000, the Office would be able to undertake during six months the first tasks which have been confided to it.

It is only for the second six months after the organisation of the Office has been definitely decided, and after having taken into account the experience of the first six months, that we shall be able to arrive at a normal annual estimate.

Two questions remain to be considered.

£10,000, as has been pointed out, have been placed at the disposal of the Office to provide for its needs up to the 31st March, not including the salary of the Director and of the Deputy-Director or the *frais de représentation* of the Chairman. The points to be settled are :—

- (1) The question of the date from which the Director and the Deputy-Director shall be paid.

Your Committee proposes that these salaries should be paid from the 1st January, 1920.

- (2) Out of what funds ?

If the £10,000 provided for the Office prove, as is probable, insufficient up to the 31st March, taking into account that staff will have to be engaged for work which is immediately urgent, an immediate request should be made to the League of Nations for a supplementary amount.

The Director asks that he should be authorised by the Governing Body to ask the Secretary-General of the League to make available to him the sums approved by the resolutions of the Governing Body.

Mr. Sokal pointed out that he wished to submit later a motion for a Commission of Enquiry. No provision appeared to have been made in the Budget for expenses of this kind, and, as other Commissions would no doubt be set up, he therefore proposed the adoption of the Report with the addition of a further sum to meet expenses of this kind.

The Chairman pointed out that the sum of £50,000 in the Report referred to the first six months only. The Budget of the League of Nations, however, had to be drawn up to cover an entire year. He, therefore, suggested that they should fix a round figure of £100,000 as the sum for the succeeding six months, although in practice it would be possible that the whole of this sum would not be spent. He, therefore, suggested that they should ask the League of Nations to provide the sum of £150,000 for the first year.

Mr. Pirelli said that he had not been able to examine in detail the Report of the Budget Committee, but it appeared from the figures mentioned that the scale of the chief salaries proposed was less than those paid in the Secretariat of the League of Nations. He thought that this was a mistake, and they should adopt the principle of putting the two Secretariats on a basis of equality as regards salaries.

The Chairman replied to *Mr. Pirelli*. While there was room for discussion as regards the chief salaries, it was understood that the general staff of the International Labour Office would be paid on the same scales of salary as the Secretariat of the League of Nations.

The Chairman then put to the vote the Estimate of £150,000 for the year 1920–1921, and it was adopted unanimously.

Mr. Jouhaux asked if they would deal with the question of Standing Orders.

The Chairman pointed out that that question had been referred to the Committee on organisation.

Sir Malcolm Delevingne asked if he was correct in understanding that the proposal to set up a Committee to study the constitution of the Governing Body and to report to the next Conference was to be on the Agenda of their next Session.

The Chairman replied in the affirmative, and said that it was proposed that the Members of the Governing Body should think over the problem in the interval.

The Chairman then explained that it was necessary for him to leave, and Baron Mayor des Planches took his place.

MOTION BY MR. SOKAL.

Mr. Sokal stated that the creation of the International Labour Office had raised high hopes in many quarters. He thought it desirable that they should deal not only with theoretical ideas, but with all practical questions of importance. In particular, there was a great need for impartial information as regards the industrial conditions in certain

of the eastern European countries, and especially as regards Soviet Russia. The information available was contradictory, and was generally admitted to be insufficient. The International Trade Union Organisation was going to send a Commission of Enquiry. It was specially desirable that the enquiry should be carried out in an impartial manner, and he thought that the International Labour Office was the most suitable and the best qualified body to undertake this work. He therefore proposed that the Governing Body should take immediate steps to secure accurate and impartial information in order that public opinion might be properly informed. Mr. Sokal insisted on the impartial character of the Enquiry which he wished them to institute. He emphasised the fact that the absence of precise and impartial information as regards industrial conditions under the Soviet régime had resulted in the fact that the increase of production, which was at present so essential, was being hindered by the existence of many illusions in certain quarters as regards the ideal conditions which were believed to exist in Russia, and this increase in production could not be secured until such illusions were dissipated. He therefore proposed the following motion :—

“ That a Commission should be appointed, including representatives of Trade Unions and Employers, to study the industrial conditions and the situation of the working classes in certain eastern European countries, and, in particular, in Soviet Russia.”

Viscount de Eza asked if the Commission was to consist of Employers and Workers only.

Mr. Sokal replied that the Commission in question should consist of representatives of Governments, Employers and Workers. The wording of his motion was intended to emphasise that the Commission should include representatives of Employers and Workers as well as representatives of Governments.

Mr. Jouhaux said that the Workers' delegates supported Mr. Sokal. There was widespread ignorance of the conditions actually existing in the countries in question, and this ignorance had a serious effect on the whole question of production. The mind of the working classes was being affected by the stories of certain forms of industrial organisation which were leading them to believe that there were superior methods of industrial organisation. The efforts of the diplomatists were tending to create a special situation as regards certain countries, and were hence hindering the work of International Labour Legislation, which could only be International Labour Legislation in the true sense when they had achieved the co-operation of all countries without exception. The Workers, therefore, urged that the resolution should be adopted and action taken upon it at once.

Mr. Stuart Bunning drew attention to the fact that a difficulty existed in so far as the Bolshevik problem was political and not wholly industrial. The work of the International Labour Office was meant to be industrial. He thought the best way of dealing with the proposal was to approach the League of Nations and suggest collaboration with them. They should not put themselves in the position of being told that this was a question which was outside their scope.

Mr. Goineau regretted that the proposal had not been put on the Agenda, so that they might have had the opportunity to give it more lengthy consideration ; but as he was the only representative of the Employers at the moment present, he suggested that it should be referred to the next Session.

Viscount de Eza thought there was first of all the question of their right to institute such an enquiry. He was of opinion that Article 396 of the Treaty could be interpreted as giving them that right. On the other hand, there were undoubtedly political difficulties, and it was not easy to say exactly how they should proceed.

Mr. Jouhaux stated that he thought there was no question but that the International Labour Office was entitled to undertake such an enquiry. The Government Delegates were more concerned about the exact methods of diplomatic procedure than about the question of right. The mission of the International Labour Organisation was to establish a Labour Legislation which would be really international. Such an enquiry would not involve any direct responsibility on the part of the Governments, but would be made on the responsibility of the International Labour Office, and, if it were undertaken, it would make their subsequent work easier.

Sir Malcolm Delevingne stated that he did not wish to give any opinion either for or against the motion. The Commission of Enquiry clearly could only be appointed at their next Session, and therefore no time would be lost by postponement. Further, it

was impossible to say whether the Employers would agree to take part, as they were practically all absent, and he thought this was an additional reason for postponement.

Mr. Sokal protested that the question was not a political one, and urged that his motion only dealt with the study of industrial questions. He asked that a decision should be taken on so important a question before they separated.

Mr. Oudegeest supported this point of view.

Viscount de Eza supported the proposal of Sir Malcolm Delevingne to adjourn the discussion to the next Session. He suggested that the Director should then bring before the Governing Body a Report on the ideas which had already been expressed, and they might then come to a decision.

Mr. Goineau again urged postponement on the ground that only a bare *quorum* of 15 members were present.

Mr. Mahaim supported this suggestion on the ground that the agreement of the Employers was necessary, and that they ought to have the agreement of the Council of the League on the possibility of carrying out such an enquiry. He suggested that the Office should examine the latter question and report to the next Session.

The Director emphasised the point already made by Mr. Jouhaux that ignorance of the real facts was disturbing the mind of the working classes. On the other hand, if the matter were put in hand too hastily, they might compromise its whole success, as it was possible that the League of Nations might object. Nevertheless, he thought it was not possible to defer the decision to their Session in March, and he suggested that the Labour Office should examine the question and should send to the Council of the League a Report pointing out the urgency of it, and should then bring up their reply for the consideration of the Governing Body at its next Session.

Sir Malcolm Delevingne thought that if the matter were referred to the Council of the League it would imply a decision of the Governing Body that an enquiry was desirable, and also it would imply that the Council of the League was asked to give a decision. He thought a better method would be for the Director to consult either the various Foreign Offices or the various Members of the League individually.

Mr. Goineau supported the proposal of Sir Malcolm Delevingne and remarked that his previous reservation referred to the absence of the Employers.

Mr. Jouhaux stated that all these arguments referred to methods of diplomatic procedure, and he was entirely opposed to the question being decided on those grounds. Diplomatic procedure no longer maintained its old rigidity, and every one knew that conversations had already taken place with the Soviet Government. He saw no objection to their dealing with the Council of the League, and he strongly objected to their being bound by any sort of red tape.

The Director said that he thought the discussion showed that the Governing Body was practically unanimous and that the only question of difficulty seemed to be whom they should consult. He thought there were advantages in consulting the Council of the League of Nations, as they had channels of communication with the different Governments which the Labour Office had not.

Mr. Sokal then proposed a further motion as follows :—

“Whereas the preceding motion would require a certain amount of preparatory work by the Labour Office, it is resolved that the Governing Body will consider that motion and come to a decision upon it at its next Session after having received a report from the Director of the International Labour Office. This report will contain a detailed programme of the proposed enquiry and will deal with the possibilities of carrying it out.”

Mr. Mahaim proposed as an alternative motion the following :—

“The Governing Body requests the Director to consult with the Council of the League of Nations, and to report to them at their next Session on the possibility of carrying out an enquiry of the kind proposed.”

Sir Malcolm Delevingne supported Mr. Sokal's motion, which was then put to the vote and was carried by 10 votes against 3.

[*The Governing Body adjourned at 7 p.m., and will meet again on the 22nd of March.*]

The 29th January, 1920.

ARTHUR FONTAINE.

**Governing Body of the International
Labour Office.**

SECOND SESSION—JANUARY, 1920—PARIS.

APPENDICES.

APPENDIX 1.

AGENDA

1. Constitution of the Governing Body (Membership and appointment of substitutes).
 2. Confirmation of the Minutes of the first two Sittings.
 3. Measures necessary to give effect to the decisions of the Washington Conference.
 4. Appointment of permanent Director.
 5. Organisation of the International Labour Office.
 6. Budget.
 7. Date, place and programme of the Seamen's Conference.
 8. Date, place and programme of the next General Conference.
 9. Standing Orders of the Governing Body.
 10. (a) Consideration of the question of the eight States of chief industrial importance.
(b) Consideration of the complaints as to the composition of the Governing Body.
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APPENDIX II.

ITEM 3 OF THE AGENDA.

Steps necessary to give effect to the Decisions of the Washington Conference.

At its sitting of the 29th November, 1919, the International Labour Conference adopted the following resolution :—

“ Seeing that the Treaty of Peace has not yet been ratified, the Conference gives authority to the Governing Body to take such measures as may be necessary to render the resolutions of the Conference effective. Therefore, when this Conference adjourns to-day, it adjourns leaving it at the discretion of the Governing Body to re-convene the present meeting or to declare it closed, as may be deemed advisable.”

We have consulted several legal advisers on this question, both at the Secretariat of the League of Nations and at the French Foreign Office. All were agreed in thinking that it was unnecessary to convene the Washington Conference afresh for a last sitting. From the practical point of view such a meeting would have been costly, and the trouble involved would be disproportionate to the result. From the legal point of view it is not necessary. Not only has the Governing Body received powers to declare the meeting of the Conference held at Washington closed, but the ratification of the Treaty of Peace has *ipso facto* validated the decisions taken by the Conference.

The Washington Conference was convened by virtue of Article 424 of the Treaty of Peace. Its date (October, 1919) was fixed by the same Article. The place of meeting, its Agenda, and the composition of the Organising Committee were laid down in the Annex to Section 1 of Part XIII of the Peace Treaty. These provisions, in common with all the other stipulations of the Treaty, were validated and took effect by virtue of the fact of the deposit of the ratifications.

