



# INTERNATIONAL LABOUR CONFERENCE

27th Session, Paris  
15th October—5th November, 1945

## REPORT to the Minister of Labour and National Service by the Delegates of H.M. Government in the United Kingdom of Great Britain and Northern Ireland

*Presented by the Minister of Labour and National Service to Parliament  
by Command of His Majesty  
May 1946*

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27TH SESSION OF THE INTERNATIONAL LABOUR CONFERENCE,  
PARIS, 1945

Report by the Delegates of His Majesty's Government in the United Kingdom to the Rt. Hon. George A. Isaacs, M.P., Minister of Labour and National Service.

SIR,

We have the honour to present the following report on the 27th Session of the International Labour Conference.

INTRODUCTION

1. The Conference opened on 15th October, 1945, and closed on 5th November, 1945. It was held in the University of Paris (the Sorbonne), by invitation of the French Government.

2. The delegates appointed to represent His Majesty's Government were Mr. Ness Edwards, M.P., Parliamentary Secretary to the Ministry of Labour and National Service, and Mr. Guildhaume Myrddin-Evans, C.B., Under-Secretary, Ministry of Labour and National Service, together with Mr. Thomas Ingram Kynaston Lloyd, C.M.G., Assistant Under-Secretary of State, Colonial Office, as adviser and substitute delegate. The delegates appointed to represent respectively the United Kingdom employers and the United Kingdom workers were Sir John Forbes Watson, Director of the British Employers' Confederation, Member of the Governing Body of the International Labour Office, and Mr. Joseph Hallsworth, General Secretary, National Union of Distributive and Allied Workers, Member of the General Council of the Trades Union Congress, Member of the Governing Body of the International Labour Office. In addition, 15 advisers were appointed to the Government delegates and 8 advisers each to the employers' and workers' delegates. The complete list of the delegation is given in Appendix I.

3. The items on the Agenda of the Session were:—

- I. Director's Report (Social problems of the immediate post-war period with special reference to Europe—future policy and programme of the I.L.O.).
- II. The Maintenance of high levels of employment during the period of industrial rehabilitation and reconversion.
- III. Welfare of children and young workers (First discussion).
- IV. Matters arising out of the work of the Constitutional Committee.
- V. Minimum standards of Social policy in dependent territories (supplementary provisions).
- VI. Reports on the application of conventions (Article 22 of the Constitution).

4. The Right Honourable George A. Isaacs, M.P., Minister of Labour and National Service, visited the Conference and addressed the Conference during the discussion of the Director's Report. Delegations from other Governments included the following Ministers:—The Hon. J. M. Fraser, Minister for Health and Social Services, Australia; Mr. L. Troclet, Minister of Labour and Social Welfare, Belgium; Mr. J. Soltész, Minister of Labour and Social Welfare, Czechoslovakia; Mr. A. Parodi, Minister of Labour and Social Security, France; Mr. G. Barbareschi, Minister of Labour and Social Welfare, Italy; Mr. P. Krier, Minister of Labour, Social Welfare and Mines, Luxembourg; His Excellency Trujillo Gurria, Minister of Labour, Mexico; The Hon. P. C. Webb, Minister of Labour, New Zealand; Mr. J. Stanczyk, Minister of Labour and Social Welfare, Poland. The Hon. A. Barrette, Minister of Labour, Quebec, The Hon. Charles Daley, Minister of Labour, Ontario, and The Hon.



Charles C. Williams, Minister of Labour, Saskatchewan, accompanied the Government Delegation of the Dominion of Canada under the new standing Order which provides that representatives of a State or Province of a Federal State which is a Member of the Organisation may be appointed to accompany the Government Delegation from that Member State (Para. 33 below). Dr. B. Maginess, LL.D., M.P., Minister of Labour, Government of Northern Ireland, also visited the Conference.

#### OPENING OF THE CONFERENCE

5. The Conference was opened by the Chairman of the Governing Body of the International Labour Office, Mr. Carter Goodrich (United States Government representative).

6. Mr. Carter Goodrich introduced Mr. Justin Godart, representative of the French Government on the Governing Body of the International Labour Office, who welcomed the delegates in the name of the Government of the French Republic.

7. Mr. Justin Godart said that at a time when many institutions had collapsed or lost courage, the International Labour Organisation had continued its mission of peace with an invincible faith. "It is difficult", he said, "to foresee everything that will take place; but it is no illusion to believe that, among the institutions which the United Nations will have to set up to safeguard the world collectively against aggression, the International Labour Organisation must find the place to which its past, its vitality and its promise for the future entitle it. That is why the Government of the French Republic and the French Nation consider your assembly—this notable manifestation of international co-operation—to be an event of the greatest importance and can assure you of our greatest sympathy."

8. Speeches of welcome were also made by Mr. Le Trocquer, President of the Municipal Council of the City of Paris, and Mr. Roussy, Rector of the University of Paris.

9. Mr. Carter Goodrich, in his formal opening speech, said that representatives were present from 39 States Members of the International Labour Organisation. Referring to the desire unanimously affirmed by the Governing Body in January, 1945, for the linking of the Organisation with the United Nations, he said:—

"The Conference will have the opportunity to consider the general principles, though not the final terms, that should govern the relationship between the International Labour Organisation and the United Nations. The two essentials are, first, that the work of the International Labour Organisation should be co-ordinated with that of the new organisation and not left in isolation and, second, that this co-ordination should leave to the International Labour Organisation, with its tripartite structure, sufficient freedom to discharge its responsibilities and make its best contribution to the common effort. One of the most interesting of the proposals before the present Conference is a Constitutional provision giving assurance that admission to the International Labour Organisation shall never be closed to any member of the United Nations. It has already been made clear that the door of membership is open to the Union of Soviet Socialist Republics."

#### ELECTION OF THE PRESIDENT AND VICE-PRESIDENTS

10. On the motion of Mr. Ness Edwards, M.P., seconded by Mr. Zellerbach (United States Employers' Delegate) and supported by Mr. J. Hallsworth (United Kingdom Workers' Delegate), the Conference unanimously elected as President of the Conference Mr. Alexandre Parodi, Minister of Labour and Social Security, France.

11. The following were unanimously elected Vice-Presidents of the Conference:—

Mr. Trujillo Gurria (Mexican Minister of Labour and Government Delegate).

Sir John Forbes Watson (United Kingdom Employers' Delegate).

Mr. Gunnar Anderson (Swedish Workers' Delegate).

#### ELECTION OF CHAIRMEN OF THE GROUPS

12. Miss Frances Perkins (United States Government Delegate) was elected Chairman of the Government Group at the Conference, Mr. H. C. Oersted (Danish Employers' Delegate) Chairman of the Employers' Group, and Mr. J. Hallsworth (United Kingdom Workers' Delegate) Chairman of the Workers' Group.

#### CREDENTIALS OF DELEGATES

13. The Conference appointed the following Committee to report on the credentials of Delegates:

Mr. Paal Berg (Norwegian Government Delegate) (Chairman).

Mr. R. S. Brooke (South African Employers' Delegate).

Mr. Lombardo Toledano (Mexican Workers' Delegate).

14. The Committee reported in the latter part of the Conference that, as the result of new nominations since the opening of the Session and the admission of additional States (see paras. 25 and 26 below), the number of States represented at the Conference was 47, and the total number of delegates was 162.

15. The following objections to the credentials of delegates were submitted to the Credentials Committee:

(i) An objection concerning the nomination of the Iranian Workers' Delegate, lodged by the Central Council of the Federated Trade Unions of Iranian Workers.

(ii) An objection concerning the nomination of the Irish Workers' Delegate and Adviser, lodged by the United Kingdom Workers' Delegate and the Dublin Trade Union Council.

(iii) Objections concerning the credentials of the Argentine Delegates, lodged by the workers of Argentina and by the Workers' Group at the Conference.

16. The objection to the credentials of the Iranian Workers' Delegate (Mr. C. Sadri, Director of the Central Union of Workers and Peasants of Iran) was based on the grounds that the Iranian Government had not obtained the agreement of the principal national workers' organisation to his nomination, that two of his advisers were employers, that two others were Government Officials or employees, and that the travelling expenses of two of the advisers had been paid by their employers. The Credentials Committee was "not absolutely certain that, morally speaking, the Workers' Delegate and Advisers of Iran are really qualified effectively to represent the workers of that country." Without further information, however, the Committee did not feel itself in a position to recommend that the Conference should refuse to admit them. At the same time, it recommended that the Iranian Government should be requested to do everything in its power to conform in future to the provisions of the Constitution of the Organisation.

17. The objection to the credentials of the Irish Workers' Delegate and Adviser was based on the ground that they were nominees of "a break-away minority organisation calling itself the Congress of Irish Trade Unions" and

that nominations submitted by the Irish Trade Union Congress, representing a majority of the organised workers of Ireland, had been ignored by the Minister for Industry and Commerce. The Credentials Committee was not of the opinion that the Government of Ireland had in fact departed from the provisions of the Constitution of the Organisation, and recommended that the protest should be rejected. Nevertheless, the Committee expressed the hope that "in all circumstances, in accordance with the provisions of the Constitution of the International Labour Organisation, the Irish Government should endeavour to secure accord between these two organisations which appear to be of approximately equal strength in representing the interests of the Irish Workers."

18. Objection to the credentials of the Argentine Workers' Delegate and Adviser was lodged by the Argentine General Confederation of Labour, by letter on the ground that they were not entitled to represent the labour movement of Argentina, where "for many years there has been no freedom of association and the right to express freely the ideas and aims of democracy has been abolished."

19. On 26th October the Workers' Group at the Conference entered an objection to the Government Employers' and Workers' Delegates of Argentina, "in which country liberty does not exist." (The Credentials Committee, on the same date reported the nomination of two Argentine Government Delegates with one Government Adviser, and one Workers' Delegate with one Adviser; it added that the Employers' Delegate who had previously been nominated was not taking part in the Conference.)

20. At a plenary sitting of the Conference on the same morning, Mr. Jouhaux (French Workers' Delegate) and Mr. Hallsworth (United Kingdom Workers' Delegate) protested against "the presence of a Fascist Government" in the Conference, and the matter was referred to the Credentials Committee.

21. The Committee reported that, "under present conditions, workers' organisations in the Argentine Republic do not enjoy freedom of association, freedom of action, or freedom of speech," and that the Argentine Workers' Delegate and Adviser had not been appointed in accordance with the Constitution of the International Labour Organisation. The Committee accordingly recommended that the Conference should refuse to accept them as Delegate and Adviser respectively.

22. In a later report, the Credentials Committee reported as follows on the objection to the credentials of the Argentine Government representatives:

"The Argentine Republic is one of the signatories of the United Nations Charter, adopted at San Francisco on 26th June, 1945. As the United Nations Organisation was thus made open to the Argentine Republic, and as the States which constitute that Organisation maintain with it all the relations which derive from the circumstances mentioned above, the Credentials Committee considers that it would serve no purpose for it to examine the credentials of the Argentine Republic at the Twenty-seventh Session of the International Labour Conference except as regards their duly verified formal correctness."

23. In all the above cases (paras. 16-22) the Conference adopted the Committee's reports. In the case of the report on the credentials of the Argentine Workers' Delegate and Adviser, a record vote was taken and the Committee's recommendation was adopted by 119 votes to none, the four United Kingdom Delegates voting in favour of the Committee's recommendation.

24. The Conference also adopted a report of the Credentials Committee which endorsed a protest made by the Workers' Group against the presence of incomplete delegations from Greece, Brazil, Ecuador, Haiti and Liberia.

### ADMISSION OF ICELAND

25. The Conference adopted a resolution to admit Iceland to the International Labour Organisation with the same rights and obligations as the other Members of the Organisation, the resolution to take effect as soon as the Government of Iceland had communicated its formal acceptance of the provisions of the Constitution of the Organisation and the terms of the resolution. At a later stage it was announced that the Government of Iceland had given its acceptance.

### RE-ADMISSION OF ITALY AND GUATEMALA

26. Two similar resolutions were adopted for the re-admission of Italy and Guatemala to the Organisation, and in due course the Conference was informed that both countries had accepted the terms of re-admission.

27. The Conference took note of a statement made by the duly-authorised representative of the Italian Government that Italy recognised that the obligations resulting from Conventions ratified prior to her withdrawal from the International Labour Organisation continued to be binding. Speaking, in support of the re-admission of Italy, Mr. Ness Edwards, M.P., said:

“Italy is now on the way to rebuilding democracy in her country. She has been saved from Fascism, and in her return to the International Labour Organisation we hope that she will get inspiration in order to assist her in the task of rebuilding her democracy.”

### REQUEST FOR ADMISSION BY THE LEBANESE REPUBLIC

28. The Conference was notified of an enquiry from the Lebanese Republic, about admission to the Organisation. It was intimated that the Government of the Republic could apply for membership when the instrument for the amendment of the Constitution of the Organisation (see below) had been ratified.

### SELECTION COMMITTEE

29. At an early stage, as required by its Standing Orders, the Conference appointed a “Committee of Selection” whose chief task was “to determine the order of work of the Conference.” This Committee, nominated by the three Groups in the Conference, consisted of 16 members of the Government Group and 8 members of each of the other Groups. His Majesty’s Government was represented on this Committee by Mr. Myrddin-Evans (substitute: Mr. H. M. Phillips), while the United Kingdom Employers and Workers were represented by Sir John Forbes Watson and Mr. Joseph Hallsworth, respectively. The Committee elected its officers as follows: Chairman, Mr. Li Ping-heng (Chinese Government Delegate); Vice-Chairmen, Sir John Forbes Watson and Mr. Hallsworth.

30. On the recommendation of the Selection Committee, six main Committees were set up, as follows:

- I. Committee on Standing Orders, composed of 8 Government representatives and 4 representatives each of the Employers’ Group and the Workers’ Group.

It was decided to refer to this Committee that part of the Report prepared by the International Labour Office on constitutional questions which dealt with the revision of the form and arrangement of the Standing Orders of the Conference (Item IV of the Agenda).

- II. Committee on the maintenance of high levels of employment during the period of industrial rehabilitation and reconversion (Item II of the Agenda).

This Committee was composed of 30 representatives of Governments, 15 of Employers and 15 of Workers.

III. Committee on the protection of children and young workers (Item III of the Agenda).

This Committee was composed of 56 members—24 representing Governments, 16 representing Employers and 16 representing workers.

IV. Committee on matters arising out of the work of the Constitutional Committee.

To this Committee, which was composed of 64 members—32 Government representatives and 16 representatives each of the Employers' and Workers' Group—was referred that part of the Report prepared by the International Labour Office which dealt with the relationship of the International Labour Organisation to other international bodies (Item IV of the Agenda).

The Conference also referred to this Committee a report on constitutional questions submitted by the Governing Body of the International Labour Office.

V. Committee on minimum standards of social policy in dependent territories (supplementary provisions).

To this Committee, composed of 15 representatives of Governments, 10 of Employers and 10 of Workers, was referred the Report on Item V of the Agenda. It was also decided that the Draft Recommendation contained in that Report should be taken as a basis of discussion.

VI. Committee on the application of Conventions, composed of 40 members—20 Government representatives, 10 representatives of Employers and 10 representatives of Workers (Item VI of the Agenda).

#### CONSTITUTIONAL QUESTIONS (ITEM IV OF THE AGENDA)

31. As indicated above (para. 30), constitutional questions were referred to two Committees.

32. One of these Committees was concerned solely with the consolidation and re-arrangement of the existing Standing Orders of the Conference, which have been developed, amended and expanded over a long period of years, and have not previously been overhauled. His Majesty's Government was represented on this Committee by Mr. Myrddin-Evans (substitute: Mr. H. M. Phillips), and the United Kingdom Employers by Sir John Forbes Watson. The Committee submitted proposals for a revision of the Standing Orders relating for the most part to form rather than to substance, and these were adopted by the Conference without discussion. The revised Standing Orders took effect immediately.

33. Only three substantial changes were made. The first provided that representatives of a State or Province of a federal State might be appointed to accompany a Government delegation from a Member State; another provided that representatives of official international organisations invited to be represented at the Conference might enter the body of the hall; the third defined in detail the procedure to be followed by the Conference in dealing with the proposed amendments to the Constitution of the Organisation.

34. The Committee emphasised the fact that this revision of the Standing Orders did not prejudice in any way, directly or indirectly, the larger questions of policy and proposals for constitutional amendment which were pending.

35. The major problems of the constitution of the Organisation were dealt with by Committee IV. His Majesty's Government were represented on

this Committee by Mr. Myrddin-Evans (substitutes: Mr. H. M. Phillips, Mr. A. McDonald Gordon and Mr. F. Pickford), the United Kingdom Employers by Sir John Forbes Watson, and the United Kingdom Workers by Mr. Joseph Hallsworth. The Committee elected as Chairman Sir Samuel Runganadhan (Indian Government Delegate) and, as Vice-Chairmen, Sir John Forbes Watson and Mr. Robert J. Watt (United States Workers' Delegate).

36. The Committee had before it a number of documents. First, it had before it, an interim report prepared by the International Labour Office, which began by recording the preliminary proceedings of the Committee on Constitutional Questions set up by the Governing Body in pursuance of a resolution adopted by the Conference at its 26th (Philadelphia) Session, and went on (a) to outline the new framework of international organisation established by the Charter of the United Nations and other recent decisions; (b) to recapitulate the decisions already made by the International Labour Organisation with regard to its place in this new framework; (c) to discuss the problems presented by the transformation of the Organisation from one associated with the League of Nations into one related to the United Nations; and (d) to suggest decisions which it might be appropriate for the Conference to take at its present Session.

37. Secondly, the Committee was presented with a report of the Governing Body which contained the following suggestions:—

“ The Governing Body recommends that the Conference should decide to appoint a small Working Party representing Governments, employers and workers . . . for the purpose of examining the various suggestions made in the discussions of the Constitutional Committee, and of recommending changes in the Constitution which such examination shows to be necessary and advisable.

“ The Governing Body recommends to the Conference that such of the proposals for amending the Constitution contained in Report IV(1) as do not require to be finally decided at the present Conference should be remitted to the Working Party for examination and report.

“ Any proposals for amending the Constitution arising out of the anticipated negotiations with the United Nations Organisation should be referred to the same Working Party for examination and report.

“ The report(s) of the Working Party, together with its definite proposals for amending the Constitution, shall be referred to Governments for observations. On the basis of those observations, a report shall be drawn up containing draft amendments to the Constitution for submission to and final decision of the 1946 Conference.”

38. Appended to this report were a list of the points which had emerged from the discussions of the Constitutional Committee of the Governing Body, and tables presented by Sir John Forbes Watson (member of the Committee) showing the position of ratifications of Conventions in comparison with votes cast for Conventions by Government delegates.

39. Thirdly, the Committee had before it the concluding chapter of the Director's Report to this Session of the Conference, which discussed the problem of the re-equipping and remodelling of the International Labour Organisation, including questions of representation and voting power in Sessions of the Conference, and the obligations of Governments in relation to Conventions adopted by the Conference.

40. After a long discussion in which the United Kingdom Representatives strongly supported the proposals of the Governing Body, it was unanimously decided to recommend the Conference to take final action at once in respect of a limited number of questions which were of immediate urgency and which had of necessity to be dealt with at the present session of the Conference. It was decided to remit all other pending constitutional questions to the proposed Working Party with a view to the Report of the Working Party being considered and final decisions taken at the Conference of 1946. The report of the Committee to the Conference gave the following reasons for its recommendation:

(a) The need for immediate action in regard to certain of the problems arising from the replacement of the League of Nations by the United Nations;

(b) The desirability of not taking final action in regard to others of those problems until some progress had been made in the anticipated negotiations between the International Labour Organisation and the United Nations;

(c) The need to afford Governments a fuller opportunity for consideration of some of the questions which had been raised; and

(d) The desirability of reviewing the constitutional problems of the Organisation as a whole.

41. On this basis, the Committee submitted to the Conference a number of resolutions and an "Instrument" for the amendment of certain articles in the Constitution of the Organisation.

#### *Relationship with the United Nations*

42. The first resolution welcomed the entry into force of the Charter of the United Nations; pledged the full co-operation of the International Labour Organisation with the United Nations; confirmed the desire of the International Labour Organisation to enter into relationship with the United Nations on terms to be determined by agreement; and authorised the Governing Body to enter, subject to the approval of the Conference, into such agreements with the appropriate authorities of the United Nations as might be necessary or desirable for this purpose.

43. In submitting this resolution, the Committee recalled and endorsed the *desiderata* formulated by the representatives of the International Labour Organisation in a statement conveyed to the United Nations Conference at San Francisco, with special reference to the need for safeguarding the freedom of action of the Organisation, maintaining its tripartite structure, and preserving unimpaired its direct relations with Governments. The Committee noted that there was nothing in the United Nations Charter, or in recent observations made public by the Executive Committee of the Preparatory Commission of the United Nations, which was inconsistent with these principles.

#### *Relationship with Other International Bodies*

44. The second resolution welcomed the progress made to assure close collaboration between the International Labour Organisation and other public international organisations, and requested the International Labour Office to continue to take all appropriate steps to develop such collaboration.

#### *Amendment of the Constitution*

45. The Committee recommended the Conference to adopt immediately a number of amendments to the Constitution of the Organisation which for

compelling practical reasons should be made without delay. For this purpose, the Committee submitted a draft "Instrument" for the revision of the provisions of the existing Constitution relating to membership, finance and the procedure of amendment.

46. As regards membership, the amendments provided that, whereas hitherto membership of the League of Nations has involved membership of the International Labour Organisation, in future any original member of the United Nations, and any State admitted to membership of the United Nations under the Charter, might become a Member of the International Labour Organisation by accepting the obligations contained in its Constitution. Such an arrangement, the Committee stated, would be an expression of the aspiration of the Organisation towards universality. In the case of States which are not members of the United Nations the amendments provide that future admission will require a two-thirds majority vote in the Conference including two-thirds of the Government Delegates to the Conference.

47. With regard to finance, the International Labour Organisation has hitherto been financed through the budget of the League of Nations. The amendments provided that the Organisation should now be empowered to make such financial and budgetary arrangements with the United Nations as may appear appropriate, and also provided for alternative arrangements to be drawn up which could come into operation pending the conclusion of arrangements with the United Nations, or in the event of no such arrangements being in force at any time. It was further laid down that these alternative arrangements must be determined by the Conference by a two-thirds majority and must include provisions that the budget and the arrangements for the allocation of expenses among the Members of the Organisation are to be approved by a Committee of Government representatives.

48. Further, it was provided that a Member State which was in arrears in the payment of its financial contributions should have no vote in the Conference, in the Governing Body in any Committees, or in the election of members of the Governing Body, if the amount of its arrears equalled or exceeded the amount of the contributions due from it for the preceding two years.

49. As regards procedure for constitutional amendments, the existing Constitution provides that no amendment can come into force until it has been ratified by three-quarters of the States Members of the Organisation, including all the States represented on the Council of the League of Nations. The proposed "Instrument" provides that before an amendment takes effect it must be ratified "or accepted" by two-thirds of the States Members, including five of the eight States "of chief industrial importance."

