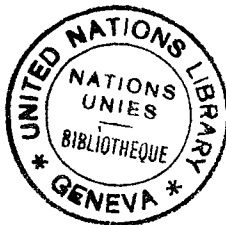


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Reports on economic, social and cultural rights, for the period
1 July 1969-30 June 1973, received from specialized agencies
under Economic and Social Council resolution 1074 C (XXXIX)

INTERNATIONAL LABOUR ORGANISATION

/24 May 1974/

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INTRODUCTION

1. This report, prepared in accordance with Economic and Social Council resolution 1074 C (XXXIX), reviews developments in the field of economic, social and cultural rights falling within the competence of the International Labour Organisation during the period 1 July 1969 to 30 June 1973. It is the sixth such report to be submitted by the ILO.¹

2. As far as possible, the report has been prepared in accordance with the outline of headings drawn up by the Secretary-General of the United Nations in accordance with resolution 16 B (XXIII) of the Commission on Human Rights, paragraph 4. Since those headings were designed primarily for government reports, some minor adaptations have been necessary.

3. The main body of the report contains, under each heading, a brief account of any significant ILO activities in the field in question and a reference to important developments at the national level. Major developments which took place before 1 July 1969 but came to the attention of the ILO too late to be mentioned in its last report have been included.

4. The sources of information used in this report include the reports presented by governments under various constitutional procedures, official publications in individual countries, studies and research

¹ For the previous reports, see documents E/CN.4/758/Add.1, E/CN.4/811/Add.1, E/CN.4/861/Add.1, E/CN.4/918/Add.1 and E/CN.4/1012.

undertaken by the ILO, and information available as a result of technical co-operation activities. More particularly, the documentation used consists of the following material: reports of governments under article 22 (reports on ratified Conventions) and article 19 (reports on unratified Conventions and on Recommendations) of the ILO Constitution¹; Official Gazettes and other government publications; the Legislative Series of the ILO²; other material available to the ILO through its research and technical co-operation activities in so far as it has been published.³

¹ References to the information in these reports are made to the following published sources, the footnote references to which are as indicated:

Summary of Reports on Ratified Conventions	<u>SAR</u>
Summary of Reports on Unratified Conventions and on Recommendations	<u>SRUC</u>
Report of the Committee of Experts on the Application of Conventions and Recommendations	<u>RCE</u>

In the footnote references (e.g. 51 RCE, 29) the number preceding the initials indicates the session of the Conference to which the report was submitted and the number following the initials is the page number.

² Referred to in footnotes as LS.

³ Publications of the ILO used in the preparation of the report include in particular: the International Labour Review; Annual Reports of the Director-General of the ILO to the International Labour Conference on the Activities of the ILO.

5. The Appendix contains a list of the relevant ILO Conventions, prepared under the headings used for the report, with an indication of the number of ratifications during the period under review and of the total ratifications as at 30 June 1973.¹

I. CONCISE INTRODUCTORY DESCRIPTION OF
GENERAL DEVELOPMENTS IN THE FIELD OF
ECONOMIC AND SOCIAL RIGHTS

A. ILO Activities

1. The Adoption of New Standards

6. On 30 June 1969, the International Labour Organisation had adopted 130 Conventions and 134 Recommendations. Since then, eight new Conventions and twelve new Recommendations have been adopted.

7. At its 54th Session (June 1970) the Conference adopted the Minimum Wage Fixing Convention, 1970 (No. 131) and Recommendation, 1970 (No. 135), the Holidays with Pay Convention (Revised), 1970 (No. 132) and the Special Youth Schemes Recommendation, 1970 (No. 136). At the 55th (maritime) session of the Conference, held in October 1970, eight instruments were adopted relating to work at sea: Vocational Training (Seafarers) Recommendation, 1970 (No. 137), Seafarers' Welfare Recommendation, 1970 (No. 138), Employment of Seafarers (Technical Developments) Recommendation, 1970 (No. 139), Accommodation of Crews (Supplementary

¹ The ratification position of individual States and the state of ratification of each Convention can be seen from the Chart of Ratifications of International Labour Conventions. The two most recent editions give the position at 1 June 1973 and 1 January 1974 respectively.

Provisions) Convention, 1970 (No. 133), Crew Accommodation (Air Conditioning) Recommendation, 1970 (No. 140), Crew Accommodation (Noise Control) Recommendation, 1970 (No. 141), Prevention of Accidents (Seafarers) Convention, 1970 (No. 134) and Recommendation 1970 (No. 142).

8. At its 56th Session (June 1971) the Conference adopted the Workers' Representatives Convention, 1971 (No. 135) and Recommendation 1971 (No. 143), Benzene Convention, 1971 (No. 136) and Recommendation 1971 (No. 144), and in 1973 the 58th Session of the Conference adopted the Dock Work Convention, 1973 (No. 137) and Recommendation 1973 (No. 145), and the Minimum Age Convention, 1973 (No. 138) and Recommendation 1973 (No. 146).

2. Supervision of the Application of Standards

9. The regular procedures for supervising the application of Conventions and Recommendations have been previously described in reports to the UN¹, and only particular developments will be referred to here.

(a) Development of Direct Contacts

10. As indicated in the last report of this kind, a new procedure of direct contacts between a representative of the Director-General of the ILO and the competent government services, with a view to examining difficulties experienced by a government in giving effect to ratified Conventions, was introduced in 1969. These contacts normally involve.

¹ See E/4144, A6699/Add.1, E/CN.4/918/Add.1. In its report of 1971, the Committee of Experts on the Application of Conventions and Recommendations set out a description of its working methods and procedures. See 56 RCE, 5-8.

a visit to the country concerned by the representative of the Director-General to discuss the matter with government representatives, and also include contacts with employers' and workers' organisations.

11. At its meeting in March 1973, the Committee of Experts reviewed the development of the procedure and the results achieved.¹

Twelve countries had at that date had recourse to direct contacts, namely Argentina, Colombia, Costa Rica, Dominican Republic, Guatemala, Liberia, Mauritania, Peru, Portugal, Uruguay, Venezuela and Yugoslavia. Of these countries, Argentina again made use of the direct contact procedure in April 1973. In all sixty-six cases were discussed.

¹ 58 RCE, 12-17. A restatement of the principles followed in cases of direct contacts will be found on pp. 16-17.

12. In 47 of these cases the result of the direct contacts was the adoption of measures giving effect to the Conventions in question to the satisfaction of the Committee of Experts.¹ In other cases draft legislation has been prepared and is being considered by the national authorities. In yet other cases, clarification of the factual situation has been obtained. Particulars of the results achieved will be given under the appropriate headings of Section III of this report.

(b) General Surveys of the Application of International Labour Standards

13. In accordance with established practice, the Committee of Experts undertook each year a general survey of national law and practice on a particular subject throughout the world, on the basis of reports which governments were invited to submit on the relevant Conventions (whether ratified or not) and Recommendations. In 1970, this survey related to the health, welfare and housing of workers.² In 1971, as a contribution to the United Nations' International Year for Action to Combat Racism and Racial Discrimination, the general survey concerned discrimination in employment and occupation.³ In 1972 the subject chosen within the framework of the World Employment Programme - the ILO's contribution to

¹ Ibid, 15 and 59 RCE, 12.

² 54 RCE, Part Three.

³ 56 RCE, Part Three (Volume B).

the Second Development Decade - was employment policy¹, while in 1973, to mark the 25th anniversary of the adoption of the Universal Declaration of Human Rights, the survey related to freedom of association and collective bargaining.²

(c) Special Procedures

14. The ILO Constitution provides for certain special procedures, namely complaints and representations, relating to the application of ratified Conventions. Both these procedures were called into play during the period under review.

15. Reference was made in the previous report to a complaint against Greece under article 26 of the ILO Constitution concerning alleged violations of the freedom of association Conventions. In 1971, the Commission of Inquiry established by the Governing Body issued its report setting out its findings and recommendations. The implementation of these recommendations is being followed up under the regular supervisory procedures by the Committee of Experts and the Conference Committee on the Application of Conventions and Recommendations.

16. A representation in accordance with article 24 of the ILO Constitution was made in 1970 by the General Confederation of Italian Agriculture against the Government of Italy, alleging that the provisions of the Employment Service Convention, 1948 (No. 88) requiring equal representation of employers and workers on employment service advisory committees were not respected. This representation was referred to a tripartite committee of the Governing Body, which issued its report in 1971.³

¹ 57 RCE, Part Three (Volume B).

² 58 RCE, Part Three (Volume B).

³ ILO Official Bulletin, Vol. LV (1972), Nos. 2, 3 and 4, p. 125.

(d) New Procedures for the Elimination of Discrimination

17. In November 1972 the Governing Body decided that the ILO's programme of practical action for the elimination of discrimination in employment and occupation should be expanded by the carrying out of special surveys to assist in evaluating the facts and seeking solutions in specific national situations. Such studies can be made, with the consent of the government concerned, following a request by a member State or by an employers' or workers' organisation on specific questions of concern to them.

3. Regional Reviews of International Labour Standards

18. In 1970, the ILO initiated a system of reviewing the problems encountered in the ratification and application of Conventions at the regional level, within the framework of its periodic regional conferences and meetings of the regional advisory committees. The Conventions selected for regional review are chosen in the light of their relevance to the needs and situation in the regions concerned, and of the prospects of securing favourable action.

19. Such reviews have taken place in the African¹, American² and Asian³ regions, and led to the adoption by the Seventh Asian Regional

¹ ILO, Fourth African Regional Conference (Nairobi, 1973), Report 1 (Part 2): The Ratification and Implementation of International Labour Conventions in Africa.

² ILO, Inter-American Advisory Committee, Third Session (San José, 1972): Review and Evaluation of the ILO's Activities in the Americas, Part III: International Labour Standards (AM.A.C./III/1/2).

³ ILO, Seventh Asian Regional Conference (Teheran, 1971), Report 1 (Part 2): Ratification and Implementation of Selected International Labour Conventions in Asian Countries.

Conference of a series of conclusions¹ underlining the importance of continuing action to ensure the implementation as well as ratification of ILO Conventions and by the Fourth African Regional Conference of a resolution² concerning the ratification and implementation of international labour standards in Africa, in which it set out certain measures which might be taken by governments and by the International Labour Office to further the ratification and application of Conventions in the countries of Africa.

4. The World Employment Programme

20. A major element in ILO activities during the period under review has been the World Employment Programme, which had just been launched at the time of the last report, and which is aimed at encouraging and assisting States to adopt and implement policies which will make the right to work a reality for their peoples. Action under this Programme has included the sending of major inter-agency employment strategy missions to six countries and smaller exploratory missions to seven countries, the establishment of regional teams in Africa, Asia and Latin America and the Caribbean and the undertaking of a large-scale research programme into problems and methods of employment promotion.³

¹ ILO, Record of the Seventh Asian Regional Conference (GB.185/3/3, pp. 30-31).

² ILO, Record of the Fourth African Regional Conference (GB.192/4/10, pp. 28-29).

³ For a fuller description, see under Part III A.1. below.

21. ILO technical co-operation activities have also increasingly been oriented to employment-related projects. Thus human resources development has remained the largest single component of technical co-operation projects, while there has been a steady growth in employment planning and promotion projects. Technical co-operation projects in other fields, such as occupational safety and health, social security, labour law and labour relations and workers' education have nonetheless continued to play an important part in the overall programme.

5. Collaboration with other International Organisations

22. Collaboration with the specialised agencies has been intensified in recent years, with a view to better co-ordination and greater effectiveness, as well as to harmonisation of the activities of the different international organisations for the recognition and more effective application of human rights. Thus, copies of article 22 reports on the Indigenous and Tribal Populations Convention, 1957 (No. 107), were sent to the United Nations for its comments. The same reports were simultaneously communicated to the Food and Agriculture Organisation of the United Nations (FAO), to the United Nations Educational, Scientific and Cultural Organisation (UNESCO), as well as to the World Health Organisation (WHO), which was represented at the sessions of the Committee of Experts on the Application of Conventions and Recommendations which were devoted to the examination of this instrument. Copies of the reports on the Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117) were sent to the United Nations, FAO and UNESCO. Comments on these Conventions were received from FAO, UNESCO and WHO, and due account was taken of them by the Committee of Experts when examining the situation in the countries concerned.

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23. In 1971 and 1973, a representative of UNESCO participated in the meetings of the Committee during its examination of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). As regards the relation between the application of Convention No. 111 and the Convention on the Elimination of All Forms of Racial Discrimination, 1965, the Secretary-General of the United Nations communicated to the Director-General of the ILO the documents of the Committee on the Elimination of Racial Discrimination and the minutes of its public sessions, and requested him to communicate them to the Committee of Experts, which took note of them at its session in March 1974. Furthermore, the International Labour Office is associated in a consultative capacity with the supervision of the application of the European Social Charter, which has been ratified by nine States of that region; while the Committee of Experts of the ILO is one of the supervisory bodies for the application of the European Code of Social Security and its Protocol. The procedures which have been instituted for the co-operation in the supervision of these two instruments were described in the previous report.¹

B. Progress in Social Legislation at the National Level

24. During the period under review, significant progress has been noted in the adoption of new legal texts which afford increased protection to workers' rights. Without giving an exhaustive listing, mention should be made of the adoption by many countries either of new Labour Codes or of legislation of a general character which touches on economic and social rights:

¹ Doc. E/CN.4/10.2, paras. 17-19.

- BELGIUM: Labour Act of 16 March 1971¹
- BYELORUSSIAN SSR: Labour Code, dated 1 October 1972
- ECUADOR: Labour Code, Consolidation prepared by the Law Commission, in force from 7 June 1971²
- EL SALVADOR: Labour Code, Legislative Decree No. 15 of 23 June 1972³
- FRANCE: Act No. 73-4 of 2 January 1973 respecting the Labour Code⁴
- GHANA: Labour Regulations, Legislative Instrument 632, dated 15 September 1969⁵
- IRAQ: Labour Code, Law No. 151 of 16 July 1970⁶
- JORDAN: Labour Act, 1972: Act No. 25 of 1972⁷
- KHMER REPUBLIC: Labour Code, dated 14 January 1972⁸
- LAOS: Labour Code, Law No. 71-11 of 10 September 1971⁹
- LIBYAN ARAB REPUBLIC: Labour Code, Act No. 58-2970 of 1 May 1970¹⁰
- MEXICO: Federal Labour Act of 2 December 1969¹¹

¹ LS 1971 - Bel.2.

² LS 1971 - Ec.1.

³ Diario oficial, No. 142, 31 July 1972.

⁴ Journal officiel, No. 2, 3 January 1973.

⁵ LS 1969 - Ghana 1C.

⁶ LS 1970 - Iraq 1.

⁷ Official Gazette, No. 2357, 6 May 1972.

⁸ Journal officiel, 14 January 1972, special issue.

⁹ LS 1971 - Laos 1.

¹⁰ LS 1970 - Libya 1.

¹¹ LS 1969 - Mex.1.

- PANAMA: Labour Code, approved by Ministerial Decree No. 252 of 30 December 1971¹
- ROMANIA: Labour Code, Act No. 10 of 23 November 1972²
- SAUDI ARABIA: Labour Code, Royal Decree No. 21 of 15 November 1969³
- SOMALIA: Labour Code, Act No. 65 of 18 October 1972⁴
- THAILAND: Announcement of the Ministry of the Interior respecting labour protection, dated 16 April 1972 (B.E. 2515)⁵
- TURKEY: Labour Act, No. 1475 of 25 August 1971⁶
- UKRAINIAN SSR: Labour Code, dated 10 December 1971⁷
- USSR: Act No. 2-VIII of 15 July 1970 of the Supreme Soviet, to approve fundamental principles governing the Labour Legislation of the USSR and of the Union Republics⁸
- Russian SFSR: Act of 9 December 1971 to approved the Labour Code of the RSFSR⁹
- YUGOSLAVIA: Act of 13 April 1973 respecting the relationships between workers engaged in collective work¹⁰

¹ LS 1971 - Pan.1.