Moreover, the Secretariat of the League of Nations adopts the same interpretation. We give in an appendix to this note the text of the letter by which Sir Eric Drummond, Secretary-General of the League of Nations, replied to the communication addressed to him by Mr. Butler on the 1st December, communicating the authenticated copies of all the Draft Conventions and Recommendations adopted by the Washington Conference. This reply implies that the ratification of the Treaty is sufficient to give effect to the decisions of the Conference.

It, therefore, appears to us that the Governing Body has only to declare the Washington meeting closed. The actual validity of its decisions is not open to question.

Société des Nations.

16/2565/1892.

League of Nations.

Sunderland House,
Curzon Street,
London, W.1.

SIR,

1st January, 1920.

I have the honour to acknowledge receipt of your communication dated 1st December, which you state you have addressed to me in accordance with Article 405 of the Treaty of Versailles, and with which you forward copies of the six Draft Conventions and six Recommendations adopted by the General Conference of the International Labour Organisation at its meeting at Washington, authenticated by the President of the Conference and by the Secretary-General in place of the Director of the International Labour Office. You request that a certified copy of the Recommendations and Draft Conventions be communicated in due course to each of the members of the International Labour Organisation in accordance with the provisions of Article 405.

As the League of Nations is not yet legally constituted it is impossible for me to carry out, at this time, the duties of the Secretary-General of the League of Nations, as outlined in Article 405 of the Treaty of Versailles, either by receiving the authenticated copies of the Draft Conventions and Recommendations for deposit, or by communicating certified copies to the members of the International Labour Organisation. I shall, however, hold your communication and the enclosed copies of the Draft Conventions and Recommendations until it is possible for me to carry out these duties of the Secretary-General.

Unless you inform me to the contrary, I shall assume that your present communication is intended to be regarded as being the formal compliance with Article 405 after the coming into force of the Treaty of Versailles shall have made it possible for me to perform the duties assigned by that Article to the Secretary-General of the League of Nations.

I have the honour to be,

Your obedient Servant,

(Signed) ERIC DRUMMOND,

Secretary-General.

Mr. H. B. Butler,
Secretary-General,
International Labour Conference.

APPENDIX III.

ITEM 5 OF THE AGENDA.

Memorandum on the Organisation of the International Labour Office.

The Governing Body at its first Session considered a scheme of organisation of the International Labour Office. This scheme is reproduced at the conclusion of the Minutes of the first Session.

This Memorandum is based upon that preliminary work. But after careful study of the Articles of the Peace Treaty and the records of the Washington Conference, it seems to us that it would be well to submit at once to the Governing Body a scheme of organisation such as to satisfy the duties laid upon the Office by the Peace Treaty, and in due conformity with the spirit of the first Conference.

There can be no question here of determining in detail the immediate organisation of the Office. As we proceed, experience will doubtless show where modifications are needed. It is, moreover, in the spirit of the Peace Treaty that to the Director, as being responsible for the Office, belongs the initiative in making the necessary arrangements, but that the Governing Body to whose instructions he is subject (Article 394 of the Treaty) should know the general lines on which he proposes to proceed with the organisation.

There can be no question of completing immediately and artificially the whole structure which we now propose to the Governing Body. The rapidity with which the organisation proceeds will depend upon the selection and engagement of individuals. As is indicated in the Peace Treaty, the Director will have to take into account both the question of the proper proportions between different nationalities and efficiency. He will also have to take into consideration the position held in their own countries by the persons whose services he hopes to secure for the Office. These difficulties may retard or modify the formation of certain sections.

But it is all the more important to know exactly within what framework and in what order the different branches should be successively created. We must not proceed haphazardly nor without a general plan.

In this Memorandum, finally, the Office is regarded as an autonomous organisation. We have not forgotten that it forms part of a group of international institutions arising from the Treaty of Peace. It is closely linked to the League of Nations and its Secretariat by its financial position and by certain judicial or political procedure. The League of Nations is both the Ministry of Finance and the Ministry of Justice of the Labour Organisation. Certain services (press, translations) might co-operate. But the permanent Labour Organisation, with the International Conference and the Office, forms a complete whole and has an autonomous existence.

I.—SECRETARIAT AND COMMON SERVICES.

The Director of so important an organisation as the Office ought to have at his side, under a qualified chief, his personal secretariat consisting of a few immediate assistants (private secretaries, maintenance of contact with the various branches, etc.).

The secretarial staff of the Governing Body should likewise be linked to that of the Director. The contact between the Director and the Governing Body should, in fact, be close and direct.

There will likewise be, attached to the Secretariat, a general press branch, distinct from the technical branches, which will be organised with the assistance of the Secretariat of the League of Nations, which has already organised a press staff.

Common services indispensable to the working of the whole Office will be placed under the charge of a single head immediately subject to the Director.

These common services will include :—

1. The *Registry* (registration of letters on arrival and distribution to the Departments). All the correspondence of the Office must pass through the Registry.

2. *Establishment Branch*.

3. *Works Branch* (Offices, furniture, maintenance, etc.).

4. *Finance Branch*.

At first the Establishment Branch and the Works Branch might be united, and even the Finance Branch might be combined with them at the beginning. This internal organisation cannot be completed until later, as the Office develops.

5. *A Central Translation Staff* will need to be created.

As a general rule each of the sections of the Office should endeavour to have as little recourse as possible to the special translation staff for its normal work. Exchange of communications between the branches wishing for translations and the translation staff are apt to take time. Excessive concentration is liable to give rise to delays. The experience of the Ministry of War proved this in France.

It will, moreover, be required as far as possible that all the members of the Staff should understand both English and French. The different branches will likewise be requested to endeavour to meet their own requirements without having recourse to the central translation staff. But it is indispensable to have a central translation staff :—

- (i) for languages which are little known ;
- (ii) for translations requiring special accuracy ;
- (iii) for the revision of certain translations done in the branches (and in an international organisation it is impossible to lay too much stress upon the accuracy, the clearness, one might almost say the general appearance, of translated documents.)

In order not to overburden the translation staff, and to avoid duplication of staff, and also in certain

cases where the translations are of exceptional importance, regular recourse will be had to the translation branch of the General Secretariat of the League of Nations.

Recourse will likewise be had to this branch for important translations and interpretations required by the Conferences. The two staffs of translators should work in constant communication; but it is essential to have in the very centre of the International Office for current use the translation staff which we have just described. The technical nature of the subjects dealt with by the Office is in itself a sufficient justification for such an arrangement.

6. A *Central Typewriting Staff* will likewise be appointed.

In each of the branches qualified shorthand-typists will act as clerks and secretaries to the heads of sections, as they have done to an increasing extent in recent years. But experience has shown that even in the minor Departments which were created in France or in England during the war, the centralisation of the typewriting staffs was both economical and gave the best results for all large pieces of work.

7. For the same reasons of economy and efficiency it will no doubt be necessary to establish fairly soon a *Printing Branch*.

Moreover, the League of Nations may possibly find it necessary to establish a *Printing Works* of its own at its permanent headquarters.

In any case a special printing branch for the International Labour Office will soon be necessary.

II.—THREE MAIN DEPARTMENTS.

One of the chief preoccupations of the members of the Washington Conference was that the permanent Office should not be a purely administrative office. The workers' and employers' delegates voiced their objections on several occasions to "red tape and bureaucracy."

The Government delegates themselves hoped that international legislation will from henceforth become a reality, and no longer suffer from the delays from which it was subject from 1906 to 1914. The principal Departments, between which the work of the Office will be divided, must be formed with a view to action. In our opinion three Departments should be created:—

- (1) A Department to prepare and organise the International Conferences and to deal with all matters relating to them.
- (2) A Department of publications and general information.
- (3) A Department of relations with the worlds of labour and industry, whose duty it will also be to make known the work of the Office, and to render it more effective by popularising it.

If we did not fear by using somewhat pretentious expressions that we might give a false impression, we should be tempted to summarise this division in three simple words:—

Diplomatic Department.
Scientific Department.
Political Department.

But a statement of the details of the work of the three Departments will be sufficient to remove any uncertainty as to their scope.

Let us briefly consider what those three Departments represent.

First Department.—As we have already indicated, the first Department will have the duty of preparing and organising the International Conferences.

- (i) It will, in the first place, enter into communication with the Governments in the matter of the invitations to the Conference, discussions as regards the Agenda, the drawing up of *questionnaires*, the consideration of the replies, the compilation, printing and distribution of the Reports. It will see to the transmission of the Draft Conventions and Recommendations through the League of Nations.
- (ii) It will approach the different States (Governments and, if possible, Parliaments) in order to secure or to hasten the ratification and the necessary legislation on Conventions.
- (iii) It will watch the carrying out of Conventions and of the steps relating to Recommendations. It will organise an Inspection Branch. It will study and summarise where necessary the reports from the Members of the Labour Organisation. It will follow the application of the Conventions and Recommendations not only in the case of signatory States, but also as regards Colonies and Protectorates. It will look after the organisation and the work of Commissions of Enquiry. It will maintain the necessary relations with the General Secretariat of the League of Nations.

Three sections might be created to deal with those three objects: organisation of the Conferences; ratification of the Conventions and action taken on Recommendations; carrying out of the Conventions.

Second Department.—This Department, which we have just called the Scientific Department, will have to fulfil the function allocated to the Office by Article 396 of the Treaty of Peace, *i.e.*, "The collection and distribution of information on all subjects relating to the international adjustment of conditions of industrial life and labour."

- (i) It is this Department which will deal with general statistics (in addition to the special statistical data collected by the technical sections to which we will refer later). A general *statistical section* should be set up as soon as possible.
- (ii) A section in charge of the *Periodical Bulletin* contemplated by the Peace Treaty, and of all other scientific publications which the Office may think necessary.
- (iii) A *Library* section. The library of the International Labour Office might be arranged in agreement with the League of Nations, but it would have to be an autonomous section exclusively attached to the Office.
- (iv) An *Information* section. In our view this section should furnish in a simple, direct, quasi-commercial way all the information which the International Labour Office may be requested to supply. It will, in our opinion, be a vital condition for the development of the Office that there should soon exist in all countries and in all circles the certainty that an application for information will not be addressed to it in vain.

One of the most frequently expressed wishes of trade union organisations is to have at their disposal a scientific and impartial organism capable of helping them and supporting them in their efforts towards progress. The Office will provide this. They will be able to regard it as detached from political or other influences, to which the national Ministries might be subject. By the scientific value of the documents provided the Office will endeavour to merit their full confidence.

The Office must, finally, work in such a way that even the employers' organisations, in spite of the great scientific resources which they have already at their command, will acquire the habit of applying to it.

For this purpose it would be advisable to leave it open to the Office to employ outside persons to carry out particular pieces of work. It will be advisable to entrust certain branches of work, *e.g.*, in connection with the Bulletin, to well-known experts, and to men of recognised authority in their special subjects, or to call upon them for special reports.

Third Department.—This is the Department of external relations and propaganda.

This is, in our opinion, as much and perhaps even more than the other two Departments, an essential organ of the International Labour Office.

The permanent Labour Organisation was not, in fact, merely the result of all the efforts made by the different civilised States for several decades past to establish an international system of Labour Legislation. Its sole object is not to establish or to re-establish amongst the different industrial States an equilibrium which would be destroyed if Labour Legislation were not equally applied to all. It owes its origin also, and mainly, to the principle solemnly affirmed in the Peace Treaty that "universal peace . . . can be established only if it is based upon social justice."

