

1946

## NEW ZEALAND

**INTERNATIONAL LABOUR CONFERENCE**

REPORTS OF THE NEW ZEALAND DELEGATION ON THE TWENTY-SEVENTH  
SESSION OF THE INTERNATIONAL LABOUR CONFERENCE, PARIS,  
OCTOBER—NOVEMBER, 1945

*To be laid on the Table of the House of Representatives*

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**1. REPORT OF THE HON. P. C. WEBB AND MR. H. E. MOSTON, NEW ZEALAND GOVERNMENT DELEGATION**

THE PRIME MINISTER,—

We have the honour to transmit herewith the report on the proceedings of the Twenty-seventh Session of the International Labour Conference, held at Paris from 15th October to 5th November, 1945.

P. C. WEBB.  
HENRY E. MOSTON.

REPORT

The New Zealand delegation was as follows:—

- Hon. P. C. Webb, Minister of Labour.
- Mr. H. E. Moston, Secretary of Labour and Chief Inspector of Factories.
- Mr. Valentine Duff, Secretary, Taranaki Employers' Association.
- Mr. P. M. Butler, Secretary of the Wellington General Labourers' Union.
- Mr. R. E. Kemp, Adviser and Government Substitute Delegate.
- Mr. A. R. Perry, Adviser to Government Delegate.
- Mr. R. Stanley, Adviser to Workers' Delegate.

## THE AGENDA

The items drawn up by the Governing Body on the Agenda 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:
- VI. Reports on the application of Conventions.

The Conference met on Monday, 15th October, 1945, in the Sorbonne, and was attended by delegates from 48 State members of the International Labour Organization. There were present 167 delegates—*i.e.*, 87 Government delegates, 42 workers' delegates, and 38 employers' delegates. In addition, there were 303 advisers—*viz.*, 135 Government advisers, 96 workers' advisers, and 72 employers' advisers.

The following countries were represented: United States of America, Argentine, Australia, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, Finland, France, Great Britain, Greece, Guatemala, Haiti, Hungary, Iceland, India, Iran, Iraq, Ireland, Italy, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Panama, Peru, Poland, Portugal, South Africa, Sweden, Switzerland, Turkey, Uruguay, Venezuela, and Yugoslavia.

The Conference was opened at 11 a.m. on Monday, 15th October, by Mr. Carter Goodrich, Chairman of the Governing Body of the International Labour Office. On behalf of the French Government, Mr. Justin Godart extended a welcome to the representatives present at the Conference. Similar expressions were conveyed by Mr. Le Trocquer, President of the Municipal Council of the City of Paris, and by Mr. Roussy, Rector of the University of Paris.

In his opening speech Mr. Goodrich referred to the strength of the International Labour Organization as disclosed by the number of member nations represented, the delegation including Ministers of the Crown from several nations and other distinguished leaders in the world of industry and the world of labour. The line of policy of the I.L.O. was unmistakably clear. It leads straight on toward the linking of the International Labour Organization with the great new organization of the United Nations, which has expressed its own social objectives in terms closely akin to those of the Declaration of Philadelphia.

## ELECTION OF PRESIDENT AND VICE-PRESIDENT

On the motion of Mr. Ness Edwards, Government delegate, United Kingdom, Mr. Alexandre Parodi, Minister of Labour of France, was unanimously elected President of the Conference. Mr. Parodi, who was one of the leaders in the resistance movement during the war, proved an excellent choice as President, and his appointment was regarded as a tribute to the Resistance Movement and the rebirth of France.

In his presidential address Mr. Parodi stated, *inter alia*—

I should like to tell you with what joy France to-day welcomes the representatives of the Governments, the employers, and the workers of the States members of the International Labour Organization. France welcomes you with the more joy because she has, ever since the beginning, had a great responsibility in the functioning of your institution. You would feel it very strange if, at a time when after so many events the International

Labour Organization once again meets in this city where it was in part created, I did not, on behalf of you all, salute the memory of Arthur Fontaine, who was the first Chairman of your Governing Body, and also the name of the man who for thirteen years was the embodiment of your institution in the eyes of the world, Albert Thomas. But France is not only happy to welcome you for these reasons, which belong to the past. She is fully conscious of the value of your presence on her soil, devastated by war, and on this European Continent, so cruelly devastated by the Hitlerite barbarians, and among these ancient populations of Europe which have for centuries been devastated by war, which so profoundly feel the need of an organization based not only on collective security, but also on the economic solidarity of nations and on social justice.

At the present time, so soon after the end of a cruel war, all peoples realize the enormous material difficulties of the return to peace conditions. They will enter, one after the other, on the period of psychological readjustment when the long strain of war is released. They will return to their former aspirations for well-being and social justice, accentuated by the immense lassitude which weighs over us all.

The International Labour Organization is, because of its objectives, at the centre of all these problems, and you have for years been preparing to find a solution for them. As early as 1941, when so many people were groaning under the yoke of the invader, and last year in Philadelphia, when hope had revived and those same peoples were beginning to revive underneath their chains and were preparing to assist the enormous armies of the British Empire, America, and the Soviet Union, you began to study certain questions which are bound up with the reconstruction of the world.

At the beginning of this Conference I should wish that we might all be convinced of the importance of the role which the International Labour Organization can play in the material, economic, and moral reconstruction of the world. Thanks to its long technical experience, and using to the best advantage the international industrial committees which the Organization has recently created, and which can be, if we wish, efficient tools to examine with clarity a difficult and new situation, the International Labour Organization can contribute in a large measure to showing the peoples the way of organized peace. The International Labour Organization will know how to modify its Constitution so as to make it an instrument of increasing value and efficacy. That is why the International Labour Organization and its Governing Body has already declared its desire, especially in January in London and in June in Quebec, to be closely linked with the work of the new United Nations Organization, whose creation was welcomed with joy. It will continue the negotiations which it has already undertaken in order to be able to preserve in the new international framework its existing Constitution and the tripartite structure which constitutes its originality and its vitality. It wishes also that its membership may be enlarged so as to include all the Powers, large and small, which took part in the Conference of San Francisco, and it is ready to introduce into its Constitution such modifications as will permit of the efficient collaboration of the Organization with the United Nations, and to take on every day a more universal character.

Three Vice-Presidents as follow were elected:—

- Mr. Trujillo Gurria (Mexico Government delegate):
- Sir John Forbes Watson (United Kingdom employers' group):
- Mr. Gunnar Andersson (Sweden workers' group).

### COMMITTEES

Following the usual procedure, Committees were set up to examine and report on the subjects before the Conference. Nine such Committees were appointed as follows, the total membership of each, together with the number of Governments, employers, and workers respectively being given:—

Selection Committee	..	..	..	32	(16, 8, 8)
Credentials Committee	..	..	..	3	(1, 1, 1)
Committee on Standing Orders	..	..	..	16	(8, 4, 4)
Resolutions Committee	..	..	..	16	(8, 4, 4)
Committee on Constitutional Questions	..	..	..	64	(34, 16, 16)
Committee on Employment	..	..	..	60	(30, 15, 15)
Committee on the Protection of Young Persons	..	..	..	56	(24, 16, 16)
Committee on Dependent Territories	..	..	..	35	(15, 10, 10)
Committee on Application of Conventions	..	..	..	40	(20, 10, 10)

New Zealand was represented on the following Committees:—

- Committee on Application of Conventions: Mr. Webb (substitute, Mr. Moston).
- Committee on Constitutional Questions: Mr. Moston (substitute, Mr. Kemp).
- Committee on Employment: Mr. Webb (substitute, Mr. Perry).
- Committee on the Protection of Young Persons: Mr. Kemp.
- Committee on Dependent Territories: Mr. Moston (substitute, Mr. Kemp).

## MEMBERSHIP OF THE INTERNATIONAL LABOUR ORGANIZATION

The Conference had before it an application for admission to the International Labour Organization from Iceland, also applications for readmission to the Organization from Guatemala and Italy. The Selection Committee examined the applications and satisfied itself that the applicant Governments have the international status necessary to enable them to discharge the obligations involved in membership of the International Labour Organization and submitted Draft Resolutions to the Conference for adoption.

The Resolution was adopted admitting the countries as members with the same rights and obligations as other members, including the obligation to give two years' notice of any intention to withdraw from the Organization, and the obligation to respect the exclusively international character of the responsibilities of the Director and staff of the International Labour Office.

In speaking to the Resolution to readmit Italy to membership, Mr. Thomas (Government delegate, United States of America) stated:—

The question before us is the readmission of Italy. Our aim is to unite peoples and not to divide them. The International Labour Conference has to-day the opportunity of taking leadership in bringing about a unity of peoples; it must take that opportunity. In this I speak for the Government of the United States of America, but I am sure that I speak also what is in the minds and hearts of the American people. We do not condone the acts of the Fascist Government of Italy, the destruction of the free trade-unions, the withdrawal from this Organization, the events of June, 1940, or the opposition to the troops of the United States. We condone nothing; but the present Italian Government and the great masses of the Italian people have themselves repudiated these acts. As the Potsdam Declaration states, Italy has freed herself from the Fascist regime and has made great progress towards the re-establishment of democratic government and institutions. The Italian people have repaid the soil of their land, and in that renewed soil the ideals of the International Labour Organization will be more able to flourish. The Italian application for readmission to the Organization is in itself a sign of that growth.

The Italian Government declares that it needs the help of the International Labour Organization in order to solve the social problems of the country on democratic lines. The American people are eager that such help should be given, and membership in the Organization will help Italy toward sound and democratic growth and Italy and the Italians' entry in this spirit will bring strength into the Organization.

I urge the Conference to adopt the Resolution. I greet the representatives of the Italian Government, of the Italian employers, and of the Italian trade-unions. I ask them to take back to their countrymen the warm wishes of the people of the United States. That which I have said has been said not only on behalf of the Government delegation from the United States, but also on behalf of the employers' and workers' delegations.

Objections were raised against the credentials of the workers' delegate and workers' adviser of the Argentine Republic.

The Credentials Committee, having examined the credentials and the objections raised, considered that the delegate and adviser were not appointed under those conditions of liberty provided for in the Constitution and consequently they could not be considered as representatives chosen without any compulsion by workers' organizations enjoying freedom of association as laid down by the Constitution of the International Labour Organization.

When the matter was brought before the Conference the delegates gave a unanimous vote against the admission of the workers' delegate and adviser.

## REPORT OF THE ACTING-DIRECTOR

The Acting-Director's report covered a wide range and provoked a long discussion by the delegates present. The subjects dealt with in the report were :—

- (1) The Political Perspective.
- (2) The Economic Background.  
The War Economy.  
The Beginnings of the Transition to Relief and Rehabilitation Reconversion.  
International Economic Collaboration.  
Pooling of Resources and Allocation of Supplies.  
Relief, Reconstruction, and Development.
- (3) Some Trends of Social Policy.  
Employment Organization.  
Industrial Relations.  
Wage Policy.  
Hours of Work.  
Holidays with Pay.  
Women's Work.  
Children and Young Workers.  
Industrial Health and Safety.  
Social Insurance.  
Housing.  
Agriculture.  
Co-operation.  
Migration.  
Population policy.
- (4) The Activities of the International Labour Organization.  
Relations with United Nations.  
The Membership of the Organization.  
The Ratification of Conventions.  
The Financial Position of the Organization.  
Industrial Committee.  
Maritime Work.  
Regional Problems and Activities Publications.
- (5) The Future Outlook.  
Remodelling already in Progress.  
Problems of Representation.  
National Tripartite Conferences.  
A Minimum Code of Labour Standards.  
Improvement of Supervision over the Application of Conventions.

Sixty-four delegates spoke on the report, coming from thirty-five different countries. In his reply the Acting-Director stated "that the discussion at the Conference has reached as high a level as any previous discussion of this kind, and indeed in some respects has set a new standard which future Conferences will find it hard to equal."

## RECOMMENDATIONS AND RESOLUTIONS

The Recommendations made by the Committees set up to examine the various items on the Agenda were far-reaching and with a few minor alterations made in full Conference were adopted. The decisions are set out hereunder :—

### (1) RESOLUTION CONCERNING THE MAINTENANCE OF FULL EMPLOYMENT DURING THE PERIOD OF INDUSTRIAL REHABILITATION AND RECONVERSION (APPENDIX 1)

"The problem of achieving and maintaining full employment is perhaps the most important problem of a social and economic character that can be considered by the International Labour Conference." This statement from

the report of the Employment Committee reflects the attitude in which it applied itself to the task of drafting a Resolution on economic policy for the maintenance of full employment. The fact that over forty amendments were proposed to the Draft Resolution put forward by the Office may perhaps be taken as an indication of its diligent application to its task. The resulting Resolution is printed in full in the Appendix. It is not proposed to review it in detail here, but there are certain aspects to which attention should be drawn.

