

09604(1959-42)

INTERNATIONAL LABOUR OFFICE

OFFICIAL BULLETIN

Vol. XLII

1959

CONTENTS

**Conventions, Recommendation, Resolutions and
Additional Texts Adopted by the
International Labour Conference at Its 43rd Session
(Geneva, 1959)**

Conventions and Recommendations

No.		Page
112.	Convention concerning the minimum age for admission to employment as fishermen	1
113.	Convention concerning the medical examination of fishermen	4
114.	Convention concerning fishermen's articles of agreement	8
112.	Recommendation concerning occupational health services in places of employment	13

Resolutions

I.	Resolution concerning the problems of young workers	18
II.	Resolution concerning the activities of the International Labour Organisation in the field of occupational health and safety, and participation by the Organisation in the proposed International Health and Medical Research Year	19

Annual subscription: \$2.00; 12s.

Price of this number: 25 cents; 1s. 6d.

which the Governing Body, at its 140th Session (November 1958), decided "in the light of the elucidation by the Economic and Social Council of its original intention and of the discussions which have taken place, to co-operate fully in the proposed appraisals...".

The I.L.O. appraisal was consequently prepared during 1959 and was transmitted on 22 December 1959¹ to the United Nations for communication to the Economic and Social Council. The text of the appraisal has been reproduced in the *Official Bulletin*, Vol. XLIII, 1960, No. 1.

International Atomic Energy Agency

REQUEST OF THE INTERNATIONAL ATOMIC ENERGY AGENCY CONCERNING THE ADMINISTRATIVE TRIBUNAL OF THE INTERNATIONAL LABOUR ORGANISATION

In February 1959 the Director-General of the International Atomic Energy Agency informed the Director-General of the International Labour Office that the Board of Governors of the I.A.E.A. had decided to recognise the jurisdiction of the Administrative Tribunal of the International Labour Organisation for complaints alleging non-observance of the Staff Regulations and Rules relating to the staff of the Agency, and accepted the Rules of Procedure of this tribunal, and had requested him to make the necessary arrangements with the International Labour Organisation to give effect to this decision.

This matter was brought to the attention of the Governing Body of the International Labour Office at its 141st Session (March 1959); it approved the application of the Statute of the Administrative Tribunal to the International Atomic Energy Agency.²

The letters exchanged between the Director-General of the I.A.E.A. and the Director-General of the I.L.O. in this connection are reproduced below:

Letter from the Director-General of the International Atomic Energy Agency to the Director-General of the International Labour Office

Vienna, 2 February 1959.

Dear Mr. Morse,

At its 114th meeting on 15 January 1959, the Board of Governors of the International Atomic Energy Agency decided to recognise the jurisdiction of the Administrative Tribunal of the International Labour Organisation for complaints alleging non-observance of the Staff Regulations and Rules relating to the staff of the Agency, and accepted the Rules of Procedure of this Tribunal. The Board of Governors requested the Director-General to make the necessary arrangements with the International Labour Organisation to give effect to this decision.

In application of the aforementioned decision, I have the honour to inform you, in conformity with paragraph 5 of Article II of the Statute of the Administrative Tribunal of the International Labour Organisation and with the Annex to that Statute, that I hereby recognise the jurisdiction of the Administrative Tribunal of the International Labour Organisation for the purpose of hearing complaints alleging non-observance in substance or in form of the terms of appointment of officials of the International Atomic Energy Agency, and of provisions of the Staff Regulations and Rules which are applicable to the staff of the Agency, and that I likewise accept, in the name of the Agency, the Rules of Procedure of the Tribunal. This recognition does not extend to the non-observance of the Regulations of the United Nations Joint Staff Pension Fund.

I hope that the present letter will pave the way for the completion by the International Labour Organisation of steps which are required to extend the jurisdiction of the Administrative Tribunal to the Agency.

Sincerely yours,

(Signed) Sterling COLE,
Director-General.

¹ See above, p. 230.

² See above, p. 196.

Letter from the Director-General of the International Labour Office to the Director-General of the International Atomic Energy Agency

(Translation)

Geneva, 16 April 1959.

