

INTERNATIONAL LABOUR OFFICE

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# OFFICIAL BULLETIN

VOLUME LXI  
SERIES A  
1978





## INTERNATIONAL LABOUR OFFICE

## OFFICIAL BULLETIN

Vol. LXI, 1978



Series A

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INTERNATIONAL LABOUR OFFICE

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INTERNATIONAL LABOUR OFFICE

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# OFFICIAL BULLETIN

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*Vol. LXI**1978**Series A, No. 1*

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## INFORMATION

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### **204th Session of the Governing Body of the International Labour Office <sup>1</sup>**

*(Geneva, 15-18 November 1977)*

The 204th Session of the Governing Body of the International Labour Office was held from Tuesday 15 to Friday 18 November 1977, under the chairmanship of Mr. J. Morris.

The agenda was as follows:

1. Approval of the minutes of the 203rd Session.
2. Date, place and agenda of the 65th (1979) Session of the Conference.
3. Action on the resolutions adopted by the Conference at its 63rd (June 1977) Session.
4. Report of the reconvened Tripartite Advisory Meeting on the Relationship of Multinational Enterprises and Social Policy (Geneva, 4-7 April 1977).<sup>2</sup>
5. Report on the Symposium on Arrangement of Working Time and Social Problems connected with Shift Work in Industrialised Countries (Geneva, 3-11 May 1977).<sup>2, 3</sup>
6. Report of the Meeting of Experts on Industrial Relations Information Systems (Geneva, 12-14 May 1977).<sup>2</sup>
7. Report of the Meeting of Experts on the Rising Cost of Medical Care under Social Security (Geneva, 17-20 May 1977).<sup>2</sup>
8. Report on the Symposium on the Control of Air Pollution in the Working Environment (Stockholm, 6-8 September 1977).

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<sup>1</sup> The documents and reports submitted to the Governing Body, containing information on the questions dealt with, will be published later with the minutes of the session. Some of these documents and reports are published in the *Official Bulletin*; each text so published is indicated by a footnote to the present article giving the number of the *Official Bulletin* in question.

<sup>2</sup> Item postponed from the 203rd Session.

<sup>3</sup> The Governing Body took note of the report.

9. Record of the Fifth African Regional Conference (Abidjan, 27 September-6 October 1977).
10. Report on the Symposium on the Training of Workers' Representatives for Participation in Decisions within Undertakings (Geneva, 10-21 October 1977).<sup>1</sup>
11. Report on the Symposium on Safety and Health of Migrant Workers (Çavtat, 31 October-4 November 1977).<sup>1</sup>
12. Report on the Symposium on Collective Bargaining in Industrialised Countries (Vienna, 2-9 November 1977).
13. Reports of the Committee on Freedom of Association.
14. Reports of the Programme, Financial and Administrative Committee.
15. Report of the Allocations Committee.<sup>2</sup>
16. Report of the Committee on Standing Orders and the Application of Conventions and Recommendations.
17. Report of the International Organisations Committee.
18. Report of the Industrial Activities Committee.
19. Report of the Committee on Operational Programmes.
20. Report of the Committee on Discrimination.
21. Composition and agenda of standing bodies and meetings.
22. International Institute for Labour Studies.<sup>3</sup>
23. International Centre for Advanced Technical and Vocational Training.<sup>4</sup>
24. Report of the Director-General.
25. Programme of meetings.
26. Appointment of Governing Body representatives on various bodies.

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The following is an account of the action taken by the Governing Body on the agenda.

#### APPROVAL OF THE MINUTES OF THE 203RD SESSION

The Governing Body approved the minutes of its 203rd Session.

#### DATE, PLACE AND AGENDA OF THE 65TH (1979) SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

The 65th (1979) Session of the International Labour Conference would open on Wednesday, 6 June 1979 and be held in Geneva.

Having regard to the items which would necessarily be before the Conference, the agenda of the session would be as follows:

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<sup>1</sup> The Governing Body postponed consideration of this item to its 205th Session.

<sup>2</sup> The Governing Body took note of the report.

<sup>3</sup> The Governing Body took note of the report on the Nineteenth Session of the Board of the Institute (7 November 1977).

<sup>4</sup> The Governing Body took note of the report on the Twenty-sixth Session of the Board of the Centre (Turin, 5 November 1977).

- I. Report of the Director-General.
- II. Programme and budget proposals and other financial questions.
- III. Information and reports on the application of Conventions and Recommendations.
- IV. Revision of the Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32) (*second discussion*).
- V. Hours of work and rest periods in road transport (*second discussion*).
- VI. Older workers: work and retirement (*first discussion*).
- VII. Follow-up of the World Employment Conference: basic needs (*general discussion*).

With regard to item VI, it was agreed that the subject should be placed on the agenda for a discussion of standards on the lines indicated in the Office paper.

With regard to item VII, it was agreed that the item should be placed on the agenda for a general discussion resulting possibly in the adoption of standards.

The Conference would also have before it a special report on the application of the Declaration concerning the policy of apartheid in the Republic of South Africa, 1964.<sup>1</sup>

#### ACTION ON THE RESOLUTIONS ADOPTED BY THE CONFERENCE AT ITS 63RD (JUNE 1977) SESSION <sup>2</sup>

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

The Governing Body asked the Director-General, when sending the resolution to governments and, through them, to employers' and workers' organisations, to draw special attention to paragraphs 2 (*f*) and (*g*) and 3 and, in so doing, to invite those governments which had not yet completed the process of submission of Convention No. 144 to the competent authorities to do so within the shortest possible time and also to inform the Director-General of their intentions regarding the ratification of that Convention.

The Governing Body decided, in considering questions relating to supervision of implementation of ILO standards and the promotion of human rights, to bear in mind the wish expressed in paragraph 2 (*a*) of the resolution, and requested the Director-General to bear that paragraph in mind when drawing up future programme and budget proposals.

The Director-General was invited actively to pursue all efforts to strengthen the participation of employers' and workers' organisations in supervision of the implementation of ILO standards and, in so doing, to take measures through the ILO's external offices to encourage the implementation and ratification of Convention No. 144, as well as the implementation of the Tripartite Consultation (Activities of the International Labour Organisation) Recommendation, 1976 (No. 152).

The Director-General was requested, when communicating the resolution to the Secretary-General of the United Nations, to request him to draw paragraph 2 (*h*) of the resolution to the attention of the United Nations bodies concerned.

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<sup>1</sup> For the text of the Declaration see *Official Bulletin*, July 1964, Supplement I, pp. 1-4.

<sup>2</sup> The texts of these resolutions will be found in *Official Bulletin*, 1977, Series A, No. 3.

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

The Director-General was invited, when sending the resolution to governments and through them to employers' and workers' organisations, to draw their attention to paragraphs 1 (a) and (b), 2 (a) and 3 (c) of the resolution and, in so doing, to request governments which had not yet ratified the Conventions mentioned in paragraph 1 (a) and 1 (b) (i) to inform the Director-General of their intentions.

The Governing Body decided to refer the requests in paragraph 1 (c) and (d) in the first instance to its Committee on Standing Orders and the Application of Conventions and Recommendations, to refer also the request contained in paragraph 2 (c) to its Committee on Standing Orders and the Application of Conventions and Recommendations, to refer the request in paragraph 2 (b) to its Committee on Discrimination, and paragraph 3 (b) to its Committee on Freedom of Association.

The Director-General was invited actively to pursue the possibility of initiating direct contacts where appropriate and, on the occasion of all direct contacts, to draw the attention of the governments concerned to the importance which the Governing Body attaches to the provision of full facilities for the Director-General's representatives to inform the representative employers' and workers' organisations of the issues under consideration and to hear their views.

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

The Director-General was requested to draw special attention to the appeal contained in the operative paragraph of the resolution when circulating it to the governments of member States and, through them, to the employers' and workers' organisations.

REPORT OF THE RECONVENED TRIPARTITE MEETING ON THE  
RELATIONSHIP OF MULTINATIONAL ENTERPRISES AND SOCIAL POLICY  
(Geneva, 4-7 April 1977)

*Draft Tripartite Declaration of Principles*

The Governing Body approved the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy,<sup>1</sup> inserting the last subparagraph of the preamble suggested by the Meeting.

*Communication of the Report and the Declaration*

The Director-General was authorised to communicate the report of the Meeting and the Tripartite Declaration of Principles (i) to governments and, through them to workers' and employers' organisations, with a view to further transmission to multinational enterprises and workers' representatives concerned; and (ii) to the international governmental organisations, the non-governmental organisations with consultative status and other non-governmental organisations concerned.

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<sup>1</sup> See p. 49 below.

### *Follow-up Procedures*

The Governing Body endorsed the views set forth in paragraph 18<sup>1</sup> of the Office paper on the use which might be made in the United Nations Code of Conduct of the approved Declaration and decided to convey them to the Secretary-General of the United Nations.

It requested the Director-General to submit to it at its next session a paper examining in detail the possibilities of a follow-up procedure, in the light of the legal and practical problems involved.

### REPORT OF THE MEETING OF EXPERTS ON INDUSTRIAL RELATIONS INFORMATION SYSTEMS

*(Geneva, 12-14 May 1977)*

The Governing Body took note of the report and authorised the Director-General—

- (a) to communicate it to the governments of member States and, through them, to the employers' and workers' organisations, to the intergovernmental organisations concerned and to the non-governmental organisations having consultative status with the ILO and other non-governmental organisations concerned; and
- (b) in so doing, to draw attention to the recommendations contained in paragraph 21 of the report, especially in so far as they relate to the need for co-operation on the part of all concerned in helping the ILO to play the role recommended by the experts; and
- (c) to take the experts' recommendations into account in drawing up future programme proposals.

### REPORT OF THE MEETING OF EXPERTS ON THE RISING COST OF MEDICAL CARE UNDER SOCIAL SECURITY

*(Geneva, 17-20 May 1977)*

The Governing Body took note of the report and authorised the Director-General—

- (a) to distribute it to the governments of member States and through them to the employers' and workers' organisations, to the intergovernmental organisations concerned and to the non-governmental organisations having consultative status with the ILO;
- (b) to explore with the World Health Organisation the action to be taken on the recommendation made by the experts in the last paragraph of the report that a

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<sup>1</sup> "18. Since the Declaration must be viewed as a whole and, taken as a whole, reflects an agreed position of the ILO, the Governing Body, when placing the . . . text at the disposal of the United Nations, will probably wish to insist on the understanding that the . . . text should neither be altered nor be reproduced in parts only. As far as can be judged at present, two possibilities appear to exist for use of the full . . . Declaration in the context of the UN Code of Conduct: either the text might be included in the UN Code as a sub-chapter dealing with employment and labour, or the UN Code could simply refer to the . . . Declaration, which in this case would be appended as a separate code on social and labour problems. At the present stage, the second alternative would seem to be preferable from a practicable standpoint, particularly in view of the uncertainties, mentioned earlier, concerning the final form and content of the UN Code."

- formal appeal should jointly and urgently be addressed by the WHO and the ILO to the pharmaceutical industry to supply to the least developed countries at minimum cost sufficient quantities of the basic 20 or 30 types of medicines required to meet the basic health needs of the majority of the population; and
- (c) to take account of the views of the Meeting in considering the further development of the social security activities of the ILO.

REPORT ON THE SYMPOSIUM ON THE CONTROL OF AIR  
POLLUTION IN THE WORKING ENVIRONMENT

(Stockholm, 6-8 September 1977)

The Governing Body asked the Director-General to convey its warm thanks to the Government of Sweden and to the Swedish Work Environment Fund for the excellent facilities put at the disposal of the symposium and for the cordial welcome and hospitality extended to the participants.

RECORD OF THE FIFTH AFRICAN REGIONAL CONFERENCE

(Abidjan, 27 September-6 October 1977)

The Director-General was invited to convey the Governing Body's appreciation to the Government of the Ivory Coast for the facilities generously placed at the disposal of the Conference, and to the Government as well as to the employers' and workers' organisations of the Ivory Coast for the warm hospitality extended to Conference participants.

*Resolutions and Conclusions Adopted by the Conference and Suggested Action  
by the Governing Body*<sup>1</sup>

The Director-General was authorised to transmit the texts of the conclusions and resolutions adopted by the Conference to the governments of member States and through them to the national employers' and workers' organisations, and to the international organisations concerned, including the non-governmental organisations with consultative status.

*Second Item on the Agenda : Improvement and Harmonisation  
of Social Security Systems in African countries*

The Director-General was invited—

- (a) to draw the attention of the governments of African member States to the recommendations in paragraphs 1 to 14 of the resolution concerning the principles and methods to be followed;
- (b) to take account of the suggestions in paragraphs 15 to 18 of the resolution in making proposals for the ILO's programme of activities; and
- (c) to draw the special attention of the international and regional organisations concerned to the provisions of paragraph 15 which concern them directly.

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<sup>1</sup> See p. 31 below.



### *Third Item on the Agenda : Education for Development*

The Director-General was invited—

- (a) to draw the attention of the governments of African member States to the Conclusions regarding the principles to be applied and the methods to be followed;
- (b) to draw the attention of the governments of African member States to the resolution concerning workers' education for the strengthening and development of workers' organisations, and in particular to its paragraph 3; and
- (c) to take account of the suggestions in Section VII of the Conclusions entitled "International co-operation and the role of the ILO" and of paragraph 2 of the resolution in drawing up proposals for the ILO's programmes of activity.

#### *Resolution on ILO Action against Apartheid and Assistance to Liberation Movements in Southern Africa*

The Director-General was invited—

- (a) to draw the attention of the governments of all member States of the ILO to the appeal made to them in paragraphs 1 and 2 of the resolution;
- (b) to take all appropriate measures to give effect to the requests contained in paragraphs 3 and 4 of the resolution; and
- (c) to draw the attention of the International Labour Conference, at its 64th (1978) Session, to the request addressed to it in the resolution.

#### *Resolution concerning ILO Assistance to Employers' Organisations*

The Director-General was asked to take account of the request made by the Conference in this resolution when drawing up proposals for future ILO programmes.

#### *Resolution concerning the Implementation of the World Employment Conference Declaration of Principles and Programme of Action by African Governments*

The Director-General was requested—

- (a) to draw the attention of the governments of African member States to paragraphs 1, 2 and 6 (c) and (d) of the resolution;
- (b) to take account of paragraphs 3, 4 and 6 (a) and (b) in preparing his proposals for ILO programmes of activity; and
- (c) to draw the attention of the Tunisian Government to the wish expressed in paragraph 5.

#### *Resolution concerning Multinational Enterprises in Africa*

The Director-General was invited to take the requests contained in this resolution into consideration in developing the ILO's programmes of activity, in consultation with the United Nations Information and Research Centre on Transnational Corporations.

#### *Resolution concerning Working Conditions and the Environment*

The Director-General was requested—

- (a) to draw the attention of the governments of African member States to paragraphs 1 to 6 of the resolution, informing them that the ILO is prepared to

lend them its support in the formulation and implementation of programmes for the improvement of working conditions and environment; and

- (b) to take account of the requests made in the resolution both in the execution of the technical co-operation programme for 1978-79 and in drawing up future ILO programme proposals.

*Resolution concerning the Ratification and Implementation of  
International Labour Standards in Africa*

The Director-General was requested—

- (a) to draw the attention of the governments of African member States to paragraphs 1 to 6, 8 and 9 of the resolution, inviting them to consider what further measures may be needed in their countries to give effect to the recommendations in those paragraphs, with particular reference to the ratification and application of the international labour Conventions mentioned therein;
- (b) to draw the attention of the governments of other ILO member States to paragraphs 4 and 7 of the resolution, inviting them to consider what further measures may be necessary in their countries to give effect to the recommendations made with a view to the protection of migrant workers from African countries;
- (c) to take account of paragraphs 10 and 11 of the resolution in drawing up proposals for ILO programmes and activities; and
- (d) to take account of paragraph 12 of the resolution in proposals concerning the agenda of future sessions of the African Advisory Committee and future African regional conferences.

REPORT ON THE SYMPOSIUM ON COLLECTIVE BARGAINING  
IN INDUSTRIALISED COUNTRIES

*(Vienna, 2-9 November 1977)*

The Governing Body postponed consideration of the report to its 205th Session and requested the Director-General to express its deep gratitude to the Government of Austria for the facilities placed at the disposal of the Symposium and to the Government and employers' and workers' organisations for the welcome extended to the participants.

REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

*(172nd to 176th Reports) <sup>1</sup>*

The Governing Body examined and approved at its sixth sitting the 172nd, 173rd, 174th, 175th and 176th Reports of the Committee.

REPORTS OF THE PROGRAMME, FINANCIAL AND  
ADMINISTRATIVE COMMITTEE

On the basis of the reports of its Committee and of the recommendations contained therein, the Governing Body took note of information submitted to it

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<sup>1</sup> The texts of these Reports will subsequently be published in Series B of the *Official Bulletin*.

concerning financial and administrative questions (transfers, section of the report concerning the in-depth review of international labour standards), and personnel questions.

With respect to the measures to deal with the financial situation resulting from the withdrawal of the United States, the Governing Body—

- (a) endorsed the general level of programme reductions proposed by the Director-General amounting to \$36.6 million;
- (b) noted the measures which the Director-General intended to take to attempt to bridge the gap between those reductions and the shortfall of income resulting from the United States' withdrawal; and
- (c) asked the Director-General to submit to the Governing Body at its 205th (February-March 1978) Session a report on programme reductions and on posts to be abolished.

The Governing Body endorsed the programme and approved the budget for the International Institute for Labour Studies for 1978 and 1979, subject to the Governing Body's decisions concerning the reductions in the ILO budget resulting from the withdrawal of the United States.<sup>1</sup>

It approved the 1978-79 expenditure and income estimates for the Joint ILO/ISSA account, as well as the 1978-79 expenditure and income estimates for the International Occupational Safety and Health Information Centre account, and the budget of the Inter-American Vocational Training Research and Documentation Centre for 1978-79.

It reappointed Mr. Yves Oltramare and Dr. Christoph Gruebler and appointed Baron Sirtema van Grovestins as members of the Investments Committee for a period of three years, expiring on 31 December 1980.

It approved the recognition of the jurisdiction of the ILO Administrative Tribunal by the World Tourism Organisation.

On the reports of its Building Subcommittee, it approved the transfer of the statue of Don Miguel Hidalgo y Costilla to a location on the site of the new ILO building to be determined in agreement with the architects, all the costs involved in the transfer being met by the Government of Mexico.

The Governing Body requested the Director-General to convey its deep sympathy on the death of Mr. Sven-Ivar Ivarsson, Deputy Auditor for the Organisation since 1974, to his family.

## REPORT OF THE COMMITTEE ON STANDING ORDERS AND THE APPLICATION OF CONVENTIONS AND RECOMMENDATIONS

### *Application of Conventions and Recommendations*

#### *International Year of the Child (1979): Action in Respect of International Labour Standards*

The Governing Body—

- (a) decided to invite the governments of member States to consider taking such further action as might be necessary to give effect to the provisions of the Minimum Age Convention (No. 138) and Recommendation (No. 146), 1973, and to consider the ratification of the Convention, if not yet ratified;

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<sup>1</sup> See p. 19 below.

- (b) decided to invite the governments of member States to inform the Director-General, by 31 July 1978, of any such action taken or contemplated and of any difficulties which in their view stand in the way of the implementation of the instruments in question and the ratification of the Convention; and
- (c) requested the Director-General to submit to the Committee, in November 1978, a report summarising the information received, as a basis for consideration of any further action which might be called for at that stage.

*Form of Report (article 22 of the Constitution) for the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)*

The Governing Body approved a report form for the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144).

*Other Questions : Summaries of Reports on Ratified Conventions*

The Governing Body approved the following arrangements for the presentation by the Director-General to the Conference, pursuant to article 23, paragraph 1, of the ILO Constitution, of summaries of reports submitted by governments under article 22 of the Constitution:

- (a) the practice already followed in Report III (1) to each session of the Conference of tabular classification of reports subsequent to first reports after ratification should be extended to the first reports also, without summary of their contents; and
- (b) the Director-General should make available, for consultation at the Conference, the original texts of all reports on ratified Conventions received; in addition, photocopies of those reports should be supplied on request to members of delegations (free of charge if only of a limited nature, at cost for more substantial requests).

*Standing Orders Questions*

The Governing Body took note of the sections of the report concerning Governing Body procedure to fix the agenda of the International Labour Conference and concerning secret ballots at the International Labour Conference.

It decided that all questions relating to article 17 of the Standing Orders of the International Labour Conference should be left to the Working Party on Structure for consideration.

REPORT OF THE INTERNATIONAL ORGANISATIONS COMMITTEE

As regards co-operation with the European Communities, the Governing Body—

- (a) noted with satisfaction that the European Parliament had urged member States to speed up the ratification and implementation procedures with regard to international Conventions on social and labour legislation; and
- (b) requested the Director-General to take all appropriate steps to strengthen co-operation between the ILO and the European Communities with regard to social and labour legislation in order to facilitate the procedure for ratification of Conventions by member States of the European Communities.

It confirmed its earlier approval of the Agreement between the ILO and the African Development Bank and took note of the Memorandum appended to it.<sup>1</sup>

It took note of the section of the report concerning the annual report of the Administrative Committee on Co-ordination for 1976/1977.

## REPORT OF THE INDUSTRIAL ACTIVITIES COMMITTEE

### *Tenth Session of the Metal Trades Committee (1977) :*

#### *Effect to Be Given to the Conclusions and Resolutions of the Committee* <sup>2</sup>

The Director-General was authorised—

- (a) to communicate the texts adopted by the Metal Trades Committee at its Tenth Session (i) to governments, informing them that the Governing Body had taken note of those documents and requesting them to communicate the texts to the employers' and workers' organisations concerned, and (ii) to the international organisations of employers and workers having consultative status; and
- (b) to draw the special attention of governments and, through them, that of the employers' and workers' organisations concerned, as well as that of the international employers' and workers' organisations having consultative status, to:
  - (i) the report and Conclusions (No. 82) concerning safety, health and working environment in the metal trades; and
  - (ii) the report and Conclusions (No. 83) concerning the employment consequences of scientific, technological and structural developments in the metal trades of industrialised and developing countries.

#### *Effect Given to the Conclusions and Resolutions Adopted by the Metal Trades Committee at Its Previous Sessions*

The Director-General was requested—

- (a) to draw the attention of governments, and through them that of employers' and workers' organisations concerned, as well as that of the international employers' and workers' organisations having consultative status, to Section I, Group C, of the Classification of the Conclusions and Resolutions Adopted by the Metal Trades Committee at its Nine Previous Sessions; and
- (b) when planning the future programme of work of the Office, to continue to bear in mind the wishes expressed by the Metal Trades Committee in (i) Section II, Group B, of the Classification with a view to giving effect to the requests contained therein and addressed to the Office and (ii) paragraph 17 of the report of the Working Party on the Effect Given to the Conclusions and Resolutions Adopted at the Previous Sessions of the Metal Trades Committee.

#### *Safety, Health and Working Environment*

The Director-General was requested—

- (a) to draw the attention of member States to the wish expressed by the Metal Trades Committee in paragraph 28 of Conclusions No. 82;

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<sup>1</sup> See p. 77 below.

<sup>2</sup> See p. 57 below.

- (b) to draw the attention of the General Agreement on Tariffs and Trade to the wishes expressed by the Metal Trades Committee in paragraph 26 of Conclusions No. 82; and
- (c) when planning the future programme of work of the Office, to bear in mind the wishes expressed by the Metal Trades Committee in paragraphs 5, 9, 11, 12, 13, 16, 20, 27 and 28 of Conclusions No. 82.

#### *Employment Consequences of Scientific, Technological and Structural Developments*

The Director-General was requested, when planning the future programme of work of the Office, to bear in mind the wishes expressed by the Metal Trades Committee in paragraphs 8, 17 and 26 of Conclusions No. 83.

#### *Working Time*

The Director-General was requested, when planning the future programme of work of the Office, to bear in mind the wishes expressed by the Metal Trades Committee in paragraphs 1 (a) and (b) and 2 of the operative part of Resolution No. 85.

#### *Income Security*

The Director-General was requested, when planning the future programme of work of the Office, to bear in mind the wishes expressed by the Metal Trades Committee in paragraphs 1 and 2 of the operative part of Resolution No. 86.

#### *Multinational Enterprises*

The Director-General was requested, when planning the future programme of work of the Office, to bear in mind the wish expressed by the Metal Trades Committee in subparagraph (b) of Resolution No. 87.

#### *Young Workers*

The Director-General was requested—

- (a) to transmit an appeal to the governments of all member States in accordance with paragraph 2 of Resolution No. 88; and
- (b) when planning the future programme of work of the Office, to bear in mind the wishes expressed by the Metal Trades Committee in paragraph 1 of Resolution No. 88.

#### *Second Tripartite Technical Meeting for the Food Products and Drink Industries : Invitation of Non-Governmental International Organisations*

The Director-General was authorised to invite the following non-governmental international organisations to be represented as observers at the Meeting:

International Confederation of Executive Staffs;  
 International Union of Food and Allied Workers' Associations (IUF);  
 Trade Unions International of Food, Tobacco, Hotel and Allied Industries Workers (WFTU);  
 World Federation of Workers in Food, Tobacco and Hotel Industries (WCL).

## *Meeting on Problems of Foreign Construction Workers Employed in European Countries*

### *Agenda*

The agenda of the Meeting of Experts would be: "Problems of foreign construction workers employed in European countries".

### *Invitation of International Organisations*

The Director-General was authorised to invite the following non-governmental international organisations to be represented at the Meeting of Experts:

European Federation of Christian Trade Unions of Building and Woodworkers;  
European Trade Union Confederation (ETUC);  
International European Construction Federation;  
International Federation of Building and Woodworkers (IFBWW);  
Trade Unions International of Workers of the Building, Wood and Building Materials Industries (WFTU).

### *Periodic Reports on the Effect Given to the Requests of Industrial Committees and Similar Bodies : Third Tripartite Technical Meeting for Mines Other than Coal Mines (1975)*

The Governing Body took note of this section of the report.

### *Other Questions*

#### *Request for the Establishment of a Committee for the Graphical and Allied Industries*

The Governing Body took note of this section of the report, indicating general agreement that this question should be discussed at the next meeting of the Committee.

#### *Tripartite Meeting on Conditions of Work and Employment of Professional Workers : Further Invitations to Non-Governmental International Organisations*

The Director-General was authorised to invite the following non-governmental international organisations to the Tripartite Meeting on Conditions of Work and Employment of Professional Workers:

International Federation of University Women;  
Liaison Committee of Engineers, Supervisory and Managerial Staffs;  
World Federation of Scientific Workers;  
World Federation of Teachers' Unions.

#### *Tripartite Technical Meeting for Civil Aviation : Invitation of Additional Non-Governmental International Organisations*

The Director-General was authorised to invite the following non-governmental international organisations to be represented as observers at the Tripartite Technical Meeting for Civil Aviation:

Public Service International;  
International Civil Airports Association.

### *Participation of Observers at Industrial Meetings*

The Governing Body took note of the section of the report suggesting that the Committee should take up this question at its next meeting but one.

### REPORT OF THE COMMITTEE ON OPERATIONAL PROGRAMMES

After having taken note of the sections of the report concerning ILO technical co-operation activities in 1976-77, including tripartite participation, and concerning further developments relating to the capacity of the United Nations development system, the Governing Body approved the following agenda for the Committee's next meeting, to be held during the Governing Body's 208th Session (November 1978):

1. ILO technical co-operation activities in 1977-78, including tripartite participation.
2. Further developments relating to the capacity of the United Nations development system.
3. Other questions.

### REPORT OF THE COMMITTEE ON DISCRIMINATION

The Governing Body took note of the part of the report concerning ILO action on discrimination in employment and occupation.

It authorised the Director-General, in co-operation with the United Nations, to continue energetically the preparation and implementation of ILO activities in relation to the International Year against Apartheid.

The Director-General was authorised—

- (a) to express the appreciation of the Governing Body to the Government of Senegal for having acted as host to the Symposium on Equality of Opportunity and Treatment in Employment in Africa (Dakar, 19-29 September 1977) and for the facilities placed at its disposal;
- (b) to transmit the report of the Symposium to governments and to employers' and workers' organisations from the African region, drawing attention especially to the observations concerning ILO action contained in paragraphs 44 and 46<sup>1</sup> of the report and to those contained in paragraphs 48 to 52,<sup>2</sup> as well as to interested international organisations, and particularly to international non-governmental organisations with consultative status; and
- (c) to take into account the conclusions and suggestions emerging from the Symposium in respect of future ILO activities in Africa within the areas dealt with.

### COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS

#### *Standing Bodies*

#### *Committee of Experts on the Application of Conventions and Recommendations*

The following members were reappointed for a period of three years:

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<sup>1</sup> Concerning ways in which the ILO could help member countries in overcoming the problems of ratification and application of Conventions, and concerning action to assist migrant workers.

<sup>2</sup> Concerning the struggle against apartheid.



Sir Adetokunbo Ademola (Nigeria).  
Sir William Douglas (Barbados).  
Mr. A. Gubinski (Poland).  
Mr. Frank W. McCulloch (United States).  
Mr. G. Tunkin (USSR).

To fill the vacancies left by Mr. García Sayán and Mr. Gajendragadkar, the following persons were appointed as members of the Committee for a period of three years:

Mr. Justice Prafullachandra Natvarlal Bhagwati (India), Judge of the Supreme Court of India since 1973, previously Judge of the High Court of Gujarat, 1960-67, Chief Justice of the High Court of Gujarat, 1967-73, formerly Chairman, Legal Aid Committee and Judicial Reforms Committee, Government of Gujarat.

Mr. José María Ruda (Argentina), Judge at the International Court of Justice since 1973, member of the Institute of International Law, formerly Professor of Public International Law at the University of Buenos Aires, former representative to the United Nations.

### *Meetings*

#### *Meeting of Experts on Problems of Foreign Construction Workers Employed in European Countries*

The Governing Body noted that the Director-General proposed that the meeting should last ten days and be composed of 36 experts.

#### *Committee on Conditions of Work in the Fishing Industry*

The Governing Body noted that the Director-General proposed that the meeting should last ten days and be composed like the last Committee in 1962.

#### *Information on Symposia and Seminars and Similar Meetings Provided for under the Regular Budget or Financed from Extra-Budgetary Sources*

The Governing Body took note of the information supplied to it concerning these meetings.

It was agreed that Iran should be added to the list of countries from which it was proposed to invite participants in the High-level Meeting on Labour Administration and Development.

### REPORT OF THE DIRECTOR-GENERAL

#### *Obituary*

The Governing Body requested the Director-General to convey its sympathy on the death of Mr. Morio Aoki, representative of the Japanese Government on the Governing Body from 1960 to 1967 and its Chairman in 1966-67, and Government delegate of his country to the International Labour Conference during that period, to his family and to the Government of Japan; on the death of Mr. Kalmar Øksnes, representative of the Norwegian Government on the Governing Body from 1951 to 1957 and from 1963 to 1966, and Government delegate of his country at numerous sessions of the International Labour Conference, to his family and to the

Government of Norway; and on the death of Mr. Maurice Bouladoux, deputy Worker member of the Governing Body from 1960 to 1963 and French Workers' delegate or adviser at several sessions of the International Labour Conference until 1968, to his family, to the French Democratic Confederation of Labour and to the World Confederation of Labour.

### *Composition of the Governing Body*

The Governing Body took note of the section of the report informing it of the appointment of representatives of governments. It noted that, in accordance with article 5, paragraph 5, of its Standing Orders, the Workers' group had appointed Mr. Glyn Lloyd (United Kingdom) as a regular member in place of Mr. Plant (United Kingdom).

### *Progress of International Labour Legislation*

#### *Internal Administration*

#### *Documents and Publications*

The Governing Body took note of these sections of the report.

### *Disappearance of Mr. A. Vitaic Jakasa, Employer Deputy Member of the Governing Body*

The Governing Body took note of the supplementary report on this matter.

### *Appointment of a Delegation of the Asian Advisory Committee to Attend the Asian Consultations on Working Conditions and Environment and Choice of Technology (Manila, December 1977)*

On the proposal of the groups, the Governing Body appointed the following persons to the delegation of the Asian Advisory Committee to attend the Asian Consultations:

*Government members:* Bangladesh, India, Indonesia, Philippines, Sri Lanka and Thailand.

*Workers' group :* Mr. Ahmed, Mr. Mendoza and Mr. Zaidi.

The Governing Body authorised the Asian Advisory Committee, at its forthcoming session, to appoint the Employer members of the delegations.<sup>1</sup>

### *Communication by the Chairman of the Working Party on Structure*

The Governing Body took note of the report, containing a communication concerning the convening of a further meeting of the Working Party.

### *Composition of Tripartite Evaluation Team on Technical Co-operation Activities in Asia*

The Governing Body agreed to the substitution of Mr. Zaidi for Mr. Mendoza as Worker member and to that of Mr. I. M. Ahmed for Mr. Nasr as Employer member of the tripartite evaluation team on ILO technical co-operation activities in Bangladesh.

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<sup>1</sup> The appointments were as follows: Mr. H. Bektı, Mr. M. T. Hussain, Mr. A. Periquet.

## PROGRAMME OF MEETINGS

The Governing Body thanked the Government of the Philippines for its generous invitation to hold the 17th Session of the Asian Advisory Committee in Manila.

It approved the following programme of meetings for the remainder of 1977 and for 1978:

Date	Title of meeting	Place
<b>1977</b>		
21-28 November	Meeting of Experts on Limits of Exposure to Dangerous Air-borne Substances	Geneva
22-30 November	Tripartite Meeting on Conditions of Work and Employment of Professional Workers	Geneva
29 November-8 December	Asian Advisory Committee (17th Session)	Manila
7-15 December	Tripartite Technical Meeting for Civil Aviation	Geneva
<b>1978</b>		
6-11 February	Government Members of the Working Party on Structure	Geneva
13-18 February	Working Party on Structure	Geneva
20 February-3 March	205th Session of the Governing Body and its Committees	Geneva
9-22 March	Committee of Experts on the Application of Conventions and Recommendations	Geneva
4-13 April	Textiles Committee (Tenth Session)	Geneva
29 May-3 June	206th Session of the Governing Body and its Committees	Geneva
7-28 June	64th Session of the International Labour Conference	Geneva
Immediately after the Conference	207th Session of the Governing Body	Geneva
19-28 September	Second Tripartite Technical Meeting for the Food Products and Drink Industries	Geneva
2-6 October	Joint ILO/Council of Europe Meeting to Draft an Agreement between Eastern and Western European Countries on Reciprocity in Medical Care	Geneva
November	208th Session of the Governing Body and its Committees	Geneva
21-30 November	Committee on Conditions of Work in the Fishing Industry	Geneva
Second half	Eleventh Conference of American States Members of the International Labour Organisation	— <sup>1</sup>
Second half	Fifth International Conference on Pneumoconioses	— <sup>1</sup>
Second half	Meeting of Experts on Problems of Foreign Construction Workers Employed in European Countries	Geneva
Second half	Tripartite Advisory Meeting on Night Work	Geneva
Second half	Meeting of Experts on Accident Prevention and Compensation	Geneva
Second half	Meeting of Experts on Statistics of Industrial Injuries	Geneva

### APPOINTMENT OF GOVERNING BODY REPRESENTATIVES ON VARIOUS BODIES

#### *Tripartite Technical Meeting for Civil Aviation (Geneva, 7-15 December 1977)*

The Governing Body approved the replacement of Mr. Richan by Miss Hak as Employer member of its delegation to the Meeting.

<sup>1</sup> To be proposed later.

*Tenth Session of the Textiles Committee  
(Geneva, 4-13 April 1978)*

The Governing Body appointed Mr. Fassina (substitute: Mr. K. Ahmed) as the Worker member of its delegation to the Tenth Session of the Committee.

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*Symposia and Other Technical Meetings*

It was noted that the Director-General hoped to submit to the Governing Body at its next session a paper reviewing the rules and criteria concerning the role, composition, agenda and financing of symposia and other technical meetings.

*Change in the Composition of the Working Party on Structure*

On the proposal of the Government group, the Governing Body decided that France should replace the United States as a Government member of the Working Party on Structure.

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## **Membership of the International Labour Organisation**

### **WITHDRAWAL OF THE UNITED STATES OF AMERICA**

In a letter of 5 November 1975, received by the Director-General of the International Labour Office on 6 November 1975, the United States of America gave notice of its intention to withdraw from the International Labour Organisation.

Under paragraph 5 of article 1 of the Constitution of the International Labour Organisation, notice of withdrawal shall take effect two years after the date of its reception by the Director-General, provided that the Member has fulfilled all financial obligations arising out of its membership.

The United States of America ceased to be a Member of the International Labour Organisation on 6 November 1977.

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## Major Advisory and Other Meetings Held

The following meetings took place during the period covered by the present issue of the *Official Bulletin*. In addition to the sources of fuller information indicated by footnote, limited quantities of reports and preparatory documents relating to meetings may be purchased from ILO Publications, International Labour Office, CH-1211 Geneva 22.

**Symposium on Arrangement of Working Time and Social Problems Connected with Shift Work in Industrialised Countries** (*Geneva, 3-11 May 1977*).

*Agenda :*

- (a) to identify the main problems arising in connection with various forms of arrangement of working time, to evaluate their advantages and disadvantages, to examine their degree of interdependence and to distinguish trends;
- (b) to throw more light on the health, personal, family, social and occupational effects of shift work and to determine whether and in what way the situation can be improved.

**Joint ILO-UNESCO-WIPO Asian Pacific Seminar on the Protection of Performers, Producers of Phonograms and Broadcasting Organisations** (*Bangkok, 25-28 October 1977*).

The Seminar (which had been postponed from earlier in the year) was designed to make the Rome Convention better known and to examine the situation with regard to national laws in this field in the Asian Pacific region. After considering individual country reports and the statements prepared by the three Organisations, the Seminar unanimously adopted a set of recommendations advocating, inter alia, that protection should be provided under national legislation for performers, producers of phonograms and broadcasting organisations; that organisations should be set up to facilitate the exercise of the rights envisaged under the Rome Convention; and that countries which have not already done so should consider ratifying, in addition to the Rome Convention, the Phonograms Convention and the Satellites Convention (which deals with the distribution of programme-carrying signals transmitted by satellite).

**Joint ILO-UNESCO Meeting of Experts on the Status of the Artist** (*Geneva, 29 August-2 September 1977*).

The Joint Meeting, which represents a first step in international action in respect of the artist, concentrated on the technical, legal and administrative aspects of the status of the artist, considering in turn the definition of the "artist" and of the artist's "status", vocational training and training in ethics and citizenship, the social status of the artist in modern society, conditions of employment, work and life, and the encouragement of artistic creation. The experts adopted general observations and conclusions.

**Symposium on the Control of Air Pollution in the Working Environment** (*Stockholm, 6-8 September 1977*).<sup>1</sup>

Organised under the International Programme for the Improvement of Working Conditions and Environment (PIACT), the Symposium dealt with four main topics: research methods and organisation of research; the monitoring and evaluation of contaminants; ways of preventing air pollution and the dispersal of contaminants; and administrative action and organisation.

**Symposium on Equality of Opportunity and Treatment in Employment in Africa** (*Dakar, 19-29 September 1977*).

*Agenda :*

- (a) a general review of the problems of inequality and the measures to be taken for the elimination of discrimination and the promotion of equality of opportunity and treatment in Africa;
- (b) a special review of questions concerning migrant workers;
- (c) a review of the situation in Southern Africa and problems related to international action designed to create conditions for achieving the objective of equality of opportunity on the continent of Africa in general and also special action concerning Southern Africa.

The Symposium expressed the wish that widespread use should be made in the future of the advisory and other services which the ILO could make available for the examination of questions and measures relating to equality of opportunity and treatment in general as well as for the drafting and application of bilateral and regional agreements concerning migrant workers.

**Fifth African Regional Conference** (*Abidjan, 27 September-6 October 1977*).<sup>2</sup>

*Agenda :*

1. Report of the Director-General.
2. Improvement and harmonisation of social security systems in African countries.
3. Education for development.

*Texts adopted :* See pages 31-48.

**Symposium on the Training of Workers' Representatives for Participation in Decisions within Undertakings** (*Geneva, 10-21 October 1977*).

*Agenda :*

1. The present status of workers' participation in various countries.
2. Training and education of workers' representatives as a prerequisite for successful participation by workers in decisions within undertakings.
3. Training needs and target groups.
4. Aims, scope and contents of training programmes.
5. Methods and facilities, including the problem of financing.
6. International action—the role of the ILO.

<sup>1</sup> See also p. 6.

<sup>2</sup> See also pp. 6-8.

**Meeting of Experts on Safety Problems in the Construction and Operation of Offshore Drilling Installations in the Petroleum Industry** (*Geneva, 11-19 October 1977*).

**Agenda :**

1. Occupational safety and health problems in the construction, maintenance and operation of offshore installations concerned with the exploration and exploitation of hydrocarbon resources.
2. National and international safety standards applicable to offshore installations concerned with the exploration and exploitation of hydrocarbon resources and the machinery for the enforcement of those standards.
3. Role and future activities of the ILO, including in particular the elaboration of international standards for occupational safety and health, with a view to improving the safety of personnel in the offshore petroleum industry.

The Meeting adopted conclusions containing agreed recommendations with regard to (a) matters requiring action at the national or industry level, and (b) matters requiring action at the international level.

**International Symposium on Safety and Health of Migrant Workers** (*Çaytat, 31 October-4 November 1977*).

The Symposium concentrated on the following themes: epidemiology and statistics of occupational accidents and morbidity among migrant workers; factors which may affect their health and safety at work; the organisation of health protection and the legal basis of industrial safety and health protection for migrant workers; practical preventive measures; the female migrant worker; and the return of migrant workers.

**Symposium on Collective Bargaining in Industrialised Countries** (*Vienna, 2-9 November 1977*).<sup>1</sup>

The Symposium discussed the following subjects:

- (a) the institutional and procedural framework for collective bargaining;
- (b) collective bargaining as a means of regulating wages and working conditions and labour-management relations;
- (c) collective bargaining at the enterprise, industry-wide and national levels and problems of co-ordination;
- (d) methods of settlement of disputes arising in connection with collective bargaining;
- (e) collective bargaining and inflation.

**Meeting of Experts on Limits of Exposure to Dangerous Airborne Substances** (*Geneva, 21-28 November 1977*).

**Agenda :**

1. Exposure limits for dangerous substances: criteria for their establishment; application.
2. Legislative or other measures that might be taken to govern the introduction of new substances.

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<sup>1</sup> See also p. 8.



3. Practical preventive and protective measures: adoption of a code of practice.
4. Co-operation between employers and workers.
5. Future ILO action.

The experts adopted a Code of Practice on occupational exposure to airborne substances harmful to health which will be published shortly and made a number of recommendations regarding the drafting of new international labour standards and codes of practice and the revision of the *Encyclopaedia of occupational health and safety* and of the *Model code of safety regulations for industrial establishments*.

**Tripartite Meeting on Conditions of Work and Employment of Professional Workers (Geneva, 22-30 November 1977).**

The meeting, whose agenda consisted of the single item "conditions of work and employment of professional workers", adopted a Compendium of Principles and Good Practices Relating to the Conditions of Work and Employment of Professional Workers, on the basis of a draft text prepared by the Office.

**Asian Advisory Committee (17th Session, Manila, 29 November-8 December 1977).**

*Agenda :*

1. Review and evaluation of ILO activities in Asia, including advice on the ILO Medium-Term Plan.
2. Ratification and implementation of international labour standards.
3. Examination of proposals for the agenda of the Ninth Asian Regional Conference:
  - (a) labour relations and development in Asia;
  - (b) protection of trade union rights in Asia and their relation to the civil liberties which are essential for the effective exercise of those rights;
  - (c) land reform and social progress in Asia;
  - (d) policies for working conditions and environment;
  - (e) employment of women, with special emphasis on rural areas;
  - (f) the social impact of multinational corporations in Asia.

The Committee reached a number of conclusions on the first two items on its agenda and agreed on the proposed agenda for the Ninth Asian Regional Conference.

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## **Official Measures Taken regarding Decisions of the International Labour Conference <sup>1</sup>**

### **Instrument for the Amendment of the Constitution of the International Labour Organisation, 1972 <sup>2</sup>**

#### **Ratification**

The ratification, by Portugal, of the Instrument for the amendment of the Constitution of the International Labour Organisation, 1972, has been communicated to the Director-General of the International Labour Office in accordance with Article 5 of the above-mentioned Instrument and was received on 14 October 1977. This Instrument entered into force on 1 November 1974.

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<sup>1</sup> Period covered: 1 October 1977 to 31 March 1978.

<sup>2</sup> For the text of this Instrument of Amendment see *Official Bulletin*, 1972, No. 1, pp. 20-21.

# Ratifications and Denunciation of International Labour Conventions and Declarations concerning the Application of Conventions to Non-Metropolitan Territories

Notice is hereby given that the Director-General of the International Labour Office has registered the undermentioned ratifications and denunciation of international labour Conventions and declarations concerning the application of Conventions to non-metropolitan territories. In pursuance of article 20 of the Constitution of the International Labour Organisation, particulars of these ratifications, denunciation and declarations have been communicated to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations:

*The publication of information concerning action taken in respect of international labour Conventions and Recommendations does not imply any expression of view by the International Labour Office on the legal status of the State having communicated such information (including the communication of a ratification or declaration), or on its authority over the territories in respect of which such information is communicated ; in certain cases this may present problems on which the ILO is not competent to express an opinion.*

State	Convention	Date of registration of ratification/denunciation/declaration	Date on which ratification/denunciation/declaration will take effect
<b>I. Ratifications</b>			
<b>Costa Rica</b>	Workers' Representatives Convention, 1971 (No. 135)	7 December 1977	7 December 1978
<b>Cuba</b>	Human Resources Development Convention, 1975 (No. 142)	5 January 1978	5 January 1979
<b>Ecuador</b>	Rural Workers' Organisations Convention, 1975 (No. 141)	26 October 1977	26 October 1978
	Human Resources Development Convention, 1975 (No. 142)	"	"
<b>France</b>	Prevention of Accidents (Seafarers) Convention, 1970 (No. 134)	27 February 1978	27 February 1979
<b>India</b>	Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	27 February 1978	27 February 1979
<b>Iraq</b>	Accommodation of Crews Convention (Revised), 1949 (No. 92)	1 December 1977	1 June 1978
	Dock Work Convention, 1973 (No. 137)	9 March 1978	9 March 1979
	Occupational Cancer Convention, 1974 (No. 139)	31 March 1978	31 March 1979
<b>Lebanon</b>	Radiation Protection Convention, 1960 (No. 115) <sup>1</sup>	6 December 1977	6 December 1978

State	Convention	Date of registration of ratification/denunciation/declaration	Date on which ratification/denunciation/declaration will take effect
Mexico	Equality of Treatment (Social Security) Convention, 1962 (No. 118) <i>In accordance with Article 2, paragraphs 1-3, of the Convention, the obligations of the Convention have been accepted in respect of the following branches of social security: medical care; sickness benefit; maternity benefit; invalidity benefit; old-age benefit; survivors' benefit and employment injury benefit.</i>	6 January 1978	6 January 1979
Nicaragua	Human Resources Development Convention, 1975 (No. 142)	4 November 1977	4 November 1978
Poland	Minimum Age Convention, 1973 (No. 138) <i>The minimum age of 15 years has been specified pursuant to Article 2, paragraph 1, of the Convention.</i>	22 March 1978	22 March 1979
Portugal	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	14 October 1977	14 October 1978
Seychelles	Unemployment Convention, 1919 (No. 2)	6 February 1978	6 February 1978
	Minimum Age (Industry) Convention, 1919 (No. 5)	"	"
	Minimum Age (Sea) Convention, 1920 (No. 7)	"	"
	Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8)	"	"
	Minimum Age (Agriculture) Convention, 1921 (No. 10)	"	"
	Right of Association (Agriculture) Convention, 1921 (No. 11)	"	"
	Minimum Age (Trimmers and Stokers) Convention, 1921 (No. 15)	"	"
	Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16)	"	"
	Minimum Wage-Fixing Machinery Convention, 1928 (No. 26)	"	"
	Forced Labour Convention, 1930 (No. 29)	"	"
	Recruiting of Indigenous Workers Convention, 1936 (No. 50)	"	"
	Minimum Age (Sea) Convention (Revised), 1936 (No. 58)	"	"
	Contracts of Employment (Indigenous Workers) Convention, 1939 (No. 64)	"	"
	Penal Sanctions (Indigenous Workers) Convention, 1939 (No. 65)	"	"

Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	”	”
Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99)	”	”
Abolition of Forced Labour Convention, 1957 (No. 105)	”	”
Seafarers' Identity Documents Convention, 1958 (No. 108)	”	”

*Following the admission of Seychelles to the International Labour Organisation, the Government of Seychelles confirmed that it continued to be bound by the obligations previously entered into by the United Kingdom on behalf of Seychelles in respect of the above-mentioned Conventions.*

<b>Switzerland</b>	Social Security (Minimum Standards) Convention, 1952 (No. 102)	18 October 1977	18 October 1978
	<i>In accordance with Article 2 (b) of the Convention, the obligations of the Convention have been accepted in respect of Parts V, VI, VII, IX and X.</i>		
<b>Turkey</b>	Employment Policy Convention, 1964 (No. 122)	13 December 1977	13 December 1978
<b>Uganda</b>	Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	31 March 1978	31 March 1979
<b>Upper Volta</b>	Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	9 December 1977	9 December 1978

## II. Denunciation

<b>Hungary</b>	Night Work (Women) Convention (Revised), 1934 (No. 41) <sup>a</sup>	15 November 1977	15 November 1978
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## III. Declarations

<b>United Kingdom</b>	Minimum Age (Sea) Convention (Revised), 1936 (No. 58)		
	Minimum Age (Industry) Convention (Revised), 1937 (No. 59)		
	<i>Applicable without modification</i> : Falkland Islands (Malvinas)	27 January 1978	27 January 1978
	<i>This declaration supersedes a declaration of application with modifications registered on 27 March 1950.</i>		
	Holidays with Pay (Agriculture) Convention, 1952 (No. 101)		
	<i>Applicable with modifications</i> : Hong Kong	27 January 1978	27 January 1978
	<i>Article 1.</i> The Convention is applied to all manual workers and to non-manual workers whose wages do not exceed HK\$2.000 per month.		

State	Convention	Date of registration of ratification/denunciation/ declaration	Date on which ratification/ denunciation/declaration will take effect
United Kingdom ( <i>cont.</i> )	<i>Article 10.</i> There is no system of labour inspection in agriculture. <i>This declaration supersedes a declaration of decision reserved registered on 9 February 1959.</i>		
	Hygiene (Commerce and Offices) Convention, 1964 (No. 120)		
	Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124)		
	Workers' Representatives Convention, 1971 (No. 135)		
	<i>Decision reserved :</i> Falkland Islands (Malvinas)	27 January 1978	—
	Paid Educational Leave Convention, 1974 (No. 140)		
	<i>Applicable with modifications :</i> Jersey	21 December 1977	21 December 1977
	The principles of the Convention are already practised in the Island by means of day release courses, although these courses are normally only applicable to the vocation in which the individual is employed.		
	Rural Workers' Organisations Convention, 1975 (No. 141)		
	<i>Applicable without modifications :</i> Gilbert Islands	21 November 1977	15 February 1978
	<i>Applicable with modifications :</i> Hong Kong	3 January 1978	15 February 1978
	The Convention will be applied with the same modifications as are attached to the declaration already registered in respect of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) <sup>a</sup>		
	<i>Not applicable :</i> Gibraltar (on the grounds that there is no rural employment in the territory)	5 December 1977	—
	Human Resources Development Convention, 1975 (No. 142)		
	<i>Applicable with modifications :</i> Gibraltar	5 December 1977	15 February 1978
	The Convention will be applied only to Gibraltarians and, in certain circumstances, to others who are permanently resident in Gibraltar		

*Decision reserved : Gilbert Islands*

21 November 1977

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Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

*Decision reserved : Gilbert Islands*

21 November 1977

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Gibraltar

5 December 1977

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### Notification of the Coming into Force of the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)

Article 18 of the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), adopted by the International Labour Conference at its 60th Session on 24 June 1975, provides that the Convention shall come into force twelve months after the date on which the ratifications of two Members of the International Labour Organisation have been registered.