Considerable developments in economic thought, for which the International Labour Organization has been in no small measure responsible, have occurred since the First Session of the Conference, meeting in Washington in October, 1919, considered the question of "unemployment." These developments culminated in the enunciation of the objective of full employment not only in the Declaration of Philadelphia, but also in the Charter of the United Nations. It will be noted that the item on the Agenda refers to the maintenance of "high levels of employment," a phraseology adopted also by the Office Draft Resolution. In the preliminary discussion in the Employment Committee several delegates expressed regret that the phrase "full employment," which had attained a special significance as a symbol of the post-war world which the peoples of the United Nations desired to create, had not been maintained. When the workers' group moved an amendment to substitute "full employment" for "high levels of employment," it was agreed to unanimously.

Other paragraphs in the Resolution also deal with the human and social aspects of a full employment policy. Thus paragraph 2 (1) postulates the responsibility of Governments to take all steps in their power to establish conditions to facilitate "the absorption into useful employment, at the highest practical levels of remuneration, of all members of the population of working age who are able to work and willing to accept such employment." Paragraph 3 (b) refers to "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." Paragraph 6 (5) states that "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."

The Declaration of Philadelphia affirmed that "poverty anywhere constitutes a danger to prosperity everywhere." The Resolution clearly indicates that the Employment Committee and the Conference fully appreciated that the successful implementation of a full employment policy is a matter of international as well as of national concern. The importance of the International Monetary Fund and of the International Bank for Reconstruction and Development is recognized. In paragraph 1 (3) the hope is expressed that "the United Nations Organization, 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"; while in paragraph 1 (4) members of the International Labour Organization are urged to take early steps to determine and announce the main features of their post-war policy. Paragraph 2 (2) suggests that Government policy in relation to certain matters shall have due regard to the impact of particular national measures upon the employment situation in other countries. International co-operation is at the basis of the measures, financial and otherwise, proposed in paragraph 8 for the alleviation of the

shortages of transport, sources of power, materials, industrial equipment, and consumption goods prevailing, particularly in the devastated countries that are members of the United Nations. "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." The influence of economic conditions in one country on conditions in other countries is clearly recognized in these words introducing paragraph 9, which then goes on to suggest various measures of international concern that would assist these countries to develop their resources and to make the transfer from war to peace production with the least possible disturbance. "The resumption and expansion of world trade" are mentioned in paragraph 11; while paragraph 12 draws "the attention of the appropriate organs of the United Nations Organization 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." Perhaps the outstanding feature of the Resolution is its clear recognition of "the responsibility of Governments to take all steps within their power, in collaboration with workers' and employers' organizations 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) WELFARE OF CHILDREN AND YOUNG PERSONS (ITEM III)

The Conference adopted four Draft Resolutions submitted by the Committee concerning the protection of children and young workers. These Resolutions are shown in full as an Appendix to this report. The Resolutions were:—

- (1) Resolution concerning the Protection of Children and Young Workers (Appendix 2):
- (2) Resolution concerning the Youth of Liberated Countries (Appendix 3):
- (3) Resolution concerning the Regulation of Underground Work of Young Persons in Mines (Appendix 4):
- (4) Resolution concerning the setting-up of an Advisory Committee on Juvenile Work (Appendix 5):
- (5) Resolution concerning the Extension to Agriculture of Medical Examination for Fitness for Employment of Children and Young Persons under Sixteen Years (Appendix 6):
- (6) Resolution concerning the Revision of the Night-work (Young Persons) Convention, 1919 (Appendix 7).

These Resolutions will be examined by the International Labour Office and submitted to the member Governments for consideration and comments with a view to a further discussion at the next Conference.

## (3) MATTERS ARISING OUT OF THE WORK OF THE CONSTITUTIONAL COMMITTEE (ITEM IV)

The Committee set up by the Conference to deal with the Constitution of the International Labour Organization was faced with many difficult and urgent problems.

As certain proposed amendments were of immediate urgency they were dealt with and other matters less urgent were referred to a working committee

for consideration after the Conference concluded. The text of the instrument adopted by the Conference for the amendment of the Constitution is shown in the Appendix to this report (Appendix 8).

The Conference called the attention of Governments to the prompt ratification of the Instrument of Amendment as a necessary preliminary to the fuller consideration of constitutional questions at the next session of the Conference (Appendix 9).

Other Resolutions adopted were as follows (the texts of the Resolutions are shown in full as an Appendix to this report):—

- (1) Resolution concerning the Relationship between the International Labour Organization and the United Nations (Appendix 10):
- (2) Resolution concerning Reciprocal Relationships between the International Labour Organization and other International Bodies (Appendix 11):
- (3) Resolution concerning the Interests of the International Labour Organization 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 Organization (Appendix 12):
- (4) Resolution concerning the Place of Meeting of the next General Session of the Conference (Appendix 13):
- (5) Resolution concerning Emergency Arrangements for the Registration of the Ratification of Conventions (Appendix 14).

#### (4) MINIMUM STANDARDS OF SOCIAL POLICY IN DEPENDENT TERRITORIES (ITEM V)

The Conference adopted, on the recommendation of the Committee which examined the proposals, a Draft Recommendation covering minimum standards of social policy in dependent territories.

The Draft Recommendation is presented as an Appendix to this report (Appendix 15).

A Resolution was adopted by the Conference requesting the Governing Body to place on the Agenda of the next general session the question of Minimum Standards of Social Policy in Dependent Territories (provisions suitable for a Convention) with a view to a first discussion.

#### REPORT ON APPLICATION OF CONVENTIONS (ITEM VI)

The 67 Conventions adopted by the International Labour Conference have up to date received 902 ratifications.

Discussions took place regarding the failure of some Governments to ratify Conventions. Thirteen Governments have failed to ratify a single Convention. However, with the exception of U.S.S.R. (which is not now a member of the Organization), the countries are of relatively slight industrial development—*i.e.*, Bolivia, Ecuador, Ethiopia, Guatemala, Haiti, Honduras, Iran, Panama, Paraguay, Peru, Salvador, and Thailand.

The progress of ratifications has been withheld during the war years; nevertheless, it was urged by delegates at the Conference that early action is necessary to secure ratification of those Conventions in particular that were adopted during the years immediately preceding the war and which have not lost their value because of the war.



The line of advance adopted for the future; to include measures to consolidate the achievements of the past by exercising stricter control over the application of ratified Conventions, by providing for the supply of information on unratified Conventions, as well as for periodical reports on Recommendations, and by emphasizing the fundamental importance of punctual submission of Conventions (and Recommendations) to the competent authorities.

In conclusion, we desire to record the good will and co-operation that existed between the whole of the members of the delegation.

**APPENDIX 1.—RESOLUTION CONCERNING THE MAINTENANCE OF FULL EMPLOYMENT DURING THE PERIOD OF INDUSTRIAL REHABILITATION AND RECONVERSION (ADOPTED ON 3RD 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 pro-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 Organization has recognized in the Declaration of Philadelphia the solemn obligation of the Organization 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 Organization 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 demobilized 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 demobilization of the Armed Forces, industrial demobilization 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 regularization of employment in particular industries, the organization 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 Organization 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 Organization, 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 Organization and the other intergovernmental organizations concerned.

(4) The Conference, noting that several members of the International Labour Organization 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 shall be the responsibility of Governments to take all steps within their power, in collaboration with workers' and employers' organizations 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 minimizing 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, tend 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 characterize 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 UNRRA 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 industrialized 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-industrialized 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 Organization 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.

#### APPENDIX 2.—RESOLUTION CONCERNING THE PROTECTION OF CHILDREN AND YOUNG WORKERS (ADOPTED ON 4TH NOVEMBER, 1945)

Whereas the Preamble to the Constitution of the International Labour Organization includes among the objects of the Organization the protection of children and young persons and the organization 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 recognizes the solemn obligation of the International Labour Organization 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 these 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 Organization 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 Organization:

The General Conference of the International Labour Organization, meeting in its Twenty-seventh Session in Paris, this 4th 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 recognizes that questions relating to the health, education, employment, protection, and general welfare of children and young persons are interrelated and cannot be solved in isolation.

3. The Conference further recognizes that certain of the matters dealt with in this Resolution will be primarily the responsibility of other inter-governmental 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 subsidized 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 organized 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 organization of facilities for leisure-time activities adapted to different age-groups and the encouragement of youth organizations 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 sixteen 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 (1) 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 organized 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 (1) of the Unemployment (Young Persons) Recommendation, 1935.

14. In order to promote the development of the child, schools should cooperate 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 organized 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 organized 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' organizations, 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 specialized 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 organizing 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 authorized 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 recognized 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 provisions 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. Authorization 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 authorization 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 utilize 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 of 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 forty 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 10 o'clock in the evening and 5 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 authorized 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 thirty-six hours and should in all cases include twenty-four 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 authorized by the competent authority as being in the public interest and should be authorized 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 workplaces 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 workplace, 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 worker 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. The 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. Wherever 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 harmonize statutory provisions with current trends;
- (b) To organize competent, specialized 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 organized movements representing broad sectors of public opinion and especially youth movements with social aims, in order to achieve a complete realization of these protective policies.

## VII. COLLABORATION ON AN INTERNATIONAL BASIS

35. The Conference, realizing 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 utilizing 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.

## APPENDIX 3.—RESOLUTION CONCERNING THE YOUTH OF LIBERATED COUNTRIES (ADAPTED 4TH NOVEMBER, 1945)

Whereas the Conference, at its Twenty-sixth Session in 1944, expressed the hope that the United Nations and other members of the Organization 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 Organization 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 undernourishment 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 recognized 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, recognizing that other international organizations 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, realizing 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 Organization has formulated in the Resolution concerning the protection of children and young workers adopted by the Conference at its Twenty-seventh Session.

**APPENDIX 4.—RESOLUTION CONCERNING THE REGULATION OF THE UNDERGROUND WORK OF YOUNG PERSONS IN MINES (ADOPTED ON 4TH 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.

**APPENDIX 5.—RESOLUTION CONCERNING THE SETTING-UP OF AN ADVISORY COMMITTEE ON JUVENILE WORK (ADOPTED ON 4TH 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.

**APPENDIX 6.—RESOLUTION CONCERNING THE EXTENSION TO AGRICULTURE OF MEDICAL EXAMINATION FOR FITNESS FOR EMPLOYMENT OF CHILDREN AND YOUNG PERSONS UNDER THE AGE OF EIGHTEEN YEARS (ADOPTED ON 3RD 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 eighteen years.

**APPENDIX 7.—RESOLUTION CONCERNING THE REVISION OF THE NIGHT-WORK (YOUNG PERSONS) CONVENTION, 1919 (ADOPTED ON 3RD 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.

**APPENDIX 8.—INSTRUMENT FOR THE AMENDMENT OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANIZATION: RECOMMENDATION AND RESOLUTIONS ADOPTED BY THE INTERNATIONAL LABOUR CONFERENCE AT ITS TWENTY-SEVENTH SESSION**

*Instrument for the Amendment of the Constitution of the International Labour Organization (adopted on 5th November, 1945)*

The General Conference of the International Labour Organization, 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 without delay of a limited number of amendments to the Constitution of the International Labour Organization designed to deal with problems of immediate urgency, which are included in the fourth item on the Agenda of the session—

adopts, this 5th day of November of the year 1945 the following Instrument embodying amendments to the Constitution of the International Labour

Organization, which may be cited as the "Constitution of the International Labour Organization Instrument of Amendment, 1945":—

#### *Article 1*

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

#### *Article 2*

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

"2. The members of the International Labour Organization shall be the States which were members of the Organization on 1st 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 Organization by communicating to the Director of the International Labour Office its formal acceptance of the obligations of the Constitution of the International Labour Organization.

"4. The General Conference of the International Labour Organization may also admit members to the Organization 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 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 Organization.

"5. No member of the International Labour Organization may withdraw from the Organization 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 Organization, its readmission 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 Organization:—

"1. The International Labour Organization 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 Organization;

“(c) The arrangements for the approval, allocation, and collection of the budget of the International Labour Organization 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 Organization by a committee of Government representatives.

“3. The expenses of the International Labour Organization 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 organization which is in arrears in the payment of its financial contribution to the Organization 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 Organization.”

#### *Article 4*

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

“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 Organization, 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.”

#### *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 Organization.

#### *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 Organization 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 Organization. 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 Organization.

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 Organization.



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 Organization, the Secretary-General of the United Nations, and all the States having signed the Charter of the United Nations.

**APPENDIX 9.—RESOLUTIONS ADOPTED BY THE INTERNATIONAL LABOUR CONFERENCE AT ITS TWENTY-SEVENTH SESSION**

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

The Conference draws the attention of the members of the Organization to the importance of prompt ratification of the Instrument of Amendment to the Constitution of the Organization adopted by it on 5th 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 Organization before the opening of the next general session of the Conference.