50. Having regard to the fact that the entry into force of these proposed amendments will be governed by the existing constitutional procedure, and to the possibility that the Council of the League of Nations may cease to exist before the "Instrument" can be brought into force, the Committee recommended a further provision to the effect that in this event it should come into force on ratification or acceptance by three-quarters of the Members of the Organisation.

51. In view of the importance of prompt ratification of the "Instrument" the Committee recommended the Conference to approve a resolution drawing the attention of Governments to the urgency of the matter and expressing the hope that all States Members will have ratified the "Instrument" before the opening of the next general Session of the Conference.



OTHER QUESTIONS ARISING OUT OF THE PROPOSED  
WINDING-UP OF THE LEAGUE OF NATIONS

52. Another resolution proposed by the Committee authorised the Governing Body to make arrangements with the League of Nations or with the United Nations in regard to the future ownership, control and use of properties and other assets held by the League on behalf of the Organisation, and properties and assets in which the Organisation has a partial interest, and also to make arrangements concerning the functions and activities of the League relating to the International Labour Organisation.

53. It was also recommended that the emergency arrangements adopted in 1944, for supplementing the "chancery" functions entrusted to the Secretary-General of the League of Nations by the Constitution of the Organisation and by existing conventions (receipt and registration of ratifications, etc.) by direct communication of documents to the Director of the International Labour Office, should continue in operation.

54. Under the existing Constitution, the meetings of the Conference must be held at the seat of the League of Nations unless the Conference itself decides otherwise. The Committee proposed that the Conference should renew the authority given to the Government Body last year to decide the place of meeting of the next Session.

*The "Working" Party*

55. As already recorded (paragraphs 27 and 29 above), the Committee decided, on the suggestion of the Governing Body, to recommend that all the constitutional questions on which no decision was taken at the present Session of the Conference should be remitted to a small "Working Party" and brought before the Conference next year with a view to final decision.

56. The Committee proposed that this "Working Party" (which was to be known as "the Conference Delegation on Constitutional questions") should have a comprehensive mandate to review all the questions raised during the constitutional discussions of the last eighteen months and to consider any new points which might be raised by its members, by Governments, or by members of the Governing Body.

57. It was further recommended that the "Working Party" should meet in London in January, 1946, and should remain in session until it had drawn up a report containing proposals for the amendment of the Constitution. This report, which should cover any proposals arising out of the anticipated negotiations with the United Nations, should be referred to Governments for their observations, and on the basis of those observations a further report should be drawn up containing draft amendments for submission to and final decision of the 1946 Conference.

58. The Committee recommended that the Working Party should consist of representatives of six Governments (United States of America, China, Cuba, France, United Kingdom, Union of South Africa), three Employers' Representatives (Mr. F. Yllanes Ramos, Mexico, Mr. P. Waline, France, Sir John Forbes Watson, United Kingdom), and three Workers' Representatives (Mr. J. Hallsworth, United Kingdom, Mr. L. Jouhaux, France, Mr. R. Watt, United States of America).

*Proposals Adopted*

59. The report and recommendations of the Committee summarised in the preceding paragraphs were adopted by the Conference without opposition.

60. After formal revision by the Drafting Committee, the text of the "Instrument for the amendment of the Constitution of the International Labour Organisation" was adopted on a final record vote by 116 to 0. The four U.K. delegates voted for its adoption.

## COMMITTEE ON EMPLOYMENT (ITEM II OF THE AGENDA)

61. On this Committee H.M. Government were represented by Mr. Ness Edwards, M.P. (substitutes: Mr. E. A. Hitchman, Mr. J. M. Fleming, Mr. A. McDonald Gordon and Mr. R. R. Bowman). The United Kingdom Employers were represented by Sir John Forbes Watson (substitutes: Mr. W. Scholes, Mr. Herbert Kay, C.B.E., and Mr. R. Graham Kerr). The United Kingdom Workers were represented by Mr. E. W. Bussey. The Committee elected the following officers: Chairman, Mr. Ness Edwards, M.P.; Vice-Chairmen, Mr. G. F. Evelein (Netherlands Employers' Member) and Mr. J. Racamond (French Workers' Member).

62. The Committee submitted to the Conference a resolution, which it had adopted by 39 votes to 1, on economic policy for the maintenance of full employment during the period of industrial rehabilitation and reconversion. The dissentient vote, it was stated, was that of a Government member who disagreed with one paragraph only of the resolution.

63. In its report the Committee said the problem of achieving and maintaining full employment was perhaps the most important question of a social and economic character that could be considered by the Conference. The objective was expressed in the Charter of the United Nations as well as in the Declaration of Philadelphia; but it was not sufficient to insert an objective in a text; it must be implemented by both international and national action. It was generally agreed (continued the report) that full employment depended on the maintenance of a high level of expenditure, the main components of which were private and public investment, private consumption, current expenditure by Governments, and expenditure (by citizens of other States) on exports. The object of economic policy must, therefore, be to stabilise total expenditure as far as possible at a level ensuring full employment. In the transition period, however, there was a danger in many countries, not that total expenditure would be too low, but that it would be too high in relation to the supply of goods, with a consequent danger of inflation. Consequently, policy must be directed, on the one hand, to increasing the supply of goods and services and to promoting their export from countries which had them to countries which needed them (especially the devastated countries) and, on the other hand, to maintaining controls as long as the shortages prevailed. At the same time, it was possible that, when the inflationary danger had passed (and this might be at a very early date in certain countries), the problem would be that of maintaining an adequate level of demand for goods and services and consequently of employment. The resolution contained proposals to deal with these problems.

64. The Resolution proposed by the Committee consisted of a Preamble and 13 Sections. The Preamble recited the circumstances leading the Conference to adopt the Resolution and concluded with the decision of the Conference to bring the suggestions in the Resolution to the notice of Governments and of the international bodies primarily concerned. Reference was made to declarations on the subject contained in the Charter of the United Nations, the Articles of Agreement of the International Monetary Fund, the Articles of Agreement of the International Bank for Reconstruction and Development, and the Declaration of Philadelphia, and to the Employment Recommendations adopted at the 1944 Session of the Conference. The preamble recited that "the maintenance of full employment in the period of industrial rehabilitation and reconversion also requires the adoption of appropriate policies relating to such matters as investment, consumer spending, international capital movements and trade, and the planning of industrial reconversion and development in relation to changes in the structure of industry."

65. The body of the Resolution was made up as follows:

(1) Section 1 stated that the Conference welcomed the adoption of the Charter of the United Nations, and noted with keen satisfaction that it provided for international economic and social co-operation for the promotion among other things of higher standards of living and full employment, and conditions of economic and social progress and development, and that it pledged all members to take joint and separate action in co-operation with the United Nations Organisation for the achievement of these purposes. It was noted that several Members of the International Labour Organisation had already officially affirmed their determination to achieve full, or high, levels of employment in the post-war period and had set out the methods they proposed to use, and it was urged that all Members should take the same course.

(2) Section 2 stated that it should be the responsibility of Governments to take all steps within their power, in collaboration with workers' and employers' organisations and industry generally, to establish such economic and financial (including fiscal) conditions as would facilitate full employment; it also declared that, as the success of a full employment policy in one country would often depend on factors controlled at least in part by other countries, including the availability of raw and semi-manufactured materials and capital equipment and the equilibrium of the balance of payments, Government policy in relation to these matters should have due regard to the impact of particular national measures upon the employment situation in other countries.

(3) Section 3 contained suggestions for the maintenance of a high level of investment and the elimination of shortages of capital goods which create "bottlenecks" and hinder an increase in employment and the production of consumers' goods.

(4) Section 4 recommended measures for counteracting inflationary developments due to shortage of goods and high demand for goods. These measures included the retention, so long as shortages prevailed, of controls over prices, production and distribution, supplemented, as necessary, by financial or taxation measures designed to absorb any excess of monetary demand.

(5) Section 5 dealt with the relaxation of controls and abatement of the taxation level when more normal economic conditions were reached.

(6) Section 6 indicated action to maintain demand when the inflationary period had passed, including the adoption of a suitable budgetary policy.

(7) Section 7 recommended the establishment of appropriate minimum wage standards, adequate for satisfying reasonable human needs, in order to assist the progressive raising of the standard of living of all workers.

(8) Section 8 stated that as the shortages of transport, sources of power, materials and industrial equipment in relation to the available labour which characterise the period of industrial rehabilitation and reconversion more especially in the devastated countries which are members of the United Nations, tend to cause unemployment, and the shortage of consumption goods, more particularly food, clothing and medical supplies, may deprive employed workers of the minimum standards necessary to enable them to do their work efficiently, arrangements should be made by the Governments concerned to enable the countries in which there are serious shortages of such goods to import the sources of power, materials and industrial equipment required to restore transport, to reconstruct their industries and to replenish their stocks and consumers' goods necessary to ensure to the people a satisfactory standard of living.

(9) Section 9 stated the need for raising the standard of living in less advanced countries (particularly those with large agricultural populations) and outlined measures whereby the industrialised countries might help those countries.

(10) Section 10 referred to the need for paying attention, in planning industrial reconstruction and development, to war-time changes in the structure and location of industry.

(11) Section 11 stated that in order to facilitate economic recovery and to further full employment, Members should give consideration to measures to facilitate the resumption and expansion of world trade.

(12) Section 12 referred to the nature of methods whereby countries might be enabled to bring their balances of payments into equilibrium.

(13) Section 13 advocated the creation of machinery including tripartite consultative bodies where appropriate, for implementing the measures suggested in the Resolution.

66. With a single formal amendment the report and resolution were adopted by the Conference on the motion of Mr. Ness Edwards, M.P. (United Kingdom Government Delegate), who stated that the suggestions made with respect to anti-inflation policy in the period immediately ahead, and the policies for maintaining full employment which would be required at a later date when shortages had been removed and economic activity intensified, were in accordance with the practices and policies of the Government of the United Kingdom. He underlined the point, brought out in the Resolution, that prosperity was "one and indivisible" and that all nations must move in unison along the lines of a common policy if full employment was to be achieved.

#### PROTECTION OF CHILDREN AND YOUNG WORKERS (ITEM III OF THE AGENDA)

67. On this Committee H.M. Government were represented by Mr. Ness Edwards, M.P. (substitutes: Mr. H. M. Phillips, Miss Z. Puxley, O.B.E., Miss F. I. Taylor, O.B.E., and Mr. R. R. Bowman, C.B.E.). The United Kingdom Employers were represented by Sir John Forbes Watson (substitutes: Mr. G. Marchand and Mr. W. Scholes), and the United Kingdom Workers by Miss Florence Hancock, O.B.E. (substitute: Mr. A. Roberts). The Committee elected the following officers: Chairman, Mr. L. E. Troclet (Belgian Government Delegate, Minister of Labour and Social Welfare); Vice-Chairmen: Mr. J. D. Zellerbach (United States Employers' Delegate) and Miss Florence Hancock, O.B.E. (United Kingdom Workers' Adviser).

68. The Committee submitted to the Conference two lists of questions on which Governments might be consulted with a view to further discussions and the possible adoption of Conventions and/or Recommendations at a later Session of the Conference. One list related to the medical examination of young workers for fitness for employment, and the other to the restriction of night work of children and young persons in non-industrial occupations.

##### *Medical Examination*

69. The Committee reported a large consensus of opinion among its members in favour of the preparation of international regulations for the medical examination of young workers for fitness for employment, particularly in view of the effects of the war on the health of children and young persons. The importance of medical examination in relation to vocational guidance had also been emphasised. The questions of the extension of any proposed regulations to agricultural workers and family undertakings also received

attention. The Committee decided that for the present the consultation of Governments as to the scope of the regulations should be limited to industrial and non-industrial occupations within the meaning of existing Conventions relating to the minimum age for employment.

70. The list of questions sought the views of Governments on the desirability of one or more draft Conventions or Recommendations providing for "free and thorough" medical examination for young persons taking up employment, on whether the age-limit for persons covered should be 16, 18 or 21, on periodical re-examinations, on supervision and special measures for the protection of workers and young persons found to have physical handicaps, and on the machinery for administration and enforcement of the regulations.

#### *Restriction of Night Work*

71. The Committee reported that the attitude towards this subject was in general the same as towards Medical examination. It submitted a list of questions covering the form of international regulations, their scope as regards persons covered, protective provisions relating to night hours and rest periods, exemptions, administration and enforcement. The list of questions also included the desirability of a Recommendation relating to night work in shops, offices, street trading and public entertainment.

#### *Resolutions*

72. The Committee also submitted a number of Resolutions. The first of these requested the Governing Body to examine the possibility of placing on the Agenda of an early Session of the Conference the question of the extension of medical examination of young persons under 18 to agriculture.

73. In a second Resolution the Committee proposed that the Governing Body should be asked to consider similar action with regard to the question of the revision of the Night Work (Young Persons) Convention, 1919, as this Convention had in the Committee's view become out of date in respect of certain of the standards fixed.

74. The third and main Resolution submitted by the Committee embodied a comprehensive policy for the future for the benefit of childhood and youth. It declared that "Governments, whilst encouraging the fullest discharge of individual and family obligations, should accept responsibility for assuring the health, welfare and education of all children and young persons and the protection of all youthful workers of either sex, regardless of race, creed, colour or family circumstances, both by national action and by appropriate measures of international co-operation." The Resolution recognised that questions relating to the health, education, employment, protection and general welfare of children and young persons were inter-related, and could not be solved in isolation. It further recognised that certain of the matters with which it dealt would be primarily the responsibility of other inter-governmental agencies, either existing or projected, and expressed the hope that such agencies would carefully consider the views stated in the Resolution.

75. The Resolution went on to affirm the deep interest of the Conference in the furtherance among the nations of the world of programmes which would make possible the abolition of child labour by providing for every child proper maintenance and such conditions of life as would foster the talents and aptitude of the child and his full development as a citizen and worker. It stated that all necessary measures to this end should be taken on questions relating to health and social protection; equality of educational opportunities (including provision for vocational guidance, training, economic assistance and the development of apprenticeship); the regulation of the age of admission to employment and development of juvenile placement; social

insurance for young workers; regulation of hours of work, night work, rest periods, holidays, safety, hygiene, carrying of heavy loads, wages, board and lodging, and the right of association; the application and supervision of protective policies; and collaboration on an international basis. Detailed provisions were suggested on each of these items.

75. In a fourth Resolution, the Committee dealt particularly with the youth of liberated countries, with special reference to the need for an improvement of nutrition, the provision of medical aid, the distribution of medicaments, the provision of general medical care and health services, the reconstruction of educational and social institutions for the service of childhood and youth, and the problems of displaced children and orphans.

77. The fifth Resolution asked the Governing Body to place on the Agenda of an early (if possible, the next) Session of the Conference the question of regulating the underground work of young persons in mines.

78. Finally, the Committee proposed that the Governing Body should be requested to set up an advisory committee to study the problems of young workers.

79. After discussions during which Mr. Myrddin-Evans (United Kingdom Government Delegate) welcomed and endorsed the proposals of the Committee, the list of questions and the Resolutions were unanimously adopted by the Conference, the United Kingdom Government Delegates voting in favour of them.

80. Later, on a record vote, the Conference decided by 118 votes to none to include on the Agenda of the next General Session of the Conference the question of the protection of children and young workers; (a) medical examination of fitness for employment (young workers); (b) restriction of night work of children and young persons (non-industrial occupations). The four United Kingdom Delegates voted in favour of the Resolution.

#### MINIMUM STANDARDS OF SOCIAL POLICY IN DEPENDENT TERRITORIES (SUPPLEMENTARY PROVISIONS) ITEM V OF THE AGENDA.

81. On this Committee H.M. Government were represented by Mr. Ness Edwards, M.P. (substitutes: Mr. T. I. K. Lloyd, C.M.G., Major Granville St. John Orde Brown, C.M.G., O.B.E., Mr. C. A. Grossmith, O.B.E., Mr. U. Kyaw Min and Mr. I. G. Jones). The United Kingdom Employers were represented by Sir John Forbes Watson (substitutes: Mr. A. R. I. Mellor and Mr. R. Gavin) and the United Kingdom Workers by Mr. G. W. Thomson (substitute: Mr. E. Esua). The Committee elected the following officers: Chairman, Mr. J. M. Fraser (Australian Government Delegate); Vice-Chairman, Mr. P. Bernard (French Employers' Member) and Mr. Thomson (United Kingdom Workers' Member).

82. In the course of a general discussion, several members of the Committee stressed the importance of the more effective representation of dependent peoples at the Conference. The British Government member emphasized recent constitutional progress in British territories as indications of the effective association of the people of dependent territories in the framing and execution of measures of social progress, usually through their own elected representatives.

83. The Committee instructed its Chairman to invite the Selection Committee to refer to the appropriate Committee the possibility of providing for the admission to the Conference of representatives of the administrations, organised employers and organised workers of dependent territories, appointed

to accompany a delegation by the Government of a member of the Organisation and the possibility of taking other appropriate steps to promote the effective association of dependent territories in the work of the Organisation. (This question was referred to the Committee on Constitution Questions, which decided that it should be remitted to the "Working Party".)

84. The Committee submitted to the Conference the draft text of a Recommendation "concerning minimum standards of social policy in dependent territories (supplementary provisions)", which it had adopted by 50 votes to nil, with 17 abstentions. The Committee also submitted three Resolutions.

#### *Recommendation*

85. The draft Recommendation contains provisions supplementary to those contained in the Recommendation of the same subject adopted at the 26th Session of the International Labour Conference held at Philadelphia in 1944. As in that Recommendation, it provides that each Member State which is responsible for any dependent territory should take all steps within its competence to secure the effective application in each territory of minimum standards set forth in an Annex to the Recommendation. These standards relate to arrangements for wage-fixing and the encouragement of thrift; the labour aspects of land policies (including control of the alienation of agricultural land and the supervision of tenancy arrangements); social security; placing of workers (where employment or migration is on a sufficient scale); regulation of hours and holidays; labour inspection; conciliation in industrial disputes; protection of health, safety and welfare in industrial undertakings; and methods of making widely known the nature and significance of the measures adopted in conformity with the Recommendation.

86. The Recommendation was adopted by the Conference on a final record vote by 100 votes to 0. In supporting the Recommendation, Mr. Ness Edwards, M.P., said he was confident that the British Government would accept the Recommendation and bring it to the notice of the Governments of all dependent territories. He did not doubt that the response of those Governments would be readily forthcoming. The United Kingdom Workers' delegate also voted in favour of the Recommendation; the United Kingdom Employers' delegate did not vote.

#### *Resolutions*

87. The Resolutions, which had been adopted by the Committee without opposition, related respectively to the study of the systems of the possession, ownership and use of the land in dependent territories; the relations between the International Labour Organisation and the authorities of dependent territories; and the advisability of placing on the Agenda of the next Session of the Conference for first discussion the question of including in a Convention such provisions of the Recommendation adopted in 1944 and those contained in the proposed "Supplementary Provisions" Recommendation as were suitable for a Convention.

The three Resolutions were adopted by the Conference without opposition.

#### APPLICATION OF CONVENTIONS (ITEM VI OF THE AGENDA)

88. Constitutional questions were also touched upon by the Committee on Item VI of the Agenda—"Reports on the application of Conventions (Article 22 of the Constitution)". H.M. Government were represented on this Committee by Mr. G. Myrddin-Evans (substitutes: Mr. F. Pickford and Mr. B. J. Ezard), the United Kingdom Employers by Sir John Forbes Watson and the United Kingdom Workers by Mr. A. F. Papworth. The Committee

elected the following officers: Chairman Mr. J. Stanczyk (Polish Government Delegate); Vice-Chairmen Mr. L. Birla (Indian Employers' Delegate) and Mr. P. J. S. Serrarens (Netherlands Workers' Adviser).

89. The International Labour Office presented a summary of annual reports received from Governments for the five years 1939-1944. It pointed out that, owing to war conditions, the number of reports summarised was very much smaller than would have been the case under normal conditions. In spite of difficulties, however, the States Members had for the most part endeavoured to fulfil their obligation to supply information on the measures taken to implement ratified Conventions.

90. The Committee of Experts, in a report appended to the Summary, recalled that its work was in abeyance, owing to the military situation, from May, 1940, until July, 1945. It emphasised the dislocating effect of war conditions upon the ability of countries to carry out their obligations under labour Conventions, and indicated that it would be in a better position to resume its task of supervision next year. The Committee of Experts also referred to collective agreements in relation to the application of Conventions and to legal questions arising out of the position of Federal States in respect of the ratification and application of Conventions.

91. The Committee of the Conference noted gratifying evidence of the desire of Governments, in spite of the adverse conditions created by the war, to maintain as far as possible unimpaired the machinery for the supervision of the application of Conventions.

92. Reporting on its exchange of views concerning labour inspection, the Committee pointed out that inspection played a fundamental part in the enforcement of national legislation, and expressed the hope that the Governing Body would find it possible to place the question of labour inspection on the Agenda of the next ordinary session of the Conference with a view to the adoption of a Convention on the subject. The Committee mentioned, without comment, that certain of its members had suggested the possibility of creating an international inspectorate under the auspices of the Organisation to supervise the application of ratified Conventions, especially in industrially backward countries.

93. Finally, the Committee presented the text of a resolution which it had adopted for consideration by the Committee on Constitutional Questions, containing among other suggestions the proposal to place new obligations on States Members in relation to the submission of Conventions and Recommendations to their national legislative authorities, and to the presentation of reports to the International Labour Office on such submission, including statements of the reasons for non-ratification of Conventions or non-acceptance of Recommendations. (The Committee on Constitutional Questions, whose report is summarized above (Para. 35-58), included this resolution among the outstanding issues to be remitted to the "Working Party").

94. The report of the Committee on the Application of Conventions, which was unanimous, was adopted by the Conference without opposition.

#### COMMITTEE ON RESOLUTIONS

95. H.M. Government was not represented on this Committee. The United Kingdom Employers were represented by Sir John Forbes Watson (substitutes: Mr. J. S. Boyd and Mr. R. Graham Kerr). The United Kingdom Workers were not represented.

96. On the proposal of the Committee, the Conference adopted Resolutions on certain matters not within the scope of any of the items on the Agenda,



relating to the study of population trends (submitted by the United Kingdom Workers' Delegate) and the use of the Spanish language in the official translations, documents and publications of the Organisation (submitted by the Peruvian and Uruguayan Government Delegates).

#### ELECTION OF GOVERNING BODY

97. In the course of the Session, elections were held for the eight Governments which have elective seats on the Governing Body of the International Labour Office, and of the Employers' and Workers' representatives on that Body.

98. Under the constitution of the Organisation, the Governing Body consist of 16 members representing Governments, eight representing Employers, and eight representing workers.

99. Of the 16 members representing Governments, eight are appointed by the States of chief industrial importance (at present, the United States of America, Belgium, Canada, China, France, the United Kingdom, India and the Netherlands). The remaining eight are appointed by Governments elected for that purpose by the Government Delegates to the Conference other than those from the States named above. Six of the 16 members must represent non-European States.