The new Organisation should also have before it as its purpose, as is likewise indicated by the Peace Treaty, namely to ameliorate conditions of work involving "such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled."

It will thus meet the desires formulated by the trade unions in their international conferences of Leeds in 1916 and of Berne in 1917.

It will also respond to the sentiment often expressed in employing circles that industrial activity after the war cannot be intense and productive unless more humane conditions are guaranteed to the wage-earners.

It is for these reasons that the Permanent Labour Organisation is to-day the most vigorous element in the League of Nations.

From the first meeting of the Council of the League of Nations some publicists drew attention, no doubt with exaggeration, to the fact that the Council was nothing but a meeting of Government Delegates with no popular mandate.

The strength of the Permanent Labour Organisation, from which the whole League of Nations ought to profit, lies in the fact that it is based to a large degree upon the employing classes and the masses of the workers. It has the duty of keeping in close touch with the organisations upon which its strength depends. It is in this spirit that the third Department will work.

(1) It will be in charge of all relations with employers' and workers' organisations.

It will be necessary that the Office should have in important centres first a correspondent, and later a Corresponding Office. For this, men will be needed of each country who are capable of following closely the social movements of their own country and of maintaining, in the interests of the Office, close relations with the leaders of the different groups of workers and of employers.

The work and reports of these outside offices will be concentrated in this Department.

This local organisation should be undertaken immediately. The very life of the Office depends upon its success. Already in certain large countries, such as Italy, the recent creation of Secretariats or Offices where the organisations of workers and employers meet on common ground, shows the need for this institution and prepares the way for it. It will be possible, through the medium of these national offices, to collect all the information necessary for the work of the Office as regards the economic and social movements of the different countries. The representatives of the local organisations will follow the work of national and international congresses of large organisations or unions.

(2) In order that the Department may be able properly to direct the work of the national offices, and in order that its efforts may not be dissipated uselessly, it is necessary for it to possess a competent staff for watching the press.

Nothing is more difficult to organise, to distribute in a large administration, than the various press services. It is even more difficult to make good use of them. It would thus be a bad arrangement to re-make, for general questions, what has already been done by the Press Branch of the League of Nations. But it is evident that the Labour Office itself will be the body competent to study the press methodically in so far as concerns strikes, social movements, labour legislation, etc. A special section of the second Department will have charge of this work.

To sum up all that relates to the press :—

In the Director's Secretariat, the Central Press Branch, of which we have spoken above, the only such Branch at first, will work in contact with the Press Branch of the League of Nations. This branch alone will, when necessary, approach the newspapers in order that they may make the work of the Office known to the public and help to popularise it.

Here, in the second Department, a methodical collection of all press announcements will be made concerning social movements, which will be of service also to the League of Nations itself.

In the Technical Sections, special reviews of hygiene, unemployment, &c., will be provided for.

There must be cohesion and collaboration between the different branches. It will be the duty of the press branch of the Director's Secretariat to see to this. Above all, useless repetition and overlapping must be avoided.

(3) The third Department will likewise study the development of the relations between employers and workers in the different countries. It did not seem to us in conformity with the spirit of the Peace Treaty, or within the lines laid down for the Office and the Conference, to undertake at present an investigation into international legislation on the right of association, the right to strike, methods of conciliation and arbitration, Joint Industrial Councils, works committees, or the participation of workers in management. All these questions depend too closely upon ethnical, political and social conditions. Nevertheless, they are, at the present time, questions of practical politics everywhere. The industrial future of every nation and even all

progress in international legislation, and the whole permanent Labour Organisation, depend upon their solution. It is inconceivable that they should be neglected.

(4) On several occasions during the discussions of the Commission on International Labour Legislation of the Peace Conference, and during the Washington Conference, statesmen or representatives of the world of industry and labour have laid much stress upon the idea of a rational organisation of work created by the Treaty of Peace.

It will be the duty of this Department to elaborate and to define this new programme which has as yet scarcely emerged from the first attempts to formulate it, but which has aroused high hopes amongst the peoples. Thus the International Labour Office will be able to carry out one part of its mission, which is to find ways and means by which human labour may be carried on with full liberty and with full dignity. In this way it will assist in warding off the shocks and upheavals which for several years have threatened the existence of various States.

III.—TECHNICAL SECTIONS.

As we have indicated, the three Departments which will form the bulwarks of the Office will, each in their way, aim exclusively at action. For this very reason, they must not be regarded as Ministerial Departments, in the old sense of the word, amongst which work and responsibility would be divided. They will be constantly, and more especially at the beginning, under the immediate control of the Director of the Office, and will derive their inspiration from him. They will only gradually develop their own life, and they will at first be necessarily an emanation of the Director's Secretariat.

On the other hand, it is possible to construct at once in their definite form the Technical Sections, or Sections of Investigation, with the duty of providing the Office, for all its work and action, with exact science and abundant and reliable information.

Each Department will draw from them, for its own purposes, all the matter which it needs.

These Sections might be united under one special chief, or they might be subject to the head of the Secretariat and of the Common Services, according to the internal organisation which the Director may think fit to set up. We will refer to this question a little further on.

But each of the Technical Sections will have its definite sphere of study. Each will communicate directly to or enter spontaneously into communication with, the three Departments.

The Sections should have at their head, as far as possible, persons chosen from the different countries, who are already specialists in their particular subjects. Such appointments would be in conformity with the spirit of the Treaty of Peace.

But there can, in our opinion, be no question of attracting all the experts and all the recognised authorities from all countries to the International Labour Office. What we shall need above all in each Section, and especially at the head of each Section, is intelligent men of experience, capable of co-ordinating the information and the results of the investigations which exist at the moment on any given subject in every country.

The Joint Commissions, the Commissions of Investigation, and the Consultative Commissions, some of which are already provided for by the resolutions of the Washington Conference, or by proposals laid before that Conference, will work in connection with these Sections with their administrative and technical assistance, and sometimes under their direction.

We will enumerate here the fourteen Sections for which we consider that provision could be made from the outset. Amongst them there are only five which should be established almost immediately, either in view of resolutions already adopted, or in view of future meetings of the Conference. We remain faithful to the principle stated: a reasonable outline, a general survey of the whole of our work, but even the order in which the different branches are successively created, must be determined by the needs of our work.

First Group.

1. *Maritime Section.*—This Section is indispensable for the coming Seamen's Conference. The technical work on this subject should be started immediately. It is necessary that a section already established should be in a position to help us in studying the replies to the *questionnaire*, in preparing the report, and in the general preparation for the Conference of next June.

It is all the more indispensable to establish this section in view of the fact that the International Congress of Seamen last February approached several of the Governments to demand the creation of a special Office of Maritime Work.

This is a proposal which could not well be adopted, and which the Seamen's Organisations have, moreover, already withdrawn, but only on condition that their idea should in some measure be realised in the organisation of the Office itself.

In this spirit, side by side with the Maritime Section and in collaboration with it, the Permanent Joint Representative Commission will work, which the seamen have likewise demanded in default of special regular conferences.

2. *Health Section.*—This Section will deal with unhealthy processes, industrial diseases, and industrial hygiene in general.

It would appear essential for several reasons to establish it promptly. In the first place, the question has been raised of the relations between this Section and the Bureau of Hygiene of the League of Nations. There can be no doubt upon this point; industrial hygiene has a quite special sphere. However close the relations may be between the Labour Office and the League of Nations and its Bureau of Hygiene, a special Section working for the International Labour Office is necessary. But the Office ought to be represented in the general organisation dealing with questions of hygiene, which is in process of formation.

In the second place, the Governing Body will no doubt decide to put on the Agenda of the next Conference the question of Conventions concerning measures to be taken to prevent the effects of one or more industrial poisons or diseases (white lead, nitrate of mercury, anthrax). It will be necessary for some preparatory work to be done.

Finally, the wish was expressed at Washington that a Consultative Commission should be established, consisting of representatives of the public services, employers and workers, to deal with industrial hygiene. In order that the work of the Commission may be properly carried out, it is important that it should have the services of a technical section already established at its disposal.

3. *Unemployment Section.*—In this case again the resolutions of the Washington Conference make it necessary to create the Section immediately. The Conference contemplated the creation of an International Commission on Unemployment with the duty of procuring quarterly statistics and of centralising and co-ordinating national institutions for placing workers. Provisionally this Section will deal with working-class migration and the protection of foreign workers.

4. *Section on Hours of Work.*—This Section must be established in pursuance of Articles 7 and 8 of the Convention on the eight-hours day.

Article 7 contemplates, in fact, a series of communications between each Government and the International Office as regards the list of processes classed as being necessarily continuous, as regards the working of the agreements mentioned in Article 5, and concerning the regulations made under Article 6.

In addition, the International Office is bound to present a report to the General Conference on these subjects every year.

The rules contained in Article 8 (posting up of notices of hours, periods of rest, registration of exemptions, etc.) also require an organisation to which the special Section of hours of work will be devoted.

5. *Agricultural Section.*—Finally, the Washington Conference having decided that the next Conference should deal with problems of agricultural labour, it is necessary to create an Agricultural Section.

It is impossible to disguise the fact that the treatment of agricultural problems, which are so complex from the point of view of labour, is not without its disadvantages from the point of view of the results of the next Conference.

The problems of the health of agricultural labourers (especially from the point of view of housing) and of securing the welfare of all agricultural labourers working temporarily in foreign countries, must be dealt with in a definite and useful manner. The study of these problems should be undertaken immediately. It should be carried out, as the Conference of Washington contemplated, in collaboration with the International Institute of Agriculture at Rome.

Second Group.

Side by side with these first Sections, the creation of which seems to us urgent, there are eight others the establishment of which should be contemplated in a fairly short time, if it is desired that the International Labour Office should really extend its activities to all labour questions.

6. *Section on Working-class Migration and the Protection of Foreign Workers.*—As we have already pointed out, the Unemployment Section will deal provisionally with this problem. But a request was made at Washington for the establishment of an International Commission on Emigration. This Commission may, perhaps immediately, be confronted by work demanding the services of experts. Moreover, on the morrow of the war there is no problem more grave than the displacement of labour, either for the purposes of reconstruction in the devastated areas, or for the development of colonial or other resources which are indispensable to the increase of the world's production.

7. *Safety Section.*—This section might, for the moment, be considered as a special sub-section of the Health Section. But there are, in connection with it, a full group of problems which demand early consideration, especially as regards certain occupations such as those of miners and seamen.

8. *Section on the Protection of Women and Maternity.*—Even though the general rule should be to treat men and women workers in the same way in all respects, yet there are special problems which ought to be entrusted to a section. For example, that of the night work of women.

The problem of Maternity, which will no doubt prove controversial, and the solution of which by means of Conventions will raise a whole series of important questions, likewise demands constant study.

There are, in addition, the questions raised on this subject by India and Siam.

Finally, when the Section is organised it will be expedient to entrust to it all matters that are of interest from the point of view of the protection of the race.

9. *Homework.*—The creation of a Section on Hours of Work has appeared urgent; almost immediately by the side of this Section two other very important Sections should be set up, namely, that of homework and the

10. *Section of Industrial Technique.*

It is indispensable, if one wishes to attain to the international application of short hours of work extending over a wide area and of as complete a nature as possible, that the question should be considered of how the adoption of short hours can be facilitated, without endangering the general community, by perfecting industrial technique.

It is impossible that the Office should not take an interest in this problem of production. At the present moment, it is the question which is most seriously engaging the attention of the world of labour and industry.