**APPENDIX 10.—RESOLUTION CONCERNING THE RELATIONSHIP BETWEEN THE INTERNATIONAL LABOUR ORGANIZATION AND THE UNITED NATIONS (ADOPTED ON 3RD 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 organization to be known as the United Nations and provides that international organizations 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 Organization 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 Organization as a permanent organization for the promotion of social justice; and

Whereas the Conference of the International Labour Organization meeting at New York on 4th 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 Organization; and

Whereas the Declaration of Philadelphia, which was unanimously adopted by the General Conference of the International Labour Organization meeting in its Twenty-sixth Session at Philadelphia on 10th May, 1944, "recognizes the solemn obligation of the International Labour Organization 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 Organization with such

international bodies as may be entrusted with a share of the responsibility” for “the fuller and broader utilization 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 25th January, 1945, a statement affirming the desire of the International Labour Organization for association with the general international organization then contemplated; and

Whereas this statement was conveyed by the International Labour Organization to the United Nations Conference on International Organization 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 Organization:

The General Conference of the International Labour Organization:—

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

2. Expresses the keen satisfaction of the International Labour Organization 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 Organization to enter into relationship with the United Nations on terms, to be determined by agreement, which will permit the International Labour Organization, 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 Organization and the Declaration of Philadelphia; and

4. Authorizes 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.

#### APPENDIX 11.—RESOLUTION CONCERNING RECIPROCAL RELATIONSHIPS BETWEEN THE INTERNATIONAL LABOUR ORGANIZATION AND OTHER INTERNATIONAL BODIES (ADOPTED ON 3RD NOVEMBER, 1945)

The General Conference of the International Labour Organization—

Welcomes the progress made to assure close collaboration between the International Labour Organization and other public international organizations in pursuance of paragraph 3 of the Resolution concerning the Constitution and constitutional practice of the Organization 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 Organization and the other organizations concerned.

**APPENDIX 12.—RESOLUTION CONCERNING THE INTERESTS OF THE INTERNATIONAL LABOUR ORGANIZATION 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 ORGANIZATION (ADOPTED ON 3RD NOVEMBER, 1945)**

Whereas the Agreement establishing a Preparatory Commission of the United Nations signed at San Francisco on 26th 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 Organization has certain rights and interests in certain properties and other assets of the League of Nations:

The General Conference of the International Labour Organization—

Authorizes 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 Organization, and properties and assets in which the International Labour Organization 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 Organization as may be necessary or desirable.

**APPENDIX 13.—RESOLUTION CONCERNING THE PLACE OF MEETING OF THE NEXT GENERAL SESSION OF THE CONFERENCE (ADOPTED ON 3RD NOVEMBER, 1945)**

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

**APPENDIX 14.—RESOLUTION CONCERNING EMERGENCY ARRANGEMENTS FOR THE REGISTRATION OF THE RATIFICATION OF CONVENTIONS**

Whereas the General Conference of the International Labour Organization adopted at its Twenty-sixth Session on 12th May, 1944, a Resolution providing that during periods of emergency when, in the judgment of the Governing Body, the efficient operation of the organization of the Office will be advanced thereby and the Governing Body so notifies the members of the Organization, 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 13th 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 functions entrusted to the Secretary-General of the League of Nations by the Constitution of the International Labour Organization 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 Organization resolves that the arrangements provided for in paragraph 1 of the Resolution concerning the Constitution and constitutional practice of the International Labour Organization 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 organization received in pursuance of the said Resolution.

**APPENDIX 15.—RECOMMENDATION (No. 74), CONCERNING MINIMUM STANDARDS OF SOCIAL POLICY IN DEPENDENT TERRITORIES (SUPPLEMENTARY PROVISIONS) (ADOPTED ON 5TH NOVEMBER, 1945)**

The General Conference of the International Labour Organization,

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 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 5th day of November of the year 1945, 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 Organization 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 organization 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 Organization under the Constitution of the Organization 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 I.—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' organizations.

2. In all cases in which the competent authority has reason to believe that the workers' organizations have not arrived at the stage of development necessary to enable them to negotiate on a footing of equality with the employers' organizations, 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' organizations 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 organizations 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 legalized 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 unauthorized 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.

#### *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 organizations 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 organizations 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 interests of the territory;
- (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 utilized 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.

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 organized 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 provisions 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 authorized 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.

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 authorized 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 organizations 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. 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 Accidents (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 1,000 kilograms (1 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:—

- (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' organizations 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 organization for accident insurance and prevention completely independent of the Inspectorate, the special officers of such an organization 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' organizations and employers' organizations, where such exist, shall be utilized as channels for this information. Wherever practicable, such information shall be made available in the local vernaculars.

## 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, boardinghouses, clubs, cafes, 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, pipe-lines, waterworks, 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.

## 2. REPORT OF MR. V. DUFF, NEW ZEALAND EMPLOYERS' DELEGATE

The Honourable the ACTING MINISTER OF LABOUR,  
Wellington.

DEAR SIR,—

*Re* INTERNATIONAL LABOUR CONFERENCE, 1945

I have the honour to submit herewith my report on the Twenty-seventh Session of the International Labour Conference, which was held in Paris in October, 1945, and which I attended as the representative of the employers of New Zealand.

The Conference was opened at 11 a.m. on Monday, the 15th October, 1945, by the Chairman of the Governing Body, Mr. Carter Goodrich, and came to a close at 7 p.m. on Monday, the 5th November, 1945.

## REPRESENTATION

Thirty-nine member States were represented when the Conference opened, such representation being made up as follows: Government delegates, 73; Government advisers, 110; employers' delegates, 32; employers' advisers, 67; workers' delegates, 33; workers' advisers, 82. The number of States represented increased during the progress of the Conference to 49, who, with their advisers, brought the total number attending to nearly 500.

## ELECTION OF OFFICERS

The first formal business was the election of a President, and M. Alexandre Parodi, Minister of Labour of France, was appointed by unanimous vote of the Conference.

The undermentioned delegates were elected Vice-Presidents:—

Government Group: Mr. Trujillo Gurria (Mexico).

Employers' Group: Sir John Forbes Watson (United Kingdom).

Workers' Group: Mr. G. Andersson (Sweden).

## AGENDA

The subjects for discussion by the Conference were as follows:—

- (1) Director's report.
- (2) The maintenance of high levels of employment during the period of industrial rehabilitation and reconversion.
- (3) Welfare of children and young workers (first discussion).
- (4) Matters arising out of the work of the Constitutional Committee.
- (5) Minimum standards of social policy in dependent territories (supplementary provisions).
- (6) Reports on the application of Conventions (under Article 22 of the Constitution).

The preliminary discussions on the various items in the Agenda were undertaken by Committees representative of the three groups—Government, employers, and workers.

The particular Committee to which I was appointed was the Committee on Minimum Standards of Social Policy in Dependent Territories.

## ADMISSIONS AND READMISSIONS TO MEMBERSHIP

By unanimous vote of the Conference, Guatemala and Italy were readmitted to membership of the Organization.

An application from Iceland for admission was also approved.

A strong protest was lodged by the workers' group against the presence at the Conference of the workers' representatives from Argentina, on the grounds that Argentina, being a Fascist State—so it was alleged—the workers' delegate and adviser had not been appointed under those conditions of liberty contemplated by the International Labour Organization constitution. The objection was upheld.

A protest against the presence of the Argentine Government's representatives was rejected on the grounds that Argentina was one of the signatories of the United Nations Charter of June, 1945, and as such was entitled to be represented at the Conference.

A further protest was lodged against the credentials of the workers' delegate and technical adviser from Ireland, on the grounds that they were not truly representative of the workers of Ireland. It would appear that while previously the workers had been represented by the Irish Trade Union Congress, a separate body known as the Congress of Irish Unions had been set up for Ireland alone and claimed to be the central trade-union organization

in the country. The Irish Government had appointed the nominees of that body, and as it was considered that the Irish Government had not, in letter, at any rate, departed from the provisions of the International Labour Organization constitution, the protest was not upheld.

An objection against the credentials of the workers' delegate and advisers of Iran was lodged by the Council of the Federated Trade Unions of Iranian Workers. The Conference, while deciding that there was not sufficient information before it to justify the exclusion of these delegates, decided to endorse an appeal to the Iranian Government to do everything in its power to conform in future to all the provisions of the Constitution.

### INCOMPLETE DELEGATIONS.

A protest was received from the workers' group against the presence of incomplete delegations at the Conference. This protest was endorsed, and an urgent appeal made to all Governments to conform scrupulously to the provision in the Constitution for the presence of four delegates—two Government and one each employers and workers.

I come now to consideration of the various items on the agenda:—

#### ITEM No. 1: DIRECTOR'S REPORT

Discussion of the Director's report, a voluminous document of 163 pages, of necessity occupied a considerable amount of the time of the Conference. A study of the report will afford ample evidence of the time and thought which must have been devoted to its compilation.

The subjects dealt with in the report were:—

- (1) The Political Perspective;
- (2) The Economic Background;
- (3) Some Trends of Social Policy;
- (4) The Activities of the International Labour Organization;
- (5) The Future Outlook.

In dealing with the subject, "The Activities of the International Labour Organization," the Director pointed out that as the activities of the Organization during the period covered by his report were of necessity conditioned by the political and military events of the time, the prosecution of the work of the International Labour Organization presented constant problems; the holding of meetings was complicated by transportation difficulties; the despatch of staff on various important missions was similarly made difficult; and the number of qualified officials available had been seriously reduced. In spite of these handicaps, it will be agreed, I believe, that the Director and his remaining staff have performed a great service in keeping the Organization functioning.

Referring to the development of working relations with the United Nations Organization, the Director speaks of the disappointment felt in some quarters that the International Labour Organization was not more fully associated with the United Nations' San Francisco discussions, when the Charter of the latter organization was signed. In endeavouring to allay this disappointment the Director points out that, at the time, the main effort of the United Nations was necessarily concentrated on measures for the maintenance of world peace, and that the setting-up of agencies to operate in specialized fields was a matter for later consideration.

The Director further pointed out that the U.S.S.R., around whose attitude many of the major political issues at San Francisco turned, would not be particularly interested in the position of an organization of which it was not a member. Incidentally, the Director expressed the hope that, in

view of the projected termination of the International Labour Organization's association with the League of Nations, collaboration between the U.S.S.R. and the International Labour Organization may now be easier to secure.

Another question touched upon in the Director's report was that of representation. It had been suggested in certain quarters that the Organization would be of a more democratic nature if the number of workers' representatives were increased, and attention had also been drawn to the difficulty which the nomination of employers' representatives may present where industry is State-owned or operated under some form of direct public control.

The Director dealt effectively with both of these problems.

In pursuance of a decision at the 1944 Conference, a brief statement of the financial position of the Organization was presented by the Director. This showed that since 1940 the accounts have closed with a credit balance every year except 1943, when a small deficit resulted. From a schedule attached to the financial statement it will be seen that, while several countries are in arrear with their 1944 contributions, New Zealand, which, incidentally, ranks twelfth in the order of assessment out of a total of forty-eight contributors, has fully discharged her obligations.

#### ITEM No. 2: THE MAINTENANCE OF HIGH LEVELS OF EMPLOYMENT DURING THE PERIOD OF INDUSTRIAL REHABILITATION AND RECONVERSION

In presenting its report on this question, the Committee made it clear that, as far as the current session of the Conference was concerned, its recommendations were limited to the period of industrial rehabilitation and reconversion, and did not purport to represent a basis for a long-term policy, except in so far as transitional policies are obliged to take account of the probable long-run position. While the workers' representatives on the Committee stressed the importance of the social aspect, and the employers' representatives emphasized the role played by private enterprise, full agreement was obtained on the general principles of a policy directed towards the maintenance of full employment, and a comprehensive resolution, supported by both employers' and workers' members, was submitted to, and adopted by, the Conference.

Summarized, the conclusions of the Committee may be stated as follows:—

- (1) Governments should take all possible steps, in collaboration with workers' and employers' organizations and industry generally, to establish such economic and financial (including fiscal) conditions as will facilitate the absorption into useful employment, at the highest practical levels of remuneration, of all persons of working age able and willing to accept employment.
- (2) In view of the importance of a high level of investment from the point of view of employment policy, provision should be made for—
  - (a) Facilitating the flow of credit and capital to new, efficient enterprises;
  - (b) Methods by which public authorities may support and supplement investment through channels of special importance from a social point of view;
  - (c) Consultations between Government and industry for the purpose of adapting the volume of private investment, in order to minimize trade fluctuations;
  - (d) A policy of public investment and related financial measures as recommended in the Public Works (National Planning) Recommendation of 1944.

- (3) Appropriate measures should be taken to counteract inflationary developments—*e.g.*, the retention of price controls while shortages prevail, control over production, and allocation of raw material and capital goods, and rationing of consumption goods.
  - (4) As more normal economic conditions return, controls should be relaxed and taxation should be reduced—with particular reference to taxes on lower incomes and taxes likely to restrict necessary investment.
  - (5) When danger of inflation has passed, an adequate level of demand for goods and services should be maintained.
  - (6) Minimum wage standards should be adopted.
  - (7) Resumption and expansion of world trade should be aimed at.
- The full text of the Resolution, and the proposals for its implementation, will be found in the Provisional Record, No. 26.