100. The Employers' and Workers' members are elected by the respective Groups in the Conference. Two Employers' representatives and two Workers' representatives must belong to non-European States.

101. As a result of the elections, the following eight States were chosen to nominate Government representatives on the Governing Body: Australia, Brazil, Chile, Egypt, Mexico, Peru, Poland and Sweden. (Australia, Egypt, and Sweden are new members; Norway, Greece and Yugoslavia were not re-elected).

102. The following were elected by the Employers' Group: Mr. Erulkar (India), Sir John Forbes Watson (United Kingdom), Mr. Gemmill (South Africa), Mr. Li Ming (China), Mr. Oersted (Denmark), Mr. Waline (France), Mr. Yllanes Ramos (Mexico) and Mr. Zellerbach (United States).

103. The following were elected by the Workers' Group: Mr. Watt (United States), Mr. Hallsworth (United Kingdom), Mr. Jouhaux (France), Mr. Andersson (Sweden), Mr. Monk (Australia), Mr. Chu Hsueh-fan (China), Mr. Bengough (Canada) and Mr. Lombardo Toledano (Mexico).

#### DISCUSSION ON THE DIRECTOR'S REPORT (ITEM I OF THE AGENDA)

104. The discussion on the Director's Report occupied several plenary sittings of the Conference. Sixty-four Delegates and Advisers from 35 countries took part.

105. The Report followed the general lines of previous reports. In a special chapter on "The Future Outlook" it discussed constitutional problems connected with the re-modelling of the Organisation, and referred in particular to certain suggestions which had been put forward for consideration. Among these were suggestions for changing the basis of representation in the Conference and of the voting strength of the three Groups. This question, the Director said, was not one of pure mechanics but of political advantages or disadvantages. It needed further exploration and any changes would require the considered approval of Governments for their successful application.

106. A Supplement to the Report dealt with the finances of the Organisation, its income and expenditure during the war years, the results of the financial year 1944, the budget for 1945 and the budget estimates for 1946.

107. The Rt. Hon. George A. Isaacs, M.P., Minister of Labour and National Service, took part in the discussion on the Report. The International Labour Organisation (he said), by its continued activities during the war, had stood as a living symbol of the cause of civilised and ordered human progress, and it still stood firm as the most stable instrument of international collaboration for human good that had ever been constituted. Its stability and success were due in no small measure to its tripartite character. Mr. Isaacs continued:—

“ I bring to you from the British Labour Government a message of gratitude for the work which has been done by the International Labour Organisation and an expression of their determination to give their full support to that work. The people of the United Kingdom have never wavered in their faith in this Organisation and, whatever the Government in power, there has been no weakening in their support.”

Referring to constitutional issues, Mr. Isaacs added:—

“ We are living in a world of rapid change, and in such a world nothing—and least of all the International Labour Organisation—can expect to remain unchanged. Changes there must be; but the task demands vision and wisdom as well as enthusiasm. We must be very sure that anything we do will equip us better to meet effectively the challenge of the time, to achieve the purpose for which we exist, and will facilitate the establishment of a close relationship with the United Nations.”

108. Miss Perkins (Government Delegate, United States of America) said that the Conference demonstrated the strength of the International Labour Organisation and the practical nature of its structure and procedure. It was the wish of the United States Government that all members of the United Nations and all nations eligible for such membership should share the rights and duties of membership in the International Labour Organisation, and should participate fully in its work. Speaking of the future of the Organisation Miss Perkins said:—

“ I am instructed to make clear to you beyond the possibility of doubt that the United States of America intends to continue whole-hearted participation in the work of the Organisation. The Government of the United States supports the International Labour Organisation as the competent inter-governmental agency within an important field of its activity. My Government believes that the International Labour Organisation's work will be made most effective through the establishment of a mutually satisfactory relationship with the United Nations Organisation. To this co-operation the International Labour Organisation will bring the great strength of its long and seasoned experience, its established tripartite character, and the mutual confidence based on experience between its members and its parts or groups. It will be a great service in aiding to accomplish the high social objectives set forth in the Charter of the United Nations. From this co-operation the International Labour Organisation will itself gain strength for the accomplishment of the purposes of the Declaration of Philadelphia.”

109. In his reply to the discussion on his Report, the Acting Director (Mr. E. J. Phelan) said that speeches had shown that the Organisation had not only succeeded in keeping alive during the world-wide convulsions of the greatest war in history, but remained uniquely representative of free men and women everywhere. Speakers from all parts of the world and from all three

Groups had made criticisms and suggestions, but the great majority of them had expressed in warm terms their appreciation of the work of the Organisation in the past and their confidence in its future. Peace, production and social justice were the three pillars on which the future of the world must be built. To them corresponded the appropriate international institutions: First, the security machinery of the United Nations; second, the economic machinery of the United Nations, comprising the Economic and Social Council and the group of specialised economic agencies dealing with international trade, finance, food, agriculture, etc., which it would be its principal function to co-ordinate; and, third, the machinery of the International Labour Organisation, whose task it was to promote social justice in full co-operation with other international agencies which would be its natural allies in this task. He was confident that the Conference would, at this Session, take certain immediate steps to give practical effect to the general principle of association with the United Nations, to secure universality of membership, and to provide for the examination without delay of those further steps, both structural and procedural, which had been urged by many speakers as necessary to adjust the Organisation to a changing world.

#### RELATIONS WITH OTHER ORGANISATIONS

110. The following official organisations were represented at the Conference by invitation of the Governing Body: U.N.R.R.A.; the Provisional Organisation for European Inland Transport; the Inter-Governmental Committee on Refugees; and the Conference of Allied Ministers of Education.

111. In a message addressed to the Conference, the International Chamber of Commerce stated that, recollecting the admirable work done by the International Labour Organisation in the past 20 years of close and friendly relations with the International Chamber of Commerce, it sent its best wishes for the success of the Conference.

112. Messages of good wishes were exchanged by the Conference with the first Congress of the Food and Agricultural Organisation of the United Nations, which opened in Quebec on 16th October.

113. A message of good wishes was also sent to the first United Nations Conference on Educational and Cultural Reconstruction, which opened in London on 1st November.

#### TEXTS

114. The authentic Texts of the Instrument for the Amendment of the Constitution and the Recommendation adopted by the Conference are given in Appendix II to this Report. The Texts of the Resolutions adopted by the Conference are given in Appendix III.

We have the honour to be,

Sir,

Your obedient Servants,

(Signed) NESS EDWARDS,

G. MYRDDIN-EVANS.

APPENDIX I  
LIST OF THE UNITED KINGDOM DELEGATION

GOVERNMENT DELEGATES :

- Mr. Ness EDWARDS, M.P., Parliamentary Secretary, Ministry of Labour and National Service.
- Mr. Guildhaume MYRDDIN-EVANS, C.B., Under-Secretary, Ministry of Labour and National Service, Member of the Governing Body of the International Labour Office.

SUBSTITUTE DELEGATE AND ADVISER :

- Mr. Thomas Ingram Kynaston LLOYD, C.M.G., Assistant Under-Secretary of State, Colonial Office.

*Advisers:*

- Mr. Robert Ritchie BOWMAN, C.B.E., Permanent Secretary, Ministry of Labour Northern Ireland.
- Mr. William Ewart DAVIS, Labour Attache, British Embassy, Paris.
- Mr. Bernard John Bycroft EZARD, Senior Legal Assistant, Ministry of Labour and National Service.
- Mr. John Marcus FLEMING, Economic Adviser, Economic Section of the Cabinet Secretariat.
- Mr. Archibald Arthur McDonald GORDON, Labour Attache, British Embassy, Washington.
- Mr. Caryll Archibald GROSSMITH, O.B.E., Principal, Colonial Office.
- Mr. Joseph Edward HERBERT, Chief Press Officer, Ministry of Labour and National Service.
- Mr. Edwin Alan HITCHMAN, Principal Assistant Secretary, Ministry of Labour and National Service.
- Mr. Idwel Glyndwr JONES, Labour Officer, Department of Labour, Gold Coast.
- U KYAW MIN, I.C.S., Joint Secretary to the Government of Burma, Reconstruction Department.
- Major Granville St. John ORDE-BROWNE, C.M.G., O.B.E., Labour Adviser to the Secretary of State for the Colonies.
- Mr. Herbert Moore PHILLIPS, Assistant Secretary, Ministry of Labour and National Service.
- Miss Zoe PUXLEY, O.B.E., Assistant Secretary, Ministry of Health.
- Mr. Godfrey Denne ROKELING, Assistant Secretary, Ministry of Education.
- Miss Fanny Isabel TAYLOR, O.B.E., Senior Deputy Chief Inspector of Factories, Ministry of Labour and National Service.

EMPLOYERS' DELEGATE :

- Sir John FORBES WATSON, Director of the British Employers' Confederation, Member of the Governing Body of the International Labour Office.

*Advisers:*

- Mr. Christopher BELLINGHAM-SMITH, British Employers' Confederation.
- Mr. John SMITH BOYD, Vice-President of the Shipbuilding Employers' Federation, Member of the General Purposes Committee and Council of the British Employers' Confederation.
- Mr. Robert GAVIN, Member of Executive Committee of the Colonial Employers' Federation, Secretary of the West India Committee.
- Mr. Herbert KAY, C.B.E., Secretary of the Wholesale Clothing Manufacturers' Federation, the London Employers' Association Limited and other Employers' Organisations; Member of the General Purposes Committee and Council of the British Employers' Confederation.
- Mr. Ronald Graham KERR, Engineering and Allied Employers' National Federation.

- Mr. Geoffrey MARCHAND, Director of the Glass Manufacturers' Federation, Member of the General Purposes Committee and Council of the British Employers' Confederation.
- Mr. Aubrey Roland Ibetson MELLOR, M.C., Chairman of Executive Committee of the Colonial Employers' Federation.
- Mr. William SCHOLDS, Chairman of the Wages Committee of the Allied Association of Bleachers, Dyers, Printers and Finishers, Member of the General Purposes Committee and Council of the British Employers' Confederation.

WORKERS' DELEGATE:

- Mr. Joseph HALLSWORTH, General Secretary of the National Union of Distributive and Allied Workers; Member of the General Council of the Trades Union Congress, Member of the Governing Body of the International Labour Office.

*Advisers:*

- Mr. George Henry BAGNALL, Member of the T.U.C. General Council and General Secretary of the National Union of Dyers, Bleachers and Textile Workers.
- Mr. Ernest William BUSSEY, Member of the T.U.C. General Council and General Secretary of the Electrical Trades Union.
- Mr. E. E. ESUA, General Secretary of the Nigerian Union of Teachers.
- Miss Florence May HANCOCK, O.B.E., Member of the T.U.C. General Council and National Woman Officer of the Transport and General Workers' Union.
- Mr. Harry Norman HARRISON, O.B.E., Member of the T.U.C. General Council and National Officer of the National Union of General and Municipal Workers.
- Mr. Albert Frederick PAPWORTH, Member of the T.U.C. General Council, and Member of General Executive Council of Transport and General Workers' Union.
- Mr. Alfred ROBERTS, Member of the T.U.C. General Council and General Secretary of the Amalgamated Society of Card, Blowing and Ring Room Operatives.
- Mr. George Walker THOMSON, Member of the T.U.C. General Council and Editor of "The Draughtsmen," publication of Association of Engineering and Shipbuilding Draughtsmen.

*Secretary to the Delegation:*

- Mr. Frank PICKFORD, Principal, Ministry of Labour and National Service.

## APPENDIX II

AUTHENTIC TEXTS OF THE INSTRUMENT FOR THE AMENDMENT OF THE CONSTITUTION  
AND THE RECOMMENDATION ADOPTED BY THE INTERNATIONAL LABOUR  
CONFERENCE AT ITS 27TH SESSION.

The Constitution of the International Labour Organisation Instrument of Amendment, 1945, here reprinted, was adopted by the General Conference of the International Labour Organisation on 5 November 1945 in the course of its Twenty-seventh Session held at Paris, from 15 October to 5 November 1945.

The text of the instrument of amendment as here presented is a true copy of the text authenticated by the signatures of the President of the Conference and of the Acting Director of the International Labour Office in accordance with the provisions of Article 5 thereof.

*Certified true copy.*

*For the Acting Director of the International Labour Office:*

C. W. JENKS.

*Legal Adviser of the  
International Labour Office.*

## INTERNATIONAL LABOUR CONFERENCE

INSTRUMENT FOR THE AMENDMENT OF THE CONSTITUTION OF THE INTERNATIONAL  
LABOUR ORGANISATION.

The General Conference of the International Labour Organisation,

Having been convened at Paris by the Governing Body of the International Labour Office, and having met in its Twenty-seventh Session on 15 October 1945; and

Having decided upon the adoption without delay of a limited number of amendments to the Constitution of the International Labour Organisation designed to deal with problems of immediate urgency, which are included in the fourth item on the agenda of the Session, adopts this fifth day of November of the year 1945, the following instrument embodying amendments to the Constitution of the International Labour Organisation, which may be cited as the Constitution of the International Labour Organisation Instrument of Amendment, 1945:

*Article 1*

In the final paragraph of the Preamble to the Constitution of the Organisation, the words "Constitution of the International Labour Organisation", shall be inserted after the word "following".

*Article 2*

1. The following paragraphs shall be substituted for the present paragraph 2 of Article 1 of the Constitution of the Organisation:

2. 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 the provisions of paragraphs 3 and 4 of this Article.

3. Any original Member of the United Nations and any State admitted to membership of the United Nations by a decision of the General Assembly in accordance with the provisions of the Charter may become a Member of the International Labour Organisation by communicating to the Director of the International Labour Office its formal acceptance of the obligations of the Constitution of the International Labour Organisation.

4. The General Conference of the International Labour Organisation may also admit Members to the Organisation by a vote concurred in by two-thirds of the delegates attending the Session, including two-thirds of the Government delegates present and voting. Such admission shall take effect on the communication to

## APPENDIX II

AUTHENTIC TEXTS OF THE INSTRUMENT FOR THE AMENDMENT OF THE CONSTITUTION  
AND THE RECOMMENDATION ADOPTED BY THE INTERNATIONAL LABOUR  
CONFERENCE AT ITS 27TH SESSION.

L'Instrument d'amendement à la Constitution de l'Organisation internationale du Travail, 1945, dont le texte est reproduit ci-après, a été adopté par la Conférence générale de l'Organisation internationale du Travail le 5 novembre 1945 au cours de sa vingt-septième session, tenue à Paris du 15 octobre au 5 novembre 1945.

Le texte de l'instrument d'amendement présenté ici est une copie exacte du texte authentiqué par les signatures du Président de la Conférence et du Directeur par intérim du Bureau international du Travail, conformément aux dispositions de l'article 5 de cet instrument.

*Copie certifiée conforme.*

*Pour le Directeur par intérim du Bureau international du Travail:*

C. W. JENKS.

*Conseiller juridique du Bureau  
International du Travail.*

## CONFERENCE INTERNATIONALE DU TRAVAIL

INSTRUMENT POUR L'AMENDMENT DE LA CONSTITUTION DE L'ORGANISATION  
INTERNATIONALE DU TRAVAIL

La Conférence générale de l'Organisation internationale du Travail.

Convoquée à Paris par le Conseil d'administration du Bureau international du Travail, et s'étant réunie en sa vingt-septième session le 15 octobre 1945;

Après avoir décidé d'adopter sans délai un nombre réduit d'amendements à la Constitution de l'Organisation internationale du Travail, relatifs à certains problèmes d'urgence immédiate compris dans le point quatre de l'Ordre du jour de la session, adopte, ce cinquième jour de novembre 1945, l'instrument ci-après, renfermant des amendements à la Constitution de l'Organisation internationale du Travail, instrument qui sera dénommé Instrument d'amendement à la Constitution de l'Organisation internationale du Travail, 1945:

*Article premier*

Au dernier paragraphe du Préambule de la Constitution de l'Organisation, les mots " ont convenu ce qui suit " sont remplacés par les mots " approuvent la présente Constitution de l'Organisation internationale du Travail ".

*Article 2*

Le texte actuel du paragraphe 2 de l'article premier de la Constitution de l'Organisation est remplacé par les paragraphes suivants:

2. Les Membres de l'Organisation internationale du Travail seront les Etats qui étaient Membres de l'Organisation au premier novembre et tous autres Etats qui deviendraient Membres conformément aux dispositions des paragraphes 3 et 4 du présent article.
3. Tout Membre originaire des Nations Unies et tout Etat admis en qualité de Membre des Nations Unies par décision de l'Assemblée générale conformément aux dispositions de la Charte peut devenir Membre de l'Organisation internationale du Travail en communiquant au Directeur du Bureau international du Travail son acceptation formelle des obligations découlant de la Constitution de l'Organisation internationale du Travail.
4. La Conférence générale de l'Organisation internationale du Travail peut également admettre des Membres dans l'Organisation à la majorité des deux tiers des délégués présents à la session, y compris les deux tiers des délégués gouvernementaux présents et votants. Cette admission deviendra effective lorsque

the Director of the International Labour Office by the Government of the new Member of its formal acceptance of the obligations of the Constitution of the Organisation.

5. No Member of the International Labour Organisation may withdraw from the Organisation without giving notice of its intention so to do to the Director of the International Labour Office. Such notice shall take effect two years after the date of its reception by the Director, subject to the Member having at that time fulfilled all financial obligations arising out of its membership. When a Member has ratified any International Labour Convention, such withdrawal shall not affect the continued validity for the period provided for in the Convention of all obligations arising thereunder or relating thereto.

6. In the event of any State having ceased to be a Member of the Organisation, its re-admission to membership shall be governed by the provisions of paragraph 3 or paragraph 4 of this Article as the case may be.

#### *Article 3*

The following shall be substituted for the present text of Article 13 of the Constitution of the Organisation:

1. The International Labour Organisation may make such financial and budgetary arrangements with the United Nations as may appear appropriate.

2. Pending the conclusion of such arrangements or if at any time no such arrangements are in force:

(a) each of the Members will pay the travelling and subsistence expenses of its Delegates and their advisers and of its Representatives attending the meetings of the Conference or the Governing Body, as the case may be;

(b) all the other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid by the Director of the International Labour Office out of the general funds of the International Labour Organisation;

(c) the arrangements for the approval, allocation and collection of the budget of the International Labour Organisation shall be determined by the Conference by a two thirds majority of the votes cast by the delegates present, and shall provide for the approval of the budget and of the arrangements for the allocation of expenses among the Members of the Organisation by a committee of Government representatives.

3. The expenses of the International Labour Organisation shall be borne by the Members in accordance with the arrangements in force in virtue of paragraph 1 or paragraph 2 (c) of this Article.

4. A Member of the Organisation which is in arrears in the payment of its financial contribution to the Organisation shall have no vote in the Conference, in the Governing Body, in any Committee, or in the elections of members of the Governing Body, if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The Conference may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

5. The Director of the International Labour Office shall be responsible to the Governing Body for the proper expenditure of the funds of the International Labour Organisation.

#### *Article 4*

The following shall be substituted for the present text of Article 36 of the Constitution of the Organisation:

Amendments to this Constitution which are adopted by the Conference by a majority of two-thirds of the votes cast by the delegates present shall take effect when ratified or accepted by two-thirds of the Members of the Organisation including five of the eight Members which are represented on the Governing Body as Members of chief industrial importance in accordance with the provisions of paragraph 3 of Article 7 of this Constitution.



le gouvernement du nouveau Membre aura communiqué au Directeur du Bureau international du Travail son acceptation formelle des obligations découlant de la Constitution de l'Organisation.

5. Aucun Membre de l'Organisation internationale du Travail ne pourra s'en retirer sans avoir donné préavis de son intention au Directeur du Bureau international du Travail. Ce préavis portera effet deux ans après la date de sa réception par le Directeur, sous réserve que le Membre ait à cette date rempli toutes les obligations financières résultant de sa qualité de Membre. Lorsqu'un Membre aura ratifié une convention internationale du travail, ce retrait n'affectera pas la validité, pour la période prévue par la convention, des obligations résultant de la convention ou y relatives.

6. Au cas où un Etat aurait cessé d'être Membre de l'Organisation, sa réadmission en qualité de Membre sera régie par les dispositions des paragraphes 3 ou 4 du présent article.

#### *Article 3*

Le texte actuel de l'article 13 de la Constitution de l'Organisation est remplacé par ce qui suit:

1. L'Organisation internationale du Travail peut conclure avec les Nations Unies tels arrangements financiers et budgétaires qui paraîtraient appropriés.

2. En attendant la conclusion de tels arrangements, ou si, à un moment quelconque, il n'en est pas qui soient en vigueur:

a) chacun des Membres paiera les frais de voyage et de séjour de ses délégués et de leurs conseillers techniques, ainsi que de ses représentants prenant part aux sessions de la Conférence et du Conseil d'administration selon les cas;

b) tous autres frais du Bureau international du Travail, des sessions de la Conférence ou de celles du Conseil d'administration seront payés par le Directeur du Bureau international du Travail sur le budget général de l'Organisation internationale du Travail;

c) les dispositions relatives à l'approbation du budget de l'Organisation internationale du Travail, ainsi qu'à l'assiette et au recouvrement des contributions, seront arrêtées par la Conférence à la majorité des deux tiers des suffrages émis par les délégués présents et stipuleront que le budget et les arrangements concernant la répartition des dépenses entre les Membres de l'Organisation seront approuvés par une commission de représentants gouvernementaux.

3. Les frais de l'Organisation internationale du Travail seront à la charge des Membres, conformément aux arrangements en vigueur en vertu du paragraphe 1<sup>er</sup> ou du paragraphe 2 du présent article.

4. Un Membre de l'Organisation en retard dans le paiement de sa contribution aux dépenses de l'Organisation ne peut participer au vote à la Conférence, au Conseil d'administration ou à toute Commission, ou aux élections de membres du Conseil d'administration, si le montant de ses arriérés est égal ou supérieur à la contribution due par lui pour les deux années complètes écoulées. La Conférence peut néanmoins autoriser ce Membre à participer au vote si elle constate que le manquement est dû à des circonstances indépendantes de sa volonté.

5. Le Directeur du Bureau international du Travail est responsable vis-à-vis du Conseil d'administration pour l'emploi des fonds de l'Organisation internationale du Travail.

#### *Article 4*

Le texte actuel de l'article 36 de la Constitution de l'Organisation est remplacé par le texte suivant:

Les amendements à la présente Constitution adoptés par la Conférence à la majorité des deux tiers des suffrages émis par les délégués présents entreront en vigueur lorsqu'ils auront été ratifiés ou acceptés par les deux tiers des Membres de l'Organisation comprenant cinq des huit Membres représentés au Conseil d'administration en qualité de Membres ayant l'importance industrielle la plus considérable, conformément aux dispositions du paragraphe 3 de l'article 7 de la présente Constitution.