The ratification by Cyprus and Upper Volta were registered by the Director-General of the International Labour Office on 28 June 1977 and 9 December 1977 respectively. The Convention will accordingly come into force on 9 December 1978.

The present notification is made in accordance with the provisions of Article 20 of the Convention.

In conformity with article 20 of the Constitution of the International Labour Organisation, this Convention will be communicated to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations.

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<sup>1</sup> The text of the statement communicated by the Government of Lebanon in accordance with Article 3, paragraph 3 (c), of the Convention reads as follows:

#### *(Translation)*

"The Lebanese Government, which has ratified the Radiation Protection Convention, 1960 (No. 115), states, in accordance with Article 3 (c), that special instructions have been drawn up by the Lebanese Ministry of Labour and Social Affairs concerning the technical preventive measures necessary for the protection of the workers to whom the provisions of the Convention apply. These instructions have been issued under the provisions in force in the Lebanon relating to occupational protection and safety, in particular Decree 6341 of 24 October 1951. In addition, the labour inspectors will supervise the satisfactory implementation of the provisions in force in collaboration with the technical services responsible for hygiene and health, and in particular protection against ionising radiations.

It is understood that Convention No. 115 will apply to all categories of workers who may be exposed to such radiations in the course of their work."

<sup>2</sup> The text of a communication concerning the denunciation by Hungary of this Convention reads as follows:

#### *(Translation)*

"1) Convention No. 41 was adopted by the International Labour Conference in 1934. Since then, rapid economic and social evolution has taken place in Hungary. The industrial structures of the country have been completely transformed and unemployment has ceased to exist. Thanks to this evolution, conditions of work and compensation for night work have improved remarkably. In this manner, the essence of Convention No. 41 has been overtaken by realities.

2) Night work of women in industry has been the subject of detailed study. This study revealed that a proportion of women consider their exclusion from night work by reason only of their sex to be discriminatory from the point of view of earning opportunities and occupational advancement as well as in other respects.

Before the decision to denounce the Convention was taken, the opinions of the trade unions and of the employers were sought and taken into account. Parallel with this decision the Government took the necessary measures to ensure that the competent State bodies continue to follow questions relating to the employment of women with particular attention."

<sup>3</sup> For the text of these modifications, see *Official Bulletin*, January 1964, p. 39.

## **Agreement concerning the Social Security of Rhine Boatmen (Revised) <sup>1</sup>**

### **NOTICE OF SWITZERLAND**

The Director-General of the International Labour Office received on 29 November 1977 the following notice given by Switzerland and relating to the Agreement concerning the Social Security of Rhine Boatmen (Revised), signed in Geneva on 13 February 1961:

#### *(Translation)*

"The Franco-Swiss Convention of 9 July 1949, and the protocols and codicils [avenants] thereto, have been abrogated and replaced, in the meantime, by the Convention and protocols concluded by the Swiss Confederation and the French Republic on 3 July 1975. These legal instruments entered into force on 1 November 1976.

The Belgian-Swiss Convention and the final protocol thereto of 17 June 1952 have been abrogated and replaced, in the meantime, by the Convention between the Swiss Confederation and the Kingdom of Belgium and the final protocol thereto of 24 September 1975. This Convention and the protocol thereto entered into force on 1 May 1977.

The Convention between the Swiss Confederation and the Federal Republic of Germany and the final protocol thereto of 25 February 1964 were amended and supplemented by the supplementary Convention of 9 September 1975. This supplementary agreement entered into force on 1 November 1976.

The Convention concluded on 3 June 1967 by the Swiss Confederation and the Grand Duchy of Luxembourg and the final protocol thereto signed on the same date have been amended and supplemented by the codicil [avenant] of 26 March 1976. This codicil will enter into force on 1 December 1977."

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<sup>1</sup> For the text of this Agreement see *Official Bulletin*, 1961, No. 4, pp. 372-401.



# DOCUMENTS

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## **Fifth African Regional Conference**

*(Abidjan, 27 September-6 October 1977)*

### CONCLUSIONS AND RESOLUTIONS ADOPTED

#### **Conclusions Adopted on the Recommendation of the Committee on Education for Development <sup>1</sup>**

##### *I. Development, Participation and Education*

1. Development is an all-embracing and continuous process of change, which is associated with growth, adaptation and progress. Its aim should be to generate a progressive improvement in the quality of life of the society as a whole. For this to occur there should be an active participation of African people individually and collectively. To respond effectively to changing needs, challenges and goals of African States, there should be changes in the structure of societies, in relationships, in roles, in functions and in behaviour generally. This can best be brought about through the acquisition of knowledge, skills and attitudes which foster the required changes and which allow people to participate more effectively in the development process.

2. In view of the fact that learning is the means by which knowledge, skills and attitudes are acquired, education, including training and learning in all its forms, becomes an important key to unlocking the potentials for improved quality of life for all Africans. As such it becomes a basic right and a basic need for every African.

##### *II. Premises and Prerequisites for An Enabling Learning System*

3. For education and training in Africa to be truly enabling, it should be able to reach the masses and be relevant to the needs, potentials and development possibilities. Education and training should be geared to work by forming favourable attitudes towards work, integrating theory and practice and providing the knowledge, skills and attitudes which enable people to benefit directly when they enter the world of work, thus increasing self-reliance. It should prepare people for life and should stress the commitment of the individual to apply what is learned for development purposes.

4. Enabling education and training is a life-long process which should meet both the immediate and long-term economic and social needs of the individuals and the society as a whole. In particular, it should take into consideration the aptitudes and aspirations of the individuals and should enhance their productivity and facilitate their occupational mobility.

##### *III. National Planning, Programming and Administration of Training*

5. In order to increase and improve the opportunities available for the acquisition of occupational competence and in pursuance of the Human Resources Development Conven-

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<sup>1</sup> Adopted unanimously on 5 Oct. 1977.

tion, 1975 (No. 142), and Recommendation, 1975 (No. 150), African States should frame medium and long-term national and regional (within the country) training plans and programmes to ensure that maximum and rational use is made of available training resources and to avoid fragmentation, duplication and overlapping in training activities.

6. Such plans and programmes should be designed to ensure the mass participation of the African population in the development of their nations and should take due account of:

- (a) employment needs and opportunities;
- (b) technological developments;
- (c) aptitudes and aspirations of the individual.

7. National training and programmes should deal with such questions as:

- (a) immediate and long-term training priorities, taking into consideration development goals;
- (b) allocation of training resources to different social and technical categories in the workforce;
- (c) allocation of training resources to the traditional and modern sectors of the economy and to different regions of the countries concerned;
- (d) choices between apprenticeship training, institutional and on-the-job training or a combination of various forms of training;
- (e) duration of training in each occupation and at various levels of skills;
- (f) curricula and syllabi of training and, in particular, the proper mix between theoretical instruction and practical training;
- (g) training standards and certifications;
- (h) training methods and technologies;
- (i) harnessing the informal learning resources;
- (j) vocational guidance, orientation and career prospects of young people and adults.

8. Employers' and workers' organisations should be closely associated with the formulation and implementation of training plans and programmes at all levels.

9. African States should, whenever possible, create national bodies responsible for the planning and programming of training. Such bodies should be composed of government, employers' and workers' representatives and should ensure the full integration and co-ordination of the total learning system (formal, non-formal and informal).

10. Measures should be taken to establish national administrative bodies which would be responsible for the implementation and monitoring of official training plans and programmes.

#### *IV. Financing of Training*

11. African countries are at the present stage of their development faced with an increasing demand on education and training, resulting from: (a) the rapid growth and the youthfulness of their populations; (b) the enormous development efforts which they are undertaking; (c) the policy of replacing expatriates by nationals; and (d) the self-reliance policies. All of these are calling for increased educational and training efforts. In order to meet these increasing demands, more financial resources should be allocated to innovative and low-cost non-formal education and training activities which are geared to the masses and which enable them to acquire knowledge, skills and attitudes that make their participation in the development efforts more effective.

#### *V. Priorities for an Enabling Education and Training in Africa*

12. In reforming their learning process and in defining the priorities of an enabling education and training system, African States should take into account the following categories of people who are components of a learning environment:

- (a) the beneficiaries of the learning process who acquire knowledge, skills and attitudes and learn to apply them for participation in development;

- (b) those whose action leads directly or indirectly to responses to beneficiaries' needs, such as administrators of training schemes and directors of training institutions;
- (c) those who encourage people to recognise and demand the benefits that education and training can confer, such as guidance officers, parents and teachers;
- (d) those who mediate between people's awakened interest in learning and the structures that exist, or can be created, to provide education and training, such as national planners of training and members of national training councils;
- (e) the financial sponsors of education and training endeavours;
- (f) the agents of learning who teach or enable learning to take place.

13. In reforming the learning process, priority should be given to those endeavours which are geared to the mass population, wherever they live, but particularly to rural areas and to the informal urban sector where the majority of African people earn their living. Priority should also be given to the activities which are geared to change those attitudes and perceptions of the individual, the family and the society which are detrimental to development efforts and at the same time to conserve the positive cultural and moral attributes of African societies.

### *Training for Rural Development*

14. Training programmes in rural areas should be geared to increasing and improving training opportunities available to the rural population with a view to improving the quality of life in the villages and to enhancing mass participation in rural development endeavours.

15. Training programmes should be relevant to the needs of rural areas with a view to checking rural-urban migration.

16. Emphasis should be placed on the training of:

- (a) rural leaders, animators and mobilisers, managers of rural enterprises and in particular those responsible for rural workers' organisations, youth associations and co-operatives;
- (b) out-of-school children, youth and women;
- (c) persons engaged in non-farm occupations, the self-employed and small entrepreneurs in rural areas;
- (d) small farmers, landless workers, tenants and sharecroppers;
- (e) underemployed and unemployed persons in rural areas.

17. In determining the level of education and training required for African rural areas, due consideration should be given to the fact that in addition to basic education there is also a need for imparting the knowledge, skills and attitudes required for earning a living, operating a household and participating in the development process. Furthermore, there is also a need for more specific occupational competences to be imparted which are related to employment in activities that contribute to the satisfaction of basic needs.

18. African States should take necessary measures to review and reform the content of education and training programmes with a view to making them more relevant to the needs of rural areas.

### *Training for the Informal Sector*

19. The informal sector in both rural and urban areas constitutes in many African countries the principal source of supply for manufactured household goods, clothes and the repair and maintenance of equipment and appliances and, as such, possesses substantial learning resources. Measures should therefore be taken by African States to harness this untapped learning potential which exists throughout their societies by linking what now constitutes informal resources to a more structural non-formal system.

20. Such measures may include, among others:

- (a) transforming informal apprenticeship into an organised apprenticeship scheme;
- (b) sponsoring attendance of informal sector apprentices on a day-release or evening-class basis at technical or vocational training centres;

- (c) provision of opportunities for apprentices to spend some time in larger, modern sector enterprises so as to become more familiar with modern workshop organisation;
- (d) secondment of staff on a short-term basis to offer on-the-spot advice and guidance on quality control and related topics.

21. Special attention should be given to the training of small entrepreneurs and the self-employed in both managerial and occupational skills and in their social responsibilities as employers. Efforts should also be made to equip small entrepreneurs with pedagogical skills so that they can be in a better position to pass on the occupational skills and knowledge they possess to the young people and apprentices they employ.

#### *Training and Education of Development Catalysts and Agents*

22. Development depends not only on the participation of the masses but also on the leading role which catalysts and agents of development exercise in mobilising, creating awareness, motivating the people and transmitting knowledge, skills and attitudes to those who need them. However, in view of the fact that there are still severe shortages in this category of manpower, efforts should be made by African States to increase the learning opportunities for such catalysts and agents, in particular in view of the multiplier effect which such learning produces.

23. Emphasis should in particular be placed on the education and training of such categories as:

- (a) rural leaders;
- (b) teachers and instructors for the total learning endeavours;
- (c) extension officers;
- (d) administrators and government officers.

#### *Workers' Education and Involvement of Workers' Organisations*

24. That workers' organisations have a significant role to play and an impact on key economic activities and social development is indisputable. Therefore vigorous action is called for to tap this potential which is a major element in mobilising mass participation. Such potential can best be effective if workers' education programmes are intensified and strengthened.

25. More emphasis should be given to workers' education programmes which are specifically designed for rural workers' organisations. Such programmes should, in addition to organising traditional workers' education courses, concentrate on such issues as mass participation in the development process, participation in decision-making and monitoring of rural development programmes, instilling a civic sense and a feeling of national unity, changing obsolete traditions and attitudes, motivating and creating an awareness among workers, and self-help and self-reliance.

26. In order to be able to execute and implement efficient workers' education programmes, more attention should be given to the training of trainers and instructors.

#### *Training of Co-operative Cadres*

27. The role of co-operatives as agents and supporters of development is recognised by all African States. However, in view of the rapid growth and expansion of the co-operative movement in Africa, more education and training of co-operative members and cadres to underpin the foundations of these co-operatives is required.

28. Training programmes for co-operatives should place emphasis on such issues as:

- (a) education of members in co-operative principles and the contribution of co-operatives to development;
- (b) training of managerial cadres at local, regional and national levels with a view to improving the autonomy of the co-operatives;
- (c) training of local managerial cadres who serve as agents in motivating participation by the neglected sectors of the population;

- (d) training methodologies, techniques and materials used in the training of co-operative members, managers and co-operative officials;
- (e) training of co-operative leaders and board members of rural co-operatives.

#### *Training of Managers and Employers*

29. The severe shortage of African managers and the bold policy of localisation which many African States are pursuing require increased and sustained efforts in the training of managers at various levels and the upgrading of existing ones. Increasing emphasis has to be placed not only on the training of managers in traditional managerial skills but also on the challenges which managers must face in respect of their role in creating job opportunities for underprivileged individuals and social groups and of their contribution to education and community development.

30. Emphasis should be placed on the training of managers in such fields as:

- (a) effective managerial decision-making on technological choice;
- (b) social role of managers;
- (c) functional managerial skills (work organisation, marketing, finance, accountancy, etc.);
- (d) management of projects and, in particular, rural development programmes and projects.

31. Measures should be taken to provide educational opportunities for employers in such areas as social responsibility of employers, their contribution to development, industrial relations, occupational safety and health, etc.

#### *Training of Vulnerable Groups*

32. Young people, women and the handicapped are the most vulnerable groups in the African context. While there is lack of skills in certain occupational categories, such as technicians and middle-level supervisors, there is a serious problem of unemployment and underemployment among the youth and women of African States. Efforts to reduce these imbalances can only be achieved through vigorous education and training programmes.

33. As far as young people and adolescents are concerned, education and training programmes conceived for these young people should be work- and life-oriented and relevant to the immediate, medium and long-term needs of their societies and the environment in which the young people live. Learning alternatives of a non-formal type, such as village brigades, village polytechnics, mobile training units, national youth services or *enseignement moyen pratique*, which have already been experimented in the African Continent should be encouraged and expanded. Such programmes should not remain pilot projects but should be nation-wide programmes which can benefit both rural and urban youth.

34. The success of such non-formal programmes depends primarily on the availability of qualified teaching staff and instructors. Emphasis should therefore be placed on the training of such teaching staff and instructors as well as on the training of their trainers.

35. To achieve these goals adequate financial resources should be made available to accelerate the training of young people.

36. Special efforts should be made to help women in rural areas to have access to training opportunities and consequently to income-generating employment.

37. Such efforts should not concentrate only on improving training in occupations which are predominantly women's occupations but should also provide and increase the opportunities for training in occupations which have so far not been considered as typically women's occupations.

38. Such efforts should also include the provision of training opportunities for women in occupations which require higher levels of skill and responsibilities, including managerial responsibilities.

39. Measures should be taken to extend training opportunities to women in the low-income brackets in rural and urban areas and those who are the sole breadwinners of their families. Such measures should also facilitate, through training, the re-entry of women into the employment market when social or economic reasons require them to do so.

40. The increase in the number of handicapped and disabled people in Africa, owing to the rapid growth of population, malnutrition, natural disasters and increasing tempo of life in towns and cities, and the fact that the majority of the disabled could be rehabilitated or trained to do useful work and contribute to their own and their countries' well-being, call for vigorous action to be taken in the field of vocational rehabilitation. Such action should not be limited only to the urban areas, as is now the case in many of the African countries, but should be extended also to rural areas. As a prerequisite for promoting vocational rehabilitation activities, efforts should be made to train rehabilitation staff who are in short supply in the majority of African countries.

#### *VI. Training Techniques, Methods and Curriculum Development*

41. Measures which have now been introduced in African countries to review and reform training curricula and syllabi should be accelerated and intensified to meet the specific requirements of each country.

42. Use should be made of modern training techniques and methods adapted to African requirements. In particular, more use should be made of audio-visual aids, programmed instruction and learning-by-doing techniques.

43. Efforts should be made to use mass media and mobile units to reach the masses who live in rural and remote areas. Whenever possible, such programmes should be provided in the local language of the people.

#### *VII. International Co-operation and the Role of the ILO*

44. In providing technical co-operation and assistance in the field of education and training, international organisations should take due account of special needs, opportunities and problems in Africa and of the differences which exist in social, economic, technological and physical conditions.

45. Close co-operation should be ensured by organisations of the United Nations system, such as UNDP, UNESCO, FAO, UNIDO and UNICEF on the one hand and the ILO on the other hand, in providing technical co-operation to African countries.

46. Within the framework of the concept of new dimensions in technical co-operation between developing countries, more use should be made of the expertise available in African countries and in the awarding of fellowships in developing countries.

47. The ILO's technical co-operation programme in the field of training (including services provided by the Turin Centre) should be concerned with supporting the efforts being made by African countries to:

- (a) increase and improve the opportunities available for the acquisition of occupational competence;
- (b) increase and improve the opportunities available for the acquisition of information and guidance on employment;
- (c) increase and improve the opportunities and abilities of workers and managers to understand and influence their working conditions, working environment and their social and economic contributions to development;
- (d) increase the effectiveness and efficiency of enterprises in their social and economic contributions to society;
- (e) increase the effectiveness and efficiency of training systems, schemes and institutions;
- (f) establish, implement and develop comprehensive and co-ordinated training policies and programmes.

48. Future ILO activities in Africa in the field of vocational training should aim at:

- (a) an increase in in-plant training schemes and in apprenticeship training;
- (b) an increase in training in the informal sector in both rural and urban areas and the fostering of apprenticeship schemes in this sector;

- (c) an increase in training opportunities for vulnerable groups (e.g. women, youth, migrant workers, older workers, disabled);
- (d) an improvement in vocational guidance and career development schemes;
- (e) an improvement in the general organisation and administration of vocational training and the development of the legal, technical and administrative infrastructures necessary for the operation of recurrent and life-long training schemes;
- (f) an expansion and improvement of training schemes in rural areas.

49. In the field of management training, the ILO's activities should give special attention to:

- (a) management training in those sectors which contribute most to the satisfaction of basic needs such as in food processing, marketing and distribution, construction management, transport management, etc.;
- (b) training of small enterprise managers, master craftsmen and self-employed;
- (c) development and application of management skills and competence in rural areas;
- (d) development of enterprise-based training of managers.

50. The ILO should continue to support the co-operative movement in Africa by providing assistance in the education and training of co-operative members, board members, managers and co-operative cadres. It should also provide assistance to the training of trainers.

51. Special emphasis should be given in the ILO's technical co-operation programme to co-operatives in rural areas.

52. The ILO should assist employers' organisations in developing educational programmes specially designed for employers.

53. The ILO should assist workers' organisations in developing new educational approaches specially designed for rural workers' organisations and in developing new materials, methods and techniques which are suited to the African context. The ILO should give special attention to:

- (a) the training of workers' education instructors;
- (b) the development of mobile training units for use in workers' education activities, particularly in rural areas;
- (c) the production and dissemination of learning materials for the use of workers' education programmes in rural areas.

### **Resolution concerning Social Security in Africa <sup>1</sup>**

The Fifth African Regional Conference of the International Labour Organisation, Meeting in Abidjan from 27 September to 6 October 1977,

Recalling that the right to social security is one of the fundamental human rights proclaimed by the Universal Declaration of Human Rights and that the countries of Africa as a whole attach particular importance to the recognition of this right, its safeguarding and its translation into reality,

Considering that in the present context of development of African countries, which entails a far-reaching transformation of social structures and a decline in or disappearance of the traditional arrangements for solidarity and protection, social security responds to an obvious need and constitutes a valuable means of attaining objectives of social progress which are important to all African countries—namely the guarantee of income maintenance whenever social contingencies occur and the guarantee of access to essential health care, both preventive and curative,

Considering that alongside major priorities such as rural development and the creation of jobs, a progressive and parallel improvement in social protection is recognised to be necessary by governments as a whole,

<sup>1</sup> Adopted unanimously on 5 Oct. 1977.

Considering that in the countries of Africa social security may also contribute to the efforts to bring about greater social justice through the redistribution of national income so as to benefit in particular low-income categories and to the efforts to combat mass poverty through the satisfaction of the basic needs of the least privileged groups,

Recalling that social security, which involves the pooling of resources with a view to providing benefits and offering services to the persons protected, implements by so doing the principle of solidarity which is by tradition a fundamental value in Africa,

Considering that, as they gradually develop their scope, social security schemes exert a positive influence on the human factors of economic growth, in particular by encouraging stability of employment of workers and helping to keep them in good health, and by providing services and benefits designed to maintain family purchasing power,

Considering that social security likewise influences the national economy by way of the large-scale transfers of funds which it effects and the accumulation of capital thus made available for economic development and for the improvement of welfare and health facilities,

Desiring that populations should be offered the best social protection consistent with the capabilities of the economy and the existing infrastructure, and concerned that social security should not hamper the achievement of desirable development objectives of African countries, because insufficient thought has gone into its planning or insufficient attention has been paid to it in the early stages of modernisation and industrialisation,

Recognising that notwithstanding the roots they already have developed in Africa and the remarkable results they have already achieved, social security schemes are beset by many administrative and technical difficulties which may hinder the consolidation of existing programmes and prevent them from being gradually improved,

Considering that the extension of social security is recognised in its Constitution as being one of the aims of the International Labour Organisation,

Recalling further that the participation of employers and workers both at the stage of definition and formulation of social security policy and at the stage of its implementation is an indispensable condition for its effectiveness;

Adopts the following resolution:

1. Social security should be regarded in African countries as an essential feature of any strategy for the improvement of the living conditions of the population with a view to ensuring balanced social and economic development. The public authorities and the employers' and workers' organisations should accordingly ensure that social security schemes advance progressively, having regard to the capacity of the national economy.

2. It would be desirable to encourage new programmes or the reform of existing schemes likely to have an immediate impact upon the standard of living of the population, avoiding both inaction and hasty solutions unlikely to give lasting satisfaction and, at the same time, correcting such distortions as may have occurred.

3. Among measures that might be taken in African countries, notwithstanding the stage they have reached in their development, top priority should be given to enacting social security legislation providing for the gradual development of large-scale health programmes with the guarantee of the right to essential medical care for the persons protected. Programmes of this kind should be organised in close collaboration with public health authorities in such a way as to derive optimum benefit from the resources made available.

4. In countries where employment injury compensation is still an individual employer's liability, legislation should be introduced providing for the sharing of such liability among all employers through the pooling of costs and of risks. Coverage should be extended progressively to all employed persons and periodical payments should replace the lump-sum benefit still provided in certain countries.

5. In countries where old-age, disability and survivor's pension schemes do not exist, including countries with schemes still based on the principle of compulsory individual savings, the aim should be to establish, whenever conditions permit, schemes involving pooling of risks and providing for benefits in the form of a periodical payment not below the subsistence level.



6. In order to ensure that the purchasing power of beneficiaries of social security pensions is not gradually whittled away, efforts should be made to adjust the amount of such benefits to the cost of living or to wage levels.

7. Social security schemes should be extended progressively and as a matter of priority to employed persons not hitherto covered.

8. Efforts should be made to harmonise the social security legislation in force in African countries, as well as that still to be framed, by reducing the differences between them, consistent with the international standards of the International Labour Organisation, in particular those of the Social Security (Minimum Standards) Convention, 1952 (No. 102), which may serve as a framework for the progressive development of social security in African countries.

9. Since ratification of Convention No. 102 constitutes an objective within the reach of many countries, either with their present legislation or following minor adjustments, those among such countries which have not yet ratified this instrument should be called upon to do so. Such ratification would formally establish that their law and practice were in conformity with this international standard and would guarantee that it would be upheld in the future. As far as the other countries are concerned, a goal to be reached should be the progressive alignment of their legislation with the standards of Convention No. 102.

10. Measures to promote labour mobility on the African Continent, particularly in the context of regional economic integration programmes, should also aim at eliminating discrimination based on nationality and at protecting the social security rights of migrant workers. The same protection should be afforded to African migrant workers employed in other continents, particularly Europe. With this aim in view, and in accordance with the wish recently expressed by the Committee on the Application of Conventions and Recommendations of the International Labour Conference, governments are recommended to ratify the Equality of Treatment (Social Security) Convention, 1962 (No. 118), and, in order to give full effect to this Convention, to adopt bilateral or multilateral social security instruments designed to ensure maintenance of the rights of workers who have been subject successively to the legislation of several States. The ILO should, as far as possible, facilitate contacts between the parties concerned with a view to finding solutions to outstanding problems.

11. Since social security, if it is to be successful, needs to be efficiently administered, it is of utmost importance that social security management rests upon administrative methods, procedures and formalities as simple, rational and co-ordinated as possible. In order to fill existing gaps, social security bodies should, in particular, have a sufficient number of administrators, specialists and other employees having the required competence and experience. For this purpose it would be essential that training programmes form an integral part of management and that social security bodies of the African countries devote to training a given percentage of their budget for administrative expenses.

12. The effective participation of employers' and workers' representatives in the formulation and execution of social security policy and in the administrative bodies and advisory committees of the social security schemes should be fully guaranteed in each country.

13. Where the operation of social security systems results in the creation of surpluses, the accumulated funds should be utilised in a way that conforms to their particular purpose in accordance with the relevant legislation and regulations. Employers' and workers' representatives should be effectively involved in drawing up programmes for the investment of such funds, and in any national policy for the utilisation of capital, with due emphasis on social investments.

14. The financial organisation as well as the benefit schemes should be arranged in such a way as to promote income distribution for the benefit of the workers and their families.

15. The International Labour Organisation should intensify its social security activities in the African countries by co-ordinating them with the efforts of the Organisation of African Unity (OAU), the Common African and Mauritian Organisation (OCAM), the International Social Security Association (ISSA), the Arab Labour Organisation (ALO) and with

those of governments, and it should endeavour to support the efforts of those responsible at the national level for planning, consolidating and improving social security systems.

16. The International Labour Office should, therefore, continue its technical co-operation with the governments and social security bodies of the African countries which so request. In this framework provision should be made for consultations with representatives of employers and workers.

17. To ensure the complete technical emancipation of the greatest possible number of countries in the area of social security, the ILO should provide assistance and support with a view to training the administrators, specialists and technicians required, including representatives of the workers' and employers' associations which participate in the management of social security.

18. The technical co-operation activities of the ILO should be backed up by studies and research to be carried out in co-operation with African specialists in order better to grasp the nature and implication of the problems confronting social security in the African context.

### **Resolution concerning Workers' Education for the Strengthening and Development of Workers' Organisations<sup>1</sup>**

The Fifth African Regional Conference of the International Labour Organisation, Meeting in Abidjan from 27 September to 6 October 1977,

Recalling the emphasis placed on the need to expand workers' education activities in Africa by Government, Employers' and Workers' representatives at the Sixth Session of the ILO African Advisory Committee, held in Lomé in December 1975,

Commending the manner in which the ILO Workers' Education Programme has increasingly responded to the expressed specific needs of workers' organisations in general and of national and international workers' organisations in Africa in particular,

Conscious of the fact that the majority of the African people live and obtain their livelihood in the rural areas, and consequently of the desirability of achieving as wide an application as possible of the terms of the Rural Workers' Organisations Convention (No. 141) and Recommendation (No. 149) of 1975,

Conscious also of the need to harness the energies and talents of the workers in the formulation and implementation of national and rural development policies, and realising that the surest way of achieving this is through effective and well-informed workers' organisations in both the urban and the rural sectors;

1. Urges member States actively to consider the importance of ensuring, through the implementation of both the letter and the spirit of the Rural Workers' Organisations Convention and Recommendation, 1975, that rural workers—both wage-earning and self-employed—have the same rights as urban workers to form and join organisations of their choosing.

2. Invites the Governing Body of the International Labour Office to request the Director-General—

- (a) to ensure that, despite the recognised financial limitations of the organisations, an adequate and increasing proportion of regular budget resources is made available to enable the Workers' Education Programme generally and in Africa in particular effectively to meet the opportunities and demands for assistance and technical support in workers' education and training activities for the development and strengthening of workers' organisations in general and in the rural sector in particular;
- (b) to encourage the Workers' Education Programme to increase its capacity to respond to the special workers' education and training needs of urban and rural workers' organisations on the African Continent;

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<sup>1</sup> Adopted unanimously on 5 Oct. 1977.

- (c) to strengthen the ILO's capacity to accelerate the pace of development in this sector by making provision for supplementing the existing team of workers' education advisers in Africa by the appointment of regional and subregional rural workers' education advisers;
- (d) to approach the United Nations Development Programme and the World Bank and all other United Nations agencies, especially the FAO, UNESCO and UNIDO, with a view to achieving an increase in the financial contribution which these bodies could make to workers' education activities in general; and to seek their co-operation and also that of the International Fund for Agricultural Development for the establishment of a special ILO fund for the purpose of providing quick responses to urgent and valid requests from rural workers' organisations for workers' education and related technical assistance for the development of their organisations and the services they seek to provide for their members;
- (e) to support the request made by African workers through the Organisation of African Trade Union Unity and endorsed by the Labour Commission of the Organisation of African Unity and by the OAU heads of state and governments for the establishment of a Pan-African Workers' Institute for the training of workers and their leaders.

3. Calls on African governments:

- (a) to support workers' education nationally and continentally;
- (b) to apply effectively the provisions of the Workers' Representatives Convention, 1971 (No. 135), and the Paid Educational Leave Convention, 1974 (No. 140), so that workers may enjoy paid educational leave for a specified period during working hours for their workers' education activities.

**Resolution concerning ILO Action against Apartheid and Assistance to Liberation Movements in Southern Africa <sup>1</sup>**

The Fifth African Regional Conference of the International Labour Organisation, Meeting in Abidjan from 27 September to 6 October 1977,

Recalling the Preamble of the Constitution of the ILO which states that "whereas universal and lasting peace can be established only if it is based upon social justice", and considering that the system of apartheid is contrary to this fundamental principle, and noting that the international community has condemned the evil system of apartheid as a crime against humanity,

Recalling that in 1964 the International Labour Conference adopted unanimously a Declaration concerning the Policy of Apartheid of the Republic of South Africa in which it affirmed its condemnation of the "degrading, criminal and inhuman racial policies of the Government of the Republic of South Africa, which policies are a violation of fundamental human rights and thus incompatible with the aims and purposes of the ILO", and further recalling the decisions which have been adopted by the United Nations Organisation on the system of apartheid of the South African régime,

Recalling that the ILO has proclaimed a detailed, comprehensive Programme for the Elimination of Apartheid in Labour Matters in the Republic of South Africa, calling for the implementation in South Africa of measures to ensure equality of opportunity in respect of admission to employment and training, freedom from forced labour, and freedom of association and the right to organise,

Recalling that the Director-General of the International Labour Office has persistently drawn attention to the way in which apartheid has been applied, and to its harsh and oppressive effects in the field of labour, through the Special Report on the Application of the Declaration concerning the Policy of Apartheid of the Republic of South Africa which has been presented to the International Labour Conference each year since 1965,

Noting with indignation and concern the deterioration of the position affecting Black workers and their families in South Africa as disclosed in the Thirteenth Special Report of

<sup>1</sup> Adopted unanimously on 6 Oct. 1977.

the Director-General to the 63rd Session of the International Labour Conference in June 1977, and the tragic events which have followed the massacres at Soweto and other parts of South Africa,

Noting that the urgent need for action to combat apartheid was the subject of the decisions of the Second International Trade Union Conference for Action against Apartheid, held in Geneva in June 1977, and of an appeal for the fulfilment of South Africa's obligation in respect of human rights and the repeal of discriminatory legislation by the International Organisation of Employers at the 63rd Session of the International Labour Conference,

Noting further that governments of 111 nations assembled at the World Conference for Action against Apartheid, held in Lagos from 22 to 26 August 1977, adopted the Lagos Declaration against Apartheid which, *inter alia*:

- (a) recognised the urgent need for economic and other measures to be applied universally to secure the elimination of apartheid, and called for full support for international efforts, under the auspices of the United Nations and in co-operation with the Organisation of African Unity and the liberation movements recognised by it, in order to enable the South African people as a whole to attain their inalienable right to self-determination;
- (b) pledged its full support to the legitimate aspirations of the South African peoples and urged governments, organisations and individuals to provide all appropriate assistance to the oppressed peoples of South Africa and their national liberation movement in their just struggle for freedom and human equality;
- (c) declared that South Africa belongs to all its people, irrespective of race, colour or creed; that all have the right to live and work there in conditions of full equality, and that the international community has an inescapable duty to take all necessary measures to ensure the triumph of freedom and human equality in South Africa;
- (d) called upon governments, intergovernmental and non-governmental organisations to intensify the campaign for the further isolation of the apartheid régime with a view to complementing the efforts of the South African people and their national liberation movement;
- (e) further called upon the international community to assist States which have been subjected to pressure, threats or acts of aggression by the South African régime because of their opposition to apartheid and the implementation of United Nations resolutions against apartheid, and for the provision of assistance to the victims of oppression and of appropriate support to their national liberation movements in consultation with the United Nations and the Organisation of African Unity,

Recalling with satisfaction the decision taken by the Governing Body of the International Labour Office to increase assistance to the peoples of southern Africa and their liberation movements, and the efforts of the Director-General of the International Labour Office in continuing to focus attention on the harmful, dangerous and repressive character of apartheid through the Special Report which he presents, and should continue to present, annually to the International Labour Conference,

Condemning the creation of Bantustans which is aimed at perpetuating the evil system of apartheid;

1. Calls upon all member States of the ILO to end military, nuclear and economic collaboration with the racist régime of South Africa, and to comply with Security Council resolutions on Southern Rhodesia and ensure full implementation of sanctions against the racist minority régime, including a total oil embargo.

2. Calls upon all member States of the ILO to reject entirely the idea of Bantustan and to refuse to accord it any recognition whatsoever.

3. Requests the Governing Body of the International Labour Office to take action, within the sphere of competence of the International Labour Organisation, in furtherance of the principles contained in the Lagos Declaration of the World Conference for Action against Apartheid, and in particular to extend further all possible assistance to the peoples and liberation movements of southern Africa in close co-operation with the United Nations and the Organisation of African Unity.

4. Further requests the Governing Body of the International Labour Office and the International Labour Conference to join the United Nations in the observance of 1978 as

International Year against Apartheid, and, as part of its contribution to it, to take effective measures as a matter of urgency for the eradication of apartheid in the field of labour by governments, workers' and employers' organisations.

### **Resolution concerning ILO Assistance to Employers' Organisations <sup>1</sup>**

The Fifth African Regional Conference of the International Labour Organisation,  
Meeting in Abidjan from 27 September to 6 October 1977,

Considering that there is a need to promote and strengthen employers' organisations in Africa which are adequately equipped to contribute to the ILO's basic-needs strategy elaborated in the Programme of Action adopted by the World Employment Conference in 1976,

Considering that employers' organisations have a vital role to play in the tripartite context which could lead to sound industrial relations in Africa,

Welcoming the recent efforts of the ILO in providing assistance on a small scale to employers' organisations so that their contribution in the tripartite partnership is rendered effective,

Noting with satisfaction the positive results achieved by the holding of round tables and seminars specially designed for employers' organisations in Africa,

Considering that the activities of the regional advisers for employers' organisations and the advisory services put at their disposal have proved to be of extreme benefit;

Invites the Governing Body of the International Labour Office to continue with the programme of assistance, including advisory services, to the employers' organisations in Africa as approved by recent sessions of the International Labour Conference, in order to help promote effective and fully representative organisations of employers in Africa based on the principle of freedom of association to enable them to co-operate on a tripartite basis in national development programmes.

### **Resolution concerning the Implementation of the World Employment Conference Declaration of Principles and Programme of Action by African Governments <sup>1</sup>**

The Fifth African Regional Conference of the International Labour Organisation,  
Meeting in Abidjan from 27 September to 6 October 1977,

Recalling that after many years of campaigning to arouse world attention the ILO finally succeeded in convening a World Employment Conference in June 1976,

Noting that the World Employment Conference adopted a Declaration of Principles and Programme of Action,

Noting that the Colombo Conference of Non-Aligned Countries has urged action to implement the conclusions of the World Employment Conference and that a conference of all developing countries is to be convened by the Government of Tunisia in 1978 in order to consider how the countries concerned could co-operate in following up that recommendation,

Noting further that Africa is one of the regions which is seriously affected by the problem of unemployment and extreme poverty,

Noting also that the ILO has attached so much importance to Africa and that in consequence ILO missions have visited a number of African States to advise on the adoption of comprehensive employment strategies and have made proposals for those States which could be used by other African sister States,

Recalling that both at the United Nations and at the World Employment Conference, the role of technology in the process of development was emphasised and that the World

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<sup>1</sup> Adopted unanimously on 6 Oct. 1977.

Employment Conference, in particular, stressed that it has a bearing on the level of productive employment and the distribution of income and is, therefore, an important element of the basic-needs strategy,

Noting that the introduction of advanced technology, which is highly desirable to accelerate development, should not be accompanied by any increase in unemployment;

1. States its full support for the conclusions of the World Employment Conference and invites African States Members of the ILO to implement the recommendations of that Conference.

2. Therefore calls upon the African governments which are Members of the ILO to regard unemployment and extreme poverty within their countries as an emergency and a crisis and to take the following steps to arrest the situation before it gets out of control:

- (a) to form national tripartite committees charged with working out ways and means of implementing the World Employment Conference Declaration of Principles and Programme of Action, at the national level or through co-operation with other countries concerned;
- (b) to invite the ILO and other United Nations agencies to advise on methods of implementing the Declaration and Programme of Action and to assist these national tripartite committees both with expertise and materially.

3. Calls upon the ILO and other United Nations agencies, the Organisation of African Unity (OAU) and the Organisation of African Trade Union Unity (OATUU) to organise and co-ordinate concerted continental activities which would stimulate the campaign against unemployment, by organising seminars, conferences, workshops and related activities.

4. Calls upon the ILO and the United Nations Development Programme (UNDP), through the Economic Commission for Africa (ECA), the OUA and the OATUU, to consult about the possibility of holding an African Regional Conference in 1979 exclusively devoted to employment.

5. Urges that representatives of employers and workers be associated in an appropriate manner in the discussions which will be held on the follow-up of the World Employment Conference on the occasion of the conference of developing countries to be convened by the Government of Tunisia in 1978.

6. Calls upon—

- (a) the ILO to continue its co-operation with the ECA, OAU, OATUU and other organisations concerned, with a view to the setting up of an African Regional Centre for the transfer and development of technology, to which national governments and institutions can turn for advice;
- (b) the ILO, the OAU and the OATUU to ensure that the Centre works closely with similar groups within the United Nations and more particularly with the Lima Centre for Science and Technology;
- (c) African countries to keep in mind that neither the exclusive use of labour-intensive techniques nor that of capital-intensive techniques will solve their development problems, and that, therefore, they should aim at achieving a reasonable balance between labour-intensive and capital-intensive techniques, with a view to achieving the fundamental aim of maximising growth and satisfying basic needs;
- (d) African governments to ensure that national trade union centres and employers' organisations are duly consulted in decisions affecting the choice of technology.

#### **Resolution concerning Multinational Corporations in Africa <sup>1</sup>**

The Fifth African Regional Conference of the International Labour Organisation,  
Meeting in Abidjan from 27 September to 6 October 1977,

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<sup>1</sup> Adopted unanimously on 6 Oct. 1977.

Considering that the activities of multinational corporations should not be in conflict with the interests of African governments and workers, and that they should, on the contrary, respect the legislation of African countries and the economic and social development needs of those countries,

Noting that this question has become world-wide and has therefore forced United Nations and ILO member States to call for some definite global action including the introduction of a world-wide code of conduct,

Noting the programme of studies and research of the United Nations and of the ILO on the subject;

1. Calls on the ILO and the United Nations to consider the possibility of setting up a committee to conduct comprehensive studies in Africa on the activities of multinational enterprises and their effect on employment.

2. Requests the ILO to conduct a special study on the extent to which multinational enterprises are respecting or are not respecting the legislation and the practice of the member States of the ILO where they operate and the basic ILO principles such as non-discrimination and freedom of association.

3. Further requests the ILO to undertake a study of the operations of multinational corporations in southern Africa, especially with regard to their compliance with the fundamental principles adopted by the ILO, especially with respect to discrimination against African workers.

4. Requests the ILO to conduct the above study in full consultation with the workers' and employers' organisations.

### **Resolution concerning Working Conditions and the Environment <sup>1</sup>**

The Fifth African Regional Conference of the International Labour Organisation, Meeting in Abidjan from 27 September to 6 October 1977,

Considering the need to improve working conditions and to protect the environment, the deterioration of which plays a negative role harmful to the workers' health and balance,

Considering that the progress achieved in recent years in certain African countries in these fields has been slow and inadequate, particularly as regards occupational safety and health and hours of work,

Considering that the growing use of new technologies raises new problems of occupational safety and protection for the worker,

Considering that the relatively recent industries of Africa should learn from the accumulated experience of the developed countries and avoid, in particular, the following pitfalls: pollution, deterioration of working conditions (absence of safety, work pressure, noise, odours, unhealthy conditions, nuisances of every kind, etc.),

Considering the insufficiency or non-existence of legislative measures in certain countries, and the shortage of skilled human resources and of an adequate infrastructure capable of guaranteeing and protecting the workers' health at workplaces,

Considering that the protection of the workers' health and of their physical and mental balance is a goal to which very considerable attention has been paid by the trade unions, the employers and the governments,

Considering that the improvement of working conditions and environment constitutes the ILO's basic task in Africa as elsewhere, the aim being to strengthen the protection of workers and ensure that social progress accompanies economic progress,

Noting with satisfaction that at its 60th (June 1975) Session the International Labour Conference adopted the resolution concerning future action of the ILO in the field of working conditions and environment, which invites member States to promote the objectives of an improvement of working conditions and environment and invites the Governing

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<sup>1</sup> Adopted unanimously on 6 Oct. 1977.

Body of the International Labour Office to instruct the Director-General to submit to it an international programme designed to promote or support activities of member States in this field and which should include in particular the placement of multidisciplinary teams made up of specialists in working conditions and environment,

Noting with satisfaction that at its 201st (November 1976) Session the Governing Body of the ILO approved the general lines of the International Programme for the Improvement of Working Conditions and Environment (PIACT) submitted to it by the Director-General of the International Labour Office,

Welcoming the fact that under that programme action has already been undertaken by certain countries to develop their activities with a view to improving working conditions and environment and by the Office in the context of its technical co-operation activities;

1. Recommends that the efforts undertaken to improve working conditions and the working environment be continued to enable the workers to carry out their task in conditions of absolute safety, in accordance with appropriate health and hygiene standards.

2. Requests African governments and the competent specialised bodies to take all measures to disseminate, ensure the application of, or pass laws guaranteeing satisfactory conditions for the workers at the workplace.

3. Encourages the training of skilled personnel responsible for supervising working conditions and requests all the parties concerned to strive together to make the workplaces centres in which the worker can feel fully safe and secure and enjoy the benefit of health and social assistance at all times.

4. Requests governments, employers and workers to co-ordinate their efforts to prevent any proliferation of industries which cause pollution or are toxic or dangerous and to control and regulate their establishment and ensure observance of the scientific standards promulgated on the health protection of workers, particularly with regard to noise, light, work pressure, odours, work pace and duration, arduous and unhealthy work, etc.

5. Calls upon all African States Members of the ILO, in co-operation with workers' and employers' organisations, to take measures to review regularly the situation with regard to working conditions and environment at the national level, with a view to setting a number of specific objectives designed to improve such conditions and putting into effect the specific action thought necessary.

6. Recommends that African States which find difficulties in formulating and carrying out programmes in this field should, where appropriate, obtain technical co-operation from the ILO in overcoming such difficulties, particularly in the form of missions by PIACT multidisciplinary teams.

7. Invites the ILO to intensify its action to help African States which so request to develop their policies and programmes of action for the improvement of working conditions and environment through such measures as:

- (a) a special promotional effort designed to encourage the application by African States of international labour standards relating to working conditions and environment;
- (b) the systematic collection and dissemination of information on experiments already carried out in Africa and elsewhere for the improvement of working conditions and environment;
- (c) the holding of symposia and training courses on working conditions and environment for government administrators and senior staff of undertakings and of employers' and workers' organisations and the introduction into the ILO's other training programmes of components relating to the improvement of working conditions and environment;
- (d) the placement in the region and, where appropriate, in the subregions, of permanent multidisciplinary teams of specialists, as mentioned in the resolution of the General Conference of the ILO referred to above;
- (e) the launching of pilot experiments for the improvement of working conditions and environment in rural areas;
- (f) the placing of the question of improvement of working conditions and environment on the agenda of the next session of the African Advisory Committee.



## **Resolution concerning the Ratification and Implementation of International Labour Standards in Africa <sup>1</sup>**

The Fifth African Regional Conference of the International Labour Organisation,  
Meeting in Abidjan from 27 September to 6 October 1977,

Considering that international labour standards are of prime importance for ILO activities and constitute an essential element in defining the objectives and means of action for the protection of human rights, the promotion of employment, the meeting of basic needs and the achievement of social progress,

Recalling the resolution concerning the ratification and implementation of international labour standards in Africa adopted by the Fourth African Regional Conference (Nairobi, 1973) and the review made by the African Advisory Committee at its Sixth Session (Lomé, 1975) of the ratification and application of international labour standards,

Recalling further that the Fourth African Regional Conference noted that the possibilities for acceptance and implementation of international labour standards had not been fully and systematically explored in most countries,

Noting the adoption of the Rural Workers' Organisations Convention (No. 141) and Recommendation (No. 149), 1975, and their relevance to the African region in view of the importance of the rural sector,

Noting the adoption of the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and the Migrant Workers Recommendation, 1975 (No. 151), and their bearing on the large-scale migrations for employment which are taking place in and from the African region,

Noting the problems encountered by African migrant workers in the different regions of the world and the need to ensure equality of treatment in the host country without discrimination as concerns them,

Noting the adoption of the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and the Tripartite Consultation (Activities of the International Labour Organisation) Recommendation, 1976 (No. 152), and the contribution which tripartite consultations can make to the ratification and application of ILO standards,

Noting that over the last 50 years the Committee of Experts on the Application of Conventions and Recommendations and the Conference Committee on the Application of Conventions and Recommendations have played a vital role in developing the system for supervising the application of international labour standards;

1. Calls on all African States Members of the International Labour Organisation to ratify and apply the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and to establish and make full use of the consultative procedures provided for therein.

2. Calls upon the States concerned to make every effort to ratify and apply the Conventions concerning the protection of basic human rights, especially those referred to in the resolution adopted at the Fourth African Regional Conference.

3. Calls further upon the States concerned to consider systematically, within the framework of the tripartite consultative procedures referred to above, the urgent need for the ratification and application of further Conventions, in particular the Rural Workers' Organisations Convention, 1975 (No. 141), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143).

4. Invites the member States of the ILO to ratify and fully apply ILO Conventions concerning migrant workers, and to ensure that African migrant workers in different areas of the world enjoy equality of treatment, especially as concerns remuneration and social security, in conformity with these standards.

5. Calls upon the African member States of the ILO to ratify the Equality of Treatment (Social Security) Convention, 1962 (No. 118), and, in order to give full effect to this Conven-

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<sup>1</sup> Adopted unanimously on 4 Oct. 1977.

tion, to adopt bilateral or multilateral social security instruments designed to ensure the maintenance of the rights of workers who are subject to multiple legislation.

6. Also calls upon the States concerned to ensure that measures taken to promote labour mobility on the African Continent, particularly in the context of regional economic integration programmes, should aim at eliminating all discrimination based on nationality and at protecting migrant workers' rights in the field of social security.

7. Recommends that States Members of the ILO ensure that the same rights and same treatment as those of the workers in the host country be accorded to migrant workers from Africa who work in Europe and other continents.

8. Calls upon the States concerned to co-operate fully in the supervisory procedures by sending the reports and information requested for examination by the Committee of Experts on the Application of Conventions and Recommendations, by participating in the work of the Conference Committee on the Application of Conventions and Recommendations and by taking any necessary action to ensure the conformity of their law and practice with the provisions of ratified Conventions.

9. Urges African States which have difficulties in ensuring the effective application of ratified Conventions or in resolving other problems which may arise in regard to international labour standards to make use of the direct-contacts procedures and other forms of ILO assistance whenever appropriate.

10. Requests the International Labour Office to continue its action to help African countries to draw fully on international labour standards in developing their social policies and legislation by such means as: (a) regional seminars on international labour standards; (b) missions by ILO officials to advise governments, employers and workers on questions relating to international labour standards; (c) the assignment to the Regional Office for Africa of an official with special responsibility for advising on questions relating to international labour standards; (d) the grant of fellowships to government officials and officers of workers' and employers' organisations to study questions relating to international labour standards at ILO headquarters in Geneva; and (e) use of the technical assistance programme to promote ratification and effective implementation of the international standards.

11. Requests the International Labour Office to promote direct contacts, as far as possible, among interested parties, with a view to finding an early solution to the problems of African migrant workers.

12. Invites the Governing Body of the International Labour Office to ensure that future sessions of the African Advisory Committee and future African Regional Conferences continue to examine the ratification and implementation of international labour standards by African countries.

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## **Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy**

*(adopted by the Governing Body of the International Labour Office)*

The Governing Body of the International Labour Office;

Recalling that the International Labour Organisation for many years has been involved with certain social issues related to the activities of multinational enterprises;

Noting in particular that various Industrial Committees, Regional Conferences, and the International Labour Conference since the mid-1960s have requested appropriate action by the Governing Body in the field of multinational enterprises and social policy;

Having been informed of the activities of other international bodies, in particular the UN Commission on Transnational Corporations and the Organisation for Economic Co-operation and Development (OECD);

Considering that the ILO, with its unique tripartite structure, its competence, and its long-standing experience in the social field, has an essential role to play in evolving principles for the guidance of governments, workers' and employers' organisations, and multinational enterprises themselves;

Recalling that it convened a Tripartite Meeting of Experts on the Relationship between Multinational Enterprises and Social Policy in 1972, which recommended an ILO programme of research and study, and a Tripartite Advisory Meeting on the Relationship of Multinational Enterprises and Social Policy in 1976 for the purpose of reviewing the ILO programme of research and suggesting appropriate ILO action in the social and labour field;

Bearing in mind the deliberations of the World Employment Conference;

Having thereafter decided to establish a tripartite group to prepare a Draft Tripartite Declaration of Principles covering all of the areas of ILO concern which relate to the social aspects of the activities of multinational enterprises, including employment creation in the developing countries, all the while bearing in mind the recommendations made by the Tripartite Advisory Meeting held in 1976;

Having also decided to reconvene the Tripartite Advisory Meeting to consider the Draft Declaration of Principles as prepared by the tripartite group;

Having considered the Report and the Draft Declaration of Principles submitted to it by the reconvened Tripartite Advisory Meeting;

Hereby approves the following Declaration which may be cited as the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, adopted by the Governing Body of the International Labour Office, and invites governments of States Members of the ILO, the employers' and workers' organisations concerned and the multinational enterprises operating in their territories to observe the principles embodied therein.