11. *Wages Section.*—A Section should be established to study the question of wages: the various methods of remuneration, the possibility of coming to certain international understandings as regards wages, etc.

12. *Section of Social Insurance.*—A certain number of Members of the Conference at Washington already raised questions of insurance against accidents, invalidity, sickness and old age. Social insurance has, moreover, been the subject of extensive international study, which the Office cannot overlook.

13. *Education Section.*—This section would study not only the problem of technical and occupational instruction, but also the problem of general education.

The resolutions and ideas to which expression was given at the Washington Conference as regards the age limit of the admission of children to work, will necessitate in many States an extension of general education beyond what they provide at present.

How can this education be extended? In what way could it be combined with technical instruction? The Permanent International Labour Organisation is bound to study this problem.

14. *Section of Co-operation.*—The last Section which we actually have in mind would be the Section of Co-operation.

The Peace Treaty requires that the International Labour Office should not only concern itself with conditions of work, but also with the condition of the workers.

It is in the form of co-operation that this idea is best seen in popular circles.

The Section on Co-operation would not limit itself only to food questions; it might also study conditions of housing, questions touching the workers' leisure, questions of travelling facilities (workmen's tickets), etc.

Moreover, co-operation already constitutes an important international movement with which the Office must necessarily concern itself in its own interests.

Some surprise may perhaps be felt that we do not propose to set up a special section to deal with oriental questions. We think it is impossible to do so. The object of the Permanent International Labour Organisation is to bring together, to unify, all the systems of labour legislation, even those of countries where special conditions prevail, whether geographical or ethnical. The right method seems to us to be to entrust to each specialised section the duty of studying these special conditions, and their bearing upon the common rules established, or which it is sought to establish, for industrially developed countries.

Such are the general lines of organisation which we submit for the approval of the Governing Body.

DEPUTY-DIRECTOR.

In the course of conversations which we have been able to have with the Chairman of the Governing Body, and the Secretary-General of the Conference at Washington, a question of internal organisation has arisen of which we do not think the members of the Governing Body should be unaware.

Article 394 of the Treaty says in the last paragraph, "*le Directeur ou son suppléant assisteront à toutes les séances du Conseil d'Administration.*" The English text says, "The Director or his deputy shall attend all meetings of the Governing Body."

It is evident that the French and the English texts lend themselves to rather different interpretations, and that the former is less explicit than the latter.

The appointment of a Deputy-Director is certainly in conformity with the spirit of British administration. British administration is organised on the principle of de-centralisation of responsibility. In each of the great Ministries the permanent secretary is the representative of the Minister. In order to leave the Minister quite free for his general political work, the permanent secretary releases him from all consideration of immediate administrative affairs. He co-ordinates the different Departments in the Ministry, and it is his business to carry out the general ideas of the Minister in the daily administration.

In most French Ministries the centralisation of authority and responsibility within the hands of the Minister is much more strict.

Even in the Departments of French Ministries the Director maintains full authority over the branches under him. If he is absent, the senior head of a branch takes his place and acts as Sub-Director.

The work of the general direction of the Office such as we conceive it, and as would result from the above statement, would be so great and so absorbing as to lead us to contemplate the establishment of the English system involving the appointment of a Deputy-Director; but it seems to us that this is a question of internal organisation.

What would be the duties of the Deputy-Director and his relation to the principal Private Secretary (*Chef du Cabinet*)? What would be his exact functions?

The question is sufficiently delicate for us to ask the Governing Body to give us their entire confidence in this matter, and to leave us to settle in the light of our experience of life, and with a regard to personal qualifications, a question which is in our view, as we repeat, only a question of internal arrangement.

The essential thing is that the Office should be organised and directed in such a manner as to carry out its duties efficiently. It is because we believe that the proposed organisation will permit it to do so that we ask the Governing Body to give it their approval.

The 24th January, 1920.

APPENDIX IV.

ITEM 6 OF THE AGENDA.

Estimates.

The Treaty of Peace is not very explicit as regards the finances of the Permanent Labour Organisation.

Article 399 simply says, "Each of the Members will pay the travelling and subsistence expenses of its Delegates and their advisers, and of its Representatives attending the meetings of the Conference or Governing Body, as the case may be.

"All the other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid to the Director by the Secretary-General of the League of Nations out of the general funds of the League.

"The Director shall be responsible to the Secretary-General of the League for the proper expenditure of all moneys paid to him in pursuance of this Article."

This implies the payment of the expenses of the International Office and of the Conferences to the Director by the Secretary-General of the League of Nations as a part of the Budget of the League, and the responsibility of the Director to the Secretary-General of the League of Nations. These are the only two principles laid down in the Treaty.

It may, therefore, be concluded that the Office has only to have its expenditure audited by the Secretary-General of the League.

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Up to the present the sum of £10,000 has been placed at the disposal of the Director of the International Labour Office by the League of Nations for the work of the Office up to the 31st March.

It was understood that this sum would not include the salaries of the Director, the Deputy-Director (if one were appointed), and of the Chiefs of Sections.

This sum has been placed at the disposal of the Office as follows:—£3,300 up to the end of January; £3,300 up to the end of February, and £3,400 up to the end of March.

This arrangement was arrived at after a Conference at London with Sir Eric Drummond and the Head of the Financial Section of the League of Nations.

During the provisional organisation of the Office, Mr. Phelan has been placed in charge of the finances, and has been instructed to keep in touch with Sir Herbert Ames of the League of Nations.

All the expenditure necessitated by the present organisation of the Office including a total staff of 16 persons (Secretaries, Translators, Shorthand-typists, etc.), will be met out of this sum of £10,000 up to the end of March.

The expenditure involved in connection with the Session of the Governing Body will also be met out of the same sum

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But it is important, henceforth, even though the Treaty may not expressly require it, that, as a matter of sound administration and as a necessary guarantee to those concerned, certain principles should be recognised and certain rules adopted.

First, it appears that the League of Nations will not have to know in detail, nor to fix item by item, the expenditure of the Office.

In fact it makes no such claim.

In the course of the negotiations in connection with the organisation of the International Labour Conference, Mr. Butler wrote on the 3rd June, 1919, to Mr. Arthur Fontaine that "Sir Eric Drummond does not think that the Organising Committee of the League of Nations considers itself qualified to criticise a scheme of organisation for the International Labour Office. He is, however, of the opinion that it would be useful if the Organising Committee [of the International Labour Conference] would draw up a scheme and submit it to the Committee of the League of Nations for its formal approval."

This attitude on the part of the Secretariat of the League appears to be maintained. In our opinion it is correct. While a detailed draft budget should not be submitted to it for discussion, it would seem desirable that the draft budget of the International Labour Office should be communicated to the Secretariat of the League.

This procedure may, however, be considered as necessary, in order that the Council of the League may be able to justify to the different States the amount of the contributions that they may be asked to pay.

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Naturally these estimates should be submitted to the Governing Body.

The evident intention of the signatories of the Peace Treaty was to leave to the responsible Director considerable independence and authority. But the very fact of the large measure of responsibility placed upon him makes the support afforded by the advice and approval of the Governing Body more than ever necessary.

Accordingly, the Standing Orders which it is proposed to submit to the Governing Body include the creation of a Finance Committee.

The Estimates submitted, however, should not be drawn up with the same rigidity as in the case of Estimates submitted to a Parliament. Within the limits of each principal heading the Director ought to be left free to adjust the expenditure as may be necessary to meet the requirements of the Office.

A detailed Memorandum has been submitted containing a scheme for the organisation of the whole Office. The theoretical and outline character of such a scheme should be again emphasised.

The intention is, we may repeat, to set up the necessary organisation progressively, and only in order to meet needs as they arise, or to carry out work which is explicitly entrusted to the Office.

But it appears desirable, nevertheless, to draw up an estimate of the expenditure involved, and to submit it to the Governing Body in order to calculate approximately the sum which the League of Nations should be asked to provide.

The first question, which is a delicate one, is that of staff.

The Office must clearly have a staff which is really competent. It should be drawn, so far as the choice of competent persons will permit, from different nationalities. Hence, the majority of the Staff of the Office will have to live outside their own countries and separated from their relations and friends. This necessarily involves certain sacrifices of which account must be taken. Allowance for them, however, must of necessity be very arbitrary.

Fortunately a basis exists in the organisation of the Secretariat of the League of Nations, so far as it has been set up.

Our organisation, we repeat, is autonomous. But from every point of view it is desirable, to follow the principles or rules adopted for the general organisation of all the Sections of the League of Nations. In this way criticism may be avoided. For the same reason we have thought it desirable to adopt the same figures for salaries as those paid by the Secretariat of the League.

In the second place, having adopted these figures, we have thought it desirable, in the case of each category of the Staff, to fix a range sufficiently wide to allow the Director a certain latitude in making his appointments.

The Heads of certain Sections, for example, may have greater responsibilities. They may have under their orders a more or less numerous staff. The importance of the posts which they may have left in their own countries may be expected to vary.

It is proposed that the following scales should be adopted :—

	£
Chief of Division (Head of Department)	1,500—2,000
Chief of Section	800—1,500
Assistant Chief of Section	600— 800
Secretaries, translators, etc.	400— 600

It is on these figures that the present Estimate has been based as regards staff.

* * * * *

Attention may here be drawn to the difficulties presented by certain problems which the Secretariat of the League has not solved nor even raised.

1. What conditions of increment or promotion are to be provided for the staff ?
2. What provisions should be made as regards discipline and dismissal ? If some officers do not succeed in fulfilling the task assigned to them, under what conditions can they be dispensed with ?
3. The League has engaged its staff for three years. Does the engagement hold good in the case of persons whose services prove wholly unsatisfactory ?
4. What are to be the conditions as regards pension ? Should not this question be taken up, not only as regards the Labour Office, but as regards the whole of the League Staff ?
5. Lastly, and most important, there is a question which is peculiar as regards these staffs—the question of the rate of exchange. Payment in pounds sterling is satisfactory, or more than satisfactory, at the moment. But how will it stand at some subsequent date and when the Office is transferred to Geneva ? The situation will be different.

May it not be desirable to attempt to establish a sort of compensation fund, or at all events certain rules to deal with the difficulties arising out of variations in the rates ?

* * * * *

These general questions having been mentioned, the Estimate arrived at on the basis of the Memorandum on the organisation of the Office is as follows :—

ESTIMATE OF ANNUAL EXPENDITURE

BASED ON THE DIRECTOR'S MEMORANDUM.

I. Staff—

	£	£
Central Secretariat	37,500	
Diplomatic Division	16,500	
Political Division	26,000	
Scientific Division	22,500	
Technical Sections	27,500	
Emergency	10,000	
		140,000

II. *Other Expenditure* (Rent, printing, travelling, postage, investigations, etc.) ... 81,000

Total £221,000

DETAIL OF ESTIMATES.