*Article 5*

Three copies of this instrument of amendment shall be authenticated by the signature of the President of the Conference and of the Director of the International Labour Office. Of these copies one shall be deposited in the archives of the International Labour Office, one with the Secretary-General of the League of Nations, and one with the Secretary-General of the United Nations. The Director will communicate a certified copy of the instrument to each of the Members of the International Labour Organisation.

*Article 6*

1. The formal ratifications or acceptances of this instrument of amendment shall be communicated to the Director of the International Labour Office, who shall notify the Members of the Organisation of the receipt thereof.

2. This instrument of amendment will come into force in accordance with the existing provisions of Article 36 of the Constitution of the International Labour Organisation. If the Council of the League of Nations should cease to exist before this instrument has come into force, it shall come into force on ratification or acceptance by three-quarters of the Members of the Organisation.

3. On the coming into force of this instrument, the amendments set forth herein shall take effect as amendments to the Constitution of the International Labour Organisation.

4. On the coming into force of this instrument the Director of the International Labour Office shall so notify all the Members of the International Labour Organisation, the Secretary-General of the United Nations, and all the States having signed the Charter of the United Nations.

The foregoing is the authentic text of the Constitution of the International Labour Organisation Instrument of Amendment, 1945, duly adopted by the General Conference of the International Labour Organisation on the fifth day of November 1945 in the course of its Twenty-Seventh Session which was held at Paris.

The English and French versions of the text of this instrument of amendment are equally authoritative.

IN FAITH WHEREOF we have appended our signatures this seventh day of November 1945.

*The President of the Conference.*

A. PARODI.

*The Acting Director of the International Labour Office.*

EDWARD J. PHELAN.

The Recommendation (No. 74) concerning minimum standards of social policy in dependent territories (supplementary provisions), here reprinted, was adopted by the General Conference of the International Labour Organisation at its Twenty-seventh Session, held at Paris, from 15 October to 5 November 1945.

The text of the Recommendation as here presented is a true copy of the text authenticated by the signatures of the President of the Conference and of the Acting Director of the International Labour Office, in accordance with the provisions of Article 19, paragraph 4, of the Constitution of the International Labour Organisation.

*For the Acting Director of the International Labour Office:*

C. W. JENKS.

*Legal Adviser of the  
International Labour Office.*

### Article 5

Trois exemplaires authentiques du présent instrument d'amendement seront signés par le Président de la Conférence et par le Directeur du Bureau international du Travail. Un de ces exemplaires sera déposé aux archives du Bureau international du Travail, un autre entre les mains du Secrétaire général de la Société des Nations et un autre entre les mains du Secrétaire général des Nations Unies. Le Directeur communiquera une copie certifiée conforme de cet instrument à chacun des Membres de l'Organisation internationale du Travail.

### Article 6

1. Les ratifications ou acceptations formelles du présent instrument d'amendement seront communiquées au Directeur du Bureau international du Travail qui en informera les Membres de l'Organisation.

2. Le présent instrument d'amendement entrera en vigueur dans les conditions prévues à l'article 36 du texte actuel de la Constitution de l'Organisation internationale du Travail. Si le Conseil de la Société des Nations venait à disparaître avant que cet instrument ne soit entré en vigueur, il entrera en vigueur dès sa ratification ou acceptation par trois quarts des Membres de l'Organisation.

3. Dès l'entrée en vigueur du présent instrument, les amendements qui y figurent, deviendront effectifs en tant qu'amendements à la Constitution de l'Organisation internationale du Travail.

4. Dès l'entrée en vigueur du présent instrument, le Directeur du Bureau international du Travail en informera tous les Membres de l'Organisation internationale du Travail, le Secrétaire général des Nations Unies et tous les Etats qui ont signé la Charte des Nations Unies.

Le texte qui précède est le texte authentique de l'instrument d'amendement à la Constitution de l'Organisation internationale du Travail, 1945, dûment adopté par la Conférence générale de l'Organisation internationale du Travail le 5 novembre 1945, au cours de sa vingt-septième session, qui s'est tenue à Paris.

Les versions française et anglaise du texte du présent instrument d'amendement font également foi.

EN FOI DE QUOI ont apposé leurs signatures, ce septième jour de novembre 1945.

*Le Président de la Conférence.*

A. PARODI.

*Le Directeur par intérim du Bureau international du Travail.*

EDWARD J. PHELAN.

La recommandation (N° 74) concernant les normes minima pour la politique sociale dans les territoires dépendants (dispositions complémentaires), dont le texte est reproduit ci-après, a été adoptée par la Conférence générale de l'Organisation internationale du Travail au cours de sa vingt-septième session, tenue à Paris, du 15 octobre au 5 novembre 1945.

Le texte de la recommandation présenté ici est la copie exacte du texte authentiqué par les signatures du Président de la Conférence et du Directeur par intérim du Bureau international du Travail, conformément aux dispositions de l'article 19, paragraphe 4, de la Constitution de l'Organisation internationale du Travail.

*Pour le Directeur par intérim du Bureau international du Travail:*

C. W. JENKS.

*Conseiller juridique du Bureau  
international du Travail.*

## INTERNATIONAL LABOUR CONFERENCE

RECOMMENDATION (No. 74) CONCERNING MINIMUM STANDARDS OF SOCIAL POLICY  
IN DEPENDENT TERRITORIES (SUPPLEMENTARY PROVISIONS)

The General Conference of the International Labour Organisation,

Having been convened at Paris by the Governing Body of the International Labour Office, and having met in its Twenty-seventh Session on 15th October, 1945, and

Having decided upon the adoption of certain proposals with regard to minimum standards of social policy in dependent territories (supplementary provisions), which is the fifth item on the agenda of the Session, and

Having determined that these proposals shall take the form of a Recommendation,

adopts, this fifth day of November of the year one thousand nine hundred and forty-five, the following Recommendation which may be cited as the Social Policy in Dependent Territories (Supplementary Provisions) Recommendation, 1945:

Whereas Chapter XI of the Charter of the United Nations, being the Declaration regarding Non-Self-Governing Territories, affirms the principle that the interests of the inhabitants of all such territories are paramount, and establishes the obligation of metropolitan States, as a sacred trust, to ensure the political, economic, social and educational advancement of the peoples of these territories; and

Whereas the International Labour Conference adopted on 12th May, 1944, in the course of its Twenty-sixth Session, a Recommendation concerning minimum standards of social policy in dependent territories; and

Whereas it is desirable to provide for the application to dependent territories of minimum standards supplementing those adopted in 1944;

The Conference makes the following recommendations:

1. Each Member of the International Labour Organisation which is responsible for any dependent territory should take all steps within its competence to secure the effective application in each such territory of the minimum standards set forth in the Annex to this Recommendation, and in particular should bring this Recommendation before the authority or authorities competent to make effective in each such territory the minimum standards set forth in the Annex.

2. Each Member of the Organisation should, if it approves this Recommendation, communicate to the Director of the International Labour Office at the earliest possible date particulars of the action taken to make effective the minimum standards set forth in the Annex in respect of each dependent territory for which the Member in question is responsible, and thereafter should report to the International Labour Office, from time to time, as requested by the Governing Body, concerning the action taken to give effect to the Recommendation.

3. The standards set forth in the Annex to this Recommendation should be regarded as minimum standards, which do not qualify or impair any obligation to apply higher standards incumbent upon any Member of the Organisation under the Constitution of the Organisation or under any International Labour Convention which the Member may have ratified, and should in no case be so interpreted or applied as to lessen the protection afforded by existing legislation to the workers concerned.

## ANNEX

*Section 1.—Wages and Thrift**Article 1*

1. It shall be an aim of policy to encourage the development of machinery of collective bargaining whereby minimum rates of wages may be fixed through negotiations between employers' and workers' organisations.

## CONFERENCE INTERNATIONALE DU TRAVAIL

## RECOMMANDATION (N° 74) CONCERNANT LES NORMES MINIMA POUR LA POLITIQUE SOCIALE DANS LES TERRITOIRES DEPENDANTS (DISPOSITIONS COMPLEMENTAIRES)

La Conférence générale de l'Organisation internationale du Travail,

Convoquée à Paris par le Conseil d'administration du Bureau international du Travail et s'y étant réunie, le quinze octobre 1945, en sa vingt-septième session,

Après avoir décidé d'adopter diverses propositions relatives aux normes minima pour la politique sociale dans les territoires dépendants (dispositions complémentaires), question qui constitue le cinquième point à l'ordre du jour de la session, et

Après avoir décidé que ces propositions prendraient la forme d'une recommandation,

Adopte, ce cinquième jour de novembre mil neuf cent quarante-cinq, la recommandation ci-après, qui sera dénommée Recommandation sur la politique sociale dans les territoires dépendants (dispositions complémentaires), 1945 :

Considérant que le chapitre XI de la Charte des Nations Unies, qui constitue la Déclaration relative aux territoires non autonomes, reconnaît le principe de la primauté des intérêts des habitants de tous ces territoires et donne comme mission sacrée aux Etats métropolitains l'obligation d'assurer leur progrès politique, économique, social et culturel;

Considérant que la Conférence internationale du Travail a adopté, le 12 mai 1944, à sa vingt-sixième session, une recommandation concernant les normes minima pour la politique sociale dans les territoires dépendants;

Considérant qu'il est désirable d'assurer aux territoires dépendants l'application de normes minima complétant celles qui ont été adoptées en 1944;

La Conférence recommande ce qui suit:

1. Tout Membre de l'Organisation internationale du Travail de qui relève un territoire dépendant devrait prendre toutes mesures utiles rentrant dans sa compétence pour assurer l'application effective dans ce territoire des normes minima énoncées dans l'annexe à la présente recommandation, et notamment soumettre la présente recommandation à l'autorité ou aux autorités ayant compétence pour rendre effectives dans ce territoire les normes minima énoncées dans l'annexe.

2. Tout Membre de l'Organisation devrait, s'il approuve la présente recommandation, communiquer au Directeur du Bureau international du Travail, dans le plus bref délai possible, les détails des mesures prises en vue de rendre effectives les normes minima énoncées dans l'annexe, à l'égard de chaque territoire dépendant relevant de lui, et devrait ultérieurement présenter au Bureau international du Travail, conformément à ce que décidera le Conseil d'administration, des rapports exposant les mesures prises pour mettre la recommandation en application.

3. Les normes énoncées dans l'annexe à la présente recommandation devraient être considérées comme des normes minima, qui ne sauraient restreindre ni affecter toute obligation d'appliquer des normes plus élevées qui peut incomber à un Membre de l'Organisation, soit en vertu de la Constitution de l'Organisation, soit en vertu d'une convention internationale du travail ratifiée par lui, et ne pourraient en aucun cas être interprétées ni appliquées de manière à diminuer la protection déjà accordée par la législation aux travailleurs dont il s'agit.

## ANNEXE

*Section 1.—Salaires et épargne**Article 1*

1. Ce devra être l'un des buts de la politique sociale d'encourager le développement de procédures de contrat collectif par lesquelles des taux minima de salaires pourraient être fixés, au moyen de négociations entre les organisations d'employeurs et de travailleurs.

2. In all cases in which the competent authority has reason to believe that the workers' organisations have not arrived at the stage of development necessary to enable them to negotiate on a footing of equality with the employers' organisations, specially qualified persons shall be nominated to assist the workers in the course of the negotiations by giving them information and advice and, if need be, to act in their name. These measures shall be taken and such nominations made after consultation with the labour inspectorate where such exists. Persons so nominated shall assist in the early development of workers' organisations by advice and guidance.

#### *Article 2*

1. Where no adequate arrangements exist for the effective fixing of minimum wages by collective agreement, official machinery whereby minimum rates of wages can be fixed for the workers shall be created and maintained.

2. Any minimum rates so fixed by decision of the competent authority shall observe the principle of equal remuneration for men and women for work of equal value.

3. Representatives of the employers and workers concerned, including representatives of their respective organisations, where such exist, shall be associated in the operation of the minimum wage-fixing machinery, in such manner and to such extent, but in any case in equal numbers and on equal terms, as may be determined by the competent authority.

4. Minimum rates of wages which have been fixed by the competent authority shall be binding on the employers and workers concerned so as not to be subject to abatement by agreement between employers and workers without the express consent of the competent authority.

5. The necessary measures shall be taken to ensure that the employers and workers concerned are informed of the minimum rates of wages in force and that wages are not paid at less than these rates in cases where they are applicable.

6. A worker to whom the minimum rates are applicable and who has been paid wages at less than these rates shall be entitled to recover, by judicial or other legalised proceedings, the amount by which he has been underpaid, subject to such limitation of time as may be determined by the competent authority.

#### *Article 3*

1. The necessary measures shall be taken to ensure the proper payment of all wages earned and employers shall be required to keep registers of wage payments, to issue to workers statements of wage payments, and to take other appropriate steps to facilitate the necessary supervision.

2. Wages shall normally be paid in cash only and direct to the individual worker.

3. Unless there is an established local custom to the contrary, the continuance of which is desired by the workers, wages shall be paid regularly at such intervals as will lessen the likelihood of indebtedness among the wage earners.

4. Where food, housing, clothing and other essential supplies and services form part of remuneration, all practicable steps shall be taken by the competent authority to control strictly their adequacy and their cash value.

5. All practicable measures shall be taken:

- (a) to inform the workers of their wage rights;
- (b) to prevent any unauthorised deductions from wages; and
- (c) to restrict the amounts deductible from wages in respect of supplies and services forming part of remuneration to the cash value thereof.

2. Dans tous les cas où l'autorité compétente aura des raisons de croire que les organisations de travailleurs n'ont pas atteint le développement nécessaire pour négocier sur un pied d'égalité avec les organisations d'employeurs, elle désignera des personnes spécialement qualifiées pour aider les travailleurs dans les négociations en cours, par leurs avis et leurs conseils, et, au besoin, pour agir en leur nom. Ces mesures seront prises et ces nomination effectuées après consultation de l'inspection du travail, quand elle existe. Les personnes ainsi nommées aideront par leurs avis et conseils au premier développement des organisations ouvrières.

#### *Article 2*

1. Là où il n'existe pas de régime efficace pour la fixation effective des salaires minima par voie de contrat collectif, il sera institué et maintenu en vigueur une organisation officielle permettant de fixer des taux minima de salaires pour les travailleurs employés.

2. Les taux minima ainsi fixés par décision de l'autorité compétente respecteront le principe de l'égalité de rémunération des hommes et des femmes pour un travail de valeur égale.

3. Des représentants des employeurs et des travailleurs intéressés, y compris des représentants de leurs organisations respectives, si de telles organisations existent, doivent, lorsque cela est possible, participer à l'application des méthodes, de fixation des salaires minima, sous la forme et dans la mesure qui pourront être déterminées par l'autorité compétente, mais, dans tous les cas, en nombre égal et sur un pied d'égalité.

4. Les taux minima de salaires qui auront été fixés par l'autorité compétente seront obligatoires pour les employeurs et les travailleurs intéressés et ne pourront être abaissés par voie d'accord entre employeurs et travailleurs sans le consentement exprès de l'autorité compétente.

5. Les mesures nécessaires seront prises pour que, d'une part, les employeurs et les travailleurs intéressés aient connaissance des taux minima de salaires en vigueur, et que, d'autre part, les salaires effectivement versés ne soient pas inférieurs aux taux minima applicables.

6. Tout travailleur auquel les taux minima sont applicable et qui a reçu des salaires inférieurs à ces taux doit avoir le droit, par voie judiciaire ou autre voie légale, de recouvrer le montant de la somme qui lui reste due, dans le délai qui pourra être fixé par l'autorité compétente.

#### *Article 3*

1. Les mesures nécessaires seront prises pour assurer que tous les salaires gagnés soient dûment payés et que les employeurs tiennent des registres indiquant les paiements de salaires, délivrent aux travailleurs des attestations au sujet du paiement de leurs salaires et prennent d'autres mesures appropriées pour faciliter le contrôle nécessaire.

2. Les salaires ne seront normalement payés qu'en espèces, directement au travailleur lui-même.

3. A moins qu'il n'y ait une coutume locale s'y opposant et dont les travailleurs désirent le maintien, les salaires seront payés régulièrement à des intervalles qui permettent de réduire la possibilité d'endettement parmi les salariés.

4. Lorsque la nourriture, le logement, les vêtements et d'autres fournitures et services essentiels constituent un élément de la rémunération, les autorités compétentes prendront toutes les mesures pratiques et possibles pour contrôler strictement leur caractère adéquat et leur valeur en espèces.

5. Toutes mesures pratiques et possibles seront prises afin :

- a) d'informer les travailleurs de leurs droits en matière de salaire;
- b) d'empêcher tout prélèvement non autorisé sur les salaires, et
- c) de limiter les montants prélevés au titre de fournitures et services constituant un élément de la rémunération à la valeur en espèces de ces fournitures et services.

*Article 4*

1. Voluntary forms of thrift among wage earners and independent producers shall be encouraged.

2. The maximum amounts and manner of repayment of advances on wages shall be regulated by the competent authority.

3. The competent authority shall limit the amount of advances which may be paid to a worker who has been engaged from outside the territory. The amount of any such advances shall be clearly explained to the worker. Any advance made in excess of the amount laid down by the competent authority shall be irrecoverable at law.

4. All practicable measures shall be taken for the protection of wage earners and independent producers against usury, in particular by action aiming at the reduction of rates of interest on loans, by the control of the operations of money lenders, and by the encouragement of facilities for borrowing money for appropriate purposes through co-operative credit organisations or through institutions which are under the control of the competent authority.

*Article 5*

1. Where deferred pay schemes are in existence or are being established:

(a) their rules and operations shall be supervised by the competent authority, and in particular employers shall, where the competent authority is not satisfied that the funds are suitably invested, be required to furnish security for their obligations under such schemes;

(b) representatives of the wage earners, including representatives of their organisations where such exist, shall be associated in the operation of such schemes.

2. It shall be an aim of policy, as soon as the economic evolution of a territory permits, progressively to eliminate deferred pay schemes and to establish, without prejudice to provident or superannuation schemes, systems of retirement allowances, including provisions for contributions by the Government or employers or both as well as by the workers.

*Article 6*

1. It shall be an aim of policy effectively to establish the principle of equal wages for work of equal value in the same operation and undertaking and to prevent discrimination directed against workers by reason of their race, religion or sex in respect of opportunities for employment and promotion and in respect of wage rates.

2. All practicable measures shall be taken to lessen any existing differences in wage rates which are due to discrimination by reason of race, religion or sex by raising the rates applicable to the lower paid workers.

3. Workers engaged for employment from outside any dependent territory may be granted additional payments to meet any reasonable personal or family expenses resulting from employment away from their homes.

*Section 2. Labour Aspects of Land Policies**Article 7*

The following shall be among the measures to be considered by the competent authorities for the promotion of productive capacity and the improvement of standards of living of primary producers:

(a) the elimination to the fullest practicable extent of the causes of chronic indebtedness;

(b) the control of the alienation of agricultural land to non-agriculturalists so as to ensure that such alienation takes place only when it is in the best interest of the territory;



#### Article 4

1. Les formes d'épargne facultatives parmi les salariés et les producteurs indépendants seront encouragées.

2. Les montants maxima et le mode de remboursement des avances sur les salaires seront réglementés par l'autorité compétente.

3. L'autorité compétente limitera le montant des avances qui peuvent être faites à un travailleur engagé en dehors du territoire. Le montant de toute avance de ce genre sera clairement indiqué au travailleur. Toute avance faite en plus du montant fixé par l'autorité compétente sera irrécouvrable par voie légale.

4. Toutes mesures pratiques et possibles seront prises en vue de la protection des salariés et des producteurs indépendants contre l'usure, en particulier par des mesures visant à la réduction des taux d'intérêt sur les prêts, par le contrôle des opérations des bailleurs de fonds et par l'encouragement de systèmes de prêts, à des fins appropriées, au moyen d'organisations coopératives de crédit ou au moyen d'institutions placées sous le contrôle de l'autorité compétente.

#### Article 5

1. Si des systèmes de pécules sont en vigueur ou sont institués à l'avenir :

a) leurs règles et leur fonctionnement seront contrôlés par l'autorité compétente, et les employeurs, en particulier, seront tenus, dans les cas où l'autorité compétente n'a pas acquis l'assurance que les fonds sont investis de façon satisfaisante, de donner des garanties pour l'accomplissement des obligations qui leur sont imposées en vertu de ces systèmes;

b) des représentants des salariés, y compris des représentants de leurs organisations, s'il en existe, participeront à l'administration de ces systèmes.

2. Ce devra être l'un des buts de la politique sociale d'éliminer progressivement le système du pécule dès que l'évolution économique d'un territoire le permettra et d'instituer des régimes d'allocation de retraites prévoyant des contributions du gouvernement ou des employeurs, ou de l'un et des autres, aussi bien que des travailleurs, sans que cela puisse porter préjudice aux régimes de prévoyance ou de retraites.

#### Article 6

1. Ce devra être l'un des buts de la politique sociale d'établir effectivement le principe du salaire égal pour un travail de valeur égale dans un même processus et une même entreprise, et d'empêcher toutes discriminations fondées sur la race, la religion ou le sexe entre les travailleurs, en ce qui concerne leurs possibilités d'emploi et d'avancement et le taux de leur salaire.

2. Toutes mesures pratiques et possibles seront prises afin de restreindre toutes différences dans les taux de salaires résultant de discriminations fondées sur la race, la religion ou le sexe en élevant les taux applicables aux travailleurs les moins payés.

3. Les personnes engagées hors d'un territoire dépendant pour y travailler pourront obtenir des paiements supplémentaires pour faire face à toutes dépenses personnelles ou familiales raisonnables résultant de leur emploi loin de leurs foyers.

#### Section 2. Les travailleurs et la Politique Agricole

#### Article 7

Les mesures suivantes figureront parmi celles que les autorités compétentes devront prendre en considération pour promouvoir la capacité de production et le niveau de vie des producteurs agricoles :

a) éliminer, dans toute la mesure du possible, les causes de l'endettement chronique;

b) contrôler la cession de terres cultivables à des personnes qui ne sont pas des cultivateurs, afin que cette cession ne se fasse que dans l'intérêt du territoire;

(c) the supervision of tenancy arrangements and of working conditions with a view to securing for tenants and labourers the highest practicable standards of living and an equitable share in any advantages which may result from improvements in productivity or in price levels.

### *Section 3. Social Security*

#### *Article 8*

Provision shall be made by law at the earliest possible date for the payment of compensation to employed persons in case of incapacity for work caused by accidents arising out of and in the course of their employment, and to their dependent survivors in case of death caused by such accidents, and for the medical care of persons injured by such accidents:

(a) in case of incapacity, compensation shall be paid not later than as from the fifth day after the accident, but, if the incapacity lasts for more than four weeks, compensation shall be payable as from the first day of incapacity;

(b) all measures practicable under local conditions shall be taken to restore as quickly as possible the earning capacity of injured workers;

(c) unless otherwise provided by a general social insurance scheme, the cost of compensation shall be borne by employers, and, as soon and so far as possible, shall be covered by a system of compulsory insurance not carried on for profit;

(d) the law and all procedures relating to compensation shall be as simple as possible; in particular, a public officer shall be responsible for seeing that injured workers receive the compensation to which they are entitled, and claims shall be settled by summary and informal procedure.