1. Multinational enterprises play an important part in the economies of most countries and in international economic relations. This is of increasing interest to governments as well as to employers and workers and their respective organisations. Through international direct investment and other means such enterprises can bring substantial benefits to home and host countries by contributing to the more efficient utilisation of capital, technology and labour. Within the framework of development policies established by governments, they can also make an important contribution to the promotion of economic and social welfare; to the improvement of living standards and the satisfaction of basic needs; to the creation of employment opportunities, both directly and indirectly; and the enjoyment of basic human rights, including freedom of association, throughout the world. On the other hand, the advances made by multinational enterprises in organising their operations beyond

the national framework may lead to abuse of concentrations of economic power and to conflicts with national policy objectives and with the interest of the workers. In addition, the complexity of multinational enterprises and the difficulty of clearly perceiving their diverse structures, operations and policies sometimes give rise to concern either in the home or in the host countries, or in both.

2. The aim of this Tripartite Declaration of Principles is to encourage the positive contribution which multinational enterprises can make to economic and social progress and to minimise and resolve the difficulties to which their various operations may give rise, taking into account the United Nations resolutions advocating the establishment of a New International Economic Order.

3. This aim will be furthered by appropriate laws and policies, measures and actions adopted by the governments and by co-operation among the governments and the employers' and workers' organisations of all countries.

4. The principles set out in this Declaration are commended to the governments, the employers' and workers' organisations of home and host countries and to the multinational enterprises themselves.

5. These principles are intended to guide the governments, the employers' and workers' organisations and the multinational enterprises in taking such measures and actions and adopting such social policies, including those based on the principles laid down in the Constitution and the relevant Conventions and Recommendations of the ILO, as would further social progress.

6. To serve its purpose this Declaration does not require a precise legal definition of multinational enterprises; this paragraph is designed to facilitate the understanding of the Declaration and not to provide such a definition. Multinational enterprises include enterprises, whether they are of public, mixed or private ownership, which own or control production, distribution, services or other facilities outside the country in which they are based. The degree of autonomy of entities within multinational enterprises in relation to each other varies widely from one such enterprise to another, depending on the nature of the links between such entities and their fields of activity and having regard to the great diversity in the form of ownership, in the size, in the nature and location of the operations of the enterprises concerned. Unless otherwise specified, the term "multinational enterprise" is used in this Declaration to designate the various entities (parent companies or local entities or both or the organisation as a whole) according to the distribution of responsibilities among them, in the expectation that they will co-operate and provide assistance to one another as necessary to facilitate observance of the principles laid down in the Declaration.

7. This Declaration sets out principles in the fields of employment, training, conditions of work and life and industrial relations which governments, employers' and workers' organisations and multinational enterprises are recommended to observe on a voluntary basis; its provisions shall not limit or otherwise affect obligations arising out of ratification of any ILO Convention.

#### *General Policies*

8. All the parties concerned by this Declaration should respect the sovereign rights of States, obey the national laws and regulations, give due consideration to local practices and respect relevant international standards. They should respect the Universal Declaration of Human Rights and the corresponding International Covenants adopted by the General Assembly of the United Nations as well as the Constitution of the International Labour Organisation and its principles according to which freedom of expression and association are essential to sustained progress. They should also honour commitments which they have freely entered into, in conformity with the national law and accepted international obligations.

9. Governments which have not yet ratified Conventions Nos. 87, 98, 111 and 122 are urged to do so and in any event to apply, to the greatest extent possible, through their national policies, the principles embodied therein and in Recommendations Nos. 111, 119

and 122.<sup>1</sup> Without prejudice to the obligation of governments to ensure compliance with Conventions they have ratified, in countries in which the Conventions and Recommendations cited in this paragraph are not complied with, all parties should refer to them for guidance in their social policy.

10. Multinational enterprises should take fully into account established general policy objectives of the countries in which they operate. Their activities should be in harmony with the development priorities and social aims and structure of the country in which they operate. To this effect, consultations should be held between multinational enterprises, the government and, wherever appropriate, the national employers' and workers' organisations concerned.

11. The principles laid down in this Declaration do not aim at introducing or maintaining inequalities of treatment between multinational and national enterprises. They reflect good practice for all. Multinational and national enterprises, wherever the principles of this Declaration are relevant to both, should be subject to the same expectations in respect of their conduct in general and their social practices in particular.

12. Governments of home countries should promote good social practice in accordance with this Declaration of Principles, having regard to the social and labour law, regulations and practices in host countries as well as to relevant international standards. Both host and home country governments should be prepared to have consultations with each other, whenever the need arises, on the initiative of either.

### *Employment*

#### *Employment promotion*

13. With a view to stimulating economic growth and development, raising living standards, meeting manpower requirements and overcoming unemployment and underemployment, governments should declare and pursue, as a major goal, an active policy designed to promote full, productive and freely chosen employment.<sup>2</sup>

14. This is particularly important in the case of host country governments in developing areas of the world where the problems of unemployment and underemployment are at their most serious. In this connection, the general conclusions adopted by the Tripartite World Conference on Employment, Income Distribution and Social Progress and the International Division of Labour (Geneva, June 1976) should be kept in mind.

15. Paragraphs 13 and 14 above establish the framework within which due attention should be paid, in both home and host countries, to the employment impact of multinational enterprises.

16. Multinational enterprises, particularly when operating in developing countries, should endeavour to increase employment opportunities and standards, taking into account the employment policies and objectives of the governments, as well as security of employment and the long-term development of the enterprise.

17. Before starting operations, multinational enterprises should, wherever appropriate, consult the competent authorities and the national employers' and workers' organisations in order to keep their manpower plans, as far as practicable, in harmony with national social development policies. Such consultation, as in the case of national enterprises, should continue between the multinational enterprises and all parties concerned, including the workers' organisations.

18. Multinational enterprises should give priority to the employment, occupational development, promotion and advancement of nationals of the host country at all levels in

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<sup>1</sup> The Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); the Employment Policy Convention, 1964 (No. 122); the Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111); the Termination of Employment Recommendation, 1963 (No. 119); and the Employment Policy Recommendation, 1964 (No. 122).

<sup>2</sup> The Employment Policy Convention and Recommendation, 1964 (both No. 122).

co-operation, as appropriate, with representatives of the workers employed by them or of the organisations of these workers and governmental authorities.

19. Multinational enterprises, when investing in developing countries, should have regard to the importance of using technologies which generate employment, both directly and indirectly. To the extent permitted by the nature of the process and the conditions prevailing in the economic sector concerned, they should adapt technologies to the needs and characteristics of the host countries. They should also, where possible, take part in the development of appropriate technology in host countries.

20. To promote employment in developing countries, in the context of an expanding world economy, multinational enterprises, wherever practicable, should give consideration to the conclusion of contracts with national enterprises for the manufacture of parts and equipment, to the use of local raw materials and to the progressive promotion of the local processing of raw materials. Such arrangements should not be used by multinational enterprises to avoid the responsibilities embodied in the principles of this Declaration.

#### *Equality of opportunity and treatment*

21. All governments should pursue policies designed to promote equality of opportunity and treatment in employment, with a view to eliminating any discrimination based on race, colour, sex, religion, political opinion, national extraction or social origin.<sup>1</sup>

22. Multinational enterprises should be guided by this general principle throughout their operations without prejudice to the measures envisaged in paragraph 18 or to government policies designed to correct historical patterns of discrimination and thereby to extend equality of opportunity and treatment in employment. Multinational enterprises should accordingly make qualifications, skill and experience the basis for the recruitment, placement, training and advancement of their staff at all levels.

23. Governments should never require or encourage multinational enterprises to discriminate on any of the grounds mentioned in paragraph 21, and continuing guidance from governments, where appropriate, on the avoidance of such discrimination in employment is encouraged.

#### *Security of employment*

24. Governments should carefully study the impact of multinational enterprises on employment in different industrial sectors. Governments, as well as multinational enterprises themselves, in all countries should take suitable measures to deal with the employment and labour market impacts of the operations of multinational enterprises.

25. Multinational enterprises equally with national enterprises, through active manpower planning, should endeavour to provide stable employment for their employees and should observe freely negotiated obligations concerning employment stability and social security. In view of the flexibility which multinational enterprises may have, they should strive to assume a leading role in promoting security of employment, particularly in countries where the discontinuation of operations is likely to accentuate long-term unemployment.

26. In considering changes in operations (including those resulting from mergers, take-overs or transfers of production) which would have major employment effects, multinational enterprises should provide reasonable notice of such changes to the appropriate government authorities and representatives of the workers in their employment and their organisations so that the implications may be examined jointly in order to mitigate adverse effects to the greatest possible extent. This is particularly important in the case of the closure of an entity involving collective lay-offs or dismissals.

27. Arbitrary dismissal procedures should be avoided.<sup>2</sup>

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<sup>1</sup> The Discrimination (Employment and Occupation) Convention and Recommendation, 1958 (both No. 111); and the Equal Remuneration Convention and Recommendation, 1951 (Nos. 100 and 90 respectively).

<sup>2</sup> The Termination of Employment Recommendation, 1963 (No. 119).

28. Governments, in co-operation with multinational as well as national enterprises, should provide some form of income protection for workers whose employment has been terminated.

### *Training*

29. Governments, in co-operation with all the parties concerned, should develop national policies for vocational training and guidance, closely linked with employment.<sup>1</sup> This is the framework within which multinational enterprises should pursue their training policies.

30. In their operations, multinational enterprises should ensure that relevant training is provided for all levels of their employees in the host country, as appropriate, to meet the needs of the enterprise as well as the development policies of the country. Such training should, to the extent possible, develop generally useful skills and promote career opportunities. This responsibility should be carried out, where appropriate, in co-operation with the authorities of the country, employers' and workers' organisations and the competent local, national or international institutions.

31. Multinational enterprises operating in developing countries should participate, along with national enterprises, in programmes, including special funds, encouraged by host governments and supported by employers' and workers' organisations. These programmes should have the aim of encouraging skill formation and development as well as providing vocational guidance, and should be jointly administered by the parties which support them. Wherever practicable, multinational enterprises should make the services of skilled resource personnel available to help in training programmes organised by governments as part of a contribution to national development.

32. Multinational enterprises, with the co-operation of governments and to the extent consistent with the efficient operation of the enterprise, should afford opportunities within the enterprise as a whole to broaden the experience of local management in suitable fields such as industrial relations.

### *Conditions of Work and Life*

#### *Wages, benefits and conditions of work*

33. Wages, benefits and conditions of work offered by multinational enterprises should be not less favourable to the workers than those offered by comparable employers in the country concerned.

34. When multinational enterprises operate in developing countries, where comparable employers may not exist, they should provide the best possible wages, benefits and conditions of work, within the framework of government policies.<sup>2</sup> These should be related to the economic position of the enterprise, but should be at least adequate to satisfy basic needs of the workers and their families. Where they provide workers with basic amenities such as housing, medical care or food, these amenities should be of a good standard.<sup>3</sup>

35. Governments, especially in developing countries, should endeavour to adopt suitable measures to ensure that lower income groups and less developed areas benefit as much as possible from the activities of multinational enterprises.

#### *Safety and health*

36. Governments should ensure that both multinational and national enterprises provide adequate safety and health standards for their employees. Those governments which have not yet ratified the ILO Conventions on guarding of machinery, ionising radiation, benzene, and occupational cancer are urged nevertheless to apply to the greatest extent possible the

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<sup>1</sup> The Human Resources Development Convention and Recommendation, 1975 (Nos. 142 and 150 respectively).

<sup>2</sup> The Reduction of Hours of Work Recommendation, 1962 (No. 116).

<sup>3</sup> The Plantations Convention and Recommendation, 1958 (both No. 110); the Workers' Housing Recommendation, 1961 (No. 115); the Medical Care Recommendation, 1944 (No. 69); and the Medical Care and Sickness Benefits Convention and Recommendation, 1969 (Nos. 130 and 134 respectively).

principles embodied in these Conventions and in their related Recommendations.<sup>1</sup> The Codes of Practice and Guides in the current list of ILO publications on Occupational Safety and Health should also be taken into account.

37. Multinational enterprises should maintain the highest standards of safety and health, in conformity with national requirements, bearing in mind their relevant experience within the enterprise as a whole, including any knowledge of special hazards. They should also make available to the representatives of the workers in the enterprise, and upon request, to the competent authorities and the workers' and employers' organisations in all countries in which they operate, information on the safety and health standards relevant to their local operations, which they observe in other countries. In particular, they should make known to those concerned any special hazards and related protective measures associated with new products and processes. They, like comparable domestic enterprises, should be expected to play a leading role in the examination of causes of industrial safety and health hazards and in the application of resulting improvements within the enterprise as a whole.

38. Multinational enterprises should co-operate in the work of international organisations concerned with the preparation and adoption of international safety and health standards.

39. In accordance with national practice, multinational enterprises should co-operate fully with the competent safety and health authorities, the representatives of the workers and their organisations, and established safety and health organisations. Where appropriate matters relating to safety and health should be incorporated in agreements with the representatives of the workers and their organisations.

#### *Industrial Relations*

40. Multinational enterprises should observe standards of industrial relations not less favourable than those observed by comparable employers in the country concerned.

#### *Freedom of association and the right to organise*

41. Workers employed by multinational enterprises as well as those employed by national enterprises should, without distinction whatsoever, have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own choosing without previous authorisation.<sup>2</sup> They should also enjoy adequate protection against acts of anti-union discrimination in respect of their employment.<sup>3</sup>

42. Organisations representing multinational enterprises or the workers in their employment should enjoy adequate protection against any acts of interference by each other or each other's agents or members in their establishment, functioning or administration.<sup>4</sup>

43. Where appropriate, in the local circumstances, multinational enterprises should support representative employers' organisations.

44. Governments, where they do not already do so, are urged to apply the principles of Convention No. 87, Article 5, in view of the importance, in relation to multinational enterprises, of permitting organisations representing such enterprises or the workers in their employment to affiliate with international organisations of employers and workers of their own choosing.

45. Where governments of host countries offer special incentives to attract foreign investment, these incentives should not include any limitation of the workers' freedom of association or the right to organise and bargain collectively.

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<sup>1</sup> The Guarding of Machinery Convention and Recommendation, 1963 (Nos. 119 and 118 respectively); the Radiation Protection Convention and Recommendation, 1960 (Nos. 115 and 114 respectively); the Benzene Convention and Recommendation, 1971 (Nos. 136 and 144 respectively); and the Occupational Cancer Convention and Recommendation, 1974 (Nos. 139 and 147 respectively).

<sup>2</sup> Convention No. 87, Article 2.

<sup>3</sup> Convention No. 98, Article 1(1).

<sup>4</sup> Convention No. 98, Article 2(1).



46. Representatives of the workers in multinational enterprises should not be hindered from meeting for consultation and exchange of view among themselves, provided that the functioning of the operations of the enterprise and the normal procedures which govern relationships with representatives of the workers and their organisations are not thereby prejudiced.

47. Governments should not restrict the entry of representatives of employers' and workers' organisations who come from other countries at the invitation of the local or national organisations concerned for the purpose of consultation on matters of mutual concern, solely on the grounds that they seek entry in that capacity.

### *Collective bargaining*

48. Workers employed by multinational enterprises should have the right, in accordance with national law and practice, to have representative organisations of their own choosing recognised for the purpose of collective bargaining.

49. Measures appropriate to national conditions should be taken, where necessary, to encourage and promote the full development and utilisation of machinery for voluntary negotiation between employers or employers' organisations and workers' organisations, with a view to the regulation of terms and conditions of employment by means of collective agreements.<sup>1</sup>

50. Multinational enterprises, as well as national enterprises, should provide workers' representatives with such facilities as may be necessary to assist in the development of effective collective agreements.<sup>2</sup>

51. Multinational enterprises should enable duly authorised representatives of the workers in their employment in each of the countries in which they operate to conduct negotiations with representatives of management who are authorised to take decisions on the matters under negotiation.

52. Multinational enterprises, in the context of bona fide negotiations with the workers' representatives on conditions of employment, or while workers are exercising the right to organise, should not threaten to utilise a capacity to transfer the whole or part of an operating unit from the country concerned in order to influence unfairly those negotiations or to hinder the exercise of the right to organise; nor should they transfer workers from affiliates in foreign countries with a view to undermining bona fide negotiations with the workers' representatives or the workers' exercise of their right to organise.

53. Collective agreements should include provisions for the settlement of disputes arising over their interpretation and application and for ensuring mutually respected rights and responsibilities.

54. Multinational enterprises should provide workers' representatives with information required for meaningful negotiations with the entity involved and, where this accords with local law and practices, should also provide information to enable them to obtain a true and fair view of the performance of the entity or, where appropriate, of the enterprise as a whole.<sup>3</sup>

55. Governments should supply to the representatives of workers' organisations on request, where law and practice so permit, information on the industries in which the enterprise operates, which would help in laying down objective criteria in the collective bargaining process. In this context, multinational as well as national enterprises should respond constructively to requests by governments for relevant information on their operations.

### *Consultation*

56. In multinational as well as in national enterprises, systems devised by mutual agreement between employers and workers and their representatives should provide, in

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<sup>1</sup> Convention No. 98, Article 4.

<sup>2</sup> The Workers' Representatives Convention, 1971 (No. 135).

<sup>3</sup> The Communications within the Undertaking Recommendation, 1967 (No. 129).

accordance with national law and practice, for regular consultation on matters of mutual concern. Such consultation should not be a substitute for collective bargaining.<sup>1</sup>

#### *Examination of grievances*

57. Multinational as well as national enterprises should respect the right of the workers whom they employ to have all their grievances processed in a manner consistent with the following provision: any worker who, acting individually or jointly with other workers, considers that he has grounds for a grievance should have the right to submit such grievance without suffering any prejudice whatsoever as a result, and to have such grievance examined pursuant to an appropriate procedure.<sup>2</sup> This is particularly important whenever the multinational enterprises operate in countries which do not abide by the principles of ILO Conventions pertaining to freedom of association, to the right to organise and bargain collectively and to forced labour.<sup>3</sup>

#### *Settlement of industrial disputes*

58. Multinational as well as national enterprises jointly with the representatives and organisations of the workers whom they employ should seek to establish voluntary conciliation machinery, appropriate to national conditions, which may include provisions for voluntary arbitration, to assist in the prevention and settlement of industrial disputes between employers and workers. The voluntary conciliation machinery should include equal representation of employers and workers.<sup>4</sup>

Geneva, 16 November 1977.

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<sup>1</sup> The Co-operation at the Level of the Undertaking Recommendation, 1952 (No. 94); and the Communications within the Undertaking Recommendation, 1967 (No. 129).

<sup>2</sup> The Examination of Grievances Recommendation, 1967 (No. 130).

<sup>3</sup> The Forced Labour Convention, 1930 (No. 29); the Abolition of Forced Labour Convention, 1957 (No. 105); and the Forced Labour (Indirect Compulsion) Recommendation, 1930 (No. 35).

<sup>4</sup> The Voluntary Conciliation and Arbitration Recommendation, 1951 (No. 92).

## **Metal Trades Committee**

*(Tenth Session, Geneva, 20-28 April 1977)*

### **CONCLUSIONS AND RESOLUTIONS ADOPTED**

#### **Conclusions (No. 82) concerning Safety, Health and Working Environment in the Metal Trades <sup>1</sup>**

The Metal Trades Committee of the International Labour Organisation,  
Having met in Geneva, in its Tenth Session, from 20 to 28 April 1977,

Having examined the report presented to it by the International Labour Office concerning safety, health and working environment in the metal trades: new approaches,

Considering that the protection of workers' health and safety and the improvement of the working environment are requirements of the first order,

Considering that occupational safety and health must be an integral part of every working and training process and that a good organisation of work and production necessarily includes adequate measures for protection against occupational risks,

Considering that scientific and technical development in the metal trades should be accompanied by continuing improvement in the protection of health, safety and the working environment,

Recalling the conclusions and resolutions adopted on health and safety at work by the Metal Trades Committee at its previous sessions, particularly resolution No. 74 (Ninth Session, 1971) concerning dangers of pollution of the work environment and health hazards resulting from processes in the metal trades,

Recalling the provisions of the resolutions on working conditions and the working environment adopted by the International Labour Conference at its 60th and 61st Sessions (1975 and 1976);

Adopts this twenty-eighth day of April 1977 the following conclusions:

1. In recent years it has become evident that safety, health and the working environment receive more and more attention from public authorities, employers and workers. Despite the efforts made, hazards to workers' health and safety may accompany the development of technology in parts of the metal trades and, therefore, make necessary concerted preventive action.

2. It is recognised that the most effective prevention must begin at the very time when working processes, working equipment and substances used in the work, the construction of workplaces and buildings, the organisation of work and the layout of the shop floor are conceived.

3. Practical preventive action should have the continuous benefit of the results of research, particularly research carried out in close collaboration between public authorities and representatives both of employers and of workers.

4. Competent authorities have an essential role to play in the protection of workers' health and safety by formulating legislation after consultation with representatives of

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<sup>1</sup> Adopted unanimously.

employers and workers. It is necessary for competent authorities to ensure the application of such legislation by the establishment of a competent and effective supervisory body. In the performance of their functions, representatives of this body should put emphasis on assistance and advice to employers and workers, particularly in small and medium-sized undertakings.

5. Adequate information for management, supervisors and workers on the occupational risks which may arise in the course of the working process is the basis for all preventive action. In order to avoid as far as possible accidents at work and occupational diseases, it is desirable that the manufacturer, the vendor, and the employer operating the plant and machinery or using the substances, be bound to provide written information on their correct use without risk. For this reason, the Office should be invited to examine the possibility of a new Convention to ensure on a world-wide level that technical processes cannot be put into operation and equipment and dangerous substances cannot be put into circulation without a positive indication of the dangers involved in their use in the language of the country of the user.

6. The Guarding of Machinery Convention, 1963 (No. 119), supplemented by Recommendation No. 118, has made a considerable contribution to the reduction of occupational hazards in the countries which have ratified it. Accordingly, it would be highly desirable for countries which have not yet ratified the Convention to do so.

7. The printed instructions on safety and health to be attached to all machinery and products likely to carry risks should be correctly written in the language of the workers called on to use them. Adequate audio-visual aids should accompany these printed instructions where necessary. Migrant workers ought to be instructed and supervised by persons with a good practical knowledge of their language. As far as possible, provisions should be made to enable migrant workers to learn the language used in the country of work.

8. Rapid technological innovation and the increased use of chemical and other products in the metal trades, some of which may present grave dangers for the health of workers exposed to them, require appropriate research before they are manufactured and used.

9. The need for a rapid dissemination of information on occupational risks linked with highly harmful substances requires the setting up of an international warning system as soon as possible—in conformity with the resolution adopted by the International Labour Conference at its 61st Session (1976) and the International Programme for the Improvement of Working Conditions and the Working Environment (PIACT).

10. It appears necessary to have a better knowledge of the harmful effects of substances used in various sectors of industrial activity and to centralise this information at the international level, as is already done at the national level in some countries.

11. As laid down in the resolution of the International Labour Conference mentioned above, working operations involving the identification, the transport, handling and use of substances likely to be harmful should be the subject of studies at an early date with a view to new international labour standards.

12. In view of the results obtained by the publication of codes of practice on safety and health in various sectors of industrial activity and especially in the shipbuilding industry, the ILO should examine the possibility of making available a collection of the kind for specific branches of the metal trades within the shortest possible time, taking special account of the activities of such industries in the developing countries.

13. The use of appropriate statistics is an important means of analysing and assessing conditions of safety and health at work. The ILO should continue its efforts to harmonise statistics on work accidents and occupational diseases internationally. Methods should be developed in order to prevent accidents by enabling the identification of areas of risk in the undertaking. Such analyses of safety in the workplace must be followed by appropriate corrective measures.

14. Training in safety and health must be an integral part of vocational training programmes. Experience has shown that it is preferable for this instruction to be part of vocational training and not a separate subject. Safety and health at work should also form part

of continuous training at all levels—for managements of undertakings as well as for responsible supervisors (engineers, technicians, foremen and others) and workers. Special attention should be paid to such training when new workers, particularly young and migrant workers, are taken on, when new processes are introduced, or when workers re-enter the workforce.

15. The protection of the working environment in the metal trades should also embrace appropriate measures against the effects of exposure of workers to harmful dusts, fumes, gases, fibres, vapours, as well as various physical agents such as heat, humidity, noise, vibration, ionising or non-ionising radiation, etc. Such protection can be ensured, for instance, by laying down minimum requirements in the form of standards for equipment on the shop floor and the layout of the working environment.

16. To forestall the effects of harmful substances, the competent national authorities should fix limits for the workers' exposure in the working environment, taking into consideration the technical advice of representatives of employers and workers. The criteria and the limits for exposure should be settled, supplemented and revised periodically on the basis of scientific and technical progress. International co-operation, and in particular ILO action, should make an important contribution to this.

17. The replacement of harmful substances by other substances should be preceded by detailed study to check that the latter either have no harmful properties or are harmful to a lesser degree.

18. In order to prevent psychological tension and psychosomatic disorders caused by excessive physical and mental demands in the workplace, particular attention should be paid to the organisation of work including the practical application of ergonomics.

19. In view of the serious hazards caused by certain carcinogenic substances, the importance of the Occupational Cancer Convention, 1974 (No. 139), and Recommendation (No. 147) should be emphasised. The Committee expresses the hope that member States of the ILO will ratify the Convention without delay and put into operation the measures provided for in these international instruments as well as other supplementary measures. The Committee trusts that appropriate measures will be taken to control and, where necessary, to exclude the use of substances which have or appear to have carcinogenic properties.

20. Although large undertakings in the metal trades may very often have specialised safety and health services, small and medium-sized undertakings are frequently insufficiently equipped. It is a task of the competent authorities to assist these undertakings and to provide the technical advice they need. These undertakings could also set up joint organisations for this purpose. In this connection, the Committee requests the Office to examine how far the model of safety and health organisation, as contained in the ILO Code of Practice *Safety and health in shipbuilding and ship repairing*, can be extended to the other branches of the metal trades.

21. An important role is played by occupational health services in the prevention of accidents and occupational diseases. It is desirable that preventive action be organised by these services according to the principles laid down in the Occupational Health Services Recommendation, 1959 (No. 112).

22. The Committee stresses the importance of regular joint or tripartite consultations on matters of safety, health, and the improvement of the working environment to take place at all levels. These consultations should be organised according to the provisions in force in each country, whether in the form of legislation or collective agreements.

23. Workers and their representatives should be associated in the preparation and implementation of measures concerning safety, health and the working environment at the level of the undertaking as well as at the industry and national levels, according to the legislation and practice in various countries. Safety and health measures are particularly successful when workers and their representatives are associated on an equal footing in their design and execution from the beginning.

24. Workers' representatives should have the opportunity of accompanying labour inspectors on their tours of inspection of health and safety, and also of participating in

inquiries into the causes of work accidents and occupational diseases, in accordance with the provisions in force in each country.

25. When a worker, through his job experience, has justifiable reason to believe that there would be a high risk of imminent danger to life or health if he carried out a task assigned to him, he should have the right to refuse to commence work, or to cease work without loss of salary or other prejudice, and he should report his fears immediately to the management, the workers' safety delegate and the competent safety and health officer in the plant.

26. The Committee stresses the need for effective international action for protection against the export or import of dangerous machines and products particularly to developing countries. Consequently, the Committee recommends the ILO to examine in collaboration with GATT the possibility of including in the regulations governing international trade in machinery and products provisions securing a minimum level of protection for the health and safety of workers using them.

27. The Committee expresses satisfaction at the objectives proposed in the International Programme for the Improvement of Working Conditions and the Working Environment (PIACT), which covers a number of objects of major interest to the metal trades. All the proposals contained therein have received the attention of the Committee, in particular those aimed at assisting member countries in defining and formulating the principles of national policies for the prevention of work accidents and occupational diseases, and those which concern the organisation of measures for safety and health in undertakings, including the modes of participation of workers in such organisation. Particular interest should be taken in small and medium-sized undertakings as well as in developing countries.

28. The Committee invites the Governing Body of the International Labour Office to request the Director-General to draw the attention of member States to the need to examine periodically questions of reducing the rate of accidents and occupational diseases in the metal trades as well as eliminating harmful stress and humanising work. The Committee further invites the Governing Body to consider the possibility of requesting the Director-General to review the international labour standards bearing on working conditions and the protection of workers in the metal trades in order to adapt them to existing realities and to carry out studies at national and regional levels to promote progress in the field of working conditions and working environment.

### **Conclusions (No. 83) concerning the Employment Consequences of Scientific, Technological and Structural Developments in the Metal Trades of Industrialised and Developing Countries<sup>1</sup>**

The Metal Trades Committee of the International Labour Organisation,  
Having met in Geneva, in its Tenth Session, from 20 to 28 April 1977,

Having examined the report submitted to it by the International Labour Office concerning the employment consequences of scientific, technological and structural developments in the metal trades of industrialised and developing countries,

Noting that many aspects of this topic have been examined by the Committee at various previous sessions,

Noting that most of the earlier deliberations were focused on various measures to remedy such employment consequences of scientific, technological and structural changes while the present discussions bore mainly on the mechanisms of the said employment consequences,

Noting that many of the measures previously discussed remain relevant;

Adopts this twenty-eighth day of April 1977 the following conclusions:

#### ***I. Identification and Measurement of Employment Changes***

1. A sufficiently early and detailed anticipation of employment consequences of scientific, technological and structural developments is central to dealing with them successfully, and

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<sup>1</sup> Adopted unanimously.

to planning and taking appropriate remedial action. Such early warning depends directly upon the type of information collected, the way it is compiled and the use to which it is put.

#### *A. Types and sources of information*

2. The information collected should be sufficiently detailed to indicate the corrective steps to be taken—and where and how they should be taken—to ensure that all who rely on the metal trades for their livelihood can receive the full benefit of technological change. At the same time, however, care should be taken to avoid excessive and overlapping data collection, which is costly. There will also be a certain amount of variation from country to country in the type of information collected, depending upon the nature and organisation of the society, the level of economic development, and the use to which the data are eventually put. Nevertheless certain details are required if useful employment forecasts are to be made of changes caused by scientific, technological or structural developments. This should include a breakdown by occupation, by skill level, by geographic region, by sex and age and possibly by product. In addition, it would be useful to collect data on normal weekly working hours and on hours actually worked, by branch of industry.

3. Data should be collected from a number of sources so that problems and remedies may be identified. Some of the data mentioned in paragraph 2 can only be obtained at plant level. Information on persons seeking work must take account of those registered for work and also assess as far as possible the number of those wishing to work although not formally registered and thus not included in routine statistics of unemployment. Any classification by product group should be as homogeneous as possible.

4. Virtually all governments already collect considerable economic information. Every effort should be made to utilise existing structures as complementary to the new systems required to obtain the necessary data on the metal trades.

5. Case studies and in-depth analyses are a useful source of information of a qualitative nature, and may signal future trends and developments which have not yet been evident through ordinary statistical reporting. Care should be taken to ensure that these analyses specifically include the impact of over-all economic and social conditions.

6. Governments should consult and seek the co-operation of workers' and employers' organisations in planning the collection of data and in collecting the data required.

7. The collection of statistics and the special studies on employment in the metal trades should be carried out within the framework of a positive and constructive manpower policy aiming at full employment. This information should provide the basis for specific and detailed estimates of impending developments and their likely impact on employment. The difficulty of clearly predicting scientific, technological and structural developments makes it necessary to secure the full co-operation at all levels, of employers and workers as well as of government statistical agencies.

#### *B. Action by the ILO*

8. At the international level, there is no widely accepted model for anticipating the employment consequences of scientific, technological or structural changes, nor is there a consistent and widely used system which makes international comparisons easy. The Governing Body of the International Labour Office is therefore invited to consider instructing the Office to undertake research and possibly to provide member States with guidelines on the minimum information needed to allow for international comparisons, including comparisons of employment in countries with different social and economic systems.

## *II. Scientific Developments*

9. Scientific development leads to the introduction of new materials and new products into the metal trades. This, in turn, may require workers to improve their skills and learn new production techniques. Consequently, it may become necessary to review job classifications.

10. Any such changes in job classification should be carried out observing the following general principles:

- (a) job reclassification and its accompanying training should safeguard the long-term interests of the workers and the employer;
- (b) any such job reclassification should entail discussions between employers' and workers' organisations;
- (c) classification systems should be flexible enough to keep pace with the scientific and technological changes to which they are attempting to adapt.

11. It must be the aim of vocational training to enable workers to keep up their skills under circumstances of social and technological change. The content of vocational training must therefore be such that the worker can:

- (a) acquire the basic skills needed whenever a change in job is necessary;
- (b) keep up with the changes in the production processes brought about by social and technological developments.

Over-specialisation in the initial vocational training must be avoided because this makes it very difficult for the worker to change his job and/or adjust to changing employment structures; any specialisation that may be needed must of necessity be subsequent to the initial training. It must take the form of further training as part of the concept of continuing vocational training.

12. Changes in job classifications arising from scientific and technological change may require reconsideration of the structure of workers' organisations and their ability to cope with the problems that arise. There should be discussions at all levels so as to avoid demarcation disputes resulting from scientific and technological change, and ways and means of resolving these matters without conflict should be found.

13. When introducing scientific innovations, special care should be taken during the research and development stage to ascertain potential and actual hazards associated with new materials and substances to enable adequate safeguards to be arranged for the workers and the community.

14. Care should be taken to ensure that scientific developments are evaluated as regards their social consequences as well as their economic advantages. A basic aim of such general policy should be to guide scientific developments so that social problems and negative employment consequences can be avoided before they occur or before they make themselves felt. This over-all policy and any related machinery should be closely associated with the information system considered above.

### *III. Technological Developments*

15. Contrary to some predictions, sustained economic growth is both possible and feasible; coupled with full employment and the satisfaction of basic human needs, it must be a major policy objective of governments. More attention, however, needs to be directed towards the qualitative aspects of economic growth, such as improvements in energy conservation and pollution control, materials saving and the humanisation of work.

16. Technological innovations are a principal source of productivity increases and labour savings but their introduction cannot be really effective unless they are accepted by the workers and there is a policy of encouraging growth and full employment. Therefore, workers should be encouraged to point out potentially productive and useful innovations. Workers should also be informed in advance about technological developments so as to enable them to assess whether, and in what manner, these innovations will ultimately benefit them.

17. Technological changes should be introduced in a way that limits as far as possible any temporary increase in unemployment that may occur and reduces its duration. Government policy should be designed to ensure that the broad trend in technological development is to increase employment and ultimately to create full employment. The ILO should give more consideration to the detailed machinery and techniques whereby technological unemployment can be avoided. In this regard, both individual governments and the ILO should give special attention to the qualitative aspects of economic growth mentioned above.



18. Care should be taken to ensure that the fruits of technological innovation benefit all members of the community. Particularly in a developing country, where workers are not always so well organised, imported technological change does not always result in a higher standard of living for the whole society. Employers should be fully aware of their social responsibilities when introducing technological change. Similarly, governments should promote technological development in such a way that priority is given to meeting the basic needs of all members of society.

19. Location of industry is important and governments should promote the setting up of industries in areas where labour is available in order to avoid the disruption of family and community life that occurs when workers have to move from areas of high unemployment to areas where work is available. Some geographical mobility of workers may be necessary following scientific and technological change. In such cases governments should encourage the voluntary movement of workers by providing financial and other assistance.

#### *IV. Appropriate Technologies*

20. In a developing country, the problems surrounding scientific and technological development may be different from those of an industrialised country. In such a country, the government should play a central role in ensuring that the technological advance of industry is both balanced and appropriate.

21. When deciding whether a technological change is appropriate, several considerations must be kept in mind. The change must be economically feasible. It should contribute to improved social conditions. The priority should be to meet the basic needs of all people.

22. Special attention should be given to the technological needs of export industries, which must remain competitive on international markets.

23. The spread of information concerning alternative production techniques should be made more efficient. Small enterprises are unable to seek out and evaluate the various foreign techniques. This is an area where governments should provide assistance, particularly in developing countries.

24. The adaptation of modern technology and the development of improved local technologies should be carried out by developing countries themselves. Teams of local engineers and economists should be assisted by foreign experts to the extent necessary.

25. Similarly, greater use can be made of the knowledge and experience available within the developing countries themselves. To this end, regional and interregional technology information centres should be organised to stimulate and encourage the use of appropriate technologies and to create a high number of safe and healthy jobs.

26. The ILO should continue to play a leading role in this area. Many other organisations and UN agencies are also active on various aspects of appropriate technologies. Therefore, an essential task for the ILO should be to contribute to the co-ordination of the work of these various agencies in order to avoid costly and unnecessary duplication. This should be done within the framework of the Declaration of Principles and the Programme of Action adopted by the World Employment Conference.

27. Foreign investments are an important source of technological change. Most countries already have legislation concerning foreign investment, and governments should continue to monitor these developments closely, and see to it that the principles set out in ILO Conventions Nos. 87 and 98 are observed. Governments should also ensure that foreign investments have a positive effect on employment.

#### *V. Structural Developments*

28. Contrary to certain pessimistic fears, a serious long-term reduction in world economic growth does not seem to be inevitable.

29. Due consideration, however, should be given to the type of economic growth to be pursued. International co-operation and collaboration should be promoted to ensure that there is a broad distribution of industrial activity and that the natural resources of the world

are utilised for the benefit of all mankind. Such international co-operation and collaboration should benefit from the active participation of both employers' and workers' representatives.

30. One underlying principle at both the national and international levels should be that international economic development must be a complementary development among nations. Jobs in one country should not be at the expense of jobs in another. There should be an expansion of industrial activities in developing countries, but not a major transfer of such activities from the industrialised to the developing countries. Investment and the expansion of industry in developing countries should in the first instance be directed towards a healthy and growing industry.<sup>1</sup>

31. Competition among countries and within the industry is healthy, but excessive or biased competition and unfair trading practices which are detrimental to employment should be discussed within the competent existing international organisations with a view to their elimination.

32. Workers' participation in the decision making of enterprises is a very complex question and needs to be carefully adjusted to the conditions of each country and each industry. Such participation may lead to higher productivity, a greater sense of involvement, and more regard to the social implications of decision making. All this may assist the long-term prosperity of the enterprise. Workers' participation can take different forms. It may be based on legislation or on collective agreements, taking into account the economic and social situation, which may vary from country to country and from industry to industry.

#### **Resolution (No. 84) concerning the Agenda of the Eleventh Session of the Metal Trades Committee <sup>2</sup>**

The Metal Trades Committee of the International Labour Organisation,  
Having met in Geneva, in its Tenth Session, from 20 to 28 April 1977,

Considering the urgent need for industrial development as well as for the creation of a maximum number of jobs under conditions of safety and security,

Supporting the Declaration of Principles and Programme of Action adopted by the Tripartite World Conference on Employment, Income Distribution and Social Progress and the International Division of Labour, which was held from 4 to 17 June 1976,

Acknowledging the contribution that collective bargaining can make towards social progress through economic development,

Requesting the continuation of ILO efforts to improve safety, health and working environment in the metal trades, particularly in view of the increasing introduction of new processes, substances and products with unidentified health and safety hazards and their rapid spread throughout the world;

Adopts this twenty-eighth day of April 1977 the following resolution:

The Metal Trades Committee invites the Governing Body of the International Labour Office to consider the following points as technical items to be included in the agenda of the Eleventh Session of the Metal Trades Committee:

- (a) ways and means of job creation within the metal trades with a view to achieving full employment and improved living standards throughout the world;
- (b) objectives of collective bargaining as a means of improving the working and living conditions of the workers in the metal trades throughout the world;
- (c) training and retraining of men and women workers in the metal trades.

#### **Resolution (No. 85) concerning Reduction of Working Time <sup>3</sup>**

The Metal Trades Committee of the International Labour Organisation,

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<sup>1</sup> The Government delegate from Mexico expressed reservations concerning this paragraph.

<sup>2</sup> Adopted unanimously.

<sup>3</sup> Adopted by 91 votes in favour, 44 against, with 8 abstentions.

Having met in Geneva, in its Tenth Session, from 20 to 28 April 1977,

Recalling resolution No. 65 concerning a reduction in hours of work without reduction of income in the metal trades, adopted at its Eighth Session in 1965,

Noting that the reduction in working hours has, from both an economic and social point of view, influenced developments in all sectors of the metal trades,

Taking into account the fact that there are complaints of lack of progress in the reduction of working hours in its various forms;

Adopts this twenty-eighth day of April 1977 the following resolution:

1. The Metal Trades Committee invites the Governing Body of the International Labour Office to request the Director-General:

- (a) to study the economic situation and employment prospects, technological trends and, in particular, their impact on employment and productivity, as well as the economic, social and human factors relevant to a reduction of working time in the metal trades;
- (b) to study in that connection the various forms in which working time reductions could be effected, taking into account the various forms of a shorter working life, a shorter working year, reduced monthly, weekly and daily hours, including, inter alia, extension of rest periods, arrangement of working hours for shift workers and reduction of overtime.

2. The Metal Trades Committee invites the Governing Body to request the Director-General to give special attention to collective bargaining endeavours and legislative measures resulting in a reduction of working time in the metal trades and to report on progress in this field to the Eleventh Session of the Metal Trades Committee.

#### **Resolution (No. 86) concerning Income Security in the Metal Trades <sup>1</sup>**

The Metal Trades Committee of the International Labour Organisation,

Having met in Geneva, in its Tenth Session, from 20 to 28 April 1977,

Emphasising the far-reaching consequences of the present instability of employment affecting the security of income of the workers in the various branches of the metal trades,

Noting that changes in wage systems contributing to stability in income are an important factor for income security and economic stability,

Considering that substantial improvements have been made through legislation and collective agreements and that further improvements may be necessary in many countries to bring about security of income;

Adopts this twenty-eighth day of April 1977 the following resolution:

1. The Metal Trades Committee invites the Governing Body of the International Labour Office to request the Director-General to undertake a thorough study of the role which collective bargaining, plant level negotiations and other existing schemes of industrial relations, as well as legislation, play in safeguarding incomes at a time of recession.

2. The Metal Trades Committee further invites the Governing Body to request the Director-General to review, within the framework of the full employment policy, the specific measures existing in ILO member countries for medium and long-term income security in the metal trades, giving special attention to schemes which provide for adequate protection of wages, social benefits and other established rights.

#### **Resolution (No. 87) concerning Multinational Enterprises<sup>2</sup>**

The Metal Trades Committee of the International Labour Organisation,

Having met in Geneva, in its Tenth Session, from 20 to 28 April 1977,

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<sup>1</sup> Adopted unanimously.

<sup>2</sup> Adopted by consensus.

Noting the further growth of multinational enterprises, public or private, and their increased ramifications in all parts of the world in the automobile, electrical and electronics, aerospace and agricultural implement industries, as well as in general engineering;

Adopts this twenty-eighth day of April 1977 the following resolution:

The Metal Trades Committee invites the Governing Body of the International Labour Office to:

- (a) take action to ensure that the ILO is fully involved in the United Nations activities concerning multinational enterprises and to guarantee that, through recognition of the ILO's tripartite structure, all its constituents can play a full and effective role in those activities of the United Nations;
- (b) continue studies on the social policies of multinational enterprises in the metal trades in relation to ILO standards;
- (c) consider further measures which are appropriate for reviewing the social policies of multinational enterprises, taking into account any decision which may be taken by the Governing Body of the ILO in connection with multinational enterprises.

### **Resolution (No. 88) concerning Young Workers in the Metal Trades <sup>1</sup>**

The Metal Trades Committee of the International Labour Organisation,

Having met in Geneva, in its Tenth Session, from 20 to 28 April 1977,

Deeply concerned about the substantial unemployment of young people, both male and female, and the worsening of the situation in many countries, a phenomenon going beyond cyclical trends and revealing problems of economic, social and industrial structure, as well as of education,

Noting that apprenticeship and work opportunities may not be keeping pace with the number of young people seeking jobs, apprenticeship or training and that the extension of suitable training is insufficient if it is not accompanied by a vigorous expansion of job opportunities,

Expressing concern about the prospects for young people;

Adopts this twenty-eighth day of April 1977 the following resolution:

1. The Metal Trades Committee invites the Governing Body of the International Labour Office to request the Director-General to study in depth the causes of youth unemployment in the various countries and to submit proposals for effective measures with special emphasis on vocational training opportunities and job creation policies for young people.

2. The Metal Trades Committee also invites the Governing Body to appeal to all governments of member States to take determined measures in consultation, where appropriate, with the employers and workers to fulfil their responsibility to young workers.

### **Classification <sup>1</sup> of the Conclusions and Resolutions Adopted by the Metal Trades Committee at Its Nine Previous Sessions <sup>2</sup>**

*Section I: Conclusions and Resolutions, or Parts Thereof, Calling for Action in the Different Countries*

*Group A: Conclusions and Resolutions, or Parts Thereof, Which Are No Longer of Current Concern*

No. 10. Resolution concerning production and employment (First Session).

No. 13. Resolution concerning unemployment insurance and social security (First Session).

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<sup>1</sup> Adopted unanimously.

<sup>2</sup> The following texts are outdated or superseded and are eliminated from the classification: Nos. 3, 4, 5, 6, 7, 8, 11, 12, 14, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, 42, 43, 44, 47, 48, 50, 51, 52, 53, 58, 59, 60, 61, 62, 70, 79 and 81.

No. 17. Resolution concerning the implementation of proposals and resolutions adopted by the Metal Trades Committee (Second Session).

*Group B : Conclusions and Resolutions, or Parts Thereof, Which, for the Time Being, Would Not Appear to Call for Further Information*

No. 45. Memorandum concerning the regularisation of production and employment at a high level in the metal trades (First Session).

No. 46. Suggestions concerning the effect given to conclusions adopted by the Metal Trades Committee (Fifth Session).

No. 49. Resolution concerning automation in the metal trades (Sixth Session).

No. 56. Conclusions concerning working conditions and safety in shipbuilding and ship repairing (Seventh Session).

No. 57. Resolution concerning tripartite action regarding vocational training in the metal trades (Seventh Session).

No. 63. Conclusions concerning international co-operation in dealing with manpower, social and labour problems in the metal trades in the developing countries (Eighth Session).

*Group C : Conclusions and Resolutions, or Parts Thereof, on Which Further Information Is Considered Desirable*

No. 30. Resolution concerning systems of wage calculation in the metal trades (Third Session).

No. 55. Conclusions concerning the acceleration of technological progress and its influence on the effective utilisation of manpower and the improvement of workers' income in the metal trades (Seventh Session).

No. 64. Conclusions concerning the role of employers' and workers' organisations in programming and planning in the metal trades (Eighth Session).

No. 65. Resolution concerning a reduction in hours of work without reduction of income in the metal trades (Eighth Session).

No. 68. Resolution concerning freedom of association and trade union rights in the metal trades (Eighth Session).

No. 71. Conclusions concerning problems of adjustment and income maintenance arising from structural change and economic fluctuations in the metal trades (Ninth Session).

No. 72. Conclusions concerning training at different levels in the metal trades, with particular reference to developing countries (paragraphs 1-28) (Ninth Session).

*Section II : Conclusions and Resolutions, or Parts Thereof, to Which Effect Is to Be Given Mainly by the Office*

*Group A : Conclusions and Resolutions, or Parts Thereof, Which Are No Longer of Current Concern to the Office*

No. 1. Resolution concerning international standardisation of statistics of accidents and occupational diseases (First Session).

No. 2. Resolution concerning international standardisation of warning signs (First Session).

No. 9. Resolution concerning wages and freedom of association in underdeveloped regions (First Session).

No. 10. Resolution concerning production and employment (First Session).

No. 18. Resolution concerning the definition of "metal trades" (Second Session).

No. 35. Resolution concerning human relations (Fourth Session).

No. 45. Memorandum concerning the regularisation of production and employment at a high level in the metal trades (Fifth Session).

No. 55. Conclusions concerning the acceleration of technological progress and its influence on the effective utilisation of manpower and the improvement of workers' income in the metal trades (Seventh Session).

No. 56. Conclusions concerning working conditions and safety in shipbuilding and ship repairing (paragraphs 33-36) (Seventh Session).

No. 68. Resolution concerning freedom of association and trade union rights in the metal trades (clause (a)) (Eighth Session).

*Group B : Conclusions and Resolutions, or Parts Thereof, Which Should Continue to Receive the Attention of the Office*

No. 30. Resolution concerning systems of wage calculation in the metal trades (Third Session).

- No. 54. Resolution concerning the use of German and Spanish at sessions of the Metal Trades Committee (Sixth Session).
  - No. 56. Conclusions concerning working conditions and safety in shipbuilding and ship repairing (paragraphs 37-39) (Seventh Session).
  - No. 57. Resolution concerning tripartite action regarding vocational training in the metal trades (clauses (c) and (d)) (Seventh Session).
  - No. 63. Conclusions concerning international co-operation in dealing with manpower, social and labour problems in the metal trades in the developing countries (paragraphs 29-38 and 41) (Eighth Session).
  - No. 65. Resolution concerning a reduction in hours of work without reduction of income in the metal trades (Eighth Session).
  - No. 66. Resolution concerning women workers in the metal trades (Eighth Session).
  - No. 67. Resolution concerning labour statistics in the metal trades (Eighth Session).
  - No. 69. Resolution concerning future action of the International Labour Organisation relating to the metal trades (Eighth Session).
  - No. 71. Conclusions concerning problems of adjustment and income maintenance arising from structural change and economic fluctuations in the metal trades (paragraph 5) (Ninth Session).
  - No. 72. Conclusions concerning training at different levels in the metal trades, with particular reference to developing countries (paragraphs 29-34) (Ninth Session).
  - No. 73. Resolution concerning multinational corporations (Ninth Session).
  - No. 74. Resolution concerning dangers of pollution of the work environment and health hazards resulting from processes in the metal trades (Ninth Session).
  - No. 75. Resolution concerning frequency of meetings (Ninth Session).
  - No. 76. Resolution concerning international fair labour standards (Ninth Session).
  - No. 77. Resolution concerning harmonisation of employment conditions for manual and non-manual workers (Ninth Session).
  - No. 78. Resolution concerning the social consequences of automation and the introduction of new technology (Ninth Session).
  - No. 80. Resolution concerning the further training and retraining of graduate and other engineers, and of technical and supervisory personnel in the metal trades (Ninth Session).
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# **Agreement between the Government of the Republic of the Ivory Coast and the International Labour Organisation concerning the Establishment of an Office of the Organisation at Abidjan <sup>1</sup>**

*(Translation from French)*

## **PREAMBLE**

Whereas the International Labour Organisation has decided to establish an office of the International Labour Organisation at Abidjan,

Whereas the Government of the Republic of the Ivory Coast has informed the International Labour Organisation of its readiness to grant all the facilities necessary for the establishment of that office,

The Government of the Republic of the Ivory Coast and the International Labour Organisation have agreed as follows:

## **ARTICLE 1**

The Government of the Republic of the Ivory Coast shall afford every assistance within its power in securing for the office of the International Labour Organisation at Abidjan facilities to be determined by mutual agreement.

## **ARTICLE 2**

The Government shall grant to the office of the International Labour Organisation and to the staff assigned to the said office the privileges and immunities provided for in the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947.

## **ARTICLE 3**

The Government of the Republic of the Ivory Coast shall facilitate the entry into, sojourn in and departure from the Ivory Coast of the staff and experts, and their families, having official business with the office of the International Labour Organisation.

## **ARTICLE 4**

The Government of the Republic of the Ivory Coast shall afford the International Labour Organisation every assistance within its power in securing appropriate office accommodation and a residence for the Director, as well as the necessary telephone, water and electricity installations.

## **ARTICLE 5**

The Government of the Republic of the Ivory Coast shall grant the office of the International Labour Organisation and its staff treatment which shall not be less favourable than that generally granted to other intergovernmental or international organisations represented at Abidjan.

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<sup>1</sup> In accordance with paragraph 1 of Article 7, this agreement came into force on 3 October 1977, the date upon which it was signed.