I. *Staff.*

Central Secretariat—

5

Director—								
Personal Secretaries	...	...	...	...	...	...	...	5,000
Deputy-Director—								
Private Secretary	...	...	...	...	...	...	...	400
3 Chiefs of Section (Finance, Staff, Works)	...	...	...	...	...	...	...	3,000
Subordinate Staff (£150–£160)	...	...	...	...	...	...	...	2,200
Central Typing, Shorthand and Duplicating Staff (English, French, Spanish, German and Italian)								
	...	...	...	...	...	...	...	8,500
Translating and Interpreting Staff—								
2 Editors (French and English texts)	...	...	...	...	...	...	£1,200	
10 Translators (French and English)	...	...	...	...	...	...	5,000	
6 Translators (Spanish, German, Italian)	...	...	...	...	...	...	3,000	
2 Translators (Scandinavian and Slav languages)	...	...	...	...	...	...	1,000	
1 Chief Interpreter	...	...	...	...	...	...	600	
5 Interpreters	...	...	...	...	...	...	2,500	
							<hr/>	13,300
Registry	...	...	...	...	...	...	...	1,800
Messengers, etc.	...	...	...	...	...	...	...	3,300
							<hr/>	£37,500

Diplomatic Division—

1 Chief of Division	...	...	...	...	...	...	...	...	1,500
3 Chiefs of Section (Organisation of Conferences, Liaison with Governments and League of Nations, Application of Conventions)	...	...	...	...	...	...	...	...	3,000
Subordinate Staff	...	...	...	...	...	...	...	...	9,000
Reporting of Conferences	...	...	...	...	...	...	...	...	3,000
									£16,500

Political Division—

1 Chief of Division	...	...	...	...	...	...	...	...	1,500
3 Chiefs of Section (Publicity, Liaison with Organisations, Investigations)	...	...	...	...	...	...	...	...	3,000
5 Corresponding Offices (£2,000 each)	...	...	...	...	...	...	...	...	10,000
Subordinate Staff	...	...	...	...	...	...	...	...	11,500
									£26,000

Scientific Division—

1 Chief of Division	...	...	...	...	...	...	...	...	...	1,500
3 Chiefs of Section (Publications, Statistics, Information)	...	...	...	...	...	...	...	...	...	3,000
1 Chief Librarian	...	...	...	...	...	...	...	...	...	1,000
Subordinate Staff	...	...	...	...	...	...	...	...	...	16,900
										£22,400

Technical Sections—

1 Chief of Division	...	...	...	...	...	...	...	...	...	1,500
14 Chiefs of Section	...	...	...	...	...	...	...	...	...	14,000
Subordinate Staff	...	...	...	...	...	...	...	...	...	12,000
										£27,500

II. Other Expenditure.

Rent (including light, coal, repairs)	10,000
Hire of Conference accommodation	500
Printing—	
Bulletin (3 languages)	15,000
Reports for, and Proceedings of, Conferences	5,000
Special Publications	5,000
Postage, Telegrams, etc.	3,000
Travelling (including allowances)	5,000
Investigations	10,000
External collaboration	10,000
Telephones	500
Stationery	2,000
Library (purchases and subscriptions)	10,000
Emergency	5,000
Total	£81,000

These figures call for some observations.

It should be noted that they refer to the complete organisation.

They provide for the 14 Technical Sections, the principal Corresponding Offices, the Bulletin in three languages, investigations and enquiries, external collaboration, etc.

There remain only three points on which we would ask the Governing Body to give a decision, although they are in fact involved in the question of the Estimates :—

- (1) The "*frais de représentation*" of the Chairman.
- (2) The salary of the Director and his "*frais de représentation*."
- (3) The salary of a Deputy-Director, if such appointment is made.

No doubt the Governing Body will wish to follow in these instances the scales of the League, and will not desire to place the Heads of the International Labour Office in a position inferior to that of the Heads of the great Sections of the League. We wish, nevertheless, to leave these questions entirely to their decision.

The sums provided for printing may seem rather high. They have been calculated on the actual cost of printing.

A publication such as the "*Bulletin de l'Office du Travail*," in France, which cost fr. 25,000—30,000 before the war, now costs fr. 100,000. A monthly review with which we are acquainted costs almost fr. 140,000, not including payment for contributions.

It should be borne in mind that, as provided in the Treaty of Peace, the Bulletin must be printed in two languages, and soon in three.

We therefore arrive as a total at an estimate of £221,000 for the general work of the Office, excluding any provision for the three highest posts (Chairman, Director, Deputy-Director), which we have left entirely to your discretion.

This sum may appear considerable. It is, however, only enough to provide for the work which it is understood the International Labour Office must undertake.

The cost, moreover, we may repeat, will be distributed among all the States who participate in the Organisation.

FIRST YEAR.

During the first year, however, the expenses, we may repeat, will not reach this figure.

As regards this year, in fact, the different Departments cannot be immediately set up; the creation of the Technical Sections will take place gradually even as regards the first six, etc.

Moreover, the Director will have a considerable task in finding a staff suitably qualified for appointment to the different posts; the dates at which it will be possible to appoint this staff as well as the dates of appointment of the subordinate staff will vary. Expenditure in salaries will accordingly be reduced.

In order to define the position more clearly, the following remarks may be made :—

- (1) As regards the Central Secretariat, in which at the moment all the work is concentrated and which need only crystallise out its organisation into the different Sections, something approximating to the normal expenditure should be provided for.
- (2) As regards the Diplomatic Department it will be prudent not to reduce the estimate. It should be remembered that during 1920 two Conferences must be organised—the Seamen's Conference and the General Conference.

As the organisation of the Office becomes more complete, special expenditure in respect of the holding of the Conference will diminish.

At Washington the expenditure was considerable because a temporary staff had to be engaged on special terms for a limited period.

If the first Department is not rapidly formed, the same procedure will have to be followed.

- (3) The same considerations do not apply as regards the Political Department, the constitution of which will proceed less rapidly. The needs which it meets are not immediate in the same sense, and for 1920–1921 the expenditure may be estimated at one half the normal.
- (4) The Scientific Department is in a somewhat similar position; the Library should be established immediately, but the task cannot be completed at once. Only two-thirds of the normal annual expenditure need, therefore, be expected in the first year.
- (5) Finally, as regards the Technical Department, only six Sections out of fourteen need be established immediately. Roughly, therefore, only six-fourteenth's of the normal expenditure need be provided for.
- (6) As regards other expenditure, on rent, travelling, &c., some reductions cannot be made as, for example, in respect of certain expenditure in connection with the Library, the purchase of indispensable works of reference, etc., printing of proceedings of Conferences and other Conference expenditure. A reduction of 20 per cent. only is therefore proposed.
- (7) On the other hand, capital expenditure in connection with the setting up of the Organisation cannot be reduced. This will, however, disappear in the Estimates for the following year.

Calculated on the above basis, the Estimates for the year the 1st April, 1920, to the 31st March, 1921, may be shown as follows :—

ESTIMATE FOR 1920–1921.

Current Expenditure.

I. Staff—	£
Central Secretariat	37,500
Diplomatic Division	16,500
Political Division	13,000
Scientific Division	15,000
Technical Sections	12,500
Emergency	5,000
	<hr/>
	99,500
II. Other Expenditure (Rent, etc.)	65,000
	<hr/>
	£164,500

Capital Expenditure.

	£
Standard Works for Library and Construction	5,000
Furniture	12,000
Special Furniture (Governing Body, etc.)	2,000
Typewriters and Duplicators	2,500
Transference of Office to Geneva	10,000
	<hr/>
	£31,500

The expenditure for the year 1920 to 1921 may accordingly be summarised as follows :—

	£
Current expenditure	164,500
Capital expenditure	31,500
	<hr/>
Total	£196,000

Hence you are requested to approve an Estimate of £196,000, and this is the sum which the League should be asked to provide for the general work of the Office, but excluding the expenditure in connection with the three highest posts (Director, Deputy-Director, and Chairman of Governing Body), which are left entirely to your discretion.

The 24th January, 1920

APPENDIX V.

ITEM 7 OF THE AGENDA.

Date, Place and Agenda of the Seamen's Conference.

Date.—It would be very desirable to convene the Seamen's Conference at the earliest possible date.

On the one hand, the workers' organisations are pressing for an early meeting of this Conference which they have been demanding for a long time.

On the other hand, England, on account of the question of wages, and France, owing to the recent eight-hours day Act, are both desirous that the burdens incumbent upon the shipowners of the different countries be equalised.

But, under Article 401 of the Peace Treaty, the Agenda for each Session of the Conference must be forwarded to reach each Member four months before the opening of the Session. Such a notice is necessary in order to enable the different countries to send in their suggestions with regard to the inclusion of certain questions in the Agenda.

Assuming that the Agenda of the Seamen's Conference decided upon at this Session of the Governing Body can be sent out without delay to the various Members about the 1st February, a Conference could not be convened before the 1st June.

We may add that the actual work of framing and despatching *questionnaires*, of considering the replies and of drafting and publishing the reports, will require a fairly long time.

But it is very essential that this compulsory time limit of four months be not exceeded.

It is advisable to expedite matters with a view to giving satisfaction to the legitimate impatience of those concerned.

Again, the fact that the General Conference will meet soon after, that is, about November or December, makes it all the more imperative, if we consider the work which has to be carried out. The Office will then have to undertake a new task that will require at the very least four or five months before it can be completed.

Under these circumstances, it seems that the 15th June is the most suitable date for the opening of the Conference.

Place.—The International Labour Office is, as is known, to be temporarily established in London. We suggest, for the sake of convenience, that the Seamen's Conference take place in the same city.

Antwerp has also been mentioned as a likely place. If, for other reasons than convenience, such a choice be deemed advisable, the Labour Office will take the necessary steps.

Agenda.—At the time of the Washington Conference, Mr. Randall, Secretary to the Joint Seamen's Council, wrote a letter to Mr. Barnes, containing a list of fifteen questions which he thought ought to be put on the Agenda of the Conference.

After an interview in London between the Director of the Labour Office and Mr. Havelock Wilson, the latter forwarded to Mr. Albert Thomas a revised list reducing the number of questions to the following ten :—

- (1) International minimum wage.
- (2) International load line.
- (3) International prohibition and restriction of deck loads.
- (4) Manning scales.
- (5) International standard of accommodation on board ship.
- (6) International hours of work and standard working days *per* month.
- (7) Standard compensation in case of death, accident or loss of effects.
- (8) Pilotage.
- (9) Re-organisation of wireless telegraphy service at sea.
- (10) International Joint Seamen's Industrial Council.

All these questions are important. To deal with them all would, however, unduly prolong the duration of the meeting.

It seems to us that, in order to reach decisions which can be carried into effect, the Conference ought to confine itself to the consideration of the three following points :—

1. *Definition.*—To define first of all what category of persons are covered by international legislation on shipping.

The Washington Conference already touched upon the question. It appears from the debate that inland navigation on canals and rivers ought also to be dealt with by the Conference.

For instance, it seems hardly possible to put the work of barges, and that of most river-men of Western Europe, in the same category as that of seamen. On the other hand, there is no doubt that in the case of mechanically driven vessels, where a system of watches is necessary on account of the length and continuity of the voyages (as, for instance, on the great rivers and lakes of America), the same treatment ought to be extended and shipping laws should apply in both cases, even if only partially.

It will, however, be necessary to differentiate between the crews on foreign-going ships, on coasting vessels and those employed on fishing boats. This distinction is already provided for in existing legislations.

The question of definition is of paramount importance.

2. *Wages.*—(a) However difficult it may seem to settle the question of international minimum wages, all seamen insist that this question must be dealt with. Unfortunately, the constant fluctuations in the rates of exchange rather complicate matters.

(b) At any rate, it will be easier to lay down standard rules for the control of wages agreed upon and the observance of agreements entered into. Regulations thereon are indispensable.

(c) The consideration of this question will entail that of the practice in regard to the engagement of seamen.

(d) This brings us to the international question of the classification of seamen as established in the legislation of several countries, notably that of England.

3. *Hours of Work*.—It will be necessary to consider the question of the hours of work, especially in view of the decisions taken at Washington.

(a) How can the eight-hours day be adapted to the requirements of work at sea?

What regulations ought to be adopted with regard to watches?

What periods of rest should be provided for in port or at sea?