² LS 1972 - Rom.1.

³ LS 1969 - Sa. Ar. 1.

⁴ LS 1972 - Som.1.

⁵ LS 1972 - Thai.2.

⁶ Resmî Gazete, 1 September 1971.

⁷ Vedomosti Verkhovnogo Soveta Ukrainskoï SSR, 1971, No. 50, Text No.375

⁸ LS 1970 - USSR 1.

⁹ LS 1971 - USSR 1.

¹⁰ Sluzbeni List, 19 April 1973, No. 22, Text 310.

II. INFLUENCE OF ILO INSTRUMENTS

25. There are many ways in which the discussion, adoption and ratification of ILO instruments may influence national policies and actions. Thus, the procedure laid down in the ILO Constitution for bringing newly-adopted Conventions and Recommendations to the attention of the national authorities competent to take action to implement them, and for reporting on measures taken in relation to them¹, is designed to lead to the consideration by the executive and the legislature of the adoption of implementing measures. Further, ratifications of ILO Conventions are frequently accompanied by amending legislation or changes in practice to ensure conformity with the Convention in question, and in any event embody undertakings for the future. During the period under review, a total of 464 new ratifications of ILO Conventions was registered, bringing the total number of ratifications at 30 June 1973 to 3,955. The Appendix shows for the various ILO Conventions relevant to the economic and social rights covered by this report the number of ratifications registered during the period under review and the total number of ratifications as at 30 June 1973.

26. Cases of progress in the application of ratified Conventions are regularly noted by ILO supervisory bodies. Each year, the Committee of Experts on the Application of Conventions and Recommendations draws attention to cases in which changes have been made in national law and practice as a result of earlier comments by the Committee. In the four years 1970, 1971, 1972 and 1973 the Committee noted a total of 304

¹ For a detailed description of these procedures see E/4144.

instances in which measures of this kind had been taken. They concerned 101 countries (82 States and 19 non-metropolitan territories).¹

27. In 1972, the Committee of Experts made an analysis of the 680 cases of progress it had noted in the period 1964-1972. The Committee found that these cases had occurred in the following subject-areas - basic human rights: 14 per cent; labour administration: 7 per cent; employment policy and human resources development: 2 per cent; general conditions of employment: 16 per cent; employment of children and young persons: 12 per cent; employment of women: 7 per cent; industrial safety, health and welfare: 5 per cent; social security: 20 per cent; migration: 1 per cent; seafarers: 10 per cent; indigenous and tribal populations: 4 per cent; social policy (general standards): 2 per cent. Analysis on a country-by-country basis (involving a total of 131 countries) showed that, of the 680 odd cases included, 28 per cent come from the African continent, 26 per cent from the Americas, 16 per cent from Asia and Oceania and the remaining 30 per cent from Europe.

28. The Committee observed that "the examples of progress to which it is able to point from year to year represent only a limited proportion of the cases where international labour standards and the procedures to promote their implementation are liable, in various ways, to exert a positive influence" and that "there are many, less visible, cases where legislative and other measures are taken as a result of a government's decision to ratify; where measures are taken in relation with the submission of instruments to the competent authority even if the instrument is not ratified; or where steps taken with a view to giving effect to the minimum standards of a ratified Convention act as a catalyst for further measures going beyond the requirements of the Convention."²

¹ 54 RCE, 13; 56 RCE, 18-19; 57 RCE, 31; 58 RCE, 28.

² 57 RCE, 32.

29. A perusal of legislation adopted during the period under review reveals the extent to which the provisions of international labour standards have in fact influenced national legislation. This is the case, for example, in relation to such fields as discrimination in employment and occupation¹, the abolition of forced labour², termination of employment³, equal remuneration⁴, social security⁵, and the protection of women workers⁶ and of children and young persons.⁷

30. Where new measures are drawn up with ILO technical co-operation, the relevant international standards are naturally taken into account, often providing guidelines for the enactment of new legislation. Cases in which ILO technical co-operation was provided are noted in the appropriate sections of Part III.

¹ See Part IV below.

² See Part III A 2 below.

³ See Part III A 4 below.

⁴ See Part III A 6 below.

⁵ See Part III B below.

⁶ See Part III E 2 below.

⁷ See Part III E 3 below.

III. SIGNIFICANT DEVELOPMENTS WITH REGARD TO THE
RECOGNITION, PROTECTION AND REALISATION OF
ECONOMIC, SOCIAL AND CULTURAL RIGHTS

A. The Right to Work, the Right to Just and
Favourable Conditions of Work and Freedom
of Association

1. Promotion of the Right to Work

a) ILO Activities

31. The right to work has been a matter of major concern to the ILO throughout the period under review. The launching in June 1969 of the World Employment Programme, referred to in the ILO's report of 1969, has resulted in a variety of activities to assist governments in formulating and implementing employment policies designed to overcome their problems of unemployment and underemployment and ensure that there shall be work for all those members of the population who wish to work.

32. In the first place the ILO has organised, in co-operation with other international organisations, a number of comprehensive employment strategy missions to selected countries with the object of working out a programme of action for the formulation and implementation of a comprehensive national employment policy as an integral part of over-all economic policy. The object of these missions is not only to draw up concrete recommendations for action within the particular national context but also to provide an in-depth analysis of problems and needs equally facing a host of other developing countries, which may thus also be able to benefit from the results of these missions and the experience gained through them.

33. The first such mission, to Colombia, took place in 1970, the members being made available by FAO, WHO, UN, UNCTAD, UNESCO, UNIDO, the International Bank for Reconstruction and Development (IBRD), the Inter-American Development Bank and the

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Organisation of American States as well as the ILO. Its report, "Towards Full Employment: a programme for Colombia"¹, was submitted for study by the Government to a committee in which all sectors of the economy were represented and was also considered by a meeting of representatives of international agencies to advise on what technical assistance was needed to implement its recommendations.

34. The second mission visited Sri Lanka in 1971. The recommendations made in its report, "Matching Employment Opportunities and Expectations: a programme of action for Ceylon"², were studied at a meeting attended by senior Government officials and members of the mission in July 1972, and led to the first steps to implement some of the mission's recommendations.

35. In Africa, a similar inter-agency mission to Kenya was organised in 1972. Its report, "Employment Incomes and Equality: a strategy for increasing productive employment in Kenya"³, attracted widespread interest in a number of African countries. A special high level committee was appointed by the Government to examine the report, and its conclusions formed the basis of a Sessional Paper on Employment in which the Government laid before Parliament its proposals for action to implement the recommendations made in the report and set out the policy framework for the formulation of the development plan for 1974-78. The Sessional Paper is also being used to explore the ways in which

¹ ILO, Geneva, 1970.

² ILO, Geneva, 1971.

³ ILO, Geneva, 1972.

international technical assistance might be given to Kenya to assist in implementing the Government's employment policies.

36. The report of the employment strategy mission to Iran, "Employment and Income Policies for Iran"¹, was presented to the Government in June 1972 and its recommendations were taken into account by the Government in preparing the Development Plan 1973-1977.

37. Inter-agency missions of this kind took place to the Dominican Republic and the Philippines in 1973 and their reports were expected to be published during 1974. In addition, smaller exploratory missions have visited a number of African countries: Burundi, Ethiopia, Liberia, Madagascar, Morocco, Sudan, Zaire. These are designed to make a preliminary assessment of the country's employment situation and prospects with a view to identifying the major lines for re-orienting development efforts towards employment promotion and working out future technical co-operation needs in the field of employment policy.

38. A second form of action has been undertaken through the regional teams established for Asia and for Latin America and the Caribbean. The Asian Regional Team for Employment Promotion has given advice and assistance on various aspects of employment policy to India, Indonesia, Laos, Malaysia, Singapore and Thailand. In America, under the Regional Employment Programme for Latin America and the Caribbean, the Team has worked in Bolivia, Chile, Costa Rica, Ecuador, Jamaica, Nicaragua, Panama, Paraguay and Peru.

¹
ILO, Geneva, 1973.

39. To cover the African region, two small teams were established in 1973, one to cover East Africa and the other for West Africa.

40. Parallel with action of the two varieties described above to help individual countries, a programme of research¹ has been developed in order to identify and clarify problems in the field of employment promotion and study and assess possible policies for dealing with them. This programme is being undertaken with the collaboration of outside consultants and research institutes and individual research scholars in countries all over the world. The main fields of research being covered hitherto are the relations between employment and technology, income distribution, population, education, urbanisation, and trade expansion respectively, and emergency employment schemes. The aim is to make available to governments a growing body of knowledge which will assist them in introducing appropriate policies in the various fields covered.

41. One aspect of the World Employment Programme has been the expansion of technical co-operation activities related to employment. A number of integrated employment and manpower planning projects have been undertaken during the period under review, with small teams of experts working in related disciplines. Algeria, Brazil, Libyan Arab Republic, Malawi, Malaysia, Pakistan, Peru and Tunisia have received assistance of this kind. In addition, individual manpower planning experts have been provided to Burundi, Ghana, India, Indonesia, Khmer Republic, Mexico, Sierra Leone, Singapore, Somali Republic, Togo, Viet-Nam and Zambia. Rural employment promotion projects have been undertaken in Chad, Congo, Ecuador,

¹ See "World Employment Programme: A Progress Report on its Research-Oriented Activities" (ILO, Geneva, 1973).

Iran, Jamaica, Netherlands Antilles, Nigeria, Rwanda, Syrian Arab Republic, Tanzania, Thailand and Venezuela. In addition, numerous projects have covered specialised aspects of employment policy such as the employment service (Iran, Iraq, Philippines, Sierra Leone, Zaire), youth employment (Jamaica, Sudan) and the development of small-scale industries and handicrafts (Chile, Dahomey, Gabon, Morocco, Swaziland, Thailand).

42. The discussion of the World Employment Programme by the International Labour Conference in 1971¹ provided an opportunity to take stock of the progress achieved and to adjust future policies in the light of the experience gained, and resulted in the adoption of a series of conclusions on the policies to be followed by developing and industrialised countries and the role of employers' and workers' organisations, the international community and the ILO.²

43. The following year, the Committee of Experts on the Application of Conventions and Recommendations presented to the Conference a general survey³ based on reports from governments, both ratifying and non-ratifying, on the Employment Policy Convention and Recommendation, 1964 (No. 122), in which it examined the various elements of an active employment policy and considered certain difficulties faced by governments in adopting and implementing such a policy.

¹ International Labour Conference, 56th Session (Geneva, 1971), Report IV, "The World Employment Programme" and Record of Proceedings, pp. 645-762.

² Ibid., p. 658.

³ International Labour Conference, 57th Session (Geneva, 1972), Report III (Part 4 B).

b) Developments at the national level

44. Measures to promote full employment are inevitably such that their effects can be seen only over the long term. It is thus difficult to point at this stage to concrete results in the various countries which have ratified the Employment Policy Convention, 1964, and supplied reports on the measures taken to apply it, or in the countries which have received advice and assistance under the World Employment Programme. Progress in implementing an active employment policy will only become visible gradually, and in many cases the appropriateness of the measures taken can only be judged by their results.

45. For this reason, no attempt will be made to describe or evaluate the employment policies of individual countries. Reference may however be made to certain procedural innovations introduced to improve the machinery for employment and manpower planning.

46. In the Federal Republic of Germany, the Employment Promotion Act of 25 June 1969¹ introduces measures to ensure "that a high level of employment is achieved and maintained", and establishes the Federal Employment Institution as an autonomous public authority responsible for vocational guidance placement, the promotion of vocational training, the vocational rehabilitation of the handicapped, the grant of benefits for the maintenance and creation of employment opportunities and related research work. In Ireland, the National Manpower Service was created in 1971 to replace the former employment service.² The new Service, which has been progressively extended throughout the country, is designed to play a key role in the active

¹ LS 1969-Ger. F.R.1, as amended: LS 1972-Ger.F.R.3.

² SRUC 1972, p. 20.

manpower policy to which the Government is committed. In the United Kingdom, the Employment and Training Act, 1973, introduces far-reaching changes in the arrangements for running the employment and training services so as to promote the efficient working of the labour market. Responsibility for these services is entrusted to a newly created tripartite Manpower Services Commission. At the same time, a major reorganisation of the newly-styled Employment Service Agency is being carried out, and immediate responsibility for training is entrusted to the new Training Services Agency.

47. In Finland¹, Spain² and the United States³, legislation has been introduced making provision for specific measures to promote employment and assist those who become unemployed to obtain suitable training and find new employment.

¹ Employment Act, No. 946, dated 23 December 1971 (LS 1971-Fin.1); Ordinance to promote the mobility of labour, No. 949, dated 23 December 1971 (LS 1971-Fin.2).

² Decree No. 3090 respecting employment policy, dated 2 November 1972 (LS 1972-Sp.1).

³ Comprehensive Employment and Training Act of 1973 (Public Law 93-203).

2. Right to Free Choice of Employment

(i) Measures to Abolish Compulsory Labour

(a) ILO Activities

48. In the previous report by the ILO on developments in the field of economic, social and cultural rights, mention was made of pending consideration by the International Labour Conference of special training and employment schemes for youth, which had been found in certain cases to involve compulsion to work.¹ At its 54th Session, the Conference adopted the Special Youth Schemes Recommendation, 1970 (No. 136). The Recommendation applies to "special schemes designed to enable young persons to take part in activities directed to the economic and social development of their country and to acquire education, skills and experience facilitating their subsequent economic activity on a lasting basis and promoting their participation in society". It seeks to provide guidance concerning the objectives, methods and safeguards of such special schemes and emphasises that they should have an interim character to meet current and pressing economic and social needs, and should not duplicate or prejudice other measures of economic policy or the development of regular educational or vocational training programmes. The Recommendation establishes the principle that participation in the schemes should be voluntary but exceptions may be permitted by legislative action where there is full compliance with the terms of existing international labour Conventions on forced labour and employment policy. Schemes in respect of which exceptions might be permitted include (a) "schemes of education and training involving obligatory enrolment of unemployed young people within a definite period after the age limit of regular school attendance" and (b) "Schemes for young people who have previously accepted an obligation

¹ E/CN.4/1012, para. 41.

to serve for a definite period as a condition of being enabled to acquire education or technical qualifications of special value to the community for development".

49. During the period under consideration, direct contacts took place between the ILO and several governments with regard to the implementation of the Conventions on forced labour. In 1970, there were direct contacts regarding the application by Portugal of the Abolition of Forced Labour Convention 1957 (No. 105) in Angola and Mozambique, involving on-the-spot visits by a special representative of the Director-General of the ILO, whose report was examined by the Committee of Experts on the Application of Conventions and Recommendations in 1971.¹ In 1972, direct contacts concerning the observance of the Force Labour Convention, 1930 (No. 29) took place between a representative of the Director-General of the ILO and the competent Government services in Liberia² and Costa Rica.³

50. Within the framework of regional review of ILO activities, the Seventh Asian Regional Conference of the ILO held in Teheran in December 1971 considered the position in Asian countries concerning the ratification and implementation of selected international labour Conventions including the forced labour Conventions.⁴ The African Advisory Committee, at a meeting in 1972, and the Fourth African Regional Conference held in Nairobi in 1973 similarly examined problems arising in African countries regarding the ratification and implementation of these Conventions. A resolution adopted by the African Regional Conference stressed "the need to ensure the strict observance of ILO Conventions relating to forced

¹ 56 RCE, 160-164.

² 58 RCE, 74-77.

³ 59 RCE, 73.