## ARTICLE 6

Any dispute which arises between the International Labour Organisation and the Government of the Republic of the Ivory Coast concerning the application or interpretation of this Agreement, and which cannot be settled by negotiation or by another agreed method of settlement, shall be submitted to arbitration if one of the parties so requests. Each party shall appoint an arbitrator, and the two arbitrators thus appointed shall appoint a third, who shall preside. If within 30 days of the request for arbitration one of the parties has not appointed an arbitrator, or if in the 15 days following the appointment of two arbitrators the third arbitrator has not been appointed, either of the parties may request the President of the International Court of Justice to appoint an arbitrator. The arbitration procedure shall be fixed by the arbitrators and the costs of the arbitration shall be borne by the parties in proportions to be decreed by the arbitrators. The reasons for the arbitration award shall be stated, and the award shall be accepted by the parties as constituting a definitive settlement of the dispute.

## ARTICLE 7

1. This Agreement shall come into force on signature and remain in force so long as it has not been denounced in accordance with paragraph 3 below.

2. This Agreement may be modified in writing by mutual agreement between the two parties.

3. This Agreement may be denounced by either of the parties by notice in writing to the other and shall cease to be effective one year after the receipt of the notice.

In witness whereof the undersigned, duly authorised representatives of the International Labour Organisation and of the Government of the Republic of the Ivory Coast respectively, have signed this Agreement on behalf of the parties, in two copies in the French language.

Done at Abidjan on 3 October 1977.

For the International  
Labour Organisation:

*(Signed): Francis Blanchard  
Director-General of the  
International Labour Office.*

For the Government  
of the Ivory Coast:

*(Signed): Vanié Bi Tra  
Minister of Labour and  
of Ivorianisation of Senior Staff.*



## **Memorandum of Understanding between the Director-General of the International Labour Office and the United Nations Disaster Relief Co-ordinator**

Whereas the General Assembly of the United Nations, by Resolution 2816 (XXVI) endorsed the Secretary-General's proposals for the establishment of an adequate permanent office in the United Nations (hereinafter referred to as "UNDRO") to be the focal point in the United Nations system for disaster relief matters and which would be headed by a Disaster Relief Co-ordinator authorised, on the Secretary-General's behalf, inter alia, to mobilise, direct and co-ordinate the relief activities of the various organisations of the United Nations system in response to a request for disaster assistance from a stricken State, and also to co-ordinate such assistance from the United Nations with that made available by other sources of aid; and to promote the study, prevention, control and prediction of natural disasters, including the collection and dissemination of information concerning technological developments, and to assist in providing advice to governments on pre-disaster planning, and

Whereas the International Labour Organisation (hereinafter referred to as "ILO") is in a position to provide advice and technical assistance in the matter of prevention of, and preparedness for, natural disasters, as well as for reconstruction and rehabilitation activities which become necessary in stricken States in the aftermath of such disasters, and

Whereas UNDRO and the ILO, having discussed, and being convinced of, the possibility and scope for their effective collaboration in providing disaster-related assistance to disaster-prone countries;

Therefore the Director-General of the ILO and the United Nations Disaster Relief Co-ordinator have agreed, within the framework of the Agreement between the United Nations and the International Labour Organisation, to the following arrangements for the purposes stated herein:

### **1. General responsibilities of UNDRO and the ILO**

The ILO recognises the responsibility of UNDRO to mobilise and co-ordinate disaster emergency assistance to a stricken State, and to mobilise funds for such assistance, as well as to promote disaster preparedness and disaster prevention. It is agreed that UNDRO's role within the terms of General Assembly Resolution 2816 (XXVI) is that of an over-all co-ordinator for all aspects of disaster-related assistance. UNDRO recognises the operational responsibilities of the ILO for promoting and providing technical advice and assistance with a view to coping with emergency situations caused by the sudden occurrence of natural disasters which call for urgent relief employment and training measures and quick rehabilitation of damaged infrastructures. UNDRO recognises the ILO's technical competence in the longer-term reconstruction phase of the stricken State and the role it can play in promoting the participation of national organisations of employers and workers. UNDRO further recognises the ILO's competence in promoting activities for the prevention of disasters caused by industrial and other work-related operations, in so far as they affect workers in the course of their work.

### **2. Disaster-related activities with respect to which ILO and UNDRO will co-operate :**

- (i) UNDRO activities concern three main areas, namely disaster prevention, disaster preparedness and disaster relief co-ordination;
- (ii) the ILO will co-operate with UNDRO in these three areas, in all those fields which fall within its technical competence, namely:

- in organising labour-intensive disaster-prevention works programmes, such as erosion control works, protection against floods, etc. and, with respect to disaster preparedness, by setting procedures for quick deployment of labour for site clearance and for identifying projects for relief employment;
  - in assessing employment, training and rehabilitation needs and in identifying project possibilities and organisational requirements for launching emergency labour-intensive works schemes when a disaster situation gives rise to the need for short-term recovery measures;
  - in placing, as necessary, its specialists in the field of safety in mines, transport and civil engineering and public works at the disposal of the affected area, in case of disasters in those industries;
  - in bringing to the attention of the Building, Civil Engineering and Public Works Committee, of the International Centre for Advanced Technical and Vocational Training and of competent technical departments of the ILO any information provided by UNDRO on disaster-prevention technologies and methodologies with a view to including these, where appropriate, in respective codes or international standards and accelerated training programmes, as well as in technical assistance projects;
  - in providing UNDRO, where required, with candidatures from the PASCAN (Personnel Candidate Selection System) roster;
- (iii) with regard to the longer-term reconstruction and rehabilitation phase, the ILO will co-operate with UNDRO in such activities as vocational training, particularly in the construction, transport, civil engineering and public works fields, vocational rehabilitation of the disabled, and in developing, as necessary, the managerial abilities of small-scale industrialists, of leaders of co-operatives, and of the other economic and social sectors affected. Finally, the ILO will co-operate in organising all other activities which fall within its area of competence;
- (iv) in all disaster-related fields, the ILO undertakes to circulate to national organisations of employers and workers, as appropriate, UNDRO publications and other information on measures to mitigate the impact of disasters.

### *3. Requests for disaster relief or prevention assistance*

- (i) when the government of a disaster-stricken State makes a request to UNDRO for disaster relief or prevention assistance, this request will be regarded as having been addressed to the United Nations system in general;
- (ii) when requests for disaster relief or prevention assistance are made direct to UNDRO and include potential assistance in the fields enumerated in paragraph 2 above, UNDRO will inform the ILO of the request and of the action it proposes to take or of which it is aware;
- (iii) when requests for disaster relief or prevention assistance in the above-mentioned fields are made directly to the ILO, the ILO will inform UNDRO of the request and of the action it proposes to take or of which it is aware;
- (iv) when disaster relief or prevention assistance is being considered or provided by the ILO, UNDRO will inform the ILO of any contributions made to it, or known to have been made bilaterally to the disaster-stricken State by donors, which are liable to satisfy or modify the request made by the disaster-stricken State;
- (v) when the ILO supports, through technical advice and assistance, any disaster-prevention project in any State, UNDRO will be kept informed of the location and nature of such projects.

### *4. Disaster relief assistance involving the supply of food*

Where, either by way of disaster prevention or relief assistance, the ILO helps governments to organise labour-intensive activities through advice and technical assistance, UNDRO and the ILO will explore the possibility of obtaining World Food Programme aid, as may be needed.

#### *5. ILO action with respect to requests for disaster relief assistance addressed to UNDRO*

- (i) whenever possible, action taken by the ILO in response to a request for disaster relief assistance made to UNDRO will be based on an assessment of the disaster relief assistance requirements of the stricken State made by a United Nations Disaster Assessment Team, arranged by UNDRO, under the auspices of UNDP Resident Representatives, in which the ILO has participated;
- (ii) the action to be taken by the ILO will be determined by the ILO after consultation with UNDRO and will be subject to the resources available to it, and as may be made available by UNDRO and other donors.

#### *6. Missions to disaster-stricken areas*

At its discretion, UNDRO will send one or more representatives from its Headquarters to disaster areas to make an on-the-spot assessment of the situation, to effect local co-ordination of relief efforts, and to advise the government of the disaster-stricken State. Whenever warranted and practicable, one or more ILO officials, either from its Headquarters or serving in the field, will join these missions at short notice. The need for such joint missions will be determined by UNDRO and the ILO on a case-by-case basis. If expertise not readily available on the staff of UNDRO or of the ILO is necessary, UNDRO and the ILO will consult each other with a view to making arrangements for the provision of this expertise to the disaster-stricken State.

#### *7. Collaboration in the field*

The ILO will instruct the Directors of its Regional and Area Offices and its Country Representatives, as appropriate, to participate in the standing United Nations Disaster Teams referred to above, and to collaborate, in so far as may be practicable, in respect of other contingency measures with the UNDP Resident Representative or a responsible officer designated by him, or the UNDRO special representative(s).

#### *8. Communications*

The ILO and UNDRO recognise that the rapid exchange of information on matters of mutual interest is of paramount importance. To this end, the ILO and UNDRO will in such cases keep each other fully informed of any action it is taking and, in particular, will send each other copies of relevant cables and other communications as rapidly as possible.

#### *9. Financial arrangements*

- (i) the direct costs and clearly identifiable administrative costs incurred by the ILO, in providing disaster relief assistance at the request of UNDRO, will be covered from funds provided by UNDRO and made available to the ILO. Such assistance may take the form of the services of ILO staff or experts, including their travel and subsistence: the supply of goods and equipment including their shipment and insurance; and such other forms of assistance as circumstances may require;
- (ii) when funds made available to UNDRO or to the ILO are transferred to the other party to carry out disaster relief assistance, no "overhead cost levy" will be charged by the other party. Interest on funds held by either party pending actual disbursement will be credited to the Trust Fund set up for the particular operation for which the funds are destined, in accordance with the Financial Regulations, Rules or practices of the party concerned;
- (iii) at the conclusion of each disaster relief assistance operation the ILO and UNDRO will submit to the other party final accounts showing how the total funds made available to one party by the other have been spent. Any unspent balances will be returned to the donating party;

- (iv) in addition to the accounts referred to in (iii) above, the ILO and UNDRO will, whenever practicable, submit to each other a report, to be submitted to donors, describing the action taken and results achieved by using funds originally contributed to the other party.

10. *Review of collaboration*

The Director-General of the ILO and the United Nations Disaster Relief Co-ordinator or their representatives will meet from time to time in order to review and evaluate the effectiveness of their collaboration in the provision of disaster-related assistance and to evolve any improvements as may prove desirable in the light of the experience gained.

11. *Entry into force, amendment and duration*

This Memorandum of Understanding will enter into force upon its signature by the Director-General of the ILO and the United Nations Disaster Relief Co-ordinator and may be amended, should need arise, by mutual agreement. It will remain in force until such time as it is terminated by mutual agreement or by one party giving the other three months' written notice of termination.

Geneva, 14 July 1977.

*(Signed):* Francis Blanchard  
*Director-General of the*  
*International Labour Office.*

*(Signed):* Faruk N. Berkol  
*Under-Secretary-General,*  
*Disaster Relief Co-ordinator,*  
*United Nations.*

## **Agreement between the International Labour Organisation and the African Development Bank**

The International Labour Organisation (hereinafter referred to as the ILO) and the African Development Bank (hereinafter referred to as the ADB):

Desirous of contributing to the achievement of the objectives which they have in common, and more particularly to the promotion in Africa of vocational training, management development, manpower planning and organisation, industrialisation and productive and full employment,

Conscious of the urgent need to improve conditions of life and work in Africa with a view to raising the standards of living of the African peoples, and

Further conscious of the desirability of promoting to this end a closer relationship between pre-investment and investment activities;

Have agreed on the following:

### **ARTICLE I**

#### *Purpose*

The purpose of the present agreement is to facilitate collaboration between the ILO and the ADB in matters of common interest to them and particularly in the following activities:

- (a) studies on matters within the competence of the ILO which the ADB may need from time to time;
- (b) identification of projects considered suitable for financing by the ADB;
- (c) assistance to governments in the preparation of such projects;
- (d) study of requests for projects to be financed by the ADB;
- (e) technical assistance within the competence of the ILO as may be required for the implementation of ADB projects;
- (f) evaluation and appraisal of the results achieved through projects financed by the ADB and suggestions for possible follow-up action; and
- (g) mutual co-operation in all other aspects which are consistent with the objectives of both organisations and the spirit of this agreement.

All collaboration in the above-mentioned fields of activity between the ILO and the ADB shall be effected in such a way as to add to, complement or enhance similar regional or international efforts.

### **ARTICLE II**

#### *Mutual Consultation*

The ILO and the ADB will consult whenever found necessary on matters of common interest for the purpose of furthering the effective achievement of the objectives they have in common; and to ensure the greatest possible co-ordination of activities with a view to utilising to the full the resources of the two organisations.

### **ARTICLE III**

#### *Exchange of Information*

1. The ILO and the ADB will combine their efforts to use their statistical and legislative information and other data to the best effect, by collection, analysis, publication and diffusion of such information and data, subject to such arrangements as may be necessary for safeguarding the confidential character of any part thereof.

2. The ILO will be kept informed by the ADB of developments in the work of the latter which are of interest to the ILO. Likewise the ADB will be kept informed by the ILO of developments in the work of the latter which are of interest to the ADB.

3. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of information and documents concerning activities and matters of common interest will be made between the ILO and the ADB.

#### ARTICLE IV

##### *Financial Provisions*

1. The ADB shall assume responsibility for the following expenses:

- (a) International and local travel costs and subsistence allowance of personnel provided or recruited by the ILO under this agreement in connection with preparation, appraisal or follow-up missions mounted by the ADB.
- (b) Fees or salaries of consultants or additional staff recruited for such missions by the ILO at the request of the ADB.
- (c) Secretariat services and office space for such personnel.

2. For activities undertaken by the ILO in relation to preparation, appraisal or follow-up missions, the ADB shall assume responsibility for the following expenses:

- (a) expenses incurred in the identification of projects undertaken at the request of the ADB;
- (b) expenses incurred in studies within the competence of the ILO, but undertaken at the request of the ADB; and
- (c) the cost of publication of such studies.

3. The ADB's contribution to ILO programme support costs (overheads) in respect of preparation, appraisal or follow-up missions shall be limited to the payments provided in paragraphs 1. and 2. of this Article.

4. The ADB shall assume responsibility for all expenses entailed in the technical assistance necessary for the implementation of projects financed by it. These expenses shall include a contribution to programme support costs (overheads) incurred by the ILO in arranging and providing such assistance: the amount shall be agreed between the ILO and the ADB and shall be included in the project budget.

5. If compliance with a request for assistance made by either organisation to the other would involve substantial expenditure for the organisation to which the request is addressed, the agreement of that organisation shall be obtained prior to the project being undertaken.

#### ARTICLE V

##### *Reciprocal Representation*

For the purpose of furthering the effective accomplishment of their common objectives in Africa, the ILO will invite the ADB to be represented at meetings of the International Labour Conference and at such other meetings within or particularly concerning the African region, convened under its aegis. Similarly, the ADB will invite the ILO to be represented at meetings of the Board of Governors of the ADB and at such other meetings of interest to the ILO convened under the aegis of the ADB.

#### ARTICLE VI

##### *Administrative Arrangements*

The Director-General of the International Labour Office and the President of the African Development Bank will make appropriate administrative arrangements to ensure effective collaboration and liaison between the staff of the two organisations.

## ARTICLE VII

### *Entry into Force, Modification and Duration*

1. The present agreement will enter into force from the date on which it is signed by the authorised representatives of the ILO and the ADB.
2. The Agreement may be modified with the consent of the two parties.
3. Either of the parties may denounce the agreement by giving six months' notice to the other party.

In witness whereof, the President of the African Development Bank, duly authorised by the Board of Governors of the African Development Bank, and the Assistant Director-General (Treasurer and Financial Comptroller) of the International Labour Office, duly authorised by the Director-General under authority of the Governing Body of the International Labour Office, sign the present Agreement in duplicate in both English and French, both texts being equally authoritative.

Abidjan, 18 April 1977.

For the African  
Development Bank:

(Signed): Dr. Kwame D. Fordwor  
President.

For the International  
Labour Organisation:

(Signed): Patrick M. C. Denby  
Assistant Director-General,  
Treasurer and Financial Comptroller.

## MEMORANDUM OF UNDERSTANDING ON WORKING ARRANGEMENTS BETWEEN THE INTERNATIONAL LABOUR OFFICE AND THE AFRICAN DEVELOPMENT BANK/AFRICAN DEVELOPMENT FUND

### ARTICLE 1

#### *Purpose*

The purpose of the present memorandum is to establish working arrangements, as envisaged by the Agreement between the International Labour Organisation and the African Development Bank for the co-operation between the International Labour Office (herein referred to as ILO) and the African Development Bank and the African Development Fund (herein collectively referred to as ADB). These arrangements shall also apply to any funds administered by the ADB which may be available for such co-operation.

### ARTICLE 2

#### *Scope*

(a) The ADB and the ILO shall co-operate to provide assistance to countries of common membership in the technical fields of competence of the ILO including in particular vocational training, management development, manpower planning and organisation, industrialisation and productive and full employment, labour-management relations, workers' education, conditions of work and improvement of the working environment, social security, rural training and development and co-operatives.

(b) The methods of such co-operation shall generally be as provided for in the Agreement; further co-operative arrangements may be developed as necessary from time to time by the two organisations in mutual agreement.

(c) The ILO shall participate where appropriate in ADB economic, sector, project appraisal and project supervision missions.

## ARTICLE 3

### *Procedures*

(a) Activities within the scope of the Agreement may be requested by countries of common membership, or proposed by ILO or by the ADB. Agreement on the activities to be carried out, the means by which this will be done and the responsibility for managing them shall normally be reached at meetings of the organisations to be held at mutually agreed times. These meetings shall also review progress on agreed activities.

(b) Activities in the form of technical assistance projects shall be defined in terms of the country or countries involved, the nature of the activity, the terms of reference and the timing, the numbers and types of personnel involved; for each project a project document shall be drawn up which shall outline the plan of action, include a budget with estimates and time schedules and set out the commitments of ILO, ADB and the government(s) concerned. This project document shall be signed by all the parties to it.

(c) Missions to be undertaken may be for identification, preparation, appraisal or supervision of projects, as more fully defined in the Appendix <sup>1</sup> to this memorandum.

(d) ADB and ILO shall endeavour to foster the growth of African expertise by including African experts in, or associating them with, their missions whenever possible. They shall also co-operate in the organisation of seminars, study tours, fellowships and other types of technical training facilities.

(e) The ILO shall make available, as appropriate, the co-operation of its Regional Office and other offices in Africa for work relating to projects covered by the Agreement.

## ARTICLE 4

### *Financial Provisions*

(a) The financial arrangements shall be in accordance with Article IV of the Agreement.

(b) For the types of mission covered by Article 3(c) of this memorandum the ILO will on request prepare an itemised estimate of the cost which would be chargeable to the ADB under terms of the Agreement. When ADB has agreed to the estimate, the ILO will undertake financial obligations subject to reimbursement by the ADB of expenses incurred under the agreed estimate.

(c) For technical assistance projects financed by the Bank as provided for under paragraph 4 of Article IV of the Agreement a project budget will be prepared and agreed upon by the two organisations. This project budget will include under each item provision for a contribution to ILO's programme support (overhead) costs. When the project budget has been agreed to by both parties, the ADB shall arrange for the deposit in advance of funds sufficient to cover six months' operations. This deposit shall constitute a revolving fund, to be replenished at the beginning of each quarter by reimbursement of expenditure incurred during the previous quarter.

(d) If several technical assistance projects and/or missions are under way simultaneously, the payments under (b) and (c) above may by agreement be pooled in order to simplify administrative procedures.

(e) The ILO shall normally submit statements of account quarterly.

(f) Estimates and billing by ILO shall be in US dollars; payments by ADB shall also be in US dollars except where there is specific agreement to the contrary.

(g) The ILO shall reimburse to ADB any funds unused on the completion of an agreed activity. If it is found that expenses for any activity are likely to exceed the estimate, ILO shall inform ADB as soon as possible and ADB shall meet any unavoidable or agreed costs in excess of the estimate. The holding of credit balances by the ILO, or the existence of debit balances, shall not give rise to interest charges.

(h) The ILO shall administer and account for funds provided by the ADB in accordance with the financial regulations, rules and existing practice of the ILO wherever applicable. The ILO shall in particular ensure that the funds are used economically and in conformity with the intended purpose.

## ARTICLE 5

### *Duration, Amendment and Termination*

(a) The working arrangements set out in this memorandum of understanding will enter into force on the date on which it is signed by the authorised representatives of the ILO and the ADB. The arrangements may be amended at any time by mutual agreement between ILO and ADB.

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<sup>1</sup> Not reproduced.



(b) The present memorandum of understanding shall remain in effect for an indefinite period of time. Either party may terminate it at any time upon giving six months' advance notice in writing to the other party. In the event of termination by either party, both parties shall co-operate to ensure that all arrangements made pursuant to this memorandum of understanding are settled in an orderly fashion. In the event of termination by the ADB, the ADB shall reimburse ILO for financial consequence of assuming personnel and other commitments entered into for purposes of the co-operative programme.

In witness whereof, the President of the African Development Bank and the Assistant Director-General (Treasurer and Financial Comptroller) of the International Labour Office have signed this memorandum of understanding in duplicate in English and French, the two texts being equally authentic.

Abidjan, 18 April 1977.

*Signed : Dr. Kwame D. Fordwor  
President,  
African Development Bank.*

*Signed : Patrick M. C. Denby  
Assistant Director-General  
Treasurer and Financial Comptroller,  
International Labour Office.*







09604/2

INTERNATIONAL LABOUR OFFICE

# OFFICIAL BULLETIN

*Vol. LXI, 1978*



*Series A, No. 2*

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INTERNATIONAL LABOUR OFFICE

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1978

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## INFORMATION

### 64th Session of the International Labour Conference <sup>1</sup>

(Geneva, 7-28 June 1978)

The agenda of the Conference was as follows:

- I. Reports of the Governing Body and the Director-General.
- II. Programme and budget proposals and other financial questions.
- III. Information and reports on the application of Conventions and Recommendations.
- IV. Labour administration: role, functions and organisation (*second discussion*).
- V. Freedom of association and procedures for determining conditions of employment in the public service (*second discussion*).
- VI. Revision of the Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32) (*first discussion*).
- VII. Hours of work and rest periods in road transport (*first discussion*).
- VIII. Structure of the ILO: Report of the Working Party on Structure.

The Conference also had before it the Fourteenth Special Report of the Director-General on the application of the Declaration concerning the Policy of Apartheid of the Republic of South Africa adopted by the Conference at its 48th (1964) Session.

In order to provide for the additional costs arising, in particular, from the drop in the exchange rate of the United States dollar, the Conference decided to raise to US\$120,618,425 the total amount of contributions to be assessed on member States for the calendar year 1979. The Conference adopted a number of instruments and

<sup>1</sup> The texts of the Conventions, Recommendations, resolutions and other decisions adopted by the Conference appear on pp. 99-124 below. More detailed information on the proceedings of the Conference, including names of the participants, the verbatim record of plenary sittings, committee reports, etc., is to be found in the *Record of Proceedings* of the 64th Session which consists of the 36 issues of the *Provisional Record* and the list of Delegations published in the course of the session, and a complementary issue published after its close and containing, inter alia, the table of contents, a list of corrigenda and an index to speakers in plenary sitting.

resolutions, as well as two amendments to the Financial Regulations of the Organisation. Furthermore, the Conference met in special sitting on 15 June to commemorate the birth of Albert Thomas, the first Director of the International Labour Office. On 16 and 17 June, it held two special sittings devoted to a discussion on apartheid, as part of the ILO contribution to the activities associated with the International Year against Apartheid.<sup>1</sup>

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<sup>1</sup> See p. 123 below.



## Composition of the Governing Body of the International Labour Office for the Period 1978-81

As a result of the elections carried out by the respective electoral colleges of the International Labour Conference on 13 June 1978, the composition of the Governing Body of the International Labour Office for the period 1978-81 is as follows:

### *Regular members*

#### *Government members :*

Bangladesh.	Ivory Coast.
Brazil.	Japan. <sup>1</sup>
United Republic of Cameroon.	Lebanon.
Canada. <sup>1</sup>	Niger.
China. <sup>1</sup>	Romania.
Colombia.	Sierra Leone.
Czechoslovakia.	Spain.
France. <sup>1</sup>	Thailand.
Germany, Federal Republic of. <sup>1</sup>	Tunisia.
Guyana.	Union of Soviet Socialist Republics. <sup>1</sup>
Honduras.	United Kingdom. <sup>1</sup>
India. <sup>1</sup>	Venezuela.
Iran.	Zambia.
Italy. <sup>1</sup>	..... <sup>2</sup>

#### *Employer members :*

Mr. I. M. Ahmed (*Sudan*).  
 Mr. G. Bergenström (*Sweden*).  
 Mr. J. A. G. Coates (*United Kingdom*).  
 Mr. M. Ghayour (*Iran*).  
 Mr. D. Gonzales Blanco (*Brazil*).  
 Mr. W.-D. Lindner (*Federal Republic of Germany*).  
 Mr. F. Moukoko Kingue (*United Republic of Cameroon*).  
 Mr. M. Nasr (*Lebanon*).  
 Mr. J. J. Oechslin (*France*).  
 Mr. J. A. Ola (*Nigeria*).  
 Mr. G. Polites (*Australia*).  
 Mr. F. K. Richan (*Canada*).  
 Mr. N. H. Tata (*India*).  
 Mr. F. Yllanes Ramos (*Mexico*).

#### *Worker members :*

Mr. J. González Navarro (*Venezuela*).  
 Mr. R. J. Hawke (*Australia*).

<sup>1</sup> Members holding non-elective seats as States of chief industrial importance.

<sup>2</sup> One seat for a State of chief industrial importance remains vacant.

Mr. A. M. Issifu (*Ghana*).  
 Mr. S. Konate (*Senegal*).  
 Mr. G. Lloyd (*United Kingdom*).  
 Mr. P. S. Macha (*Tanzania*).  
 Mr. K. Mehta (*India*).  
 Mr. J. Morris (*Canada*).  
 Mr. G. Muhr (*Federal Republic of Germany*).  
 Mr. P. T. Pimenov (*USSR*).  
 Mr. A. Sánchez Madariaga (*Mexico*).  
 Mr. O. Sunde (*Norway*).  
 Mr. Y. Tanaka (*Japan*).  
 Mr. F. Walcott (*Barbados*).

#### *Deputy members*

##### *Government deputy members :*

Angola.	Mozambique.
Argentina.	Nicaragua.
Australia.	Nigeria.
Egypt.	Pakistan.
Gabon.	Philippines.
German Democratic Republic.	Sweden.
Kenya.	Switzerland.
Malta.	Uruguay.
Mexico.	Yugoslavia.

##### *Employer deputy members :*

Mr. W. Asfour (*Jordan*).  
 Mr. F. Bannerman-Menson (*Ghana*).  
 Mr. V. Castellano Sabater (*Spain*).  
 Mr. S. B. Chambers (*Jamaica*).  
 Mr. M. Eurnekian (*Argentina*).  
 Mr. H. Georget (*Niger*).  
 Mr. H. El-M. Habib (*Egypt*).  
 Mr. G. Y. L. Lee (*Malaysia*).  
 Mr. Munga-wa-Nyasa (*Zaire*).  
 Mr. T. D. Owuor (*Kenya*).  
 Mr. P. Polese (*Italy*).  
 Mr. C. Végh Garzón (*Uruguay*).  
 Mr. A. Verschueren (*Belgium*).  
 Mr. H. G. Villalobos (*Venezuela*).

##### *Worker deputy members :*

Mr. J. A. Aguiriano (*Spain*).  
 Mr. A. Baldassini (*Argentina*).  
 Mr. N. Barnabo (*Togo*).  
 Mr. G. Ben-Israel (*Israel*).  
 Mr. T. E. Cuevas (*Colombia*).  
 Mr. B. Fassina (*Italy*).  
 Mr. H. Maier (*Austria*).  
 Mr. D. T. Mendoza (*Philippines*).  
 Mr. Siwa di Banza (*Zaire*).

Mr. M. D. Sow (*Mauritania*).  
Mr. A. Sudono (*Indonesia*).  
Mr. J. Timmer (*Hungary*).  
Mr. M. A. Yahaya (*Malaysia*).  
Mr. N. Zimba (*Zambia*).

*Employer and Worker substitute deputy members*

*Employer substitutes :*

Mr. A. Akoi (*Ivory Coast*).  
Mr. A. Al-Jasem (*Kuwait*).  
Mr. E. S. Appadurai (*Sri Lanka*).  
Mr. M. Arbesser-Rastburg (*Austria*).  
Mr. H. Bekti (*Indonesia*).  
Mr. R. Decosterd (*Switzerland*).  
Mr. F. Díaz Garaicoa (*Ecuador*).  
Mr. J. Escobar Padrón (*Colombia*).  
Mr. I. Hafez (*Libyan Arab Jamahiriya*).  
Miss C. Hak (*Netherlands*).  
Mrs. D. M. Mahabir (*Trinidad and Tobago*).  
Mr. M. Montt Balmaceda (*Chile*).  
Mr. A. Periquet (*Philippines*).  
Mr. F. C. Sumbwe (*Zambia*).  
Mr. M. Toure (*Mauritania*).  
Mr. K. Yoshino (*Japan*).

*Worker substitutes : <sup>1</sup>*

Mr. K. Ahmed (*Pakistan*).  
Mr. J. Abondo (*United Republic of Cameroon*).  
Mr. J. Boy (*Kenya*).  
Mr. B. Traore (*Mali*).  
Mr. J. Clivaz (*Switzerland*).  
Mr. S. Thondaman (*Sri Lanka*).  
Mr. K. Aksel (*Turkey*).  
Mr. J. Saba (*Lebanon*).  
Mr. G. Chua (*Singapore*).  
Mr. D. Saleshando (*Botswana*).  
Mr. W. Knox (*New Zealand*).  
Mr. J. Cruzado Zavala (*Peru*).  
Mr. G. Zelaya Chávez (*Honduras*).  
Mr. P. Theofanopoulos (*Greece*).

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<sup>1</sup> In order of priority.

## Composition of the Regional Advisory Committees for the Period 1978-81

As a result of the elections which took place on 20 and 22 June 1978 at the 64th Session of the International Labour Conference and of the nominations made, on the proposal of the groups, by the Governing Body at its 207th Session (29 June 1978) to complete the membership of the Regional Advisory Committees, the composition of these Committees, including ex officio members, is as follows for the period 1978-81:

### *African Advisory Committee*

#### *Government members :*

Angola. <sup>1</sup>	Mozambique. <sup>1</sup>
Botswana. <sup>2</sup>	Niger. <sup>1</sup>
United Republic of Cameroon. <sup>1</sup>	Nigeria. <sup>1</sup>
Central African Empire. <sup>3</sup>	Senegal. <sup>3</sup>
Egypt. <sup>1</sup>	Sierra Leone. <sup>1</sup>
Gabon. <sup>1</sup>	Somalia. <sup>3</sup>
Ghana. <sup>2</sup>	Sudan. <sup>3</sup>
Ivory Coast. <sup>1</sup>	Togo. <sup>2</sup>
Kenya. <sup>1</sup>	Tunisia. <sup>1</sup>
Liberia. <sup>2</sup>	Zambia. <sup>1</sup>

#### *Employer members :*

- Mr. I. M. Ahmed <sup>1</sup> (*Sudan*);  
*Substitute* : Mr. M. Owor (*Uganda*).  
 Mr. F. Bannerman-Menson <sup>1</sup> (*Ghana*);  
*Substitute* : Mr. A. Vignon (*Togo*).  
 Mr. H. Georget <sup>1</sup> (*Niger*);  
*Substitute* : Mr. D. Maiga (*Upper Volta*).  
 Mr. H. Habib <sup>1</sup> (*Egypt*);  
*Substitute* : Mr. I. Hafez (*Libyan Arab Jamahiriya*).  
 Mr. F. Moukoko Kingue <sup>1</sup> (*United Republic of Cameroon*);  
*Substitute* : Mr. M. Toure (*Mauritania*).  
 Mr. Munga-wa-Nyasa <sup>1</sup> (*Zaire*);  
*Substitute* : Mr. C. Mikanga (*Gabon*).  
 Mr. J. A. Ola <sup>1</sup> (*Nigeria*);  
*Substitute* : Mr. J. Namata (*Tanzania*).  
 Mr. T. D. Owuor <sup>1</sup> (*Kenya*);  
*Substitute* : Mr. E. Muyenza (*Malawi*).

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<sup>1</sup> Ex officio member as a regular or deputy member of the Governing Body.

<sup>2</sup> Nominated by the Governing Body at its 207th Session (June 1978).

<sup>3</sup> Elected by the appropriate electoral college at the 64th Session (June 1978) of the International Labour Conference.

Mr. R. Ranivo Andriamaromanana <sup>1</sup> (*Madagascar*);  
Substitute : Mr. J. M. Rey (*Mauritius*).  
Mr. D. Traore <sup>1</sup> (*Mali*);  
Substitute : Mr. M. A. Darghout (*Tunisia*).

*Worker members :*

Mr. N. Barnabo <sup>2</sup> (*Togo*).  
Mr. M. Gamoudi <sup>3</sup> (*Libyan Arab Jamahiriya*).  
Mr. A. M. Issifu <sup>2</sup> (*Ghana*).  
Mr. S. Konate <sup>2</sup> (*Senegal*).  
Mr. P. S. Macha <sup>2</sup> (*Tanzania*).  
Mr. A. M. Mire <sup>1</sup> (*Somalia*).  
Mr. M. Nzoughe Nkoghe <sup>1</sup> (*Gabon*).  
Mr. Siwa-di-Banza <sup>2</sup> (*Zaire*).  
Mr. M. D. Sow <sup>2</sup> (*Mauritania*).  
Mr. N. L. Zimba <sup>2</sup> (*Zambia*).

*Substitutes :*

Mr. H. A. Sunmonu (*Nigeria*).  
Mr. B. Mainassara (*Niger*).  
Mr. M. Nizigama (*Burundi*).  
Mr. K. M. Abdalla (*Sudan*).  
Mr. J. Kalangari (*Uganda*).  
Mr. J. D. Liabunya (*Malawi*).  
Mr. F. Bonte (*Seychelles*).  
Mr. E. A. Sherif (*Liberia*).  
Mr. K. Conde (*Guinea*).  
Mr. J. Bokamba-Yangouma (*Congo*).

*Asian Advisory Committee*

*Government members :*

Australia. <sup>2</sup>	Mongolia. <sup>3</sup>
Bangladesh. <sup>2</sup>	New Zealand. <sup>3</sup>
China. <sup>2</sup>	Pakistan. <sup>2</sup>
India. <sup>2</sup>	Papua New Guinea. <sup>1</sup>
Indonesia. <sup>1</sup>	Philippines. <sup>2</sup>
Iran. <sup>2</sup>	Sri Lanka. <sup>3</sup>
Japan. <sup>2</sup>	Thailand. <sup>2</sup>
Malaysia. <sup>3</sup>	USSR. <sup>2</sup>

*Employer members :*

Mr. N. A. Anwar <sup>3</sup> (*Bangladesh*).  
Mr. H. Bektı <sup>3</sup> (*Indonesia*).  
Mr. M. Ghayour <sup>2</sup> (*Iran*).  
Mr. M. T. Hussain <sup>1</sup> (*Pakistan*).  
Mr. G. Y. L. Lee <sup>2</sup> (*Malaysia*).

<sup>1</sup> Nominated by the Governing Body at its 207th Session (June 1978).

<sup>2</sup> Ex officio member as a regular or deputy member of the Governing Body.

<sup>3</sup> Elected by the appropriate electoral college at the 64th Session (June 1978) of the International Labour Conference.

Mr. G. Polites <sup>1</sup> (*Australia*).  
Mr. N. H. Tata <sup>1</sup> (*India*).  
Mr. K. Yoshino <sup>2</sup> (*Japan*).

*Substitutes :*

Mr. A. Periquet (*Philippines*).  
Mr. R. P. A. Probert (*Fiji*).  
Mr. J. W. Rowe (*New Zealand*).

*Worker members:*

Mr. K. Ahmed <sup>3</sup> (*Pakistan*).  
Mr. R. J. Hawke <sup>1</sup> (*Australia*).  
Mr. K. Mehta <sup>1</sup> (*India*).  
Mr. D. T. Mendoza <sup>1</sup> (*Philippines*).  
Mr. P. T. Pimenov <sup>1</sup> (*USSR*).  
Mr. A. Sudono <sup>1</sup> (*Indonesia*).  
Mr. Y. Tanaka <sup>1</sup> (*Japan*).  
Mr. A. Yahaya <sup>1</sup> (*Malaysia*).

*Substitutes :*

Mr. S. Thondaman (*Sri Lanka*).  
Mr. G. Chua (*Singapore*).  
Mr. W. Knox (*New Zealand*).  
Mrs. Z. Dejee (*Mongolia*).  
Mr. J. Raman (*Fiji*).

*Inter-American Advisory Committee*

*Government members :*

Argentina. <sup>1</sup>	Guyana. <sup>1</sup>
Bolivia. <sup>3</sup>	Honduras. <sup>1</sup>
Brazil. <sup>1</sup>	Jamaica. <sup>3</sup>
Canada. <sup>1</sup>	Mexico. <sup>1</sup>
Colombia. <sup>1</sup>	Nicaragua. <sup>1</sup>
Costa Rica. <sup>2</sup>	Peru. <sup>3</sup>
Cuba. <sup>3</sup>	Uruguay. <sup>1</sup>
Ecuador. <sup>2</sup>	Venezuela. <sup>1</sup>

*Employer members :*

Mr. S. B. Chambers <sup>1</sup> (*Jamaica*).  
Mr. M. Eurnekian <sup>1</sup> (*Argentina*).  
Mr. D. Gonzales Blanco <sup>1</sup> (*Brazil*).  
Mr. F. K. Richan <sup>1</sup> (*Canada*).  
Mr. J. R. de Roux <sup>2</sup> (*Panama*).  
Mr. C. R. Végh Garzón <sup>1</sup> (*Uruguay*).  
Mr. H. G. Villalobos <sup>1</sup> (*Venezuela*).  
Mr. F. Yllanes Ramos <sup>1</sup> (*Mexico*).

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<sup>1</sup> Ex officio member as a regular or deputy member of the Governing Body.

<sup>2</sup> Elected by the appropriate electoral college at the 64th Session (June 1978) of the International Labour Conference.

<sup>3</sup> Nominated by the Governing Body at its 207th Session (June 1978).

*Substitutes :*

Mr. L. A. Galliani Winder (*Peru*).  
Mr. M. Montt Balmaceda (*Chile*).  
Mr. J. Escobar Padrón (*Colombia*).  
Mr. F. Díaz Garaicoa (*Ecuador*).  
Mrs. D. Mahabir (*Trinidad and Tobago*).

*Worker members :*

Mr. A. Baldassini <sup>1</sup> (*Argentina*).  
Mr. J. Cruzado Zavala <sup>2</sup> (*Peru*).  
Mr. T. E. Cuevas <sup>1</sup> (*Colombia*).  
Mr. J. González Navarro <sup>1</sup> (*Venezuela*).  
Mr. J. Manswell <sup>3</sup> (*Trinidad and Tobago*).  
Mr. J. Morris <sup>1</sup> (*Canada*).  
Mr. A. Sánchez Madariaga <sup>1</sup> (*Mexico*).  
Mr. F. L. Walcott <sup>1</sup> (*Barbados*).

*Substitutes :*

Mr. P. D. Butcher (*Panama*).  
Mr. A. Portocarrero (*Brazil*).  
Mr. A. Gutiérrez Rodríguez (*Costa Rica*).  
Mr. I. Jones (*Jamaica*).  
Mr. A. Alvis (*Colombia*).  
Mr. B. Blair (*Guyana*).  
Mr. J. Escandell Romero (*Cuba*).  
Mr. G. Zelaya (*Honduras*).

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<sup>1</sup> Ex officio member as a regular or deputy member of the Governing Body.

<sup>2</sup> Nominated by the Governing Body at its 207th Session (June 1978).

<sup>3</sup> Elected by the appropriate electoral college at the 64th Session (June 1978) of the International Labour Conference.

## **Membership of the International Labour Organisation <sup>1</sup>**

### **REPUBLIC OF BOTSWANA**

On 27 February 1978 the Director-General of the International Labour Office received a communication dated 20 February 1978 from the Minister of Home Affairs of the Republic of Botswana informing him that the Government of the Republic of Botswana accepts unconditionally the obligations of the Constitution of the International Labour Organisation in accordance with paragraph 3 of article 1 of the Constitution and solemnly undertakes to fulfil them.

The Director-General acknowledged receipt of the communication on 14 March 1978.

As appears from the foregoing, the Republic of Botswana, which is a Member of the United Nations, became a Member of the International Labour Organisation on 27 February 1978 by virtue of article 1, paragraph 3, of the Constitution of the Organisation.

### **REPUBLIC OF DJIBOUTI**

On 3 May 1978 the Director-General of the International Labour Office received a communication dated 27 April 1978 from the Minister of Foreign Affairs of the Republic of Djibouti informing him that the Government of the Republic of Djibouti accepts unconditionally the obligations of the Constitution of the International Labour Organisation in accordance with paragraph 3 of article 1 of the Constitution.

The Director-General acknowledged receipt of the communication on 19 May 1978.

As appears from the foregoing, the Republic of Djibouti, which is a Member of the United Nations, became a Member of the International Labour Organisation on 3 May 1978 by virtue of article 1, paragraph 3, of the Constitution of the Organisation.

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<sup>1</sup> See also the resolution submitted by the Selection Committee of the International Labour Conference concerning the admission of Namibia, p. 118 below.



# Official Measures Taken regarding Decisions of the International Labour Conference \* 1

## Ratifications and Denunciations of International Labour Conventions and Declarations concerning the Application of Conventions to Non-Metropolitan Territories

Notice is hereby given that the Director-General of the International Labour Office has registered the undermentioned ratifications and denunciations of international labour Conventions and declarations concerning the application of Conventions to non-metropolitan territories. In pursuance of article 20 of the Constitution of the International Labour Organisation, particulars of these ratifications, denunciations and declarations have been communicated to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations.

*The publication of information concerning action taken in respect of international labour Conventions and Recommendations does not imply any expression of view by the International Labour Office on the legal status of the State having communicated such information (including the communication of a ratification or declaration), or on its authority over the territories in respect of which such information is communicated ; in certain cases this may present problems on which the ILO is not competent to express an opinion.*

State	Convention	Date of registration of ratification/denunciation/declaration	Date on which ratification/denunciation/declaration will take effect
<b>I. Ratifications</b>			
<b>Argentina</b>	Radiation Protection Convention, 1960 (No. 115) <sup>2</sup>	15 June 1978	15 June 1979
	Occupational Cancer Convention, 1974 (No. 139)	„	„
	Human Resources Development Convention, 1975 (No. 142)	„	„
<b>Belgium</b>	Hygiene (Commerce and Offices) Convention, 1964 (No. 120)	17 May 1978	17 May 1979
	Minimum Age (Underground Work) Convention, 1965 (No. 123)	„	„
	<i>Pursuant to Article 2, paragraph 2, of the Convention, the minimum age specified is 18 years.</i>		
<b>Bulgaria</b>	Maximum Weight Convention, 1967 (No. 127)	21 June 1978	21 June 1979
<b>United Republic of Cameroon</b>	Seafarers' Annual Leave with Pay Convention, 1976 (No. 146)	13 June 1978	13 June 1979
	<i>Pursuant to Article 3, paragraph 2, of the Convention, the length of the annual leave specified is 60 consecutive days for officers and three consecutive days per month for seamen.</i>		

\* Notes are given at the end of the table.

State	Convention	Date of registration of ratification/denunciation/declaration	Date on which ratification/denunciation/declaration will take effect
Denmark	Accommodation of Crews (Fishermen) Convention, 1966 (No. 126)	6 June 1978	6 June 1979
	Medical Care and Sickness Benefits Convention, 1969 (No. 130)	„	„
	Workers' Representatives Convention, 1971 (No. 135)	„	„
	Occupational Cancer Convention, 1974 (No. 139)	„	„
	Rural Workers' Organisations Convention, 1975 (No. 141)	„	„
	Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	„	„
Ecuador	Migration for Employment Convention (Revised), 1949 (No. 97)	5 April 1978	5 April 1979
	<i>In accordance with Article 14, paragraph 1, of the Convention, Annexes I, II and III have been excluded from the ratification of the Convention.</i>		
	Fishermen's Articles of Agreement Convention, 1959 (No. 114)	5 April 1978	5 April 1979
	Employment Injury Benefits Convention, 1964 (No. 121)	„	„
	<i>Pursuant to Article 2, paragraph 1, of the Convention, the Government has availed itself of the temporary exceptions provided for in Articles 5 ; 9, paragraph 3, clause (b) ; 12 ; 15, paragraph 2 ; and 18, paragraph 3.</i>		
	Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No. 128)	5 April 1978	5 April 1979
	<i>In accordance with Article 2, paragraph 2, of the Convention, the obligations of the Convention have been accepted in respect of Parts II, III and IV. Pursuant to Article 4, paragraph 1, of the Convention, the Government has availed itself of the temporary exceptions provided for in Article 9, paragraph 2 ; Article 13, paragraph 2 ; Article 16, paragraph 2 ; and Article 22, paragraph 2. Pursuant to Article 38, paragraph 1, of the Convention, the Government has temporarily excluded the employees in the sector comprising agricultural occupations from the application of this Convention.</i>		
	Medical Care and Sickness Benefits Convention, 1969 (No. 130)	5 April 1978	5 April 1979
	<i>Pursuant to Article 2, paragraph 1, of the Convention, the Government has availed itself of the temporary exceptions provided for in Article 1, subparagraph (g), clause (i) ; Article 11 ; Article 14 ; Article 20 ; Article 26, paragraph 2.</i>		

*Pursuant to Article 3, paragraph 1, of the Convention, the Government has temporarily excluded the employees in the sector comprising agricultural occupations from the application of this Convention.*

**France**

Continuity of Employment (Seafarers) Convention, 1976  
(No. 145)

3 May 1978

3 May 1979

Seafarers' Annual Leave with Pay Convention, 1976 (No. 146)

15 June 1978

15 June 1979

*Pursuant to Article 3, paragraph 2, of the Convention, the length of the annual leave specified is 116 days for officers and seamen employed on board French merchant vessels and a minimum of 111 days for the crews of tugboats and port vessels.*

Merchant Shipping (Minimum Standards) Convention, 1976  
(No. 147)

2 May 1978

Twelve months after the date on which there have been registered ratifications by at least ten Members with a total share in world shipping gross tonnage of 25 per cent.

**Guinea**

Human Resources Development Convention, 1975 (No. 142)  
Migrant Workers (Supplementary Provisions) Convention,  
1975 (No. 143)

5 June 1978

5 June 1979

„

„

**Hungary**

Continuity of Employment (Seafarers) Convention, 1976  
(No. 145)

8 June 1978

8 June 1979

**Iraq**

Equality of Treatment (Social Security) Convention, 1962  
(No. 118)

28 April 1978

28 April 1979

*In accordance with Article 2, paragraphs 1-3, of the Convention, the obligations of the Convention have been accepted in respect of the following branches of social security : medical care ; sickness benefit ; maternity benefit ; invalidity benefit ; old-age benefit ; survivors' benefit and employment injury benefit.*

Paid Educational Leave Convention, 1974 (No. 140)

9 May 1978

9 May 1979

**Ireland**

Minimum Wage Fixing Machinery (Agriculture) Convention,  
1951 (No. 99)

22 June 1978

22 June 1979

Minimum Age Convention, 1973 (No. 138)

„

„

*The minimum age of 15 years has been specified pursuant to Article 2, paragraph 1, of the Convention.*

State	Convention	Date of registration of ratification/denunciation/declaration	Date on which ratification/denunciation/declaration will take effect
<b>Liberia</b>	Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133)	8 May 1978	Twelve months after ratification by 12 Members meeting the requirements laid down in Article 15, paragraph 2, of the Convention.
<b>Mexico</b>	Rural Workers' Organisations Convention, 1975 (No. 141)	28 June 1978	28 June 1979
	Human Resources Development Convention, 1975 (No. 142)	"	"
	Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	"	"
<b>Saudi Arabia</b>	Hours of Work (Industry) Convention, 1919 (No. 1)	15 June 1978	15 June 1978
	Weekly Rest (Industry) Convention, 1921 (No. 14)	"	"
	Forced Labour Convention, 1930 (No. 29)	"	15 June 1979
	Hours of Work (Commerce and Offices) Convention, 1930 (No. 30)	"	"
	Underground Work (Women) Convention, 1935 (No. 45)	"	"
	Labour Inspection Convention, 1947 (No. 81)	"	"
	Night Work (Women) Convention (Revised), 1948 (No. 89)	"	"
	Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90)	"	"
	Equal Remuneration Convention, 1951 (No. 100)	"	"
	Abolition of Forced Labour Convention, 1957 (No. 105)	"	"
	Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)	"	"
	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	"	"

Spain	Minimum Age (Underground Work) Convention, 1965 (No. 123)	15 June 1978	15 June 1979
	<i>Pursuant to Article 2, paragraph 2, of the Convention, the minimum age specified is 18 years.</i>		
	Rural Workers' Organisations Convention, 1975 (No. 141)	28 April 1978	28 April 1979
	Continuity of Employment (Seafarers) Convention, 1976 (No. 145)	„	3 May 1979
	Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)	„	Twelve months after the date on which there have been registered ratifications by at least ten Members with a total share in world shipping gross tonnage of 25 per cent.
Swaziland	Minimum Age (Industry) Convention, 1919 (No. 5)	26 April 1978	26 April 1978
	Right of Association (Agriculture) Convention, 1921 (No. 11)	„	„
	Workmen's Compensation (Agriculture) Convention, 1921 (No. 12)	„	„
	Weekly Rest (Industry) Convention, 1921 (No. 14)	„	„
	Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)	„	„
	Minimum Wage-Fixing Machinery Convention, 1928 (No. 26)	„	„
	Forced Labour Convention, 1930 (No. 29)	„	„
	Recruiting of Indigenous Workers Convention, 1936 (No. 50)	„	„
	Minimum Age (Industry) Convention (Revised), 1937 (No. 59)	„	„
	Contracts of Employment (Indigenous Workers) Convention, 1939 (No. 64)	„	„
	Penal Sanctions (Indigenous Workers) Convention, 1939 (No. 65)	„	„
	Contracts of Employment (Indigenous Workers) Convention, 1947 (No. 86)	„	„

State	Convention	Date of registration of ratification/denunciation/declaration	Date on which ratification/denunciation/declaration will take effect
<b>Swaziland</b> ( <i>cont.</i> )	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	26 April 1978	26 April 1978
	Protection of Wages Convention, 1949 (No. 95)	„	„
	Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	„	„
	<i>Following the admission of Swaziland to the International Labour Organisation the Government of Swaziland confirmed that it continued to be bound by the obligations previous entered into by the United Kingdom on behalf of Swaziland in respect of the above-mentioned Conventions.</i>		
<b>Sweden</b>	Holidays with Pay Convention (Revised), 1970 (No. 132)	7 June 1978	7 June 1979
	<i>Pursuant to Article 3, paragraph 2, of the Convention, the minimum length of the holiday specified is five weeks. In accordance with Article 15, paragraph 2, of the Convention, the obligations of the Convention have been accepted both in respect of employed persons in economic sectors other than agriculture and in respect of employed persons in agriculture.</i>		
	Seafarers' Annual Leave with Pay Convention, 1976 (No. 146)	7 June 1978	13 June 1979
	<i>Pursuant to Article 3, paragraph 2, of the Convention, the length of the annual leave specified is five weeks.</i>		
<b>II. Denunciations</b>			
<b>Canada</b>	Underground Work (Women) Convention, 1935 (No. 45) <sup>3</sup>	19 May 1978	19 May 1979
<b>Uruguay</b> <sup>4</sup>	Night Work (Bakeries) Convention, 1925 (No. 20)	26 May 1978	26 May 1979
	Underground Work (Women) Convention, 1935 (No. 45)	„	„
<b>III. Declarations</b>			
<b>Denmark</b>	Accommodation of Crews (Fishermen) Convention, 1966 (No. 126)		
	<i>Applicable without modification : Faeroe Islands, Greenland</i>	6 June 1978	6 June 1979
	Medical Care and Sickness Benefits Convention, 1969 (No. 130)		
	Workers' Representatives Convention, 1971 (No. 135)		

Occupational Cancer Convention, 1974 (No. 139)  
Rural Workers' Organisations Convention, 1975 (No. 141)  
Tripartite Consultation (International Labour Standards)  
Convention, 1976 (No. 144)

*Not applicable* : Faeroe Islands, Greenland

6 June 1978

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**United Kingdom**

Equal Remuneration Convention, 1951 (No. 100)

*Applicable without modification* : Gibraltar

3 May 1978

3 May 1978

*This declaration supersedes a declaration of decision reserved registered on 6 February 1973.*

**Notification of the Coming into Force of the Continuity of  
Employment (Seafarers) Convention, 1976 (No. 145)**

Article 9 of the Continuity of Employment (Seafarers) Convention, 1976 (No. 145), adopted by the International Labour Conference at its 62nd Session on 28 October 1976, provides that the Convention shall come into force 12 months after the date on which the ratifications of two Members of the International Labour Organisation have been registered.