Eventually, two other questions will arise from this one:—

(b) Manning scales on board ship.

(c) Accommodation of seamen on board ship.

These two questions in which seamen are interested might be dealt with at the same time as the question of hours of work.

We particularly draw attention to the fact that the Agenda includes questions exclusively referring to labour.

Seamen attach great importance to safety at sea, and the International Labour Office cannot ignore this matter. Still, apart from the fact that these matters have been especially dealt with by International Conventions drawn up by other organisations, it seems to us that the right course for the Conference to follow is to consider exclusively matters appertaining to labour regulations which are the most urgent, and for which no international solution has yet been found.

The 24th January, 1920.

APPENDIX VI.

Resolutions adopted at the Meeting of the Secrétariat International de la Fédération Internationale des Marins, held at Antwerp on January 23rd, 1920, under the presidency of Mr. Havelock Wilson.

1.

That a special Conference for the International Organisation of Maritime Work be held between May 15th and June 15th, 1920, in conformity with Article 389 of the Treaty of Versailles and the resolutions taken at Washington, and that the representatives of the Governments of the associated nations, as well as the representatives of the Employers and Workers, be selected from the recognised Seamen's organisations, the recognised Shipowners' organisations, and such persons as are well acquainted with Maritime questions.

2.

That this Conference meet at Paris without, however, that town being meant to be the permanent and definite meeting place for the Special Conferences concerning Maritime Work.

3.

That a special Maritime Section, under the control of a permanent Maritime Committee composed of three shipowners and three seamen, proposed by the special International Labour Conference, dealing with maritime matters and elected by the Governing Body of the International Labour Office (as provided for in Article 393 of the Treaty of Versailles), be organised to assist the Director of the International Labour Office, Mr. Thomas (as provided for in Articles 394, 395, 396, 401 of the Treaty of Versailles).

4.

That the Programme of the first Special International Conference for Maritime Work, which is to be held between May 15th and June 15th, 1920, be as follows:—

- (a) Conditions of application to Seamen of the Convention adopted at Washington in November last tending to limit to 8 hours per day or 48 hours per week, the number of working-hours in all Industrial Undertakings and particularly Maritime Transport.
- (b) International Settlement of Manning scale (including the question of nationality).
- (c) International Regulations and creation of a special Permanent Section in connection with the International Labour Office concerning Sanitary conditions on board ship.
- (d) Conditions of application to Seamen of the Conventions and Recommendations adopted at Washington November last, concerning Unemployment and Insurance against Unemployment.
- (e) Conditions of application to Seamen of the Convention adopted at Washington November last, concerning prohibition of work to children under 14 years.
- (f) Resolutions recommending Special International Conferences concerning Free-board Mark and Deck-load.
- (g) Resolutions recommending Special International Conferences concerning Pilotage and Wireless Service on board.
- (h) International regulation of indemnities or compensation to be paid in respect of Sailors Killed or Injured on service and for loss of effects.

APPENDIX VII.

ITEM 8 OF THE AGENDA.

Date, Place and Agenda of the next General Conference.

Date.—It does not seem possible to hold the next annual Conference before next November.

If the winter is felt to be an unsuitable season for international meetings, it will be difficult to choose any other date this year for the following reasons :—

1. On account of the Seamen's Conference which will take place in June.
2. On account of the great amount of work to be done by the International Labour Office in connection with its own organisation, and in carrying out the numerous resolutions of the Washington Conference.

Place.—We propose to hold the Conference in the city where the Office is located. This is the best arrangement from the point of view of the work. All the information already collected, and the organisation of the Office will thus be at the disposal of the Members of the Conference. This arrangement will not only save expense, but also avoid the danger of disorganisation arising from the removal of the staff which will still be only newly organised.

Agenda.—In the short printed statement circulated to the members of the Governing Body, we have reproduced the resolutions laid before the Washington Conference referring a number of questions to the next Conference.

These questions may be grouped in three classes :—

1. *Questions which, in spite of recommendations made or resolutions adopted, cannot, for various reasons, be dealt with by the next Conference.*

We need only enumerate them for everybody to be agreed upon this view.

1. Prohibition of the employment of children and compulsory education ; limitation of hours of work of young persons, with a view to their general and technical development (Motion of Lazard and others).

2. Regular annual holidays (Sweden).
3. Universal compulsory labour (Ecuador).
4. Technical education (Sala).
5. Joint Control (Caballero).
6. Pensions for the aged and for persons unable to work (Varela).
7. Labour Legislation (Sanji Muto).
8. Appointment of a Commission on Minimum Wages (Paraguay).
9. Definition of the term " Labour " (Peru).
10. Proposals of the Argentine Delegation (Nos. 1, 2, 3 and 6).

2. *Questions which will be dealt with in the Reports of the International Labour Office. The Office will endeavour to carry out these recommendations by means of its documents and inquiries or by taking action.*

In this list we may note :—

1. Castberg's motion on the 48-hours week in continuous industries.
2. Madame Casartelli's motion on the night work of women and the period of rest.
3. Modifications of the Eight-Hour Convention presented by South Africa.
4. The report of the International Commission on Unemployment.
5. Unemployment insurance (Unemployment Commission).
6. The adoption of the principle of labour legislation in China, Persia and Siam.
7. The prohibition of the night work of young persons in certain continuous industries.
8. The application of the prohibition of the night work of young persons in certain countries (other than Japan and India).
9. The employment of women before and after childbirth (India).
10. The extension of the period of rest for women after childbirth, and benefits.
11. Prohibition of the employment of young persons in further unhealthy processes.

12. Appointment of Labour Representatives of the International Labour Office.
13. Reciprocal treatment of foreign workers.
14. Right of association of foreign workers (di Palma Castiglione).
15. Forty-four hours week.
16. Age of admission of children to work in India.
17. Proposals of the Argentine Delegation (Nos. 4, 5, 7).

The Conference will discuss the reports presented by the International Labour Office, and will be able to decide these questions by resolutions, either ordering their inclusion in the Agenda of a later Conference or instructing the Office itself again either to make certain inquiries or to take certain action.

3. *Questions which ought to be retained for the consideration of the next International Labour Conference.*

(The question of the employment of seamen has been dealt with by the convening of a special International Conference.)

1. *Agriculture*.—In accordance with a very distinct understanding come to at the Washington Conference, the question of agriculture must be dealt with.

Agricultural questions cover a vast sphere. Some of these cannot be taken up without serious political or other difficulties. The Conference will have to exercise great discretion in dealing with them.

It is important, however, that the Permanent Labour Organisation should, from the outset, show clearly that it is not exclusively "industrial" in the narrow sense of the word, but that its object is to protect and raise the standard of life of *all* workers, both rural and urban.

It is, therefore, necessary to define carefully the agricultural problems with which the Conference will have to deal.

The Conference must concern itself with agricultural wage-earners, and particularly with their health conditions. It should also, in our opinion, deal with the conditions of work of agricultural labourers who are seasonal emigrants. It is as regards this latter class of workers that the problems of hygiene and general protection present themselves in their most acute, and often painful form. It is particularly in their case that Conventions or Recommendations could lead to really effective legislation.

A *questionnaire* will be prepared with a view to defining these questions clearly.

2. *Industrial Poisons*.—The Washington Conference indicated either in resolutions or in proposals made by members of the Conference, the urgency of remedying the effects of four industrial poisons or industrial diseases to which its attention was drawn, namely :—

Carbonic-oxide gas.
Nitrate of mercury.
White lead.
Anthrax.

If it appears that this covers too wide a field, the Governing Body might merely leave white lead and anthrax on the Agenda of the next Conference. The ground has been, it seems, more thoroughly prepared for these two questions, and a general standard of legislation concerning them would be more easy to establish, than in the case of the others.

3. *Amendment of the composition of the Governing Body and of the Conference :—*

(a) Determination of the eight States of chief industrial importance.
Representation of certain groups of nations.

(b) Increase in the number of Members of the Governing Body.

(c) Method of electing the Workers' and Employers' Representatives.

A detailed *questionnaire* will show all the modifications suggested by the different Members of the Conference.

The 23rd January, 1920.

APPENDIX VIII.

ITEM 8 OF THE AGENDA.

Date, Place and Agenda of the next General Conference.

LIST OF SUGGESTIONS

MADE AT THE INTERNATIONAL LABOUR CONFERENCE OF WASHINGTON AS REGARDS SUBJECTS TO BE INCLUDED IN THE AGENDA OF THE CONFERENCE OF 1920.

As the Conference resolved on the 29th November, 1919, on the motion of Mr. Moore (*Canada*), to leave the entire question of the Agenda to the Governing Body, all suggestions made at the Conference are included in this list, even though there was no discussion on them. These suggestions are grouped as follows :—

I. Those presented by Commissions of the Conference :—

(a) To the effect that certain matters be referred to particular Governments, and that those Governments be asked to report to the next Conference.

(b) To the effect that certain matters be placed upon the Agenda of the next Conference.

II. Those presented by individual delegations or persons.

Note. The only question which was not left to the discretion of the Governing Body is that of the application of the eight-hours day to transport by sea and on inland waterways, since this matter is bound, under Article 1, paragraph 2, of the Draft Convention on the Eight Hours Day, to be referred to a special Conference.

I (a).

RECOMMENDATIONS

Made by Commissions that certain matters be referred to particular Governments, and that those Governments be asked to report to the next Conference.

1. REPORT OF THE COMMISSION ON THE APPLICATION OF THE FORTY-EIGHT HOURS WEEK CONVENTION TO SPECIAL COUNTRIES.

(1) CHINA.

The Commission proposes that China be asked to adhere to the principle of the protection of labour by Factory Legislation, and that the Chinese Government be asked to report to the Conference next year in what way it is prepared to apply that principle.

(2) PERSIA AND SIAM.

The Commission recommends (2) that the Governments of Persia and Siam be requested to accept the principle of the protection of labour by Factory Legislation.

(3) That the competent authorities in those countries be requested to collect information in the coming year and submit it together with their proposals for carrying into effect the principle enunciated in Clause 2 (above) to the next International Labour Conference.

(3) SOUTH AFRICA.

The South Africa Delegates did not think it necessary to have any special modification of the Convention made in favour of South Africa. The Commission, therefore, recommends the Conference merely to request the Government of South Africa to lay before the next Conference a statement as to the modifications, if any, within the limits prescribed above, which it thinks advisable to adopt.

2. MOTION PROPOSED BY THE COMMISSION ON WOMEN'S EMPLOYMENT.

That the Indian Government be requested to make a study of the question of the employment of women before and after confinement, and of maternity benefits, before the next Conference, and to report on these matters to the next Conference.

I (b).

RECOMMENDATIONS

Made by Commissions that certain matters be placed upon the Agenda of the next Conference.

1. COMMISSION ON UNEMPLOYMENT.

(1) It is resolved that the Governing Body of the International Labour Office shall constitute an International Commission, which shall, while giving due regard to the sovereign rights of each State, consider and report what measures can be adopted to regulate the migration of workers out of their native country and to protect the interests of wage-earners residing in another country than their own. The said Commission shall present its report at the Session of the International Conference in 1920.

(2) That the question of embodying a provision to the effect of the above recommendation (i.e., respecting a system of Unemployment Insurance) in a Convention on Unemployment be placed on the Agenda of the next Conference.

[This draft resolution relates to Article III of the Recommendation concerning Unemployment adopted by the Conference. (Page 16 of the Draft Conventions and Recommendations).]