⁴ See Report of the Director-General, Seventh Asian Regional Conference, Teheran, December 1971, Report I (Part 2), ILO, Geneva, 1971.

labour, in law and in practice, as means of protecting the freedom and dignity of all workers in the country and as an example and challenge to those countries in Africa whose populations are still being subjected to this form of exploitation".¹

(b) Developments on the national level

51. During the period under review a significant number of laws in various countries were repealed, amended or adopted to ensure conformity with the forced labour Conventions following comments by ILO supervisory bodies. Thus, in 1973 Argentina repealed a Civil Defence Act of 1967 which had permitted all inhabitants over 14 years of age to be called up for work not only in circumstances of emergency, but more generally for work to preserve the well-being of the community and the normal and full development of activities and services ensuring the development of the nation.² In Bulgaria, a decree of 1962 under which certain persons might be directed to employment by decision of an area executive committee or a municipal people's council was repealed in 1968.³ In the same year, in Fiji regulations were repealed which had provided for compulsory cultivation and permitted the exaction of compulsory labour for chiefs and communal services.⁴ In 1970, Iraq repealed an Act of 1969 under which citizens, and also certain categories of foreign residents, could be required to perform work assigned to them for the purpose of furthering the public interest.⁵ In the Khmer Republic, the Labour Code promulgated in 1972 prohibited forced or compulsory labour as defined in Convention No. 29 and repealed provisions of 1964, which had empowered the authorities to direct unemployed persons

¹ GR.192/4/10, 192nd Session, p. 29.

² 59 RCE, 69.

³ 54 RCE, 62.

⁴ 54 RCE, 175.

⁵ 56 RCE, 72.

to work, subject to penal sanctions for refusal to accept the employment offered, as well as several decrees and orders adopted between 1930 and 1936 permitting the exaction of forced labour.¹ The latter texts were also repealed by the Labour Code promulgated in Laos in 1971, which at the same time laid down penal sanctions for illegal exaction of forced or compulsory labour.² In Madagascar in 1971 legislation was repealed under which all men between 18 and 55 years of age who could not prove that they had a regular occupation and did not cultivate minimum areas of land were deemed idle persons and required to cultivate a minimum area of land, under conditions laid down by prefectural order, subject to imprisonment for violation of the orders.³ In Norway, the validity of temporary legislation in force since 1956 which permitted the call-up of newly qualified dentists for service for a specified period in the public dental service expired in 1973.⁴ In Rumania, decrees of 1956 and 1958 relating to the compulsory delivery of meat and imposing penal sanctions for non-observance of obligations relating to the delivery of agricultural commodities were repealed in 1968.⁵ New Labour Codes adopted in 1971 in the Ukrainian SSR and in the USSR (Russian SFSR) omitted provisions of the previous Labour Codes which had permitted the call-up of labour in exceptional cases, including cases of shortage of labour for carrying out important state work.⁶ In Upper Volta, an Act of 1973 repealed provisions which had permitted the call-up of labour for work of national interest and the imposition of labour for the recovery of taxes.⁷

¹ 58 RCE, 73-74.

² 58 RCE, 74.

³ 56 RCE, 75.

⁴ 59 RCE, 82.

⁵ 54 RCE, 72.

⁶ 59 RCE, 86; 57 RCE, 104.

⁷ 59 RCE, 90.

52. In two countries, vagrancy legislation has been amended to ensure conformity with Convention No. 29. In 1973, Costa Rica amended the definition of vagrancy to ensure that the provisions of the Vagrancy Act might not be used as a means of compulsion to work contrary to the Convention.¹ In Switzerland, the Cantons of Schwyz (in 1970) and St. Gallen (in 1971) changed the procedure for placement of vagrants in labour institutions.²

53. Measures relating to prison labour were taken in several countries to ensure conformity with Convention No. 29. Provisions were adopted in Mali,³ Upper Volta⁴ and the United Kingdom territory of St. Vincent⁵ to prohibit prisoners from being hired to or placed at the disposal of private individuals or undertakings. In Norway, an Act of 1970 repealed provisions of the Vagrancy Act under which certain categories of convicted persons might be required to perform labour for private individuals.⁶ In the Federal Republic of Germany, the Penal Code was amended to provide that convicted persons may be employed outside penitentiaries only with their consent.⁷

¹ 59 RCE, 73.

² 57 RCE, 101.

³ 59 RCE, 82.

⁴ 59 RCE, 90.

⁵ 54 RCE, 175.

⁶ 57 RCE, 99.

⁷ Act of 25 June 1969.

54. The Abolition of Forced Labour Convention, 1957 (No. 105) prohibits the use of any form of forced or compulsory labour (including prison labour), inter alia, as a means of labour discipline or as a punishment for having participated in strikes. A number of States have made adjustments in their legislation in this regard. In Australia, the State of Victoria in 1971 repealed legislative provisions under which refusal to fulfil a contract of apprenticeship might in certain circumstances be punished with imprisonment, and in 1972 the State of South Australia repealed an Act under which refusal to perform certain types of contract of service might be punished with imprisonment.¹ In Cyprus, an Order which prohibited persons employed in hotels and restaurants from leaving their employment without official permission and imposed penal sanctions for certain breaches of labour discipline was repealed in 1968.² In the same year, in Hungary a decree laying down penal sanctions for breach of contracts of employment in agriculture was repealed.³ In Iraq, provisions permitting the imposition of imprisonment (involving compulsory labour) as a punishment for certain breaches of discipline were omitted from a new Penal Code adopted in 1969, and in 1971 the Posts Act was amended so as to abolish the penalty of imprisonment for abandonment of duties without notice by postal employees.⁴ In Mauritius, an Act of 1970 repealed a section of the Penal Code under which public functionaries or public servants who declined the performance of their duty had been punishable with imprisonment.⁵ In Trinidad and Tobago the Industrial

¹ 59 RCE, 171.

² 54 RCE, 146.

³ 54 RCE, 67.

⁴ 58 RCE, 162.

⁵ 58 RCE, 163.

Relations Act, 1972 repealed provisions of 1965 under which a worker who terminated his employment for certain reasons had been liable to penal sanctions and under which breach by a worker of an industrial agreement or of a settlement confirmed by the Industrial Court had been punishable with imprisonment, involving compulsory labour.¹ Changes designed to ensure conformity with Article 1(c) of Convention No. 105 were made in the maritime legislation of several countries. In Australia, amendments to the Seamen's Act of the State of Victoria adopted in 1972 included the repeal of provisions under which seamen belonging to any foreign ship might be punished by imprisonment for various breaches of discipline and be forcibly put on board their vessel.² Similarly, Denmark omitted from the 1973 Seamen's Act provisions of an earlier Act under which seamen failing to report for duty or absent without leave might be forcibly returned to their ship; furthermore, refusal to obey orders is no longer punishable by imprisonment, but only by a fine.³ In 1973, the Netherlands repealed sections of the Penal Code punishing refusal by seamen to serve with imprisonment, involving an obligation to perform labour.⁴ In the same year a new Seamen's Act adopted in Sweden abolished the possibility of forcible return of deserters to their ship provided for in an earlier Act and limited liability to

¹ 58 RCE, 164.

² 59 RCE, 171.

³ 59 RCE, 172.

⁴ 59 RCE, 178.

punishment for refusal by a seaman to obey orders to cases in which the order has a bearing upon the safety of the ship, persons on board or the cargo.¹ In the United Kingdom, the Merchant Shipping Act, 1970 repealed provisions relating to the forcible return of deserters to their ship and abolished the penalty of imprisonment, involving an obligation to perform labour, for breaches of discipline by seamen except in the case of offences endangering the ship or persons on board. The 1970 Act further extended to seafarers the statutory exemption from criminal liability in respect of acts done in contemplation or furtherance of a trade dispute.²

55. Convention No. 105 also prohibits the use of any form of forced labour (including compulsory prison labour) "as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system". Several countries repealed legislation which ILO supervisory bodies had considered incompatible with this requirement. In Argentina, an Act of 1966 prohibiting all political party activities subject to penalties of imprisonment (involving compulsory labour) was superseded by an Act of 1971 providing for the right of association for political purposes; an Act of 1973 repealed legislation of 1967, under which anyone who engaged in any activity tending to advance, spread or uphold communism had been punishable with

¹ 59 RCE, 181.

² 57 RCE, 199.

imprisonment; a state of siege and suspension of various constitutional guarantees in force since 1969 were likewise terminated in 1973.¹ In Mauritius an Act of 1970 repealed sections of the Penal Code under which criticism by ministers of religion of acts of public authority was punishable with imprisonment (involving compulsory labour).² In 1971, Spain repealed an Act of 1940 prohibiting any propaganda extolling the principles or pretended benefits of communism or the spreading of ideas detrimental to religion, the country, its fundamental institutions and social harmony and a Decree in force since 1968 prohibiting the dissemination of tendentious views with a view to impairing the prestige of the State, its institutions, Government, army or authorities.³ In Turkey legislation of 1969 repealed an Act of 1962 under which various kinds of statements or criticism of a political nature could be punished with imprisonment (involving an obligation to perform labour).⁴

¹ 59 RCE, 171.

² 58 RCE, 163.

³ 59 RCE, 180.

⁴ 56 RCE, 166.

(ii) Action to promote free choice of employment

(a) ILO Activities

56. If people are to be able to exercise the free choice of employment afforded to them by the absence of compulsion, it is essential that they should have access to information about the opportunities available, and to training to qualify them for the occupation of their choice.

57. Recent developments in these fields have led the Governing Body of the ILO to decide to include the question of revised standards on vocational guidance and vocational training on the agenda of the International Labour Conference in 1974 and a report on national law and practice in these fields was published in 1973.¹

58. The question of paid educational leave is also on the agenda of the Conference, a first discussion having taken place in June 1973 with a view to the adoption of standards in 1974.²

59. As in the past, the ILO has continued to implement a large programme of technical co-operation in the field of vocational training with projects extending from the planning of the national system of vocational training and assessment of needs to the actual operation of a great variety of training centres and workshops. Thus, in 1971 there were 144 projects under way, of which 68 were large-scale projects, and in 1972 there were 163 projects, of which 75 were large-scale; at the beginning of 1972 the totals were 135 and 67 respectively, and vocational training remained the largest component of ILO technical co-operation.

¹ International Labour Conference, 59th Session (1974), Report VIII (1): Human Resources Development: Vocational Guidance and Vocational Training.

² ILC, 58th Session (1973), Report VI (1) and (2), and 59th Session (1974), Report IV (1) and (2). /...

(b) Developments at the national level

60. Several countries have introduced new measures designed to expand their vocational training system and adapt it to the growing demand for training at all stages of working life. In France, the existing arrangements have been strengthened by the creation of the National Office of Information on Training and Occupations (Decree No. 70-239 of 19 March 1970) and the adoption of Act No. 71-575 of 16 July 1971 to organise continuing vocational training as part of life-long education¹, which introduces a system under which workers are entitled to paid educational leave of up to one year for full-time training or 1,200 hours in part-time training. Employers must allow 2 per cent of their workforce to take paid educational leave at any one time. Related laws are Act No. 71-576 of 16 July 1971 respecting apprenticeship² and Act No. 71-577 of 16 July 1971 concerning guidance on technological education and training.

61. Other countries which have adopted new training legislation include Austria (Vocational Training Act of 26 March 1969³), Costa Rica (Act No. 4903 respecting apprenticeship⁴), the Federal Republic of Germany (Vocational Training Act of 14 August 1969⁵), Hungary (Act No. VI of 1969 respecting the vocational training of skilled workers⁶) and Japan (Act No. 64 respecting vocational training⁷).

¹ LS 1971-Fr.1.

² LS 1971-Fr.2.

³ LS 1969-Aus.1.

⁴ LS 1971-C.R.1.

⁵ LS 1969-Ger.F.R.2.

⁶ LS 1969-Hun.1.

⁷ LS 1969-Jap.1.

In the United Kingdom, the establishment in 1973 of the Training Services Agency, referred to in para. 46 above, was the result of a decision to expand massively the Government's training facilities for individuals. Development of these facilities has already begun with the introduction in August 1972 of the Training Opportunities Scheme under which training is available to workers who wish to change their occupation at any stage in working life.

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3. Right to just and favourable conditions of work

62. Since other aspects of just and favourable conditions of work are dealt with in the following sections, this section is devoted to the right to safe and healthy working conditions.

(a) ILO activities

63. The questions of safety and health of workers have continued to be the object of intensive study during the period under review, permitting the adoption of new instruments in this area.

64. Thus, a maritime session of the Conference held in October 1970 adopted a series of instruments concerning various aspects of conditions of work of seafarers. The Seafarers' Welfare Recommendation, 1970 (No. 138) proposes the bases of programmes designed to promote the welfare of seafarers in port as well as at sea. The Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133) supplements the Accommodation of Crews Convention (Revised), 1949 (No. 92). The Prevention of Accidents (Seafarers) Convention (No. 134) and Recommendation (No. 142), 1970, provide for the introduction into national legislation and practice of a series of provisions and measures designed to prevent accidents aboard ships. Finally, the Crew Accommodation (Air Conditioning) Recommendation, 1970 (No. 140) and the Crew Accommodation (Noise Control) Recommendation, 1970 (No. 141) contemplate programmes with a view to installing air conditioning systems on board ships and the adoption of measures to reduce noise on board and protect the hearing of seafarers.

65. Also, the severity of the risks presented by benzene and byproducts which contain it led the Conference, at its 56th Session in June 1971, to adopt two new international instruments concerning protection against hazards of poisoning arising from benzene: the Benzene Convention (No. 136) and Recommendation (No. 144), 1971.

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66. Finally, the Dock Work Convention (No. 137) and Recommendation (No. 145), 1973, provide for the application to dock workers of the national legislation applicable to industrial undertakings on the safety, health and welfare of workers.

67. In the framework of its regular activities, the Committee of Experts on the Application of Conventions and Recommendations presented to the 54th Session of the Conference in 1971 a "General Survey on the Reports concerning four Recommendations dealing with the Health, Welfare and Housing of Workers".¹ The Survey deals with the Protection of Workers' Health Recommendation, 1953 (No. 97); the Welfare Facilities Recommendation, 1956 (No. 102); the Occupational Health Service Recommendation, 1959 (No. 112); and the Workers' Housing Recommendation, 1961 (No. 115). As concerns the protection of workers' health, the Committee of Experts' conclusions stressed the increasing influence exercised by Recommendations Nos. 97 and 112 on the legislation and practice of Member States in this area, including revision of laws and regulations relating to the protection of workers, and the creation of occupational health services in an increasing number of countries. In relation to workers' welfare facilities, the Committee noted that a certain number of the provisions of Recommendation No. 102 are already being applied, and that the developing countries particularly have made significant efforts to introduce such facilities. Another significant conclusion was that the persons most directly involved (employers and workers) are increasingly taking account of the fact that the organisation of these services can be translated into considerable mutual advantage in terms of efficiency and productivity. Finally, as concerns workers' housing, the Committee was favourably impressed by some of the practical results already attained in different parts of the world; nevertheless, these manifestly insufficient achievements are retarded by economic priorities preventing the adoption of programmes to give effect to Recommendation No. 115.

¹ RCE, Report III (Part 4), pp. 223-368.

68. The ILO has devoted particular attention during this period to the fight against occupational diseases due to airborne particles. A new international definition of pneumoconioses, taking account of the effects of new technology on the health of workers, was adopted at the IVth International Conference on Pneumoconiosis, held in Bucharest from 27 September to 2 October 1971. In December 1973, a committee of experts examined measures for safety and health in work using asbestos, and made recommendations for future ILO activities. Finally, the prevention of danger in ship building and ship repairing was the object of an international colloquium held in Helsinki from 30 August to 2 September 1971.

69. Also, the publication in 1973-74 of "The Encyclopedia of Occupational Health and Safety", which constitutes a fundamental contribution to the information available and to the dissemination of technical knowledge in the realm of the protection of the health of workers, should be noted. The ILO also published, during the period under review, a "Guide to Safety in Agriculture", "Guide to Safety and Health in Forestry Work", "Code of Practice for the Safe Construction and Installation of Electric Passenger, Goods and Service Lifts", and a "Code of Practice for the Prevention of Accidents due to Explosions Underground in Coal Mines". A "Code of Safety for Fishermen and Fishing Vessels" was also published under the names of FAO, ILO and IMCO.