The ratifications by Spain and France were registered by the Director-General of the International Labour Office on 28 April 1978 and 3 May 1978 respectively. The Convention will accordingly come into force on 3 May 1979.

The present notification is made in accordance with the provisions of Article 11 of the Convention.

In conformity with article 20 of the Constitution of the International Labour Organisation, this Convention will be communicated to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations.

**Notification of the Coming into Force of the Seafarers' Annual  
Leave with Pay Convention, 1976 (No. 146)**

Article 16 of the Seafarers' Annual Leave with Pay Convention, 1976 (No. 146), adopted by the International Labour Conference at its 62nd Session on 29 October 1976, provides that the Convention shall come into force 12 months after the date on which the ratifications of two Members of the International Labour Organisation have been registered.

The ratifications by Sweden and the United Republic of Cameroon were registered by the Director-General of the International Labour Office on 7 June 1978 and 13 June 1978 respectively. The Convention will accordingly come into force on 13 June 1979.

The present notification is made in accordance with the provisions of Article 18 of the Convention.

In conformity with article 20 of the Constitution of the International Labour Organisation, this Convention will be communicated to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations.

<sup>1</sup> Period covered: 1 April to 30 June 1978.

<sup>2</sup> The text of the statement communicated by the Government of Argentina in accordance with Article 3, paragraph 3 (c), of the Convention reads as follows:

*(Translation)*

"... The Convention will be applied to all workers exposed to ionising radiations in the course of their work, with the restrictions authorised by the Convention."

<sup>3</sup> The text of the communication concerning the denunciation by Canada of this Convention reads as follows:

"The Government of Canada is aware that at the time of its adoption, Convention No. 45 was intended to prevent exploitation of women workers and was thus considered a step toward social progress. However, it is now considered within the various jurisdictions of Canada that the Convention limits the employment opportunities of women and that it is, therefore, in contradiction to the principle of equality of treatment and opportunity between men and women workers, to which the Government of Canada attaches great importance."

<sup>4</sup> On submitting to the Council of State, on 22 November 1977, the Bill to authorise the denunciation of these Conventions, the Government of Uruguay provided the following explanations:

*(Translation)*

"As regards the Night Work (Bakeries) Convention, 1925 (No. 20), its denunciation is requested because the provisions contained in it make its application difficult in the present national development process, as a result of which the Executive has been obliged to have recourse to the procedure of exception provided for in the decision of the Ministry of Labour and Social Security of 23 February 1977.

"Moreover, industrial relations in this sector are duly protected and safeguarded by the above-mentioned decision and by existing national legislation applicable in this sector.

"It has not hitherto been possible to apply the provisions of the Underground Work (Women) Convention, 1935 (No. 45) in the national territory and it does not appear that this will be possible in the near future."



## DOCUMENTS <sup>1</sup>

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### **Conventions and Recommendations, Resolutions and Additional Texts and Decisions Adopted by the International Labour Conference at Its 64th Session**

*(Geneva, 1978)*

#### CONVENTIONS AND RECOMMENDATIONS

##### Convention 150

###### **Convention concerning Labour Administration: Role, Functions and Organisation <sup>2</sup>**

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 Sixty-fourth Session on 7 June 1978, and

Recalling the terms of existing international labour Conventions and Recommendations, including in particular the Labour Inspection Convention, 1947, the Labour Inspection (Agriculture) Convention, 1969, and the Employment Service Convention, 1948, which call for the exercise of particular labour administration activities, and

Considering it desirable to adopt instruments establishing guidelines regarding the over-all system of labour administration, and

Recalling the terms of the Employment Policy Convention, 1964, and of the Human Resources Development Convention, 1975; recalling also the goal of the creation of full and adequately remunerated employment and affirming the need for programmes of labour administration to work towards this goal and to give effect to the objectives of the said Conventions, and

Recognising the necessity of fully respecting the autonomy of employers' and workers' organisations, recalling in this connection the terms of existing international labour Conventions and Recommendations guaranteeing rights of association, organisation and collective bargaining—and particularly the Freedom of Association and Protection of the Right to Organise Convention,

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<sup>1</sup> This section contains the decisions of the Conference, without details of the circumstances of their adoption except where they were the result of a formal vote. The comments or reservations by delegates or groups, subject to which the decisions were taken, will be found in detail in the *Record of Proceedings* of the 64th Session of the Conference (see p. 81).

<sup>2</sup> Adopted on 26 June 1978 by 408 votes in favour, 0 against, with no abstentions.

1948, and the Right to Organise and Collective Bargaining Convention, 1949—which forbid any interference by public authorities which would restrict these rights or impede the lawful exercise thereof, and considering that employers' and workers' organisations have essential roles in attaining the objectives of economic, social and cultural progress, and

Having decided upon the adoption of certain proposals with regard to labour administration: role, functions and organisation, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts this twenty-sixth day of June of the year one thousand nine hundred and seventy-eight the following Convention, which may be cited as the Labour Administration Convention, 1978:

#### *Article 1*

For the purpose of this Convention—

- (a) the term “labour administration” means public administration activities in the field of national labour policy;
- (b) the term “system of labour administration” covers all public administration bodies responsible for and/or engaged in labour administration—whether they are ministerial departments or public agencies, including parastatal and regional or local agencies or any other form of decentralised administration—and any institutional framework for the co-ordination of the activities of such bodies and for consultation with and participation by employers and workers and their organisations.

#### *Article 2*

A Member which ratifies this Convention may, in accordance with national laws or regulations, or national practice, delegate or entrust certain activities of labour administration to non-governmental organisations, particularly employers' and workers' organisations, or—where appropriate—to employers' and workers' representatives.

#### *Article 3*

A Member which ratifies this Convention may regard particular activities in the field of its national labour policy as being matters which, in accordance with national laws or regulations, or national practice, are regulated by having recourse to direct negotiations between employers' and workers' organisations.

#### *Article 4*

Each Member which ratifies this Convention shall, in a manner appropriate to national conditions, ensure the organisation and effective operation in its territory of a system of labour administration, the functions and responsibilities of which are properly co-ordinated.

#### *Article 5*

1. Each Member which ratifies this Convention shall make arrangements appropriate to national conditions to secure, within the system of labour administration, consultation, co-operation and negotiation between the public authorities and the most representative organisations of employers and workers, or—where appropriate—employers' and workers' representatives.

2. To the extent compatible with national laws and regulations, and national practice, such arrangements shall be made at the national, regional and local levels as well as at the level of the different sectors of economic activity.

#### *Article 6*

1. The competent bodies within the system of labour administration shall, as appropriate, be responsible for or contribute to the preparation, administration, co-ordination, checking and review of national labour policy, and be the instrument within the ambit of public administration for the preparation and implementation of laws and regulations giving effect thereto.

2. In particular, these bodies, taking into account relevant international labour standards, shall—

- (a) participate in the preparation, administration, co-ordination, checking and review of national employment policy, in accordance with national laws and regulations, and national practice;
- (b) study and keep under review the situation of employed, unemployed and under-employed persons, taking into account national laws and regulations and national practice concerning conditions of work and working life and terms of employment, draw attention to defects and abuses in such conditions and terms and submit proposals on means to overcome them;
- (c) make their services available to employers and workers, and their respective organisations, as may be appropriate under national laws or regulations, or national practice, with a view to the promotion—at national, regional and local levels as well as at the level of the different sectors of economic activity—of effective consultation and co-operation between public authorities and bodies and employers' and workers' organisations, as well as between such organisations;
- (d) make technical advice available to employers and workers and their respective organisations on their request.

#### *Article 7*

When national conditions so require, with a view to meeting the needs of the largest possible number of workers, and in so far as such activities are not already covered, each Member which ratifies this Convention shall promote the extension, by gradual stages if necessary, of the functions of the system of labour administration to include activities, to be carried out in co-operation with other competent bodies, relating to the conditions of work and working life of appropriate categories of workers who are not, in law, employed persons, such as—

- (a) tenants who do not engage outside help, sharecroppers and similar categories of agricultural workers;
- (b) self-employed workers who do not engage outside help, occupied in the informal sector as understood in national practice;
- (c) members of co-operatives and worker-managed undertakings;
- (d) persons working under systems established by communal customs or traditions.

#### *Article 8*

To the extent compatible with national laws and regulations and national practice, the competent bodies within the system of labour administration shall contribute to the preparation of national policy concerning international labour affairs, partici-

pate in the representation of the State with respect to such affairs and contribute to the preparation of measures to be taken at the national level with respect thereto.

#### *Article 9*

With a view to the proper co-ordination of the functions and responsibilities of the system of labour administration, in a manner determined by national laws or regulations, or national practice, a ministry of labour or another comparable body shall have the means to ascertain whether any parastatal agencies which may be responsible for particular labour administration activities, and any regional or local agencies to which particular labour administration activities may have been delegated, are operating in accordance with national laws and regulations and are adhering to the objectives assigned to them.

#### *Article 10*

1. The staff of the labour administration system shall be composed of persons who are suitably qualified for the activities to which they are assigned, who have access to training necessary for such activities and who are independent of improper external influences.

2. Such staff shall have the status, the material means and the financial resources necessary for the effective performance of their duties.

#### *Article 11*

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

#### *Article 12*

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

#### *Article 13*

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

#### *Article 14*

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

#### *Article 15*

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

#### *Article 16*

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

#### *Article 17*

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides—

(a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 13 above, if and when the new revising Convention shall have come into force;

(b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

#### *Article 18*

The English and French versions of the text of this Convention are equally authoritative.

The foregoing is the authentic text of the Convention duly adopted by the General Conference of the International Labour Organisation during its Sixty-fourth Session which was held at Geneva and declared closed the twenty-eighth day of June 1978.

IN FAITH WHEREOF we have appended our signatures this twenty-seventh day of June 1978.

*The President of the Conference,*  
PEDRO OJEDA PAULLADA

*The Director-General of the International Labour Office,*  
FRANCIS BLANCHARD

**Convention concerning Protection of the Right to Organise and Procedures for Determining Conditions of Employment in the Public Service<sup>1</sup>**

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 Sixty-fourth Session on 7 June 1978, and  
Noting the terms of the Freedom of Association and Protection of the Right to Organise Convention, 1948, the Right to Organise and Collective Bargaining Convention, 1949, and the Workers' Representatives Convention and Recommendation, 1971, and

Recalling that the Right to Organise and Collective Bargaining Convention, 1949, does not cover certain categories of public employees and that the Workers' Representatives Convention and Recommendation, 1971, apply to workers' representatives in the undertaking, and

Noting the considerable expansion of public-service activities in many countries and the need for sound labour relations between public authorities and public employees' organisations, and

Having regard to the great diversity of political, social and economic systems among member States and the differences in practice among them (e.g. as to the respective functions of central and local government, of federal, state and provincial authorities, and of state-owned undertakings and various types of autonomous or semi-autonomous public bodies, as well as to the nature of employment relationships), and

Taking into account the particular problems arising as to the scope of, and definitions for the purpose of, any international instrument, owing to the differences in many countries between private and public employment, as well as the difficulties of interpretation which have arisen in respect of the application of relevant provisions of the Right to Organise and Collective Bargaining Convention, 1949, to public servants, and the observations of the supervisory bodies of the ILO on a number of occasions that some governments have applied these provisions in a manner which excludes large groups of public employees from coverage by that Convention, and

Having decided upon the adoption of certain proposals with regard to freedom of association and procedures for determining conditions of employment in the public service, which is the fifth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts this twenty-seventh day of June of the year one thousand nine hundred and seventy-eight the following Convention, which may be cited as the Labour Relations (Public Service) Convention, 1978:

**PART I. SCOPE AND DEFINITIONS**

*Article 1*

1. This Convention applies to all persons employed by public authorities, to the extent that more favourable provisions in other international labour Conventions are not applicable to them.

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<sup>1</sup> Adopted on 27 June 1978 by 331 votes in favour, 0 against, with 54 abstentions.

2. The extent to which the guarantees provided for in this Convention shall apply to high-level employees whose functions are normally considered as policy-making or managerial, or to employees whose duties are of a highly confidential nature, shall be determined by national laws or regulations.

3. The extent to which the guarantees provided for in this Convention shall apply to the armed forces and the police shall be determined by national laws or regulations.

#### *Article 2*

For the purpose of this Convention, the term “public employee” means any person covered by the Convention in accordance with Article 1 thereof.

#### *Article 3*

For the purpose of this Convention, the term “public employees’ organisation” means any organisation, however composed, the purpose of which is to further and defend the interests of public employees.

### PART II. PROTECTION OF THE RIGHT TO ORGANISE

#### *Article 4*

1. Public employees shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment.

2. Such protection shall apply more particularly in respect of acts calculated to—
- (a) make the employment of public employees subject to the condition that they shall not join or shall relinquish membership of a public employees’ organisation;
  - (b) cause the dismissal of or otherwise prejudice a public employee by reason of membership of a public employees’ organisation or because of participation in the normal activities of such an organisation.

#### *Article 5*

1. Public employees’ organisations shall enjoy complete independence from public authorities.

2. Public employees’ organisations shall enjoy adequate protection against any acts of interference by a public authority in their establishment, functioning or administration.

3. In particular, acts which are designed to promote the establishment of public employees’ organisations under the domination of a public authority, or to support public employees’ organisations by financial or other means, with the object of placing such organisations under the control of a public authority, shall be deemed to constitute acts of interference within the meaning of this Article.

### PART III. FACILITIES TO BE AFFORDED TO PUBLIC EMPLOYEES’ ORGANISATIONS

#### *Article 6*

1. Such facilities shall be afforded to the representatives of recognised public employees’ organisations as may be appropriate in order to enable them to carry out their functions promptly and efficiently, both during and outside their hours of work.

2. The granting of such facilities shall not impair the efficient operation of the administration or service concerned.

3. The nature and scope of these facilities shall be determined in accordance with the methods referred to in Article 7 of this Convention, or by other appropriate means.

#### PART IV. PROCEDURES FOR DETERMINING TERMS AND CONDITIONS OF EMPLOYMENT

##### *Article 7*

Measures appropriate to national conditions shall be taken, where necessary, to encourage and promote the full development and utilisation of machinery for negotiation of terms and conditions of employment between the public authorities concerned and public employees' organisations, or of such other methods as will allow representatives of public employees to participate in the determination of these matters.

#### PART V. SETTLEMENT OF DISPUTES

##### *Article 8*

The settlement of disputes arising in connection with the determination of terms and conditions of employment shall be sought, as may be appropriate to national conditions, through negotiation between the parties or through independent and impartial machinery, such as mediation, conciliation and arbitration, established in such a manner as to ensure the confidence of the parties involved.

#### PART VI. CIVIL AND POLITICAL RIGHTS

##### *Article 9*

Public employees shall have, as other workers, the civil and political rights which are essential for the normal exercise of freedom of association, subject only to the obligations arising from their status and the nature of their functions.

#### PART VII. FINAL PROVISIONS

##### *Article 10*

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

##### *Article 11*

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.



3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

#### *Article 12*

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

#### *Article 13*

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

#### *Article 14*

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

#### *Article 15*

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

#### *Article 16*

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides—

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 12 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

### *Article 17*

The English and French versions of the text of this Convention are equally authoritative.

The foregoing is the authentic text of the Convention duly adopted by the General Conference of the International Labour Organisation during its Sixty-fourth Session which was held at Geneva and declared closed the twenty-eighth day of June 1978.

IN FAITH WHEREOF we have appended our signatures this twenty-seventh day of June 1978.

*The President of the Conference,*  
PEDRO OJEDA PAULLADA

*The Director-General of the International Labour Office,*  
FRANCIS BLANCHARD

### **Recommendation 158**

#### **Recommendation concerning Labour Administration: Role, Functions and Organisation <sup>1</sup>**

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 Sixty-fourth Session on 7 June 1978, and  
Recalling the terms of existing international labour Conventions and Recommendations, including in particular the Labour Inspection Convention, 1947, the Labour Inspection (Agriculture) Convention, 1969, and the Employment Service Convention, 1948, which call for the exercise of particular labour administration activities, and  
Considering it desirable to adopt instruments establishing guidelines regarding the over-all system of labour administration, and  
Recalling the terms of the Employment Policy Convention, 1964, and of the Human Resources Development Convention, 1975; recalling also the goal of the creation of full and adequately remunerated employment and affirming the need for programmes of labour administration to work towards this goal and to give effect to the objectives of the said Conventions, and  
Recognising the necessity of fully respecting the autonomy of employers' and workers' organisations, recalling in this connection the terms of existing international labour Conventions and Recommendations guaranteeing rights of association, organisation and collective bargaining—and particularly the Freedom of Association and Protection of the Right to Organise Convention, 1948, and the Right to Organise and Collective Bargaining Convention, 1949—which forbid any interference by public authorities which would restrict these rights or impede the lawful exercise thereof, and considering that

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<sup>1</sup> Adopted on 26 June 1978 by 396 votes in favour, 0 against, with no abstentions.

employers' and workers' organisations have essential roles in attaining the objectives of economic, social and cultural progress, and

Having decided upon the adoption of certain proposals with regard to labour administration: role, functions and organisation, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation supplementing the Labour Administration Convention, 1978,

adopts this twenty-sixth day of June of the year one thousand nine hundred and seventy-eight the following Recommendation, which may be cited as the Labour Administration Recommendation, 1978:

## I. GENERAL PROVISIONS

1. For the purpose of this Recommendation—

- (a) the term “labour administration” means public administration activities in the field of national labour policy;
- (b) the term “system of labour administration” covers all public administration bodies responsible for and/or engaged in labour administration—whether they are ministerial departments or public agencies, including parastatal and regional or local agencies or any other form of decentralised administration—and any institutional framework for the co-ordination of the activities of such bodies and for consultation with and participation by employers and workers and their organisations.

2. A Member may, in accordance with national laws or regulations, or national practice, delegate or entrust certain activities of labour administration to non-governmental organisations, particularly employers' and workers' organisations, or—where appropriate—to employers' and workers' representatives.

3. A Member may regard particular activities in the field of its national labour policy as being matters which, in accordance with national laws or regulations, or national practice, are regulated by having recourse to direct negotiations between employers' and workers' organisations.

4. Each Member should, in a manner appropriate to national conditions, ensure the organisation and effective operation in its territory of a system of labour administration, the functions and responsibilities of which are properly co-ordinated.

## II. FUNCTIONS OF THE NATIONAL SYSTEM OF LABOUR ADMINISTRATION

### *Labour Standards*

5. (1) The competent bodies within the system of labour administration should—in consultation with organisations of employers and workers and in a manner and under conditions determined by national laws or regulations, or national practice—take an active part in the preparation, development, adoption, application and review of labour standards, including relevant laws and regulations.

(2) They should make their services available to employers' and workers' organisations, as may be appropriate under national laws or regulations, or national

practice, with a view to promoting the regulation of terms and conditions of employment by means of collective bargaining.

6. The system of labour administration should include a system of labour inspection.

### *Labour Relations*

7. The competent bodies within the system of labour administration should participate in the determination and application of such measures as may be necessary to ensure the free exercise of employers' and workers' right of association.

8. (1) There should be labour administration programmes aimed at the promotion, establishment and pursuit of labour relations which encourage progressively better conditions of work and working life and which respect the right to organise and bargain collectively.

(2) The competent bodies within the system of labour administration should assist in the improvement of labour relations by providing or strengthening advisory services to undertakings, employers' organisations and workers' organisations requesting such services, in accordance with programmes established on the basis of consultation with such organisations.

9. The competent bodies within the system of labour administration should promote the full development and utilisation of machinery for voluntary negotiation.

10. The competent bodies within the system of labour administration should be in a position to provide, in agreement with the employers' and workers' organisations concerned, conciliation and mediation facilities, appropriate to national conditions, in case of collective disputes.

### *Employment*

11. (1) The competent bodies within the system of labour administration should be responsible for or participate in the preparation, administration, co-ordination, checking and review of national employment policy.

(2) A central body of the system of labour administration, to be determined in accordance with national laws or regulations, or national practice, should be closely associated with, or responsible for taking, appropriate institutional measures to co-ordinate the activities of the various authorities and bodies which are concerned with particular aspects of employment policy.

12. The competent bodies within the system of labour administration should co-ordinate, or participate in the co-ordination of, employment services, employment promotion and creation programmes, vocational guidance and vocational training programmes and unemployment benefit schemes, and they should co-ordinate, or participate in the co-ordination of, these various services, programmes and schemes with the implementation of general employment policy measures.

13. The competent bodies within the system of labour administration should be responsible for establishing, or promoting the establishment of, methods and procedures for ensuring consultation of employers' and workers' organisations, or—where appropriate—employers' and workers' representatives, on employment policies, and promotion of their co-operation in the implementation of such policies.

14. (1) The competent bodies within the system of labour administration should be responsible for manpower planning or where this is not possible should par-

ticipate in the functioning of manpower planning bodies through both institutional representation and the provision of technical information and advice.

(2) They should participate in the co-ordination and integration of manpower plans with economic plans.

(3) They should promote joint action of employers and workers, with the assistance as appropriate of public authorities and bodies, regarding both short- and long-term employment policies.

15. The system of labour administration should include a free public employment service and operate such a service effectively.

16. The competent bodies within the system of labour administration should, wherever national laws and regulations, or national practice, so permit, have or share responsibility for the management of public funds made available for such purposes as countering underemployment and unemployment, regulating the regional distribution of employment, or promoting and assisting the employment of particular categories of workers, including sheltered employment schemes.

17. The competent bodies within the system of labour administration should, in a manner and under conditions determined by national laws or regulations, or national practice, participate in the development of comprehensive and concerted policies and programmes of human resources development including vocational guidance and vocational training.

### *Research in Labour Matters*

18. For the fulfilment of its social objectives, the system of labour administration should carry out research as one of its important functions and encourage research by others.

## III. ORGANISATION OF THE NATIONAL SYSTEM OF LABOUR ADMINISTRATION

### *Co-ordination*

19. The ministry of labour or another comparable body determined by national laws or regulations, or national practice, should take or initiate measures ensuring appropriate representation of the system of labour administration in the administrative and consultative bodies in which information is collected, opinions are considered, decisions are prepared and taken and measures of implementation are devised with respect to social and economic policies.

20. (1) Each of the principal labour administration services competent with respect to the matters referred to in Paragraphs 5 to 18 above should provide periodic information or reports on its activities to the ministry of labour or the other comparable body referred to in Paragraph 19, as well as to employers' and workers' organisations.

(2) Such information or reports should be of a technical nature, include appropriate statistics, and indicate the problems encountered and if possible the results achieved in such a manner as to permit an evaluation of present trends and foreseeable future developments in areas of major concern to the system of labour administration.

(3) The system of labour administration should evaluate, publish and disseminate such information of general interest on labour matters as it is able to derive from its operation.

(4) Members, in consultation with the International Labour Office, should seek to promote the establishment of suitable models for the publication of such information, with a view to improving its international comparability.

21. The structures of the national system of labour administration should be kept constantly under review, in consultation with the most representative organisations of employers and workers.

#### *Resources and Staff*

22. (1) Appropriate arrangements should be made to provide the system of labour administration with the necessary financial resources and an adequate number of suitably qualified staff to promote its effectiveness.

(2) In this connection, due account should be taken of—

- (a) the importance of the duties to be performed;
- (b) the material means placed at the disposal of the staff;
- (c) the practical conditions under which the various functions must be carried out in order to be effective.

23. (1) The staff of the labour administration system should receive initial and further training at levels suitable for their work; there should be permanent arrangements to ensure that such training is available to them throughout their careers.

(2) Staff in particular services should have the special qualifications required for such services, ascertained in a manner determined by the appropriate body.

24. Consideration should be given to supplementing national programmes and facilities for the training envisaged in Paragraph 23 above by international co-operation in the form of exchanges of experience and information and of common initial and further training programmes and facilities, particularly at the regional level.

#### *Internal Organisation*

25. (1) The system of labour administration should normally comprise specialised units to deal with each of the major programmes of labour administration the management of which is entrusted to it by national laws or regulations.

(2) For example, there might be units for such matters as the formulation of standards relating to working conditions and terms of employment; labour inspection; labour relations; employment, manpower planning and human resources development; international labour affairs; and, as appropriate, social security, minimum wage legislation and questions relating to specific categories of workers.

#### *Field Services*

26. (1) There should be appropriate arrangements for the effective organisation and operation of the field services of the system of labour administration.

(2) In particular, these arrangements should—

- (a) ensure that the placing of field services corresponds to the needs of the various areas, the representative organisations of employers and workers concerned being consulted thereon;
- (b) provide field services with adequate staff, equipment and transport facilities for the effective performance of their duties;

(c) ensure that field services have sufficient and clear instructions to preclude the possibility of laws and regulations being differently interpreted in different areas.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organisation during its Sixty-fourth Session which was held at Geneva and declared closed the twenty-eighth day of June 1978.

IN FAITH WHEREOF we have appended our signatures this twenty-seventh day of June 1978.

*The President of the Conference,*  
PEDRO OJEDA PAULLADA

*The Director-General of the International Labour Office,*  
FRANCIS BLANCHARD

### **Recommendation 159**

#### **Recommendation concerning Procedures for Determining Conditions of Employment in the Public Service <sup>1</sup>**

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 Sixty-fourth Session on 7 June 1978, and  
Having decided upon the adoption of certain proposals with regard to freedom of association and procedures for determining conditions of employment in the public service, which is the fifth item on the agenda of the session, and  
Having determined that these proposals shall take the form of a Recommendation supplementing the Labour Relations (Public Service) Convention, 1978,  
adopts this twenty-seventh day of June of the year one thousand nine hundred and seventy-eight the following Recommendation, which may be cited as the Labour Relations (Public Service) Recommendation, 1978:

1. (1) In countries in which procedures for recognition of public employees' organisations apply with a view to determining the organisations to be granted, on a preferential or exclusive basis, the rights provided for under Parts III, IV or V of the Labour Relations (Public Service) Convention, 1978, such determination should be based on objective and pre-established criteria with regard to the organisations' representative character.

(2) The procedures referred to in subparagraph (1) of this Paragraph should be such as not to encourage the proliferation of organisations covering the same categories of employees.

2. (1) In the case of negotiation of terms and conditions of employment in accordance with Part IV of the Labour Relations (Public Service) Convention, 1978,

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<sup>1</sup> Adopted on 27 June 1978 by 349 votes in favour, 0 against, with 33 abstentions.

the persons or bodies competent to negotiate on behalf of the public authority concerned and the procedure for giving effect to the agreed terms and conditions of employment should be determined by national laws or regulations or other appropriate means.

(2) Where methods other than negotiation are followed to allow representatives of public employees to participate in the determination of terms and conditions of employment, the procedure for such participation and for final determination of these matters should be determined by national laws or regulations or other appropriate means.

3. Where an agreement is concluded between a public authority and a public employees' organisation in pursuance of Paragraph 2, subparagraph (1), of this Recommendation, the period during which it is to operate and/or the procedure whereby it may be terminated, renewed or revised should normally be specified.

4. In determining the nature and scope of the facilities which should be afforded to representatives of public employees' organisations in accordance with Article 6, paragraph 3, of the Labour Relations (Public Service) Convention, 1978, regard should be had to the Workers' Representatives Recommendation, 1971.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organisation during its Sixty-fourth Session which was held at Geneva and declared closed the twenty-eighth day of June 1978.

IN FAITH WHEREOF we have appended our signatures this twenty-seventh day of June 1978.

*The President of the Conference,*  
PEDRO OJEDA PAULLADA

*The Director-General of the International Labour Office,*  
FRANCIS BLANCHARD

## RESOLUTIONS

### I

**Resolution to Place on the Agenda of the Next Ordinary Session of the Conference an Item Entitled "Revision of the Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32)"<sup>1</sup>**

The General Conference of the International Labour Organisation,  
Having adopted the report of the Committee appointed to consider the sixth item on the agenda,

Having in particular approved as general conclusions, with a view to the consultation of governments, proposals for a Convention revising the Protection against

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<sup>1</sup> Adopted on 26 June 1978.



Accidents (Dockers) Convention (Revised), 1932 (No. 32), and a supplementary Recommendation;

Decides that an item entitled "Revision of the Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32)," shall be included in the agenda of its next Ordinary Session for a second discussion, with a view to the adoption of a Convention and a Recommendation.

## II

### **Resolution concerning the ILO Code of Practice on Safety and Health in Dock Work<sup>1</sup>**

The General Conference of the International Labour Organisation,

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

Having decided that an item entitled "Revision of the Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32)," shall be included in the agenda of its next Ordinary Session for a second discussion, with a view to the adoption of a Convention and a Recommendation,

Considering that codes of practice and educational guides are essential in conveying information on the most effective way of giving effect to international labour standards,

Having regard to the time scale for the adoption of the biennial programme and budget whereby the Conference in 1979 will be called upon to adopt the Programme and Budget for 1980-81:

1. Considers that the code of practice on safety and health in dock work published in 1977 should be revised as soon as possible after the completion of the second discussion;

2. Considers that this revision of the code of practice should not only be directed to bringing the code in accordance with the new standards, but should also include those alterations needed to bring it up to date with regard to new developments in the technical field and to new international agreements relevant to the subject;

3. Considers that the certificates and registers relating to the test and examination of lifting machinery and gear used in the loading and unloading of ships, and related standard forms, established and recommended by the ILO, should be revised as soon as possible by a meeting of experts;

4. Calls on the Director-General to consider including the revision of the 1977 code in the Programme and Budget for 1980-81.

## III

### **Resolution to Place on the Agenda of the Next Ordinary Session of the Conference an Item Entitled "Hours of Work and Rest Periods in Road Transport"<sup>2</sup>**

The General Conference of the International Labour Organisation,

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<sup>1</sup> Adopted on 26 June 1978.

<sup>2</sup> Adopted on 27 June 1978.

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

Having in particular approved as general conclusions, with a view to the consultation of governments, proposals for a Convention and a Recommendation concerning hours of work and rest periods in road transport;

Decides that an item entitled "Hours of Work and Rest Periods in Road Transport" shall be included in the agenda of its next Ordinary Session for a second discussion, with a view to the adoption of a Convention and a Recommendation.

#### IV

##### **Resolution concerning Youth Employment<sup>1</sup>**

The General Conference of the International Labour Organisation,

Noting with deep concern the present level of unemployment and underemployment among young people in many developing and industrialised countries,

Considering that the international economic recession, often aggravated by structural economic imbalances, has contributed to serious unemployment, particularly among youth, in many countries,

Emphasising the grave consequences caused by chronic and long-lasting unemployment among youth in terms of economic and social hardship and frustration for the individuals concerned, as well as in terms of the social and political dangers which this entails for society,

Aware that similar undesirable consequences can arise when young workers are obliged to follow employment which does not satisfy their aims and aspirations and which does not make full use of their potential,

Stressing that the problem of youth unemployment should be dealt with in the context of an over-all and well balanced strategy for full employment giving due attention to all the population groups, thereby ensuring that unemployment is not shifted from one group to another,

Recognising that the problem of youth unemployment, like the general problem of unemployment, cannot be solved by short-term economic measures only, but that such measures should form part of comprehensive policies aimed at economic development and at growth, which can make for the attainment of social priorities, including the principle that everyone has the right to education and to freely chosen employment, in accordance with Article 6 and Article 13 of the United Nations International Covenant on Economic, Social and Cultural Rights,

Recalling the terms of the Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111), 1958, and of the Minimum Age Convention (No. 138) and Recommendation (No. 146), 1973,

Stressing the imperative need for appropriate agricultural policies including agrarian reforms, accompanied by the implementation of large-scale job-creation programmes in the rural sector, which accounts for the vast majority of the potential labour force in developing countries,

Stressing also the decisive impact of existing systems and facilities in the field of education, vocational training and vocational guidance for the employment prospects of young people in particular,

Noting the terms of the Employment Policy Convention (No. 122) and Recommendation (No. 122), 1964, the Paid Educational Leave Convention (No. 140) and

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<sup>1</sup> Adopted on 27 June 1978.

Recommendation (No. 148), 1974, and the Human Resources Development Convention (No. 142) and Recommendation (No. 150), 1975,

Recognising the Declaration of Principles and the Programme of Action adopted by the ILO World Employment Conference in 1976, as well as the importance, so as to fulfil basic needs, of giving effect to the appropriate policies for the achievement of full employment,

Noting the action taken by the ILO with regard to employment promotion in favour of young people within the over-all framework of the World Employment Programme and of the ILO's technical co-operation,

Noting also the studies and research work undertaken by the Organisation concerning the specific aspects and characteristics of youth unemployment;

1. Calls upon member States to devote priority attention to the elaboration of specific and effective measures against youth unemployment to be implemented in the framework of over-all full employment plans, or policies, or both, and in this context—

- (a) to include in the context of appropriate agricultural policies, including agrarian reforms, programmes which create jobs for young people in the rural areas, and which therefore involve a regional policy for industry and connected services, including credit facilities, training, improved methods of work in agriculture and adequate infrastructure;
- (b) to implement extensive literacy programmes, thus creating a base for general education and training;
- (c) to introduce, where this has not already been done, methods of education and training which combine practical work with theoretical studies, integrate vocational training into employment promotion measures and promote the skills, abilities and opportunities of individuals in employment, regardless of sex;
- (d) to expand substantially, where appropriate, and, if necessary, reorganise vocational guidance and placement services, which should be designed to cater for both the interests and abilities of jobseekers and the needs of economic activity;
- (e) in accordance with their vocational training policies, to extend paid educational leave which allows young workers to develop their personalities and skills;
- (f) to respect the principle of equal pay for equal work also in the case of young workers in order to avoid their exploitation as a source of cheap labour and duly to protect apprentices in this connection.

2. Invites the Governing Body of the International Labour Office to request the Director-General—

- (a) to assist and encourage governments, especially through technical co-operation and the promotion of pooling of experience in the methodology of mounting programmes of the type mentioned in paragraph 1 (c), to work out effective measures against youth unemployment in co-operation with employers' and workers' organisations or, as the case may be, employers' and workers' representatives;
- (b) to ensure that the situation of young workers is duly taken into account in the preparation of the agenda item "follow up of the World Employment Conference: basic needs", which has been placed on the agenda of the 65th (1979) Session of the International Labour Conference;
- (c) to promote the implementation of existing standards related to the position of young workers;

- (d) to examine the possibilities of establishing adequate ILO standards concerning the specific problems related to the employment and training of young people.

## V

### **Resolution concerning the Admission of Namibia <sup>1</sup>**

The General Conference of the International Labour Organisation,

Having considered the request for the admission of Namibia to membership in the Organisation, the request being submitted by the United Nations Council for Namibia which is the legal administering authority empowered, inter alia, to represent Namibia in international organisations and being supported by the South-West African People's Organisation (SWAPO) which has been recognised by the United Nations as the sole and authentic representative of the Namibian people,

Having considered United Nations General Assembly resolution 32/9E of 4 November 1977,

Noting that article 1, paragraph 2, of the Constitution provides that the Members of the International Labour Organisation shall be the States which were Members of the Organisation on 1 November 1945 and such other States as may become Members in pursuance of paragraphs 3 and 4 of the article,

Noting that Namibia is the only remaining case of a former mandate of the League of Nations where the former mandatory Power is still in occupation,

Considering that an application for membership in terms of article 1 is prevented only by the illegal occupation of Namibia by South Africa, the illegal nature of this occupation having been confirmed by the International Court of Justice in its Advisory Opinion of 21 June 1971,

Affirming that the International Labour Organisation is not prepared to allow the legitimate rights of the Namibian people to be frustrated by the illegal actions of South Africa,

Making it clear that in now granting the application for membership it does not overlook the wording of article 1 and believes that in the near future the illegal occupation of Namibia by South Africa will be terminated;

Decides to admit Namibia to membership in the Organisation, it being agreed that, until the present illegal occupation of Namibia is terminated, the United Nations Council for Namibia, established by the United Nations as the legal administering authority for Namibia empowered, inter alia, to represent it in international organisations, will be regarded as the Government of Namibia for the purpose of the application of the Constitution of the Organisation.

## VI

### **Resolution concerning the Granting of Permission to Vote to the Republic of Haiti <sup>2</sup>**

The General Conference of the International Labour Organisation,

Having regard to the terms of the financial arrangement adopted by the Conference at its 54th (1970) Session for the settlement of the arrears of contributions of

<sup>1</sup> Adopted on 23 June 1978 by 368 votes in favour, 0 against, with 50 abstentions.

<sup>2</sup> Adopted on 12 June 1978 by 271 votes in favour, 45 against, with 17 abstentions.

Haiti and to the extent that Haiti has made payments called for under this arrangement in spite of its continuing economic difficulties;

Decides that Haiti shall be permitted to vote in accordance with paragraph 4 of article 13 of the Constitution of the International Labour Organisation.

VII

**Resolution concerning the Amendment of the Financial Regulations and the Regulations of the ILO Staff Pensions Fund—Abolition of the Interim Accounts for the First Year of a Financial Period <sup>1</sup>**

The General Conference of the International Labour Organisation,  
Decides:

- (a) to suppress the publication of audited interim accounts at the end of the first year of each two-year financial period;
- (b) to amend articles 24, 26, 27 and 38 of the Financial Regulations of the Organisation and paragraph 5 of the Appendix to the Financial Regulations with effect from 1 January 1978 to read as follows:

*Article 24*

Besides the final accounts for the financial period, the Director-General shall inform the Governing Body of the position of the accounts at the end of each intervening year.

*Article 26*

The final accounts of the Organisation shall be presented in United States dollars. The accounting records may, however, be kept in such currency or currencies as the Director-General may deem necessary.

*Article 27*

The final accounts shall be submitted to the external auditor not later than 31 March following the end of the financial period to which they relate.

*Article 38*

1. The external auditor shall issue a report on the audit of the financial statements and relevant schedules reflecting the position of the final accounts for each financial period, which shall include such information as he deems necessary in regard to matters referred to in article 36, paragraph 2, and in the Additional Terms of Reference.

2. The external auditor's report shall be submitted to the Governing Body, together with the audited financial statements. The Governing Body shall examine the financial statements and the audit report and shall forward them to the Conference with such comments as it deems advisable.

APPENDIX TO THE FINANCIAL REGULATIONS

.....  
5. The external auditor shall certify the financial statements for each financial period in the following terms: "I have examined the financial statement of the Organisation for the financial period ended 31 December .... I have obtained all the information and explanations that I have required, and I certify, as a result of the audit, that in my opinion, the financial statements are correct"; adding, should it be necessary, "subject to the observations in my report".  
.....

- (c) to amend article 22 of the Regulations of the ILO Staff Pensions Fund with effect from 1 January 1978 to read as follows:

<sup>1</sup> Adopted 20 June 1978.

## Article 22

1. . . . .

2. The financial period of the Pensions Fund shall consist of two consecutive calendar years, corresponding to that of the International Labour Organisation. At the end of each financial period, final accounts containing an income and expenditure statement and a balance sheet as at 31 December of the second year of the financial period shall be prepared. The income and expenditure statement and the balance sheet shall be communicated to the Governing Body and the International Labour Conference and to all the Members of the International Labour Organisation.

3. The income and expenditure statement and the balance sheet shall be audited by the Auditor of the International Labour Organisation and his report thereon shall be communicated to the Governing Body and the International Labour Conference and to all the Member of the International Labour Organisation.

## VIII

### Resolution concerning the Amendment of Article 21 of the Financial Regulations— Working Capital Fund<sup>1</sup>

The General Conference of the International Labour Organisation,  
Decides:

- (a) to improve the timing of the replenishment to the Working Capital Fund of amounts withdrawn from it to finance shortfalls of budgetary income;
- (b) accordingly to amend article 21 of the Financial Regulations of the Organisation to read as follows, the amendment to come into effect on 31 December 1979, it being understood that any final cash deficit at the end of the biennium 1978-79 would become due for reimbursement to the Working Capital Fund in accordance with the revised provisions by an additional assessment in 1981:

#### Article 21

1.(a) Sums not exceeding the total shares in the Fund of the Members of the Organisation may be withdrawn from the Working Capital Fund to finance budgetary expenditure for any calendar year pending receipt of contributions or other income, and/or expenditure incurred in the financing of contingencies and emergencies under prior authorisation of the Governing Body, and shall be reimbursed to the Fund in the course of the same year as soon as income from contributions or other income is available for this purpose.

(b) Should the sums contributed to the Working Capital Fund by the Members be temporarily inadequate to finance budgetary expenditure pending receipt of contributions and/or expenditure incurred in the financing of contingencies and emergencies under prior authorisation of the Governing Body, advances may be made from that part of the Working Capital Fund which stands to the credit of the Organisation. Such advances shall be reimbursed to the Fund as soon as receipts from contributions or other income are available. Such advances shall also be reported to the Governing Body at the session following the making of an advance. Should the Working Capital Fund as a whole be temporarily inadequate to finance budgetary expenditure pending receipt of contributions and/or expenditure incurred in the financing of contingencies and emergencies under prior authorisation of the Governing Body, the Director-General may contract loans or advances for such sums as may be necessary pending the receipt of contributions. The amounts borrowed shall be reimbursed as soon as possible from the subsequent receipts of contributions or other income. Such borrowings shall be reported to the Governing Body at the session following the contracting of a loan or advance.

2. If in any calendar year sums withdrawn from the Working Capital Fund or borrowed to finance budgetary expenditure pending receipt of contributions or other income and/or expenditure incurred in the financing of contingencies and emergencies under prior authorisation of the Governing Body cannot be reimbursed in the course of the same year owing to the fact that the total budgetary income for that year falls short of total authorised expenditure incurred during the year, the sums so borrowed or withdrawn shall be reimbursed to the lender or lenders and to the Fund in the second year following the year of such withdrawal by adding to the contributions assessed on member States for that year an additional assessment equivalent to the amount so borrowed

<sup>1</sup> Adopted on 20 June 1978.

or withdrawn: provided that temporary surpluses of budgetary income over expenditure occurring at any time shall be utilised to the extent possible to reduce the amount of outstanding loans or advances.

3. If, before or during the session of the International Labour Conference in the first year of a financial period, contingencies or emergencies arise of such magnitude as would, in the opinion of the Director-General, be likely to lead to the exhaustion of the financial resources in the Working Capital Fund before the end of the financial period as a whole, the Director-General shall propose to the Governing Body that it recommend to the Conference that the amount estimated to be necessary to finance such contingencies or emergencies in the second year of the financial period shall be made the subject of an additional assessment on member States for that year. The Conference at its session during the first year of the said financial period shall take such action as it may deem necessary in the light of the related recommendations of the Governing Body.

## **IX**

### **Resolution concerning the Composition of the Administrative Tribunal of the International Labour Organisation<sup>1</sup>**

The General Conference of the International Labour Organisation,

In accordance with article III of the Statute of the Administrative Tribunal;

Extends the term of office of Mr. André Grisel (Switzerland) as judge of the Administrative Tribunal of the International Labour Organisation for a further period of three years.

## **X**

### **Resolution concerning the Position of Member States Which Do Not Participate Actively in the Work of the Organisation<sup>1</sup>**

The General Conference of the International Labour Organisation,

Endorsing the proposal by the Governing Body to include provision in a separate part of the budget for an undistributed reserve equal to the net assessment on member States which do not participate actively in the work of the Organisation and to which all three of the following criteria apply:

- (a) the Member has arrears equalling or exceeding the amount of the contributions due from it for the preceding two full years; and has made no payment since the beginning of the last calendar year but one;
- (b) the Member has not made any arrangement approved by the International Labour Conference for the settlement of its arrears; and
- (c) the Member has not actively participated in the work of the Organisation since the beginning of the last calendar year but one;

Decides accordingly to include under Part V (Undistributed reserve) of the Programme and Budget for the 56th Financial Period, ending 31 December 1979, a sum equal to the amount to be assessed for 1979 on member States which do not participate actively in the work of the Organisation and to which all three of the above criteria apply, and which, when deducted from the total assessments on member States, will leave the net amount approved in respect of Parts I to IV of the budget.

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<sup>1</sup> Adopted on 20 June 1978.

## XI

### Resolution concerning the Programme and Budget for 1978-79<sup>1</sup>

The General Conference of the International Labour Organisation,

Decides, in order to provide for the estimated additional costs arising in 1978 and 1979 from the effects of the drop in the Swiss franc-US dollar exchange rate from 2.51 Swiss francs to the dollar as originally budgeted for, to an estimated average rate of 1.93 Swiss francs to the dollar for 1978 and 2 Swiss francs to the dollar for 1979, to include in Part IV (Provision for effects of exchange rate adjustments) of the Programme and Budget for the 56th Financial Period, ending 31 December 1979, the amount of US\$30,588,870,

Noting that the Governing Body has decided to rescind the cut of US\$142,000 previously included in the 1978-79 programme reductions approved by it, so that the Conference *Provisional Record* may continue to be produced verbatim in all three working languages at the 1979 Session of the Conference,

Decides that, in order to ensure that the net resources to be received from present member States, taking into account the related provision already contained in the approved Programme and Budget, will cover the full cost of the record, an additional amount of US\$51,050 shall be included in Part I of the budget (Ordinary budget);

Decides further, pursuant to its resolution to provide for an undistributed reserve in the budget equal to the amount to be assessed for 1979 on such member States as do not participate actively in the work of the Organisation and to which the criteria set out in that resolution at present apply, to include in Part V (Undistributed reserve) of the budget, the amount of US\$6,585,766;

Decides accordingly that the revised total amount to be assessed on member States for the calendar year 1979 shall be US\$120,618,425 and resolves that this amount shall be assessed on member States in accordance with the scale of contributions recommended for 1979 by the Finance Committee of Government Representatives.

## ADDITIONAL TEXTS AND DECISIONS

### Excerpt from the Report of the Committee on Structure

The Conference had before it the report of its Committee on Structure,<sup>2</sup> which contained the following paragraphs:

#### VII. CONCLUSIONS

206. The Committee, encouraged by the progress achieved by the Working Party over the last year, unanimously agreed to recommend to the Conference that the mandate of the Working Party on Structure should be renewed for another year to enable it to continue its work, taking into account the views expressed and comments made in the Committee as reflected in its Report, in order to reach a definitive solution as soon as possible.

207. The present composition of the Working Party should be maintained, subject to any adjustments which might be necessary.

208. The Working Party should submit a report on its work to the 65th Session of the Conference in June 1979.

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<sup>1</sup> Adopted on 20 June 1978 by 349 votes in favour, 28 against, with 20 abstentions.

<sup>2</sup> Adopted by the Conference on 28 June 1978.



## Appointment of a Member of the Appeals Board Panel

On 9 June 1978, the Conference, adopting—on the recommendation of its Selection Committee—the recommendation made to it by the Governing Body at its 206th Session (May-June 1978) pursuant to section III, paragraph 5 (a), of the proposals relating to the procedure for the appointment of committees<sup>1</sup> adopted by the Conference in 1959, decided to appoint for a period of three years, that is to say, until June 1981, Mr. Constantin Stavropoulos (*Greece*), Ambassador of Greece, former High Commissioner for Namibia, former Secretary-General of the Conference on the Law of the Sea and former Deputy Minister of Foreign Affairs of Greece, as a member of the Panel from which the Appeals Board is appointed.

### Excerpt from the Summing-Up by the President of the Conference at the End of the Discussion on Apartheid

The Conference met in special sitting on 16 and 17 June 1978 to hold a discussion on apartheid on the basis of the Fourteenth Special Report of the Director-General on the application of the Declaration concerning the policy of apartheid of the Republic of South Africa submitted by the Director-General in accordance with the Declaration.<sup>2</sup> At the end of the debate, the President of the Conference made a summing-up containing, in particular, the following passages<sup>3</sup>:

. . . . .

In a special sitting that is now coming to an end, we have heard a large number of representatives of governments, workers and employers of States Members of the International Labour Organisation. We have also heard representatives of liberation movements of southern African countries and of the Special Committee of the United Nations against Apartheid. Today we all join together in condemning the crime against humanity which is not only an affront to the dignity of all human beings, but also a grave threat to international peace.

It has been the clearest and most energetic reiteration of the commitment of the three sectors represented in our Organisation that have for a long time already undertaken not to spare any effort in the constant fight that we must all engage in whilst the practice of apartheid continues to offend human conscience.

One cannot act in total disregard of the principles that should govern any relations among human beings. Non-discrimination is one of the principles laid down in the Constitution of our Organisation, and is a concept that dates back much earlier than any international organisation.

The Declaration of Philadelphia, which lays down the basic philosophy of our Organisation, asserts that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity". From the principles of this Declaration stem the many and various standards contained in the instruments of the ILO, including the Declaration concerning the Policy of Apartheid in South Africa approved in 1964 at the Conference, which has proved to be completely justified by the reprehensible events that have occurred both before and since in that region.

We should also mention the Declaration and Programme for the elimination of apartheid in employment approved by the 48th Session of the International Labour Conference. We would stress today the importance of scrupulous and immediate application of those recommendations through specific action. We would like to point out again that the situation repeatedly described in the Director-General's Reports on the position of the workers in southern Africa is unacceptable, as has been stated by the participants in those two special sittings.

In that region, the overwhelming majority of workers are denied the right to organise and to bargain collectively on an equal footing with workers of the minority ethnic group; and they are condemned in fact to participate in a segregated manner as inferior beings in the labour relations system.

<sup>1</sup> See *Official Bulletin*, 1959, No. 6, p. 217, and pp. 193-194.

<sup>2</sup> For the text of the Declaration, see *ibid.*, 1964, No. 3, Supplement I, pp. 1-4.

<sup>3</sup> Interpretation from Spanish.

The wages of workers in southern Africa are determined more by racial than by any other factors. Employment continues to be reserved for the Whites, whilst workers of the Black race are denied access to vocational training and equality of opportunity.

This majority of workers includes groups that have survived the efforts to dissolve them, and in spite of the serious action which has been taken against them, their members have resorted on numerous occasions to strikes. Repression has been constant and has assumed unusually severe forms as in Azania, Zimbabwe and Namibia.

The unfortunate continuance of practices of apartheid, in spite of numerous declarations and other forms of international action aimed at eradicating it completely, is due no doubt to the fact that certain governments have preferred to place their economic and political interests above the imperatives of solidarity and human rights. It must be acknowledged that the degree of compliance with the action that has been set afoot to isolate the economic, political, military, cultural and sporting activities of the racist régime in South Africa has been deplorable, as has been the application of sanctions approved by international bodies.

It is therefore increasingly necessary to examine more closely and pay more attention to the events that are occurring in southern Africa. In present conditions it is imperative to undertake more efficient action to suppress apartheid. To this end, it is not sufficient to simply pronounce one further condemnation of the practice of apartheid. In consequence, it is necessary to strengthen the mechanisms of action that make it possible to ensure the effectiveness of the international resolutions against apartheid.