2. COMMISSION ON WOMEN'S EMPLOYMENT.

The Commission recommends to the Conférence that the Governments be requested to study the question of giving every working woman the right to remain away from work after the birth of a child for a longer period than that fixed in the Draft Convention, and to receive certain benefits during her absence for the purpose of enabling her to remain with, and to nurse, her child. This subject to be placed upon the Agenda for the next Conference.

3. COMMISSION ON UNHEALTHY PROCESSES.

(1) *Extract from the Report of the Commission.*—This is the place to refer to a motion proposed by Mr. Bidegarray (France): That the Commission concern itself with the prohibition of the use of white lead in house painting operations. The terms of the Agenda made it impossible to allow this, but . . . the Commission was of opinion that the subject should be referred to the International Labour Office to be placed on the Agenda for the next Conference.

(2) As carbonic-oxide gas is the poison most frequently used in industry and the danger from it becomes greater daily owing to its increasing use in power gas plants, etc., the International Labour Office should place on the Agenda of the next Conference the question of the study of the dangers arising from this gas, the symptoms (acute and chronic) it gives rise to, and the means of safeguarding the workers from the effects.

(3) The Commission is of opinion that the question of further exclusion or regulation affecting young persons (i.e., beyond the recommendations contained in the Recommendation concerning the protection of women and children against lead poisoning (Page 27 of the Draft Conventions and Recommendations adopted by the Conference), might usefully become the object of later study, the conclusions of which would be presented at the next International Labour Conference.

(4) That in view of the fact that experiments in France appear to have been entirely successful in showing that the use of nitrate of mercury in the process of "carotting" rabbit fur (i.e., brushing the fur with a solution of the salt in question) is unnecessary, the Commission is of the opinion that the question of prohibiting the use of mercury in hatters' furriers processes should be submitted to the International Labour Office with the object of having it placed on the Agenda of the next International Conference.

4. COMMISSION ON THE EMPLOYMENT OF CHILDREN.

(1) *Extract from the Report on the age limit for admission to work.*—The Commission agreed unanimously that the Conference should pronounce in favour of the limitation of the age of admission to agricultural, commercial and other occupations, and that the question should be referred to the International Labour Office for consideration with a view to the question being brought up at the International Labour Conference next year.

(2) *Extract from the Report on the night work of Young Persons.*—As regards oriental countries other than Japan and India, the information available at present is insufficient to enable the Commission to make definite proposals, and it is suggested, therefore, that the question of the application of the Convention to these countries should be deferred until the International Labour Conference of 1920.

(3) *Extract from Report on the night work of Young Persons.*—In Article 3 of the Draft Convention (Article 2 of the Convention as finally drafted by the Drafting Committee), the Commission introduced words to limit the application of the exception to young persons over the age of 16. It is recommended that reports on the application of this Article in various countries should be obtained by the International Labour Office, and that, if necessary, the question of making its provisions more precise should be submitted for further consideration at a subsequent Conference.

II.

PROPOSALS

Made by Individual Delegations or Persons.

1. COMPOSITION OF THE GOVERNING BODY.

Motion by Mr. W. Gemmill, South Africa Employers' Delegate

The following Motion shall be placed on the Agenda for the next Conference: That in view of the fact that no less than 20 out of the 24 members of the Governing Body of the International Labour Office, appointed under Article 393 (7) of the Peace Treaty, are representatives of European countries, the Conference proceed under Article 422 (36) of the Treaty to amend the said Article 393 (7) by laying down a maximum total representation of countries in Europe, and so as to insure more adequate representation of countries outside of Europe.

2. INSPECTION.

Motion of Mr. Caballero, Spanish Workers' Delegate.

In order that the decisions taken in this Conference and in the following Conferences may have every possible efficacy, the Peace Treaty recognises, in its labour clauses, that a service of inspection should be organised in each State. But as it is absolutely necessary that the Governing Body should have a special

representative in each country, who should be empowered to act as the medium of communication between the International Labour Office, the Governments, and the Trade Unions, and should be a person able to offer every guarantee to the labour cause, this labour delegation proposes that the following question be included in the programme of the next Conference:—

“Appointment and duties of the representative or representatives of the International Labour Office in each country.”

3. HOURS OF WORK.

(1) *Motion of Mr. Castberg, the Norwegian Government Delegate.*

Be it resolved that the question of prescribing a 48-hours week for those processes which are required by the nature of the process to be carried on continuously by a succession of shifts shall be included in the Agenda for the next Conference.

(2) *Motion presented by Mr. Ilg, Workers' Delegate from Switzerland.*

That the following subject be put on the Agenda of the Conference: A working day of 8 hours for the first five days of the week and less than 8 hours on Saturday.

4. CHILDREN.

(1) *Motion presented by Mr. Max Lazard, Baron Mayor des Planches, Viscount de Eza and F. Sokal:—*

The International Labour Conference decides that the following matters are to be included in the Agenda of the next meeting of the Conference:—

- (a) Adjustment of the laws relating to the suppression and abolition of child labour and those relating to compulsory education.
- (b) Limitation of hours of work of young workers of both sexes in view of allowing for the development of their general and technical proficiency.

(2) *Proposal by Mr. Sala (Spain).*

It is proposed that the question of technical education should be added to the Agenda of the next Conference.

5. NIGHT WORK OF WOMEN.

Extract from the Minority Report presented by Madame Casartelli:—

Therefore there is proper warrant by appealing to the principle set forth in Article 2 for trying to shorten as much as possible the periods which, although they do not come under the definition of night work as laid down by implication in this Article, are none the less periods of night work, and to try to raise the period of uninterrupted night rest to 8 hours, either from 9 p.m. to 5 a.m. or from 10 p.m. to 6 a.m., leaving 16 hours at the disposal of industries working shifts, and maintaining at the same time the principle sanctioned in 1906, *viz.*, that some concessions are to be made to women working in shifts.

The Minority of the Commission requests that the above proposal constitute a recommendation, and as such to be submitted to the Governing Body in order that it may be considered by the next Conference, which will take up the changes to be made under the Berne Convention in conformity with the vote taken by the First Conference at Washington and in conformity with the advance of progress.

6. PROTECTION OF AGRICULTURAL LABOURERS.

(1) *Motion submitted by Mr. di Palma Castiglione.*

It is decided that a Draft International Convention for the protection of Agricultural Wage Earners shall be submitted at the International Labour Conference of 1920.

(2) *Motion of Mr. Caballero, Spanish Workers' Delegate.*

☛ In view of the fact that the present Conference has continually set aside the question of agricultural interests, the undersigned labour delegate, in the name of the labourers of Spain, requests that the following subject be included in the programme of the next Conference: “The question of agricultural labour,” and that the following points be embraced in its analysis:—

- (a) Labour of women and children.
- (b) Involuntary unemployment and its remedies.
- (c) Bases of leasing contracts.
- (d) Necessity of community pastures.
- (e) Compulsory scientific cultivation of land.
- (f) Accidents and sickness incidental to agricultural work.

7. SOCIAL INSURANCE.

(1) *Motion presented by Mr. Sanji Muto (Japan).*

That the following subject be included in the Agenda of the next Conference:—

Universal Labour Legislation in the matter of sickness, pensions, relief to families of deceased workers, industrial and moral training.

(2) *Motion presented by Mr. Varela (Uruguay).*

That the question of pensions for the aged and for persons unable to work be inserted in the Agenda for the next International Labour Conference.

8. ANNUAL HOLIDAYS.

Resolution proposed by the Swedish Government Delegates.

Whereas it must be considered essential, for the physical as well as for the mental health of employees, that they should enjoy, each year, a certain period of absolute rest : It is resolved, that the question of providing for a regular annual vacation for employees be included in the Agenda for the next Conference.

9. MINIMUM WAGE.

Motion presented by the Paraguay Delegation.

This International Labour Conference recommends to the States, Members thereof, the establishment of a special commission to collect the necessary material to study and report to a future Conference upon the possibility of the establishment of minimum wages in different industries in accordance with the third principle of the general declaration contained in Article 427 of the Treaty of Versailles.

The industrial undertakings with which this recommendation deals would be the same as those contemplated by the Convention on hours of work.

10. RECIPROCITY OF TREATMENT FOR FOREIGN WORKERS.

Motion presented by Mr. di Palma Castiglione.

The Washington Conference recommends to the States, Members of the International Organisation of Labour, that the question of transforming the Recommendation concerning the reciprocity of treatment of foreign workers (Page 17, Draft Conventions and Recommendations adopted by the Conference) into a Convention, be examined by the next Conference in 1920.

11. TRADE UNIONS.

Motion of Mr. Caballero, Workers' Delegate of Spain.

The Spanish Workers' Delegation considers it desirable that the next Conference should affirm the following principles :—

(1) The trade union is the only adequate organ for dealing, through freely elected representatives, with skilled labour and with every question concerning labour in its relations with employers.

(2) The right of association and coalition and meeting and the freedom of the press must be so completely recognised that the authorities will not be able, under any circumstances whatsoever, to deprive legally organised labour organisations of these rights.

In case of delinquency the responsibility for the act shall be individual, or shall be the responsibility of the governing board of the society to which the individual belongs ; but in no case whatsoever shall the responsibility of a delinquency fall on the association as a whole, thereby closing labour centres or suspending the rights of meeting or the freedom of the press.

(3) The army cannot intervene in labour conflicts, either to control them or to furnish substitutes for strikers. Nor can it adjudge through its tribunals those who have violated social laws.

12. JOINT CONTROL.

Motion presented by Mr. Caballero, Workers' Delegate of Spain.

The Spanish Workers' Delegation proposes that the Agenda of the next Conference should include the following question of the first importance :—

The Labour policy to be developed by the agency created by the Peace Treaty or by the International Labour Conference is not merely a policy of labour protection but also of labour liberation. To this end the necessity of labour collaboration in the management of production must be recognised.

13. DEFINITION OF THE TERM "LABOUR."

Proposal of the Peruvian Delegation.

That the International Labour Conference shall define the term "labour" as follows : Any physical or mental effort of man having for its object the production, transformation, distribution, and consumption of property, whether the compensation therefor be called wages, salary or fee.

14. COMPULSORY LABOUR.

Proposal of the Ecuador Delegation.

The International Labour Conference recommends to the Governments the necessity of adopting suitable legislation in order to establish universal compulsory labour, in keeping with individual aptitudes and within the limits required by proper regard for health and human life.

15. VARIOUS PROPOSALS PRESENTED BY THE ARGENTINE DELEGATION.

The Argentine Delegation desires that the following questions should be dealt with at the next session of the Conference.

(1) A legal system which would—

(a) Tend to prevent strikes, and

(b) Facilitate the settlement of disputes when attempts to prevent strikes have failed.

(2) The establishment of industrial courts of justice having exclusive jurisdiction—

(a) In all cases and matters dealing with contracts of work, and

(b) In the imposition of fines and penalties fixed by the laws of each country for contravention of the labour laws.

These courts should operate—

- (a) Without charge to the workers, and
- (b) With summary procedure.

(3) A legal system to protect the wages of the worker providing—

- (a) That wages shall be exempt from attachment,
- (b) That the payment of wages otherwise than in legal currency shall be illegal,
- (c) That wages shall be paid at least bi-monthly.

(4) A legal system to regulate homework without distinction of sex and providing for the fixing of legal minimum rates of wages by joint committees of employers and workers.

(5) A system providing for a weekly day of rest, which should as far as possible—

- (a) Be allowed on Sundays, and
- (b) Be absolute and complete, and comprise 24 consecutive hours.

(6) A legal system of compensation for industrial accidents on the following basis—

- (a) The whole cost to be borne by the employers ;
- (b) Industrial diseases should be treated in the same manner as industrial accidents ;
- (c) The workers should have some guarantee in case of the insolvency of the employer.