Sir,

I have the honour and the pleasure to inform you that at its sitting of 11 March 1959 and upon the recommendation of its Financial and Administrative Committee, the Governing Body of the International Labour Office, in the course of its 141st Session, has given its agreement to the recognition by the International Atomic Energy Agency of the jurisdiction of the Administrative Tribunal of the International Labour Organisation for complaints alleging non-observance of the Staff Regulations and Rules relating to the staff of the Agency.

The formalities required have thus been completed and the jurisdiction of the Administrative Tribunal is established with regard to disputes which may arise between officials of the International Atomic Energy Agency and the said Agency in accordance with the request submitted in your letter of 2 February 1959.

Due note has been taken of the fact that the recognition of the jurisdiction of the Administrative Tribunal of the I.L.O. does not extend to the non-observance of the regulations of the United Nations Joint Staff Pension Fund.

The Registrar of the Administrative Tribunal is at the disposal of the competent services of your organisation for the purpose of settling with them any administrative matters which might arise as a consequence of the recognition of the jurisdiction of the Tribunal.

I am, Sir, etc.,

(Signed) David A. MORSE,
Director-General.

Letter from the Director-General of the International Atomic Energy Agency to the Director-General of the International Labour Office

Vienna, 23 April 1959.

Dear Mr. Morse,

I acknowledge the receipt of your letter of 16 April concerning the agreement by the Governing Body of the International Labour Organisation to the recognition by the International Atomic Energy Agency of the jurisdiction of the Administrative Tribunal of the International Labour Organisation.

It is my understanding that all steps required for such recognition have thus been completed.

May I avail myself of this opportunity to thank you and your Organisation for the prompt and satisfactory response given to the Agency's request.

With my best regards, etc.,

(Signed) Sterling COLE,
Director-General.

Intergovernmental Maritime Consultative Organisation

AGREEMENT BETWEEN THE INTERNATIONAL LABOUR ORGANISATION AND THE INTERGOVERNMENTAL MARITIME CONSULTATIVE ORGANISATION

A proposed Agreement between the International Labour Organisation and the Intergovernmental Maritime Consultative Organisation was established following the signing, on 6 March 1948, of the Convention concerning the creation of I.M.C.O. The Agreement, article XI of which provides that it shall enter into force upon its approval by the Governing Body of the I.L.O. and by the I.M.C.O. Assembly, was approved by the Governing Body of the I.L.O. at its 107th Session in December 1948.

The number of ratifications required for the entry into force of the Convention establishing I.M.C.O. was obtained on 17 March 1958 and the first session of the Assembly was held in London in January 1959. The Agreement was unanimously approved by the Assembly on 16 January 1959 and consequently, in accordance with article XI, it entered into force on that date. The text of the Agreement is reproduced below:

AGREEMENT BETWEEN THE INTERNATIONAL LABOUR ORGANISATION
AND
THE INTERGOVERNMENTAL MARITIME CONSULTATIVE ORGANISATION

Whereas the Constitution of the International Labour Organisation provides that the International Labour Organisation shall co-operate within the terms thereof with public international organisations having specialised responsibilities in related fields; and

Whereas the Convention of the Intergovernmental Maritime Consultative Organisation provides that the Organisation shall co-operate with any specialised agency of the United Nations in matters which may be the common concern of the Organisation and of such specialised agency, and shall consider such matters and act with respect to them in accord with such specialised agency;

The International Labour Organisation and the Intergovernmental Maritime Consultative Organisation agree as follows:

ARTICLE I

Co-operation and Consultation

The International Labour Organisation and the Intergovernmental Maritime Consultative Organisation agree that, with a view to facilitating the effective attainment of the objectives set forth in the Constitution of the International Labour Organisation and the Convention of the Intergovernmental Maritime Consultative Organisation within the general framework established by the Charter of the United Nations, they will act in close co-operation with each other and will consult each other regularly in regard to matters of common interest.

ARTICLE II

Reciprocal Representation

1. Representatives of the International Labour Organisation shall be invited to attend the meetings of the Intergovernmental Maritime Consultative Organisation Assembly and to participate without vote in the deliberations of the Assembly and of its commissions and committees with respect to items on their agenda in which the International Labour Organisation has an interest.