In conclusion, as President of the Conference, and making myself the interpreter of the wishes expressed in these special sittings, I have full confidence that on the basis of proposals formulated here a committee or a special tripartite group will be set up to promote efficient compliance with action against apartheid in labour matters, and that the Director-General will rapidly submit to the Governing Body specific recommendations to bring such machinery into existence.

Thus we shall have made an important contribution to the efforts of the international community to eradicate finally from the face of the earth the most odious, criminal and cruel form of discrimination, namely apartheid.

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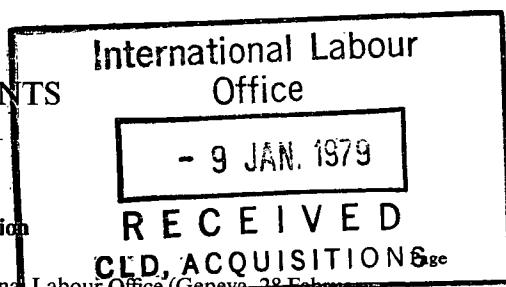
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## **Office Publications and Documents**

To ensure that all regular readers of the *Official Bulletin* receive full and up-to-date information on Office publications and documents, the quarterly *ILO Publications* list will be sent to them free of charge. A complete catalogue is available on request and books may be purchased from: ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland.

**The General Index for 1978 will be printed separately and distributed  
with the first issue for 1979 of the Official Bulletin (Series A).**

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## INTERNATIONAL LABOUR OFFICE

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# OFFICIAL BULLETIN

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*Vol. LXI**1978**Series A, No. 3*

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## INFORMATION

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### **205th Session of the Governing Body of the International Labour Office**

*(Geneva, 28 February-3 March 1978)*

The 205th Session of the Governing Body of the International Labour Office was held from Tuesday 28 February to Friday 3 March 1978, under the chairmanship of Mr. J. Morris.

The agenda was as follows:

1. Approval of the minutes of the 204th Session.
2. Appointment of the Director-General.
3. Report on the Symposium on the Training of Workers' Representatives for Participation in Decisions within Undertakings (Geneva, 10-21 October 1977).<sup>1</sup>
4. Report on the Symposium on Safety and Health of Migrant Workers (Çavtat, 31 October-4 November 1977).<sup>1</sup>
5. Report on the Symposium on Collective Bargaining in Industrialised Countries (Vienna, 2-9 November 1977).<sup>1</sup>
6. Report of the Meeting of Experts on Limits of Exposure to Dangerous Airborne Substances (Geneva, 21-28 November 1977).
7. Report of the Asian Advisory Committee on its Seventeenth Session (Manila, 29 November-8 December 1977).
8. Report of the Committee appointed by the Governing Body to consider the representation presented by the World Federation of Trade Unions under article 24 of the Constitution alleging non-observance of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), by Denmark, the Federal Republic of Germany, Italy and the Netherlands.
9. Report of the Committee appointed by the Governing Body to consider the representation presented by the International Confederation of Free Trade

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<sup>1</sup> Postponed from the 204th Session.

Unions under article 24 of the Constitution alleging non-observance of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), by Czechoslovakia.

10. Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy: possibilities of a follow-up procedure.
11. Reports of the Committee on Freedom of Association.
12. Reports of the Programme, Financial and Administrative Committee.
13. Report of the Allocations Committee.
14. Reports of the Committee on Standing Orders and the Application of Conventions and Recommendations.
15. Report of the International Organisations Committee.
16. Report of the Industrial Activities Committee.
17. Activities of the International Occupational Safety and Health Information Centre (CIS) in 1977.<sup>1</sup>
18. Composition and agenda of standing bodies and meetings.
19. International Institute for Labour Studies.<sup>2</sup>
20. International Centre for Advanced Technical and Vocational Training.<sup>2</sup>
21. Reports of the Director-General.
22. Programme of meetings.
23. Appointment of Governing Body representatives on various bodies.<sup>2</sup>

\* \* \*

The following is an account of the action taken by the Governing Body on the agenda.

#### APPROVAL OF THE MINUTES OF THE 204TH SESSION

The Governing Body approved the minutes of its 204th Session.

#### APPOINTMENT OF THE DIRECTOR-GENERAL

A ballot vote having been taken, Mr. Francis Blanchard was re-elected, by 51 votes in favour and 1 against, with 1 abstention, as Director-General of the International Labour Office for a further period of five years from the date of expiry of his present appointment, i.e. from February 1979.

#### REPORT ON THE SYMPOSIUM ON THE TRAINING OF WORKERS' REPRESENTATIVES FOR PARTICIPATION IN DECISIONS WITHIN UNDERTAKINGS

*(Geneva, 10-21 October 1977)*

The Governing Body took note of the report on the symposium and authorised the Director-General to forward it to governments of member States, to the em-

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<sup>1</sup> The Governing Body took note of the report.

<sup>2</sup> No paper was before the Governing Body on this item of its agenda.



ployers' and workers' organisations, to the international intergovernmental and non-governmental organisations concerned, including the non-governmental organisations with consultative status, and to any other interested bodies; and requested the Director-General to take account of the suggestions in the report concerning the role of the ILO in international action, in drafting proposals for ILO action in this field.

#### REPORT ON THE SYMPOSIUM ON SAFETY AND HEALTH OF MIGRANT WORKERS

*(Çavtat, 31 October-4 November 1977)*

The Governing Body asked the Director-General to convey its gratitude to the Government of Yugoslavia for the excellent facilities put at the disposal of the symposium and for the cordial welcome and hospitality extended to all the participants.

#### REPORT ON THE SYMPOSIUM ON COLLECTIVE BARGAINING IN INDUSTRIALISED COUNTRIES

*(Vienna, 2-9 November 1977)*

The Governing Body requested the Director-General to express its gratitude to the Government of Austria for the facilities placed at the disposal of the symposium and to the Government and employers' and workers' organisations for the welcome extended to the participants.

#### REPORT ON THE MEETING OF EXPERTS ON LIMITS OF EXPOSURE TO DANGEROUS AIRBORNE SUBSTANCES

*(Geneva, 21-28 November 1977)*

The Governing Body took note of the report on the meeting and authorised the Director-General to send the report to the governments of member States and through them to the employers' and workers' organisations, and to the international organisations concerned, and to take account of the experts' suggestions in making his programme proposals for ILO activities.

It was agreed that a reasonable time would be allowed for the Employers and others concerned to submit their comments on the Code of Practice adopted by the experts before the Code was published.

#### REPORT OF THE ASIAN ADVISORY COMMITTEE ON ITS SEVENTEENTH SESSION

*(Manila, 29 November-8 December 1977)*

The Governing Body expressed its sincere thanks to the Government of the Philippines for the facilities put at the Committee's disposal and for the cordial welcome extended to the participants, as well as to the national organisations of employers and workers for their warm hospitality.

The Director-General was authorised to transmit the Committee's report, conclusions and recommendations to the governments of the Asian member States and through them to the employers' and workers' organisations, as well as to the international intergovernmental organisations concerned, the non-governmental

organisations with consultative status and other non-governmental organisations concerned.

*Report of the Tripartite Evaluation Team on ILO Technical Co-operation Activities in Bangladesh*

The Governing Body expressed its deep gratitude to the Government and to the employers' and workers' organisations of Bangladesh for their full co-operation in the evaluation exercise, for the facilities put at the disposal of the tripartite evaluation team and for the cordial welcome extended to the members of the team during their stay in Bangladesh.

The report of the tripartite evaluation team and the comments and conclusions of the Asian Advisory Committee on that report will be referred for consideration to the Committee on Operational Programmes in November 1978.

The Director-General was authorised to transmit the team's report to the Government of Bangladesh and through it to the organisations of employers and workers.

*Agenda of the Ninth Asian Regional Conference*

The agenda for the Regional Conference is as follows:

1. Report of the Director-General.
2. Freedom of association, labour relations and development in Asia.
3. Problems of rural workers in Asia.

The Director-General was invited to include in his Report (a) a review of ILO activities in Asia and of the application of ILO standards and (b) a discussion of problems of improvement of working conditions and environment.

REPORT OF THE COMMITTEE APPOINTED BY THE GOVERNING BODY TO CONSIDER THE REPRESENTATION PRESENTED BY THE WORLD FEDERATION OF TRADE UNIONS UNDER ARTICLE 24 OF THE CONSTITUTION ALLEGING NON-OBSERVANCE OF THE DISCRIMINATION (EMPLOYMENT AND OCCUPATION) CONVENTION, 1958 (No. 111), BY DENMARK, THE FEDERAL REPUBLIC OF GERMANY, ITALY AND THE NETHERLANDS

The Governing Body declared the representation irreceivable as regards form and requested the Director-General to inform the organisation which had made the representation, as well as the governments concerned, of the decision taken.

REPORT OF THE COMMITTEE APPOINTED BY THE GOVERNING BODY TO CONSIDER THE REPRESENTATION PRESENTED BY THE INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS UNDER ARTICLE 24 OF THE CONSTITUTION ALLEGING NON-OBSERVANCE OF THE DISCRIMINATION (EMPLOYMENT AND OCCUPATION) CONVENTION, 1958 (No. 111), BY CZECHOSLOVAKIA

The Governing Body noted that the Committee it had appointed was still considering the representation.

TRIPARTITE DECLARATION OF PRINCIPLES CONCERNING MULTINATIONAL ENTERPRISES AND SOCIAL POLICY: POSSIBILITIES OF A FOLLOW-UP PROCEDURE

The Governing Body decided to invite governments to report periodically on the effect given to the Declaration, after full consultation of employers' and workers'

organisations, and to ask for a first report to be made two years after the communication of the Declaration to governments and through them to employers' and workers' organisations.

It asked the Director-General to submit a paper to it in November 1978, with a view to its taking a decision in March 1979 concerning the procedure for the consideration of reports on the effect given to the Declaration.

#### REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

*(177th to 180th Reports)*<sup>1</sup>

The Governing Body examined and approved the 177th, 178th, 179th and 180th Reports of its Committee on Freedom of Association.

As regards the case relating to Tunisia (No. 899), the Governing Body took note of a statement by the Director-General concerning the mission to Tunisia carried out by his representative and of a statement by the Tunisian Government representative.

As regards Case No. 853 (Chad), it was agreed that the Government's attention should be drawn to the need for ending the freeze of UNATRAT funds in order to enable that organisation to meet its obligations, notably in regard to the payment of the salaries of its permanent staff.

As regards Case No. 823 (Chile), it was understood that the Government's attention would be drawn specifically to the case of Mr. Bernardo Araya.

#### REPORTS OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE

On the basis of the reports of its Committee and of the recommendations contained therein, the Governing Body took note of information submitted to it concerning financial and administrative questions and personnel questions.

Furthermore, the Governing Body took the following decisions and action:

With regard to measures to deal with the financial situation resulting from the withdrawal of the United States, the Governing Body—

- (a) approved the programme reductions amounting to \$36.6 million proposed by the Director-General at the 204th (November 1977) Session of the Governing Body with various modifications suggested in the relevant paper submitted to the Committee;
- (b) in consequence, abolished 110 posts; and
- (c) authorised the Director-General, after consulting the Administrative Committee and with its unanimous agreement, to decide, in application of article 4.8 of the Staff Regulations, on modifications in the terms of employment of officials which may include a reduction of up to a maximum of 10 per cent of net salary (except that for the Professional and higher categories post adjustments will be included), for a period and in accordance with modalities which will permit the progressive adaptation of the level of staff in the ILO to the level established in the revised Programme and Budget for 1978-79, maximum use being made of all measures which, within the funds that will be available in 1978-79, would make it possible to avoid termination of appointments under article 11.4.1 (a) and article 11.5 of the Staff Regulations as well as non-renewal of contracts due to reduction of staff.

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<sup>1</sup> The texts of the 177th to 180th Reports will be published in *Official Bulletin*, Series B.

The Governing Body also took note of information on the possibility of making savings by alternating "heavy" and "light" sessions of the Conference and by introducing a combined verbatim and summary record. It postponed taking a decision on the maximum length of speeches at the Conference.

It also accepted, in accordance with paragraph 2 of article 12 of the Financial Regulations, voluntary contributions equivalent to \$4,021,172 already made or announced by member countries in response to an appeal by the Director-General.

With regard to the proposed abolition of the audited interim accounts at the end of the first year of each two-year financial period, the Governing Body decided to recommend the International Labour Conference to adopt a resolution<sup>1</sup> to that effect, providing for amendment of the Financial Regulations of the ILO and of the Staff Pensions Fund Regulations with effect from 1 January 1978.

With regard to the salary scale and transitional arrangements for General Service category staff approved by the United Nations General Assembly on the recommendation of the International Civil Service Commission, the Governing Body postponed its decision to its 206th Session. It noted that the Director-General would in the meantime, on the Governing Body's behalf, and jointly with the staff representatives, seek from the Administrative Tribunal of the ILO its opinion as to whether the introduction in the ILO of the salary scale and arrangements endorsed by United Nations General Assembly Resolution 32/200 of 21 December 1977 would constitute a breach of the agreement signed in April 1976 and acted upon by the Governing Body at its 200th Session, or of the rights of staff members under their terms of appointment. The Governing Body would be informed at its 206th Session of the opinion of the Tribunal, which would be accepted as binding. The new salary scale endorsed by the General Assembly would, however, be applied as from 1 April 1978 to any General Service category staff engaged on short-term appointments.

With regard to the Administrative Tribunal of the ILO, the Governing Body approved the recognition of the jurisdiction of the Administrative Tribunal by the European Patent Office. With regard to the composition of the Tribunal, it decided to recommend the Conference to adopt a resolution extending the term of office of Mr. André Grisel (Switzerland) as judge for a further period of three years.<sup>2</sup>

#### REPORT OF THE ALLOCATIONS COMMITTEE

##### *Position of Member States Which Do not Participate Actively in the Work of the Organisation*

The Governing Body decided that provision should be made in a separate part of the budget for an undistributed reserve equal to the net assessments on Members to which all three of the following criteria apply:

- (a) the Member has arrears equalling or exceeding the amount of the contributions due from it for the preceding two full years and has made no payment since the beginning of the last calendar year but one;
- (b) the Member has not made any arrangement approved by the Conference for the settlement of its arrears; and
- (c) the Member has not actively participated in the work of the Organisation since the beginning of the last calendar year but one;

<sup>1</sup> See *Official Bulletin*, 1978, Series A, No. 2, p. 119.

<sup>2</sup> *Ibid.*, p. 121.

and that the total budget less the undistributed reserve should constitute the effective working budget in respect of which expenditure is authorised.

In order to give effect to the foregoing decision in 1979, it decided to propose to the Conference the adoption of a resolution to that effect.<sup>1</sup>

### *Scale of Contributions to the Budget for 1979*

The Governing Body decided to propose to the Conference the adoption of the draft scale of assessments for 1979 set out in the Appendix to the report, subject to such adjustments as might be necessary following the assessment of new member States.

## REPORTS OF THE COMMITTEE ON STANDING ORDERS AND THE APPLICATION OF CONVENTIONS AND RECOMMENDATIONS

### *Standing Orders*

#### *Procedure in the Governing Body to fix the agenda of the International Labour Conference*

The Governing Body replaced the text of article 18 of its Standing Orders by the following:

1. When agreement on the agenda of the Conference has not been reached without vote, the Governing Body shall decide by a first vote whether it will place all the questions proposed on the agenda. If it decides to insert all the questions proposed, the agenda of the Conference is considered as fixed. If it does not so decide, the procedure shall be as follows:

2. Each member of the Governing Body entitled to vote shall receive a voting paper on which a list of all the questions proposed is given, and shall indicate the order in which he wishes them to be considered for inclusion in the agenda by marking his first preference "1", his second "2" and so forth; a voting paper which does not indicate the order of preference for all the questions proposed shall be void. Each member shall place his voting paper in the ballot box as his name is called on the roll.

3. Whenever a question is indicated as a first preference, it shall be allotted one point, whenever it is indicated as a second preference, two points and so forth. The questions shall then be listed on the basis of the total points obtained, the question with the lowest total being regarded as the first in order of preference. If the voting results in an equal number of points for each of two or more questions, a vote by show of hands shall be taken as between them. If the voting is still equal, the order of preference shall be decided by lot.

4. The Governing Body shall then decide the number of questions to be placed on the agenda, in the order of priority established in accordance with paragraphs 2 and 3. For that purpose, it shall vote first on the total number of questions proposed minus one, second on the total number of questions proposed minus two, and so forth, until a majority is obtained.

It was understood that whether an item should be set down for single or double discussion could be determined at any time before the final decision on the Conference agenda was taken or that the Governing Body could, by express decision prior to its final fixing of the agenda, leave the matter of single or double discussion open for later determination, in particular in the light of the results of technical meetings.

#### *Article 17 of the Governing Body Standing Orders (Voting)*

The Governing Body inserted the following text between paragraphs 1 and 2 of article 17 of its Standing Orders:

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<sup>1</sup> See *Official Bulletin*, 1978, Series A, No. 2, p. 121.

2. In case of doubt as to the result of a vote by show of hands, the Chairman may retake the vote by calling the roll of members entitled to vote.

the subsequent paragraphs being renumbered accordingly.

### *Application of Conventions and Recommendations*

#### *Operation of existing machinery and procedures for establishing facts relating to the application of international labour standards*

##### The Governing Body—

- (a) invited the Director-General, the supervisory bodies and the governments concerned to have recourse to the procedure of direct contacts whenever it might contribute to a better understanding of situations and the useful examination of solutions to problems;
- (b) invited the Director-General to submit to the Committee, at a future session, a paper concerning the procedure for the examination of representations provided for in article 24 of the Constitution of the ILO and containing suggestions for a revision of the Standing Orders governing that procedure; and
- (c) decided to insist, in all procedures before commissions of inquiry, the Fact-Finding and Conciliation Commission on Freedom of Association and similar bodies, on the necessity of obtaining guarantees against the dangers of reprisals against persons who submit information or observations to those bodies in pursuance of their mission, and to ensure that those guarantees are respected.

### REPORT OF THE INTERNATIONAL ORGANISATIONS COMMITTEE

The Governing Body took note of the report of the Joint IMCO/ILO Committee on Training on the meeting held in London in June 1977 and authorised the Director-General to enter into further consultations with the Secretary General of the Inter-Governmental Maritime Consultative Organisation and the Director-General of the World Health Organisation on the question of medical training of seafarers.

The Governing Body took note of the report of the Joint ILO/UNESCO Meeting of Experts on the Status of the Artist (Geneva, August-September 1977). It also took note of the recommendations adopted by the Asian Pacific Seminar on the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Bangkok, October 1977), and of the report on the Sixth Session of the Intergovernmental Committee of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Geneva, December 1977).

### REPORT OF THE INDUSTRIAL ACTIVITIES COMMITTEE

#### *Programme of Industrial Meetings : Review of Priorities and Other Problems*

The Governing Body decided that no change should be made for the time being in the composition of delegations to Industrial Committee-type meetings.

It decided that the reduced programme of industrial meetings for the 1978-79 biennium should consist of the following major meetings:

Textiles Committee (Tenth Session);

Second Tripartite Technical Meeting for the Food Products and Drink Industries;

Advisory Committee on Rural Development (Ninth Session);

Inland Transport Committee (Tenth Session);

Second Tripartite Technical Meeting for the Leather and Footwear Industry.

The Governing Body decided that the following smaller meetings would be maintained in the programme of industrial meetings for 1978-79:

Committee on Conditions of Work in the Fishing Industry;

Meeting of Experts on Problems concerning Air Traffic Controllers;

Meeting of Experts on Problems of Foreign Construction Workers Employed in European Countries.

*Report of the Meeting of Experts on Safety Problems in the Construction and Operation of Offshore Drilling Installations in the Petroleum Industry*  
(Geneva, 11-19 October 1977)

The Governing Body took note of the report of the Meeting of Experts and requested the Director-General—

- (a) to communicate it (i) to the governments of member States, informing them that the Governing Body had taken note of it and requesting them to transmit it to the employers' and workers' organisations concerned, and (ii) to the international governmental and non-governmental organisations concerned, in particular the non-governmental organisations with consultative status;
- (b) to explore with the Intergovernmental Maritime Consultative Organisation, the World Health Organisation and other appropriate bodies the action to be taken on the conclusions adopted by the Meeting; and
- (c) to take account of the report and conclusions of the Meeting when considering future ILO action in this field and planning the future programme of work of the Office.

*Report of the Tripartite Meeting on Conditions of Work and Employment of Professional Workers* (Geneva, 22-30 November 1977)

The Governing Body authorised the Director-General to communicate the report of the Tripartite Meeting and the Compendium of principles and good practices relating to conditions of work and employment of professional workers<sup>1</sup> adopted by the Meeting to governments and, through them, to the organisations of employers and workers, as well as to the international governmental and non-governmental organisations concerned, in particular to the non-governmental organisations with consultative status, informing them that the Governing Body had taken note of those texts.

It authorised the Director-General, when making his programme and budget proposals for the coming biennia, to take account of the suggestions on inter-institutional activities with regard to the brain drain and on the study to be carried out in co-operation with the World Intellectual Property Organisation to safeguard the rights of salaried inventors.

## COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS

### *Meetings*

#### *Meeting of Experts on Occupational Accident Prevention and Compensation*

The Governing Body approved the following agenda for the meeting:

1. The contribution of social security to accident prevention.
2. Desirable improvements in social security legislation regarding occupational accidents:

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<sup>1</sup> See pp. 176-183 below.

- (a) Identification of contingencies in the light of technological developments.
  - (b) Increased participation of social security in preventive measures.
  - (c) Adaptation of legislation and institutions, particularly in developing countries.
  - (d) Other questions.
3. Social security and the International Programme for the Improvement of Working Conditions and Environment (PIACT).

*Joint ILO/Council of Europe Meeting to Draft a European Agreement concerning Medical Care for Persons on Short Stays Abroad*

The Governing Body approved the following terms of reference for the meeting:

To draft, on the basis of a text prepared by the ILO, a governmental agreement between European countries concerning medical care for persons temporarily resident in the territory of a contracting party other than the competent State.

*Tripartite Advisory Meeting on Night Work*

The Governing Body approved the following agenda for the meeting:

1. Review of current aspects of the question of night work: identification and analysis of the main problems which may arise in different situations and of the measures taken or under consideration in various countries for solving those problems.
2. Formulation of suggestions as to future ILO action in regard to night work and particularly as to whether new standards should be adopted on the subject which might revise existing international standards; and, if so, the formulation of suggestions concerning the nature, scope and content of the new standards.

*Symposia, Seminars and Similar Meetings*

The Governing Body took note of the information supplied on these meetings.

REPORTS OF THE DIRECTOR-GENERAL

*Obituary*

The Governing Body requested the Director-General to convey its sympathy to the family of Mr. Charles Kuntschen, former deputy Employer member of the Governing Body, and to the Central Federation of Swiss Employers' Associations.

*Composition of the Governing Body*

The Governing Body approved the replacement of Mr. Cyril Plant, who had resigned on 16 November 1977 as a regular Worker member, by Mr. Glyn Lloyd on the Governing Body Committees of which Mr. Plant had been a member or substitute member.

*Procedure for the Appointment of Conference Committees*

The Governing Body appointed the following three persons to serve as the Appeals Board, should it be required to meet for the 64th (1978) Session of the Conference:



Mr. J. A. Barboza-Carneiro (Brazil).

Mr. I. Forster (Senegal).

Mr. A. Parodi (France).

It authorised the Director-General, if the Board was required to meet and any of the above-mentioned persons was unable to serve, to convene other members of the Panel so as to ensure that the Appeals Board was duly constituted.

*Past Practice concerning Special Inquiries with Particular Reference to Human Rights Questions*

The Governing Body took note of the report.

*ILO Delegation to the International Conference on Training and Certification of Seafarers to Be Convened by IMCO*

The Governing Body authorised the Director-General to invite—

- (a) the persons to be nominated by the Governments of India and Norway; and
- (b) the following persons nominated by the respective groups:

*Employers' group :*

Mr. J. Degerbol (Denmark)

Mr. J. A. Hadjipateras (Greece)

Captain R. D. Kohli (India)

Mr. Mpanza Manana (Zaire)

Mr. J. K. Rice-Oxley (United Kingdom)

*Workers' group :*

Mr. K. Kihata (Japan)

Mr. K. A. Murphy (United Kingdom)

Mr. S. E. Nylund (Finland)

Mr. K. Mols Sørensen (Denmark)

Mr. W. van Zuylen (Netherlands)

*Substitutes :*

Mr. T. Ahlqvist (Sweden)

Mr. O. A. Sychenikov (USSR)

Mr. E. Venturini (Argentina)

to form part of the ILO delegation to the International Conference on Training and Certification of Seafarers to be convened by the Inter-Governmental Maritime Consultative Organisation.

The Governing Body noted that the Director-General would consult the Secretary-General of IMCO further on ways of ensuring that the delegation played as full a part as possible in the work of the Conference.

*Reports of the Officers of the Governing Body*

*Incomplete delegations at tripartite meetings*

The Governing Body took note of the situation described in the report, it being understood that the Director-General would continue to draw the attention of governments failing to send complete delegations to their obligations in this respect.

It authorised the Director-General to extend the scope of the inquiries concerning the reasons for failure to send tripartite delegations to ILO meetings to cases of failure to send any delegation at all to future sessions of the General Conference, regional conferences and sessions of Industrial Committees.

*Representation presented by the World Federation of Trade Unions under article 24 of the Constitution alleging non-observance of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), by the Federal Republic of Germany*

In accordance with article 2, paragraph 3, of the Standing Orders concerning the procedure for the discussion of representations, the Governing Body appointed a committee composed as follows: Mr. Griffin (Government member), Mr. Polites (Employer member) and Mr. Maier (Worker member).

The Governing Body decided that, as in the case of previous representations, the committee should be empowered to perform all the functions entrusted by the 1932 Standing Orders to the Governing Body as a whole until it was in a position to submit to the Governing Body proposals as to the action, if any, to be taken on the representation.

#### *Members of chief industrial importance*

The Governing Body postponed consideration of the matter to its 206th Session.

#### *Tripartite meeting on apartheid to be held within the framework of the Conference at its 64th (1978) Session*

The Director-General was requested to submit detailed proposals to the Conference for the holding of a meeting along the lines set out in paragraphs 2 and 3 of the report within the framework of its 64th (1978) Session.<sup>1</sup>

#### *Reconstitution of panels of consultants*

The Governing Body decided—

- (a) that the three panels of consultants for agriculture, for women workers and for young workers should be allowed to lapse, it being understood that the Office would continue to consult recognised experts in the fields concerned and convene ad hoc meetings as required by the programme of work, subject to the Governing Body's approval of the agenda and of the choice of experts to be invited after appropriate consultations with the groups; and
- (b) that the Panel of Consultants on Safety in Mines should be reconstituted for five years with its previous terms of reference but with a reduced membership of 18, consisting of equal numbers drawn from government, employer and worker circles.

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<sup>1</sup> "2. As part of the ILO contribution to the activities associated with this International Year [against Apartheid], the Officers of the Governing Body have given consideration to a proposal that a special tripartite meeting be held, lasting one day, within the framework of the 64th Session of the International Labour Conference in June 1978.

"3. The object of the special meeting would be to provide an opportunity for demonstrating, on a tripartite basis, ILO concern over apartheid in labour matters in the context of the International Year, and to offer to governments, employers and workers the opportunity of describing measures taken or proposed by them in this field. The meeting might also wish to give consideration to possible means whereby practical action which has been taken or might be taken for the elimination of apartheid in areas of particular concern to the ILO could be kept under review."

*Participation of International Organisations in the 64th (1978) Session of the Conference*

*Intergovernmental organisations*

The Governing Body authorised the Director-General to invite the following organisations to be represented at the 64th Session of the International Labour Conference:

- Andean Group (Cartagena Agreement).
- Caribbean Community (CARICOM) Secretariat.
- World Tourism Organisation.

*Non-governmental organisations*

The Governing Body authorised the Director-General to invite the following organisations to be represented at the 64th Session of the Conference, it being understood that it would be for the Selection Committee of the Conference to consider their requests to participate in the work of the committees dealing with the items on the agenda in which they had expressed an interest:

- Arab Federation of PTT Workers.
- Caribbean Employers' Confederation.
- European Organisation of Military Associations.
- International Association for Social Progress.
- International Association of Crafts and Small and Medium-Sized Enterprises.
- International Confederation of Executive Staffs.
- International Federation of Chemical, Energy and General Workers' Unions.
- International Federation of Plantation, Agricultural and Allied Workers.
- International Metalworkers' Federation.
- International Organisation for Standardisation.
- International Union of Food and Allied Workers' Associations.
- Postal, Telegraph and Telephone International.
- Standing Committee of the Trade Unions of the Graphic Industries.
- Trade Unions International of Chemical, Oil and Allied Workers.
- Trade Unions International of Public and Allied Workers.
- Trade Unions International of Transport Workers.
- World Young Women's Christian Association.

*Participation of Non-Metropolitan Territories as Observers in the 64th (1978) Session of the International Labour Conference*

The Governing Body authorised the Director-General to invite Belize and Bermuda, through the Government of the United Kingdom, to send a tripartite observer delegation to the 64th Session of the Conference.

PROGRAMME OF MEETINGS

The Governing Body asked the Director-General to convey to the Government of Venezuela its thanks for the Government's generous invitation to hold the Fifth International Conference on Pneumoconioses in Caracas from 29 October to 3 November 1978.

It approved the following programme of meetings for 1978 and partial programme of meetings for 1979:

Date	Title of meeting	Place
<b>1978</b>		
9-22 March	Committee of Experts on the Application of Conventions and Recommendations	Geneva
4-13 April	Textiles Committee (Tenth Session)	„
24-29 April	Government Members of the Working Party on Structure	„
25 May-3 June	206th Session of the Governing Body and its Committees	„
29-30 May	Working Party on Structure	„
7-28 June	64th Session of the International Labour Conference	„
Immediately after the Conference	207th Session of the Governing Body <sup>1</sup>	„
. . . . . <sup>2</sup>		

### *Meeting of European Members and Deputy Members of the Governing Body*

It was agreed that a meeting of the European members and deputy members of the newly elected Governing Body would take place during the Conference to consider the agenda of the Third European Regional Conference and report to the Governing Body at its 207th Session (June 1978).

### *Symposia and Other Technical Meetings*

It was noted that the Director-General would submit to the Governing Body at its next session a paper reviewing the rules and criteria covering the work, composition, agenda and financing of symposia and other technical meetings.

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<sup>1</sup> To be preceded by a meeting of the European members and deputy members of the Governing Body; see below.

<sup>2</sup> For the remainder of the programme, see the decisions of the 207th Session of the Governing Body (p. 162 below).

## 206th Session of the Governing Body of the International Labour Office

*(Geneva, 2-3 June 1978)*

The 206th Session of the Governing Body of the International Labour Office was held on Friday 2 and Saturday 3 June 1978, under the chairmanship of Mr. J. Morris.

The agenda was as follows:

1. Approval of the minutes of the 205th Session.<sup>1</sup>
2. Agenda of the 66th (1980) Session of the Conference.
3. Determination of the Members of the Organisation of chief industrial importance.
4. Report of the Committee of Experts on the Application of Conventions and Recommendations (Geneva, 9-22 March 1978).<sup>2</sup>
5. Report of the Committee set up to consider the representation presented by the International Confederation of Free Trade Unions under article 24 of the Constitution alleging non-observance of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), by Czechoslovakia.
6. Reports of the Committee on Freedom of Association.
7. Reports of the Programme, Financial and Administrative Committee.
8. Report of the Allocations Committee.
9. Report of the International Organisations Committee.<sup>3</sup>
10. Report of the Industrial Activities Committee.
11. Composition and agenda of standing bodies and meetings.
12. International Centre for Advanced Technical and Vocational Training.<sup>4</sup>
13. Report of the Director-General.

\* \* \*

The following is an account of the action taken by the Governing Body on the agenda.

### AGENDA OF THE 66TH (1980) SESSION OF THE CONFERENCE

With a view to determining the agenda of the 1980 Session of the Conference, the Governing Body decided that at its 208th Session (November 1978) it should receive more detailed proposals on the following subjects:

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<sup>1</sup> The Governing Body approved these minutes.

<sup>2</sup> The Governing Body took note of the report.

<sup>3</sup> No paper was before the Governing Body on this item of its agenda.

<sup>4</sup> The Governing Body postponed consideration of this item to its 207th Session.

promotion of collective bargaining;  
 equal opportunities and equal treatment for men and women workers: workers with family responsibilities;  
 social security and employment (general discussion);  
 night work;  
 safety and health and the working environment;  
 amendment of the list of occupational diseases appended to the Employment Injury Benefits Convention, 1964 (No. 121);  
 it being understood that the last two subjects should be referred to the Conference for joint treatment.

## DETERMINATION OF THE MEMBERS OF THE ORGANISATION OF CHIEF INDUSTRIAL IMPORTANCE

### *Vacancy in the Governing Body*

The Governing Body took note of a paper dealing with various legal aspects of the problem which had been raised at its 205th Session.

### *Third Report of the Officers Submitted to the Governing Body at Its 205th Session*

The Governing Body authorised its Officers to approve on its behalf proposals for the appointment of the Committee provided for in article 7 of the Constitution of the Organisation and article 13 of the Standing Orders of the Governing Body.

## REPORT OF THE COMMITTEE SET UP TO CONSIDER THE REPRESENTATION PRESENTED BY THE INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS UNDER ARTICLE 24 OF THE CONSTITUTION ALLEGING NON-OBSERVANCE OF THE DISCRIMINATION (EMPLOYMENT AND OCCUPATION) CONVENTION, 1958 (No. 111), BY CZECHOSLOVAKIA

On the basis of articles 8 and 9 of the Standing Orders concerning the Procedure for the Discussion of Representations, the Governing Body decided—

- (a) to open the discussion on the application of article 25 of the Constitution, under which, if a statement received from the Government against which a complaint is made under article 24 of the Constitution is not deemed to be satisfactory by the Governing Body, the latter shall have the right to publish the representation and the statement made in reply to it;
- (b) that the deliberations concerning the affair should take place on the afternoon of Wednesday, 15 November 1978;
- (c) in conformity with article 26 of the Constitution, to invite the Government in question to send a representative to take part in its discussions.

## REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

### *(181st to 186th Reports)* <sup>1</sup>

The Governing Body examined and approved the 181st, 182nd, 183rd, 184th, 185th and 186th Reports of the Committee.

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<sup>1</sup> The texts of the 181st to 186th Reports will be published in *Official Bulletin*, Series B.

## REPORTS OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE

On the basis of the reports of its Committee and of the recommendations contained therein, the Governing Body took note of information submitted to it concerning financial and administrative questions, and personnel questions.

Furthermore, the Governing Body took the following decisions and action.

It decided to propose to the Conference the adoption of a composite financing resolution concerning the programme and budget for 1978-79.<sup>1</sup>

The Governing Body examined the impact of further changes in the US dollar-Swiss franc exchange rate. It decided that, in order to provide the additional net amount of \$22.5 million required to finance the reduced 1978-79 programme and budget approved by the Governing Body, on the basis of an average exchange rate of 1.93 Swiss francs to the dollar for 1978 and 2 Swiss francs to the dollar for 1979 (instead of 2.51 Swiss francs to the dollar as originally budgeted for), to recommend to the Conference that it should provide in Part IV of the budget (Provision for effects of exchange rate adjustments) the amount of \$30,588,870 and in Part V (Undistributed Reserve) an amount of \$1,766,609, the total of \$32,355,479 to be assessed on member States in 1979 in accordance with the scale of contributions to be determined by the Conference.

In accordance with paragraph 2 of article 12 of the Financial Regulations, the Governing Body accepted the voluntary contributions, equivalent to \$1.49 million, paid and offered since its 205th Session.

The Governing Body decided to recommend to the Conference the adoption of a resolution concerning the Working Capital Fund.<sup>2</sup>

It also considered further the proposal concerning the introduction of a combined verbatim and summary record at the Conference and decided:

- (a) that the amount of \$142,000 which had been included in the 1978-79 programme reductions previously approved by the Governing Body should be restored; and
- (b) that, in order to ensure that the net resources to be received from present member States, taking into account the related provision already contained in the approved programme and budget, would cover the full amount of \$142,000 so restored, it should recommend the Conference to include in Part I of the budget (Ordinary budget) an additional amount of \$51,050 and in Part V (Undistributed Reserve) an amount of \$2,948, the total of \$53,998 to be assessed on member States in 1979 in accordance with the scale of assessments to be determined by the Conference.

The Governing Body appointed Sir Douglas Henley, KCB (United Kingdom) as External Auditor and Mr. Donald P. Smith (United Kingdom) as Deputy External Auditor of the Organisation for the period up to 1 April 1980.

Finally, it gave further consideration to the in-depth review of international labour standards.

## REPORT OF THE ALLOCATIONS COMMITTEE

### *Assessment of the Contributions of New Member States and Resulting Adjustments to the Scale of Assessments for 1979*

The Governing Body took note of these sections of the report.

<sup>1</sup> Adopted without modification by the Conference at its 64th (1978) Session. See *Official Bulletin*, 1978, Series A, No. 2, p. 122.

<sup>2</sup> Adopted by the Conference at its 64th (1978) Session. See *ibid.*, p. 120.

Furthermore, it authorised the Allocations Committee to continue its work, if necessary, after the meetings of the Governing Body on 2 and 3 June 1978 and to submit its report direct to the Finance Committee of Government Representatives of the Conference.

## REPORT OF THE INDUSTRIAL ACTIVITIES COMMITTEE

### *Tripartite Technical Meeting for Civil Aviation, 1977: Effect to Be Given to the Conclusions and Resolutions of the Committee*<sup>1</sup>

The Governing Body authorised the Director-General—

- (a) to communicate the texts adopted by the Tripartite Technical Meeting for Civil Aviation (i) to governments, informing them that the Governing Body had taken note of those documents and requesting them to communicate the texts to the employers' and workers' organisations concerned, and (ii) to the international organisations of employers and workers having consultative status; and
- (b) to draw the special attention of governments and, through them, that of the employers' and workers' organisations concerned, as well as that of the international employers' and workers' organisations having consultative status to (i) the report and Conclusions (No. 1) concerning occupational health and safety in civil aviation; and (ii) the report and Conclusions (No. 2) concerning employment security in civil aviation.

#### *Occupational health and safety*

The Governing Body requested the Director-General, when planning the future programme of work of the Office, to take account of the wishes expressed by the Meeting in paragraphs 4, 7, 9 and 18 of Conclusions No. 1.

#### *Employment security*

The Governing Body requested the Director-General, when planning the future programme of work of the Office, to bear in mind the wish expressed by the Meeting in paragraph 19 of Conclusions No. 2.

#### *Hijacking*

The Governing Body (i) endorsed the recommendation of the Meeting as expressed in operative subparagraph (a) of Resolution No. 3; and (ii) requested the Director-General to give effect to the wishes expressed by the Meeting in operative subparagraphs (b) and (c) of Resolution No. 3.

#### *Trade union rights*

The Governing Body requested the Director-General (a) to transmit an appeal to the governments of all member States in accordance with operative subparagraphs (1) and (2) of Resolution No. 4; and (b) to give effect to the wish expressed in operative subparagraph (3) of Resolution No. 4.

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<sup>1</sup> For the texts adopted by the Meeting, see pp. 184-191 below.



### *Future ILO action*

The Governing Body (i) decided to bear in mind the wishes expressed in the operative part of Resolution No. 6 when considering future proposals for activities in the field of civil aviation; and (ii) requested the Director-General, when planning the future programme of work of the Office, to bear in mind the wishes expressed in operative subparagraphs (a) to (e) of Resolution No. 6.

#### *Committee on Conditions of Work in the Fishing Industry : Invitation of Non-Governmental International Organisations*

The Director-General was authorised to invite the following non-governmental international organisations to be represented at the meeting:

International Transport Workers' Federation;

Trade Unions International of Transport Workers (WFTU);

General Committee for Agricultural Co-operation in the European Economic Community;

Trade Unions International of Food, Tobacco, Hotel and Allied Industries Workers (WFTU).

### COMPOSITION AND AGENDA OF COMMITTEES AND OF VARIOUS MEETINGS <sup>1</sup>

#### *Standing Bodies*

##### *Panel of Consultants on Workers' Education*

The Governing Body appointed the following persons <sup>2</sup> as members of the Panel of Consultants on Workers' Education for a period expiring on 31 May 1980:

Mr. Kurt Prokop, Austrian Confederation of Trade Unions;

Mr. Steen Sillemann, International Confederation of Free Trade Unions.

##### *Advisory Committee on Rural Development*

After having taken note of the sections of the report relating to the composition of the Advisory Committee, the Governing Body approved the following agenda for the Ninth Session (Geneva, 20-29 November 1979) of the Committee:

1. Review of ILO rural development activities since 1974.
2. Poverty and employment in the rural areas of the developing countries.
3. Rural employers' and workers' organisations and participation.

#### *Meetings*

##### *Committee on Conditions of Work in the Fishing Industry*

The Governing Body approved the nomination of the Governments of the following countries to membership of the Committee on Conditions of Work in the Fishing Industry: Canada, Ghana, Japan, Norway, Peru, Spain, USSR.

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<sup>1</sup> The titles and functions of the persons appointed are given in full in the documents submitted to the Governing Body.

<sup>2</sup> To replace Mr. K. Hummel and Mr. D. Pedersen, who no longer occupy a post justifying continued membership of the Panel.

It approved the nominations of the following persons as members of the Committee:

*Members nominated after consulting the Employers' group of the Governing Body :*

Mr. Terje Dahl (Norway).

*Personal substitute :*

Mr. Arne Eidsmo (Norway).

Mr. D. A. Hammond (Ghana).

*Personal substitute :*

Mr. Ocran (Ghana).

Mr. Jonas Haraldsson (Iceland).

Mr. Guillermo McLeod (Panama).

*Personal substitute :*

Mr. Roberto Ordóñez (Panama).

Mr. Jai Dong Roh (Republic of Korea).

*Personal substitute :*

Mr. Jee Hwan Lim (Republic of Korea).

Mr. Teruhisa Uchida (Japan).

*Personal substitute :*

Mr. Sadaharu Furuta (Japan).

Mr. Fernando Yllanes Gaxiola (Mexico).

*Substitutes*

Mr. Earl Demone (Canada).

*Personal substitute :*

Mr. W. O. Morrow (Canada).

Mr. Ganser (Federal Republic of Germany).

Mr. Alain Parres (France).

*Members nominated after consulting the Workers' group of the Governing Body :*

Mr. D. K. Cairns (United Kingdom).

Mr. T. Futami (Japan).

Mr. F. M. Korovine (USSR).

Mr. K. Kristoffersen (Norway).

Mr. J. Levia (Canada).

Mr. H. Rake (Federal Republic of Germany).

Mr. A. K. Tevie (Ghana).

*Substitutes :*

Mr. J.-P. Allio (France).

Mr. S. Barbon (Italy).

Mr. F. G. Caxe (Spain).

Mr. A. Gruénais (France).

Mr. G. Hallvardsson (Iceland).

Mr. M. Kpodjedo Gbedji (Benin).

*Meeting of Experts on Occupational Accident Prevention and Compensation*

The Governing Body approved the following nominations:

*Experts nominated on the proposal of governments after appropriate consultations :*

Mr. Nik Mohamed Amin (Malaysia).  
Dr. Victorino Anguera Sansó (Spain).  
Mr. Celso Barroso Leite (Brazil).  
Mr. Mohamed Mentouri (Algeria).  
Mr. L. Lamers (Netherlands).  
Mr. Andrej Nusbek (Poland).  
The Rt. Hon. Sir Owen Woodhouse (New Zealand).

*Experts nominated after consulting the Employers' group of the Governing Body :*

Dr. Hans-Albrecht Bischoff (Federal Republic of Germany).  
Mr. Franco Giusti (Italy).  
Mr. Jairo Escobar Padrón (Colombia).  
Dr. Ernest Mastromatteo (Canada).  
Mr. M. G. Mortuja (Bangladesh).  
Mr. Mukadi Mulumbangindu (Zaire).  
Mr. Inge Svensson (Sweden).

*Substitutes :*

Mr. Richard Adu-Bonsra (Ghana).  
Mr. Boullaha Ould Moktar Lahi (Mauritania).  
Mr. André Cordy (Belgium).  
Mr. A. M. den Boer (Netherlands).  
Mr. Joseph Dickson-Ackah, Jr. (Ghana).  
Mr. M. Ghose (India).  
Miss A. G. Hanley (United Kingdom).  
Mr. E. C. Jagha (Nigeria).  
Mr. T. Jeyarajasingham (Sri Lanka).  
Mr. Beh Tong Ng (Malaysia).  
Mr. Kai Chi Tuan.  
Mr. Alberto Valenzuela (Mexico).  
Mr. Victor Manuel Vial del Río (Chile).  
Mr. Bernard Vrillon (France).

*Experts nominated after consulting the Workers' group of the Governing Body :*

Mr. Marcel Atlan (France).  
Mr. Ivan Baptist (Singapore).  
Mr. Frank Chafe (Canada).  
Mr. Bart Madlener (Netherlands).  
Mr. T. W. Mawer (United Kingdom).  
Mr. Citalu M. Sampa (Zambia).  
Mr. Jaroslav Tyc (Czechoslovakia).

*Substitutes :*

Mr. Grégoire Ajbane (Benin).  
Mr. A. P. Semenov (USSR).

*Tripartite Advisory Meeting on Night Work*

The Governing Body approved the following nominations:

*Nominations made after consulting the Employers' group of the Governing Body :*

Mr. John Dunne (Ireland).  
Mr. Humberto Escoto (Mexico).

Mr. Peter Farmer (United Kingdom).  
 Mr. Warrick Jones (Australia).  
 Mr. P. M. Mantri (India).  
 Mr. Horacio Meléndez Elgueta (Chile).  
 Chief B. O. Olaiya (Nigeria).  
 Mr. Guy Richelet (France).  
 Mr. O. S. van der Veen (Netherlands).  
 Mr. Jan van Holm (Belgium).  
 Mr. David Wong (Malaysia).  
 Mr. Donald H. Wylie (New Zealand).

*Substitutes :*

Mr. Richard Adu-Bonsra (Ghana).  
 Mr. Carlos Felipe Arango Fonnegra (Colombia).  
 Mr. Boullaha Ould Moktar Lahi (Mauritania).  
 Mr. I. A. M. Copland (United Kingdom).  
 Mr. S. R. de Silva (Sri Lanka).  
 Mr. Joseph Dickson-Ackah, Jr. (Ghana).  
 Mr. Gunnar Hogberg (Sweden).  
 Mr. Peter Knevels (Federal Republic of Germany).  
 Mr. Richard C. Y. Ma.  
 Mr. Augusto Maglietta Pollari (Italy).  
 Mr. Mukadi Mulumbangindu (Zaire).  
 Mr. T. Naruse (Japan).  
 Mr. Alan Reed (United Kingdom).

## REPORT OF THE DIRECTOR-GENERAL

### *Obituary*

The Governing Body requested the Director-General to convey its sympathy on the death of Dr. A. M. Malik, a former Chairman of the Governing Body, a former Minister of Labour of Pakistan and Government delegate of Pakistan at many sessions of the International Labour Conference, to his family; on the death of Mr. Rosario Purpura, substitute representative of Italy on the Governing Body since 1951 and Italian Government delegate to some 25 sessions of the International Labour Conference, to his family and to the Government of Italy; on the death of Mr. Félix Martínez Espino O., deputy Employer member of the Governing Body and Venezuelan Employers' delegate at each annual session of the International Labour Conference since 1962, to his family and to the Venezuelan Federation of Chambers and Associations of Commerce and Production; on the death of Professor Ernest Kaiser, former Vice-Director of the Swiss Federal Social Insurance Office, who had very close and long-standing associations with the ILO in the field of social security, to his family.

### *Composition of the Organisation Progress of International Labour Legislation Publications and Documents Interpretation of Conference Decisions*<sup>1</sup>

The Governing Body took note of these sections of the report.

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<sup>1</sup> See pp. 192-198 below.

### *Appointment of Assistant Director-General*

The Governing Body noted that, after having duly consulted the Officers of the Governing Body, the Director-General had decided to appoint Mr. Kazuo Francis Yoshimura as Assistant Director-General for a period of five years from 18 February 1978.

### *General Service Category Salaries at Geneva*

The Director-General was requested to have further negotiations on the matter with the Staff Union and to report back to the Governing Body at its 208th Session.

### *Procedure for the Appointment of Committees by the Conference*

The Governing Body decided to propose to the International Labour Conference that Mr. Constantin Stavropoulos (Greece)<sup>1</sup> should be appointed for a term of three years to the Panel of five persons appointed by the Conference from which the Governing Body appoints the Appeals Board.

### *Participation of Non-Metropolitan Territories as Observers in the 64th (1978) Session of the International Labour Conference*

The Director-General was authorised to invite Antigua, through the Government of the United Kingdom, to send a tripartite observer delegation to the 64th Session of the International Labour Conference.

### *Symposia, Seminars and Similar Meetings<sup>2</sup>*

Note was taken of a request by the Employers' group that the Office should submit to the Governing Body a paper on the subject of the arrangements for establishing codes of practice.

### *Draft Annual Report of the Governing Body to the Conference*

The Governing Body approved its report for the year 1977-78 for communication to the Conference at its forthcoming 64th (June 1978) Session, it being understood that when the Chairman of the Governing Body introduced its report in his opening address to the Conference he should bring the report up to date in the light of the action taken by the Governing Body at its 206th Session.

### *Participation of International Organisations in the 64th (1978) Session of the International Labour Conference*

#### *Intergovernmental organisations*

The Director-General was authorised to invite the following organisations to be represented at the 64th Session of the Conference:

Economic Community of the Countries of the Great Lakes;  
General Secretariat of the Organisation of the Islamic Conference;  
Simón Rodríguez Convention;  
West African Economic Community.

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<sup>1</sup> To replace Mr. H. H. Koch (Denmark).

<sup>2</sup> The Governing Body postponed further consideration of this part of the report to its 208th Session.

### *Non-governmental organisations*

The Director-General was authorised to invite the following organisations to be represented at the 64th Session of the Conference, it being understood that it would be for the Selection Committee of the Conference to consider their requests to participate in the work of the committees dealing with the items on the agenda in which they had expressed an interest:

African Committee for Trade Union Co-ordination of Action against Apartheid;  
Confederation of International Contractors' Associations;  
European Trade Union Confederation;  
International Alliance of Women;  
International Confederation of Catholic Charities (Caritas Internationalis);  
International Confederation of Professional and Intellectual Workers;  
International Confederation of Public Service Officers;  
International Confederation of Temporary Work Organisations;  
International Council of Nurses;  
International Council of Voluntary Agencies;  
International Council of Women;  
International Federation of Building and Woodworkers;  
International Federation of Business and Professional Women;  
International Federation of Commercial, Clerical and Technical Employees;  
International Federation of Employees in Public Service;  
International Federation of Free Teachers' Unions;  
International Federation of University Women;  
International Federation of Women Lawyers;  
International Organisation for Commerce;  
International Planned Parenthood Federation;  
International Textile, Garment and Leather Workers' Federation;  
International Transport Workers' Federation;  
International Young Christian Workers;  
Organisation of African Trade Union Unity;  
Pan-American Confederation of Commercial Travellers;  
Permanent Congress of Trade Union Unity of the Workers of Latin America;  
Public Services International;  
Soroptimist International;  
Trade Unions International of Agricultural, Forestry and Plantation Workers;  
Trade Unions International of Textile, Clothing, Leather and Fur Workers;  
Union of European Associations of Bank Employees;  
World Confederation of Organisations of the Teaching Profession;  
World Confederation of Teachers;  
World Federation of Teachers' Unions;  
World ORT Union.

### *Reports of the Officers of the Governing Body*

#### *Requests by non-governmental international organisations to be represented at the 64th (1978) Session of the Conference*

The Director-General was authorised to invite the following organisations to be represented at the 64th (1978) Session of the International Labour Conference, it

being understood that it would be for the Selection Committee of the Conference to consider their requests to participate in the work of the committees dealing with the items on the agenda in which they had expressed an interest:

International Road Transport Union;

International Union of Police Trade Unions.