### ITEM No. 3: WELFARE OF CHILDREN AND YOUNG WORKERS

A comprehensive report was submitted by the Committee to which consideration of this subject was entrusted.

Arising from its deliberations, the Committee submitted a series of Resolutions dealing with—

- (a) Medical examination for fitness for employment;
- (b) Restriction of night-work of children and young persons (non-industrial occupations);
- (c) The extension to agriculture of medical examination of children and young persons for fitness for employment;
- (d) The question of revising the Night-work (Young Persons) Convention of 1919.

At a later session of the Conference this Committee submitted a further series of resolutions covering—

- (a) The youth of liberated countries;
- (b) The regulation of the underground work of young persons in mines; and
- (c) The setting-up of an Advisory Committee on Juvenile Work.

All of these Resolutions were adopted by the Conference.

### ITEM No. 4: MATTERS ARISING OUT OF THE WORK OF THE CONSTITUTIONAL COMMITTEE

The future relationship between the International Labour Organization and the United Nations Organization was given very full consideration. It was recognized that the Constitution of the International Labour Organization will require amendment in order to provide the necessary link with the United Nations Organization. To quote from the report on constitutional questions:—

It has been apparent for some years that such a re-examination would become necessary in due course, but it has been impossible to undertake it hitherto owing to the uncertainty concerning the form which the proposed new general international organization would take. After careful consideration of the various problems which arise, the International Labour Office has reached the conclusion that in order to deal satisfactorily with the problems arising from the substitution of the United Nations for the League of Nations it will be necessary to amend the Constitution of the International Labour Organization . . . .

*Inter alia*, the purpose of such amendment will be—

- (a) To abrogate the provision that the International Labour Organization is to be regarded as part of the organization of the League of Nations:



- (b) To provide fresh rules regarding membership of the International Labour Organization:
- (c) To substitute new arrangements concerning the finances of the International Labour Organization.

While accepting the necessity for amendment of the Constitution, the view was strongly expressed that the International Labour Organization should maintain its tripartite character.

The Belgian Government representative, for instance, submitted a proposal that delegations should be composed of two representatives each from Governments, employers, and workers. This proposal was based on the assertion that the economic system in many countries had changed since the existing composition was decided upon, and that, as in such countries the previous free economic system was gradually being transformed into a State economy, Governments, as employers, should be represented by one delegate, the other employers' delegate, of course, representing private enterprise.

This proposal was strenuously opposed by the employers' representatives. Mr. Zellerbach, employers' delegate, United States of America, after drawing attention to the unanimous approval voiced regarding the tripartite set-up of the International Labour Organization, claimed that the adoption of the Belgian Government's proposal would inevitably result in the abandonment of that principle. "The proposal," he said, "would completely change the basis upon which the International Labour Organization has successfully operated for the past twenty-five years."

He was strongly supported in this view by other employers' delegates.

Another suggestion submitted was that the Organization would take on a more democratic nature if the number of workers' representatives were increased.

The Conference, as I have stated, accepted the principle of an amendment of the Constitution, and the whole question was referred to a special committee, given the name of "Working Party"—representing Governments, employers, and workers—for examination and report. This Working Party was expected to meet in London on the 14th January last, and its report will be furnished to Governments of member States.

#### ITEM No. 5: MINIMUM STANDARDS OF SOCIAL POLICY IN DEPENDENT TERRITORIES

The Committee which was set up to consider this matter had before it the recommendations adopted at the Philadelphia Conference in 1944. These recommendations covered a series of twenty-six Articles divided into ten Sections, dealing with—

- Section 1: Wages and Thrift.
- Section 2: Labour Aspects of Land Policies;
- Section 3: Social Security;
- Section 4: Placing of Workers;
- Section 5: Hours and Holidays;
- Section 6: Powers of Labour Inspectors;
- Section 7: Conciliation;
- Section 8: Health and Safety in Employment;
- Section 9: Information as to Measures adopted;
- Section 10: Definition and Scope.

The lengthiest discussions centred around the questions of collective bargaining, land policy, and holidays.

### COLLECTIVE BARGAINING

The South African Government delegate submitted an amendment to the Article dealing with collective bargaining, with the object of restricting the application of the policy to cases where it is practicable. He pointed out that, while his Government recognized, in principle, the policy of collective bargaining, the universal application of such a policy in South Africa presented many practical difficulties, chief amongst which was connected with the large number of African workers in the mines. In the considered opinion of his Government, an opinion based on an expert investigation, these workers had not yet reached a stage of development which would make it safe or even useful to apply the principles of collective bargaining.

The South African amendment was supported by employers' delegates from several countries, but was defeated on a vote being taken.

The position was met to some extent by the adoption of a proposal that where the appropriate competent authority is satisfied that the workers have not reached a stage of development which will enable them to negotiate on a footing of equality with employers' organizations, specially qualified persons shall be appointed to assist the workers in such negotiations.

### LAND POLICY

There was a marked division of opinion on the Article dealing with land policy. The proposal before the Committee was designed to control the alienation of agricultural land to non-agriculturists, and to provide for supervision of tenancy arrangements with a view of securing for tenants and workers an equitable share in any advantages accruing from improvement in productivity or price levels.

The French Government delegate moved to delete the Article, being supported by the South African Government delegate and the French employers' and workers' delegates. The motion for deletion, however, was rejected by 38 votes to 29 votes.

### HOLIDAYS

The principle of an annual holiday for workers in dependent territories was generally approved, but considerable discussion developed on the question of the length of such holiday.

The office text before the Committee provided for "at least six working-days," but several amendments were submitted on this text. One amendment provided for fourteen days, another for fifteen days; but a suggestion from the United Kingdom Government delegate to speak of twelve working-days was accepted, and an amendment was finally submitted in that form.

The proposal to grant twelve working-days met with considerable opposition, but, on being put to the vote, was carried by 31 votes to 30 votes, the closest division throughout the whole of the Committee's sittings.

During the early deliberations of the Committee, Mr. Moston, New Zealand Government delegate, furnished a full report on the social policy pursued by our Government in dependent territories.

When the Committee's report finally came before the Conference, two amendments were submitted for decision. The first sought to alter the Committee's report on the question of annual holidays, but this was defeated. The second, calling for a minor alteration in one of the clauses dealing with the duties of Labour Inspectors, was carried.

Two other matters were brought before the Committee; one was a suggestion by the United States employers' delegate that the International Labour Organization should consider the establishment of a vocational training service for dependent territories; the second, submitted by the United States workers'

delegate (supported by his colleague, the employers' delegate), was a suggestion that the International Labour Organization should make a special study of the position of young workers in dependent territories. As these two proposals were new, they were duly noted for future discussion.

#### ITEM No. 6: REPORT ON THE APPLICATION OF CONVENTIONS

The Committee in charge of this subject reaffirmed the view expressed on previous occasions that the ratification of a Convention implied definite legal obligations on States not only to implement any Convention which they had ratified, but also to report such ratification to the International Labour Office. Should any State not be able to ratify any given Convention, its duty is to submit reasons for such non-ratification.

During the discussion on the Committee's report, several delegates stressed the important difference between mere ratification of Conventions and implementation of such Conventions. As an indication of the line of thought on this subject, I shall quote briefly from the remarks of the South African Government delegate: "Simply to ratify a Convention," he said, "can be very easy, but to ratify and implement honestly and efficiently is not easy. We in South Africa have ratified only those Conventions we could efficiently implement, and the implementation of eight Conventions has been a task of quite considerable magnitude. "To me," he went on, "there is no value at all in a simple ratification. The value lies in the degree of implementation, and unless these two can be coupled it would be wiser to drop talk of ratification, for it appears that there is a danger of accepting ratification of a Convention as the final step in the chain of processes. Obviously, this is not so; the final step lies not in ratification, but in implementation."

The same delegate also made a plea for some elasticity in the framing of Conventions, quoting in support of his view the special conditions in his country—with a multiplicity of races, each enjoying a different state of civilization—and the consequent necessity for obtaining for such varied people, by gradual methods, the full benefit of a Convention, which was often based upon the immediate possibilities of a one-race nation or nations.

The Committee embodied in its report a lengthy Resolution containing a series of recommendations; these may be summarized as follows:—

- (a) Member States should present to the International Labour Office reports at regular intervals on the submission of Conventions and recommendations to the national legislative authorities and on the action taken by them, indicating, in case of non-ratification of Conventions, the reasons therefor;
- (b) Member States should be required to submit unratified Conventions to the legislative authorities at frequent intervals;
- (c) Where a Convention has not been ratified, members should report periodically to the International Labour Office on any measures taken to make effective the provisions of such Convention;
- (d) Members should report to the International Labour Office on the measures taken to give effect to any recommendation adopted by the Conference;
- (e) Annual reports on ratified Conventions should be submitted to representative organizations of employers and workers before they are submitted to the International Labour Office;
- (f) The Director of the International Labour Office should submit the reports received to the International Labour Conference.

The Resolution also suggested that members with Federal Constitutions should be consulted on the question of their obligations in the matter.

The Committee's report was adopted by the Conference.

## GOVERNING BODY OF THE INTERNATIONAL LABOUR ORGANIZATION

A meeting of the Governing Body of the International Labour Organization was held on Tuesday, 6th November, 1945, following the conclusion of the Conference. By arrangement with Mr. Gemmill, one of the employers' representatives on the Governing Body, who was unable to be present, I attended as his deputy.

1. The first business was the election of the officers of the Governing Body. Mr. G. Myrddin-Evans, of the United Kingdom, was unanimously elected Chairman, the Vice-Chairmen elected being—

Employers' Group: Mr. J. D. Zellerbach, of the United States of America.

Workers' Group: M. Leon Jouhaux, of France.

Other business transacted at the meeting comprised—

2. Appointment of Governing Body Committees.
3. Approval of the minutes of the Ninety-sixth Session.
4. Submission of the Finance Committee's report.
5. Fixing the date, place, and Agenda of the next ordinary session of the International Labour Conference.
6. Approval of the forms for annual reports.
7. Submission of the Acting-Director's report.
8. Fixing the date and place of the Ninety-eighth Session of the Governing Body.

A prolonged discussion took place regarding the items to be placed on the Agenda of the next session of the International Labour Conference, and there was general agreement that the Agenda should contain no more than the Conference could satisfactorily deal with within the prescribed time limit. It was finally decided that the Agenda should comprise the following items:—

- (1) Director's report;
- (2) Constitutional questions;
- (3) Protection of children and young workers:—
  - (a) Medical examination for fitness for employment (young workers) (second discussion);
  - (b) Restriction of night-work of children and young persons (non-industrial occupations) (second discussion);
- (4) Minimum standards of social policy in dependent territories; provisions suitable for a Convention (first discussion);
- (5) Application of Conventions.

### GENERAL REMARKS

#### IS THE INTERNATIONAL LABOUR ORGANIZATION WORTH WHILE?

This is a question which has been put to me on many occasions since my return to New Zealand. I feel that to answer I cannot do better than quote from the speech of the President of the Conference at the closing session: "As the work of the twenty-seventh Session of the International Labour Conference draws to a close, it is both useful and proper," he said, "to draw up a balance-sheet of this great international gathering and of the results it has achieved . . . I think we may be justly proud at having accomplished broad and substantial results. What, I think, is the special characteristic of the work of this Conference is the fact that the questions we dealt with were nearly all closely connected with the greatest problems with which the modern world is faced . . . ."

After surveying briefly the work of the Conference and emphasizing that the International Labour Organization, through the originality of its tripartite system, makes it possible to bring together and to associate in its decisions those who, in each country, and in the various positions in which they have responsibility for social affairs, will have direct influence, the President concluded with these words: "We have the conviction that we have made a contribution in our own field to a greater measure of well-being and justice in the world, and that we shall have contributed to the world of to-morrow and to a consolidation of that peace which the world has just won back, and to the maintenance of which the efforts of men of good will in all countries must be directed."

#### AVAILABILITY OF REPORTS

Several delegates drew attention to the fact that the Conference papers had not been made available in sufficient time to enable them to consult their constituents and thus be in a position to express the views of those constituents, while the difficulties due to world conditions were given full recognition, it was agreed that every effort should be made in future to observe the procedure in this respect laid down in the standing orders. As one delegate remarked: "Unless this is done, this Organization will cease to be a democratic Organization and become a bureaucratic dictatorship."

#### CO-OPERATION

May I state, in conclusion, that I was impressed by the spirit of co-operation which pervaded the discussions on the various items on the Agenda. This was particularly noticeable in the work of the Committee with which I was associated, and I was informed by co-delegates that a similar spirit evidenced itself in other Committee discussions.