(7) A legal system to regulate conditions in factories, workshops and other places, having for its object—

- (a) The insurance of the safety of the workers by preventing industrial accidents, and
- (b) The protection of their health by preventing the dangers arising from industrial poisons, in conformity with the requirements of industrial hygiene.

APPENDIX IX.

ITEM 9 OF THE AGENDA.

Draft Standing Orders of the Governing Body.

In accordance with the provisions of the last paragraph of Article 393 of the Treaty of Peace, which provides that the Governing Body shall regulate its own procedure, we propose the adoption of the following Standing Orders:—

1. *Officers.*—The officers shall consist of a Chairman and two Vice-Chairmen. Of the latter one shall be chosen from among the Employers' Members and the other from among the Workers' Members.

In the absence of the Chairman the two Vice-Chairmen shall preside at alternative sittings.

The Director of the International Labour Office will undertake the formation of a Secretariat for the Governing Body.

2. *Chairman.*—The Chairman shall have the right to take part in the discussions and to vote. He shall not have a casting vote.

3. *Director.*—The Director, or in his absence his Deputy, shall attend all meetings of the Governing Body, as provided by Article 394 of the Treaty of Peace. He shall have the right to speak, but not to vote.

4. *Appointment of Substitutes.*—In order to ensure the proportional representation of Governments, Employers and Workers, as laid down in Article 393 of the Treaty of Peace, Members may be replaced in case of absence by substitutes.

In the case of Government Members, each Government is entitled to appoint a substitute to replace its Member at the meetings of the Governing Body, should he be unable to attend.

In the case of non-Government Members, Employers' and Workers' delegates shall respectively nominate a substitute for each Member elected by them at the time of the election.

A Member is entitled to authorise his substitute to replace him at meetings of the Governing Body which he is unable to attend.

Any substitute attending a meeting of the Governing Body in accordance with the above provisions, is required to furnish the Chairman with his credentials of appointment in writing.

As a transitory measure, until the next Session of the General Conference, the Employers' and Workers' Members shall be entitled to nominate their own substitutes from among the Delegates and Advisers accredited to the Washington Conference, in the event of their being unable to attend any meeting. They will be required to communicate the names of their substitutes to the Chairman.

5. *Filling of Vacancies.*—In the event of a vacancy arising owing to the decease or resignation of any Member, his place shall be taken by a substitute appointed in accordance with Rule 4. In the case of such a vacancy among the non-Government Members, the vacancy will be filled by a substitute appointed in accordance with Rule 4 above until the next Session of the General Conference, in the course of which a new member will be elected in accordance with the provisions of Article 20 of the Standing Orders of the Conference.

6. *Admission to Meetings.*—The sittings of the Governing Body are not public. The Governing Body may at any time decide as to the admission to its sittings of any person other than its Members and the Director.

7. *Agenda.*—The Agenda for each Session shall be drawn up by the Chairman in agreement with the Director. Any subject which the Governing Body shall have decided at its last Session to include in the Agenda, shall be included in the Agenda for the next Session.

The Agenda shall be circulated to the Members so as to reach them not less than 14 days before the date of the Session.

8. *Minutes.*—The Secretary shall keep the minutes of the meetings. They shall not be published. At the commencement of each Session the minutes of the previous Session shall be confirmed. They shall be circulated to the Members only, except by the express authorisation of the Chairman to the contrary.

9. *Voting.*—Voting shall be by show of hands, except in cases where a ballot is required by the present rules.

A ballot vote is required in the case of the election of the Chairman and of the Director of the International Labour Office, and in any other case where it shall be demanded by 10 of the Members present.

10. *Quorum.*—The presence of 15 Members, in addition to the Chairman, shall be necessary to constitute a quorum.

11. *Times of Meeting.*—General Sessions of the Governing Body shall take place not less than once in every three months. It may also decide to hold special Sessions. The President may also summon a special Session, should it appear necessary to him to do so, and shall be bound to summon a special Session on receipt of a written request to that effect signed by 10 or more Members, as provided in Article 393 of the Treaty of Versailles. Not less than 7 days' notice shall be given of any special Session.

12. *Place of Meeting.*—The meetings of the Governing Body shall be held at the International Labour Office, unless the Governing Body should otherwise expressly determine.

13. *Finance Committee.*—A Finance Committee shall be appointed consisting of four Members, including the Chairman and one representative of the Employers' and Workers' Members respectively. It will examine the estimates and expenditure of the International Labour Office.

APPENDIX X.

ITEM 9 OF THE AGENDA.

Suggestions regarding Standing Orders and Procedure.

CIRCULATED BY MR. MARJORIBANKS.

1. *President.*—The Council is elected for three years. It is suggested that the President should be elected for one year, and that he should have two Vice-Presidents, the President and each Vice-President representing respectively the three groups, namely: Official, Employer and Workpeople. The President holding office for one year would retire at the end of the year, and his place would be taken by the Senior Vice-President. The Junior Vice-President would then become Senior Vice-President, and another member of the Council would be elected as Junior Vice-President from the group from which the retiring President had been elected; and so in each succeeding year, while new blood is introduced by the appointment of a Junior Vice-President, the three Office Bearers would continue to represent the three groups comprising the Council. It is desirable that the honour of being appointed as the Office Bearer should be as widely spread as possible over the membership of the Council, and on this account it would be out of order to re-appoint an Office Bearer until all the members of the Council who had not served in that capacity had had the opportunity of doing so. It is possible that some would not desire to avail themselves of this opportunity; but it would appear wise to give them the opportunity.

2. *Standing Orders.*—The Standing Orders for the purpose of governing the procedure of the Council should not at this meeting be finally determined. The Treaty and the Reports of the Conference in Washington have not yet been fully considered by the groups in the various nations, and it would appear desirable that an opportunity should be given of having these Reports considered before any endeavour is made to come to a final decision on the Standing Orders required.

3. *Substitutes.*—It is assumed that the individual members of the Council have power to appoint a substitute who would have full powers as a member when acting in the appointed member's absence.

4. *Office Bearers.*—The Office Bearers when appointed will be assumed to look upon the proceedings from an International and not from a National standpoint.

The President, when acting as Chairman, would therefore be unable to act as a representative of his nation, and it is accordingly suggested that in such a case the President should be represented on the ordinary membership of his Council by his substitute, who would act as the representative of the nation in his place, leaving the President as Chairman free to maintain an International and impartial attitude. The same rule should apply where one of the Vice-Presidents acts as Chairman.

5. *Staff.*—It would be wise that the Director, before appointing the principal officers on his Staff, should submit their names, together with an indication of their duties and the amount of their remuneration, to a meeting of the Council so that the Staff should be of an international character, as is intended, and that as far as possible the various groups should be assured that their respective interests would be safeguarded.

6. *Requisition.*—The Treaty provides that special Sessions of the Council may be convened on the requisition of ten members. The obvious objection to this is that the official group alone would be able to convene a Session, and neither of the other groups would have the power to do so. The number required for a requisition should be reduced, in order to enable any of the groups, should they desire it, to have a special Session.

7. *Administration.*—The question of the continuity of supervision over the Administration should be considered in order to secure that the Governing Body will govern and will not be reduced to the status of a consultative or advisory committee. It is obviously impossible for the Governing Body in a hurried Session every two months to maintain the necessary control over the administration of the policy, and in a greater or less degree responsibility will have to be taken by the Director and his staff without reference to the Governing Body. This should be avoided, particularly in the initial stages, and it is for consideration whether the President and the two Vice-Presidents should not be empowered to act as a Consultative Committee to the Director, and that the Director should be bound to consult that body on any important point of policy arising between Sessions or on any important point of administration following on the general principles laid down by the Council.

APPENDIX XI.

ITEM 10(a) OF THE AGENDA.

Note on the Present State of the Question of the Eight States of Chief Industrial Importance.

It will be remembered that at the time of the meeting of the Washington Conference five protests had been lodged with the Secretary-General of the League of Nations against the list of eight States proposed by the Organising Committee. These protests were from Canada, India, Poland, Spain and Sweden. As the result of the election of the Government members (communicated to the Conference by Baron Mayor des Planches (Proceedings, Engl., p. 353; Fr., p. 371) in his letter of the 23rd November), Spain, Canada, Poland and Denmark, pending the entry of the United States, were chosen to appoint members of the Governing Body. In view of this result, the Delegates representing Canada, Poland, Spain and Sweden stated that their Governments would be prepared to withdraw their objections. The Indian Delegates, however, protested against the election as being invalid, and announced their intention of maintaining their objection.

The position has been discussed by the Chairman, the Director and the Secretary-General of the Conference with Sir Eric Drummond. It was agreed that in the event of the Governing Body deciding to appoint a Committee to study the question of the revision of the Statutes of the Labour Organisation, and to report to the next Conference, India should be informed of their action by Sir Eric Drummond, who would attempt to secure the withdrawal of the protest, pending the consideration of the whole question. If, however, India still refused to withdraw her objection, the Council of the League of Nations would have to decide whether she was one of the eight States of chief industrial importance, as provided by paragraph 4 of Article 393 of the Treaty of Peace.

It might be useful, however, if the protest is maintained, that the Labour Office should draw up a report dealing with the various qualifications to be taken into account, and the proportionate value to be attached to such qualifications, in estimating the relative industrial importance of States.

APPENDIX XII.

ITEM 10(b) OF THE AGENDA.

Note on the Complaints regarding the Composition of the Governing Body.

There are four points with reference to the composition of the Governing Body which arise out of the proceedings at Washington.

1. The general resolution adopted by the Conference on November 29th (Proceedings Engl., p. 499 ; Fr., p. 513-514) expressing disapproval of the composition of the Governing Body, inasmuch as no less than 20 out of 24 members were representatives of European countries.

2. The motion presented by Mr. Gemmill (South Africa) (Proceedings Engl., p. 432 ; Fr., p. 442), proposing for the consideration of the next Conference an amendment of Article 393 of the Peace Treaty, in order that a maximum total representation of the countries in Europe may be laid down, and more adequate representation of countries outside Europe ensured.

3. The letters of protest from Messrs. Gemmill and Crawford (South Africa) against the mode of election of the Employers' and Workers' Members respectively (Proceedings Engl., p. 466 ; Fr., p. 487).

4. The motion presented by Mr. Crawford proposing the insertion in the Standing Orders of the Conference of an Article requiring the appointment of a Returning Officer to conduct all elections for membership of the Governing Body, and that only Delegates or their substitutes should be entitled to take part at meetings held for the purpose of such elections (Proceedings Engl., p. 505 ; Fr., p. 519).

It is evident that the resolution adopted by the Conference cannot be ignored. It indicated a serious feeling of dissatisfaction among the majority of the Delegates, which must deprive the Governing Body of a certain amount of the confidence which it should command, until that dissatisfaction is removed. It, therefore, appears desirable that the Governing Body should decide to give effect to Mr. Gemmill's proposal, and to place the whole question of the revision of the stipulations of the Treaty in regard to the composition and election of the Governing Body on the Agenda for the next Conference. An announcement to this effect would probably go far towards removing the existing dissatisfaction among the non-European Delegates. By this method it would also be possible to deal with the protests of Mr. Gemmill and Mr. Crawford, as the mode of the election of the Members of the Governing Body could be examined at the same time as the question of its composition.

If it is decided to bring the matter before the next Conference, it would be best to introduce it by means of a Report from the Governing Body. It is accordingly suggested that a small Committee should be appointed to examine and report upon the question in all its aspects.