*Requests for representation at the Conference submitted by liberation movements recognised by the Organisation of African Unity*

The Governing Body decided to invite the following liberation movements to be represented at the 64th Session of the Conference:

African National Congress (ANC) (South Africa);

Pan Africanist Congress (PAC) (South Africa);

Patriotic Front (Zimbabwe African National Union—ZANU);

South West African People's Organisation (SWAPO).

*Letter from the Representative of the Spanish Trade Union Confederation of Workers' Committees*

The Governing Body took note of this part of the report.

It was understood that in future the Director-General would inform the Governing Body when he received a communication from an organisation containing any suggestion as to the Conference agenda which the Governing Body was required to consider in accordance with article 14 (1) of the Constitution, but that he would not necessarily distribute the communication, and that the Office would take account of the communication in preparing material for submission to the Governing Body for the purpose of determining the Conference agenda.

\* \* \*

*Absence of Mr. Antonio Vitaic Jakasa, Deputy Employer Member of the Governing Body*

Note was taken of statements by the Director-General and the representative of the Government of Argentina.

*Absence of Mr. Beyene Solomon, Deputy Worker Member of the Governing Body*

Note was taken of a request by the Workers' group that the Director-General should make further inquiries about the fate of Mr. Solomon.

*Delegation by the Governing Body to its Officers of the Authority to Carry out Its Responsibilities under Article 18 of the Standing Orders of the Conference*

The Governing Body decided, for the period of the 64th (June 1978) Session of the Conference, to delegate to its Officers the authority to carry out its responsibilities under article 18 of the Conference Standing Orders in relation to proposals involving expenditure in the fifty-sixth financial period ending 31 December 1979.

## 207th Session of the Governing Body of the International Labour Office

(Geneva, 29 June 1978)

The 207th Session of the Governing Body of the International Labour Office was held on Thursday 29 June 1978.

The agenda was as follows:

1. Election of the Officers of the Governing Body for 1978-79.
2. Appointment of Governing Body committees and of members of regional advisory committees and various bodies.
3. Report of the Allocations Committee.<sup>1</sup>
4. Composition and agenda of standing bodies and meetings.
5. International Centre for Advanced Technical and Vocational Training.<sup>1</sup>
6. Report of the Director-General.
7. Questions arising out of the 64th Session of the International Labour Conference.
8. Programme of meetings.
9. Appointment of Governing Body representatives on various bodies.

\* \* \*

The following is an account of the action taken by the Governing Body on the agenda.

### ELECTION OF THE OFFICERS OF THE GOVERNING BODY FOR 1978-79

The Governing Body elected Mr. Héctor Charry Samper, representative of the Government of Colombia on the Governing Body, as its Chairman for the year 1978-79.

It elected Mr. Bergenström as Employer Vice-Chairman and Mr. Morris as Worker Vice-Chairman for the year 1978-79.

### APPOINTMENT OF GOVERNING BODY COMMITTEES AND OF MEMBERS OF REGIONAL ADVISORY COMMITTEES AND VARIOUS BODIES

#### *Appointment of Governing Body Committees*

At the proposal of the groups, the Governing Body constituted its various committees as follows:

#### *Programme, Financial and Administrative Committee*

*Chairman* (ex officio): The Chairman of the Governing Body  
(1978-79: Mr. Héctor Charry Samper (Colombia))

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<sup>1</sup> The Governing Body took note of the report.



*Government group :*

Brazil.  
Canada.  
Colombia.  
France.  
Germany, Federal Republic of.  
Guyana.  
India.  
Iran.  
Italy.

Japan.  
Nigeria.  
Pakistan.  
Romania.  
Tunisia.  
USSR.  
United Kingdom.  
Yugoslavia.  
Zambia.

*Substitutes :*

Angola.  
Australia.  
Bangladesh.  
China.  
Czechoslovakia.  
German Democratic Republic.  
Honduras.  
Lebanon.  
Malta.  
Mexico.

Mozambique.  
Nicaragua.  
Philippines.  
Sierra Leone.  
Spain.  
Sweden.  
Switzerland.  
Thailand.  
Venezuela.

*Employers' group :*

Mr. Bannerman-Menson.  
Mr. Bergenström.  
Mr. Coates.  
Mr. Georget.  
Mr. Lee.  
Mr. Munga-wa-Nyasa.  
Mr. Nasr.

Mr. Oechslin.  
Mr. Ola.  
Mr. Owuor.  
Mr. Polites.  
Mr. Richan.  
Mr. Végh Garzón.  
Mr. Verschueren.

*Substitutes :*

Mr. Chambers.  
Mr. Eurnekian.  
Mr. Gonzales Blanco.

Mr. Lindner.  
Mr. Moukoko Kingue.  
Mr. Polese.

*Workers' group :*

Mr. Aguiriano.  
Mr. Issifu.  
Mr. Lloyd.  
Mr. Macha.  
Mr. Maier.  
Mr. Mehta.  
Mr. Morris.

Mr. Muhr.  
Mr. Pimenov.  
Mr. Sánchez Madariaga.  
Mr. Sunde.  
Mr. Tanaka.  
Mr. Walcott.

*Substitutes :*

Mr. Barnabo.  
Mr. Cuevas.  
Mr. González Navarro.  
Mr. Hawke.  
Mr. Siwa di Banza.

Mr. Sow.  
Mr. Sudono.  
Mr. Timmer.  
Mr. Zimba.

### *Allocations Committee*

#### *Government group :*

United Republic of Cameroon.  
Canada.  
Czechoslovakia.  
France.  
Germany, Federal Republic of.

India.  
Ivory Coast.  
Japan.  
Mexico.  
USSR.

#### *Substitutes :*

China.  
Iran.  
Italy.

Kenya.  
Romania.  
United Kingdom.

### *Committee on Standing Orders and the Application of Conventions and Recommendations*

#### *Government group :*

United Republic of Cameroon.  
Canada.  
China.  
Colombia.  
Czechoslovakia.  
France.

Iran.  
Ivory Coast.  
Japan.  
Spain.  
USSR.  
United Kingdom.

#### *Substitutes :*

Argentina.  
Australia.  
Gabon.  
Germany, Federal Republic of.  
India.  
Italy.

Kenya.  
Mexico.  
Philippines.  
Thailand.  
Uruguay.

#### *Employers' group :*

Mr. Chambers.  
Mr. Eurnekian.  
Mr. Moukoko Kingue.

Mr. Polites.  
Mr. Verschueren.  
Mr. Villalobos.

#### *Substitutes :*

Mr. Coates.  
Mr. Georget.  
Mr. Munga-wa-Nyasa.  
Mr. Oechslein.

Mr. Ola.  
Mr. Owuor.  
Mr. Polese.

#### *Workers' group :*

Mr. Fassina.  
Mr. Maier.

Mr. Siwa di Banza.  
Mr. Sunde.

#### *Substitutes :*

Mr. Baldassini.  
Mr. González Navarro.  
Mr. Issifu.

Mr. Konate.  
Mr. Morris.  
Mr. Yahaya.

*Industrial Activities Committee*

*Government group :*

Australia.  
Colombia.  
Egypt.  
German Democratic Republic.  
Germany, Federal Republic of.  
India.

Italy.  
Japan.  
Mexico.  
Tunisia.  
USSR.  
United Kingdom.

*Substitutes :*

Brazil.  
Canada.  
China.  
Czechoslovakia.  
Iran.  
Malta.

Nigeria.  
Sierra Leone.  
Sweden.  
Switzerland.  
Thailand.  
Yugoslavia.

*Employers' group :*

Mr. Ahmed.  
Mr. Asfour.  
Mr. Castellano Sabater.  
Mr. Chambers.  
Mr. Coates.  
Mr. Eurnekian.  
Mr. Gonzales Blanco.  
Mr. Habib.  
Mr. Lee.  
Mr. Lindner.

Mr. Munga-wa-Nyasa.  
Mr. Ola.  
Mr. Owuor.  
Mr. Polese.  
Mr. Polites.  
Mr. Richan.  
Mr. Tata.  
Mr. Verschueren.  
Mr. Villalobos.

*Substitutes :*

Mr. Bannerman-Menson.  
Mr. Bergenström.  
Mr. Georget.

Mr. Oechslin.  
Mr. Végh Garzón.  
Mr. Yllanes Ramos.

*Workers' group :*

Mr. Aguiriano.  
Mr. Ben-Israel.  
Mr. Fassina.  
Mr. Konaté.  
Mr. Lloyd.  
Mr. Mehta.

Mr. Mendoza.  
Mr. Muhr.  
Mr. Sudono.  
Mr. Timmer.  
Mr. Yahaya.  
Mr. Zimba.

*Substitutes :*

Mr. Cuevas.  
Mr. Hawke.  
Mr. Macha.  
Mr. Morris.  
Mr. Pimenov.

Mr. Sánchez Madariaga.  
Mr. Siwa di Banza.  
Mr. Sunde.  
Mr. Walcott.

## *International Organisations Committee*

### *Government group :*

Brazil.  
United Republic of Cameroon.  
China.  
Egypt.  
Iran.

Lebanon.  
Philippines.  
Romania.  
USSR.  
United Kingdom.

### *Substitutes :*

Australia.  
Canada.  
France.  
German Democratic Republic.  
India.  
Italy.  
Mexico.

Mozambique.  
Spain.  
Switzerland.  
Thailand.  
Tunisia.  
Venezuela.

### *Employers' group :*

Mr. Ahmed.  
Mr. Asfour.  
Mr. Coates.  
Mr. Eurnekian.

Mr. Moukoko Kingue.  
Mr. Tata.  
Mr. Yllanes Ramos.

### *Substitutes :*

Mr. Bergenström.  
Mr. Chambers.  
Mr. Georget.  
Mr. Gonzales Blanco.

Mr. Habib.  
Mr. Oechslin.  
Mr. Végh Garzón.

### *Workers' group :*

Mr. González Navarro.  
Mr. Hawke.

Mr. Mehta.  
Mr. Sow.

### *Substitutes :*

Mr. Baldassini.  
Mr. Barnabo.  
Mr. Ben-Israel.  
Mr. Fassina.  
Mr. Macha.

Mr. Mendoza.  
Mr. Muhr.  
Mr. Pimenov.  
Mr. Sunde.

## *Committee on Operational Programmes*

### *Government group :*

Bangladesh.  
Brazil.  
United Republic of Cameroon.  
Canada.  
Colombia.  
Honduras.  
India.  
Iran.  
Italy.  
Ivory Coast.

Niger.  
Pakistan.  
Romania.  
Spain.  
Sweden.  
USSR.  
United Kingdom.  
Yugoslavia.  
Zambia.

*Substitutes :*

Angola.  
China.  
Czechoslovakia.  
German Democratic Republic.  
Germany, Federal Republic of.  
Guyana.  
Japan.  
Lebanon.

Malta.  
Mexico.  
Mozambique.  
Nicaragua.  
Nigeria.  
Philippines.  
Sierra Leone.  
Thailand.

*Employers' group :*

Mr. Ahmed.  
Mr. Asfour.  
Mr. Chambers.  
Mr. Georget.  
Mr. Gonzales Blanco.  
Mr. Munga-wa-Nyasa.

Mr. Nasr.  
Mr. Oechslin.  
Mr. Owuor.  
Mr. Polese.  
Mr. Richan.  
Mr. Végh Garzón.

*Substitutes :*

Mr. Bannerman-Menson.  
Mr. Bergenström.  
Mr. Castellano Sabater.  
Mr. Coates.

Mr. Habib.  
Mr. Lindner.  
Mr. Yllanes Ramos.

*Workers' group :*

Mr. Baldassini.  
Mr. Barnabo.  
Mr. González Navarro.  
Mr. Lloyd.  
Mr. Macha.

Mr. Mehta.  
Mr. Pimenov.  
Mr. Sudono.  
Mr. Tanaka.  
Mr. Walcott.

*Substitutes :*

Mr. Hawke.  
Mr. Konate.  
Mr. Maier.  
Mr. Mendoza.  
Mr. Morris.

Mr. Siwa di Banza.  
Mr. Sow.  
Mr. Timmer.  
Mr. Yahaya.

*Committee on Freedom of Association*

*Government group :*

India. *Substitute :* Tunisia.  
Italy. *Substitute :* France.  
Venezuela. *Substitute :* Argentina.

*Employers' group :*

Mr. Ghayour.  
Mr. Verschueren.

Mr. Yllanes Ramos.

*Substitutes :*

Mr. Chambers.  
Mr. Georget.  
Mr. Moukoko Kingue.

Mr. Ola.  
Mr. Richan.  
Mr. Villalobos.

*Workers' group :*

Mr. Issifu.  
Mr. Morris.

Mr. Sánchez Madariaga.

*Substitutes :*

Mr. Aguiriano.  
Mr. Sudono.

Mr. Sunde.

*Committee on Discrimination*

*Government group :*

Angola.  
Canada.  
France.

India.  
USSR.  
Uruguay.

*Substitutes :*

Egypt.

German Democratic Republic.

*Employers' group :*

Mr. Asfour.  
Mr. Chambers.  
Mr. Ola.

Mr. Verschueren.  
Mr. Villalobos.  
Mr. Yllanes Ramos.

*Substitutes :*

Mr. Georget.

Mr. Munga-wa-Nyasa.

*Workers' group :*

Mr. Barnabo.  
Mr. Cuevas.

Mr. Maier.  
Mr. Morris.

*Substitutes :*

Mr. Issifu.  
Mr. Mehta.

Mr. Zimba.

*Working Party on International Labour Standards*

*Government group :*

Canada.  
Colombia.  
France.

German Democratic Republic.  
Ivory Coast.  
Thailand.

*Employers' group :*

Mr. Oechslin.  
Mr. Ola.

Mr. Polites.

*Substitutes :*

Mr. Bannerman-Menson.  
Mr. Coates.

Mr. Verschueren.

*Workers' group :*

Mr. Mehta.  
Mr. Muhr.

Mr. Sánchez Madariaga.

*Substitutes :*

Mr. Issifu.  
Mr. Maier.

Mr. Siwa di Banza.

*Appointment of Members of Regional Advisory Committees and Various Bodies*

*Composition of the Regional Advisory Committees for the period 1978-81*<sup>1</sup>

*Board of the International Institute for Labour Studies*

The Governing Body appointed the following of its members as members of the Board of the International Institute for Labour Studies for a period of three years:

*Government group :* Mr. Ago (Italy).  
Mr. Misse (United Republic of Cameroon).

*Employers' group :* Mr. Nasr.  
Mr. Oechslin.

*Substitutes :* Mr. Coates.  
Mr. Georget.  
Mr. Gonzales Blanco.  
Mr. Moukoko Kingue.  
Mr. Munga-wa-Nyasa.  
Mr. Ola.  
Mr. Owuor.  
Mr. Polese.  
Mr. Villalobos.

*Workers' group :* Mr. Sudono.  
Mr. Zimba.

*Substitutes :* Mr. Konate.  
Mr. Lloyd.  
Mr. Maier.  
Mr. Sow.  
Mr. Walcott.  
Mr. Yahaya.

*Board of the International Centre for Advanced Technical and Vocational Training (Turin)*

The Governing Body appointed the following of its members as members of the Board of the International Centre for Advanced Technical and Vocational Training for a period of three years:

*Government group :*

Brazil.  
France.  
Germany, Federal Republic of.  
India.  
Japan.  
Kenya.

Niger.  
Nigeria.  
Thailand.  
United Kingdom.  
Venezuela.  
...<sup>2</sup>

<sup>1</sup> See *Official Bulletin*, 1978, Series A, No. 2, pp. 86-89.

<sup>2</sup> One seat for a State of chief industrial importance remains vacant.

*Substitutes :*

Angola.  
Bangladesh.

Iran.  
Nicaragua.

*Employers' group :*

Mr. Bannerman-Menson.  
Mr. Chambers.  
Mr. Ghayour.

Mr. Moukoko Kingue.  
Mr. Polese.  
Mr. Végh Garzón.

*Substitutes :*

Mr. Georget.  
Mr. Gonzales Blanco.  
Mr. Munga-wa-Nyasa.

Mr. Oechslin.  
Mr. Ola.  
Mr. Richan.

*Workers' group :*

Mr. Ben-Israel.  
Mr. Fassina.  
Mr. Konate.

Mr. Lloyd.  
Mr. Mendoza.  
Mr. Sow.

*Substitutes :*

Mr. Aguiriano.  
Mr. Siwa di Banza.  
Mr. Tanaka.

Mr. Timmer.  
Mr. Zimba.

COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS

*Standing Bodies*

*Committee of Experts on the Application of Conventions and Recommendations*

The Governing Body expressed to the Begum Liaquat Ali Khan, who had relinquished membership of the Committee, its thanks for her distinguished services to the ILO over two decades.

To fill the resulting vacancy the Governing Body appointed as a member of the Committee for a period of three years: Mr. Tan Boon Chiang (Singapore), LL.B. (London), Barrister-at-Law, President of the Industrial Arbitration Court of Singapore since 1965.

*Meetings*<sup>1</sup>

*Third European Regional Conference*

*Agenda :*

The Governing Body approved the following agenda for the Third European Regional Conference:

1. Report of the Director-General.
2. Young people and work.
3. Policies and practices for the improvement of working conditions and working environment in Europe.

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<sup>1</sup> The titles and functions of the persons appointed are given in full in the documents submitted to the Governing Body.



*Joint ILO/Council of Europe Meeting to Draft a European Agreement concerning Medical Care for Persons on Short Stays Abroad*

*Composition*

The Governing Body approved the following nominations:

Ms. R. A. Andresen (Norway).	Mr. T. Marton (Hungary).
Mr. Z. Bajszczak (Poland).	Mr. M. Mitic (Yugoslavia).
Mr. H. Biesta (Netherlands).	Mr. D. Pelekanos (Cyprus).
Mr. D. A. Borisovich (Byelorussian SSR).	Mr. C. Reiffers (Luxembourg).
Mrs. D. Bridel (Switzerland).	Dr. J. Schuh (Austria).
Mr. N. Bucur (Romania).	Mr. A. Schwarz (Federal Republic of Germany).
Miss M. R. Edwards (United Kingdom).	Mr. B. Sjöberg (Sweden).
Mr. H. Harych (German Democratic Republic).	Dr. M. Soyuer (Turkey).
Mr. M. Lantsev (USSR).	Mr. H. Sundberg (Finland).
	Dr. P. Vorre (Denmark).

The Governing Body authorised its Officers to approve the remaining 12 nominations on its behalf.

*Tripartite Advisory Meeting on Night Work*

*Composition*

The Governing Body approved the following nominations:

*Nominations submitted by governments after appropriate consultations :*

Mr. G. Amlinger (Federal Republic of Germany).	Mr. A. I. Ramadan (Egypt).
Mr. F. Flückiger (Switzerland).	Mr. A. Ruiz de Chávez (Mexico).
Dr. L. Ivanyi (Hungary).	Mr. H. Sananes (France).
Mr. K. Matsumoto (Japan).	Mr. O. H. S. Udobi (Nigeria).

The Governing Body authorised its Officers to approve on its behalf the nominations to be obtained from the Governments of Canada, India, the USSR and Zaire.

The Governing Body also approved the following nominations:

*Nominations submitted after consultation with the Workers' group of the Governing Body*

Mr. J.-J. Besnard (France).	Mrs. A. de Proft (Belgium).
Miss E. Chipchase (United Kingdom).	Mr. J. G. Sánchez (Colombia).
Mr. A.-M. Diop (Senegal).	Mr. R. Trott (New Zealand).

Mr. B. K. Edjah (Ghana).  
Mr. F. Ibrahim (Indonesia).  
Mr. D. Kimbweleza (Tanzania).  
Mr. V. V. Klepzov (USSR).  
Miss J. Nachmann (Israel).  
Mr. L. M. Ojeda (Venezuela).

*Substitutes :*

Mr. V. R. Hoshing (India).  
Mr. H. P. W. Schmitz (Netherlands).  
Mr. J. Tavcar (Yugoslavia).  
Mr. V. Vozka (Czechoslovakia).

*Advisory Group of Experts to Revise the Joint ILO/IAEA Publication on the Code of Practice on Radiation Protection in Mining and Milling of Radioactive Ores*

*Composition*

The Governing Body approved the following nomination, made after consultation with the Workers' group of the Governing Body:

Mr. Anders Stendalen (Sweden).

The Governing Body authorised its Officers to approve on its behalf the nomination of one Employer expert for participation in the meeting of the Advisory Group.

*Advisory Group of Experts on the Revision of Basic Safety Standards for Radiation Protection*

*Composition*

The Governing Body approved the following nominations:

Mr. R. E. Olson (United States).

Mr. H. Tumpel (Austria).

REPORT OF THE DIRECTOR-GENERAL

*Report by the Officers of the Governing Body on Two Complaints Made by the Government of France concerning the Observance by Panama respectively of the Officers' Competency Certificates Convention, 1936 (No. 53), and of the Repatriation of Seamen Convention, 1926 (No. 23), and the Food and Catering (Ships' Crews) Convention, 1946 (No. 68)*

The Governing Body took the following procedural decisions for the examination of the two complaints:

- (a) The Government of Panama, as the Government against which the complaints had been filed, should be requested by the Director-General to communicate its observations on the complaints so as to reach him not later than 30 September 1978.
- (b) In accordance with paragraph 5 of article 26 of the Constitution, the Government of Panama should be invited to send a representative to take part in the proceedings of the Governing Body at subsequent sessions at which those matters were under consideration. In conveying that invitation to the Government of Panama the Director-General should inform it that the Governing Body proposed to consider the matter at its 208th (November 1978) Session.
- (c) At its 208th Session the Governing Body would consider in respect of each complaint, in the light of the information contained therein and of any information which might have been furnished by the Government of Panama, whether the complaint should be referred to a Commission of Inquiry.

QUESTIONS ARISING OUT OF THE 64TH SESSION OF THE  
INTERNATIONAL LABOUR CONFERENCE

*Procedure for the Further Examination of Questions of Structure*

The Governing Body appointed the following members of the Working Party on Structure:

*Government members :*

Algeria.<sup>1</sup>  
Belgium.<sup>1</sup>  
Czechoslovakia.<sup>1</sup>  
France.<sup>2</sup>  
Italy.<sup>2</sup>  
Japan.<sup>2</sup>

Mexico.<sup>1</sup>  
Nigeria.<sup>2</sup>  
Norway.<sup>1</sup>  
Pakistan.<sup>1</sup>  
USSR.<sup>2</sup>  
Venezuela.<sup>2</sup>

*Substitutes :*

Argentina.<sup>2</sup>  
Canada.<sup>2</sup>  
Egypt.<sup>1</sup>  
German Democratic  
Republic.<sup>2</sup>  
Hungary.<sup>1</sup>  
Iran.<sup>2</sup>

Mauritania.<sup>2</sup>  
New Zealand.<sup>1</sup>  
Peru.<sup>1</sup>  
Senegal.<sup>1</sup>  
Sierra Leone.<sup>1</sup>  
United Kingdom.<sup>2</sup>

*Employer members :*

Mr. Bergenström (*Sweden*).<sup>2</sup>  
Mr. Georget (*Niger*).<sup>1</sup>  
Mr. Periquet (*Philippines*).<sup>1</sup>

Mr. Polyakov (*USSR*).<sup>1</sup>  
Mr. Tata (*India*).<sup>2</sup>  
Mr. Yllanes Ramos (*Mexico*).<sup>2</sup>

*Substitutes :*

Mr. Bannerman-Menson  
(*Ghana*).<sup>1</sup>  
Miss Hak (*Netherlands*).<sup>2</sup>  
Mr. Lee (*Malaysia*).<sup>2</sup>

Mr. Munga-wa-Nyasa  
(*Zaire*).<sup>1</sup>  
Mr. Nowak (*Poland*).<sup>1</sup>  
Mr. Oechslin (*France*).<sup>2</sup>

*Worker members :*

Mr. Agüero Pérez (*Cuba*).<sup>1</sup>  
Mr. Briki (*Algeria*).<sup>1</sup>  
Mr. Morris (*Canada*).<sup>2</sup>

Mr. Muhr (*Fed. Rep. of  
Germany*).<sup>2</sup>  
Mr. Pimenov (*USSR*).<sup>2</sup>  
Mr. Salanne (*France*).<sup>1</sup>

*Substitutes :*

Mr. Ahmed (*Pakistan*).<sup>1</sup>  
Mr. Cruzado Zavala (*Peru*).<sup>1</sup>  
Mr. Maier (*Austria*).<sup>2</sup>  
Mr. Mehta (*India*).<sup>2</sup>

Mr. Sánchez Madariaga  
(*Mexico*).<sup>2</sup>  
Mr. Sunmonu (*Nigeria*).<sup>1</sup>

PROGRAMME OF MEETINGS

The Governing Body approved the following programme of meetings for the remainder of 1978 and for 1979:

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<sup>1</sup> Appointed by the Conference at its 64th (June 1978) Session.

<sup>2</sup> Appointed by the Governing Body.

Date	Title of meeting	Place
<b>1978</b>		
26 September-3 October	Tripartite Advisory Meeting on Night Work	Geneva
2-6 October	Joint ILO/Council of Europe Meeting to Draft a European Agreement concerning Medical Care for Persons on Short Stays Abroad	"
17-26 October	Second Tripartite Technical Meeting for the Food Products and Drink Industries	"
29 October-3 November	Fifth International Conference on Pneumoconioses	Caracas
30 October-4 November	Working Party on Structure	Geneva
6-17 November	208th Session of the Governing Body and its Committees	"
21-30 November	Committee on Conditions of Work in the Fishing Industry	"
<b>1979</b>		
29 January-2 February	Meeting of Experts on Occupational Accident Prevention and Compensation	Geneva
12 February-2 March	209th Session of the Governing Body and its Committees	"
15-28 March	Committee of Experts on the Application of Conventions and Recommendations	"
First quarter <sup>1</sup>	Eleventh Conference of American States Members of the International Labour Organisation	<sup>1</sup>
8-16 May	Meeting of Experts on Problems concerning Air Traffic Controllers	Geneva
28 May-2 June and immediately after the Conference	210th Session of the Governing Body and its Committees	"
6-27 June	65th Session of the International Labour Conference	"
18-27 September	Inland Transport Committee (Tenth Session)	"
September-October	Joint ILO/UNESCO Committee of Experts on the Application of the Recommendation concerning the Status of Teachers	Paris
3-12 October	Third European Regional Conference	Geneva
16-25 October	Meeting of Experts on Problems of Foreign Construction Workers Employed in European Countries	"
5-16 November	211th Session of the Governing Body and its Committees	"
20-29 November	Advisory Committee on Rural Development (Ninth Session)	"
4-13 December	Second Tripartite Technical Meeting for the Leather and Footwear Industry	"
Second half	African Advisory Committee (Seventh Session)	<sup>2</sup>
Second half	Tripartite Advisory Meeting to Follow up the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy	Geneva
Second half	Meeting of Experts on Statistics of Industrial Injuries	"
Second half	Meeting of Members of the Panel of Consultants on Workers' Education	"
Second half	Meeting of Experts on Industrial Relations and Development in Asia	<sup>2</sup>

<sup>1</sup> Exact date and place to be agreed by the Officers of the Governing Body.

<sup>2</sup> To be proposed later.

## APPOINTMENT OF GOVERNING BODY REPRESENTATIVES ON VARIOUS BODIES

### *Second Tripartite Technical Meeting for the Food Products and Drink Industries (Geneva, 17-26 October 1978)*

The Governing Body appointed the following tripartite delegation to represent it at the meeting:

*Chairman and Government group representative* : Mr. Jiménez de Parga.

*Employers' group* : Mr. Bektı.

*Substitute* : Mr. Gonzales Blanco.

*Workers' group* : Mr. Sudono.

*Substitute* : Mr. Zimba.

## Membership of the International Labour Organisation

### NAMIBIA

At its 64th Session the International Labour Conference adopted, on 23 June 1978, the following resolution concerning the admission of Namibia: <sup>1</sup>

The General Conference of the International Labour Organisation,

Having considered the request for the admission of Namibia to membership in the Organisation, the request being submitted by the United Nations Council for Namibia which is the legal administering authority empowered, inter alia, to represent Namibia in international organisations and being supported by the South-West African People's Organisation (SWAPO) which has been recognised by the United Nations as the sole and authentic representative of the Namibian people,

Having considered United Nations General Assembly resolution 32/9E of 4 November 1977,

Noting that article 1, paragraph 2, of the Constitution provides that the Members of the International Labour Organisation shall be the States which were Members of the Organisation on 1 November 1945 and such other States as may become Members in pursuance of paragraphs 3 and 4 of the article,

Noting that Namibia is the only remaining case of a former mandate of the League of Nations where the former mandatory Power is still in occupation,

Considering that an application for membership in terms of article 1 is prevented only by the illegal occupation of Namibia by South Africa, the illegal nature of this occupation having been confirmed by the International Court of Justice in its Advisory Opinion of 21 June 1971,

Affirming that the International Labour Organisation is not prepared to allow the legitimate rights of the Namibian people to be frustrated by the illegal actions of South Africa,

Making it clear that in now granting the application for membership it does not overlook the wording of article 1 and believes that in the near future the illegal occupation of Namibia by South Africa will be terminated;

Decides to admit Namibia to membership in the Organisation, it being agreed that, until the present illegal occupation of Namibia is terminated, the United Nations Council for Namibia, established by the United Nations as the legal administering authority for Namibia empowered, inter alia, to represent it in international organisations, will be regarded as the Government of Namibia for the purpose of the application of the Constitution of the Organisation.

On 3 October 1978 the Director-General of the International Labour Office received from the President of the United Nations Council for Namibia a communication dated 22 September 1978 informing him of the formal acceptance by the United Nations Council for Namibia, on behalf of Namibia, of the obligations of the Constitution of the International Labour Organisation.

In these circumstances, Namibia became a Member of the International Labour Organisation on 3 October 1978.

### FEDERAL AND ISLAMIC REPUBLIC OF THE COMOROS

On 23 October 1978 the Director-General of the International Labour Office received a communication dated 17 October 1978 from the Prime Minister of the Federal and Islamic Republic of the Comoros informing him that the Government of the Federal and Islamic Republic of the Comoros formally accepts the obligations

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<sup>1</sup> See *Official Bulletin*, 1978, Series A, No. 2, p. 118.

of the Constitution of the International Labour Organisation in accordance with paragraph 3 of article 1 of the Constitution and undertakes to fulfil them.

As appears from the foregoing, the Federal and Islamic Republic of the Comoros, which is a Member of the United Nations, became a Member of the International Labour Organisation on 23 October 1978 by virtue of article 1, paragraph 3, of the Constitution of the Organisation.

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## Major Advisory and Other Meetings Held

The following meetings took place during the period covered by the present issue of the *Official Bulletin*. In addition to the sources of fuller information indicated by footnote, limited quantities of reports and preparatory documents relating to meetings may be purchased from ILO Publications, International Labour Office, CH-1211 Geneva 22.

### **Tripartite Technical Meeting for Civil Aviation** (*Geneva, 7-15 December 1977*).

#### *Agenda :*

1. General Report.
2. Occupational health and safety in civil aviation.
3. Employment security in civil aviation.

*Texts adopted :* See pages 184-191 below.

### **Committee of Experts on the Application of Conventions and Recommendations** (*48th Session, Geneva, 9-22 March 1978*).

Under its terms of reference the Committee examined the reports and information supplied by States Members of the International Labour Organisation in accordance with articles 19, 22 and 35 of the Constitution. The Committee then adopted a report in two volumes for submission to the 64th (1978) Session of the International Labour Conference.<sup>1</sup>

In addition, the Committee was called upon for the first time (at the request of the Economic and Social Council of the United Nations) to examine reports from signatory States on the application of Articles 6 to 9 of the International Covenant on Economic, Social and Cultural Rights. However, the Committee did not have time to make the required preliminary analysis and had to postpone its examination of the reports to its next session.

### **Textiles Committee** (*Tenth Session, Geneva, 4-13 April 1978*).

#### *Agenda :*

1. General Report, dealing particularly with—
  - (a) action taken in the various countries in the light of the conclusions and resolutions adopted at previous sessions of the Committee;
  - (b) steps taken by the Office to carry out the studies and inquiries proposed by the Committee, and other activities of the International Labour Organisation in the field of the textile industry;
  - (c) recent events and developments in the textile industry.
2. Training requirements in the textile industry in the light of changes in the occupational structure.

<sup>1</sup> ILO: *Report of the Committee of Experts on the Application of Conventions and Recommendations*, Report III (Part 4 A: *General Report and Observations concerning Particular Countries*), (Part 4 B: *General Survey of the Reports relating to the Employment (Women with Family Responsibilities) Recommendation, 1965 (No. 123)*), International Labour Conference, 64th Session, 1978.



3. Conditions of work in the textile industry, including problems related to organisation of work.

*Texts adopted :<sup>1</sup>*

Conclusions (No. 71) concerning training requirements in the textiles industry in the light of changes in the occupational structure.

Conclusions (No. 72) concerning conditions of work in the textiles industry, including problems related to organisation of work.

Resolution (No. 73) concerning the future work of the ILO in the field of the textiles industry.

Resolution (No. 74) concerning employment and working conditions in the textiles industry.

Resolution (No. 75) concerning implementation of the conclusions and resolutions adopted at the previous sessions of the Textiles Committee.

Resolution (No. 76) concerning carcinogenic substances in the textiles industry.

Resolution (No. 77) concerning trade union rights and the right to organise and to bargain collectively in the textiles industry.

Resolution (No. 78) concerning multinational enterprises in the textiles industry.

Resolution (No. 79) concerning statistical data for the textiles industry.

Resolution (No. 80) concerning industrial home work.

Resolution (No. 81) concerning working mothers employed in the textiles industry.

**Tripartite Advisory Meeting on Night Work** (*Geneva, 26 September-3 October 1978*).

*Agenda* : See p. 134 above.

The Meeting was unable to reach unanimity on the desirability of adopting new international standards on night work. So far as the collection and dissemination of information, studies and research and operational activities were concerned, however, the participants were unanimous in suggesting that the Governing Body instruct the Office to continue and develop such work in both industrialised and developing countries.

**Joint ILO/Council of Europe Meeting to Draft a European Agreement concerning Medical Care for Persons on Short Stays Abroad** (*Geneva, 2-6 October 1978*).

The Meeting examined the preliminary draft of the proposed European Convention concerning the provision of medical care for persons temporarily residing in the territory of a contracting party other than the competent State. The draft had been prepared by the Office after due consultation with all the governments concerned.

**Second Tripartite Technical Meeting for the Food Products and Drink Industries** (*Geneva, 17-26 October 1978*).

*Agenda* :

1. General Report, dealing particularly with—

- (a) action taken in the various countries in the light of the conclusions and resolutions adopted by the first Tripartite Technical Meeting for the Food Products and Drink Industries (1963);

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<sup>1</sup> The texts will be published in a subsequent number of the *Official Bulletin*.

- (b) steps taken by the Office to carry out the studies and inquiries proposed by the first Tripartite Technical Meeting for the Food Products and Drink Industries, and other activities of the International Labour Organisation in the field of these industries;
  - (c) recent events and developments in the food products and drink industries.
2. Labour and social problems arising out of seasonal fluctuations of the food products and drink industries.
  3. Appropriate technology for employment creation in the food processing and drink industries of developing countries.

**Fifth International Conference on Pneumoconiosis** (*Caracas, 29 October-3 November 1978*).

*Agenda :*

1. Evaluation of dust hazards in the working environment (epidemiological surveys, environment monitoring, etc.).
  2. Recent progress in pneumoconioses ethiopathogenesis.
  3. Biological and functional tests in early diagnosis and rehabilitation.
  4. Developments in dust control and dust suppression in mining, tunnelling and quarrying, and industry (dust sampling, measurement and analysis, engineering control, organisational aspects, medical prevention, etc.).
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## Official Measures Taken regarding Decisions of the International Labour Conference \* 1

### Ratifications and Denunciations of International Labour Conventions and Declarations concerning the Application of Conventions to Non-Metropolitan Territories

Notice is hereby given that the Director-General of the International Labour Office has registered the undermentioned ratifications and denunciations of international labour Conventions and declarations concerning the application of Conventions to non-metropolitan territories. In pursuance of article 20 of the Constitution of the International Labour Organisation, particulars of these ratifications, denunciations and declarations have been communicated to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations.

*The publication of information concerning action taken in respect of international labour Conventions and Recommendations does not imply any expression of view by the International Labour Office on the legal status of the State having communicated such information (including the communication of a ratification or declaration), or on its authority over the territories in respect of which such information is communicated ; in certain cases this may present problems on which the ILO is not competent to express an opinion.*

State	Convention	Date of registration of ratification/denunciation/declaration	Date on which ratification/denunciation/declaration will take effect
<b>I. Ratifications</b>			
<b>Austria</b>	Social Security (Minimum Standards) Convention, 1952 (No. 102)	1 September 1978	1 September 1978
	<i>Declaration, pursuant to Article 4, paragraph 1, of the Convention, of acceptance of the obligations of the Convention in respect of Part IV (Unemployment Benefit) which was not specified at the time of ratification (registered on 4 November 1969).</i>		
	Rural Workers' Organisations Convention, 1975 (No. 141)	18 September 1978	18 September 1979
<b>United Republic of Cameroon</b>	Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	4 July 1978	4 July 1979
<b>Djibouti</b>	Hours of Work (Industry) Convention, 1919 (No. 1)	3 August 1978	3 August 1978
	Unemployment Convention, 1919 (No. 2)	"	"
	Minimum Age (Industry) Convention, 1919 (No. 5)	"	"
	Night Work of Young Persons (Industry) Convention, 1919 (No. 6)	"	"

\* Notes are given at the end of the table.

State	Convention	Date of registration of ratification/denunciation/ declaration	Date on which ratification/ denunciation/declaration will take effect
Djibouti ( <i>cont.</i> )	Placing of Seamen Convention, 1920 (No. 9)	3 August 1978	3 August 1978
	Minimum Age (Agriculture) Convention, 1921 (No. 10)	„	„
	Right of Association (Agriculture) Convention, 1921 (No. 11)	„	„
	Workmen's Compensation (Agriculture) Convention, 1921 (No. 12)	„	„
	White Lead (Painting) Convention, 1921 (No. 13)	„	„
	Weekly Rest (Industry) Convention, 1921 (No. 14)	„	„
	Minimum Age (Trimmers and Stokers) Convention, 1921 (No. 15)	„	„
	Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16)	„	„
	Workmen's Compensation (Accidents) Convention, 1925 (No. 17)	„	„
	Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18)	„	„
	Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)	„	„
	Seamen's Articles of Agreement Convention, 1926 (No. 22)	„	„
	Repatriation of Seamen Convention, 1926 (No. 23)	„	„
	Sickness Insurance (Industry) Convention, 1927 (No. 24)	„	„
	Minimum Wage-Fixing Machinery Convention, 1928 (No. 26)	„	„
	Forced Labour Convention, 1930 (No. 29)	„	„
	Minimum Age (Non-Industrial Employment) Convention, 1932 (No. 33)	„	„
	Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35)	„	„
	Old-Age Insurance (Agriculture) Convention, 1933 (No. 36)	„	„
	Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37)	„	„
	Invalidity Insurance (Agriculture) Convention, 1933 (No. 38)	„	„
	Sheet-Glass Works Convention, 1934 (No. 43)	„	„
	Unemployment Provision Convention, 1934 (No. 44)	„	„
	Underground Work (Women) Convention, 1935 (No. 45)	„	„

Reduction of Hours of Work (Glass-Bottle Works) Convention, 1935 (No. 49)	„	„
Holidays with Pay Convention, 1936 (No. 52)	„	„
Officers' Competency Certificates Convention, 1936 (No. 53)	„	„
Shipowners' Liability (Sick and Injured Seamen) Convention, 1936 (No. 55)	„	„
Sickness Insurance (Sea) Convention, 1936 (No. 56)	„	„
Minimum Age (Sea) Convention (Revised), 1936 (No. 58)	„	„
Convention concerning Statistics of Wages and Hours of Work, 1938 (No. 63)	„	„
Certification of Ships' Cooks Convention, 1946 (No. 69)	„	„
Seafarers' Pensions Convention, 1946 (No. 71)	„	„
Medical Examination (Seafarers) Convention, 1946 (No. 73)	„	„
Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77)	„	„
Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78)	„	„
Labour Inspection Convention, 1947 (No. 81)	„	„
Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	„	„
Employment Service Convention, 1948 (No. 88)	„	„
Night Work (Women) Convention (Revised), 1948 (No. 89)	„	„
Paid Vacations (Seafarers) Convention (Revised), 1949 (No. 91)	„	„
Labour Clauses (Public Contracts) Convention, 1949 (No. 94)	„	„
Protection of Wages Convention, 1949 (No. 95)	„	„
Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96)	„	„
<i>Acceptance of the provisions of Part II has been specified pursuant to Article 2, paragraph 1, of the Convention.</i>		
Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	3 August 1978	3 August 1978
Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99)	„	„

State	Convention	Date of registration of ratification/denunciation/declaration	Date on which ratification/denunciation/declaration will take effect
<b>Djibouti (cont.)</b>	Equal Remuneration Convention, 1951 (No. 100)	3 August 1978	3 August 1978
	Holidays with Pay (Agriculture) Convention, 1952 (No. 101)	„	„
	Abolition of Forced Labour Convention, 1957 (No. 105)	„	„
	Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)	„	„
	<i>The Convention will also apply to persons employed in the establishments enumerated in paragraph 1 (a), (b), (c) and (d) of Article 3 of the Convention.</i>		
	Seafarers' Identity Documents Convention, 1958 (No. 108)	3 August 1978	3 August 1978
	Radiation Protection Convention, 1960 (No. 115) <sup>a</sup>	„	„
	Hygiene (Commerce and Offices) Convention, 1964 (No. 120)	„	„
	Employment Policy Convention, 1964 (No. 122)	„	„
	Minimum Age (Underground Work) Convention, 1965 (No. 123)	„	„
	<i>The minimum age of 16 years has been specified pursuant to Article 2, paragraph 2, of the Convention.</i>		
	Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124)	3 August 1978	3 August 1978
<b>Ecuador</b>	Fishermen's Competency Certificates Convention, 1966 (No. 125)	„	„
	Accommodation of Crews (Fishermen) Convention, 1966 (No. 126)	„	„
	<i>Following the admission of Djibouti to the International Labour Organisation, the Government of Djibouti recognised that it continued to be bound by the obligations arising under the above-mentioned Conventions which were declared applicable to its territory before independence.</i>		
<b>Ecuador</b>	Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)	11 July 1978	11 July 1979
	Nursing Personnel Convention, 1977 (No. 149)	„	„
<b>Iraq</b>	Human Resources Development Convention, 1975 (No. 142)	26 July 1978	26 July 1979
	Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	11 September 1978	11 September 1979
<b>Japan</b>	Prevention of Accidents (Seafarers) Convention, 1970 (No. 134)	3 July 1978	3 July 1979

Netherlands	Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	27 July 1978	27 July 1979
Spain	Paid Educational Leave Convention, 1974 (No. 140)	18 September 1978	18 September 1979
Sweden	Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)	10 July 1978	11 July 1979
	Nursing Personnel Convention, 1977 (No. 149)	„	„

## II. Denunciations

Somalia	Contracts of Employment (Indigenous Workers) Convention, 1939 (No. 64) <sup>3</sup>	11 September 1978	11 September 1979
Uruguay <sup>4</sup>	Workmen's Compensation (Agriculture) Convention, 1921 (No. 12)	28 July 1978	28 July 1979
	Workmen's Compensation (Accidents) Convention, 1925 (No. 17)	„	„
	Sickness Insurance (Industry) Convention, 1927 (No. 24)	„	„
	Sickness Insurance (Agriculture) Convention, 1927 (No. 25)	„	„

## III. Declarations

United Kingdom	Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90)		
	<i>Applicable with modifications</i> : Hong Kong	9 August 1978	9 August 1978
	“ Article 2 (1)		
	(a) For persons under 16 years the term “ night ” may cover a period of eleven consecutive hours;		
	(b) For persons of or over 16 years and under 18 years the term “ night ” may cover a period of nine consecutive hours up to the end of 1979, and a period of ten consecutive hours as from 1 January 1980 when overtime employment of young persons will be prohibited.		

State	Convention	Date of registration of ratification/denunciation/declaration	Date on which ratification/denunciation/declaration will take effect
United Kingdom (cont.)	<p><i>Article 3 (1)</i></p> <p>Young persons of or over the age of 14 years and under 18 years may be employed in an industrial undertaking during the night:</p> <p>(a) in a clerical or managerial capacity or in any health or welfare service connected with the undertaking;</p> <p>(b) in cleaning the premises, or any part thereof, of an undertaking, otherwise than in cleaning which is incidental to or connected with any process; or</p> <p>(c) solely as caretakers in the premises of the undertaking.</p> <p><i>Article 2 (1), Article 3 (2) and (3)</i></p> <p>For young persons of or over 16 years and under 18 years employed as registered apprentices in any industry or occupation:</p> <p>(a) the term "night" may cover a period of nine consecutive hours; and</p> <p>(b) the rest period granted between two working periods may be nine consecutive hours when such persons are employed on overtime."</p> <p><i>This declaration supersedes a declaration of decision reserved registered on 27 March 1950.</i></p> <p>Human Resources Development Convention, 1975 (No. 142)</p> <p><i>Applicable with modifications</i> : Hong Kong</p> <p>" <i>Article 3.</i> Vocational guidance is in general not available to adults.</p> <p><i>Article 5.</i> Employers' and workers' organisations have not been involved in the formulation and implementation of policies and programmes of vocational guidance."</p>	25 July 1978	25 July 1978



### **Notification of the Coming into Force of the Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)**

Article 18 of the Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148), adopted by the International Labour Conference at its 63rd Session on 20 June 1977, provides that the Convention shall come into force twelve months after the date on which the ratifications of two Members of the International Labour Organisation have been registered.

The ratifications by Sweden and Ecuador were registered by the Director-General of the International Labour Office on 10 July 1978 and 11 July 1978 respectively. The Convention will accordingly come into force on 11 July 1979.

The present notification is made in accordance with the provisions of Article 20 of the Convention.

In conformity with article 20 of the Constitution of the International Labour Organisation, this Convention will be communicated to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations.

### **Notification of the Coming into Force of the Nursing Personnel Convention, 1977 (No. 149)**

Article 10 of the Nursing Personnel Convention, 1977 (No. 149), adopted by the International Labour Conference at its 63rd Session on 21 June 1977, provides that the Convention shall come into force twelve months after the date on which the ratifications of two Members of the International Labour Organisation have been registered.

The ratifications by Sweden and Ecuador were registered by the Director-General of the International Labour Office on 10 July 1978 and 11 July 1978 respectively. The Convention will accordingly come into force on 11 July 1979.

The present notification is made in accordance with the provisions of Article 12 of the Convention.

In conformity with article 20 of the Constitution of the International Labour Organisation, this Convention will be communicated to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations.

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<sup>1</sup> Period covered: 1 July 1978 to 30 September 1978.

<sup>2</sup> The provisions mentioned in the statement communicated by the Government of France, in accordance with Article 3, paragraph 3 (c), of the Convention (see *Official Bulletin*, 1972, No. 1, page 19, and *ibid.*, 1975, No. 1, page 23) also apply to Djibouti.

<sup>3</sup> The Government provided the following explanations for its decision to denounce this Convention:

... This Convention was ratified by the British Government during the period of its protectorate of the Northern Regions of our country known as "Former British Somaliland". Its provisions apply only to workers belonging to or assimilated to the indigenous population of a dependent territory of a

member State of the Organisation. Somalia being an independent State, the terms and provisions of this Convention are no longer applicable in our country.

<sup>4</sup> When it submitted the Bill to authorise the denunciation of these Conventions to the Council of State on 22 November 1977, the Government of Uruguay gave the following explanations:

#### *(Translation)*

The express denunciation of these four Conventions was necessary since the ratification by Uruguay of the Employment Injury Benefits Convention, 1964 (No. 121), and the Medical Care and Sickness Benefits Convention, 1969 (No. 130), which revise them, did not involve the automatic denunciation of these four instruments.

## DOCUMENTS

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### **Tripartite Meeting on Conditions of Work and Employment of Professional Workers**

*(Geneva, 22-30 November 1977)*

#### TEXT ADOPTED

#### **Compendium of Principles and Good Practices relating to the Conditions of Work and Employment of Professional Workers**

##### *Scope*

1. For the purposes of this compendium, a professional worker is a person:

- (a) who has completed a higher level of education and vocational training or possesses recognised equivalent experience in a scientific, technical or administrative field; and
- (b) who performs, as a salaried employee, functions of a predominantly intellectual character involving the exercise of a high degree of judgement and initiative and implying a relatively high level of responsibility.

The term should also cover any person who, in addition to possessing characteristics (a) and (b) above, has had delegated to him, by and under the general direction of his employer, responsibility for planning, managing, controlling and co-ordinating the activities of part of an undertaking or of an organisation, with the corresponding authority over other persons. The term does not cover top-level managers who have a large delegation of authority from their employers.

2. This compendium applies to professional workers employed in the private sector as well as in the public sector, including those who are engaged in public commercial or industrial undertakings but excluding those who have, according to national laws or regulations, a special status within the public sector.

3. In practice, this compendium applies principally to scientists, engineers, higher-level technicians and managerial staff (*cadres*) and similar categories, thus including for example those who are employed in the media, the arts, science, medicine and research, with training and duties described above in paragraph 1.

4. This compendium should be applied without distinction as to race, colour, sex, religion, political opinion, national extraction or social origin.

##### *General Remarks*

5. Professional workers play a key role in technical, economic and social development on account not only of their numbers but also, and even more so, of the value of their knowledge and the responsibilities they bear in all sectors of activity. This role confers on them a special position within the undertakings or organisations employing them (hereinafter referred to as "the employers"). However, even if the level of their qualifications and the content of their jobs distinguish them from other workers, they have, as workers, problems and needs in the field of social protection which are comparable with those of other workers. Consequently, policies and practices should be adopted where necessary to provide adequate protection for them, bearing in mind the special features of their situation.

6. These policies and practices should respect the standards laid down in the relevant international labour Conventions and Recommendations, and in particular those set forth in the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); the Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117); the Termination of Employment Recommendation, 1963 (No. 119); the Workers' Representatives Convention, 1971 (No. 135); and the Human Resources Development Convention (No. 142) and Recommendation (No. 150) of 1975.

7. Professional workers should enjoy at least the standards of protection laid down for all workers in national legislation.

#### *Freedom of Association and Collective Bargaining*

8. Professional workers should have the right freely to establish and to join appropriate organisations of their own choosing.

9. Professional workers should enjoy adequate protection against acts of anti-union discrimination in respect of their employment. Such protection should apply more particularly in respect of acts calculated to:

- (a) make their employment subject to the condition that they shall not join a union or shall relinquish trade union membership;
- (b) cause their dismissal or otherwise prejudice them by reason of their union membership or because of their participation in union activities.

10. The conditions of work and employment of professional workers should be determined as far as possible by collective agreements concluded between the employers or employers' organisations and the appropriate organisations of professional workers concerned. Measures should be taken, where necessary, to encourage and promote voluntary negotiation of such collective agreements.

#### *Employment*

11. A policy designed, in accordance with the Employment Policy Convention, 1964 (No. 122), to ensure to all professional workers, without discrimination, jobs that are freely chosen and that correspond to their qualifications and aspirations should be placed in the broader context of a full employment policy for all.

12. The public authorities, with the co-operation of the employers' and workers' organisations concerned and other competent bodies, should pursue a policy of planning of highly qualified manpower based on a continuing evaluation of immediate, medium- and long-term needs that take into account as far as possible forecast changes in the economic, technical and social fields, as well as in the needs of society.

13. The forecasts of short-, medium- and long-term trends should relate to trends in the employment market for professional workers as a whole, and should be broken down to the extent possible to cover individual professions, types of qualification, branches of activity and regions. The limitations of such forecasting should be recognised.

14. The information on the employment market for professional workers thus obtained should be widely disseminated so that it can be used as a basis for decision making by public authorities, employers and individuals.