I desire also to record my keen personal appreciation of the very friendly relations which existed amongst all members of our delegation throughout the Conference.

I have the honour to be Sir,

Yours faithfully,

VAL. DUFF.

### 3. REPORT OF MR. P. M. BUTLER, NEW ZEALAND WORKERS' DELEGATE

Wellington, 7th June, 1946.

As delegate representing the workers of New Zealand at the above-mentioned Conference, I have the honour to report as follows:—

There were 51 States represented by 90 governmental delegates, 32 employers' delegates, and 37 workers' delegates.

Three non-member States attended by invitation and were represented by 6 observers.

There were a total of 487 representatives. There were 159 official delegates, the balance consisted of either employers', Government, or workers' advisers, observers, or secretaries.

An outstanding feature of the Conference was the number of women who attended, either in the capacity of official delegates or as advisers. There were 25 women present, including Miss Frances Perkins, formerly Secretary of Labour in the Roosevelt Administration of the United States of America.

Eight Ministers of Labour from different countries were in attendance; and, in addition, the British Minister of Labour and National Service, the Right Hon. Mr. Isaacs, addressed the Conference.

The following official international organizations were represented by observers:—

UNRRA;

Inter-governmental Committee on Refugees;  
Conference of Allied Ministers of Education; and  
European Inland Transport Organization.

The President of the Conference was Mr. Parodi, Minister of Labour in the French Government.

The Vice-Presidents of the Conference were—

Mr. Trujillo Gurria, Government delegate (Mexico);  
Sir John Forbes-Watson, employers' delegate (United Kingdom);  
Mr. G. Andersson, workers' delegate (Sweden).

Prior to the formal sittings of the Conference the respective groups—governmental workers, and employers—met on the 13th October to elect their representatives on the different Conference Committees and the Vice-Presidents mentioned above.

The Conference and Committees of Conference met in the historical University of Paris (Sorbonne). The arrangements for delegates made by the French authorities were the best possible under exceedingly difficult circumstances existing.

Food, warmth, and consumable goods were in exceedingly short supply. Prices of commodities were exceedingly high. The Secretariat and staff of the International Labour Organization are to be commended for the manner in which arrangements were made for the functioning of the Conference. It was remarkable how the arrangements were made in view of the circumstances prevailing. Stationery, equipment, transport, and accommodation were most difficult to obtain, yet in the face of these difficulties, details of which are too numerous to mention, the staff performed miracles of organization and thus enabled the Conference to carry out its functions in an efficient and business-like manner.

Many improvisations calling for care, ingenuity, and foresight assisted in the carrying-out of the work.

The French officials and people were extremely courteous and helpful in all matters. The Parisians were still suffering from the deadening effect of the German occupation, but many signs were prevalent of their resurgence to their normal method of life. The Parisians are justifiably proud of their efforts to dislodge the German occupying Forces on the approach of the Allied Armies in August, 1944. We saw many signs of the sporadic fighting which took place in Paris, and plaques on the corners of numerous historical buildings indicate where sons and daughters of Paris had made the supreme sacrifice in their effort to hasten the retreat of the Germans.

#### COMMITTEES OF CONFERENCE

The standing Committees of Conference were:—

Selection Committee:  
Credentials Committee:  
Committee of Standing Orders:  
Resolutions Committee.

Working Committees on matters to come before Conference (showing New Zealand's representatives on each) were:—

Committee on Employment—

Government: Hon. P. C. Webb (substitute, Mr. R. Perry).  
Workers: R. Stanley (substitute, Mr. P. M. Butler).

Committee on the Protection of Children and Young Workers—

Government: Mr. R. Kemp.  
Workers: Mr. R. Stanley (substitute, Mr. P. M. Butler).

Committee on Dependent Territories—

Government: Mr. H. E. Moston (substitute, Mr. R. Kemp).  
Employers: Mr. Val. Duff.  
Workers: Mr. P. M. Butler (substitute, Mr. R. Stanley).

Committee on Application of Conventions—

Government: Hon. P. C. Webb (substitute, Mr. Moston).

Committee on Constitutional Questions—

Government: Mr. H. E. Moston (substitute, Mr. R. Kemp).  
Workers: Mr. P. M. Butler.

The Chairman of the Governing Body, Mr. Carter Goodrich, opened the Conference. M. Godart, on behalf of the Government of the French Republic, welcomed the delegates. M. Godart said:—

At a time when so many institutions have collapsed and the courage of many has failed, your Organization has taken the course of resistance from the first moment, and has, in spite, of the momentary triumph of force, continued its mission of peace with an invincible faith. You began by what was most urgent—namely, the international protection of labour—and now you are turning to its organization.

In the coming days the peoples of the world will have to shoulder very heavy tasks in order to find their balance again. It is difficult to foresee everything which 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 Organization must find the place to which its past, its vitality, and its promise for the future entitle it.

M. Le Trocquer, the President of the Municipal Council of the City of Paris, welcoming the delegates on behalf of the citizens of Paris, said:—

The City of Paris is proud and happy to welcome the International Labour Conference. Paris is again taking her rightful place—Paris, the city which was so magnificent in resistance and which is the symbol of all liberty—and she is very happy to welcome you as she did a short time ago the World Trade Union Conference.

M. Le Trocquer also paid a tribute to the first Director of the International Labour Organization, the late Albert Thomas.

M. Roussy, Rector of the University of Paris, also extended a welcome to the delegates, and said:—

We have followed your sessions at New York and at Philadelphia, where the 1944 Declaration, which is imbued with so much human spirit, states 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." France, the home of professional and manual workers, has never subscribed to any other principle.

Mr. Carter Goodrich in his opening speech outlined the duties and responsibilities imposed on delegates, and in the course of which he said:—

Our first words must be of appreciation to those who have enabled us to hold our first post-war Conference so fittingly in the very birthplace of our Organization. We come to a liberated Continent, to a France once more proud and free, to a Paris freed by its own efforts, to the halls of a great University dedicated to the freedom of the human spirit. We come to you with profound emotion, knowing the material difficulties which you have surmounted and realizing something of the hardships which your people still bear so well concealed behind the smiling aspect of this beautiful city. We are grateful that you have asked us to share with you this time of the rebirth of freedom.

On the nomination of Mr. Ness Edwards, M.P., Government delegate of the United Kingdom, seconded by Mr. Zellerbach, employers' delegate of the United States of America, M. Alexandre Parodi, Minister of Labour for France, was nominated as President of the Conference. The nomination was supported by Mr. J. Hallsworth, workers' delegate, United Kingdom. M. Parodi was elected unanimously. In the course of his Presidential address, M. Parodi said:—

The working population of the world has come through its trials conscious of the immense effort which it furnished to maintain war production in the countries which were able to remain in the fight until the end. In those which knew the horrors of enemy occupation the working population is conscious of having kept its tradition and of having been at the forefront of the fight for liberty. The Philadelphia Declaration was not therefore simply a restatement of commonplaces, a resolution following after so many others.

M. Parodi also said—

This Conference, which marks the solemn return of the International Labour Organization to Europe, wounded but alive, must, thanks to the free discussion which will characterize it, by the work which will be done in it, and by the Resolutions which will be adopted by it, mark a great step forward towards the establishment of a real peace among peoples.

#### ADMISSION OF MEMBERS

At the fifth sitting, on the 19th October, Iceland became a member of the Organization, and Guatemala and Italy were readmitted members in accordance with the resolution of the Conference.

#### ADMISSION OF EXPERTS

In accordance with Article 18 of the Constitution, Mr. Abraham Goldberg, on the request of the General Federation of Jewish Labour in Palestine, was added to the Committee on Dependent Territories. In accordance with the same Article, Mr. G. Fauquet, on the request from the International Co-operative Alliance in London, was added to the Committee on Employment by resolution of the Conference; under this procedure an expert is entitled to speak at the invitation of the Chairman of the Committee, but not to vote.

#### DIRECTORS REPORT

In accordance with established practice, the report of the Director of the International Labour Organization, Mr. Edward J. Phelan, was printed and previously circulated to delegates. The report consisted of 163 pages of closely printed matter divided into five main chapters. The report again is divided into subheadings dealing with the major problems of the Organization as reflected by the needs of the world's peoples. Some of these headings were War Economy; Transition to Peace Economy; Employment Organization; Holidays with Pay; Family Allowances; Housing; Agriculture; Emigration, &c.

The report is a most comprehensive, thorough document. It contains a survey of the major essential and economic problems of the world, supported by facts gathered painstakingly from all over the earth. The conclusions reached and the aspects disclosed by a masterly analysis of the information collected present to those interested in these important subjects material upon which to base a policy of reconstruction cemented by good will and co-operation.

The report is enhanced in value as all facts and opinions expressed emanate from impartial sources. The sole aim of the report being to act as a signpost to the Legislatures of the world.



In presenting his report the Director, who was also Secretary-General of the Conference, said:—

We cannot hope to secure the objects of economic security and a rising standard of living in a mutilated world—and by a mutilated world I mean a world in which an exhausted Europe cannot play her full part and make her full contribution. We cannot hope to see a prosperous world if a battered and dismayed Europe is allowed to drift on to the rocks of economic disaster. We should, I think, bear in our minds the truth which we acclaimed at Philadelphia, that poverty anywhere is a menace to prosperity everywhere.

Supplies of the Director-General's report should be available in New Zealand now, and I strongly recommend to those interested to peruse the report for themselves. It is, of course, too long to be included in a report of this nature. Dealing with employment organization in the future the report says:—

Only a year or so ago, the tendency in most parts of the world was to plan employment for the future, if at all, in bits and pieces. To-day there is a vast difference. Perhaps for the first time in the history of mankind, comprehensive and co-ordinated national policies are taking shape in countries in widely separated parts of the world.

The report then proceeds to discuss the British white-paper on "Employment Policy," the Canadian policy on "Employment and Income," the Australian white-paper on "Employment Policy," and the provisions in New Zealand for the Organization of National Development and the development in India of a Department on similar lines.

The Director drew attention "that policies in this field will affect the lives of more than 130,000,000 returning service men and women." It also indicated the terrific problem which has arisen in the liberated countries through shortage of transport, fuel, power, and scarcity of materials and supplies of all kinds. In France at the end of February, 1945, 350,000 were unemployed, 1,500,000 on short time, and men who had been imprisoned or deported by the enemy were returning home at the rate of 1,500 a day.

#### INDUSTRIAL RELATIONS

The report drew attention to the change brought about in industrial relationship due to the necessities of war, and said:—

The system of wartime collaboration . . . will doubtless change its nature when conditions return to normal. It is unlikely, however, to disappear, because the difficult problems of reconversion from war economy to peace economy and the introduction of vast schemes of essential reform will call for continued close collaboration between Governments and the organized forces of production and labour.

#### ASSOCIATIONS OF WORKERS

The report pointed out that after the liberation—

The first desire of the European Governments was, naturally, to restore the fundamental trade-union freedoms, to reconstruct the employers' and workers' organizations, and to give these organizations a share in the preliminary reconstruction measures.

After reviewing the policy of various European Governments in this direction, the report quoted from the President of the Provisional Government of France, who, in a speech to the Consultative Assembly, said:—

The French Government insists that the workers should play a part in the management of a national economy not only with their armies, but also with their intellects and their enthusiasms.

The report proceeds:—

The pattern of this vast plan for co-operation between the Government and the employers' and workers' organizations will not become clear until material conditions make the task of essential reconstruction a practical possibility. Already, however, the Government (of France) has taken certain striking measures to assist trade-unions in the control of the economic system, the management of nationalized industries, and the supervision of undertakings.

Reviews of similar policies of worker-employer-Government co-operation from other countries are also given. The report says:—

#### HOLIDAYS WITH PAY

An important section of the report deals with the general tendency to extend to workers annual holidays with pay, and amongst those mentioned as being liberal in this direction are the Argentine Republic, New South Wales, Ontario and Saskatchewan, Costa Rica, Ecuador, Iceland, and New Zealand.

#### FAMILY ALLOWANCES

Reviewing the world position in respect to family allowances, briefly the position is, as disclosed by the report (compiled in August, 1945) that Canada and Great Britain have been added to the list of those countries in which family-allowance schemes are in existence. The Canadian scheme provides a graduated scale for all children up to the age of sixteen years. For each child under the age of six the benefit is \$5 monthly; the benefit increases with the age of the children until it reaches a maximum of \$8 in the thirteen–sixteen year group. It is reduced by \$1 monthly for a fifth child; by \$2 monthly for a sixth and seventh child, and by \$3 monthly for an eighth and each additional child. It is estimated that the scheme will cost \$200,000,000 a year and will affect 1,300,000 families out of a total of 1,500,000 families. The British scheme, which came into operation in June, 1945, makes provision for an allowance for 5s. for each child, commencing with the second child. The scheme in the U.S.S.R. was altered and made to apply to smaller families. The lump-sum grant, which formerly began with the eleventh child, now begins with the third and rises from 400 roubles for the third child to 5,000 roubles for the eleventh and each additional child. The periodical allowance, which in the U.S.S.R. formerly began with the seventh child, now begins with the fourth and rises from 80 roubles a month for the fourth to 300 a month for the eleventh and subsequent children. The allowance in the U.S.S.R. commences from the beginning of the second year from birth and continues until the fifth birthday.