70. Within the framework of the UNDP, the ILO undertook technical co-operation projects in several countries, notably in Egypt, Indonesia and Turkey, with a view to the establishment and development of occupational safety and health institutes. Other technical co-operation projects in this field were put into operation in Saudi Arabia, India, Mexico, the Philippines and Sri Lanka.

(b) Developments at the national level

71. During the period under review, many countries adopted new legislation or amended earlier legislation in connection with questions of occupational health and safety. Argentina adopted Act No. 19587 of 21 April 1972 concerning occupational health and safety.¹ By the Act of 17 February 1971, Belgium modified the Act of 10 June 1952 concerning the health and safety of workers and the salubrity of work and workplaces.² In El Salvador, Decree No. 7 of 2 February 1971 promulgates general regulations respecting safety and health in workplaces.³ The United States adopted the Occupational Safety and Health Act on 29 December 1970.⁴ In Spain, the Order of 9 March 1971 approves the General Occupational Safety and Health Ordinance, while Decree No. 432 of 11 March 1971 issues regulations respecting the constitution, composition and functions of occupational safety and health committees.⁵ In France, Decree No. 69-623 of 13 June 1969 repeals and replaces Decree No. 52-1263 of 27 November 1952, to administer the Act of 11 October 1946 respecting the organisation of industrial health services.⁶ In Ghana, the Factories, Offices and Shops

¹ LS 1972-Arg. 1.

² LS 1971-Bel. 1.

³ LS 1971-Sal. 1.

⁴ LS 1970-USA 1.

⁵ LS 1971 -Sp. 1.

⁶ LS 1969-Fr. 2.

Act, No. 328 of 1970, includes general provisions concerning the safety and health of workers.¹ In Morocco, Decree No. 2-69-1 of 6 April 1970 sets out the organisation of industrial medical services.²

72. In Argentina³ and Colombia⁴, as a result of direct contacts, measures have been adopted prohibiting the use of white lead in painting. Stricter regulations for the use of white lead in painting have also been introduced in the Central African Republic⁵, Iraq⁶, Nicaragua⁶ and the Netherlands territory of Surinam.⁷ In Iraq an order has been made concerning protection against ionising radiations.⁸ In Nicaragua⁹ and Peru¹⁰ (in the latter case as a result of direct contacts) regulations have been introduced requiring the weight to be marked on heavy packages transported by vessels. In the Netherlands territory of Surinam Safety Regulations for the building industry were introduced by Resolution No. 293 of 21 July 1972.¹¹

73. In Egypt, the activities of the Occupational Safety and Health Institute have developed considerably under the technical co-operation project mentioned above. The purpose of this Institute is to strengthen national industrial accident and occupational disease prevention services, with a view to increasing workers' welfare and making labour more productive and remunerative.

¹ 56 RCE, 187.

² LS 1970-Mor. 2.

³ 54 RCE, 39.

⁴ 58 RCE, 56.

⁵ 58 RCE, 55.

⁶ 56 RCE, 53.

⁷ 56 RCE, 201.

⁸ 59 RCE, 196.

⁹ 54 RCE, 60.

¹⁰ 59 RCE, 68.

¹¹ 58 RCE, 203.

4. Right to protection against unemployment

74. The most important guarantee of protection against unemployment is the effective implementation of the right to work dealt with under III A 1 above. Assistance to the unemployed through the payment of unemployment benefit under social insurance schemes will be considered in section III B (b) 2 below. This section will accordingly be concerned with a third aspect of protection against unemployment, namely, employment security, i.e. measures limiting the right of employers to dismiss their workers or providing for the payment of compensation on dismissal.

(a) ILO Activities

75. New standards adopted by the Conference in 1970 and 1973 contain provisions for the protection of workers facing the risk of unemployment as a result of special conditions in specific sectors. The Employment of Seafarers (Technical Developments) Recommendation, 1970 (No. 139) relates to employment problems arising from technical developments on board ship and recommends the establishment of national manpower plans for the maritime industry with a view to minimising unemployment among seafarers as a result of technical changes. The Dock Work Convention, 1973 (No. 137) and Recommendation, 1973 (No. 145) provide for a national policy to provide permanent or regular employment for dockworkers, with measures to ensure guaranteed employment or income and to ensure as far as possible that changes in the need for manpower do not result in unemployment.

76. One of the most influential of the Recommendations adopted by the International Labour Conference has been the Termination of Employment Recommendation, 1963 (No. 119) which lays down principles to be followed in the termination of employment at the initiative of the employer both as an individual measure and in the case of a reduction of the workforce. In 1973, governments were asked to supply

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reports¹ on the measures taken to give effect to this Recommendation, and in 1974 the Committee of Experts made a general survey of termination of employment based on these reports.² It emerges from the survey that in over twenty countries new or revised legislation or collective agreements have introduced or improved protection against unjustified termination of employment since the Recommendation was adopted, and that in certain of these cases the Recommendation was used as a direct source of guidance or support.³ The cases in which the legislation in question was adopted during the period covered by this report are described in the following paragraphs.

(b) Action at the National Level

77. As emerges from the general survey referred to above, legislation providing protection against unjustified termination of employment at the initiative of the employer, or improving previous protection, has been adopted since 1 July 1969 in the following countries: Byelorussian SSR (Labour Code, 1971), Finland (Act respecting contracts of employment, No. 320 of 30 April 1970, sections 37, 43 (LS 1970-Fin.2)), France (Act No. 73-680 of 13 July 1973 to amend the Labour Code with respect to the termination of employment contracts of indeterminate duration), Federal Republic of Germany (Protection against Dismissal Act as amended up to 14 August 1969 (LS 1969-Ger.F.R.3)), India (Industrial Disputes (Amendment Act) 1971, No. 45 of 8 December 1971, section 3), Iraq (Labour Code, 1970,

¹ International Labour Conference, 59th Session (1974), Report III (Part 2), Summary of Reports on Recommendation No. 119.

² Ibid., Report III (Part 4 B).

³ Ibid., para. 161.

sections 26-43 (LS 1970-Iraq 1)), Italy (Act No. 300 of 20 May 1970 to make provision respecting the protection of workers' freedom and dignity, etc., sections 7, 18 (LS 1970-It.2)), Khmer Republic (Labour Code, 1972, sections 70, 87), Kenya (Trade Disputes (Amendment) Act, 1971, section 6), Laos (Labour Code, 1971, sections 48-49 (LS 1971-Laos 1)), Libyan Arab Republic (Labour Code, 1970, sections 49-52 (LS 1970-Libya 1)), Luxembourg (Act of 24 June 1970 respecting workmen's contracts, section 16; Act of 12 November 1971 to revise the legal provisions relating to employment of salaried employees in the private sector, section 3), Mexico (Federal Labour Act of 2 December 1969, Part II and Part VII, Chapter 8 (LS 1969-Mex.1)), New Zealand (Industrial Conciliation and Arbitration Act, 1973, section 117), Panama (Labour Code, 1971, sections 210-229 (LS 1971-Pan.1)), Peru (Legislative Decree No. 18,471 of 10 November 1970 to prescribe grounds for dismissal of workers employed in the private sector (LS 1970-Peru 3)), Sri Lanka (Employment of Workmen (Special Provisions) Act, No. 45 of 1971 (LS 1971-Cey.1)), Trinidad and Tobago (Industrial Relations Act, 1972, section 10), Ukrainian SSR (Labour Code, 1971), USSR (RSFSR Labour Code, 1971, sections 29, 33-35, 210, 213 (LS 1971-USSR 1)), United Kingdom (Industrial Relations Act, 1971, sections 22, 106, 116 (LS 1971-U.K.1)).

5. The right of everyone who works to just and favourable remuneration

(a) ILO activities

78. During the period under review, new standards have been added to existing Conventions concerning wages. In 1970 the International Labour Conference adopted the Convention (No. 131) and the Recommendation (No. 135) on Minimum Wage Fixing, 1970, which was drafted in such a manner as to take special regard of the needs of developing countries. By the terms of this Convention, the groups of wage earners to be covered should be determined in agreement with the representative organisations of employers and workers concerned, who should also be consulted in the creation of wage-fixing machinery and, in appropriate cases, participate directly in its application. Minimum wages should have the force of law and should be adjusted from time to time, and failure to apply them should make those concerned liable to appropriate sanctions. The level of minimum wages should take account of the needs of workers and their families, as well as of economic factors. The Recommendation contains supplementary provisions, such as the purpose of minimum wage fixing, criteria for its application, and methods to be followed in determining the level of minimum wages.

79. In the framework of technical co-operation, ILO experts have given assistance particularly to the governments of Ethiopia, Iraq, the Libyan Arab Republic and the Syrian Arab Republic, concerning methods of minimum wage fixing and wages policy.

(b) Developments at the national level

80. In France, Act No. 70-7 of 2 January 1970 revised the guaranteed minimum wage and created an "expanding" minimum wage system. Its object is to associate the lowest wages closely with the distribution of the fruits of expansion. Thus, the minimum wage considered as a guarantee of workers' buying power against the rising cost of living has been replaced by an

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"expanding" minimum wage, which will assure that buying power will increase in line with progress in the national economy.

81. In Thailand, minimum wage fixing machinery was introduced in 1972, and in 1973 was applied for the first time to workers in transport, commerce and industry.¹ In other countries, modifications have been made in existing minimum wage fixing systems, with a view to making them more effective. The countries concerned are: Cameroon, Chili, Honduras², Iraq³, Morocco, Philippines, Portugal⁴ and the United Kingdom (British Solomon Islands).⁵

6. Right of everyone, without discrimination of any kind, to equal pay for work of equal value

Developments at the national level

82. In Argentina, Collective Agreement No. 93/70 ensures that wage rates will henceforth be fixed without distinction on the basis of sex for some of the workers concerned, and most of the collective agreements renewed recently contain a clause providing for equal pay for equal work, as required by article 14 bis of the national Constitution.⁶ Also, as a result of direct contacts, Act No. 20392 was adopted on 16 May 1973 forbidding the establishment of differences between the remuneration for labour of equal value by men and by women, and nullifying any contrary disposition contained

¹ Announcement of the Ministry of the Interior respecting minimum wages, of 16 April 1972 (LS 1972-Thai. 4) and of 14 February 1973.

² Decree No. 103 of 30 April 1971, to promulgate the Minimum Wage Act (LS 1971-Hon. 1).

³ 56 RCE, 67.

⁴ 57 RCE, 86.

⁵ 58 RCE, 201.

⁶ 56 RCE, 147.

in collective agreements concluded or renewed after 1 January 1974.¹ In Canada, the existing federal and state legislation has been amended to strengthen the provisions requiring equal remuneration. In Finland, the Contracts of Employment Act of 30 April 1970, which came into force on 1 January 1971, provides for equality of treatment for workers not covered by collective agreements.³ In France, Act No. 72-1143 of 22 December 1972 guarantees equal remuneration for men and women for the same work or for work of equal value, lays down identical standards for men and women as regards the various components of remuneration, and makes null and void "any provision in a contract of employment, a collective agreement, a wages agreement, rules or a wages scale inserted by an employer or group of employers" which involves for one or more workers of either sex "remuneration below that paid to workers of the other sex for the same work or work of equal value"⁴, and the regulations issued thereunder⁵ lay down penalties for noncompliance. In Ghana, Legislative Instrument No. 632 of 15 September 1969 provides in Part VIII for men and women to receive equal pay for equal work.⁶

¹ 59 RCE, 167.

² Canada Labour (Standards) Code Amendment Act, 1971 (LS 1971-Can.3); Alberta Labour Act, 1970 (S.A. 1970, c.63); British Columbia Human Rights Act, 1969 (SBC, 1969, c.10); Newfoundland Human Rights Code S.N. 1969, c.75); Nova Scotia Equal Pay Act, 1969 (S.N.S. 1969, c.8); Ontario Employment Standards Act, 1968 (S.O. 1968, c.35).

³ 56 RCE, 148.

⁴ 58 RCE, 150.

⁵ Decree No. 70-360 of 27 March 1973 (Journal officiel, 29 March 1973, No. 75, p. 3456).

⁶ LS 1969-Ghana 1C; 57 SAR, 32.

83. In Italy, section 23 of Act No. 249 of 18 March 1968, by laying down new criteria for the classification of workers employed by the State, has eliminated the existing distinctions based on sex; and the administrative regulations contained in the Decrees of the President of the Republic Nos. 1078 and 1079 of 28 December 1970 have established new scales for the salaries, wages and other remuneration of state employees, in which there are no differences in rates for the two sexes.¹ In Iceland, the final stage in the progressive equalisation of the remuneration of men and women workers, provided for in Act No. 60 of 1961, was reached on 1 January 1967.²

84. In New Zealand, Act No. 118 of 20 October 1972³ makes provision for the removal and prevention of discrimination, based on the sex of the employees, in rates of remuneration. In Norway, the Equal Status Council (which has taken over the powers of the former Equal Remuneration Council) was established on 1 March 1972.⁴ In the United Kingdom, the Equal Pay Act of 29 May 1970⁵ and the Equal Pay (Northern Ireland) Act, 1970, provides for the elimination of all discrimination in the conditions of employment of women, especially as regards pay, by the end of 1975 at the latest. After this date industrial courts may be seized of any individual employment contract or collective agreement which does not accord equality of treatment to women. In Tunisia, Decree No. 69-344 of 27 September 1969⁶ introduced equality of remuneration between male and female agricultural workers.

¹ 58 RCE, 151-2.

² 54 RCE, 143.

³ LS 1972-NZ.1.

⁴ 58 RCE, 152.

⁵ LS 1970-UK. 1.

⁶ 56 SAR, 34-35.

7. Right to rest, leisure, reasonable limitation of working hours and periodic holidays with pay

(a) ILO Activities

85. In 1970 the International Labour Conference adopted the Holidays with Pay Convention (Revised), 1970 (No. 132), which requires that all employed persons (with the exception of seafarers who are covered by distinct standards) shall be granted an annual paid holiday of at least three weeks. The earlier Convention, dating from 1936, had provided for one week's paid leave annually.

(b) Developments at the National Level

(i) Hours of Work

86. Legislation reducing hours of work has been introduced in a number of countries. Thus, in Austria the Hours of Work Act of 11 December 1969 limits normal working hours to eight a day and 43 a week and provides for the gradual reduction of the working week, without loss of earnings, to 42 hours by 3 January 1972 and to 40 by 6 January 1975. In Belgium, the Labour Act of 16 March 1971¹ sets a maximum limit to standard working hours of eight a day and 45 a week, and a national inter-trade agreement signed in April 1971 provides for the progressive reduction of working hours to 40 by 1975. In Canada², the working week has been reduced in Manitoba (from 48 to 44 hours), in New Brunswick (to 44 hours in construction work), in Newfoundland (to 45 hours in certain sectors of the construction industry) and in Quebec (to 48 hours in forestry and woodworking). In Denmark, France and the Federal Republic of Germany also, collective agreements have introduced shorter

¹ LS 1971-Bel.2.

² 56 RCE, 36.

working weeks (averaging 41.3/4, 45.4 and 41.3 hours respectively in 1970) and this trend is continuing. In Hungary, the initiation in January 1968 of a programme for a general reduction of working hours in industry has resulted in a working week of 44 hours instead of 48.

87. In Iraq, the Labour Code, 1970¹, provides for a 48-hour working week and an 8-hour day, and in Italy, working hours of railway employees have been progressively reduced to 40 per week.² In Japan, the Ministry of Labour has issued instructions³ for promoting the introduction of the five-day, 40-hour week, and it is hoped that this will become general practice by the early 1980s. In Luxembourg, an Act of 9 December 1970 provides for the reduction of working hours to eight a day and 44 a week immediately and to 40 a week by 1 January 1975. In Portugal, Legislative Decree No. 409 of 27 September 1971⁴ limits normal hours of work to eight a day and 48 a week and for office staff to seven a day and 42 a week, and provides for their reduction whenever a rise in productivity permits.