#### *Public Placement Services*

15. The public authorities should establish effective machinery to assist professional workers to find jobs. Where possible, special arrangements should be made within public employment services to handle the problems of professional workers. In major agglomerations, and where the employment situation of professional workers is sufficiently serious to justify such a step, specialised services should be established to cater for professional workers.

16. The functions of the public employment service or of the specialised services should be *inter alia*:

- (a) to centralise information about the supply and demand of employment for professional workers; a fully effective public employment service can only operate when employers report all vacancies to it, and measures should be taken where appropriate to encourage employers to do this;
- (b) to disseminate the information on the employment market for such workers to all concerned including employers and workers and their respective organisations;
- (c) to advise professional workers seeking employment and, where appropriate, to provide guidance on retraining to facilitate entry into new occupations;
- (d) to assist employers seeking highly qualified staff;
- (e) to inform professional workers seeking employment on their rights under national laws and regulations relating to income security and to training; and
- (f) actively to seek out employment opportunities for professional workers.

17. The public employment service should work in close co-operation with the employers' and workers' organisations concerned and with the university placement services and other similar services.

#### *Fee-charging and Profit-making Employment Agencies*

18. The public employment services should be so organised as to ensure as far as possible the placement of professional workers to the satisfaction of all parties concerned, thus effectively reducing dependence on special fee-charging and profit-making agencies, where such agencies exist.

19. Where such agencies exist they should be supervised by the public authorities. Authorisation to operate such agencies should be granted only to persons offering the guarantees of competence and probity laid down by the public authorities; authorisation should be granted for specified periods only and should be renewable at the discretion of the authorities; such agencies should only charge fees and expenses on a scale submitted to and approved by the competent authority or fixed by the said authority.

20. Only properly qualified specialists should be allowed to test persons seeking employment through such agencies. It should be a condition of authorisation of private agencies that they should not refuse to refer an applicant to a prospective employer for reasons not related to the professional qualifications required for the post concerned, and in particular on account of membership of or activity in a trade union or of political opinions.

#### *Security of Employment*

21. Termination of employment of professional workers should not take place except where there is a valid reason for such termination connected with their service, capacity or conduct or based on the operational requirements of the undertaking. Where such dismissals take place the reasons for them should be clearly stated and should conform where appropriate to legal requirements or collective agreements.

22. Employers should endeavour to restrict as far as possible the adverse effects of mergers, concentrations, take-overs or other major changes in the structure, general objectives or working methods of their undertakings on the security of employment of professional workers.

23. Professional workers and the organisations which represent them in the undertaking according to national practice should be consulted on any proposed change in the structure, general objectives or working methods of an undertaking which is liable to have prejudicial effects as regards the employment of professional workers, as well as on the resulting measures that affect their employment.

24. Before terminating the employment of professional workers for reasons connected with the operational requirements of the undertaking, employers should seek all possible alternative solutions and should endeavour to reassign such workers to other equivalent jobs within the undertaking. Where reassignment entails a downgrading, the worker concerned should receive compensation according to national law, collective agreements or

national practice. Where the worker is reassigned to a job within the undertaking requiring new qualifications, he should be given the opportunity to undertake the necessary training and be assured of an equivalent income throughout the period of training.

25. Where termination of employment for reasons connected with the operational requirements of the undertaking is unavoidable, employers should endeavour to help professional workers to find equivalent employment; to this end employers should contact the public employment services, and where possible other prospective employers, in an endeavour to ensure that the workers affected find new jobs before the expiry of their periods of notice.

26. Special consideration should be given by employers to professional workers over a specified age and/or with a specified number of years of service in an undertaking. Unless they have the opportunity to take early retirement on reasonable terms according to national legislation, collective agreements or national practice, such workers should be guaranteed employment as far as possible. To this end consideration should be given to the possibility of adapting the organisation or content of work to the abilities of older workers or of transferring them to other functions.

27. A professional worker whose employment is to be terminated should be entitled to a reasonable period of notice or compensation in lieu thereof. The period of notice should take into account the time spent in the service of the undertaking. During the period of notice the worker should, as far as practicable, be entitled to a reasonable amount of time off without loss in pay in order to seek other employment.

28. Professional workers when unavoidably unemployed should receive, in accordance with national legislation, collective agreements and national practice, an adequate income during a period of time sufficient for them to find new employment.

#### *Education and Training*

29. Co-operation among public authorities, educational and training institutes and employers, and workers and their organisations should be developed to ensure that educational and training systems take fully into account the requirements of working life and that young persons who undertake a course of training have the best possible chances of finding employment corresponding to their qualifications and aspirations.

30. Education and training for professional-level employment should provide a basis for continuous adjustment and development throughout the worker's career. They should seek to provide every individual not only with the specialised technical knowledge necessary for a given job but also with a body of general knowledge sufficiently broad and deep to enable him to understand and to influence, individually or collectively, the working and social environment, to discharge his responsibilities within the undertaking and in society and to adapt to changing situations.

31. Professional workers should have access to appropriate continuing education facilities to maintain their qualifications, to improve them with a view to career advancement and to adapt them to developments in the scientific and technical fields and to economic and structural change.

32. Employers, the State and training bodies should consult together and jointly provide programmes of continuing education for professional workers. These programmes should be discussed with the appropriate organisations representing professional workers.

33. These programmes should provide in particular an opportunity for—

- (a) an introduction to the undertaking, its objectives, its working methods and conditions of work, and training designed to supplement initial education and training;
- (b) the updating of knowledge and skills in the light of relevant developments particularly in science and technology in the occupation concerned;
- (c) the acquisition of the skills and qualifications required to advance to higher-level work or to discharge managerial or executive functions;
- (d) the acquisition wherever possible of new qualifications to facilitate changes of job in the light of employment opportunities within the undertaking.

34. These programmes should be so designed as to make professional workers fully aware of their human as well as technical responsibilities and, in particular—

- (a) to foster the abilities and attitudes required for leading, advising and motivating other persons, while respecting their personality and human rights including the right to organise, and for developing sound industrial relations;
- (b) to develop a concern for satisfactory working conditions and for the safety and welfare of workers.

35. These programmes should take into account the aptitudes and professional interests of professional workers as well as the needs of the undertaking.

36. When professional workers participate in the training programmes described above they should be assured of an equivalent income throughout the period of training. Where appropriate, they should be allowed educational leave in accordance with national practice, and the period of such leave should be treated as a period of actual work for purposes of determining rights deriving from the employment relationship.

37. Professional workers should have access to training activities organised outside the training programmes of the undertaking. For this purpose, paid educational leave might be granted in accordance with the Paid Educational Leave Convention (No. 140) and Recommendation (No. 148) of 1974.

#### *Personnel Utilisation Policies*

38. Employers should establish and implement personnel policies designed to make full use of and develop the qualifications and abilities of professional workers.

39. To this end, they should endeavour to assign professional workers to jobs corresponding to their qualifications and abilities and provide them with the training facilities necessary to maintain, adapt and develop those qualifications and abilities.

40. The assignments and the training requirements of professional workers should be reviewed from time to time in the light of the interests of the undertaking and the workers concerned.

41. Employers and professional workers should be aware of the danger that excessive specialisation or a protracted period of service in the same job may weaken an individual's ability to adapt and to improve his occupational skills. They should also recognise the potential benefits of broadening the horizons, and of diversifying the experience of professional workers.

42. Consequently, professional workers should be informed where possible of employment opportunities existing in other departments or regional divisions of the undertaking, and their applications for such posts should be given special consideration if they meet the necessary qualifying conditions.

43. Professional workers should, at their request, have opportunities for temporary leave from the undertaking without breaking the employment relationship, and of working part time in other fields.

#### *Job Classification*

44. Wherever possible efforts should be made to establish, through collective agreements as appropriate and according to national practice, a system of job classification of posts designed for professional workers in the context of a general classification scheme within an undertaking. The system of job classification for professional workers should take into account various criteria such as the level of qualifications, training and experience, the types of duties and the level of responsibility.

45. Such job classification should be regularly reviewed to take into account the changes in the qualifications offered or required on the employment market.

### *Mobility*

46. The mobility of professional workers from one undertaking, branch of activity or region to another should be encouraged inasmuch as it enables them to improve their career prospects or their employability.

47. Measures should be taken to secure harmonisation of social security benefits and of the different old-age, invalidity and survivors' pensions schemes applicable to professional workers with a view to ensuring maintenance of the latter's acquired rights when they transfer from one scheme to another.

### *International Harmonisation and Recognition of Diplomas*

48. To facilitate international exchanges of professional workers, of ideas and of knowledge, competent authorities or bodies should endeavour—in particular through bilateral or multilateral arrangements—

- (a) to harmonise progressively the different standards of training for professional employment;
- (b) to lay down conditions for mutual recognition of diplomas and qualifications acquired abroad.

### *The Brain Drain*

49. The particularly complex problems raised in relation to the brain drain of professional workers should be resolved in particular through bilateral and multilateral agreements to ensure that developing countries do not lose highly skilled personnel to the more advanced countries. Such measures should be of an inductive nature and not imply any constraints on the workers concerned and they should take into account the principles stated on the subject by ILO bodies as well as the activities which are being carried out in this field by other United Nations organisations, such as UNCTAD.

### *Equal Opportunities between Men and Women*

50. Women and men should have the right on the same terms to receive education and training for highly qualified jobs.

51. The public authorities, and in particular the school and vocational guidance services, should systematically inform young people of both sexes so that they choose the types of training most likely to offer good prospects of employment and career development.

52. Women and men should enjoy equality of opportunity and treatment for career advancement.

53. The public authorities, in co-operation with employers' and workers' organisations and educational and training institutions, should establish services to give advice and guidance to highly qualified women desiring to resume work after a break in employment. Such women should have access to appropriate training facilities for the updating of their knowledge or the acquisition of new qualifications.

### *Working Conditions and Environment*

#### *Remuneration*

54. Professional workers should receive remuneration commensurate with the tasks and responsibilities of their jobs and with the qualifications required for the proper performance of those jobs. The method of determining such remuneration should be specified, as far as possible, by collective agreements and/or in accordance with national practice.

#### *Organisation of work*

55. Professional workers should, in a manner and to an extent appropriate to the nature of their jobs, be associated with the determination of the objectives assigned to them and have the greatest possible discretion in the choice of the methods and the means used in the achievement of those objectives.

56. All excessive fragmentation of tasks should be avoided. Each individual professional worker should be in a position to carry out a set of tasks forming a sufficiently coherent whole to sustain his interest in the work and stimulate his creative abilities.

#### *Hours of work and annual leave*

57. Because of the character of his work, it is not always possible to measure the working day or working week of a professional worker or to apply strict rules on the subject. However, provisions in legislation or collective agreements relating to normal working hours should be applied as far as possible to professional workers. The actual hours of work of professional workers should not exceed the limits beyond which their health or their family or social life is liable to suffer.

58. The steps which might be taken in this connection include good organisation of work, adequate staffing, a balanced distribution of workloads, the existence of appropriate supporting services and material resources, the fixing of reasonable deadlines for the completion of tasks.

59. Where the remuneration of professional workers does not make allowance for the overtime they may be required to work, special compensation in the form of time off and/or cash should be given for such overtime.

60. Professional workers should always have the opportunity to take the annual leave to which they are entitled.

#### *Occupational safety and health*

61. Professional workers, in addition to being exposed to the same occupational hazards as other workers employed in the same environment, are particularly exposed to the dangers inherent in experiments with new products, techniques or methods. Particularly stringent measures to ensure protection against these dangers should be adopted and strictly applied.

62. Special attention should be given to measures designed to avert the consequences of stress on the mental and physical health of professional workers; close attention should be paid to the findings of research on stress factors in the working environment, especially psychological factors.

63. Professional workers play an important role in ensuring the safety and health of other workers and the general public. This is particularly true of supervisory and managerial staff, whose duty it is to ensure that safety rules are complied with. It is also true of scientists, engineers and technicians involved in devising new products, techniques and methods; they should endeavour to ensure that these products, techniques and methods are as safe as possible for the workers using or applying them as well as for users.

64. It is therefore important that professional workers should acquire, during their initial or subsequent training, a full awareness of their responsibilities in this field and the relevant theoretical and practical knowledge. The courses designed for them should include this aspect and especially, where appropriate, the study of ergonomics. Employers should take all desirable steps to supplement and update the training of professional workers in occupational safety and health.

65. The activities of professional workers in the safety and health fields should aim not only to prevent occupational accidents and diseases, but also to improve the working environment.

66. Professional workers may be exposed to the particularly serious risk of being held civilly or criminally liable for damage or injury resulting from failure by themselves or by a subordinate to comply with safety rules. National authorities should give special attention to this question to ensure that the workers concerned are not unduly held civilly or criminally responsible when cases of this kind occur.

67. Professional workers who have a responsibility for a whole production process or an independent section of a production process should have the right, within the framework of the laws and regulations of the country concerned, to interrupt it when it is deemed to be dangerous.



### *Incentives for Creativity*

68. The promotion of a creative spirit among professional workers is an important factor for job satisfaction and, moreover, is in the interests of the undertaking and of society in general.

69. The means of providing incentives to creative activity include the recognition and safeguarding of the rights of the salaried inventor, the development of a working atmosphere favourable to innovation and the granting of the greatest possible measure of freedom to research workers (without prejudice to the public interest or the rights of the employer or to fellow workers) to publish the results of their work and a positive encouragement to take part in scientific and technical congresses.

### *Participation in Decision Making*

70. Consultation or participation by workers or by organisations representing them in the making of decisions affecting working life in the enterprise are gaining increasing attention. Professional workers should have the same opportunities as other workers to be consulted in these decision-making processes in accordance with national legislation or practice.

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# **Tripartite Technical Meeting for Civil Aviation**

*(Geneva, 7-15 December 1977)*

## **CONCLUSIONS AND RESOLUTIONS ADOPTED <sup>1</sup>**

### **Conclusions (No. 1) concerning Occupational Health and Safety in Civil Aviation**

The Tripartite Technical Meeting for Civil Aviation,

Having been convened by the Governing Body of the International Labour Office, and

Having met in Geneva from 7 to 15 December 1977,

Having examined the report on occupational health and safety in civil aviation submitted by the International Labour Office,

Noting that the technological developments and the increase in the volume and rhythm of air transport activities over the last decade have left their mark on working conditions and environment in this industry,

Noting that despite the efforts made and the progress achieved in the field of protection of workers' health and improvement of the working environment, certain health and accident risks to personnel continue to accompany these developments,

Considering that the protection of workers' health and the prevention of occupational accidents and diseases represent priority objectives common to employers and workers,

Recalling the conclusions and resolutions concerning occupational health and safety adopted by the Ad Hoc Civil Aviation Meeting held in 1960, and

Recalling the principles and objectives stated in the resolutions on working conditions and environment adopted by the International Labour Conference at its 60th and 61st Sessions (1975 and 1976) and incorporated in the International Programme for the Improvement of Working Conditions and Environment (PIACT, 1976);

Adopts this fifteenth day of December 1977 the following conclusions:

1. The protection of workers' health, the prevention of exposure to occupational hazards and the improvement of working conditions and environment should form the object of close and constant collaboration between employers, workers and the public authorities, if such collaboration does not already exist.

2. Measures designed to achieve a safe and healthy working environment for all civil aviation workers should benefit continually from the results of research carried out on the initiative of public authorities or of employers' and workers' organisations.

3. Given the highly technical character of certain occupational activities within civil aviation and the rapidity with which they have evolved, the application of preventive measures and techniques in this industry requires a high level of knowledge and appropriate qualifications on the part of the personnel called upon to perform these activities. It would also appear desirable that universities should contribute to the training of all necessary specialists, particularly in the field of occupational medicine and aviation medicine.

4. Statistics constitute a useful means of analysis in the field of occupational accidents and diseases, permitting the identification of hazards at the workplace, as well as an assessment of the effectiveness of existing corrective measures and, where appropriate, of the need

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<sup>1</sup> Adopted unanimously.

to research into new measures. Efforts should be made to ensure that statistical data are made more reliable. To this end, the ILO should continue its action to achieve, at the international level, the harmonisation of statistics on occupational accidents and diseases which should also cover the specific field of civil aviation.

5. It is the responsibility of the public authorities to draw up legislative and regulatory texts on occupational health and safety, after consultation with employers' and workers' representatives, to control the application of such legislation and to provide for punitive sanctions in the case of infringements. The rapid evolution of techniques in civil aviation activities demands constant updating of standards of protection against occupational hazards. To this end, the competent public authorities should pay particular attention to this evolution and revise these texts periodically.

6. Working conditions may vary between countries, airline companies or airports, but the nature of certain health and accident hazards is often the same as analogous techniques are generally used. The fundamental preventive measures should therefore be based on the same principles, wherever they are to be applied.

7. The rapid evolution of technology and the use of an increasingly wide range of chemical products in civil aviation require that the personnel should have adequate knowledge of the hazards they face. It is necessary, therefore, to set up effective information systems within the undertaking, as well as at the national and international levels. The international warning system, envisaged in the resolution adopted by the International Labour Conference at its 61st Session in 1976 and incorporated in the International Programme for the Improvement of Working Conditions and Environment (PIACT) could make an important contribution on this subject.

8. Air transport of sick passengers, live animals and all zoonose-infected animal products, radioactive materials, or dangerous chemical products, may give rise to serious risks for all passengers, ground staff and flying personnel. National legislation based on the international regulations drawn up, notably by ICAO, IATA, WHO, IAEA and the ILO, within their respective fields of competence, should lay down strict rules concerning both the transport of passengers and animals presenting health risks, and the correct packaging and labelling of goods to be carried, and should provide for punitive sanctions in the case of infringements, and in particular false declarations on cargo manifests.

9. The carriage of goods by different means of transport (road, rail, river, sea, air) requires the harmonisation of regulations concerning the packaging, labelling and handling of dangerous products, at the national as well as the international level. The ILO should work towards the achievement of this harmonisation in close collaboration with the other international organisations concerned.

10. Noise, vibration and air pollution are among the hazards to which certain civil aviation personnel, particularly ground staff, are exposed. Effective measures of protection should be undertaken to give effect to national regulations, in accordance with the provisions of the Working Environment (Air Pollution, Noise and Vibration) Convention (No. 148) and Recommendation (No. 156) adopted by the International Labour Conference in 1977.

11. To be most effective, preventive measures should start at the design stage—of aircraft, flight deck layout and working areas for cabin staff, equipment and installations used in civil aviation—as well as at the construction stage of airport buildings, and the planning and layout of all working areas. To this end, ergonomic principles based on the results of recent scientific research in this field should be more widely introduced. The workers' views on matters affecting their occupational health and safety should be considered among the many factors which have to be taken into account.

12. The manufacturers should pay particular attention to the standardisation of emergency equipment and its location on different types of aircraft, in order to eliminate difficulties arising from the use of a wide range of different equipment.

13. The consequences which rapid transmeridian air travel may have on the physical and mental health of flying personnel should be studied further and appropriate measures

should be taken to reduce their impact. The principles to be applied should be established in consultation with the representatives of the personnel concerned.

14. Medical supervision of civil aviation personnel, and in particular flying staff, should not only cover the medical control of physical aptitude for work, but should also permit the early identification of potential health problems and their prevention. In addition, personnel should receive the relevant information and advice which will promote health education. The organisation, functions and operation of occupational health services should correspond to the principles laid down in the Occupational Health Services Recommendation, 1959 (No. 112).

15. In view of the importance of the role which workers are called upon to play in the prevention of exposure to occupational hazards in civil aviation, their representatives should be consulted in the formulation and application of occupational health and safety measures, in accordance with national legislation or established practice in different countries. The workers' representatives should, in particular, be able to visit working areas, in order to ensure that the approved regulations or practical instructions are being applied, and to participate in inquiries on occupational accidents and diseases, in accordance with national legislation or established practice.

16. In case of serious risk to life or limb, the workers must alert their responsible manager and/or the undertaking's safety and health officer. When the time and/or circumstances do not permit this action and an apparent risk exists, the workers should have the right to abstain from, or interrupt their work without sanctions from the employers. The workers must in such cases inform their responsible manager or the undertaking's safety and health officer as soon as possible.

17. In order to ensure that measures designed for the prevention of exposure to occupational hazards are continually updated in the light of the evolution of techniques used in civil aviation, bilateral or, if deemed appropriate by both parties, tripartite consultations should be organised in each country, according to the regulations or collective agreements currently in force, or to be established.

18. Emphasis should also be placed on improving international co-operation in the field of occupational health and safety in civil aviation. To this end, the ILO has been requested to examine the possibility of taking all useful steps towards the development of such co-operation, which might be achieved within the context of its appropriate machinery.

### **Conclusions (No. 2) concerning Employment Security in Civil Aviation**

The Tripartite Technical Meeting for Civil Aviation,

Having been convened by the Governing Body of the International Labour Office, and

Having met in Geneva from 7 to 15 December 1977,

Having examined different factors which affect employment security in civil aviation and the various measures which have been taken on different occasions by governments, employers and workers and their organisations in order to protect workers' employment security when threatened or to mitigate the adverse effects of loss of employment on the workers concerned,

Noting the principles and standards set forth in the Termination of Employment Recommendation, 1963 (No. 119), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and the Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111) of 1958;

Adopts this fifteenth day of December 1977 the following conclusions:

#### *General Considerations*

1. Employment security in civil aviation is subject to a number of different factors, including economic factors, such as cyclical and seasonal variations in demand for air

transport services, cost inflation, excess capacity, increasing competition and economic problems connected with regulation of route licensing and air fares; technological factors, including changes in equipment and aircraft and increasing computerisation and automation of operations; reorganisation or restructuring of air transport services, including mergers, co-operative arrangements, rationalisation measures and closures; and special licensing and other requirements related to health, skills and other conditions of employment of different categories engaged in the industry.

2. The civil aviation industry has a relatively good record in providing employment security for its personnel. Provision of security of employment for persons employed in the industry should remain an important objective of governments, employers, workers and their organisations.

3. Ensuring employment security in the civil aviation industry depends in large measure on ensuring the economic health and viability of the industry, which depends in part on the health of the economy in general and in part upon the viability of individual undertakings and services within the civil aviation industry.

4. Having regard to the relationship between the economics of the industry and employment security, regulatory authorities should consult air carriers and the workers' organisations concerned before deciding to grant or withdraw operating licences.

5. Constructive labour-management relations and regular consultation, in accordance with collective agreements, national law or current practice, are important to the economic health of the industry and thus also to employment security.

#### *Protection against Dismissal*

6. The employment of civil aviation workers should not be terminated unless there is a valid reason for such termination connected with the capacity or conduct of the worker or based on the operational requirements of the undertaking, establishment or service.

7. The protection laid down in the Termination of Employment Recommendation, 1963 (No. 119), should be applied to all workers in civil aviation. In general, this means that a worker who feels that his employment has been unjustifiably terminated should be entitled to appeal against that termination under a grievance procedure within the undertaking, established in accordance with collective agreements, national laws or current practice, and to impartial machinery outside the undertaking empowered to decide on the justification of the termination and to award appropriate remedies where it finds that the termination of employment was unjustified.

#### *Protection against or in Case of Loss of Licence*

8. Personnel subject to licensing requirements should be covered by adequate measures, which may be at the employer's expense, designed to prevent loss of licence. This protection should include the availability of appropriate medical services and training facilities to assist the persons concerned in maintaining the required health and skill standards. In the event of loss on medical grounds of a licence which includes medical standards, such measures should also include provision for income protection, such as adequate loss-of-licence insurance and, where applicable, disability insurance and retirement or early retirement pensions, in accordance with collective agreements, national laws or current practice. Opportunities for retraining and redeployment should also be available to workers who lose their licences.

#### *Protection against Discrimination*

9. Women and men should have equality of treatment in accordance with the principles set out in the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

*Protection to Be Afforded in Case Employment Security Is Threatened  
for Reasons of an Economic, Technological or Organisational Character*

10. Workers in civil aviation and their representatives should be informed sufficiently in advance of and consulted on any appropriate proposed change in the structure, general objectives, working methods, equipment or operational plans of an undertaking which is liable to prejudice employment security.

11. Where personnel reductions are foreseen, the employer should inform the workers' representatives and the appropriate public authorities as early as possible and, in accordance with collective agreements, national laws or current practice, consult such representatives to devise measures which might be taken to avoid or limit collective dismissals or layoffs as well as measures to mitigate the adverse consequences of any personnel reductions on the workers affected.

12. The measures which should be considered with a view to avoiding or limiting collective dismissals or layoffs should include attrition, incentives to voluntary departure or early retirement, internal transfer and training, reduction of overtime and other methods as considered appropriate.

13. Having regard to the difficulty for older workers of finding alternative employment if they lose their jobs, such workers should as far as possible be retained in employment until the age of retirement (subject to transfer within the undertaking, where necessary with the appropriate retraining), unless they have, in accordance with collective agreements, national laws or current practice, the possibility of retiring on reasonable terms.

14. Where workers have to be dismissed or laid off because of economic or technological reasons or because of reorganisation, the following measures should be considered, in accordance with national laws, regulations and practices, to mitigate the consequences of such action:

- (a) the selection of workers to be affected should be made in accordance with precise criteria—determined, in advance wherever possible, after consultation with workers' representatives—such as length of service, competence, family situation and age, and taking into account the need for the efficient operation of the undertaking;
- (b) a reasonable period of notice should be given to the workers to be affected;
- (c) provision should be made for appropriate compensation for the workers affected, which could include, for example, unemployment insurance or other forms of social security, or severance allowance or other types of separation benefits paid for by the employer, or a combination of benefits, depending upon national laws or regulations, collective agreements and the personnel policy of the employer;
- (d) workers whose employment has been terminated owing to a reduction of the workforce should be given priority of re-engagement, to the extent possible, by the employer when he again engages workers; such priority of re-engagement may be limited to a specified period of time;
- (e) the employer should assist the workers affected to obtain training for alternative employment within the undertaking; the appropriate public authorities should do the same outside the undertaking.

15. Airline companies with activities and personnel employed in countries other than that in which the companies are registered should respect the labour legislation of those countries. In the event of circumstances which might involve collective dismissals or layoffs, reasonable notice of such dismissals or layoffs should be given to the appropriate government authorities and workers' representatives with a view to mitigating hardships for the personnel affected.

*Training*

16. Well developed systems of training are essential to employment security in the civil aviation industry where technological change and requirements of high levels of skill are such important factors. Appropriate training systems and facilities, following initial training, are of great importance in order to provide the recurrent training required for personnel

to maintain their levels of competence, the transitional training necessary to enable them to qualify for work with new equipment, aircraft or procedures and the training required for redeployment within the industry. Availability of training in administrative skills as well as in other skills is relevant for some of these purposes.

17. Employers, workers and their organisations, the appropriate public authorities and educational and training institutions should co-operate in developing the training systems needed to help safeguard employment security in civil aviation as well as in promoting full utilisation of these training facilities by the personnel concerned, and in particular older personnel.

#### *International Labour Standards*

18. The Meeting calls on all member States of the International Labour Organisation to apply in civil aviation the principles embodied in the Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111) of 1958, and the Termination of Employment Recommendation, 1963 (No. 119).

19. The problems arising with respect to employment security in civil aviation should be borne in mind in any revision of the Termination of Employment Recommendation, 1963 (No. 119).

#### **Resolution (No. 3) concerning Hijacking**

The Tripartite Technical Meeting for Civil Aviation,

Having been convened by the Governing Body of the International Labour Office,  
and

Having met in Geneva from 7 to 15 December 1977,

Considering that the recent upsurge in incidents of unlawful interference indicates that considerable efforts still have to be made by governments and/or other appropriate authorities to improve security at airports,

Considering that civil aviation remains a particularly vulnerable target for those engaged in the taking of hostages and other acts not only endangering the life and security of the travelling public but also having very serious effects on conditions of work and safety of civil aviation workers,

Considering that it is the duty of States to provide for the safety of nationals and aliens within their jurisdiction,

Considering that acts of terrorism against civil aviation continue to be a menace and that governments of the world should assist and support each other in action against air piracy and terrorism,

Expressing its concern and regret that the Conventions of Tokyo (1963) on Offences and Certain Other Acts Committed on Board Aircraft, of The Hague (1970) for the Suppression of Unlawful Seizure on Aircraft, and of Montreal (1971) for the Suppression of Unlawful Acts against the Safety of Civil Aviation, have not yet been ratified by all States, and

Recognising that efficient security measures at all airports can contribute very substantially to the prevention of further acts of violence against aircraft, passengers and crews;

Adopts, this fifteenth day of December 1977, the following resolution:

The Tripartite Technical Meeting for Civil Aviation invites the Governing Body of the International Labour Office:

- (a) to affirm the support of the ILO for the measures already taken by the United Nations and the International Civil Aviation Organisation against air piracy, including the Resolution adopted on 3 November 1977 by the United Nations General Assembly on the subject and the relevant provisions in the ICAO Manual;
- (b) to request the Director-General to follow closely the development of discussions at the international level on every instrument aiming at putting a stop to acts of air piracy, in order to ensure that the ILO can contribute to the social and security aspects of any instrument finally adopted by the international community;

- (c) to communicate this resolution to all ILO member States as well as to the United Nations and the ICAO.

#### **Resolution (No. 4) concerning Trade Union Rights in Civil Aviation**

The Tripartite Technical Meeting for Civil Aviation,

Having been convened by the Governing Body of the International Labour Office, and

Having met in Geneva from 7 to 15 December 1977,

Considering the necessity of ensuring that civil aviation workers fully exercise trade union rights and freedom of association, in accordance with the provisions of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and the Workers' Representatives Convention, 1971 (No. 135),

Concerned over the fact that in some countries limitations are being imposed on workers in exercising their trade union rights, particularly in the public sector,

Realising that the ILO has performed a great deal of work in the field of trade union rights by adopting relevant Conventions and monitoring their application, in particular through the Committee on Freedom of Association, and

Considering that many States have not yet ratified Conventions Nos. 87, 98 and 135;

Adopts, this fifteenth day of December 1977, the following resolution:

The Tripartite Technical Meeting for Civil Aviation invites the Governing Body of the International Labour Office:

- (a) to urge rapid ratification by member States of Conventions Nos. 87, 98 and 135;
- (b) to urge further that measures be taken by the international community to ensure that the obligations inherent in those Conventions are fully complied with;
- (c) to request the Director-General to take every possible step to ensure their application.

#### **Resolution (No. 5) concerning the Meeting of Experts on Problems concerning Air Traffic Controllers**

The Tripartite Technical Meeting for Civil Aviation,

Having been convened by the Governing Body of the International Labour Office, and

Having met in Geneva from 7 to 15 December 1977,

Recognising that air traffic control has a direct effect upon the economy of civil aviation and hence on the well-being of all civil aviation workers, and

Noting with satisfaction the decision taken by the Governing Body of the International Labour Office to convene in the 1978-79 biennium a Meeting of Experts on Problems concerning Air Traffic Controllers;

Adopts, this fifteenth day of December 1977, the following resolution:

The Tripartite Technical Meeting for Civil Aviation conveys to the Governing Body of the International Labour Office its earnest hope that, in spite of the present financial difficulties of the International Labour Organisation, the above-mentioned Meeting of Experts will take place as planned during the 1978-79 biennium.

#### **Resolution (No. 6) concerning Future ILO Action in Civil Aviation**

The Tripartite Technical Meeting for Civil Aviation,

Having been convened by the Governing Body of the International Labour Office, and

Having met in Geneva from 7 to 15 December 1977,



Recalling the decision taken by the Governing Body of the International Labour Office at its 174th Session (March 1969) to reinforce the industrial activities of the ILO and to integrate them into a global ILO Programme of Industrial Activities, and

Considering the evolution of the civil aviation sector during the past years and the fundamental role which it is expected to play in the transport network of all countries;

Adopts, this fifteenth day of December 1977, the following resolution:

The Tripartite Technical Meeting for Civil Aviation invites the Governing Body of the International Labour Office:

(a) *Programme of activities in civil aviation*

- to adopt all the necessary steps for obtaining from member States economic and statistical information and manpower data in civil aviation;
- to convene future tripartite technical meetings for civil aviation at sufficiently short intervals to ensure continuity;

(b) *Agenda of a next tripartite technical meeting for civil aviation*

- to convene a tripartite preparatory meeting to propose a suitable agenda, and specifically to advise the Governing Body of the International Labour Office on the desirability of establishing permanent tripartite machinery for civil aviation;

(c) *Meetings of experts*

- to make provision for meetings of experts on special subjects which require international consideration;

(d) *Research and studies*

- to request the Director-General of the ILO to carry out research and studies on the following subjects in civil aviation:
  - (1) Occupational hazards and diseases;
  - (2) Working environment;

(e) *Regional meetings*

- to convene meetings of experts or tripartite meetings at the regional level;

(f) to allocate the financial resources required for accomplishing the above-mentioned programme of activities.

## Interpretation of Decisions of the International Labour Conference

In accordance with the usual practice, the Director-General has submitted to the Governing Body, for information, the texts of a number of memoranda in which he has replied to requests made by governments concerning the interpretation of decisions of the International Labour Conference. In communicating these replies, the Director-General made the usual reservation that the Constitution of the ILO does not contain any provision authorising him to interpret the decisions of the Conference.

### HUMAN RESOURCES DEVELOPMENT CONVENTION, 1975 (No. 142) (Article 3, paragraph 3)

#### MEMORANDUM BY THE INTERNATIONAL LABOUR OFFICE

1. The Federal Ministry of Labour and Social Affairs of the Federal Republic of Germany has requested an opinion from the International Labour Office as regards the meaning of the provisions of Article 3, paragraph 3, of the Human Resources Development Convention, 1975 (No. 142).

2. Article 3 of Convention No. 142 reads as follows:

1. Each Member shall gradually extend its systems of vocational guidance, including continuing employment information, with a view to ensuring that comprehensive information and the broadest possible guidance are available to all children, young persons and adults, including appropriate programmes for all handicapped and disabled persons.

2. Such information and guidance shall cover the choice of an occupation, vocational training and related educational opportunities, the employment situation and employment prospects, promotion prospects, conditions of work, safety and hygiene at work, and other aspects of working life in the various sectors of economic, social and cultural activity and at all levels of responsibility.

3. The information and guidance shall be supplemented by information on general aspects of collective agreements and of the rights and obligations of all concerned under labour law; this information shall be provided in accordance with national law and practice, taking into account the respective functions and tasks of the workers' and employers' organisations concerned.

3. The Federal Ministry of Labour and Social Affairs indicates that information on general aspects of collective agreements and of the rights and obligations of all concerned under labour law are not included among the functions assigned to the Federal Employment Institution by the Employment Promotion Act and that an extension of the competence of this body is not envisaged. On the other hand there is a wide range of information possibilities, either prescribed by law or available in practice, which taken together may fill the gap not covered by the Federal Employment Institution. The question of the Federal Ministry of Labour and Social Affairs is whether these existing information possibilities fulfil the requirements of Article 3, paragraph 3, of the Convention.

4. In general it is not for the International Labour Office to express an opinion as to whether or not the legislation of a State is compatible with the provisions of a Convention: the Office must, subject to the usual reservation that the Constitution of the International Labour Organisation does not confer upon it any special competence to interpret Conventions, confine itself to providing governments with indications which may clarify the meaning of particular provisions of a Convention, taking account, as appropriate, of any elements emerging from the preparatory work or from conclusions reached by the supervisory bodies of the ILO. It is for the government concerned to assess the conformity of national legislation and practice with the standards laid down in a particular international labour Con-

vention—subject, in the case of ratification of the Convention, to the procedures established by the International Labour Organisation for the international examination of reports relating to the application of ratified Conventions.

5. Paragraph 3 of Article 3 of the Convention is clearly distinguished from the two first paragraphs of this Article. The information referred to by the first two paragraphs is to be ensured by the gradual extension of the systems of vocational guidance and shall cover the fields listed in paragraph 2. The information to be provided under paragraph 3 is supplementary to—and not part of—that referred to in the first two paragraphs and nothing in the text relates this information to the “systems of vocational guidance”. Moreover, this information is to be provided “in accordance with national law and practice, taking into account the respective functions and tasks of the workers’ and employers’ organisations concerned”. It would appear therefore that the obligation of a ratifying State consists essentially in satisfying itself that the supplementary information is effectively available, and nothing would prevent this information from being provided by non-public bodies, including workers’ and employers’ organisations.

6. It may be recalled that the provision of paragraph 3 of Article 3 was originally part of paragraph 2 of the Article and did not include the proviso that the information be provided in accordance with national law and practice and taking into account the respective functions and tasks of the workers’ and employers’ organisations concerned. The original text gave rise to objections by the Government of the Federal Republic of Germany, which proposed, in particular, to replace the reference to “general aspects of collective agreements and of the rights and obligations under labour legislation” by the words “other aspects of workers’ life”. In the opinion of the Government of the Federal Republic of Germany, this more flexible description of duties of the vocational guidance systems was necessary because the allocation of the different guidance functions among state institutions, the autonomous parties to collective agreements and the judicial system may be organised differently from country to country in accordance with national legislation and administrative structure.<sup>1</sup> The Office comment on this proposal was that the provision in question was not intended to spell out the duties of any particular body or group of bodies, but to describe the range of information required by children, young persons and adults.<sup>2</sup>

7. During the consideration of the draft Convention by the competent committee at the 60th Session of the Conference, a series of changes were made. These had the effect of establishing a separate paragraph concerning the information on general aspects of collective agreements and the rights and obligations of all concerned under labour law, of making this information supplementary to the information to be made available under paragraphs 1 and 2 of the Article, and of introducing the qualification that “this information shall be provided in accordance with national law and practice, taking into account the respective functions and tasks of the workers’ and employers’ organisations concerned”. These changes make clear that it is left to each State to choose the ways and means by which the information in question is to be made available to those concerned. It would thus be possible for such information to be provided by individual undertakings, statutory bodies therein, employers’ or workers’ organisations or other non-public bodies.

31 March 1978.

TRIPARTITE CONSULTATION  
(INTERNATIONAL LABOUR STANDARDS) CONVENTION, 1976 (No. 144)  
(Article 1)

MEMORANDUM BY THE INTERNATIONAL LABOUR OFFICE

1. By letter of 26 September 1977 the Government of Sweden asked the International Labour Office to provide indications as to the meaning to be given to the term “the most representative organisations of employers and workers” in Article 1 of the Tripartite

<sup>1</sup> ILO: *Human resources development: Vocational guidance and vocational training*, Report VI (2), International Labour Conference, 60th Session, Geneva, 1975, pp. 15 and 16.

<sup>2</sup> Ibid., p. 16.

Consultation (International Labour Standards) Convention, 1976 (No. 144). It also asked who is to decide which organisations should be considered to be the most representative for the purposes of the Convention.

2. Article 1 of the Convention reads as follows:

In this Convention the term “representative organisations” means the most representative organisations of employers and workers enjoying the right of freedom of association.

3. The Swedish Government indicates in its letter that the circumstances which gave rise to its request are as follows: The Swedish ILO Committee, which already existed at the date of ratification of the Convention, consists of nine members, three of whom represent the State, three the employers and three the workers. Two of the employer members represent the Swedish Employers' Confederation (whose members employ 1,342,000 persons), the third member representing either the Swedish Association of Local Authorities (employers of 560,000 workers) or the Federation of Swedish County Councils (employing 320,000). Of the worker members, two come from the Swedish Confederation of Trade Unions (with a membership of some 2 million) while the third represents the Swedish Central Organisation of Salaried Employees (which has about 1 million members). In these circumstances, the question has arisen as to whether the employers' and workers' representatives for the purposes of Convention No. 144 should be chosen only by the largest organisation of employers and the largest organisation of workers, or whether representatives of other organisations can also be included.

4. The question to be determined is accordingly the meaning to be attached to the words “the most representative organisations of employers and workers”. Taken literally, they could mean either the single most representative organisation respectively of employers and of workers, or they could be understood as referring to the most representative organisations of employers and the most representative organisations of workers.

5. The meaning of a similar term in article 3, paragraph 5, of the ILO Constitution, which refers to “the industrial organisations . . . which are most representative of employers or workpeople, as the case may be”, was the subject of an advisory opinion of the Permanent Court of International Justice in 1922.

6. Before considering this opinion, reference will be made to certain passages in the preparatory work leading to the adoption of Convention No. 144 which provide indications as to the relevance of article 3, paragraph 5, of the Constitution to the term used in Article 1 of the Convention. These indications may be summarised as follows:

- (i) The Proposed Conclusions prepared by the Office for the first discussion provided that the representatives of employers and workers should be appointed “on the proposal of their representative organisations” (International Labour Conference, 60th Session, 1975, Report VII (2), page 45, Point 6 (1)). This Point was amended during the first discussion with a view to clarifying which organisations should propose the employers' and workers' representatives by reference to article 3, paragraph 5, of the ILO Constitution. A further draft amendment which would have specified that these organisations should determine which of their affiliates or other organisations should participate in the consultations was withdrawn (International Labour Conference, 61st Session, 1976, Report IV (1), page 10, paragraph 33). In the result, the conclusions adopted by the Conference following the first discussion provided that “The representatives of employers and workers should be freely chosen by their most representative organisations in the meaning of article 3, paragraph 5, of the Constitution of the International Labour Organisation” (ibid., page 21, Point 13).
- (ii) In preparing the draft Convention, the Office queried whether the reference to article 3, paragraph 5, of the ILO Constitution was necessary or added anything to the term “most representative organisations”, as used in existing Conventions and Recommendations (ibid., page 27). In their comments on the draft Convention, the majority of governments were in favour of omitting this reference, either because the term “most representative organisations” was sufficiently clear, or because the reference might raise doubts as to the meaning of the term used in this Convention as compared with other Conventions which referred simply to “the most representative organisations”,

or because article 3, paragraph 5, did not in fact define the most representative organisations. The view was also expressed that the meaning of the provision would be the same, whether or not the reference to the Constitution was retained (International Labour Conference, 61st Session, 1976, Report IV (2), pages 11-13). Consequently, the reference was omitted in the draft Convention submitted to the Conference for the second discussion.

- (iii) During the second discussion by the Conference Committee, an amendment was proposed to reintroduce the words "within the meaning of article 3, paragraph 5, of the ILO Constitution". The Employers' and Workers' members considered that such a reference was unnecessary, since it was evident that the provisions of the Convention should spring from the Constitution. The amendment was withdrawn (International Labour Conference, 61st Session, 1976, *Record of Proceedings*, page 116, paragraph 14).
- (iv) A further amendment would have replaced "means" by "includes". The proposer maintained that, if there were good reasons for specifying the most representative organisation or organisations, it was necessary too that one allow for the participation of other organisations in the procedures of consultation. He thought this might be achieved by interpreting the word "means" broadly, but considered it might be liable to a strict interpretation. This amendment was opposed on the grounds that it might open the door to organisations not enjoying freedom of association, and was withdrawn (International Labour Conference, 61st Session, 1976, minutes of the Committee on Tripartite Machinery, *PV. 3*, page 4, and *Record of Proceedings*, page 116, paragraph 15).

7. It would thus seem from the preparatory work that it was the intention that the representatives of employers and workers should be chosen by their most representative organisations, and that the term "the most representative organisations of employers and workers" should be interpreted in the light of the use of this term in other ILO Conventions and, even in the absence of an express reference, of the provisions of article 3, paragraph 5, of the ILO Constitution.

8. The references in other ILO Conventions to consultations usually refer to "the most representative organisations of employers and workers concerned" and have not given rise to any problems the solution of which would provide assistance in reaching a conclusion in the present case.

9. Article 3, paragraph 5, of the ILO Constitution reads as follows:

The Members undertake to nominate non-Government delegates and advisers chosen in agreement with the industrial organisations, if such organisations exist, which are most representative of employers or workpeople, as the case may be, in their respective countries.

This provision is applied by the International Labour Conference and its Credentials Committee in the light of the principles laid down in Advisory Opinion No. 1 of the Permanent Court of International Justice in 1922. In considering the meaning of the words "organisations . . . which are most representative of employers or workpeople", the Court stated as follows:<sup>1</sup>

It was suggested that the third paragraph of Article 389<sup>2</sup> spoke of organisations in the plural, only because it was dealing with the case of the employers as well as with the case of the workers, and that what was meant was that the Government, in nominating the Employers' Delegate, should proceed in agreement with the views of the one organisation most important amongst those representative of the employers, and in choosing the Workers' Delegate, in accordance with the views of the one organisation most important amongst those representative of the workers.

The Court cannot accept this interpretation.

The view maintained by the Netherlands Confederation is not sufficiently supported by the text of the Article, and it is at all events obvious that the ideas inspiring the provisions of paragraph 3 clearly demonstrate that the only possible construction that can be given to the word "organisations" is that the plural refers as well to employers' as to workers' organisations.

<sup>1</sup> ILO: *Official Bulletin*, Vol. VI, No. 7, 1922, pp. 291-298, in particular p. 296.

<sup>2</sup> Article 389, paragraph 3, of the Treaty of Versailles is now article 3, paragraph 5, of the present Constitution.

In accordance with the terms of the first paragraph of Article 389, the Workers' Delegate represents all workers belonging to a particular Member. The only object of the intervention of industrial organisations, in connection with the selection of Delegates and technical advisers, is to ensure, as far as possible, that the Governments should nominate persons whose opinions are in harmony with the opinions of employers and workers respectively. If, therefore, in a particular country there exist several industrial organisations representing the working classes, the Government must take all of them into consideration when it is proceeding to the nomination of the Workers' Delegate and his technical advisers. Only by acting in this way can the Government succeed in choosing persons who, having regard to the particular circumstances, will be able to represent at the Conference the views of the working classes concerned.

The following example will show how widely the view maintained by the Netherlands Confederation of Trade Unions differs from the spirit of Article 389 of the Treaty of Versailles. In a given country, there are six organisations of workers, one with 110,000 members, and five others each with a membership of 100,000. According to the view of the objectors to the nomination made in the present case, the candidate proposed by the five last organisations jointly would have to be discarded in favour of the candidate of the first. One hundred and ten thousand workers would dictate to 500,000. Such a result is enough to condemn the interpretation which would make it possible, and unequivocal terms would be required to compel its adoption. Now the wording of the Article lends no support to such an interpretation.

10. The application of this principle in cases in which an adviser in the Workers' delegation has been appointed without the agreement of the largest most representative organisation may provide some guidance in the present case. In one such case, the Swiss Workers' delegate objected to the nomination of one of his advisers who had been chosen by three minority organisations with a total membership of 29,766 without the agreement of the two largest organisations, whose membership totalled 236,651. The Workers' delegate and three other Workers' advisers had been appointed in agreement with the two latter organisations. The majority of the Credentials Committee of the Conference found that the three minority organisations reflected opinions which were of a certain importance and concluded that the largest organisation could not claim to monopolise representation of workers at the Conference. On the basis of the advisory opinion referred to above, it concluded that the Swiss Government had not violated the principles underlying the Constitution by appointing an adviser representing the three minority organisations, and this view was upheld by the Conference (International Labour Conference, 14th Session, 1930, *Record of Proceedings*, pages 584-586).

11. As was pointed out by the Permanent Court of International Justice in Advisory Opinion No. 1, and by the majority of the Credentials Committee of the Conference in another case in which the nomination of a Workers' adviser from a minority union was challenged (International Labour Conference, 28th Session, 1946, *Record of Proceedings*, page 200), in countries where more than one representative organisation exists, the aim of the government should be an agreement with all the representative organisations of employers or workers, as the case may be, to the nomination of all the non-government delegates and advisers. However, in the view of the Court the agreement of the largest organisation to all the nominations was not essential: "What is required of the governments is that they should do their best to effect an agreement which, in the circumstances, may be regarded as the best for the purpose of ensuring the representation of the workers in the country."<sup>1</sup> In the absence of such an agreement, it is for the government to make the final decision.

12. It emerges from the above-cited advisory opinion that the purpose of article 3, paragraph 5, is to ensure that the views of the whole body of employers and workers of each country are represented at the Conference, and that for this purpose it is necessary to take into account not only the largest organisation but also other organisations which may be considered as among the "most representative". As was stated by the Court: "What these organisations are, is a question to be decided in the particular case, having regard to the circumstances in each particular country at the time when the choice falls to be made. Numbers are not the only test of the representative character of the organisations, but they are an important factor; other things being equal, the most numerous will be the most representative."<sup>2</sup>

<sup>1</sup> ILO: *Official Bulletin*, op. cit., p. 297.

<sup>2</sup> Ibid., p. 295.

13. The essential purpose of the annual sessions of the Conference is the adoption of Conventions and Recommendations, and indeed the appointment of advisers is expressly linked to the items on the agenda of the Conference by article 3, paragraph 2, of the Constitution. The purpose of Convention No. 144 is clearly related to this standard-setting work of the Conference, since it is to ensure "effective consultations . . . between representatives of the government, of employers and of workers" (Article 2) at the various stages in the adoption, follow-up and implementation of Conventions and Recommendations. For this purpose it seems just as important as in relation to the composition of Conference delegations to ensure that organisations whose general character and membership are such that they represent a distinct and significant segment of employer and worker opinion, so that they may be considered as being among the most representative organisations, should be represented in the tripartite consultations. Such a broad representation may indeed be considered even more important than in the case of the Conference delegations, where, as has been pointed out by the Credentials Committee, harmony is desirable if the delegation is to function as a team for the purpose of the Conference (International Labour Conference, 28th Session, 1946, *Record of Proceedings*, page 201). The consultations provided for by Convention No. 144 are largely designed to lead to action at the national level, and for this purpose it may be considered that the possibly varying views held by significant groupings of employers and workers should be thoroughly aired and debated.

14. This conclusion leads to the second question raised by the Swedish Government, namely who is to decide which organisations should be considered to be the most representative for the purposes of the Convention.

15. This question also can best be answered by reference to article 3, paragraph 5, of the ILO Constitution. According to Advisory Opinion No. 1, "The Article throws upon the Government of the State the duty of deciding, on the data at its disposal, what organisations are, in point of fact, the most representative".<sup>1</sup> This may be considered to be the position also under Convention No. 144. Clearly, the decision must be taken in good faith in the light of the circumstances existing at the time it has to be made and, as was pointed out by the Permanent Court of International Justice, in the case of article 3, paragraph 5, of the Constitution, the State's decision in nominating the Conference delegations may be challenged under article 3, paragraph 9, of the Constitution. Possibilities of challenge also exist in relation to action taken to give effect to a ratified Convention, in the form of the procedures of representation and complaint under articles 24 and 26 of the ILO Constitution and of the possibility of submitting written observations on the government's reports on the application of the Convention under article 22 of the Constitution, copies of which have to be communicated to the employers' and workers' organisations in accordance with article 23, paragraph 2.

16. The position may thus be summarised as follows: the term "most representative organisations of employers and workers" in Article 1 of Convention No. 144 does not mean only the largest organisation of employers and the largest organisation of workers. If in a particular country there are two or more organisations of employers or workers which represent a significant body of opinion, even though one of them may be larger than the others they may all be considered to be "most representative organisations" for the purpose of the Convention. The government should endeavour to secure the agreement of all the organisations concerned in establishing the consultative procedures provided for by the Convention, but if this is not possible it is in the last resort for the government to decide, in good faith in the light of the national circumstances, which organisations are to be considered as the most representative.

17. It may be added that such a solution is in keeping with the general spirit of the Convention as reflected in the preparatory work, in which constant stress was laid on the need for a flexible instrument which would permit the nature and form of the procedures to be determined in accordance with national practice, as is laid down in Article 2, paragraph 2, of the Convention. In particular, it was made clear in several passages of the competent committee report at the second discussion, that the consultations need not take place

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<sup>1</sup> ILO: *Official Bulletin*, op. cit., p. 295.

in a strictly tripartite body but could be held through a body with a broader composition including representatives of other groups interested in questions of social policy, such as consumers and co-operative movements (International Labour Conference, 61st Session, 1976, *Record of Proceedings*, pages 116-119, paragraphs 10, 22 and 36 of the competent committee's report). It would seem inconsistent to admit the representation of such groups and exclude employers' and workers' organisations which, although not the largest, represent distinct and substantial elements in the whole body of employers or workers as the case may be.

28 October 1977.