2. Representatives of the Intergovernmental Maritime Consultative Organisation shall be invited to attend the meetings of the International Labour Conference and to participate without vote in the deliberations of the Conference and of its committees with respect to items on their agenda in which the Intergovernmental Maritime Consultative Organisation has an interest.

3. Representatives of the International Labour Organisation shall be invited to attend the meetings of the Council of the Intergovernmental Maritime Consultative Organisation and the Maritime Safety Committee and to participate without vote in the deliberations thereof with respect to items on their agenda in which the International Labour Organisation has an interest.

4. Representatives of the Intergovernmental Maritime Consultative Organisation shall be invited to attend meetings of the Governing Body of the International Labour Office and of the Joint Maritime Commission and to participate without vote in the deliberations thereof with respect to items on their agenda in which the Intergovernmental Maritime Consultative Organisation has an interest.

5. Appropriate arrangements shall be made by agreement from time to time for the reciprocal representation of the International Labour Organisation and the Intergovernmental Maritime Consultative Organisation at other meetings convened under their respective auspices which consider matters in which the other organisation has an interest.

ARTICLE III

I.L.O.-I.M.C.O. Joint Committees

1. The International Labour Organisation and the Intergovernmental Maritime Consultative Organisation may refer to a joint committee any question of common interest which it may appear desirable to refer to such a committee.

2. Any such joint committee shall consist of representatives appointed by each organisation, the number to be appointed by each being decided by agreement between the two organisations.

3. The United Nations shall be invited to designate a representative to attend the meetings of any such joint committee; the committee may also invite other specialised agencies to be represented at its meetings as may be found desirable.

4. The reports of any such joint committee shall be communicated to the Director-General of the International Labour Office and the Secretary-General of the Intergovernmental Maritime Consultative Organisation for submission to the appropriate body or bodies of the two organisations; a copy of the reports of the committee shall be communicated to the Secretary-General of the United Nations for the information of the Economic and Social Council.

5. Any such joint committee shall regulate its own procedure.

ARTICLE IV

Exchange of Information and Documents

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of information and documents shall be made between the International Labour Organisation and the Intergovernmental Maritime Consultative Organisation.

2. The Director-General of the International Labour Office and the Secretary-General of the Intergovernmental Maritime Consultative Organisation, or their authorised representatives, shall, upon the request of either party, consult with each other regarding the provision by either organisation of such information as may be of interest to the other.

ARTICLE V

Personnel Arrangements

The International Labour Organisation and the Intergovernmental Maritime Consultative Organisation agree that the measures to be taken by them, within the framework of the general arrangements for co-operation in regard to staff personnel to be made by the United Nations, will include:

- (a) measures to avoid competition in the recruitment of their personnel; and
- (b) measures to facilitate interchange of personnel on a temporary or permanent basis, in appropriate cases, in order to obtain the maximum benefit from their services, making due provision for the retention of seniority and pension rights.

ARTICLE VI

Statistical Services

1. The International Labour Organisation and the Intergovernmental Maritime Consultative Organisation agree to strive, within the framework of the general arrangements for statistical co-operation made by the United Nations, for maximum co-operation with a view to the most efficient use of their technical personnel in their respective collection,

analysis, publication, standardisation, improvement and dissemination of statistical information. They recognise the desirability of avoiding duplication in the collection of statistical information whenever it is practicable for either of them to utilise information or materials which the other may have available or may be specially qualified and prepared to collect, and agree to combine their efforts to secure the greatest possible usefulness and utilisation of statistical information and to minimise the burdens placed upon national governments and other organisations from which such information may be collected.

2. The International Labour Organisation and the Intergovernmental Maritime Consultative Organisation agree to keep one another informed of their work in the field of statistics and to consult each other in regard to all statistical projects dealing with matters of common interest.

ARTICLE VII

Financing of Special Services

If compliance with a request for assistance made by either organisation to the other would involve substantial expenditure for the organisation complying with the request, consultation shall take place with a view to determining the most equitable manner of meeting such expenditure.