88. In Sweden, the General Hours of Work Act of 10 April 1970⁵ introduces a 40-hour week. In Switzerland, collective agreements have reduced the working week to 44 or 46 hours or less, the average in industry being now 44.6. In Yugoslavia, the implementation of the Basic Act of 4 April 1965 respecting the introduction of a 42-hour week had been largely achieved by 1970, and further reductions are envisaged.

¹ LS 1970-Iraq 1. 56 RCE, 36, 80.

² Act No. 591 of 13 August 1969.

³ Instructions of 26 January 1973 to prefectural governors and directors of prefectural labour standards bureaux.

⁴ LS 1971-Port.1. 57 RCE, 55.

⁵ LS 1970-Swe.1.

89. Other countries have adopted provisions improving the protection afforded by the hours of work legislation. In Pakistan¹ and Venezuela², the legislation limiting hours of work has been extended to new categories of workers. Regulations limiting the use of overtime have been introduced in the Dominican Republic³ (following direct contacts), Panama⁴ and Romania⁵, and regulations governing hours of work in road transport have been adopted following direct contacts in Uruguay.⁶

(ii) Weekly rest

90. Provisions requiring the grant of a weekly day of rest were introduced in Ghana⁷ and the Danish territory of Greenland in 1971.⁸ In Canada⁹, Iraq¹⁰, Pakistan¹⁰ and Turkey¹¹ the provisions requiring a weekly rest day have been extended to further areas of the country or new categories of workers, while in Iraq¹⁰ and Thailand¹² provisions have been adopted guaranteeing compensatory rest to those required to work on their normal day of rest.

¹ 58 RCE, 45.

² 59 RCE, 38.

³ 58 RCE, 44.

⁴ 58 RCE, 81.

⁵ 59 RCE, 37.

⁶ 58 RCE, 100.

⁷ 56 RCE, 166.

⁸ 58 RCE, 209.

⁹ 58 RCE, 57.

¹⁰ 56 RCE, 54, 167.

¹¹ 54 RCE, 41.

¹² 59 RCE, 46.

(iii) Holidays with Pay

91. In Belgium, the annual holiday with pay has been extended from twelve to eighteen working days.¹ In Denmark, annual leave was increased from eighteen to twenty-four working days for employed persons and apprentices in the private and public sectors², and seafarers are entitled to one-and-a-half days' paid leave for month of service.³ In Ecuador, the right to fifteen consecutive days' paid leave (previously limited to salary-earners in private employment) has been granted to manual and non-manual workers in public and private undertakings, with additional leave for periods of service over five years and for young persons.⁴ In Finland, the annual holiday entitlement has been increased from eighteen to twenty-four working days.⁵ The new Labour Code of Iraq⁶ replaces the former right to one day's leave per month of service by twenty days' leave after eleven months of service and for workers in arduous or hazardous occupations and extends the right to an annual holiday to further categories of workers. In Jamaica, the paid holiday entitlement is now two working weeks after 220 days' service⁷, and in the Khmer Republic it is one-and-a-half working day for each month of service, with increases for length of service.⁸ In Laos, annual leave

¹ Royal Order of 28 June 1971 (LS 1971-Bel.4).

² Act No. 260 of 9 June 1971, amending the Vacation Leave Act, No. 273 of 4 June 1970 (LS 1971-Den.2A and B).

³ Notification No. 107 of 26 March 1971.

⁴ Labour Code, 1971 (LS 1971-Ecu.1).

⁵ Annual Holidays Act (No. 262/73) dated 30 March 1973.

⁶ LS 1970-Iraq 1. And see 57 RCE, 120.

⁷ Holidays with Pay Order, No. 162, dated 22 May 1970 (LS 1970-Jam.1).

⁸ Labour Code of 14 January 1972.

is granted at the rate of one day for each month of service, with a longer leave for young workers.¹ In the Libyan Arab Republic, paid annual leave has been increased from 14 to 16 days, and from 20 to 24 days for young persons and workers of more than five years' service.² In Mexico, the right to an annual holiday has been extended to workers in small-scale industries.³ In Somalia, manual and non-manual workers are entitled to 15 days' annual leave with pay.⁴ In Thailand, six working days' leave must be granted annually.⁵ In Yugoslavia, the minimum annual leave has been raised from 14 to 18 working days, with a maximum of 30.⁶

92. In addition, measures have been taken in a number of countries to ensure the more effective implementation of the right to an annual holiday with pay. Thus in the Byelorussian SSR⁷, Panama⁸, Ukraine⁹ and the USSR⁹, the substitution of a cash payment for the annual holiday

¹ Labour Code, 1971 (LS 1971-Laos 1).

² Labour Code, 1970 (LS 1970-Libya 1). And see 57 RCE, 120.

³ Federal Labour Act (LS 1970-Mex.1). And see 57 RCE, 121.

⁴ Labour Code, 1972 (LS 1972-Som.1).

⁵ Announcement of the Ministry of the Interior respecting labour protection, dated 16 April 1972 (LS 1972-Thai.2).

⁶ Act respecting the relationship between workers engaged in collective work, dated 13 April 1973.

⁷ 57 RCE, 119.

⁸ 58 RCE, 94.

⁹ 57 RCE, 122.

has been prohibited. Restrictions have been placed on the deferment of the annual holiday in Mauritania¹ (as a result of direct contacts), Poland² and Senegal³, and on its division in Denmark⁴, Dominican Republic⁵ (as a result of direct contacts), Iraq⁶ and Morocco.⁷ In Czechoslovakia⁸ and Hungary⁹ the power to reduce the annual holiday as a disciplinary measure has been repealed.

¹ 58 RCE, 94.

² 56 RCE, 150-151.

³ 57 RCE, 121-122.

⁴ 57 RCE, 119.

⁵ 58 RCE, 93.

⁶ 57 RCE, 120.

⁷ 59 RCE, 168.

⁸ 58 RCE, 93.

⁹ 54 RCE, 91.

8. Right to Form Trade Unions
and to Join the Trade Union
of One's Choice

(a) ILO Activities

93. Throughout the period under review, the Governing Body Committee on Freedom of Association has continued to examine allegations of infringements of trade union rights and to submit to the Governing Body of the ILO its conclusions and recommendations concerning the action to be taken in relation to such cases. The reports¹ of the Committee describe in detail the cases referred to it.

94. It will be recalled that the last review under this rubric mentioned the establishment of a Commission of Inquiry, in accordance with article 26 of the ILO Constitution, to investigate the complaints of infringement of trade union rights in Greece. The report of this Commission has since been published² and in it the Commission stated its findings on a series of measures taken by the Greek Government against a number of trade unions and their leaders as well as on various aspects of trade union legislation. It issued recommendations as to the steps which it considered should be taken to meet these complaints. The implementation of

¹ Reports of the Governing Body Committee on Freedom of Association are published regularly as supplements to the Official Bulletin. For the period under review, see the supplements to Official Bulletins Vol. LII, No. 4; Vol. LIII, No. 4; Vol. LIV, No. 2, No. 4; Vol. LV; and Governing Body Papers GB.188/12/15; GB.189/10/23; GB.189/10/24; GB.190/9/15(Add); GB.190/9/18; GB.190/9/19 and GB.191/13/22.

² See Official Bulletin Vol. LIV, No. 2, Special Supplement, 1971.

these measures is being followed up by the Committee of Experts¹ and by the Conference Committee on the Application of Conventions and Recommendations.

95. At its session in February-March 1973, the Governing Body nominated a Panel of the Fact-finding and Conciliation Commission on Freedom of Association with a view to the examination of allegations of infringements of trade union rights in Lesotho.

96. The International Labour Conference adopted in 1970 a resolution concerning trade union rights and their relation to civil liberties, which recognises that the rights conferred upon workers' and employers' organisations must be based on respect for those civil liberties which have been enunciated, in particular, in the Universal Declaration of Human Rights and in the International Covenants on Civil and Political Rights, and states that the absence of these civil liberties removes all meaning from the concept of trade union rights. The resolution places special emphasis on the following civil liberties, as defined in the Universal Declaration of Human Rights, which are essential for the normal exercise of trade union rights: (a) the right to freedom and security of person and freedom from arbitrary arrest and detention; (b) freedom of opinion and expression and in particular freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers;

¹ 56 RCE, 121,145; 57 RCE, 154,185; 58 RCE, 114,145;
59 RCE, 138,164. /...

(c) freedom of assembly; (d) the right to a fair trial by an independent and impartial tribunal; (e) the right to protection of the property of trade union organisations.

97. Two new international instruments relating to trade union rights have been adopted during this period. The Workers' Representatives Convention, 1971 (No. 135) and Workers' Representatives Recommendation, 1971 (No. 143), provide for the basic protection of workers' representatives (including trade union representatives) against any act prejudicial to them, including dismissal, based on their status or activities as a workers' representative or on union membership or participation in union activities, in so far as they act in conformity with existing laws or collective agreements or other jointly agreed arrangements. Facilities in the undertaking shall be afforded to workers' representatives as may be appropriate in order to enable them to carry out their functions promptly and efficiently.

98. The Committee of Experts on the Application of Conventions and Recommendations submitted to the 58th Session of the International Labour Conference a report¹, Freedom of Association and Collective Bargaining. This survey, prepared in accordance with article 19 of the ILO Constitution, brings out the main problems and difficulties which arise in the application of the principles and standards embodied in the freedom of association Conventions as well as the problems which might have prevented or delayed the ratification of these Conventions by countries which had not yet done so.

¹ ILC, 58th Session (Geneva, 1973), Report III (Part 4B).
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99. The Committee states in the Conclusions of the Survey that the situation often arises where, given the wide scope of these principles and their close links with a diversity of substantive issues, sometimes of an institutional or political character, or related to basic questions of social and economic development, a number of difficulties exist in connection with their effective application at the national level. In substance, it would appear that although general recognition is given to the right to organise, a series of obstacles are often found in the application of the wider principles of freedom of association as defined in the Conventions.

(b) Developments at the National Level

100. A number of countries have enacted new labour codes which have removed certain restrictive provisions relating to trade unions. In Panama, a new Labour Code extends its scope to certain categories of agricultural workers who were previously excluded from its application and has repealed earlier provisions empowering administrative suspension of trade unions.¹ In the USSR, under the new Labour Code of the RSFSR, trade unions are no longer obliged to register with an inter-union organisation or any other body.² The situation is similar in Byelorussia³ and the Ukraine.⁴

¹ Labour Code, 1971, 58 RCE, 127.

² Ibid., section 225, 57 RCE, 163.

³ Ibid., 1972, sections 2 and 228, 59 RCE, 134.

⁴ Ibid., section 243, 58 RCE, 130.

A new Labour Code in Hungary¹ has repealed certain laws concerning the definition of trade unions and the functions entrusted to the Central Committee of Trade Unions. In both the Congo² and Czechoslovakia³ laws providing for the establishment of single, unified trade union organisations have been repealed.

101. In several other countries new legislation has established greater safeguards for trade union rights. Thus in Guyana an administrative decision to cancel a trade union's registration shall no longer be applied until the end of the time period allowed for the filing of an appeal or, where an appeal is launched, until the final disposition of the case by the Appeal Court.⁴ The Industrial Relations Ordinance, 1969, in Pakistan lifted substantial restrictions on the right to strike and several provisions empowering the Registrar of Trade Unions to intervene in union affairs at his discretion are no longer law.⁵ The United Kingdom⁶ has passed a new Merchant Shipping Act, 1970, which affords merchant seamen the same protection as other workers in respect of acts done in contemplation or furtherance of a trade dispute and in Hong Kong⁷ a new Trades Union Ordinance

¹ 58 RCE, 120.

² Ordinance No. 13/73 of 18 May 1973, 59 RCE, 136.

³ Act No. 74 of 3 July 1973, 59 RCE, 137.

⁴ Law Revision Act, 1972, 58 RCE, 119.

⁵ 56 RCE, 128.

⁶ 56 RCE, 132.

⁷ Trades Union Ordinance, 1971, 58 RCE, 205.

provides that no person shall be refused membership in a trade union solely on the ground that he is casually or seasonally engaged in the occupation with which the trade union is concerned. In Venezuela¹ following direct contacts between a representative of the Director-General and government authorities, the Ministry of Labour has sent to all labour inspectors a circular advising them that organisers of agricultural trade unions must enjoy the same protection as is provided for workers in industry. The legal restrictions on agricultural unions were subsequently repealed.²

102. The Industrial Relations Ordinance, 1969, of Pakistan³ gives increased protection to workers against acts of anti-union discrimination. In Trinidad and Tobago, the Industrial Relations Ordinance, 1972 provides now for specific protection against acts of anti-union discrimination at the time of hiring.⁴

¹ 56 RCE, 51.

² 59 RCE, 45.

³ 56 RCE, 146.

⁴ 58 RCE, 148.

B. The Right to Social Security

(a) ILO Activities

103. The standard-setting activities undertaken by the ILO for the promotion of social security on a world-wide scale are supported at the regional level, and notably at the European level, first through an appeal for the ratification of ILO Conventions addressed by the Council of Ministers of the European Communities and the Committee of Ministers of the Council of Europe to the member States of these organisations; and also through close co-operation between the Council of Europe and the ILO in the elaboration and supervision of the European Code of Social Security and the protocol thereto, which are based on the ILO's Social Security (Minimum Standards) Convention, 1952 (No. 102), even though they lay down more demanding standards than the Convention, and for which the ILO's Committee of Experts on the Application of Conventions and Recommendations is one of the supervisory bodies.

104. In the context of the standard-setting activities of regional organisations during the period covered by this report mention should be made of the Social Insurance Convention of the Arab Labour Organisation, which is based on the Social Security (Minimum Standards) Convention, 1952 (No. 102).

105. The protection of migrant workers by social security demands co-ordination in the application of

legislation to ensure equality of treatment, the maintenance of acquired rights or rights in the course of acquisition, and the payment of benefits to beneficiaries living abroad. During the period 1969-73, the ILO - basing its efforts particularly on the Equality of Treatment (Social Security) Convention, 1962 (No. 118) - continued to stimulate the conclusion of co-ordinating instruments to this end, especially multilateral agreements, in conjunction with regionally-based organisations. These instruments include:

- Regulation No. 1408/71 of the Council of the European Economic Community, relating to the application of social security schemes to employees and their families, who move within the Community (Regulation No. 3, Revised) (1971);
- the European Convention on Social Security of the Council of Europe (1972);
- the General Social Security Convention of the African, Malagasy and Mauritian Common Organisation (1971);
- the Social Security Convention of the countries of the Andean Group (1973);
- the instruments of application of these co-ordinating instruments.

(b) Developments at the National Level

106. The general trends in the development of social security affect two principal elements: the expansion in the categories of persons covered by national social security

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schemes and improvements in the benefits granted under these schemes. Even though the scope of social security in developing countries may be temporarily limited to a restricted group of wage earners - and even sometimes to wage earners in the industrial sector, or to the most important undertakings in that sector, or particular geographic regions which are industrialised or are becoming industrialised - the expansion of protection nevertheless constitutes a general trend. As for examples of the trend toward improvement in the benefits granted, they appear sometimes in the introduction of new branches or categories of benefits into incomplete protection schemes, and sometimes in the continual raising of the level of benefits, either in relative or in absolute value. Certain branches also serve as the framework for an extension of the range of benefits, for example in providing for new benefits for the handicapped, for orphans or for other special categories of beneficiaries. This trend results in enlarging the coverage of schemes which formerly protected workers alone.