#### *Article 9*

Where the injury results in permanent incapacity of other than a minor character or death, the compensation payable to the injured worker or his dependants shall be in the form of periodical payments: Provided that it may be wholly or partially paid in a lump sum if the competent authority is satisfied that it will be properly utilised or considers it impracticable properly to control periodical payments. It shall, however, be an aim of policy to eliminate the system of lump sum payments in favour of periodical payments.

#### *Article 10*

The provisions of Articles 8 and 9 shall, where appropriate, apply to workmen's compensation for occupational diseases.

#### *Article 11*

1. There shall be equality of treatment for national and foreign workers in respect of workmen's compensation for accidents and occupational diseases.

2. Foreign workers who are entitled to workmen's compensation benefits and who are returning to their countries of origin shall be entitled to any compensation which would have been due to them if they had remained in the territory of employment. If benefit payments are periodical, they shall continue to receive such benefits or be granted a lump sum in lieu thereof.

#### *Article 12*

1. It shall be an aim of policy, in areas where substantial numbers of the workers normally earn their living by wage earning, to introduce compulsory insurance for the protection of wage earners and their dependants in cases of sickness and maternity, old age, death of the breadwinner and unemployment. As soon as the necessary conditions for the operation of such insurance are present, arrangements to that end shall be inaugurated.

2. It shall be an aim of policy to provide, through compulsory sickness and maternity insurance, medical care for injured persons and their dependants, in so far as such care is not already provided as a free public service.

c) contrôler les conditions de tenure et de travail, afin d'assurer aux fermiers et aux travailleurs agricoles le plus haut niveau de vie possible et une part équitable des avantages pouvant provenir d'une amélioration du rendement ou des prix.

### *Section 3. Sécurité sociale*

#### *Article 8*

Une disposition légale assurera aussitôt que possible le paiement d'indemnités aux personnes employées, en cas d'incapacité de travail due à des accidents survenus au cours et à l'occasion du travail, et à leurs ayants droit, en cas de décès dû à de tels accidents, ainsi que des soins médicaux aux personnes victimes de tels accidents, suivant les modalités ci-après :

a) en case d'incapacité, l'indemnité sera allouée au plus tard à partir du cinquième jour après l'accident, mais si l'incapacité dure plus de quatre semaines, l'indemnité sera due depuis le premier jour de l'incapacité;

b) toutes mesures que permettent les conditions locales seront prises pour rétablir aussitôt que possible la capacité de gain des travailleurs accidentés;

c) sauf disposition contraire d'un régime général d'assurances sociales, les frais de réparation seront à la charge des employeurs et devront être couverts aussitôt et autant que possible par un régime d'assurance obligatoire non lucratif;

d) la législation et toutes les procédures relatives à la réparation des accidents du travail seront aussi simples que possible; en particulier, il incombera à un fonctionnaire public de s'assurer que les travailleurs accidentés bénéficieront de la réparation qui leur est due et les droits seront liquidés par procédure sommaire et sans formalités.

#### *Article 9*

En cas d'accidents suivis de décès ou en cas d'accidents ayant entraîné une incapacité permanente à caractère grave, les indemnités dues à la victime ou aux ayants droit seront payées sous forme de rente. Toutefois, ces indemnités pourront être payées, en totalité ou en partie, sous forme de capital, lorsque la garantie d'un emploi judicieux sera fournie aux autorités compétentes ou que celles-ci considéreront que le contrôle efficace des paiements périodiques est impraticable. Ce devra être pourtant un but de la politique sociale d'éliminer le système de paiements sous forme de capital et d'adopter de préférence celui des paiements sous forme de rente.

#### *Article 10*

Les dispositions des articles 8 et 9 s'appliqueront, dans les cas appropriés, à la réparation des maladies professionnelles.

#### *Article 11*

1. L'égalité de traitement sera assurée aux travailleurs nationaux et étrangers en matière de réparation des accidents du travail et des maladies professionnelles.

2. Les travailleurs étrangers qui ont droit au paiement de prestations de réparation et qui rentrent dans leur pays d'origine conserveront leur droit à toute indemnité qui leur aurait été versée s'ils étaient restés dans le territoire où ils étaient occupés. Si les prestations sont périodiques, ils continueront à les recevoir ou recevront une somme globale tenant lieu de pension.

#### *Article 12*

1. Ce sera l'un des buts de la politique sociale d'instaurer, dans les régions où un nombre appréciable de travailleurs vivent normalement de salaires, l'assurance obligatoire pour la protection des salariés et des personnes à leur charge en case de maladie et maternité, de vieillesse, de décès du soutien de famille et de chômage. Aussitôt que les conditions nécessaires au fonctionnement d'une telle assurance seront remplies, les premières mesures à cet effet seront prises.

2. Ce sera l'un des buts de la politique sociale de fournir, par assurance obligatoire en cas de maladie et de maternité, des soins médicaux aux assurés et aux personnes à leur charge en tant que ces soins ne leur sont pas déjà donnés à titre de service public gratuit.

*Section 4. Placing of Workers**Article 13*

1. Where employment or migration is on a sufficient scale, provision shall be made for a system of free public employment offices.
2. Where the nature of labour migration so requires, properly equipped rest houses shall be provided by the competent authority.
3. Any systems which may be operated by associations of employers or of organised workers for the placing of workers and for their welfare during journeys to and from employment shall be without cost to the workers and under the close supervision of the competent authority.

*Section 5. Hours and Holidays**Article 14*

1. The maximum hours of work in industrial and commercial undertakings shall be fixed by the competent authority.
2. So far as practicable, the maximum hours of work in agricultural undertakings shall be fixed by the competent authority.
3. The reports communicated to the International Labour Office in accordance with paragraph 2 of this Recommendation shall contain full information concerning the measures taken to regulate hours, including information on the limits of the hours prescribed, any provisions for minimum periods of unbroken rest, any special limitations for unhealthy, dangerous or onerous operations, any special arrangements for particular operations, any exceptions permitted for seasonal employment, and the methods of application of the regulations.

*Article 15*

1. Workers employed in industrial and commercial undertakings shall be granted in every period of seven days a period of rest comprising at least twenty-four consecutive hours, but wherever appropriate to the customs of the workers, a proportionate period of rest calculated over a longer period than one week is permissible.
2. Such provision for weekly rest shall be extended as soon as possible to agricultural undertakings subject to such adaptations as may be necessary to take account of the requirements of production.
3. The period of rest shall wherever possible be granted simultaneously to the whole of the staff of each undertaking and be fixed so as to coincide with the days already established by the customs of the workers.
4. Total or partial exceptions may be authorised by the competent authority when considered necessary. Overtime shall be compensated by wages substantially in excess of the normal rates whenever there is encroachment on the rest period.

*Article 16*

1. As soon as practicable, provision shall be made entitling workers employed in industrial and commercial undertakings to an annual holiday with pay of at least twelve working days, after one year of substantially regular employment. Where the employment of a worker is terminated after the completion of six months' service for a reason other than misconduct on his part he shall be entitled to a pro-rata payment in lieu of an annual holiday.
2. It shall be an aim of policy to establish, wherever practicable, that workers employed in agricultural undertakings shall be entitled, after one year of substantially regular employment, to an annual holiday with pay of at least twelve working days. Where the employment of a worker is terminated after the completion of six months' service for a reason other than misconduct on his part he shall be entitled to a pro-rata payment in lieu of an annual holiday.

#### *Section 4. Placement des travailleurs*

##### *Article 13*

1. Dans les cas où l'emploi ou les migrations présenteront une importance suffisante, il sera établi un système de bureaux publics de placement gratuit.
2. Dans les cas où la nature des migrations de travailleurs l'exigera, des maisons de repos convenablement équipées seront installées par l'autorité compétente.
3. Tous les systèmes établis par des associations d'employeurs ou de travailleurs organisés, pour assurer le placement gratuit des travailleurs ainsi que leur bien-être durant leur voyage pour aller au lieu de travail et pour en revenir, seront gratuits pour les travailleurs et placés sous le contrôle étroit de l'autorité compétente.

#### *Section 5. Durée du travail et congés*

##### *Article 14*

1. La durée maxima du travail dans les établissements industriels et commerciaux sera fixée par l'autorité compétente.
2. Quand cela sera pratique et possible, l'autorité compétente fixera la durée maxima du travail dans les entreprises agricoles.
3. Les rapports présentés au Bureau international du Travail en exécution du paragraphe 2 de la présente recommandation devront contenir des informations complètes au sujet des mesures prises pour réglementer la durée du travail, y compris des informations sur les limites de durée du travail prescrites, toutes dispositions relatives à des périodes minima de repos ininterrompu, toutes limitations spéciales pour des travaux insalubres, dangereux ou pénibles, tous arrangements spéciaux pour des travaux particuliers, toutes exceptions autorisées dans le travail saisonnier, ainsi qu'au sujet des méthodes d'application de cette réglementation.

##### *Article 15*

1. Les travailleurs employés dans les établissements industriels et commerciaux jouiront, au cours de chaque période de sept jours, d'un repos comprenant au minimum vingt-quatre heures consécutives; mais un repos proportionnel, calculé sur des périodes de plus d'une semaine, pourra être accordé, lorsque ce mode de calcul répondra à la coutume des travailleurs.
2. Ce mode de repos sera étendu dès que possible aux établissements agricoles, sous réserve de l'adaptation qui resait jugée nécessaire, pour tenir compte des exigences de la production.
3. Autant que possible, le repos sera accordé en même temps à tout le personnel de chaque établissement et coïncidera avec les jours consacrés par la coutume des travailleurs.
4. Des dérogations totales ou partielles pourront être autorisées par l'autorité compétente, lorsque cela sera jugé nécessaire. En cas d'empiètement sur les périodes de repos, les heures supplémentaires seront rémunérées à des taux sensiblement supérieurs aux taux normaux.

##### *Article 16*

1. Dès que cela sera pratique et possible, il y aura lieu de disposer que les travailleurs employés dans les établissements industriels et commerciaux auront droit, après un an d'emploi suffisamment régulier, à un congé annuel payé comprenant au moins douze jours ouvrables. Dans le cas où l'emploi d'un travailleur prend fin après l'achèvement d'une période de six mois de service, pour une raison autre que sa mauvaise conduite, il aura droit, au lieu du congé annuel, à un paiement proportionnel à la période de service effectuée.
2. Ce sera l'un des buts de la politique sociale de disposer, là où ce sera pratique et possible, que les travailleurs employés dans des établissements agricoles auront droit, après un an d'emploi suffisamment régulier, à un congé annuel payé de douze jours ouvrables au moins. Dans le cas où l'emploi d'un travailleur prend fin après l'achèvement d'une période de six mois de service, pour une raison autre que sa mauvaise conduite, il aura droit, au lieu du congé annuel, à un paiement proportionnel à la période de service effectuée.

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3. Where workers are employed at considerable distances from their homes, a holiday calculated on the same basis over a longer period of employment may be substituted for the annual holiday with pay of twelve working days.

4. Where workers are employed at distances from their homes where they have been recruited or engaged, all practicable means shall be taken to facilitate their visiting their homes during holidays with pay.

*Article 17*

Where the competent authority is satisfied that hours of work, weekly rest or annual holidays with pay are adequately regulated by collective agreements or awards which cover a substantial number of the workers concerned, such agreements or awards may be regarded as satisfying the relevant provisions of this Section.

*Section 6.—Powers of Labour Inspectors*

*Article 18*

1. Inspectors appointed by the competent authority and provided with credentials shall be authorised by law to exercise the following powers for the purpose of carrying out their duties:

(a) the power to visit and inspect, at any hour of the day or night, places where they may have reasonable cause to believe that persons under the protection of the law are employed;

(b) the power to enter by day any place which they may have reasonable cause to believe to be an undertaking, or part thereof, subject to their supervision;

(c) the power to question any person employed in the undertaking, either alone or in the presence of witnesses, or to apply for information to any other person whose evidence they may consider necessary;

(d) the power to require to be shown any registers or documents which the laws regulating conditions of work require to be kept.

2. Before leaving the undertaking, inspectors shall, if possible, notify the employer or his representative of their visit, unless they consider such a notification may be prejudicial to the performance of their duties.

*Section 7.—Conciliation*

*Article 19*

1. All procedures for the investigation and settlement of disputes between employer and worker shall be as simple as possible.

2. Employers and workers shall be encouraged to reach fair settlements of disputes by conciliation without recourse to courts of law. For this purpose all practicable measures shall be taken to consult and associate the representatives of organisations of employers and workers in the establishment and working of conciliation machinery.

3. Subject to the operation of such machinery, public officers shall be responsible for the investigation of disputes and shall endeavour to promote conciliation and to assist the parties in arriving at a fair settlement. Where practicable, these officers shall be officers especially assigned to such duties.

*Section 8.—Health and Safety in Employment*

*Article 20*

1. Minimum conditions shall be prescribed for the protection of the health, safety and welfare of workers in industrial undertakings and in other undertakings where the machinery used or the operations performed render such measures necessary.

2. Machinery imported from abroad shall be equipped with the safety devices prescribed in the territory of importation. If the competent authority in the territory of importation has not prescribed the necessary safety devices for any imported machinery, such machinery shall be equipped with the devices prescribed in the country of manufacture.

3. Si des travailleurs sont employés à une distance considérable de leurs foyers, le congé annuel payé de douze jours ouvrables pourra être remplacé par un congé calculé sur la même base pour une période d'emploi plus longue.

4. Si des travailleurs sont employés à une certaine distance de leurs foyers où ils ont été recrutés ou engagés, toutes mesures pratiques et possibles seront prises pour leur permettre de se rendre dans leurs foyers pendant les congés payés.

#### *Article 17*

Quand l'autorité compétente a constaté que la durée du travail, le repos hebdomadaire et les congés annuels payés sont réglementés d'une façon satisfaisante par des contrats collectifs ou par des décisions s'appliquant à une proportion appréciables des travailleurs intéressés, ces contrats ou décisions pourront être considérés comme satisfaisant aux dispositions de la présente section.

#### *Section 6.—Pouvoirs des inspecteurs du travail*

##### *Article 18*

1. Les inspecteurs nommés par l'autorité compétente et munis de pièces justificatives de leur qualité seront légalement autorisés à faire usage des pouvoirs ci-après, en vue d'accomplir leur tâche :

a) visiter et inspecter, à toute heure du jour et de la nuit, les lieux où ils peuvent avoir un motif raisonnable de supposer que sont occupées des personnes jouissant de la protection légale;

b) entrer, le jour, en tous lieux qu'ils peuvent avoir un motif raisonnable de supposer être des établissements ou dépendances d'établissements assujettis à leur contrôle;

c) interroger toute personne employée dans l'entreprise, avec ou sans témoins, ou demander des renseignements à toute autre personne dont le témoignage peut leur sembler nécessaire;

d) demander la production de tous registres ou documents dont la tenue est prescrite par les lois réglementant le travail.

2. Avant de quitter l'entreprise, les inspecteurs devront, si possible, aviser l'employeur ou ses représentants de leur visite, à moins qu'ils n'estiment qu'une telle notification pourrait entraver l'accomplissement de leur tâche.

#### *Section 7.—Conciliation*

##### *Article 19*

1. Toutes les procédures d'examen et de règlement des différends entre employeurs et travailleurs seront aussi simples que possible.

2. Employeurs et travailleurs seront encouragés à régler équitablement leurs différends par la conciliation sans recourir aux tribunaux. A cette fin, toutes mesures pratiques et possibles seront prises pour consulter les représentants des organisations d'employeurs et de travailleurs et pour les associer à l'établissement et au fonctionnement des organismes de conciliation.

3. Sous réserve du fonctionnement de ces organismes, il incombera à des fonctionnaires publics de procéder à l'examen des différends, de s'efforcer d'encourager la conciliation et d'aider les parties aboutir à un règlement équitable. Là où cela sera pratique et possible, des fonctionnaires seront affectés spécialement à ces fonctions.

#### *Section 8.—Hygiène et sécurité dans l'emploi*

##### *Article 20*

1. Des conditions minima seront prescrites pour la protection de la santé des travailleurs et pour leur sécurité et leur bien-être dans les établissements industriels et dans tels autres établissements où la nature des machines employées ou des opérations effectuées exige l'adoption de ces mesures.

2. Les machines importées de l'étranger seront munies des dispositifs de sécurité prescrits dans le territoire où elles sont importées. Faute par les autorités compétentes de ce territoire de prescrire les dispositifs de sécurité nécessaires pour les machines importées, celles-ci seront munies des dispositifs prescrits dans le pays où elles ont été fabriquées.

3. So far as possible the safety devices shall be incorporated in the original design of the machinery.

*Article 21*

1. Consideration shall be given to the application to dependent territories of the provisions of the Protection against Accident (Dockers) Convention (Revised), 1932, in particular in the case of large ports and wherever new machinery is installed for the loading or unloading of ships, whether berthed in docks, at buoy or at anchorage.

2. Consideration shall be given to the desirability of ratifying the Protection against Accidents (Dockers) Convention (Revised), 1932, by such States responsible for dependent territories possessing ports as have not already done so.

*Article 22*

As soon as possible, provision shall be made requiring the gross weight of any package or object of one thousand kilograms (one metric ton) or more consigned within any territory for transport by sea or inland waterway to be plainly and durably marked on the package or object before it is loaded on any vessel.

*Article 23*

1. In order to secure the adoption of the most suitable safety means for preventing accidents and diseases, the following principles shall be applied: required, and one of the essential duties of the inspectors appointed by the

(a) the notification of all accidents to the competent authorities shall be required, and one of the essential duties of the inspectors appointed by the competent authority shall be to investigate accidents, and more especially those of a serious or recurring character, with a view to ascertaining by what measures they can be prevented;

(b) inspectors shall inform and advise employers' and workers' organisations on the best standards of health and safety;

(c) inspectors shall encourage the collaboration of employers, managing staff and workers for the promotion of personal caution, safety methods and the perfecting of safety equipment;

(d) inspectors shall endeavour to promote the improvement and perfecting of measures of health and safety, by the systematic study of technical methods for the internal equipment of undertakings, by special investigations into problems of health and safety, and by any other means.

2. In territories where it is considered preferable to have a special organisation for accident insurance and prevention completely independent of the inspectorate, the special officers of such an organisation shall be guided by the foregoing principles.

*Section 9. Information*

*Article 24*

The competent authority shall assume responsibility for making widely known the nature and significance of the measures adopted in conformity with the foregoing articles and the articles of the Social Policy in Dependent Territories Recommendation, 1944, for the information of the workers and their families, and of the employers. Workers' organisations and employers' organisations, where such exist, shall be utilised as channels for this information. Wherever practicable, such information shall be made available in the local vernaculars.



3. Les dispositifs de sécurité seront autant que possible incorporés aux dispositifs des machines elles-mêmes.

*Article 21*

1. Il conviendra d'envisager l'application, dans les territoires dépendants, des dispositions de la convention concernant la protection des dockers contre les accidents (révisée), 1932, en particulier dans les grands ports et partout où de nouveaux appareils sont installés pour le chargement ou le déchargement des navires, que ceux-ci soient aux docks, au corps mort ou au mouillage.

2. Les Etats de qui relèvent des territoires dépendants possédant des ports, at qui n'ont pas encore ratifié la convention concernant la protection des dockers contre les accidents (révisée), 1932, examineront l'opportunité de la faire.

*Article 22*

Une disposition sera prise, aussitôt que possible, à l'effet de prévoir que tout colis au objet pesant mille kilogrammes (une tonne métrique), ou plus, de poids brut, congné dans les limites d'un territoire et destiné à être transporté par mer ou voie navigable intérieure, porte à l'extérieur, avant d'être embarqué, l'indication de son poids, marquée de façon claire et durable.

*Article 23*

1. En vue d'assurer l'adoption des méthodes de sécurité les plus adéquates pour prévenir les accidents et les maladies, les principes suivants seront appliqués :

a) la notification de tous les accidents aux autorités compétentes devra être exigée et l'une des tâches primordiales des inspecteurs désignés par l'autorité compétente devra consister à procéder à des enquêtes sur les accidents, et en particulier sur ceux d'un caractère sérieux ou fréquent, en vue d'étudier les mesures susceptibles d'en éviter le retour.

b) les inspecteurs devront renseigner et conseiller les chefs d'établissements et les organisations de travailleurs au sujet des dispositions les meilleures en matières d'hygiène et de sécurité;

c) les inspecteurs devront encourager la collaboration des chefs d'établissement, de elurs préposés et des travailleurs, en vue d'éveiller le sens personnel de la prudence, de préconiser des mesures de sécurité et de perfectionner les dispositifs de protection;

d) les inspecteurs devront s'efforcer de promouvoir l'amélioration et le perfectionnement des mesures d'hygiène et de sécurité, soit par l'étude permanente des méthodes techniques d'intallation intérieure redes ateliers, soit par des enquêtes particulières sur des problèms d'hygiène et de sécurité, soi par toutes autres méthodes.

2. Dans les territoires où l'on a estimé préférable d'avoir une organisation spéciale d'assurance et de prévention des accidents du travail tout à fait indépendante des services de l'inspection, les agents spéciaux de cette organisation devront s'inspirer des principes précédents.

*Section 9. Information*

*Article 24*

L'autorité compétente prendra la responsabilité de répandre largement parmi les travailleurs, leurs familles et les employeurs, les indications destinées à leur faire connaître la nature et la signification des mesures adoptées en conformité avec les articles précédents et avec les articles de la Recommandation de 1944 sur la politique sociale dans les territoires dépendants. Là où il existe des organisations de travailleurs et d'employeurs, elles seront utilisées pour transmettre aux intéressés ces informations. Là où cela sera pratique et possible, ces informations seront données dans les langues et dialectes locaux.

*Section 10. Definitions and Scope*

*Article 25*

For the purposes of the present Annex:

(a) the term "agricultural undertaking" may be defined so as to include processes conducted on the undertaking for the preservation and despatch of the agricultural products of the undertaking, unless it is desired to classify these processes as parts of an industrial undertaking:

(b) the term "commercial undertaking" includes:

(i) commercial establishments and offices including establishments engaging wholly or mainly in the sale, purchase, distribution, insurance, negotiation, loan, or administration of goods or services of any kind;

(ii) establishments for the treatment or care particularly of the aged, infirm, sick, destitute, or mentally unfit;

(iii) hotels, restaurants, boarding houses, clubs, cafés, and other refreshment houses;

(iv) theatres and places of public amusement; and

(v) any establishment similar in character to those enumerated in subparagraphs (i), (ii), (iii), and (iv) above;

(c) the term "industrial undertaking" includes:

(i) undertakings in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including undertakings engaged in shipbuilding, in the generation, transformation or transmission of electricity, in the production or distribution of gas or motive power of any kind, in the purification or distribution of water, or in heating;

(ii) undertakings engaged in the construction, reconstruction, maintenance, repair, alteration, or demolition of any one or more of the following: buildings, railways, tramways, airports, harbours, docks, piers, works of protection against floods or coast erosion, canals, works for the purpose of inland, maritime or aerial navigation, roads, tunnels, bridges, viaducts, sewers, drains, wells, irrigation or drainage works, telecommunication installations, works for the production or distribution of electricity or gas, pipelines, water-works, and undertakings engaged in other similar works or in the preparation for or laying the foundations of any such work or structure;

(iii) mines, quarries or other works for the extraction of minerals from the earth; and

(iv) undertakings engaged in the transport of passengers or goods, excluding transport by hand, unless such undertakings are regarded as parts of the operation of an agricultural or commercial undertaking;

(d) the terms "agricultural undertaking", "commercial undertaking" and "industrial undertaking" include both public and private undertakings.