In this section as well as other sections dealing with social progress the provisions made in New Zealand are accorded honourable and praiseworthy mention.

#### HOUSING

The report points out that the housing shortage is acute throughout the world. It says:—

In a great many countries there is an acute shortage of dwellings; and the measures taken to overcome this shortage have an important bearing not only on living conditions, but also on the general level of employment.

Statistics are given of the tremendous housing shortage existing in all countries, particularly those affected by the ravages of war.

#### AGRICULTURE

Dealing with the problem of agriculture, the report says:—

The impact of the war on agriculture has been far-reaching. There has been a dislocation of farming. The decline of acreage in crops and of yield per acre, the shortage of supplies of fuel and fertilizers, the depletion of machinery, the displacement of labour, the reduction of live-stock, and the damage done to the productivity of the soil itself makes the task of restoration one of unprecedented magnitude and complexity.

In seeking increased agricultural production and in calling upon domestic agriculture to help meet deficiencies in certain essential raw materials by the production of substitutes, Government control of the use of land has become almost general.

The problems of Governments in the matter of minimum wages for agricultural workers in relation to agricultural commodity prices is reviewed, as is also the various policies adopted in different countries to meet these and similar agricultural problems.

The above review of the Director's report is painfully inadequate, but it will serve to show the value and comprehensiveness of the matters contained in it and will, I hope, lend weight to my recommendation that copies should be obtained and studied by all those concerned with the problems which it covers.

It is interesting to record that Mr. H. E. Moston, Secretary for Labour and one of New Zealand's Government delegates, was the first delegate to address the Conference in relation to the Director's report. Mr. Moston made a very valuable contribution to the discussion, and in reviewing the emergency legislation referred to in the Director's report he outlined the position as far as it affected New Zealand. Mr. Moston expressed his belief that the solution of matters between opposing forces can generally be reached when the opposing forces agree to come together with honest and sincere intentions to adjust their differences. He said:

It is to the credit of the workers' representatives that they conceded many hard-won privileges to assist the war effort, and it is particularly worthy of note that in every case that was submitted to the Industrial Emergency Council, comprising the three bodies, a unanimous recommendation was made by the Council to the Minister.

It is to be expected that the spirit which prevailed during the dark days of the war will change to some extent with the return to peacetime conditions. However, great problems confront the world during the transition period, and it is here that an endeavour should be made to capitalize on the experience of collaboration during the war period.

Many other contributions were made to the debate on the Director-General's report, and in this respect I had the privilege to address the Conference. In this connection I endeavoured to present the views of New Zealand's workers and people as I interpret them, as the following extract will show:—

As seen by New Zealand, the immediate fundamental necessities can be resolved into two major propositions—namely, (1) abolition of war; and (2) abolition of poverty and social insecurity. There are many diverse problems sandwiched between these two great curses of humanity, but if we tackle the upper and the nether millstone, and tackle them promptly, the lesser problems can be adjusted in good time.

## MESSAGE TO THE UNITED NATIONS CONFERENCE ON FOOD AND AGRICULTURE

The Conference unanimously adopted the following message to be forwarded to the first meeting of the United Nations Conference on Food and Agriculture, which was sitting at the same time as the International Labour Organization Conference. The message is as follows:—

On behalf of the International Labour Conference at its Twenty-seventh Session which has met in Paris I have the honour to ask you to be good enough to transmit to the first Congress of the United Nations Food and Agriculture Organization its sincerest wishes for fullest success of your Organization in accomplishing its vital task and contributing towards social progress and the improvement of living conditions in a larger freedom.

The message was signed by the President. Acknowledgment was received from the Conference and duly conveyed to the International Labour Organization Conference.

At the tenth session of the Conference the Minister for Labour and National Service of the United Kingdom of Great Britain and Northern Ireland, the Hon. Mr. Isaacs, was welcomed to the Conference. In welcoming Mr. Isaacs the President, M. Parodi, said:—

In welcoming Mr. Isaacs, I salute the representative of the country which has the oldest experience of social work and legislation, which was the first to develop trade-unionism, and where it has made its deepest roots. Mr. Isaacs is the embodiment of this experience, since he comes from the working-class and has risen to the post of Minister of Labour after experience in trade-union organization. In the representative of the United Kingdom I salute the country which, in the darkest hours of the history of the

world, stood alone and carried the weight of this most terrible of wars so that liberty might still exist in the world. In saying this I know that I speak for all free countries that are represented here, and I speak in the name of the countries which, like my own, have during four years had experience of what the lack of liberty can mean.

In the course of his remarks the Hon. Mr. Isaacs said:—

As we face the problems of reconstruction in our own country, it is abundantly clear to us, as it must be to every Government, that no country can settle its problems in isolation from other countries. There can be no assurance of peace unless the peoples of all countries are assured against want and misery, and no agreements on political machinery will be effective unless we are successful in raising the standards of life of the common people.

### PROTEST AGAINST THE PRESENCE OF THE ARGENTINE DELEGATION

M. Jouhaux, general secretary of the French Confederation of Labour, on behalf of the workers' group, made an energetic protest against the presence of the delegation from the Argentine Republic. He characterized the country and the delegation as Fascist.

The protest was supported by Mr. J. Hallsworth, workers' delegate from Great Britain, who also characterized the delegation and the Government of Argentine as Fascist.

The matter was referred to the Credentials Committee, which later reported to the Conference. The report of Credentials Committee, *inter alia*, stated:—

It would seem indisputable that the Government which is at present in power in the Argentine Republic is a *de facto* Government which has established a state of siege in the country.

The Government has employed methods which include the suppression of essential civic liberties and rights which are incorporated in the Constitution of the International Labour Organization and in the Philadelphia Declaration concerning the aims and objectives of the Organization. For example, the Government has deprived the trade-unions of their freedom of action and even of their leaders.

Under present conditions, workers' organizations in the Argentine Republic do not enjoy freedom of association, freedom of action or freedom of speech, which are considered essential by the Constitution and Declaration mentioned above. The Credentials Committee unanimously recommended that the workers' delegates from the Argentine, Mr. Juan Rodriguez and Mr. Manuel Pichel, should not be accepted and that they should not be allowed to remain at the Conference.

In addition to the other speakers, the following Governments' delegates supported the findings of the Credentials Committee: Mexico, Peru, Brazil, Portugal. The workers' delegates from Cuba and Italy also supported the Credentials Committee report. In supporting the report, Mr. Lizzadri, the workers' delegate from Italy, said:—

For twenty years we were in the same position as the Argentine Republic is to-day. For twenty years we had no access to the Conferences, but the words of solidarity spoken by the free countries of the world nevertheless reached us. We wish to thank the workers' representatives for the solidarity which they have shown with us throughout the last twenty years. We owe our presence to some extent, to the protests which were made by the workers' group against the Fascist delegation to Conferences during that time. In the name of the free workers of Italy I support the vote to exclude the Argentine delegation from the Conference and wish to thank the workers' delegation for having prevented the Fascist workers from coming to the Conference. I am sure that the free workers of Argentine will some day come here and thank you yourselves for the gesture you have made to-day.

The Credentials Committee report was then put to the vote of the Conference. The President pointed out that in order to carry the propositions a two-thirds majority was necessary. The record of the voting showed that all Government and all employers' and workers' delegates voted for the proposition of excluding the Argentine delegation. The voting was: for the proposition, 119; against the proposition, no votes.

The delegates from the Argentine Republic, in correspondence to the Credentials Committee and also in a statement circulated amongst the other delegates, denied that they were part of the Fascist regime, and claimed that they were genuine workers' representatives with standing in the labour movement of twenty-seven and twenty-five years respectively.

Apart from the discussion on the Directors' report and dealing with a report on the application of conventions, the main business of the Conference was consideration of—

- (1) The maintenance of high levels of employment during the period of industrial rehabilitation and reconversion:
- (2) Welfare of children and young workers:
- (3) Matters arising out of the work of the Constitution Committee:
- (4) Minimum standards of social policy in dependent territories.

### AMENDMENTS TO THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANIZATION

The question of amending the Constitution of the International Labour Organization was one of major importance, as will be appreciated.

As it is generally known, the International Labour Organization was established in 1919 as part of the general organization of the League of Nations.

The constitution of the International Labour Organization formed part (Part XII) of the Treaty of Versailles.

In view of the disbandment of the League of Nations arising from World War II and the establishment of the United Nations Organization, it was necessary for the International Labour Organization to consider what part it should play in the new world comity of nations.

To this end, the Governing Body of the International Labour Organization had established a Committee in order to bring down preliminary recommendations to Conference for the purpose of clarifying the situation.

Consequently, matters affecting the Constitution assumed major proportions, and when the Conference met in Paris it set up a Committee of Delegates to consider the preliminary recommendations of the Working Committee previously established by the Governing Body.

Thirty-four nations had representation on this Committee. New Zealand was represented by Mr. H. E. Moston, C.B.E., as a full delegate, and I had the honour to participate in the proceedings as a substitute delegate on behalf of the workers' group.

The Chairman of the Committee was Sir Samuel Runganadhan, High Commissioner for India in London, and an Indian Government delegate to the Conference.

The Working Committee which had been set up at the Philadelphia Conference in 1944 brought down certain points for discussion, and the Office brought down a report dealing with some of the matters discussed by the Working Committee. All questions discussed and decisions arrived at are of vital importance to the nations member of the International Labour Organization. Altogether the Working Committee examined and reported on eighty points. Some of these have very far-reaching effects and differ in various degrees from the Constitution adopted in 1918. For instance, the question of finance and budgetary arrangements predominated. It was mentioned that

the International Labour Organization should have complete financial autonomy apart from the United Nations, and also that a joint international budget should be established.

On the question of membership of the Organization, points for discussion were—

- (1) That the members of the United Nations should have the right to participate in the International Labour Organization;
- (2) Definite conditions be laid down for admission and expulsion; and
- (3) Provision made for clarifying the position of States withdrawing from the Organization and the continuing in force on Conventions already ratified.

In connection with future representation at Conferences, several matters arose for discussion, including the matter of increased number of workers' delegates, and provision for representatives of "employers" in countries with a socialized economy and those with a "mixed" economy. A point for discussion was that agricultural workers should be given fuller representation and also that some adequate provisions should be made for the participation of the International Co-operative Movement in the work of the International Labour Organization.

In respect to the ratification of the Conventions adopted by various Conferences, there were many suggestions made for improvement of existing procedure. It is well known that many nations ignore, for one reason or another, the ratification of Conventions adopted by the various Conferences of the International Labour Organization. Sir John Forbes Watson (employers' representative from Great Britain) placed before the Conference a statistical summary of the various Conventions adopted by the Conference since 1919 to 1939 and also showed a table of the number ratified by the respective Governments.

There are a total of sixty-seven Conventions adopted by the Conference. The greatest number of ratifications up to 1939 were thirty-four each by Great Britain and Spain. Spain withdrew from the International Labour Organization in 1941.

The standards set in these Conventions are for the most part somewhat below the level existing at the time they were adopted in the most advanced countries, but are substantially in advance of those existing in the more backward countries. For countries in the latter group ratification of the Conventions consequently involves an important step forward. Since time may be required to take this step, the progress of ratification is necessarily gradual. Some Conventions, moreover, concern only a limited group of countries: this is the case with those that deal with the conditions of employment of Native labour. Some cannot at present be ratified by certain Federal States, such as Australia, Canada, Switzerland, and the United States, because the Federal Governments of these countries, which alone have the power to enter into international treaties, lack jurisdiction in the particular fields of labour legislation with which these Conventions deal. In some cases ratification has been delayed by the fact that national legislation differs in method of approach or in technical detail from the provisions of the Convention: this is the case with some of the Conventions which have not yet been ratified by New Zealand. There must, however, be a number of Conventions—in addition to the twenty-three already ratified by New Zealand—which New Zealand could now ratify, either unconditionally or with minor qualifications, on the basis of existing law and practice. In some cases, of course, New Zealand legislation is well in advance of the provisions of Conventions. Ratification in such cases might appear to be a mere formality, but it would be of value

as a token of New Zealand's support of objectives of the International Labour Organization and it would strengthen the International Labour Organization's efforts to secure wider acceptance by less-advanced countries of the standards set in the Conventions.

These and other problems were the subjects of discussion, particularly in view of the fact that it is not always the highly industrialized nations or States which have the most progressive social laws. Indeed, this was one of the points brought up for discussion, especially in regard to representation on the Governing Body, and it was laid down as one of the points from the Working Committee "that the Governing Body should be composed of representatives of States which are most advanced socially, but not necessarily of chief industrial importance."

