

INTERNATIONAL LABOUR OFFICE

**Resolutions and Various Texts
Adopted by the 30th Session of the
International Labour Conference**

(Geneva, June-July 1947)



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**Resolutions Adopted by the
International Labour Conference
at its 30th Session**

I

**Resolution concerning Freedom of Association and Protection
of the Right to Organise and to Bargain Collectively**

(Adopted on 11 July 1947)

Whereas the Preamble to the Constitution of the International Labour Organisation expressly declares " recognition of the principle of freedom of association " to be a means of improving conditions of labour and of establishing peace ; and

Whereas the Declaration of Philadelphia reaffirms that " freedom of expression and of association are essential to sustained progress " and recognises the solemn obligation of the International Labour Organisation to further among the nations of the world programmes which will achieve, among other things : " the effective recognition of the right of collective bargaining, the co-operation of management and labour in the continuous improvement of productive efficiency, and the collaboration of workers and employers in the preparation and application of social and economic measures " ; and

Whereas it also affirms that " the principles set forth in this Declaration are fully applicable to all peoples everywhere and that, while the manner of their application must be determined with due regard to the stage of social and economic development reached by each people, their progressive application to peoples who are still dependent, as well as to those who have already achieved self-government, is a matter of concern to the whole civilised world " ; and

Whereas standards of living, normal functioning of national economy and social and economic stability depend to a considerable degree on a properly organised system of industrial relations founded on the recognition of freedom of association ; and

Whereas, moreover, in many countries, employers' and workers' organisations have been associated with the preparation and application of economic and social measures ; and

Whereas the International Labour Conference, the regional conferences of the American States Members of the International Labour Organisation and the various industrial committees have, in numerous Resolutions, called the attention of the States Members of the International Labour Organisation to the need for establishing an appropriate system of industrial relations founded on the guarantee of the principle of freedom of association ;

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirtieth Session on 19 June 1947,

adopts this eleventh day of July of the year one thousand nine hundred and forty-seven the following Resolution :

I. FREEDOM OF ASSOCIATION

1. Employers and workers, without distinction whatsoever, should have the inviolable right to establish or join organisations of their own choosing without previous authorisation.

2. Employers' and workers' organisations should have the right to draw up their constitutions and rules, to organise their administration and activities and to formulate their programmes ; there should be no interference on the part of the public authorities which would restrict this right or impede the organisations in the lawful exercise of this right.

3. Employers' and workers' organisations should not be liable to be dissolved or have their activities suspended by administrative authority.

4. Employers' and workers' organisations should have the right to establish federations and confederations as well as the right of affiliation with international organisations of employers and workers.

5. The guarantees defined in paragraphs 1, 2 and 3 herein with regard to the establishment, functioning, dissolution and suspension of employers' and workers' organisations should apply to federations and confederations of such organisations.

6. The acquisition of legal personality by employers' and workers' organisations should not be made subject to conditions of such a character as to restrict freedom of association as hereinbefore defined.

7. The acquisition and exercise of the rights as outlined in this part should not exempt the employers' and workers' organisations from their full share of responsibilities and obligations.

II. PROTECTION OF THE RIGHT TO ORGANISE AND TO BARGAIN COLLECTIVELY

8. There should be agreement between organised employers and workers mutually to respect the exercise of the right of association.

9. (1) Where full and effective protection is not already afforded, appropriate measures should be taken to enable guarantees to be provided for :

(a) the exercise of the right of freedom of association without fear of intimidation, coercion or restraint from any source with the object of :

- (i) making the employment of the worker conditional on his not joining a trade union or on his withdrawing from a trade union of which he is a member ;
- (ii) prejudicing a worker because he is a member or agent or official of a trade union ;
- (iii) dismissing a worker because he is a member or agent or official of a trade union.

(b) the exercise of the right of association by workers' organisations in such a way as to prevent any acts on the part of the employer or employers' organisations or their agents with the object of :

- (i) furthering the establishment of trade unions under the domination of employers ;
- (ii) interfering with the formation or administration of a trade union or contributing financial or other support to it ;
- (iii) refusing to give practical effect to the principles of trade union recognition and collective bargaining.

(2) It should be understood, however, that a provision in a freely concluded collective agreement making membership of a certain trade union a condition precedent to employment or a condition of continued employment does not fall within the terms of this Resolution.

10. Appropriate agencies should be established, if necessary, for the purpose of ensuring the protection of the right of association as defined in paragraph 9 herein.

II

Resolution concerning the Agenda of the 1948 Session of the International Labour Conference

(Adopted on 11 July 1947)

The Conference,

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