*Article 26*

The competent authority may, by public regulations published beforehand, exclude from the application of the provisions of the present Annex undertakings or vessels in respect of which, from their nature and size, adequate supervision may be impracticable.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organisation during its Twenty-seventh Session which was held at Paris and declared closed the fifth day of November 1945.

IN FAITH whereof we have appended our signatures this seventh day of November 1945.

*The President of the Conference.*

A. PARODI.

*The Acting Director of the International Labour Office.*

EDWARD J. PHELAN.

## Section 10. Définitions et champ d'application

## Article 25

Aux fins de la présente annexe :

a) le terme "établissement agricole" peut être défini de manière à comprendre les opérations effectuées dans l'établissement pour la conservation et l'expédition des produits agricoles de l'établissement, à moins qu'on ne désire classer ces opérations comme faisant partie d'un établissement industriel;

b) le terme "établissement commercial" comprend :

i) les établissements commerciaux et les bureaux, comprenant les établissements dont l'activité consiste essentiellement ou principalement à vendre, acheter, distribuer, assurer, négocier, prêter ou gérer des biens ou des services de toute nature;

ii) les établissements où sont hospitalisés, traités ou soignés, notamment, les vieillards, les malades, les infirmes, les indigents ou les aliénés;

iii) les hôtels, restaurants, pensions, cercles, cafés et autres établissements où sont servies des consommations;

iv) les établissements de spectacles et de divertissements;

v) tous les établissements, de caractères similaires à ceux des établissements énumérés aux sous-alinéas i, ii, iii et iv ci-dessus;

c) l'expression "établissement industriel" comprend :

i) les établissements dans lesquels des produits sont manufacturés, modifiés, nettoyés, réparés, décorés, achetés, préparés pour la vente, détruits ou démolis, ou dans lesquels des matières subissent une transformation, y compris la construction des navires, ainsi que les entreprises de production, de transformation et de transmission de l'électricité, les entreprises de production et de distribution de gaz ou de force motrice en général, les entreprises d'épuration et de distribution d'eau et les entreprises de chauffage;

ii) les entreprises de construction, reconstruction, entretien, réparation, modification ou démolition des ouvrages suivants: bâtiments et édifices, chemins de fer, tramways, aéroports, ports, docks, jetées, ouvrages de protection contre l'action des cours d'eau et de la mer, canaux, installations pour la navigation intérieure, maritime ou aérienne, routes, tunnels, ponts, viaducs, égouts collecteurs, égouts ordinaires, puits, installations pour l'irrigation et le drainage, installations pour télécommunications, installations afférentes à la production ou à la distribution de force électrique et de gaz, pipe-lines, installations de distribution d'eau ainsi que les entreprises s'adonnant à d'autres travaux similaires et aux travaux de préparation ou de fondation précédant les travaux ci-dessus;

iii) les mines, carrières et industries extractives de toute nature;

iv) les entreprises de transport de personnes ou de marchandises, à l'exception du transport à la main, à moins que ces entreprises ne soient considérées comme comprises dans l'exploitation d'un établissement agricole ou commercial;

d) les termes "établissement agricole", "établissement commercial" et "établissement industriel" comprennent les établissements tant publics que privés.

## Article 26

L'autorité compétente pourra, par des règlements préalablement publiés, exclure de l'application des dispositions de la présente annexe, les entreprises ou navires à l'égard desquels, en raison de leur nature ou de leurs dimensions, un contrôle suffisamment efficace peut n'être pas possible.

Le texte qui précède est le texte authentique de la recommandation dûment adoptée par la Conférence générale de l'Organisation internationale du Travail dans sa vingt-septième session qui s'est tenue à Paris et qui a été déclarée close le 5 novembre 1945.

EN FOI DE QUOI ont apposé leurs signatures, ce septième jour de novembre 1945.

*Le Président de la Conférence.*

A. PARODI.

*Le Directeur par intérim du Bureau international du Travail.*

EDWARD J. PHELAN.

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## APPENDIX III

TEXTS OF THE RESOLUTIONS ADOPTED BY THE INTERNATIONAL LABOUR  
CONFERENCE AT ITS 27TH SESSION

## I

RESOLUTION CONCERNING THE ENTRY INTO FORCE OF THE INSTRUMENT FOR THE  
AMENDMENT OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION  
(ADOPTED ON 5 NOVEMBER 1945)

The Conference draws the attention of the Members of the Organisation to the importance of prompt ratification of the Instrument of Amendment to the Constitution of the Organisation adopted by it on 5 November 1945 as a necessary preliminary to the fuller consideration of constitutional questions at next year's session of the Conference, and ventures to hope that this Instrument will have been ratified by all Members of the Organisation before the opening of the next general session of the Conference.

## II

RESOLUTION CONCERNING THE RELATIONSHIP BETWEEN THE INTERNATIONAL LABOUR  
ORGANISATION AND THE UNITED NATIONS (ADOPTED ON 3 NOVEMBER 1945)

Whereas the Charter of the United Nations proclaims the determination of the peoples of the United Nations to " save succeeding generations from the scourge of war " to " reaffirm faith in fundamental human rights " and in " the dignity and worth of the human person ", to " establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained ", " to promote social progress and better standards of life in larger freedom ", and for these ends " to employ international machinery for the promotion of the economic and social advancement of all peoples "; and

Whereas the Charter establishes for the attainment of these ends an international organisation to be known as the United Nations and provides that international organisations established by intergovernmental agreement, and having wide international responsibilities, as defined by their basic instruments, in economic, social, cultural, educational, health and related fields, shall be brought into relationship with the United Nations; and

Whereas the Constitution of the International Labour Organisation affirms that universal peace can be established only if it is based on social justice, and declares the intention of the High Contracting Parties, moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world, to establish the International Labour Organisation as a permanent organisation for the promotion of social justice; and

Whereas the Conference of the International Labour Organisation meeting at New York, on 4 November 1941, unanimously declared the victory of the free peoples in the war against totalitarian aggression to be an indispensable condition of the attainment of the ideals of the International Labour Organisation; and

Whereas the Declaration of Philadelphia, which was unanimously adopted by the General Conference of the International Labour Organisation meeting in its Twenty-sixth Session at Philadelphia on 10 May 1944, " recognises the solemn obligation of the International Labour Organisation to further among the nations of the world programmes which will achieve ", among other ends, " full employment and the raising of standards of living ", and " pledges the full co-operation of the International Labour Organisation with such international bodies as may be entrusted with a share of the responsibility " for " the fuller and broader utilisation of the world's productive resources necessary for the achievement of these objectives " and for " the promotion of the health, education and well-being of all peoples "; and

Whereas the Governing Body of the International Labour Office, meeting in London in its Ninety-fourth Session, adopted unanimously on 25 January 1945, a statement affirming the desire of the International Labour Organisation for association with the general international organisation then contemplated; and

Whereas this statement was conveyed by the International Labour Organisation to the United Nations Conference on International Organisation at San Francisco; and

Whereas the Governing Body of the International Labour Office has expressed its desire that all the members of the United Nations should be associated with the work of the International Labour Organisation,

The General Conference of the International Labour Organisation:

1. Welcomes the entry into force of the Charter of the United Nations and pledges the full co-operation of the International Labour Organisation with the United Nations in pursuance of the objectives set forth in the Charter of the United Nations, the Constitution of the International Labour Organisation and the Declaration of Philadelphia.

2. Expresses the keen satisfaction of the International Labour Organisation that the Charter provides that the United Nations shall promote (a) higher standards of living, full employment, and conditions of economic and social progress and development; (b) solutions of international economic, social, health, and related problems, and international cultural and educational co-operation; and (c) universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion, and embodies a pledge by all members of the United Nations to take joint and separate action in co-operation with the United Nations for the achievement of these purposes.

3. Confirms the desire of the International Labour Organisation to enter into relationship with the United Nations on terms, to be determined by agreement, which will permit the International Labour Organisation, in which the representatives of workers and employers enjoy equal status with those of Governments, to co-operate fully for the attainment of these ends, while retaining the authority essential for the discharge of its responsibilities under the Constitution of the Organisation and the Declaration of Philadelphia; and

4. Authorises the Governing Body of the International Labour Office to enter, subject to the approval of the Conference, into such agreements with the appropriate authorities of the United Nations as may be necessary or desirable for this purpose.

### III

#### RESOLUTION CONCERNING RECIPROCAL RELATIONSHIPS BETWEEN THE INTERNATIONAL LABOUR ORGANISATION AND OTHER INTERNATIONAL BODIES (ADOPTED ON 3 NOVEMBER 1945).

The General Conference of the International Labour Organisation,

Welcomes the progress made to assure close collaboration between the International Labour Organisation and other public international organisations in pursuance of paragraph 3 of the resolution concerning the Constitution and constitutional practice of the Organisation and its relationship with other international bodies adopted by the Conference at its Twenty-sixth Session, and

Requests the International Labour Office to continue to take all appropriate steps to develop such collaboration on conditions mutually agreeable to the International Labour Organisation and the other organisations concerned.

### IV

#### RESOLUTION CONCERNING THE INTERESTS OF THE INTERNATIONAL LABOUR ORGANISATION IN CERTAIN PROPERTIES AND OTHER ASSETS OF THE LEAGUE OF NATIONS AND THE FUNCTIONS AND ACTIVITIES OF THE LEAGUE OF NATIONS RELATING TO THE INTERNATIONAL LABOUR ORGANISATION (ADOPTED ON 3 NOVEMBER 1945).

Whereas the Agreement establishing a Preparatory Commission of the United Nations signed at San Francisco on 26 June 1945 provides that the Preparatory Commission shall formulate recommendations concerning the possible transfer of certain functions, activities and assets of the League of Nations which it may be considered desirable to take over on terms to be arranged; and

Whereas the International Labour Organisation has certain rights and interests in certain properties and other assets of the League of Nations;

The General Conference of the International Labour Organisation:

Authorises the Governing Body of the International Labour Office to make appropriate arrangements with the League of Nations or with the United Nations in regard to the future ownership, control and use of properties and other assets held by the League of Nations on behalf of the International Labour Organisation, and properties and assets in which the International Labour Organisation has a partial interest, and to make with the League of Nations or the United Nations such other arrangements concerning the assets of the League of Nations and the functions and activities of the League of Nations relating to the International Labour Organisation as may be necessary or desirable.

## V

### RESOLUTION CONCERNING THE PLACE OF MEETING OF THE NEXT GENERAL SESSION OF THE CONFERENCE (ADOPTED ON 3 NOVEMBER 1945)

The Conference authorises the Governing Body to decide the place at which the next general session of the International Labour Conference will be held.

## VI

### RESOLUTION CONCERNING EMERGENCY ARRANGEMENTS FOR THE REGISTRATION OF THE RATIFICATION OF CONVENTIONS

Whereas the General Conference of the International Labour Organisation adopted at its Twenty-sixth Session on 12 May 1944 a resolution providing that during periods of emergency when, in the judgment of the Governing Body, the efficient operation of the organisation of the Office will be advanced thereby and the Governing Body so notifies the Members of the Organisation, it shall provide that, supplementary to the procedure of transmission through the Secretary-General of the League of Nations, certain communications shall be transmitted through the Director of the International Labour Office, and the Governing Body, by a decision taken on 13 May 1944 in the course of its Ninety-third Session, decided that this supplementary procedure should be applied immediately; and

Whereas the arrangements to be made for the future discharge of the chancery function entrusted to the Secretary-General of the League of Nations by the Constitution of the International Labour Organisation and the existing international labour Conventions have been referred to a Working Party for consideration and it is necessary to make provision for the interval which will elapse before the coming into force of the new arrangements;

The General Conference of the International Labour Organisation resolves that the arrangements provided for in paragraph 1 of the resolution concerning the Constitution and constitutional practice of the International Labour Organisation adopted by the Conference at its Twenty-sixth Session shall continue to be applied and the Director of the International Labour Office shall preserve as depository communications from Members of the Organisation received in pursuance of the said resolution.

## VII

### RESOLUTION CONCERNING THE ADMISSION OF ICELAND TO THE INTERNATIONAL LABOUR ORGANISATION (ADOPTED ON 19 OCTOBER 1945)

The General Conference of the International Labour Organisation,

Having been seised of an application from the Government of Iceland for the admission of Iceland to the International Labour Organisation, and

Recalling that it has always been the firm conviction of the Organisation that its ends could be more effectively advanced if the membership of the Organisation could be made universal,

Decides to admit Iceland to the International Labour Organisation with the same rights and obligations as the other Members of the Organisation, including the obligation to give two years' notice of any intention to withdraw from the

Organisation and the obligation to respect the exclusively international character of the responsibilities of the Director and staff of the International Labour Office.

The Conference authorises the Governing Body to make the necessary arrangements with the Government of Iceland in regard to its financial contribution to the Organisation.

The admission of Iceland will take effect as soon as the Government of Iceland has communicated to the Director of the International Labour Office its formal acceptance of the provisions of the Constitution of the International Labour Organisation and of the terms of the present resolution.

## VIII

### RESOLUTION CONCERNING THE READMISSION OF GUATEMALA TO THE INTERNATIONAL LABOUR ORGANISATION (ADOPTED ON 19 OCTOBER 1945)

The General Conference of the International Labour Organisation,

Having been seised of an application from the Government of Guatemala for the readmission of Guatemala to the International Labour Organisation, and

Recalling that it has always been the firm conviction of the Organisation that its ends could be more effectively advanced if the membership of the Organisation could be made universal,

Decides to readmit Guatemala to the International Labour Organisation with the same rights and obligations as the other Members of the Organisation, including the obligation to give two years' notice of any intention to withdraw from the Organisation and the obligation to respect the exclusively international character of the responsibilities of the Director and staff of the International Labour Office.

The Conference authorises the Governing Body to make the necessary arrangements with the Government of Guatemala in regard to its financial contribution to the Organisation.

The readmission of Guatemala will take effect as soon as the Government of Guatemala has communicated to the Director of the International Labour Office its formal acceptance of the provisions of the Constitution of the International Labour Organisation and of the terms of the present resolution.

## IX

### RESOLUTION CONCERNING THE READMISSION OF ITALY TO THE INTERNATIONAL LABOUR ORGANISATION (ADOPTED ON 19 OCTOBER 1945)

The General Conference of the International Labour Organisation,

Having been seised of an application from the Government of Italy for the readmission of Italy to the International Labour Organisation, and

Recalling that it has always been the firm conviction of the Organisation that its ends could be more effectively advanced if the membership of the Organisation could be made universal,

Decides to readmit Italy to the International Labour Organisation with the same rights and obligations as the other Members of the Organisation, including the obligation to give two years' notice of any intention to withdraw from the Organisation and the obligation to respect the exclusively international character of the responsibilities of the Director and staff of the International Labour Office.

The Conference authorises the Governing Body to make the necessary arrangements with the Government of Italy in regard to its financial contribution to the Organisation.

The readmission of Italy will take effect as soon as the Government of Italy has communicated to the Director of the International Labour Office its formal acceptance of the provisions of the Constitution of the International Labour Organisation and of the terms of the present resolution.

## X

## RESOLUTION CONCERNING THE MAINTENANCE OF FULL EMPLOYMENT DURING THE PERIOD OF INDUSTRIAL REHABILITATION AND RECONVERSION (ADOPTED ON 3 NOVEMBER 1945)

Whereas the Charter of the United Nations provides that, with a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote, among other things, higher standards of living and full employment and conditions of economic and social progress and development; and,

Whereas the Articles of Agreement of the International Monetary Fund provide that one of the purposes of the Fund is "to facilitate the expansion and balanced growth of international trade and to contribute thereby to the promotion and maintenance of high levels of employment and real income and to the development of the productive resources of all members as primary objectives of economic policy"; and

Whereas the Articles of Agreement of the International Bank for Reconstruction and Development provide that one of the purposes of the Bank is "to promote the long-range balanced growth of international trade and the maintenance of equilibrium in balances of payments by encouraging international investment for the development of the productive resources of members, thereby assisting in raising productivity, the standard of living and conditions of labour in their territories"; and

Whereas the General Conference of the International Labour Organisation has recognised in the Declaration of Philadelphia the solemn obligation of the Organisation to further among the nations of the world programmes which will achieve full employment and the raising of standards of living, and policies in regard to wages and earnings, hours and other conditions of work calculated to ensure a just share of the fruits of progress to all, and a minimum living wage to all employed and in need of such protection; and

Whereas the Conference has also affirmed in the Declaration of Philadelphia 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, and that the attainment of the conditions in which this shall be possible must constitute the central aim of national and international policy, and has further affirmed that it is a responsibility of the International Labour Organisation to examine and consider all international economic and financial policies and measures in the light of this fundamental objective; and

Whereas the Conference at its Twenty-sixth Session adopted the Employment (Transition from War to Peace) Recommendation, 1944, the Employment Service Recommendation, 1944, the Public Works (National Planning) Recommendation, 1944, and the Social Security (Armed Forces) Recommendation, 1944, which provide for measures to facilitate the re-employment of demobilised members of the armed forces, discharged war workers, and all persons whose usual employment has been interrupted as a result of the war, enemy action, or resistance to the enemy or enemy-dominated authorities, including measures relating to the advance collection of information, the demobilisation of the armed forces, industrial demobilisation and conversion, applications for work and for workers, vocational guidance, training and retraining programmes, geographical mobility, the employment of women, young persons and the disabled, the regularisation of employment in particular industries, the organisation of an employment service, the national planning of public works and the provision of income security for persons discharged from the armed forces and assimilated services and from war employment; and

Whereas the maintenance of full employment in the period of industrial rehabilitation and reconversion also requires the adoption of appropriate policies relating to such matters as investment, consumer spending, international capital movements and trade, and the planning of industrial reconversion and development in relation to changes in the structure of industry; and



Whereas it is desirable that the representatives of Governments, employers and workers assembled at the Twenty-seventh Session of the Conference should formulate their views in regard to these matters;

The Conference adopts the following resolution and decides to bring the suggestions contained therein to the notice of Governments, and of the international bodies having primary responsibility for giving effect to such of these suggestions as are the concern of these bodies;

1.—(1) The Conference welcomes the adoption of the Charter of the United Nations and notes with keen satisfaction that it provides for international economic and social co-operation for the promotion among other things of higher standards of living and full employment, and conditions of economic and social progress and development, and that it pledges all Members to take joint and separate action in co-operation with the United Nations Organisation for the achievement of these purposes.

(2) The Conference expresses its keen satisfaction that the International Monetary Fund and the International Bank for reconstruction and Development are required by their respective Articles of Agreement to be guided in all their decisions by the social purposes indicated in the said Articles and quoted in the preamble to the present resolution.

(3) The Conference expresses the hope that the United Nations Organisation, through its appropriate organs, will define and put into effect, as quickly as possible, appropriate measures for furthering international co-ordination of employment policies during the reconversion period, and that for this purpose the fullest use will be made of the International Labour Organisation and the other intergovernmental organisations concerned.

(4) The Conference, noting that several Members of the International Labour Organisation have already published official statements affirming their determination to achieve full, or high levels of, employment in the post-war period, and setting out the methods they propose to use, and that legislation designed to achieve similar ends has been introduced in several national legislatures, urges all Members to take early steps to determine and announce the main features of their post-war policy in accordance with the general principles already incorporated in the Charter of the United Nations.

2.—(1) It should be the responsibility of Governments to take all steps within their power, in collaboration with workers' and employers' organisations and industry generally, to establish such economic and financial (including fiscal) conditions as will facilitate the absorption into useful employment, at the highest practicable levels of remuneration, of all members of the population of working age, who are able to work and willing to accept such employment.

(2) Inasmuch as the successful implementation of a full employment policy in any one country will often depend upon factors controlled at least in part by other countries, including the availability of raw and semi-manufactured materials and capital equipment and the equilibrium of the balance of payments, Government policy in relation to these matters should have due regard to the impact of particular national measures upon the employment situation in other countries.

3. In view of the importance of a high level of investment from the point of view of employment policy, and in order to eliminate as rapidly as possible the shortages of capital goods which create bottlenecks and thereby hinder both an increase in employment and the production of consumers' goods, provision should be made for—

(a) measures to facilitate the flow of credit and of capital to new, efficient enterprises; and

(b) appropriate methods by which public authorities may support and supplement investment in types of development (such as housing) which are of special importance from the social point of view; and

(c) consultations between Government and industry for the purpose of adapting the volume of private investment with a view to minimising trade fluctuations; and

(d) a policy of public investment and related financial measures on the lines recommended in the Public Works (National Planning) Recommendation, 1944.

4.—(1) The existence in most countries of a relative shortage of production and consumption goods, accompanied by a high effective demand for such goods both from current income and from liquid assets accumulated during the war, tends to cause an inflationary spiral in prices which would be of such a character as to disturb the economy and might ultimately provoke a crisis. In addition, the rise in prices would have serious social consequences including a reduction in the real income of workers, especially white-collar workers, and of all groups in the community who depend upon a fixed money income, as well as the danger of widespread industrial conflict. Appropriate measures, including the following should therefore be adopted to counteract inflationary developments.

(2) The supply of goods should be increased by measures to facilitate the expansion of production and, where appropriate, of imports.

(3) Provision should be made so far as is administratively practicable, for the retention, as long as shortages prevail, of—

(a) price controls over goods and services; and

(b) direct controls over the production and allocation of raw and semi-manufactured materials, transport, sources of power and capital goods; and

(c) limitation of demand for consumption goods by such means as rationing.

(4) To the extent that the above controls are ineffective or only partially effective in preventing inflationary developments, they should be supplemented, as long as is necessary, by financial or taxation measures designed to absorb any excess of monetary demand.

(5) An educational campaign should be undertaken to persuade consumers to refrain from using their increased purchasing power in such a way as to force up prices.

5. As the various countries emerge from the phase of shortages and potential inflation into more normal economic conditions, measures of the following type, construed and timed in the light of the circumstances prevailing in particular countries, will become appropriate:

(a) the controls mentioned in paragraph 4 above should be relaxed in such a way as to keep pace with the increasing supply of transport, power, materials, capital goods and consumption goods;

(b) the high level of taxation necessary during the war and early post-war period should be relaxed as the inflationary danger recedes, and in applying this principle the benefit of tax reduction should apply initially—

(i) to taxes which bear on lower incomes, and

(ii) to taxes likely to restrict necessary investment.