The entire question of the Constitution—its ramifications and its relationship to the United Nations Charter—raised questions of great complexity. At the time of meeting the Economic and Social Council of the United Nations—the body which will be responsible for negotiating an agreement with the International Labour Organization—had not yet been set up and the views of the United Nations Organization on the subject were subsequently not known.

In the Constitution Committee itself a long and serious discussion of a protracted nature surrounded the proposed amendment to Article 36 of the existing Constitution. Article 36 of the existing Constitution reads:—

Amendments to this part of the present treaty which are adopted by the Conferences by a majority of two-thirds of the votes cast by the delegates present shall take effect when ratified by the States whose representatives composed the Council of the League of Nations, and by three-quarters of the members.

The proposed alteration submitted by the Office of the International Labour Organization was as follows:—

Amendments to this Constitution which are adopted by the Conferences by a majority of two-thirds of the votes cast by the delegates present shall take effect when ratified by two-thirds of the members of the Organization, including two-thirds of the eight members which are represented on the Governing Body as members of chief industrial importance in accordance with the provisions of Article 7 of this Constitution providing that no amendments to Article 19 or 55 shall operate to place a new obligation on any member of the Organization without the consent of that member.

The article in question involved the contentious problem of the veto by the larger and more politically powerful nations, such as those who had constituted the Council of the defunct League of Nations. It was evident that the San Francisco discussion in regard to the veto within the Charter of the United Nations had awakened interest in this matter.

The ensuing discussion was prolonged and keen.

Exception was taken to the existing Article and also to the proposed amendments by many delegates, and I, acting on behalf of New Zealand workers, supported the abolition of the veto.

Both the existing Article 36 and the proposed amendment were consequently modified. The following proposal was brought down to the Conference and adopted:—

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 Organization, including *five* of the eight members which are represented on the Governing Body as members of the chief industrial importance in accordance with provisions of paragraph 3 of Article 7 of this Constitution.

Speaking on this at the Plenary Session of the Conference at which it was adopted, I made the following observations:—

A measure of veto is contained in the Resolution submitted, but, as the report says, "the provision was considerably liberalized after opposing views had been expressed." It was the expressed desire of the Committee to present the document which all could support here for the purpose of making way for the other necessary Resolutions and, without deviating from that intention, I desire to make New Zealand's attitude quite clear.

The text for the amendment of the Constitution of the International Labour Organization submitted and adopted by the Conference was concerned with the several immediate matters in order to enable the International Labour Organization to continue to function as a separate organization pending the final adoption of the Constitution and pending the final clarification of the relationships which will be the outcome of the negotiations between the Governing Body of the International Labour Organization, its Working Committee on Constitutional Questions, and the United Nations Organization.

These articles of amendment contained in the text dealt also with the following points:—

- (1) Making it possible for the International Labour Organization to make budgetary and financial arrangements with the United Nations:
- (2) Making provision for the unfinancial members:
- (3) Providing for amendments to the Constitution as already set out in the Resolution mentioned above:
- (4) The Instrument of Amendment affecting Article 36 will come into force in accordance with the existing provisions of Article 36:
- (5) On the coming into force of the amended Article 36 as set out above, the Director is to notify all members of the International Labour Organization, also the Secretary-General of the United Nations and the States which have signed the Charter of the United Nations.

A resolution of the Conference drew attention to the members of the Organization of the necessity and importance of prompt ratification of the Instrument of Amendment which I have summarized above. The necessary Instrument of Amendment was ratified by the New Zealand Government in May this year.

These preliminary steps are the first to be taken towards the amendment of the Constitution; should the position in the interim be clarified with the United Nations Organization, further steps will probably be taken at the next session of the International Labour Organization Conference in 1946.

In any event further amendments of importance are scheduled for consideration at that Session.

## STANDARD OF SOCIAL POLICY IN DEPENDENT TERRITORIES

Another matter of importance discussed by the Conference was the standard of social conditions in dependent territories.

In view of the global matters arising from the war, it was to be expected that a question of this kind would assume major proportions.

Indeed, at the preceding Conference, held in Philadelphia in 1944, the subject was discussed in a preliminary manner, resulting in certain declarations being adopted by Resolution.

Between the conclusion of the Conference at Philadelphia in 1944 and the opening of the Conference in Paris in 1945 hostilities had ceased, and in the interim the United Nations Charter had been drawn up at San Francisco.

It is worthy to note that the principles laid down at Philadelphia were later incorporated in another form in the United Nations Charter. Subsequently at Paris in November, 1945, these principles were further endorsed and a series of Articles adopted unanimously with the intention of carrying into practice, in particular instances as they applied, the principles adopted at Philadelphia, San Francisco, and Paris.



I respectfully draw attention to the world-wide wave of progressive thought at present existing in respect to the treatment of the peoples of non-self-governing territories.

This wave of progressive thought permeating the councils of the assembled nations is a tribute to the work of those sometime unknown men and women who, in years past, devoted their lives in a self-sacrificing spirit of idealism to ensure that human dignity be respected irrespective of creed, race, or colour. Often pilloried, scorned, ridiculed, and persecuted, the pioneers in this great movement carried out their work unselfishly in the face of apparent irresistible opposition. To-day the ideals of the pioneers are matters seriously considered and applied by the representatives of Empires, States, and nations. This is but another indication that right must inevitably prevail.

The guiding principles laid down at Philadelphia in respect to the peoples of dependent territories and subsequent findings of the United Nations at San Francisco are almost similar in their terms.

Article 1 of the Philadelphia Recommendation reads as follows:—

- (1) All policies designed to apply to dependent territories shall be primarily directed to the well-being and development of the peoples of such territories and to the promotion of the desire on their part for social progress:
- (2) Policies of more general application shall be formulated with due regard to their effect upon the well-being of dependent peoples.

Members of the United Nations which have, or assume, responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of the international peace and security established by the present Charter the well-being of the inhabitants of these territories, and, to this end, to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses.

The International Labour Organization, by several Conferences, have adopted six Conventions applying to the peoples of dependent territories. These are:—

The International Slavery Convention of 25th September, 1926:

The Opium Conventions of 23rd January, 1912, 19th February, 1925, 13th July, 1931, and 26th June, 1936:

The Forced Labour Convention, 1930:

The Recruiting of Indigenous Workers Convention, 1936:

The Contracts of Employment (Indigenous Workers) Convention, 1939:

The Penal Sanctions (Indigenous Workers) Conventions, 1939.

The more important Convention of these is the Forced Labour Convention of 1930.

New Zealand ratified such Convention in March, 1938.

The Philadelphia Conference, and later the Paris Conference, on which I am reporting, in a series of proposed Articles draw attention to these existing Conventions and, in some cases, make further recommendation for ratification where such have not been ratified, or for the withdrawal of limitations or modifications which accompany ratification by various States.

The conclusions of the Paris Conference are to form the basis of a report for the Twenty-ninth Session of the International Labour Conference, to be held at Montreal. It will be one of the main questions on the Agenda. The

findings of the Twenty-ninth Session will be submitted to the respective members of the Organization. The intention is to have a full and complete Convention ratified at the Thirtieth Session in 1947.

The following are some of the conclusions arrived at in Paris regarding the peoples of dependent territories:—

#### IMPROVEMENT OF STANDARDS

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:
- (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.

#### EQUALITY OF WAGES FOR WORK OF EQUAL VALUE

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.

#### INSPECTION

1. Inspectors appointed by the competent authority and provided with credentials shall be authorized 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.

### HOURS AND REST PERIOD

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.

### ANNUAL HOLIDAYS

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.

### SOCIAL SECURITY

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 and their dependants, in so far as such care is not already provided as a free public service.

There are altogether seventy-one Articles, some of which were adopted at Philadelphia and later endorsed at Paris, together with additional recommendations adopted at Paris.

It is not practicable to cover all of the recommendations in this report. The above excerpts will indicate the valuable contribution which the International Labour Organization has made to the welfare of the peoples of dependent territories. It is the central international body collating the best thoughts of the world in this direction. It is the directing authority which, after full and serious analysis of these thoughts, sends them out in turn to the States of the world for practical application.

### PROTECTION OF CHILDREN AND YOUNG WORKERS

On the Agenda was the draft conclusions in respect to the protection of children and young workers.

The Office had prepared a preliminary report to serve as a basis for discussion. A committee consisting of fifty-six delegates, composed of twenty-four Government members, sixteen workers' members, and sixteen employers' members, was elected to consider the report. The voting at the Committee meeting was by a system known as the Ridell-Traut system, by virtue of which each Government member had two votes and each employers' member and workers' member three votes each.

On this Committee the women members of the Conferences were fairly well represented. The Chairman was Mr. Troclet, Belgium Government member. One of the Vice-Chairmen was Miss Hancock, representing the workers' group. Miss Hancock is an officer of the Transport and General Workers' Union of Great Britain and Ireland. The reporters for the Committee were Miss Lenroot and Mrs. Mydral. Miss Lenroot is Chief of the Children's Bureau, United States Department of Labour. Mrs. Mydral is Director of the training college for pre-school teachers, Stockholm. Several other women were members of the Committee, apart from those mentioned.

Although the work of this Committee had no particular bearing on the conditions of young workers in industry in New Zealand, yet the force of child labour on world economy has an indirect bearing on our conditions in New Zealand.

The discussion at the Committee showed a general agreement in favour of the formulating of international regulations concerning medical examination and general fitness for employment. The Committee concerned itself, in the first instance, with two points:—

- (1) Medical examination for fitness for employment; and
- (2) Night-work of children and young persons.

The general agreement that such international regulations were necessary was expressed by the Government members of the United States, Australia, Belgium, Canada, France, the United Kingdom, Luxemburg, the Netherlands, South Africa, Switzerland, and India.

It is pleasing to note that the general agreement was supported by the Indian Government delegation, although reservations were made by the Indian representatives as to the date when a measure of the kind projected could be generally enforced in the vast area of India.

Acting on the recommendations of the Committee, the Conference decided to adopt draft Resolutions mostly dealing with the form, scope, and protective provisions anticipated.

The work of consideration and investigation of all the aspects of this important matter will take a considerable time before conclusions are ready for the preparation and adoption of an international Convention.

It was agreed that the first two matters already mentioned—that is, the medical examination and fitness and the question of night-work—should be brought before the next Conference, to be held in Montreal in September, 1946. In the meantime a questionnaire has been directed to all Government members of the International Labour Organization covering points to be considered at the forthcoming Conference.

As, no doubt, the New Zealand Government has already forwarded its observations and replies to the questions asked, no purpose would be served by outlining in this report the nature of the queries advanced.

## MAINTENANCE OF HIGH LEVELS OF EMPLOYMENT DURING THE PERIOD OF INDUSTRIAL REHABILITATION AND RECONVERSION

A major matter of importance on the Agenda was consideration of the report of the Office on the maintenance of high levels of employment during the period of industrial rehabilitation and reconversion.

The Conference, in accordance with custom, in dealing with the matters of this kind appointed a Committee to examine the report and to bring down a Draft Resolution to the Conference.

The Committee consisted of sixty-four members, thirty-two of whom were Government representatives, sixteen workers' representatives, and sixteen employers' representatives. In addition, there were observers from

UNRRA and the Inter-governmental Committee for Refugees, and by the authority of the Conference a technical expert of the International Co-operative Alliance was added to the Committee without power to vote.

The Chairman of the Committee was Mr. Ness Edwards, Parliamentary Secretary to the Minister of Labour and National Service, Great Britain. The Vice-Chairmen were Mr. C. F. Evelein, Director of Social and Economic Affairs for the Phillips Works, Endhaven, and M. J. Racamond, Secretary of the French General Confederation of Labour. The reporter of the Committee was Mrs. Karin Koek, Professor of Economics, Stockholm.

Mr. D. C. Tait, Chief of the Employment Section of the International Labour Organization, together with Mr. E. J. Riches, a New Zealander, of the International Labour Office, represented the Secretary-General on the Committee.

With the exception of one small point which was later referred to the Conference, the Resolution expressing the findings of this very representative Committee was unanimous. Subsequently the Conference unanimously adopted the findings and the recommendations.

As practically all of the matters considered by the Committee arose from the economic difficulties of a national and international character arising from the World War, they had a distinct bearing on the social and economic position of New Zealand.

The report brought down by the Committee and adopted by the Conference is too lengthy to quote in full, but a perusal of the document itself by those interested will prove to be extremely beneficial in assisting in the solution of problems which affect our national economy.

Indeed, many of the recommendations made have already been adopted by the Government of New Zealand in its policy and programme of the transition from a wartime to peacetime economy.

In presenting the report to the Conference, Mrs. Koek said:—

In some countries the question of relaxing controls and of reducing the burden of taxation will come up very soon; in others it will be a very long time before such measures can be undertaken. One of the most valuable experiences made during the Committee work is that the discussion has brought forward so many different aspects of the problem. The situation differs so much from country to country that it is often very difficult, not to say impossible, to find *one* solution. This is especially true with regard to the relaxation of controls and the reduction of taxation.