107. Without going into detail as to the many improvements achieved during the period under review in the protection provided by social security, it will be sufficient to indicate below the most important extensions or modifications made in national legislation.

1. Social Security in General

108. The first thing to be noted is the measures taken for the creation of social security schemes which cover, or which are intended to cover, several branches.

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109. New social security schemes have thus been introduced in certain countries. In Dahomey, a general social security scheme was introduced to bring together schemes covering family allowances and employment injury benefits, which already existed, and to cover old age, invalidity and survivors.¹ In the United Kingdom territory of Dominica, a national provident fund providing for the payment of benefits for old age, incapacity, death or emigration came into effect in 1971.² In Guyana, a national social insurance scheme covering old age, invalidity, sickness, maternity, employment injuries, and survivors, was created in 1969.³ In Norway, the sickness, unemployment and employment injury branches have been integrated into the national insurance scheme, which already covered old age, invalidity and survivors.⁴ In Trinidad and Tobago, a national insurance scheme was created, which provided from its entry into force for the payment of death and retirement allowances, and also benefits for sickness, maternity, invalidity, and employment injuries.⁵ In Upper Volta, a new social security scheme comprising old-age, invalidity and survivors' pensions, employment injury benefits, family allowances and maternity benefits has been instituted.⁶

¹ Ordinance No. 70-71 of 25 March 1970, to establish a general social security scheme, LS 1970-Dah.1.

² ILR, July-August 1971, p. 141.

³ ILR, March 1971, p. 295.

⁴ Act No. 79 of 27 November 1970, LS 1970-Nor.1.

⁵ National Insurance Act, No. 35 of 1971.

⁶ ILR, January 1974, p. 91.

110. In Ireland, a system of pay-related benefits was instituted, and added to basic benefits in case of unemployment, sickness and maternity.¹

111. Also, a new agricultural social security scheme was instituted in Algeria², and in Brazil³ social insurance coverage was extended to agriculture. In Poland⁴, a social insurance scheme was instituted for members of agricultural co-operatives. Finally, a special social security scheme was instituted in Spain⁵ for seafarers.

2. Medical Care and Sickness Insurance

112. A hospital insurance plan has been created in the United Kingdom territory of Bermuda.⁶ The Central African Republic has introduced a sickness insurance scheme.⁷ In Denmark, a public health service, run by local and regional authorities and in principle benefiting all residents has replaced an essentially voluntary insurance system⁸; moreover, the Sickness Benefits Act of 1972 instituted a unified system

¹ Social Welfare (Pay-related Benefits) Act, 1973.

² ILR, March 1972, p. 295.

³ LS 1969-Bra.1.

⁴ Act of 26 October 1971, Dziennik Ustaw, No. 27,
4 November 1971.

⁵ LS 1969-Sp.3.

⁶ ILR, November 1971, p. 448.

⁷ LS 1970-C.A.R.1.

⁸ LS 1971-Den.3.

of protection in case of sickness, maternity or accident, applicable to the entire active population.¹ In the Federal Republic of Germany, sickness insurance was extended to agricultural workers.²

113. The scope of the national legislation in Chile has been extended to all employees³, in Peru to domestic servants⁴ and in Colombia to new categories of workers.⁵ Also, entitlement to medical care has been extended to dependants of insured persons in Peru.⁶ The application of the legislation has been extended to new areas of the territory in Colombia⁷, Mexico⁸, Nicaragua⁹, and Peru.¹⁰

114. The duration of the payment of sickness benefits was extended through the reduction to three days of the waiting period after which these benefits are granted in

¹ Act No. 268 of 7 June 1972, Lovtidende A 1972, No. XXVI, text No. 262.

² Act of 10 August 1972, BGBl 16 August 1972, I, No. 86.

³ 56 RCE, 63 and 65.

⁴ 56 RCE, 64 and 66.

⁵ 57 RCE, 82 and 85.

⁶ 56 RCE, 152.

⁷ 58 RCE, 63.

⁸ 58 RCE, 155.

⁹ 54 RCE, 57 and 58; 57 RCE 83 and 86.

¹⁰ 58 RCE, 156.

Algeria¹ and Spain.² The right to hospital care for an unlimited period was recognised in the Federal Republic of Germany.³

3. Unemployment Benefit

115. Unemployment insurance schemes have been created in Czechoslovakia⁴ and Israel.⁵ There was a general revision of unemployment insurance in Canada⁶, intended principally to extend its scope. In Belgium⁷, a system of pay-related benefits has replaced the uniform benefits payable previously.

116. The duration of unemployment benefit was extended in Norway⁸ and in Cyprus⁹, where the conditions for granting unemployment benefit have been liberalised so as to permit the payment of benefit to partially unemployed persons.

117. In the Federal Republic of Germany¹⁰, the legislation has been amended to grant the right to unemployment

¹ 54 RCE, 56

² 58 RCE, 65.

³ 59 RCE, 168.

⁴ 54 RCE, 85.

⁵ ILR, March 1973, p. 282.

⁶ LS 1971-Can.4.

⁷ Royal Order of 13 October 1971, Moniteur Belge of 16 October 1971.

⁸ 57 RCE, 117.

⁹ 59 RCE, 101.

¹⁰ 54 RCE, 144.

benefit to persons who are out of work as a consequence of a strike in which they do not participate and which is not likely to modify their conditions of employment.

4. Employment Injury Benefits
(covering industrial injuries
and occupational diseases)

118. The scope of the legislation has been extended to cover all workers and employees in Argentina¹, to apprentices in Zaire², and to workers who had previously been excluded in Iraq.³ The application of the legislation was extended to new areas of the territory in Malaysia⁴ and Mexico.⁵ Finally, progress was achieved in the extension of protection to all agricultural workers in Colombia⁶ and Panama.⁷

119. Certain benefits in kind have been granted more liberally with the elimination of contribution by the beneficiary to the cost of the benefits in Algeria⁸, the elimination of limitations on periods during which they can be granted in Zaire⁹, and on their cost in Burma¹⁰ and Uganda.¹¹

¹ 57 RCE, 67.

² 58 RCE, 59.

³ 57 RCE, 69.

⁴ 57 RCE, 70 and 59 RCE, 50.

⁵ 58 RCE, 155.

⁶ 57 RCE, 64.

⁷ 58 RCE, 55.

⁸ 57 RCE, 67.

⁹ 56 RCE, 57.

¹⁰ 59 RCE, 48.

¹¹ 54 RCE, 46.

120. Periodical payments have been substituted for the payment of a capital sum in the case of permanent incapacity or death in Barbados¹, Chile², Iraq³, Malaysia⁴ and New Zealand⁵; and grants for funeral expenses have been introduced in Cyprus⁶ and the Netherlands.⁷

121. Employment accident insurance has been made obligatory in Belgium⁸ and Uganda.⁹ The responsibility for coverage of this eventuality, as well as of occupational diseases, has been transferred to social security schemes in Barbados¹⁰, Malaysia¹¹, Panama¹², Peru¹³, New Zealand¹⁴ and Thailand¹⁵, and also in France¹⁶ for agricultural workers.

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- ¹ 57 RCE, 67.
² 54 RCE, 44.
³ 54 RCE, 45 and 57 RCE, 69.
⁴ 57 RCE, 70.
⁵ 59 RCE, 50.
⁶ 57 RCE, 211.
⁷ 58 RCE, 184.
⁸ ILR, May 1972, p. 480.
⁹ 54 RCE, 46.
¹⁰ 57 RCE, 67.
¹¹ 57 RCE, 70.
¹² ILR, December 1970, p. 619.
¹³ LS 1972-Per.1.
¹⁴ Accident Compensation Act, 1977.
¹⁵ ILR, April 1974, p. 378.
¹⁶ ILR, August-September 1973, p. 227.

122. In other countries, the assimilation of compensation for occupational diseases with compensation for industrial accidents has been more fully assured. In Argentina¹, Australia², Barbados³, Belgium⁴, Mexico⁵, Nicaragua⁶, Panama⁷, Portugal⁸ and Uruguay⁹, more exhaustive lists of occupations and diseases which raise a presumption of occupational origin have been adopted. In Cyprus¹⁰ and in Malta¹¹, further diseases have been added to those already covered by national legislation. In Morocco¹² and Mauritania¹³, the limitative character of the list of diseases deemed to be provoked by specified harmful substances has been eliminated. in Australia (South Australia and Victoria)¹⁴, Burundi¹⁵,

¹ 59 RCE, 97.

² 57 RCE, 111.

³ 57 RCE, 111.

⁴ 54 RCE, 78.

⁵ 57 RCE, 114.

⁶ 54 RCE, 46.

⁷ 58 RCE, 90.

⁸ 57 RCE, 75.

⁹ 57 RCE, 116.

¹⁰ 57 RCE, 210.

¹¹ 59 RCE, 100.

¹² 54 RCE, 82.

¹³ 58 RCE, 60.

¹⁴ 59 RCE, 97.

¹⁵ 56 RCE, 88.

Colombia¹, Spain² and Mauritania³ the list of occupations liable to involve exposure to specified risks has been enlarged.

5. Invalidity, Survivors' and Old-Age Benefits

123. Pension insurance schemes covering old age, invalidity and the death of the head of the family have been introduced in Cameroon⁴, in India⁵ for survivors, in Tunisia⁶, in Turkey⁷ for independent non-agricultural workers, and, as already indicated above, in Dahomey, Guyana and Upper Volta. In the Federal Republic of Germany⁸ persons other than employed persons were enabled to join the insurance scheme. Further, pay-related pensions were added to the previously existing uniform pensions in Finland.⁹ In France¹⁰,

¹ 58 RCE, 59.

² 56 RCE, 89.

³ 58 RCE, 60.

⁴ ILR, August 1970, p. 195.

⁵ ILR, December 1971, p. 558.

⁶ Decree No. 71-452 of 17 December 1971, Journal Officiel No. 56 of 21 December 1971.

⁷ Act No. 1479 of 2 September 1971, Resmî Gazete No. 13956 of 14 September 1971.

⁸ Act of 16 October 1972, Bundesgesetzblatt of 2 August 1972, Part I, No. 76.

⁹ Act of 14 July 1969, Recueil des Lois Nos. 467 and 468 of 1969.

¹⁰ ILR, August-September 1973, p. 229.

supplementary retirement pensions instituted through collective agreements were extended to all employed persons not yet covered by them. In Peru¹, the pension schemes of employees and workers were merged. In Mexico² and Peru³ the coverage of the legislation was extended to new areas of the territory.

6. Equality of Treatment of
Foreigners and Nationals

124. All foreign workers legally in the territory were put on an equal footing with nationals as to social security in Spain.⁴ In Belgium⁵ the reduction of 20 per cent in the retirement pensions payable to foreign workers was abolished. Nationals of States which have ratified the Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19), and who are living abroad, as well as their survivors, have been assimilated with the nationals of Algeria⁶, Barbados⁷ and Sweden⁸ in regard to payments abroad when they are victims of industrial accidents; and nationals of States having ratified the Equality of Treatment (Social Security) Convention, 1962 (No. 118), and are living abroad, have been assimilated

¹ ILR, December 1973, p. 537.

² 58 RCE, 155.

³ 58 RCE, 156.

⁴ 54 RCE, 57 and 59.

⁵ 54 RCE, 142.

⁶ 56 RCE, 60.

⁷ 57 RCE, 76.

⁸ 54 RCE, 51.

with nationals in Madagascar¹, even when they are resident abroad or transfer their residence abroad. All conditions requiring a period of residence in the national territory before entitlement to benefits have been abolished in Norway², as regards family allowances, for nationals of States which have ratified Convention No. 118 and in the Netherlands², as concerns unemployment, for nationals of States bound by Convention No. 44. Finally, widows' and orphans' benefits payable in the Netherlands³ in respect of breadwinners who were over a certain age when the legislation (transitory provisions) came into force, were also made payable to nationals of States having ratified the Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48).

7. Payment of Benefit Abroad

125. Certain residence conditions for the payment of family benefits and death grants were abolished both for nationals and for foreigners by Israel.⁴ Also, invalidity, old-age and survivors' benefits due under the legislation of Yugoslavia⁵ are now payable abroad without condition of nationality.

¹ 54 RCE, 160.

² 57 RCE, 116.

³ 54 RCE, 87.

⁴ 57 RCE, 209.

⁵ 59 RCE, 103.

For family benefit and maternity benefit, see under section E, 1 and 2, below.

C. The Right to an Adequate Standard of Living

126. The information which the ILO can supply in connection with the right to an adequate standard of living is to be found in sections A and B above.

D. The Right to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health

127. While the ILO is not directly concerned with the right to health as such, among its areas of concern are the protection of the health of workers and health protection as an aspect of social security. In regard to these matters, reference should be made to sections A3 (dealing with safe and healthy working conditions) and B2 (dealing with medical care) above and to section E2 and 3 (dealing with maternity protection and the protection of children and young persons) below.

E. Right of the Family, Motherhood and Childhood to Protection and Assistance

1. Right of the Family to Protection and Assistance

Developments at the National Level

128. Family allowance schemes have been created in Burundi¹ and Japan.²

¹ ILR, December 1972, p. 573.

² Act No. 73 of 27 May 1971.

2. Right of Mothers to Special Care and Assistance

Developments at the National Level

(i) Maternity Protection

129. The right to maternity benefits has been extended to temporary workers and to members of the employer's family in Colombia¹, to members of agricultural co-operatives in Hungary², to domestic workers in Spain³, to temporary workers in Yugoslavia⁴, and to new regions of the territory in Greece⁵ and Mexico.⁶

130. The right to benefit has been recognised without the need for a qualifying period in Bulgaria⁷, Mauritania⁸ (as a result of direct contacts) and in Yugoslavia.⁹

131. Further, the legislation of Nicaragua¹⁰, Panama¹¹ and Venezuela¹² has been amended so as to specify that when the birth takes place after the expected date the prenatal leave must be extended without reduction of the postnatal leave.

¹ 57 RCE, 57.

² 56 RCE, 153.

³ 56 RCE, 153.

⁴ 56 RCE, 154.

⁵ 56 RCE, 43.

⁶ 58 RCE, 155.

⁷ 59 RCE, 40.

⁸ 58 RCE, 50.

⁹ 56 RCE, 154.

¹⁰ 56 RCE, 43.

¹¹ 58 RCE, 50.

¹² 59 RCE, 40.

(ii) Prohibition of Night Work

Developments at the National Level

132. A number of countries have adopted new legislation incorporating a prohibition on night work by women. These include the Khmer Republic¹ and Laos², where the night period when work is prohibited is one of eleven consecutive hours in accordance with the relevant ILO Conventions, as well as Somalia³ and Thailand⁴ where, however, the night period is fixed at seven and six hours respectively.

133. In the Libyan Arab Republic, the existing prohibition was extended in 1970 to cover a period of eleven hours, whereas it had previously been limited to nine hours.⁵ In Austria⁶ the prohibition has been extended to women salaried employees, to whom it did not formerly apply, the exceptions permitted to the prohibition of night work have been restricted to those authorised by the Night Work (Women) Convention (Revised), 1948 (No. 89). Similar restrictions on the permitted exceptions

¹ 58 RCE, 50.

² 58 RCE, 51.

³ Labour Code, 1972 (LS 1972-Som.1).

⁴ Announcement of the Ministry of the Interior respecting labour protection, dated 16 April 1972 (LS 1972-Thai.2A).

⁵ 57 RCE, 168.