6.—(1) When the inflationary danger has passed the problem will be to maintain an adequate level of aggregate demand for goods and services.

(2) In order that the scale of employment offered by private and public employers may be adequate, Governments should take positive steps to ensure that any deficiency in the total demand for goods and services, in relation to that required to achieve full employment in the circumstances ruling at the time, will be offset by an expansion of private and/or public expenditure in accordance with the principles set out in Chapter II of the report on "The Maintenance of High Levels of Employment during the Period of Industrial Rehabilitation and Reconversion" (Report II) submitted to the Twenty-seventh Session of the Conference.

(3) One of the principal instruments for achieving this object would be the adoption of a suitable budgetary policy, and in determining such a policy special regard should be had to its effect on the magnitude and composition of aggregate demand and thus on the volume and structure of employment and output.

(4) In applying the above principles consideration should be given, whenever aggregate demand threatens to become deficient, to—

(a) the stimulation of consumption by subsidies;

(b) the reduction of taxes on lower incomes;

(c) the expansion of public investment.

(5) Adequate unemployment insurance and/or assistance schemes should be established in countries which have not yet adopted such schemes, this being important not only for social reasons but in order to maintain purchasing power.

7. In order to assist the progressive raising of the standard of living of all workers, the Conference recommends the establishment of appropriate minimum wage standards, adequate for satisfying reasonable human needs.

8.—(1) As the shortages of transport, sources of power, materials and industrial equipment in relation to the available labour, which characterise the period of industrial rehabilitation and reconversion, more especially in the devastated countries which are members of the United Nations, tend to cause unemployment, and as the shortage of consumption goods, more particularly food, clothing and medical supplies, may deprive employed workers of the minimum standards necessary to enable them to do their work efficiently, arrangements should be made by the Governments concerned to enable the countries in which there are serious shortages of such goods to import—

(a) the sources of power, materials and industrial equipment required to restore transport, to reconstruct their industries and to replenish their stocks so that the available labour may be fully employed on productive work in accordance with reasonable social priorities; and

(b) consumers' goods necessary to ensure to the people a satisfactory standard of living.

(2) These arrangements should include—

(a) measures to facilitate an increase in the production of means of transport, power, materials and industrial equipment throughout the world;

(b) the granting by countries having supplies of such goods of the priorities necessary to make a reasonable proportion of such supplies available to the devastated countries;

(c) appropriate measures for the provision without direct payment, by U.N.R.R.A., or by special international, including bilateral, arrangements, of such supplies to the countries which are in the greatest need and have little or no foreign exchange available for their purchase;

(d) the provision of short- and medium-term credits either through ordinary commercial channels or, if necessary, by intergovernmental agreements;

(e) long term loans at low rates of interest to the importing countries made directly by the countries able to make such loans or by or through the International Bank for Reconstruction and Development.

9.—(1) An increase in the standard of living in less advanced countries (particularly those with large agricultural populations) is an urgent necessity for these countries and will be a powerful factor in promoting full employment throughout the world.

(2) Arrangements should be made to meet the import requirements of the agricultural and raw-material producing countries, more particularly their requirements of the capital goods necessary to enable them to develop their industrial and agricultural resources to the fullest possible extent.

(3) With a view to facilitating the financing of such imports, long-term loans at low rates of interest should be made directly by countries able to make such loans or by or through the International Bank for Reconstruction and Development.

(4) The industrialised countries should provide technical assistance, more especially by placing technical experts and training instructors at the disposal of the agricultural and raw-material producing countries and by giving facilities for the training of personnel from those countries.

(5) In order to prevent unemployment in the agricultural and raw-material producing countries, resulting from the sudden curtailment or termination of contracts concluded by them with other members of the United Nations for the supply of raw materials for war purposes, joint consideration should be given by the members concerned to the measures that may be necessary to ensure

that the curtailment or termination of such contracts will cause the least possible disturbance, including measures to facilitate a transfer of resources to other types of production, and more particularly the replacement of the contracts for war materials by contracts for food and materials required for the relief and reconstruction of the devastated countries.

10. In order to prevent the development of local areas of high unemployment such as existed in some countries in the inter-war period, attention should be paid, in planning industrial reconstruction and development, to the changes in the structure and location of industry which have taken place during the war, including particularly a great expansion in many countries of industries engaged in the production of war materials, the creation or expansion of various industries in the less industrialised countries and the expansion of industries manufacturing substitutes for raw-materials.

11. In order to facilitate economic recovery and to further full employment Members should give consideration to measures to facilitate the resumption and expansion of world trade.

12. The Conference desires to draw the attention of the appropriate organs of the United Nations Organisation to the importance of promoting arrangements which will enable countries to bring their balances of payments into equilibrium by methods which permit them to maintain full employment without recourse to abnormal or unduly prolonged borrowing from abroad, or to the creation of unreasonable barriers to international trade.

13. In the implementation of the measures suggested in this resolution, and the creation of governmental machinery competent to deal with questions of full employment, Governments should give consideration where necessary to—

(a) the desirability of creating new agencies or strengthening and adapting existing agencies to the special demands of a programme for the maintenance of full employment;

(b) the devising and improvement of technical processes involved in the estimation of the current and future volume of employment, income, investment, savings, and of public and private expenditure;

(c) the creation and consultation where appropriate of tripartite bodies and in suitable cases of other bodies for the purpose of aiding in the determination and application of policies concerning the maintenance of full employment;

(d) the collection and interchange of uniform statistical and economic information relevant to the questions with which this resolution is concerned.

## XI

### RESOLUTION CONCERNING THE PROTECTION OF CHILDREN AND YOUNG WORKERS (ADOPTED ON 4 NOVEMBER 1945)

Whereas the preamble to the Constitution of the International Labour Organisation includes among the objects of the Organisation the protection of children and young persons and the organisation of vocational and technical education; and

Whereas Article 41 of the Constitution declares the "abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development" to be of special and urgent importance; and

Whereas the Declaration of Philadelphia recognises the solemn obligation of the International Labour Organisation to further among the nations of the world programmes which will achieve "provision for child welfare and maternity protection" and "the assurance of equality of educational and vocational opportunity"; and

Whereas the solemn commitments involve the acceptance by the public authorities of Member States of responsibility for ensuring by all appropriate means that children, the citizens and workers of the future, are brought into the world and grow up under conditions which afford opportunities for proper physical, mental and moral development and for training for a useful employment or career; and

Whereas, although the war and the abnormal living conditions resulting from it have greatly aggravated some of the social problems relating to children and young workers, many of these problems are of a permanent character and require the adoption of co-ordinated measures, in order to improve the social conditions on which the well-being of children and young persons depends; and

Whereas the reconstruction period, during which all democratic nations will seek to restore and improve their instruments of social progress, affords a unique opportunity of reviewing the work already accomplished under the auspices of the International Labour Organisation for the benefit of childhood and youth and of drawing up for the future a comprehensive policy by formulating the general principles to be followed in order to achieve these ends within the framework of the fundamental objectives of the International Labour Organisation;

The General Conference of the International Labour Organisation, meeting in its Twenty-seventh Session in Paris, this fourth day of November, 1945, hereby adopts the present resolution concerning the protection of children and young workers.

#### I. GENERAL PRINCIPLES

1. The Conference, conscious of its obligation to further the material and spiritual advancement of working people everywhere, reaffirms its conviction that in order to develop to the fullest extent the capacities of the workers and citizens of the future it is necessary that Governments, whilst encouraging the fullest discharge of individual and family obligations, should accept responsibility for assuring the health, welfare and education of all children and young persons and the protection of all youthful workers of either sex, regardless of race, creed, colour or family circumstances, both by national action and by appropriate measures of international co-operation.

2. The Conference recognises that questions relating to the health, education, employment, protection and general welfare of children and young persons are inter-related, and cannot be solved in isolation.

3. The Conference further recognises that certain of the matters dealt with in this resolution will be primarily the responsibility of other intergovernmental agencies, either existing or projected, and expresses the hope that such agencies will carefully consider the views which are stated in the resolution.

#### II. GENERAL SOCIAL PROTECTION OF CHILDREN AND YOUNG PERSONS

4. The Conference affirms its deep interest in the furtherance among the nations of the world of programmes which will make possible the complete abolition of child labour by providing for every child proper maintenance and such conditions of life as will foster the talents and aptitudes of the child and his full development as a citizen and worker.

##### *A. Maintenance*

5. All necessary measures should be taken to assure the material well-being of children and young persons by—

(a) the adoption by Members of policies calculated to secure full employment;

(b) the provision of a living wage for all employed persons sufficient to maintain the family at an adequate standard of living;

(c) relieving the financial pressure on the family by such measures as subsidised housing suitable for family life, supplementary feeding for children and other social services, family allowances and tax concessions, thereby redistributing the cost of maintenance of children;

(d) appropriate provision for family responsibilities under national income security schemes, based on the guiding principles and suggestions for application set forth in the Income Security Recommendation, 1944, and including more particularly:

(i) the provision under insurance schemes of supplementary allowances for dependent children designed to meet contingencies and emergencies which destroy or impair the wage earner's ability to provide a livelihood for his children, and of maternity allowances;

(ii) the provision of similar allowances under other income security schemes; and

(iii) general measures of social assistance to secure the well-being of dependent children and young persons;

(e) services through which homeless normal children and young persons if not placed in private homes, are cared for in circumstances approximating to home life as closely as possible, in order to place such children on an equal footing with other children of their age, as regards well-being, health care, and general and vocational education suited to their aptitudes.

#### *B. Health and Social Protection*

6. In order to safeguard the general health and well-being of all children and young persons, the following services and facilities should be provided as a minimum:

##### *Medical Care and Health Services:*

(a) medical care services, curative and preventive, for pregnant women, infants, children of pre-school age and school age, and young workers, developed in the light of the special needs of urban and rural communities and organised in accordance with the principles set forth in the Medical Care Recommendation, 1944;

(b) general health services for maintaining and improving the health of children and young persons, including, for example, services providing adequate food for pregnant and nursing mothers, infants and school children, instruction in elementary nutrition and hygiene, physical culture, and holidays in the country, and provision, where necessary, for children requiring such services as home help and day nursery care;

(c) special mental hygiene services, assuring children and young persons expert guidance to prevent or assist in correcting mental ill-health and to aid in normal adjustment to family, school and vocation;

##### *Social Services:*

(d) the encouragement of the organisation of facilities for leisure-time activities adapted to different age groups and the encouragement of youth organisations, for the purpose of promoting the physical, intellectual and moral development and public spirit of children and young persons;

(e) measures to protect children and young persons from moral or physical neglect and harmful influences;

(f) the services and institutions necessary to ensure the legal protection, proper care and re-education of children and young persons with special handicaps of adjustment problems, including those who require care away from their own home, with a view to helping them to become socially adjusted and useful members of the community.

### III. EDUCATIONAL OPPORTUNITIES

7. The Conference reaffirms the conviction expressed in the Declaration of Philadelphia that the assurance of equality of educational opportunities is a necessary condition for equality of vocational opportunity.

#### *A. General Education and Vocational Guidance*

8. All children and young persons should be provided free of charge with general education which should be of a standard and duration permitting adequate physical, intellectual and moral development.

9.—(1) Pre-school education should be accessible to all children without being compulsory as soon as possible and as far as practicable.

(2) School attendance should be compulsory up to an age not lower than 16 years in all countries as soon as circumstances permit and should in all cases be compulsory up to the general minimum age for admission to employment; the school leaving age should be raised progressively at the same rate as the minimum age for admission to employment, in accordance with the provisions of paragraph 19 (2) below.

10. Effective access to suitable education should be guaranteed through—
- (a) provisions to make educational facilities universally accessible, especially:
    - (i) the establishment of a sufficient number of schools of varied types with adequate and qualified teaching staffs;
    - (ii) measures to facilitate school attendance by children and young people who live at a distance from centres of population by such means as group transportation and boarding schools; and
    - (iii) the assignment of a high priority to public works for the establishment, restoration or improvement of education facilities.
  - (b) the provision of instruction designed to meet among other purposes the actual needs of children and adolescents and of facilities to enable each child to receive the kind of education best suited to his age and aptitudes taking into account—
    - (i) special circumstances among various elements of the population;
    - (ii) special needs of children whose schooling has been retarded or interrupted; and
    - (iii) special problems of children with physical and mental handicaps, who need rehabilitation for a useful life.
11. The vocational interests of children and young persons should be fostered and their selection of an employment or career guided through—
- (a) programmes for pre-vocational preparation which are destined to develop an idea of, taste for and esteem for work and are consistent with the purposes of general education, according to the principles laid down in Part III of the Vocational Training Recommendation, 1939;
  - (b) free vocational guidance services, offered through the school or the employment service and available to all adolescents during their years of school attendance and at the time when they leave school, the use of such facilities being encouraged as the best means of helping young persons to choose suitable careers, in keeping with the provisions of paragraph 37 (b) of the Unemployment (Young Persons) Recommendation, 1935, and of paragraph 32 (i) of the Employment (Transition from War to Peace) Recommendation, 1944.
12. The continued education of young persons should be required until they reach the age of eighteen; in accordance with the principles laid down in paragraph 8 of the Unemployment (Young Persons) Recommendation, 1935, through supplementary courses designed principally to promote general education but also providing general training for occupational activity and organised on a part-time basis for employed young persons in conformity with the conditions laid down in paragraph 25 (b) below.
13. Young persons who can benefit thereby should be encouraged to continue their full-time education in secondary and technical schools beyond the compulsory school leaving age, in accordance with the principle laid down in paragraph 7 (i) of the Unemployment (Young Persons) Recommendation, 1935.
14. In order to promote the development of the child, schools should co-operate closely with parents and with institutions and agencies interested in the welfare of children and young persons or in their occupational career.

#### *B. Technical and Vocational Training*

15.—(1) In order that young persons may obtain the knowledge necessary for carrying on the occupation in which they intend to engage and to maintain the supply of trained workers, technical and vocational training opportunities should be provided by means of—

- (a) free technical and vocational schools and courses, organised in the manner defined in the Vocational Training Recommendation, 1939, and the Vocational Education (Agriculture) Recommendation, 1921, which make available programmes adapted to the economic requirements of each region or locality and of the country as a whole and provide young persons with adequate technical or trade knowledge;

(b) part-time supplementary courses organised in the manner defined in paragraph 12 of the Vocational Training Recommendation, 1939, which provide for all young workers, whether or not they have received vocational training before entering employment, the opportunity of extending their technical and trade knowledge; these courses might form part of the compulsory continued education provided for above in paragraph 12 for young persons under the age of eighteen, and could be made available to all young persons over eighteen who wish to attend them in order to obtain a better post; provided that nothing in this paragraph shall be construed as prejudicing the general educational character of continued education.

(2) Young workers who are obliged to attend part-time technical and vocational training should be protected by Workmen's Compensation against accident during the course of such training.

#### C. *Economic Assistance*

16.—(1) Economic assistance should be provided, to aid in raising the school leaving age, to facilitate compulsory school attendance and effectively to assure equal access to all stages of technical, vocational and higher education, in accordance with the principles laid down in paragraphs 1, 5 and 7 (2) of the Unemployment (Young Persons) Recommendation, 1935, in paragraph 6 of the Vocational Training Recommendation, 1939, and paragraphs 30 (2) and 31 of the Employment (Transition from War to Peace) Recommendation, 1944.

(2) This assistance should consist, as circumstances and needs may require, of—

- (a) the free use of text books and other materials and school equipment;
- (b) free or low-cost meals;
- (c) free or reduced-cost transportation; and
- (d) maintenance allowances during the period of compulsory education and student-aid to enable young persons to continue, subject to proof of merit, their vocational, technical or higher education beyond the compulsory period.

#### D. *Apprenticeship and In-Plant Training*

17.—(1) Special consideration should be given to the development of apprenticeship for young workers and in particular to measures for making apprenticeship fully effective in accordance with the principles laid down in the Apprenticeship Recommendation, 1939, and in paragraph 33 of the Employment (Transition from War to Peace) Recommendation, 1944, with a view to ensuring sustained improvement in the standards and methods of apprenticeship and the widening of the responsibilities of public authorities in this field.

(2) Special efforts should be made, in collaboration with employers' and workers' organisations, to develop systematic arrangements for ensuring, in accordance with paragraph 34 of the Employment (Transition from War to Peace) Recommendation, 1944, that all young workers employed in any undertaking have an opportunity to acquire a specialised technical training or to improve their skill and to acquaint themselves with the operations of the undertaking as a whole.

### IV. ADMISSION TO EMPLOYMENT

#### A. *Regulation of Minimum Age*

18. The Conference reaffirms its duty to promote the abolition of child labour, and, convinced that it is in the best interests of children in order to assure an adequate preparation for their future to fix the minimum age for admission to employment as high as possible for all categories of employment:

(a) invites all Members to ratify as soon as possible either the four Conventions fixing at fourteen years the minimum age of admission to industrial employment, employment at sea, non-industrial employment and employment in agriculture or preferably, as regards the first three categories of employment, the revised Conventions in which the minimum age for industrial employment, employment at sea, and non-industrial employment is raised to fifteen years; and

(b) urges them to take as their objective the gradual raising to sixteen years of the minimum age of admission to employment.



19.—(1) When regulating the minimum age of admission, consideration should be given to the following principles, as an appropriate basis of regulation.

(2) The gradual raising of the minimum age should be accompanied, at each successive stage, by simultaneous measures for assuring the maintenance of children in accordance with the provisions of paragraph 5 above and for organising compulsory education until at least the same age, in accordance with the provisions of paragraphs 9 (2) and 10 above.

(3) So far as possible the minimum age should be fixed simultaneously at the same level for the various categories of occupations, and especially for industrial and non-industrial employments carried on mainly in urban areas, in order to avoid the risk that application of stricter rules to industrial employments may induce younger children to enter employments which are inadequately regulated and in which they will therefore receive less protection.

(4) Attention should be given to regulating the admission of a child to domestic service outside of his own family in the same way as to other non-industrial occupations in accordance with the provisions of the Minimum Age (Non-Industrial Employment) Conventions, 1932 and 1937; special efforts should be made to eliminate forms of employment involving the placing of children in, or their transfer on a basis of quasi-adoption to, the family of an employer where they work for maintenance.

(5) The employment of children of school age should be carefully regulated to prevent interference with schooling and to ensure full opportunity for study, recreation and rest, with due regard for the following standards;

(a) no child of school age should be allowed to work during school hours, whether on his own account, for his parents, or for an employer;

(b) exemptions permitting the employment of children of school age outside school hours should be eliminated as soon as possible and pending such elimination should be strictly limited in accordance with the following provisions:

(i) as regards the nature of the employment, such exceptions should be granted only for light agricultural employment or for non-industrial employments which are clearly unobjectionable;

(ii) as regards the number of hours and other conditions, under which employment may be authorised by the competent authority, so that it is not harmful to the health or normal development of the child and is not such as to prejudice his attendance at school or capacity to benefit from instruction there given, in accordance with the provisions of Article 3 of the Minimum Age (Non-Industrial Employment) Conventions, 1932 and 1937;

(iii) as regards age, exemption should be granted only in respect of children who are not more than two years below the minimum age of admission to employment.

(6) In order to ensure the effective application of the regulations concerning the minimum age of admission to employment, documentary proof of age should be required before any child or young person is permitted to enter employment; such proof of age should:

(a) be furnished by means of a birth certificate issued free of charge for the purpose or, where the system of birth registration is inadequate, by means of other recognised types of documentary evidence or by medical examination;

(b) be recorded in documents to be kept by the employer or the young worker in his possession in order to prove his compliance with the law.

(7) The regulations concerning the minimum age for admission to employment which are already applicable to certain categories of family undertakings in accordance with the Minimum Age (Agriculture) Convention, 1921, the Minimum Age (Non-Industrial Employment) Conventions, 1932 and 1937, and the Minimum Age (Industry) (Revised) Convention, 1937, should be extended to all family undertakings in the spirit of the Minimum Age (Family Undertakings) Recommendation, 1937.

(8) For those occupations which, by their nature or the circumstances in which they are carried on, are dangerous to the life, health or morals of the children and young persons employed therein an age higher than the general minimum age should be fixed in accordance with the provisions of the Minimum Age (Industry) (Revised) Convention, 1937, and the Minimum Age (Non-Industrial Employment) Conventions, 1932 and 1937; in fixing this age it would be advisable:

(a) to fix the minimum age for the admission of young persons to employment as trimmers and stokers on vessels at not less than eighteen years in accordance with the provision of the Minimum Age (Trimmers and Stokers) Convention, 1921;

(b) to fix the minimum age for the admission of young persons to employments liable to cause lead poisoning at not less than eighteen years, in accordance with the provisions of the White Lead (Painting) Convention, 1921, and the Lead Poisoning (Women and Children) Recommendation, 1919;

(c) to adjust the minimum age for other hazardous occupations to the seriousness of the physical or moral risks for young workers in each occupation, so as to afford them adequate protection, with an ultimate goal of at least eighteen years;

(d) to prohibit or to lay down conditions safeguarding the entry of young persons below the age of eighteen into occupations bringing them into contact with the public such as certain of those in the hotel industry which may be blind-alley occupations and may involve moral risks;

(e) to consider carefully the risks involved for children or young persons in the carrying on of certain types of itinerant trading and similar occupations in the streets or in places to which the public have access, in order to fix an appropriate minimum age of admission for these employments as required by the Minimum Age (Non-Industrial Employment) Conventions, 1932 and 1937.

#### *B. Authorisation for Employment or Work*

20. As the conditions under which a child or young person enters employment may have a lasting effect on his future, entry into employment should be subject to the following safeguards:

(a) the consent of the parents or guardian of the minor should be required for the entry into employment of a child or young person under the age of sixteen years;

(b) the entry into employment of children and young persons under the age of eighteen years should be subject to the written authorisation of an appropriate authority responsible for verifying—

(i) that satisfactory proof has been furnished that the child or young person seeking employment has reached the minimum age for the occupation in which he is to be engaged;

(ii) that the child or young person has been found fit for the said employment by a medical examination made free of charge to the child or young person by a doctor approved by the competent authority, in accordance with the provisions already laid down for employment at sea by the Medical Examination of Young Persons (Sea) Convention, 1921, or in a comparable manner in the case of employment in other categories of occupations;

(iii) that the child has received adequate schooling in conformity with the law and all appropriate measures are being taken to make up any educational deficiencies;

(c) the competent authority should have the power to lay down in the work permit special conditions, in conformity with the law, taking into consideration both the health of the child or adolescent as determined by the medical examination, and the nature of the employment; the permit should be renewed at intervals and, in any case, at every change of employment;

(d) should local conditions make it impossible to raise to eighteen years the age of admission to itinerant trading or similar occupations in the streets or in places to which the public have access, the carrying on of such trades or occupations by a child or young person under eighteen years of age, whether for an employer, for his parents or on his own account, should be subject to the procuring of a special permit and to the wearing of a badge, as provided for by the Minimum Age (Non-Industrial Employment) Recommendation, 1932.