ARTICLE VIII

Implementation of the Agreement

1. The Director-General of the International Labour Office and the Secretary-General of the Intergovernmental Maritime Consultative Organisation may enter into such supplementary arrangements for the implementation of this Agreement as may be found desirable in the light of the operating experience of the two organisations.

2. The liaison arrangements provided for in the foregoing articles of this Agreement shall apply as far as appropriate to the relations between such branch or regional offices as may be established by the two organisations as well as between their central machinery.

ARTICLE IX

Notification to and Registration by the United Nations

1. In accordance with their respective agreements with the United Nations, the International Labour Organisation and the Intergovernmental Maritime Consultative Organisation will inform the Economic and Social Council forthwith of the terms of the present Agreement.

2. On the coming into force of the present Agreement in accordance with the provisions of article XI it will be communicated to the Secretary-General of the United Nations for filing and recording in pursuance of article 10 of the Regulations to give effect to article 102 of the Charter of the United Nations adopted by the General Assembly of the United Nations on 14 December 1946.

ARTICLE X

Revision and Termination

1. This Agreement shall be subject to revision by agreement between the International Labour Organisation and the Intergovernmental Maritime Consultative Organisation.

2. The Agreement may be terminated by either party on 31 December of any year by notice given to the other party not later than 30 September of that year.

ARTICLE XI

Entry into Force

This Agreement shall come into force on its approval by the Governing Body of the International Labour Office and the Intergovernmental Maritime Consultative Organisation Assembly.

IN WITNESS WHEREOF, the Director-General of the International Labour Office and the Secretary-General of the Intergovernmental Maritime Consultative Organisation have affixed their signatures to two authentic texts of the Agreement, the texts in English and French being equally authoritative.

(Signed) David A. MORSE.

(Signed) Gve NIELSEN.

Commission for Technical Co-operation in Africa South of the Sahara

AGREEMENT BETWEEN THE INTERNATIONAL LABOUR ORGANISATION
AND THE COMMISSION FOR TECHNICAL CO-OPERATION IN AFRICA SOUTH OF THE SAHARA

A proposed Agreement between the International Labour Organisation and the Commission for Technical Co-operation in Africa South of the Sahara (C.C.T.A.) was approved by the Governing Body of the I.L.O. at its 142nd Session in May 1959¹ and by the member Governments of the C.C.T.A. in June 1959.

The text of the Agreement, which entered into force on 25 July 1959, is reproduced below:

AGREEMENT BETWEEN THE INTERNATIONAL LABOUR ORGANISATION
AND THE COMMISSION FOR TECHNICAL CO-OPERATION IN AFRICA SOUTH
OF THE SAHARA

PREAMBLE

Whereas the International Labour Organisation, as a universal organisation, attaches the greatest importance to the maintenance and advancement in the social and labour fields of world standards based on the principles set forth in the Constitution of the International Labour Organisation and the Declaration of Philadelphia, and, while co-operating with the United Nations in the maintenance of international peace and security, remains outside political controversy between nations or groups of nations, and is at the disposal of all its member nations to co-operate with them either severally or through regional organisations of which they are members in implementing in the light of the world standards evolved through the International Labour Organisation, the objectives for which the International Labour Organisation itself exists, and to this end has established an African Advisory Committee and an African Field Office for the purpose of assisting it to fulfil its responsibilities towards the members of the Organisation having territories in Africa; and

Whereas the Commission for Technical Co-operation in Africa South of the Sahara is likewise a non-political body which has been established by an international agreement concluded between its member Governments for the purpose of encouraging and strengthening technical co-operation in all fields affecting the well-being of the peoples of the territories of its members in Africa South of the Sahara and has under its aegis the Inter-African Labour Institute and the Inter-African Labour Conference;

Desirous of contributing within the general framework of the Charter of the United Nations, the Constitution of the International Labour Organisation and the Agreement for the Establishment of the Commission for Technical Co-operation in Africa South of the Sahara to the effective accomplishment in Africa of the objectives which they have in common;

¹ See above, p. 212.