⁶ 54 RCE, 126.

have also been introduced in Chad¹, Costa Rica², and the Netherlands. Portugal has taken a number of measures to ensure that the night work prohibition is in conformity with this and earlier Conventions on the subject.³

3. Right of Children and Young Persons to Special Care and Assistance

(a) ILO Activities

134. At its 58th Session held in June 1973 the International Labour Conference adopted two new instruments on the minimum age for admission to employment, a Convention (No. 138) and a Recommendation (No. 146). The Convention is designed to replace gradually the existing instruments applicable to limited economic sectors (which are listed in the appendix to this report under Part III E3) and commits ratifying States to pursue a national policy designed to ensure the effective abolition of child labour. The minimum age accepted by each ratifying State must be declared on ratification. It must be not less than 15 years (or 14 years in the case of countries whose economy and educational facilities are insufficiently developed) and a higher minimum age may be specified later. For employment likely to jeopardise the health, safety or morals of young persons, the minimum age must in principle be 18 years but may be fixed at 16 years provided adequate protection is assured. The complementary

¹ 54 RCE, 35.

² 58 RCE, 135.

³ 56 RCE, 45; 58 RCE, 137.

Recommendation sets a minimum age of 16 years as the objective to be pursued and contains guidelines on the various aspects of national policy with respect to the employment of children and young persons.

(b) Developments at the National Level

(i) Minimum age for admission to employment

135. In Argentina, as a result of direct contacts, Act No. 18624 adopted on 13 March 1970 prohibits work by children under 14 years in domestic service, and in public and private industrial and commercial undertakings and establishments.¹ In Iraq by virtue of section 86(b) of the Labour Law of 1970, the employment of children under 15 years of age is prohibited.² In Luxembourg the Act of 28 October 1969 prohibits the employment of children until they have reached the age of 15 or until they have completed compulsory schooling.³ In Nicaragua, Executive Decree No. 39 of 14 April 1969 prohibits the employment of children under 15 years of age on maritime vessels.⁴

136. In Costa Rica⁵ (as a result of direct contacts),

¹ 54 RCE, 76, LS 1970-Arg.2.

² 56 RCE, 97.

³ 56 RCE, 97; LS 1969-Lux.1.

⁴ 54 RCE, 37.

⁵ 58 RCE, 180.

Nicaragua¹, Tanzania² and Uruguay³, provisions have been adopted prohibiting the employment of children under 18 years of age on board ship as trimmers or stokers. In Guatemala the employment of children under 15 years of age on board fishing vessels has been prohibited, following direct contacts, by Government Decree No. 14-73 of 12 April 1973.⁴

137. In Brazil, Decree No. 66280 of 27 February 1970 limits the light work which may be performed by children from the age of 12 years to sectors outside industry and land and sea transport.⁵ In Chad Decree No. 55/PR of 8 February 1969 subjects the exceptions authorised for light work for children over 12 years of age to certain guarantees and limitations.⁶ In Italy, Decree No. 36 of 4 January 1971 defines the forms of light work on which children over 14 years of age may be employed.⁷ In Mauritania, Order No. 00335/MFP.T. of 17 May 1972, adopted following direct contacts, regulates the employment of children over 12 years of age on light work.⁸

¹ 54 RCE, 41.

² 54 RCE, 41.

³ 57 RCE, 66.

⁴ 59 RCE, 195.

⁵ 56 RCE, 46.

⁶ 57 RCE, 107.

⁷ 57 RCE, 126.

⁸ 58 RCE, 83-84.

(ii) Medical examination of
young workers

138. In Luxembourg, the Act of 28 October 1969 concerning the protection of children and young workers provides that they must be subject to regular medical supervision up to the age of 18.¹ Similar provisions have been introduced in Peru by Supreme Decree 006-73-TR of 5 June 1971², and in Somalia by Act No. 65 of 18 October 1972 instituting the Labour Code.³ In Uruguay Decree No. 85/971, which regulates medical examinations of fitness for employment of children and young persons, was approved on 16 December 1971, following direct contacts.⁴ In Guatemala⁵ and Paraguay⁶ the requirement of a medical examination has been extended to new categories of young people.

139. In Cyprus⁷ and Jordan⁸, the compulsory periodic medical examination of young persons under 21 years of age engaged in underground work was introduced in 1970 and 1971 respectively, while in Zambia it has been extended to young persons working underground in quarries.⁹

¹ 56 RCE, 104.

² 59 RCE, 117.

³ LS 1972-Som.1: 59 RCE, 47.

⁴ 57 RCE, 133, 134.

⁵ 59 RCE, 115-116.

⁶ 69 RCE, 117.

⁷ 57 RCE, 212.

⁸ 58 RCE, 186.

⁹ 57 RCE, 212.

140. In Nicaragua section 10 of Presidential Decree No. 39 of 14 April 1969 provides that young persons under 18 years of age may only be employed on board ship on presentation of a medical certificate attesting to their fitness, and that a further medical examination must be made each year.¹

(iii) Night work

141. In Argentina² and the Dominican Republic³, as a result of direct contacts, new legislation has been adopted prohibiting night work by young persons under 18 years of age for a period of twelve consecutive hours. A similar prohibition has been introduced in the Khmer Republic⁴, Laos⁵ and Luxembourg.⁶ In the Danish territory of Greenland⁷ the prohibition introduced in 1971 covers a period of eleven hours, while in Nicaragua⁸ the period during which night work is prohibited is one of ten hours.

¹ 54 RCE, 42.

² 54 RCE, 102, 129.

³ 58 RCE, 102, 137.

⁴ 58 RCE, 52.

⁵ 58 RCE, 52.

⁶ 54 RCE, 130.

⁷ 58 RCE, 200.

⁸ 54 RCE, 36-37.

142. The already existing prohibition has been extended in Mauritania¹ (from eleven to twelve hours, following direct contacts), in Pakistan² (from twelve to thirteen hours for apprentices of 16 to 18 years), in the Philippines³ (from eight to thirteen hours) and in Sao Tomé e Príncipe⁴ (from eight to eleven hours). In Guatemala, as a result of direct contacts, the prohibition on night work has been extended to young persons employed by the State, the municipalities and other bodies supported by public funds⁵, and in Mexico⁶ and Timor⁷ the age up to which the prohibition applies has been raised from 16 to 18 years.

143. Finally, new limitations have been introduced to the exemptions which can be granted from the prohibition of night work by children in Costa Rica⁸, Israel⁹, Netherlands¹⁰, Portugal¹¹ and Yugoslavia.¹²

¹ 58 RCE, 138.

² 59 RCE, 155-156.

³ 58 RCE, 139.

⁴ 56 RCE, 47-48.

⁵ 59 RCE, 117.

⁶ 57 RCE, 171.

⁷ 56 RCE, 47-48.

⁸ 59 RCE, 154.

⁹ 59 RCE, 118.

¹⁰ 57 RCE, 171.

¹¹ 58 RCE, 52 and 137.

¹² 56 RCE, 138-139.

F. The Right to Education

144. Of the subjects covered by the right to education, the ILO is directly concerned only with technical, vocational and professional education, which is dealt with in section III (A) 2(2) above.

G. The Right to Participate Freely
in Cultural Life

145. The questions covered by this heading fall primarily within the competence of organisations other than the ILO.

IV. ACTION WITH A VIEW TO ENSURING THAT
THE RIGHTS REFERRED TO UNDER III ABOVE
ARE ENJOYED BY INCREASING NUMBERS OF THE
POPULATION AND WITHOUT DISTINCTION OF ANY
KIND, SUCH AS RACE, COLOUR, SEX, LANGUAGE,
POLITICAL OR OTHER OPINION, NATIONAL OR
SOCIAL ORIGIN, PROPERTY, BIRTH OR OTHER
STATUS

(a) ILO Activities

146. Information on the situation in ILO member States in the fields covered by the Discrimination (Employment and Occupation) Convention and Recommendation, 1958 (No. 111) was analysed by the Committee of Experts on the Application of Conventions and Recommendations in a General Survey which was submitted to the International Labour Conference in June 1971.¹ The survey examines the various types of measures which have been and are to be taken within the framework of national policies designed to eliminate discrimination in employment and occupation within the meaning of the ILO instruments. It refers to legislative or administrative measures which should be abrogated, and to positive measures which should be adopted at the legislative, practical, educational and institutional levels. It comments on the nature and respective merits of different kinds of measures in the light of experience and of different national conditions.

¹ ILC, 56th Session, Geneva, 1971, Report III (Part 4B): General Survey on the Reports relating to the Discrimination (Employment and Occupation) Convention and Recommendation, 1958.

147. In 1973 the Committee of Experts drew attention to the importance of legislation which would, as required by Article 3(b) of the Convention, specifically define as illegal all discriminatory practices in matters of employment and would prescribe suitable methods for the consideration and practical solution of cases in which such practices were alleged to exist. The Committee believed that technical advice could usefully be given on this matter by the International Labour Office through the mechanism of direct contacts, by means of special studies, or by information or technical co-operation.¹

148. Within the general framework of the ILO's anti-discrimination programme, the Governing Body, at its 188th Session (Geneva, November 1972) decided to introduce a new form of practical action, namely the preparation of special surveys designed to contribute to the evaluation of the facts and the search for solutions in certain national situations. Surveys of this nature can be made, with the consent of the government concerned, following a request made by a member State or a workers' or employers' organisation on specific questions of concern to them.

149. It was understood that such special surveys might be based on criteria such as those laid down in the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). However, this form of action is more general in scope and is not limited to countries which have ratified the Convention. The questions raised might concern the situation of groups of people defined, for example, according to race, religion, national extraction, social origin, membership of a minority

¹ 58 RCE 172.

group, sex or age, but should not deal with individual cases unrelated to broader issues of policy.

150. At its 191st Session (November 1973) the Governing Body approved guidelines, on an experimental basis, for the examination of requests for such special surveys. Provision is made in these guidelines for two different types of cases: those in which the request is directly submitted by the government of a member State in connection with questions arising in its own country, and those in which the request comes from an employers' or workers' organisation or another member State. The Director-General is authorised to "examine the effect to be given to any request for a special survey submitted by a member State, or a workers' or employers' organisation, on specific questions of concern to them, and, if the government concerned agrees to such a survey, to settle the arrangements for carrying it out in agreement with the government". Steps have already been initiated with a view to conducting such special surveys at the request of certain governments.

151. At the request of one Government (Malaysia), an on-the-spot mission took place in the spring of 1973 to examine the possibility of co-operation with the ILO on a longer-term basis in the study of questions arising from the multi-racial structure of the country in the employment sphere, and appropriate measures to promote equality of opportunity and treatment. The effect to be given to this suggestion is under consideration.

152. In the course of missions which took place in various countries in 1973, on-the-spot consultations aimed at the clarification of issues concerning the application and /...

ratification of Convention No. 111 were held in Singapore, Sri Lanka, Trinidad and Tobago, Barbados and Jamaica.

153. Information provided by the ILO on its activities in 1971 in connection with the International Year for Action to Combat Racism and Racial Discrimination is reproduced in document A/8367 submitted to the 26th Session of the General Assembly (paragraphs 55-57), together with the text of the resolution adopted by the ILO Conference in June 1971 on this subject.

154. A Regional Seminar on Equality of Opportunity in Employment was convened by the ILO in Manila from 2 to 11 December 1969. It brought together 15 participants from Asian countries, nominated respectively by the governments, employers and workers. In the light of national experience, the Seminar discussed the situation of different population groups with regard to employment and occupation, the causes of inequalities and the most suitable methods to promote equality in this field. The report of the Seminar and the written contributions on national experience prepared by the participants were published in 1970.¹

155. During the period under review research has continued on various problems, including the relationship between economic inequality and race relations and the situation of foreign workers, the latter being a contribution to action under the resolutions concerning ILO action for the equality of treatment of migrant workers adopted by the International Labour Conference at its 56th (1971) and 57th (1972) Sessions.

¹ Equality of Opportunity in Employment in Asia: Problems and Policies, Geneva, 1970.

156. A study on migrant workers was submitted by the Director-General to the Governing Body at its 188th Session in November 1972.¹ At that session, the Governing Body decided to bear in mind the various requests made by the Conference concerning migrant workers in reaching the decisions which it would be called upon to take regarding the ILO's co-ordinated programme of action for migrant workers, the Long-Term Plan 1974-79, and the Programme and Budget for 1974-75. The Governing Body having decided to place the question of migrant workers on the agenda of the 59th (1974) Session of the International Labour Conference, a report concerning the promotion of equality of opportunity and treatment and the elimination of discrimination against migrant workers has been prepared for consideration by the Conference.²

157. Further articles on the situation in certain countries and on selected issues have been published in the International Labour Review.³ A study on discrimination based on age has

¹ GB.188/5/9.

² ILC, 59th Session, 1974, Report VII(1) and (2): Migrant Workers.

³ Action to Ensure that Soviet Citizens Enjoy Equal Rights and Opportunities, December 1969; Race Relations in Employment in the United Kingdom, July 1970; Aptitude Tests and Discrimination, September 1970; Special Complaint Procedures concerning Discrimination in Employment, November 1971; The Economic and Social Promotion of the Scheduled Castes and Tribes in India, January 1971; and Ethnic and Socio-Economic Patterns in Malaysia, December 1971.

been undertaken and its results will be published shortly in the Review.

158. In regard to public information and education in general, a poster setting out the ILO principles relating to promotion of equality of opportunity and elimination of discrimination in employment has been issued in English, French and Spanish. It has been widely disseminated through the efforts of governments, employers' and workers' organisations, as well as United Nations Information Centres. Further, a series of radio broadcasts on the eradication of discrimination in employment has been prepared and various national broadcasting agencies have agreed to their emission.

159. Following the adoption by the International Labour Conference, at its 57th Session in June 1972, of a resolution concerning the policy of colonial oppression, racial discrimination and violation of trade union rights pursued by Portugal in Angola, Mozambique and Guinea (Bissau), the Governing Body decided at its 188th Session (Geneva, November 1972) to instruct the Director-General to ensure with all means the widest dissemination, in the areas of Angola, Mozambique and Guinea (Bissau) - as far as possible in the language of these areas - of information and documentation on the exercise of civil liberties and trade union rights. In pursuance of this decision, the ILO prepared early in 1973 a booklet on the exercise of civil liberties and trade union rights in Angola, Mozambique and Guinea (Bissau), which was issued in English, French, Portuguese and Swahili and distributed through

/...

the ILO's regional office and with the co-operation of governments, employers' and workers' organisations and regional intergovernmental organisations in the African region.

160. In accordance with the Declaration concerning the Policy of "Apartheid" of the Republic of South Africa, adopted in 1964 by the International Labour Conference, a special report on developments in this field has been presented to the Conference by the Director-General every year since then.

161. As regards action taken by the ILO to give effect to the resolution concerning apartheid adopted by the Conference in June 1971, the ILO's public information booklet entitled The ILO and Apartheid, which had previously been published in English, French and Spanish, has now also been issued in Afrikaans, Arabic and Swahili and widely distributed in the regions where these languages are spoken.

162. Pursuant to a recommendation of the United Nations General Assembly of December 1970, and a resolution adopted by the Workers' members at the International Labour Conference in June 1972, an International Trade Union Conference was held on 15 and 16 June 1973 during the 58th Session of the International Labour Conference to formulate a common programme of action against apartheid by the trade union movement. The Trade Union Conference was attended by representatives of more than 200 trade union organisations, representing 180 million workers and all tendencies of the world trade union movement. The United Nations Special Committee on Apartheid was closely associated in the preparation and

convening of this Conference. A resolution unanimously adopted by this Conference, denouncing the South African Government's policy of apartheid and racial discrimination, and calling for the adoption of a series of practical measures by all trade union organisations to combat this policy, was communicated to the International Labour Conference by the Chairman of the Workers' group on 19 June 1973.¹ The Trade Union Conference will be dealt with in the Director-General's Tenth Special Report on Apartheid to the 59th Session of the ILC.

163. On 9 June 1973 the Executive Committee of the International Organisation of Employers unanimously adopted a declaration concerning apartheid, which was communicated to the International Labour Conference on 11 June 1973 by the President of the IOE General Council.²

¹ ILC, 58th Session (1973) Record of Proceedings, pp. 382-383.

² Ibid., pp. 142-143.