### *C. Juvenile Placement*

21.—(1) In order that young persons may be placed in the employment where they can best utilise their aptitudes and resources, gain a good livelihood and enjoy personal satisfaction in their work, the employment service in each country should provide special arrangements for the placing of juveniles, directly or in co-operation with other appropriate agencies in accordance with a co-ordinated programme under the leadership of the employment service; the chief purposes of these arrangements should be—

(a) to offer to young persons who are seeking employment, or who wish to change from one employment to another, free vocational guidance which would take into account their special aptitudes, the general economic situation and existing employment possibilities and which would supplement the guidance which these young persons received at school in the course or at the end of their studies, as provided for by paragraph 11 (b) above, close collaboration being maintained with educational authorities for this purpose;

(b) to place them in employment or help them to change their employment;

(c) to maintain contact with the young workers who have been placed by the service in order to give them the opportunity of discussing their problems with experienced advisers and to help them to solve these problems.

(2) This employment service should be entrusted to a special staff and advised by bodies composed or representatives of other public authorities, of employers, of trade unions and of young workers.

22. Suitable work opportunities should be provided for young persons either in private employment or in public works programmes. In applying the policy of timing public works provided for in the Public Works (National Planning) Recommendation, 1937, consideration should be given to the possibility of including works which will give employment to young workers in accordance with paragraph 6 of that Recommendation.

### *D. Liability to Social Insurance or Social Security Schemes*

23.—(1) In order that young workers may obtain income security as soon as possible, apart from any indirect claim which certain young workers might possess as dependants of either an insured person or a person entitled to social security benefits, young persons should be compulsorily included under social insurance or social security schemes on entering employment.

(2) In the case of apprentices who receive no remuneration—

(a) the benefits of a sickness insurance or social security medical care service should be available at once without payment of contributions by the apprentice;

(b) the compensation for employment injuries should, as from the date at which they would have completed their apprenticeship for their trade, be based on the wages current for workers in that trade, according to paragraph 20 (2) of the Income Security Recommendation, 1944.

(3) Young persons employed for remuneration and apprentices receiving no remuneration who become invalids at a time when they are not yet entitled to social insurance or social security benefits sufficient for their needs should be entitled to maintenance allowances through social assistance, in accordance with paragraph 29 of the Income Security Recommendation, 1944.

(4) Workmen's compensation should be payable in respect of any occupational accident occurring to a child illegally employed; in such cases the employer should be liable for the payment of additional compensation.

### V. PROTECTION OF YOUNG WORKERS

24. The Conference reaffirms its obligation to lay down international standards for the protection of young workers with the object of extending and improving the protection of such workers in all types of occupation.

### *A. Hours of Work*

25. In order to restrict the working hours of children and young persons within limits compatible with the maintenance of their health and with their recreational and educational needs, there should be—

(a) strict regulation of the daily and weekly hours of work, with due regard for the varying needs of young people at different ages; efforts to reduce, in so far as may be practicable, the working week of young persons and children not attending school, to not more than 40 hours;

(b) suitable arrangements during working hours permitting young workers to attend the continuation courses of general or technical education provided for in paragraph 12 above until they attain the age of eighteen years at least, an appropriate maximum being fixed by legislation for the aggregate hours of school and work and an appropriate minimum for the number of hours during which young workers should be released in every day, week, month or year to attend school, these hours being preferably paid as working time.

### *B. Night Work*

26. In order to protect all young workers under eighteen from the adverse effects of night work, which include undue fatigue and interference with the time normally free for recreational and cultural activities, measures should be taken—

(a) to prohibit night work in industrial employment, at least to the extent to which such work is prohibited by the provisions of the Night Work (Young Persons) Convention, 1919, which requires a rest period of at least eleven consecutive hours including the interval between ten o'clock in the evening and five o'clock in the morning for young workers under eighteen years of age; with additional limitations for children and young persons below the age of sixteen years to cover a consecutive rest period of at least twelve hours, and to undertake a thorough examination of the cases in which night work is authorised for young persons over sixteen for continuous processes in prescribed industries in order to limit such exceptions to the indispensable minimum and to eliminate them so far as possible;

(b) to prohibit night work in agricultural undertakings by requiring rest periods not shorter than those provided for in the Night Work of Children and Young Persons (Agriculture) Recommendation, 1921; and

(c) to prohibit night work in non-industrial occupations in a manner which is adapted to the conditions and takes into account the special risks involved in non-industrial night work for children and young persons of different age groups.

### *C. Rest Periods and Holidays*

27. In order that all young workers may enjoy daily breaks, weekly rest periods and annual holidays of sufficient duration to restore the loss of physical and mental energy resulting from continued employment, young persons under eighteen years of age, irrespective of occupation, should be assured:

(a) regular breaks during working hours and a rest period of a fixed minimum length allowing sufficient time for a meal in the middle of the working period;

(b) a weekly rest period in every week without exception which should whenever possible be of 36 hours and should in all cases include 24 consecutive hours; the rest period should normally include Sunday or the day established by the traditions or customs of the country or district, and the substitution of another day for the weekly rest should be limited to cases in which such substitution is authorised by the competent authority as being in the public interest and should be authorised only on condition that a longer compensatory rest period is granted;

(c) annual holidays with pay, of a minimum duration of—

(i) twelve working days per year taken in a single period for all young workers and apprentices under eighteen years of age in accordance with the principle already established for young workers and apprentices under

sixteen years of age in industry and commerce by Article 2 (2) of the Holidays with Pay Convention, 1936, except that the one year period of service therein referred to need not be continuous; and

(ii) eighteen working days per year for young workers engaged in particularly unhealthy or exacting occupations.

#### *D. Industrial Safety and Hygiene*

28. Without prejudice to the fixing of a higher age of admission for certain occupations especially hazardous to life and health, as provided for in paragraph 19 (8) above, special conditions of employment should be prescribed for children and young persons engaged in occupations which involve special hazards to the health and safety of the young worker; to this end measures should be taken:

(a) to arrange for the inclusion in the curricula of elementary schools and continuation courses of lessons in accident prevention and first aid and to give systematic instruction in accident prevention in vocational schools of all grades as recommended in paragraph 13 of the Prevention of Industrial Accidents Recommendation, 1929, and in the Vocational Education (Building) Recommendation, 1937;

(b) to make employers responsible for providing for young workers in-plant training in safety methods and supervision, by the following means:

(i) information on the general arrangements in the undertaking for preventing accidents and promoting safety;

(ii) explanation of the possible dangers of the work, or the machinery or plant connected with the work, and precise training in the use of machines and tools so as to ensure that the young worker knows how to work safely before he is permitted to start on the job;

(iii) experienced supervision to inculcate safe working habits and ensure that the young worker uses guards and protective equipment correctly, avoids work postures likely to cause physical deformation, and observes all safety rules and practices; and

(iv) enforcement of particularly rigorous measures of hygiene in work places where there is a danger of industrial poisoning or disease;

(c) to fix shorter working hours or provide more frequent breaks for young persons engaged in exacting occupations;

(d) to require a renewal of medical examinations at shorter intervals in the case of young persons engaged in occupations which are unhealthy or exacting.

#### *E. Moving of Loads*

29. In order to protect young workers from exertion beyond their physical strength, the lifting, carrying, drawing or pushing of loads which are unreasonably heavy in view of the age and sex of the child or young person should be prevented by—

(a) prescribing the maximum weight of loads which a young worker may move or carry by his own efforts, having regard to the age and sex of the worker and to the conditions in which the work is done, as for example, the characteristics of the load, temperature and ventilation of work place, the distance covered, the gradients climbed, the heights at which the load is picked up and deposited, the technical method of transport, the frequency and length of the exertion and the physical development of the workers in relation to the weight of the load;

(b) prohibiting the employment of children and young persons in work which consists essentially in carrying heavy loads; and

(c) promoting the use of mechanical devices to reduce the physical effort required in moving loads and of safe methods of lifting loads.

#### *F. Wages*

30. Provisions with reference to wages paid to young workers should have the objective of assuring that they are paid wages commensurate with the work performed, observing wherever possible the principle of equal pay for comparable jobs. Provision should be made for inexperienced young workers through

learners' rates when substantial periods of learning are required and through apprenticeship programmes. Whenever the arrangements normally made by means of collective bargaining are not effective, special efforts should be made to assure—

(a) the payment to apprentices of fair and reasonable rates of compensation for productive labour performed as a part of training and the inclusion in apprenticeship contracts of provisions regarding the method of determining remuneration and the scale of increase of remuneration during the apprenticeship, in accordance with the provisions of paragraph 4 (1) of the Apprenticeship Recommendation, 1939;

(b) the application of the following principles where the wage rates for young workers not employed under apprenticeship are customarily fixed separately from those of adults;

(i) responsibility for fixing the rates should be entrusted to joint wages boards or to other suitable bodies on which the interests of the employer and worker are represented; and

(ii) the rates should be fixed in the light of educational requirements, experience, job content and the average output of young workers, with provision for successive increases in minimum wage rates commensurate with the average time needed to gain proficiency, and without prejudice to the principle of equal pay for equal work. Where remuneration is based on output, special safeguards against overstrain should be introduced.

#### *G. Board and Lodging*

31. In order to assure proper living conditions for young workers who are away from home for the purpose of vocational training or employment, provision should be made for:

(a) fixing proper standards of sanitation, comfort, moral decency and adequate nutrition to be complied with when an employer furnishes board and lodging to a young worker or apprentice and making an appropriate authority responsible for ensuring that these standards are respected;

(b) satisfactory living quarters and meals for young workers living away from home whose employers do not supply board and lodging, if necessary by encouraging the establishment of hostels or by establishing them.

#### *H. Methods of Supervision*

32. In order that the regulation of the employment of children and young persons may be fully effective, appropriate methods of supervision, including the following, should be established:

(a) labour inspectors should be specially trained so that they will pay particular attention to the working conditions of children and young persons and will supplement legal measures with practical advice regarding the application of the measures to particular cases; special training should also be provided for vocational guidance counsellors and placement personnel;

(b) supervisory authorities should be assigned, within limits carefully defined by law, authority to suspend employment or to modify conditions of employment which might be injurious to young workers;

(c) there should be close collaboration between the employment and labour inspection services, the public medical and social services and the appropriate departments of undertakings in supervising the employment conditions of young workers, in a combined effort to obtain for children and young persons suitable job assignments;

(d) joint supervision by the employment and social service authorities of the working and living conditions of young persons employed in private households or institutions;

(e) arrangements should be made to obtain the full co-operation of local and educational authorities and of private and public social agencies with labour inspectors in order to supervise employment in street trading and similar occupations; and

(f) employers should be required to facilitate the task of inspectors by placing at their disposal the special register provided for in the Minimum Age (Industry) Conventions, 1919 and 1937, and in the Minimum Age (Non-Industrial Employment) (Revised) Convention, 1937, and all other useful documents which give precise information on children and young persons in their employment and on the conditions under which they are employed.

#### *I. Right of Association*

33. Young workers should have the same freedom as adults to join the trade union of their own choosing as from their entry to employment.

### VI. ADMINISTRATION OF PROTECTIVE POLICIES

34. The Conference considers that an adequate and co-ordinated framework of law and administration is essential for the application by Governments of the broad social policies necessary for the full protection of children and young persons and that, for this purpose, it is necessary—

(a) to draw up the laws and regulations proposed above in a co-ordinated manner so as to cover all the problems and revise them periodically so as to ensure consistency and progressively harmonise statutory provisions with current trends;

(b) to organise competent, specialised services to administer the proposed social programmes, and provide these services with the requisite authority, sufficient resources and adequate, professionally qualified personnel;

(c) to put into execution the various parts of the unified national programme, as defined above, in an integrated manner through satisfactory methods of co-ordination suited to the administrative structure in each country;

(d) to ensure by appropriate means a guiding policy in the protection of children and young persons so that the programmes relating to each problem may be continually revised and improved with a thorough understanding of their total needs;

(e) to stimulate the interest, and obtain the support and participation of the general public as well as appropriate organised movements representing broad sectors of public opinion, and especially youth movements with social aims, in order to achieve a complete realisation of these protective policies.

### VII. COLLABORATION ON AN INTERNATIONAL BASIS

35. The Conference, realising that the problems of children and young persons may be considered from many different angles and that other international bodies interested in certain aspects of these problems already exist or may be established, declares its conviction that the fullest collaboration between all the international bodies concerned is desirable in order to secure:

(a) the exchange of information and the sharing of experience and technical knowledge so that each body may obtain a more comprehensive outlook on the needs of children and young persons;

(b) co-ordinated action so that, by utilising to the greatest possible extent the respective means of international action, the progress of institutions and social measures for the well-being of children and young persons may be better assured.

## XII

RESOLUTION INCLUDING THE QUESTION OF THE PROTECTION OF CHILDREN AND YOUNG WORKERS IN THE AGENDA OF THE NEXT GENERAL SESSION OF THE CONFERENCE  
(ADOPTED ON 5 NOVEMBER 1945)

The Conference decides to include in the agenda of its next General Session the following question:

Protection of children and young workers:

(a) Medical examination for fitness for employment (young workers).

(b) Restriction of night work of children and young persons (non-industrial occupations).

**XIII****RESOLUTION CONCERNING THE EXTENSION TO AGRICULTURE OF MEDICAL EXAMINATION FOR FITNESS FOR EMPLOYMENT OF CHILDREN AND YOUNG PERSONS UNDER THE AGE OF 18 YEARS (ADOPTED ON 3 NOVEMBER 1945)**

The Conference requests the Governing Body to examine the possibility of placing on the agenda of an early session of the International Labour Conference the question of the extension to agriculture of medical examination for fitness for employment of children and young persons under the age of 18 years.

**XIV****RESOLUTION CONCERNING THE REVISION OF THE NIGHT WORK (YOUNG PERSONS) CONVENTION, 1919 (ADOPTED ON 3 NOVEMBER 1945)**

The Conference requests the Governing Body to examine the possibility of placing on the agenda of an early and, if possible, the next session of the International Labour Conference the question of the revision of the Night Work (Young Persons) Convention, 1919.

**XV****RESOLUTION CONCERNING THE REGULATION OF THE UNDERGROUND WORK OF YOUNG PERSONS IN MINES (ADOPTED ON 4 NOVEMBER 1945)**

The Conference requests the Governing Body to place on the agenda of an early and, if possible, the next session of the International Labour Conference the question of regulating the underground work of young persons in mines.

**XVI****RESOLUTION CONCERNING THE YOUTH OF LIBERATED COUNTRIES (ADOPTED ON 4 NOVEMBER 1945)**

Whereas the Conference, at its Twenty-sixth Session in 1944, expressed the hope that the United Nations, and other Members of the Organisation will unite their efforts to promote in every way the economic and social recovery of all the countries sorely tried by enemy occupation and the devastation of war, and asserted the determination of the International Labour Organisation to associate its endeavours with the concerted will of the oppressed nations for the purpose of rebuilding their social life according to principles of international solidarity and of respect for the fundamental spiritual and human values;

Whereas victory has now been achieved and the liberation of the countries which suffered occupation is now an accomplished fact;

Whereas millions of children have died under enemy oppression and millions of others face a seriously compromised future since, in each of the occupied countries, countless numbers of children and young people have suffered from under-nourishment and neglect, from the loss of parents, friends and homes, from the horrors of concentration camps and the slavery of labour camps, from the complete lack of opportunities for educational, social and cultural development, or, uprooted from their own countries, have lost their nationality and even their identity;

Whereas it is a universally recognised principle that children and youth constitute the first claim upon the services of relief and reconstruction;

The Conference, mindful of the sufferings and the heroic achievements of youth on the battlefield and in resistance movements and convinced that the speedy reconstruction of liberated countries is indispensable to the future security and happiness of all free peoples, hereby adopts the following resolution:

**I**

It is the earnest hope of the Conference that the nations of the world which are able to do so, and in particular those which have escaped the ordeal of occupation by the enemy, will continue to give as long as necessary full material and moral support to the task of reconstructing the liberated countries of Europe



and will give similar assistance to the countries of Asia which have also now been liberated, in order that the collaboration of all free and united nations in this stupendous task may manifest their spiritual solidarity, their common ideals and their mutual economic and social dependence.

## II

Bearing in mind the Declaration made at its Twenty-sixth Session in 1944 by the delegations of the occupied countries in Europe which intimated that "the first task, and the most urgent, will be to improve nutrition, to provide medical aid and to distribute medicaments", the Conference—

(a) expresses its satisfaction that several Members with relatively abundant food supplies have decided to continue food rationing and have even curtailed food consumption, or have adopted other measures, in order to supply food to the populations of devastated countries, and especially to the children in these countries and looks forward to the maintenance and extension of this policy as long as circumstances so require;

(b) renews the appeal made in 1944 in the Employment (Transition from War to Peace) Recommendation to the spirit of co-operation of Members, in order that, when requested, they may supply to the liberated countries, technical and material aid for the prompt re-establishment of medical care and general health services so that the populations in these countries, especially youth, may speedily recover their vitality.

## III

The Conference, recognising that other international organisations are endeavouring, within the limits of their resources, to assist liberated countries in restoring educational facilities, expresses the hope that comparable assistance will continue to be made available for these countries for the complete reconstruction of all educational and social institutions which serve the interests of childhood and youth so that educational losses may be rapidly overcome and so that the youth of these countries may soon be placed in conditions which permit vocational training and normal cultural development.

## IV

For displaced children and young persons who are homeless, stateless, orphaned or separated from their families, measures for registration, identification, location of relatives and repatriation are of the first importance, and it is the hope of the Conference that the Members will give every possible assistance, through national and international means, to obtain for these children and young persons the necessary care and to ensure that questions relating to their nationality and citizenship should be settled in a spirit of generosity and with a view to their future welfare.

## V

The Conference, realising that reconstruction is viewed by liberated countries not only as a mere emergency task, but also in terms of lasting social progress, invites these countries, when they frame and administer their programmes of social reconstruction, to take into account the international standards which the International Labour Organisation has formulated in the resolution concerning the protection of children and young workers adopted by the Conference at its Twenty-seventh Session.

## XVII

### RESOLUTION CONCERNING THE SETTING UP OF AN ADVISORY COMMITTEE ON JUVENILE WORK (ADOPTED ON 4 NOVEMBER 1945)

In order that the work of the Twenty-seventh Session of the International Labour Conference concerning the protection of children and young workers may have the most fruitful results and in order to hasten the application of the principles stated in the resolution on this question, the Conference requests the Governing Body to set up an advisory committee for studying the problems of young workers.

## XVIII

RESOLUTION CONCERNING THE STUDY OF SYSTEMS OF POSSESSION, OWNERSHIP AND USE OF THE LAND IN DEPENDENT TERRITORIES (ADOPTED ON 2 NOVEMBER 1945).

Whereas the International Labour Conference adopted in 1944 and 1945 Recommendations designed to raise economic and social standards in dependent territories; and

Whereas the raising of economic and social standards in many dependent territories is largely determined by their methods of agricultural production and their use of the land;

The Conference:

Expresses the hope that all necessary measures will be taken by the national authorities responsible for dependent territories and, through them, by appropriate organs of the United Nations or "specialised agencies" as defined in Article 57, of the United Nations Charter, to study the systems of possession, ownership and use of the land in such territories for the fundamental purpose of laying the foundation of a land policy suitable to the conditions which prevail in each territory; and

Requests the Governing Body of the International Labour Office to take all practicable steps to see that the Standing Committee on Social Policy in Dependent Territories is informed of the progress of such studies and has the opportunity of lending appropriate assistance to the consideration of land measure calculated to assure the highest practicable standards of living to workers and their families directly dependent upon the agricultural use of the land.

## XIX

RESOLUTION CONCERNING THE EXCHANGE OF INFORMATION BETWEEN THE INTERNATIONAL LABOUR OFFICE AND THE AUTHORITIES AND ORGANISATIONS OF EMPLOYERS AND WORKERS IN DEPENDENT TERRITORIES (ADOPTED ON 2 NOVEMBER 1945)

Whereas special problems may arise in the application to dependent territories of labour legislation, including labour legislation resulting from the decision of the International Labour Conference; and

Whereas the exchange of information between the International Labour Office and the authorities and organisations of employers and workers in dependent territories would be mutually advantageous;

The Conference invites the States Members responsible for dependent territories to take all such steps as they may deem appropriate to promote the exchange of information between the International Labour Office and the authorities and organisations in the dependent territories for which they are responsible, as, for example, by inviting the International Labour Office to send delegations of the Governing Body or of the Committee on Social Policy in Dependent Territories to acquaint themselves at first hand with conditions in the territories concerned.

## XX

RESOLUTION CONCERNING THE FRAMING OF A DRAFT CONVENTION ON MINIMUM STANDARDS OF SOCIAL POLICY IN DEPENDENT TERRITORIES (ADOPTED ON 2 NOVEMBER 1945)

The Twenty-seventh Session of the International Labour Conference,

Having adopted a Recommendation concerning social policy in dependent territories (supplementary provisions) and having in mind the adoption by the Twenty-sixth Session of the Social Policy in Dependent Territories Recommendation, 1944.

Requests the Governing Body of the International Labour Office to place on the agenda of the next General Session of the International Labour Conference the question of—

Minimum standards of social policy in dependent territories (provisions suitable for a Convention), with a view to a first discussion.

It requests the Governing Body to instruct the International Labour Office to proceed to an examination of the provisions of the Social Policy in Dependent Territories Recommendation, 1944, and the Social Policy in Dependent Territories (Supplementary Provisions) Recommendation, 1945, which might be considered for inclusion in the proposed future Convention.

## XXI

### RESOLUTION CONCERNING THE STUDY OF DEMOGRAPHIC PROBLEMS (ADOPTED ON 25 OCTOBER, 1945)

Considering the far-reaching implications of current population trends, and in particular the repercussions of changing rates of population growth on employment opportunities in different industries and occupations, on the general level of employment and living standards, and on the operation and functions of social insurance systems;

The Twenty-seventh Session of the International Labour Conference:

Notes with interest the references to this subject made in the Director's Report, and

Requests the Governing Body to authorise the International Labour Office to continue and develop its studies in this field and to maintain close contact with the bodies concerned with the economic and social aspects of demographic problems.

## XXII

### RESOLUTION CONCERNING THE USE OF THE SPANISH LANGUAGE (ADOPTED ON 5 NOVEMBER, 1945).

In view of the resolution of the Twenty-sixth Session of the International Labour Conference concerning the possibility of making Spanish an official language of the International Labour Organisation,

The Conference

(1) Recommends the Governing Body to propose to the next ordinary session of the Conference the inclusion in the Standing Orders of the Conference of appropriate provisions giving a statutory character to the practice according to which:

(a) official translations into Spanish of speeches and remarks made in other languages, as well as official translations into other languages of speeches and remarks made in Spanish, are furnished by the Secretariat of the Conference;

(b) all documents of the Conference as well as the stenographic record of the proceedings are published in Spanish in the same way as in English and French;

(2) Expresses the hope that the Office will continue and expand the publication in Spanish of technical studies and other documents of a general character.