It will be seen from the above quotation that the reporter not only epitomizes the problems which affect representatives from many countries, but, indeed, touched upon problems affecting our own country.

Outlining the general consideration as a preamble to the various Resolutions adopted, the Committee went on record as follows:—

It is generally agreed that full employment depends on the maintenance of a high level of expenditure, the main components of which are 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 stabilize total expenditure as far as possible at a level ensuring full employment. In the transition period, however, there is a danger in many countries not that total expenditure will be too low, but that it will 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 have them to countries which need them, especially the devastated countries, and on the other hand to maintaining controls as long as the shortages prevail. The problems of the devastated countries were stressed by many speakers in the general discussion and many of the paragraphs of the Resolution are concerned with those problems.

The above extract, which arises from the unanimous findings of a world Committee, epitomizes the problems with which New Zealand is at present concerned.

## FULL EMPLOYMENT

It will be recalled that a major principle laid down in the Charter of the United Nations at San Francisco was one of full employment. The effect of this Declaration at San Francisco, which was ably supported and maintained by our Prime Minister, the Right Hon. P. Fraser, M.P., P.C., and the effect also of the Declaration of the International Labour Organization at Philadelphia, which was influenced and supported by the Right Hon. Walter Nash, M.P., was seen and felt in the work and recommendations of the Employment Committee of the International Labour Organization in Paris in October, 1945. The following extracts from the recommendations indicate to what extent problems of our nation have a counterpart in all nations of the world, and will also indicate that the policy of the Government of New Zealand in bringing in measures to cope with such problems have actually been endorsed by the very representative Committee of experts from all nations to which I have already referred.

Dealing with the question of the inter-dependence of nations, one of the Resolutions adopted reads as follows:—

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.

The matters are further considered and followed up by definite recommendations to the nations as appropriate to counteract economic upheavals.

The following extract, together with the consequential recommendations, expresses the mind of the Conference thereon:—

(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.

(6) As the various countries emerge from the phase of shortages and potential inflation into more normal 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 the 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.

### MINIMUM WAGES

It is interesting to note that almost simultaneously with the adoption of minimum-wage legislation by the Parliament of New Zealand the Conference adopted the following recommendation:—

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.

Stress is again placed on the necessity of social security in every country in order to ensure prosperity and social security in any country by the following recommendation, which was also adopted:—

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.

Concluding its report and recommendations, the Committee put its recommendations to the nations in a concrete form as follows:—

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.

### NATIONS AS NEIGHBOURS

In moving the adoption of the report Mr. Ness Edwards said:—

Governments cannot pursue with confidence a full employment policy within their own frontiers unless they can be sure that they will not be confronted by insuperable balance of payments difficulties caused, it may be, by the failure of other countries. In short, it amounts to this: we cannot have full employment in any one country whilst there is underemployment in other countries, and the standards we establish in the full-employment countries will be menaced and destroyed if other countries are unable to carry out similar policies. We regard it as of great significance that there must be an attempt internationally to move in unison, to move along the lines of a common policy, because, as I said before, full employment in one country can be destroyed by underemployment in other countries.

We have to recognize that we have all become very near neighbours as the result of economic and scientific developments during this war, and in order that we should have happiness in this world we must behave as neighbours, we must try and see to it that what is done in one country is related to another; and I think we must recognize this as the basic consideration: that happiness and peace in this world will depend upon adequate economic standards in every country in the world. A long time ago it was said that peace is one and indivisible. I also would say, in asking you to accept this Resolution this morning, that we must recognize that prosperity is one and indivisible, and we hope you will accept this Resolution and draw the attention of your Governments to it; and I trust that in the other organizations to be set up under the United Nations Charter we shall have that close co-operation, that happy collaboration, which produced this Resolution from the Employment Committee.

The opinions expressed by Mr. Ness Edwards, which were supported by Government, employers', and workers' representatives from many nations, including the more important nations of the world, will indicate the emphasis given to the need for not only national good will, but for international good will, and it is clear that an understanding has arisen and which is assuming larger proportions every day and flooding the world with a greater impetus

than ever before: that if peace and harmony among all nations is to be preserved, that every nation must allow and legislate for a more equitable share of the national production amongst the people who assist in its production.

In the past, Governments have made efforts to deal with the terrible problem of unemployment after its detrimental effects had been felt on the economic and social structure. The Committee set up by the International Labour Organization in Paris in 1945, and its recommendations, which are unanimously adopted by the Conference, marks another milestone along the road of human progress. It is the first time on record that the nations in any international council have brought down recommendations to cope with the problem of unemployment and its effects before that problem generally arises.

#### PLANNING IN ADVANCE

This aspect of the matter was brought into relief by the remarks of Mr. Carter Goodrich, Professor of Economics of the Columbia University and United States Government adviser of the United States delegation. Mr. Carter Goodrich said:—

The fact that Governments recognize now almost as a matter of course the responsibility to provide conditions under which full employment can exist is a great fact in the history of the world. You do not need to think back many years to realize that. This is not merely an obligation to do something when the menace of unemployment has become a fact. It is not an obligation either merely to carry out relief or emergency measures when the difficulty has already come about. It is an obligation to plan in advance and to take such measures as will prevent the necessity for emergency action.

My remarks on this aspect of the work of the International Labour Organization Conference emphasize that the progressive policy of the New Zealand Government in dealing with the transition period from wartime to a peacetime economy has practically been endorsed by the world Conference. Unknown to the Conference, the Government of New Zealand has already proceeded far along the lines of the recommendations made, and, indeed, in several instances New Zealand has made much more progress than the recommendations adopted.

But the recommendations will assist our country and its people when they are accepted and put into operation by those countries who have not yet been able to adjust their economy in the light of present-day conditions. In this respect the recommendations are not only a tribute to the policy adopted in our own country, but will prove invaluable in assisting other nations to adjust their internal economy with the object of preventing a spread of low wages and unemployment, which, when such occurs, has a detrimental effect on the internal policy of New Zealand.

#### GENERAL OBSERVATIONS AND RECOMMENDATIONS

The activities and usefulness of the International Labour Organization are not restricted to Conferences. The International Labour Organization is a vast and comprehensive live international organization by its very nature above sectional interests, but also by its nature concerned in the social and economic welfare of the people of the world. It is not directly concerned in politics or policies, but no policy or political move escapes its ever-vigilant attention, examination, and analysis. It receives from all nations reports by experts on particular policies and problems, and from this general storehouse of world information it reports impartially in the interests of all. To enable this colossal work to continue, special Committees, investigations, and consultations between all sections and representative of all sections are continuously



being carried on. All deliberations, investigations, results, and reports are made available to all nations and interested parties. All conclusions are reached by open discussion and free debate. It is the only international organization dealing with the economic and social conditions of the world which is devoid of secrecy and suspicion. *It is the only inter-governmental international organization specifically dealing with economic and social conditions. Its deliberations and decisions on these questions have far-reaching effects. It is an internationally legally recognized body having an unlimited scope to legislate for peace and prosperity—and, what is more important, it is the only inter-governmental international organization on which the workers of the world have a direct voice and vote and on which they share in direction and administration.*

At the present stage of international relationships it is possible to increase the usefulness and possibilities of the International Labour Organization. The opportunity is here to coalesce and continue the unity of the sections within the United Nations which was manifested during the war. Such unity was a determining factor in ultimate victory. The principles laid down in the Atlantic Charter, the Philadelphia Declaration, and in the Charter of the United Nations are impossible of fulfilment without co-operation between nations, and also consultation and agreement on broad economic and social problems within the respective nations themselves. It was by the adoption of this policy that war was won, and peace is more important than war.

On the other hand, it is possible to restrict, retard, and confine the operations of the International Labour Organization. Should such a policy succeed, the workers of the world will lose their only possible inter-governmental international organization on which they have direct representation. The world will also lose an important instrument for peace, prosperity, and free discussion. It is unlikely that the International Labour Organization will be rendered nugatory, because, at Paris, the assembled representatives from fifty-one nations determined to carry on, either inside or outside the framework of the United Nations Organization. However, it is abundantly clear that the International Labour Organization could function more efficiently within the framework of the United Nations Organization. Any attempt to keep the International Labour Organization apart from the United Nations Organization should be carefully examined. Any such attempt would be an unfriendly gesture to the workers of the world and a danger to peace.

#### STANDING INDUSTRIAL COMMITTEES

An important and significant extension of the work of the International Labour Organization was the decision of the Governing Body, made in London in January, 1945, to set up special Committees to investigate, report on, and deal with conditions in a number of major industries. Prior to setting up these Committees, the work of investigation, &c., fell on the Conferences, which made progress and results necessarily slow. The machinery of a vast Conference does not allow for detailed examination on many matters; thus the decision to set up the special bodies, who meet between Conferences and carry on investigations throughout the year. The value of such work is self-evident. The Committees thus set up are: (1) *Building, Civil Engineering, and Public Works*; (2) *Coal-mining*; (3) *Inland Transport*; (4) *Iron and Steel Production*; (5) *Metal Trades*; (6) *Petroleum*; (7) *Textiles*.

Governments are responsible for the appointment of representatives on these Committees, which consist of Government, worker, and management representatives. Provision is made that bipartite subcommittees of worker

and management representatives can be set up to work out proposals for agreements. Management and worker representatives are to be selected from the industries concerned.

Australia is represented on six of the above-mentioned Committees; New Zealand is not represented on any.

Representation is acquired by application to the Governing Body, and, indeed, Mr. Moston in his speech at the Conference made a request for representation, but whether this has been followed up by official correspondence I cannot say; but New Zealand is vitally interested in the matters coming within the scope of several of these Committees.

"Inland Transport," for instance, includes railways, docks, road, and civil aviation. "Textiles" include wool and rayon; whilst "Building, Civil Engineering, and Public Works," as well as "Coal-mining," deal with subjects which are important factors in our economy.

Another important Standing Committee of the International Labour Organization is the International Development Works Committee. This Committee was formed arising from the Public Works (International Co-operation) Recommendation, 1937. Its main function is to measure and determine the effect of public works on national and international economy. Interchange of ideas on materials, methods, and adoption of public works either for natural development or as "economic cushions" are the main functions of the Committee. Long-range and also immediate planning, fitting into international and national plans and requirements, in a rational and organized manner are also included in its functions.

## RECOMMENDATIONS

In submitting this report to you I respectfully make the following recommendations:—

### (1) CONVENTIONS

The New Zealand Government should take the earliest opportunity to consider ratification of all those Conventions of the International Labour Organization which are covered by existing legislation. It is desirable to consider the ratification of any other Conventions which may set higher standards than those that at present apply in New Zealand.

### (2) WORKERS' ADVISERS

It is exceedingly difficult to adequately attend to the duties imposed on a delegate without the assistance of an adviser. There are so many details to be picked up and Committee work to attend that it imposes a terrific strain on the delegate who has no adviser. The lack of an adviser also reduces the effectiveness of a delegate. On this occasion I had the assistance of Mr. R. Stanley, and I valued that assistance greatly. I can scarcely imagine how previous delegates were able to maintain contact with all business without the help of an adviser. Many nations send a full team of advisers together with clerical and legal staff, but the cost of such adequate assistance to New Zealand delegates would be prohibitive; but there is scarcely any reason why future delegates should not continue to have the assistance of at least one adviser. I respectfully urge that favourable consideration be accorded this recommendation.

## (3) INDUSTRIAL COMMITTEES

I recommend that the Government investigate the possibilities of these standing Committees, and that representatives of the industries concerned be asked to submit their views on the question of New Zealand's representation on such of them whose jurisdiction affects problems of our economy.

## ACKNOWLEDGMENTS

In concluding this report I desire to thank the workers' organizations who selected me to represent them at the International Labour Organization. I also desire to acknowledge the assistance rendered to me by yourself as Acting Minister of Labour and staff of the Department of Labour; the officers and staff in charge of the various State Departments who supplied me with information and advice; the advice and assistance received from the New Zealand Minister at Washington (Sir C. Berendsen), the High Commissioner for New Zealand at Ottawa (Hon. D. Wilson), the Acting High Commissioner for New Zealand at London (Dr. R. H. Campbell), and to the staffs of the above-mentioned representatives.

I also desire to record my acknowledgments to the staff of the British Embassy at Paris, and in particular to Mr. R. J. Davies, the Labour Attache.

My thanks are also due to the Director of the International Labour Organization (Mr. Phelan) and his officers and staff for unflinching courtesy and assistance at all times.

To the other members of the New Zealand delegation I desire to express my thanks for their co-operation, advice, and help.

I also desire to record my appreciation of the services of the workers' adviser (Mr. R. Stanley) who co-operated with me on all occasions and due to whose help I was enabled to carry out my duties.

Yours truly,  
P. M. BUTLER.

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