164. In relation with discrimination against women, the International Labour Conference, at its 57th Session in 1972, adopted a resolution concerning women workers, in which, considering, inter alia, that urgent problems have arisen in connection with the needs of women workers in modern society and the general need to utilise fully all human resources, it invited the Governing Body (a) to work out a coherent programme of activities designed to promote true equality of treatment and opportunity for women workers, with particular reference to discrimination in training and employment, the assurance of equal pay for work of equal value, and the provision of facilities to meet the family responsibilities of working parents, and (b) to bring up to date the report on women workers in a changing world submitted to the International Labour Conference in 1964. Subsequently, the Governing Body decided to place the question of equality of opportunity and treatment for women workers on the agenda of the Conference in 1975, for general discussion.

(b) Developments at the National Level

165. A steadily growing number of countries have adopted new legislation designed to promote the elimination of certain forms of discrimination. In Australia, the States Grants (Aboriginal Advancement) Act, was adopted in 1970 to grant financial assistance to the states in connection with the welfare and advancement of the Aboriginal people of Australia. Furthermore, in Western Australia the Aboriginal Affairs Planning Authority Act 1972 provided for the establishment of an Aboriginal Affairs Planning Authority, a Commissioner for Aboriginal Planning and an Aboriginal Affairs

Advisory Council for the purpose of providing consultative and other services and for economic, social and cultural advancement of persons of Aboriginal descent. In 1973, in connection with Australia's ratification of ILO Discrimination (Employment and Occupation) Convention (No. 111), 1958, machinery was established at national and state levels to deal with allegations of discrimination in employment.

166. In the United Kingdom territory of Bermuda, the Race Relations Act 1969 provides legal protection against discriminatory acts; the Race Relations Advisory Council keeps the situation under review. In Colombia, Act No. 13 of 1972 prohibited discrimination between citizens as regards employment, more particularly based on their civil status, family situation, religion or political affiliation.¹ In Costa Rica, a new Penal Code (Act No. 4573 of 1970) lays down penalties for discriminatory acts in the field of employment on grounds of race, sex, age, religion, civil status, political opinion, social origin or economic situation. In France, Act No. 72-546² to combat racism, makes it an offence for any person who, by virtue of his profession or duties, employs other persons, to refuse to engage or to dismiss someone on account of his origins or of the fact that he does or does not belong to a specific group, nationality, race or religion, or to make an offer of employment conditional on any of these considerations. Act No. 71-558³ relating to press advertisements of vacancies and applications for employment, prohibits the publication of job vacancies specifying an upper age limit in respect of occupations subject to the Labour Code.

¹ 59 RCE, 191.

² LS 1972 Fr. 2.

³ Journal officiel, No. 161 of 13 July 1971, p. 6910. /...

167. In Guatemala, provisions of 1963, which had the effect of excluding persons convicted of certain offences of a political nature from any form of public employment and from holding office in an employers' or workers' organisation, were repealed by Decree No. 1725 of 1970.¹ In Italy, Act No. 300 of 1970² prohibits employers, when engaging an employee or during the employment relationship, from making inquiries into a worker's political, religious or trade union opinions, or from giving a worker preferential financial treatment of a discriminatory nature. In Japan, the Integration Projects Special Measures Law of 1969 sought to clarify the aims of integration projects carried out through the co-operation of the State and local public bodies in areas where the stabilisation and improvement of living conditions are hampered for historical and social reasons, to take the necessary measures to attain these aims, and thereby to foster economic progress in the areas covered.³

168. In Mexico, the new Federal Labour Act of 1969⁴ deals more fully and in more detail than the earlier legislation with equality of treatment of workers, irrespective of their position, race, sex, age, religious faith, political opinion or social status. Act No. 150 to affirm and promote racial equality in New Zealand and to forbid discrimination in employment on the basis of colour, race or ethnic or national origins was adopted in December 1971.⁵

¹ 56 RCE, 175-176.

² LS 1970-It.2.

³ 56 SRUC, 14-15.

⁴ LS 1969-Mex.1.

⁵ LS 1971-N.Z.1.

169. In the United States, Part 30 of Title 29 of the Consolidated Federal Regulations, relating to equal employment opportunity in apprenticeship and training, was revised in March 1971.¹ This Part sets forth policies and procedures to promote equality of opportunity in apprenticeship programmes registered with the US Department of Labor or with state apprenticeship agencies; it prohibits discrimination based on race, colour, religion, national origin, or sex in apprenticeship programmes, requires affirmative action to provide equal opportunity in such programmes, and provides for co-ordination with other equal opportunity programmes. The Civil Rights Act of 1964 has been amended by the Equal Employment Opportunity Act of 1972², which establishes an "Equal Employment Opportunity Co-ordinating Council" to co-ordinate the activities of the various departments, agencies and branches of the Federal Government responsible for the implementation and enforcement of equal employment opportunity legislation and policies. A new section on non-discrimination in Federal Government Employment has also been added to the Civil Rights Act. A memorandum stating the federal policy on remedies concerning equal employment opportunity in state and local government personnel systems, dated 23 March 1973³, was issued to indicate how government agencies should act to implement the distinction between proper goals and timetables on the one hand, and impermissible quotas and preferences on the other, with due regard for merit selection principles, so as to promote equal employment opportunities. Guidelines (as to the requirements of Executive Order No. 11246 of 1965, as amended) on discrimination

¹ LS 1971-USA 1.

² LS 1972-USA 1 (P.L. 92-261, March 1972).

³ (FEP Manual, 401:105).

on grounds of religion or national origin issued by the Office of Federal Contract Compliance for promoting and ensuring equal employment opportunity for members of various religious and ethnic groups (primarily but not exclusively of Eastern, Middle and Southern European ancestry, such as Jews, Catholics, Italians, Greeks and Slavic groups) who continue to encounter employment discrimination because of their religion and/or national origin became effective 20 February 1973.

170. During the period under review legislative and other measures were also taken in a series of countries to eliminate distinctions based on sex or marital status affecting the access of women to certain types of post, or their conditions of employment. For example, in Canada an amendment to the Alberta Human Rights Act¹ added sex, marital status and age to race, religious beliefs, colour, ancestry or place of origin as grounds on which discrimination is prohibited. The Government of the Province of Ontario issued in June 1973 a paper entitled "Equal Opportunity for Women in Ontario: A Plan for Action"², in which it proposed in particular: a review of the "equal pay" sections of the Employment Standards Act; a reappraisal of existing protective legislation for women; expanded career counselling services; additional measures to meet the needs of women with families including improved day-care services planning; the organisation of more local family planning services; and special community programmes for rural, immigrant, native and transient women; and measures to improve employment and career opportunities for women in the Ontario Public Service. In Finland the Committee on

¹ Revised Statutes 1970, Ch. 178, 1971, Ch. 48.

² Provincial Secretary for Social Development, Toronto, June 1973.

the Status of Women issued a comprehensive report in 1970 showing central areas of discrimination and making recommendations for overcoming discriminatory practices. In 1972 the Equality Committee was set up to promote, among other tasks, economic and social equality between men and women. Decree No. 188 of 1972 concerning women's eligibility for a post or office in the Civil Service established that women may be appointed as provincial governors.

171. In Japan, in June 1972 both the House of Representatives and the House of Councillors adopted a resolution calling, inter alia, for the banning of any and all discriminatory treatment against women workers on the ground of sex and for the taking of the necessary measures to achieve this. Law No. 113 respecting the welfare of working women, adopted on 16 June 1972¹, provides for measures to further the welfare and improve the status of working women, "without discriminatory treatment on account of sex". In Spain, in accordance with Decree No. 2310 of 20 August 1970² to issue regulations concerning the labour rights of working women, women are entitled to work in employment in full equality with men for all legal purposes, and to receive the same remuneration as men. It is unlawful for any labour regulations, orders respecting labour matters, collective industrial agreements made with trade unions, compulsory rules (under collective agreements) or work rules to contain any stipulations or clauses implying any difference between workers on the grounds of sex, as regards occupational categories, conditions of work and remuneration. The government

¹ LS 1972 - Jap. 1.

² LS 1970 - Sp. 2.

services are required to adopt the necessary measures for the implementation of the principle of equality of opportunity in the field of vocational training and advanced training, and discrimination on the basis of sex in admissions to vocational training courses is declared to be illegal. In Switzerland, the provisions of the Act of 30 June 1927 on the civil service, under which the employment of women public servants could be terminated on marriage, have been amended by the Federal Act of 28 June 1972.¹

172. In the United States, the proposed Equal Rights Amendment was of major topical interest in promoting the elimination of sex discrimination. This 27th amendment to the US Constitution was adopted by Congress in March 1972 and submitted to the states for ratification.² Similar amendments to state constitutions have been adopted in 10 states in 1971 and 1972. As regards federal employees' compensation and benefits Public Law 92-187, approved 15 December 1971, provides for the grant of equal benefits to men and women employees.

¹ 58 RCE, 179-180.

² The proposed amendment has been ratified by 33 states so far and it must be ratified by 3/4 of the states (i.e. 38 states) in order to enter into force.

V. DIFFICULTIES EXPERIENCED IN ENSURING THE ENJOYMENT
OF THE RIGHTS REFERRED TO UNDER III AND IV ABOVE,
AND METHODS AND MEASURES APPLIED TO OVERCOME
SUCH DIFFICULTIES

173. As a result of the operation of the various ILO procedures for supervising the application of Conventions and Recommendations, an important body of information becomes available relating to difficulties encountered in ensuring the enjoyment of a number of economic and social rights and measures taken to overcome those difficulties. This information can be found in particular in the reports of the Committee of Experts on the Application of Conventions and Recommendations¹, of the Conference Committee on the Application of Conventions and Recommendations², and of the Governing Body Committee on Freedom of Association.³ These various procedures aim not only at identifying difficulties in ensuring the implementation of ILO standards, but also at helping to overcome such difficulties. Through its other activities, especially technical co-operation, the ILO seeks to assist governments in removing difficulties encountered.

¹ For the period under review, see 54, 56, 57 and 58 RCE.

² For the period under review, see International Labour Conference, 54th, 56th, 57th and 58th Sessions, Record of Proceedings: Report of the Committee on the Application of Conventions and Recommendations.

³ For the period under review, see Supplements to Official Bulletins, Vol. LII, No. 4, Vol. LIII, Nos. 2 and 4, Vol. LIV, Nos. 2 and 4, Vol. LV and Vol. LVI.

174. In this connection it should be emphasised that the setting of standards in the labour field and technical co-operation are complementary functions of the ILO. As was pointed out at the Fifth Session of the ILO's African Advisory Committee¹, the object of technical co-operation should be to raise social standards on the basis of ILO instruments. The standards laid down in these instruments can provide inspiration and guidance in the preparation and execution of technical co-operation programmes, while the two together provide a solid framework within which ILO action for the promotion of economic and social rights can go forward.

175. The ILO continues to organise regional seminars on national and international labour standards for government officials, which are aimed at helping member States to discharge their obligations in relation to international labour standards, to play their full part in the Organisation's standard setting work and to derive maximum benefit from this work. Such seminars were organised for English-speaking African countries (1969) and for French-speaking African countries (1971). A similar seminar was held in 1970 for the worker delegates to the International Labour Conference to familiarise them with the role which workers' organisations can play in relation to ILO standards.

¹ Addis Ababa, September-October 1972. For the Committee's Report, see GB.188/6/3.

176. During the period under review, the procedure of direct contacts with governments in regard to difficulties in the application of ratified Conventions noted by the competent ILO supervisory bodies (described in paragraphs 10-12 above), which was initiated in 1969 on an experimental basis, has developed into a regular feature and has in many cases helped to resolve long-standing difficulties in the application of Conventions.

177. The introduction of regional reviews of selected international labour Conventions by the ILO's regional conferences and advisory committees, mentioned in paragraphs 18-19, provides an opportunity for the countries of the region to examine difficulties in the way of the ratification or implementation of the Conventions considered and to explore ways of overcoming them.

178. Among other measures taken by the ILO with a view to overcoming difficulties in the realisation of economic and social rights, special mention should be made of the various forms of action under the World Employment Programme, designed to promote the right to work in all its aspects, and of the special surveys which may be carried out in the field of equality of opportunity and treatment in employment and occupation with a view to evaluating facts and finding solutions in certain national situations. Both of these have been described in earlier parts of the report.¹

179. While the above indications serve to bring out some of the salient features of ILO action to promote the more effective enjoyment of economic and social rights, it needs to be re-emphasised that such action forms an integral part of the ILO's over-all programme and that the whole of the research, operational and standard-setting work of the ILO is aimed, either directly or indirectly, at promoting and extending such human rights to increasing numbers of people.

¹ See Parts II A 1 and Part IV above.

APPENDIX

Subject and Convention	No. of ratifications between 1.7.69 and 30.6.73	Total ratifications at 30.6.73
A. <u>Right to Work:</u>		
1. <u>Promotion of the right to work:</u>		
Unemployment Convention, 1919	2	47
Employment Service Convention, 1948	5	55
Employment Policy Convention, 1964	20	49
Placing of Seamen Convention, 1920	2	30
Fee-Charging Employment Agencies Convention, 1933	-	10
Fee-Charging Employment Agencies Convention (Revised), 1949	4	32
Seamen's Articles of Agreement Convention, 1926	3	44
Migration for Employment Convention (Revised), 1949	1	30
Social Policy (Basic Aims and Standards) Convention, 1962	7	25
Dock Work Convention, 1973	-	-
2. <u>Free choice of employment:</u>		
Forced Labour Convention, 1930	2	106
Abolition of Forced Labour Convention, 1957	5	90
Recruiting of Indigenous Workers Convention, 1936	1	26
Contracts of Employment (Indigenous Workers) Convention, 1939	2	24
Contracts of Employment (Indigenous Workers) Convention, 1947	4	18
Penal Sanctions (Indigenous Workers) Convention, 1939	2	27
Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955	3	23

Subject and Convention	No. of ratifications between 1.7.69 and 30.6.73	Total ratifications at 30.6.73
Employment Policy Convention, 1964	20	49
Indigenous and Tribal Populations Convention, 1957	3	25
*Plantations Convention, 1958 Parts II and III	3	9
. <u>Just and favourable conditions of work</u> (safe and healthy working conditions):		
Labour Inspection Convention, 1947	10	81
Labour Inspectorates (Non- Metropolitan Territories) Convention, 1947	-	4
Plantations Convention, 1958, Part XI	3	10
White Lead (Painting) Convention, 1921	1	49
Marking of Weight (Packages Trans- ported by Vessels) Convention, 1929	6	50
Protection against Accidents (Dockers) Convention, 1929	-	4
Protection against Accidents (Dockers) Convention, Revised, 1932	8	37
Underground Work (Women) Convention, 1935	1	75
Safety Provisions (Building) Convention, 1937	3	26
Food and Catering (Ships' Crews) Convention, 1946	2	16
Accommodation of Crews Convention (Revised), 1949	5	22
Radiation Protection Convention, 1960	3	26
Guarding of Machinery Convention, 1963	11	30
Hygiene (Commerce and Offices). Convention, 1964	9	33
Accommodation of Crews (Fishermen) Convention, 1966	5	8
Maximum Weight Convention, 1967	10	14

* The figures given relate to States accepting the relevant parts.

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Subject and Convention	No. of ratifications between 1.7.69 and 30.6.73	Total ratifications at 30.6.73
Accommodation of Crews (Supplementary Provisions) Convention, 1970	4	4
Prevention of Accidents (Seafarers) Convention, 1970	3	3
Benzene Convention, 1971	7	7
Dock Work Convention, 1973	-	-
4. <u>Protection against unemployment:</u>		
See under A.1. above and B.2. below		
5. <u>Fair remuneration:</u>		
Minimum Wage-Fixing Machinery Convention, 1928	6	82
Minimum Wage-Fixing Machinery (Agriculture) Convention, 1951	8	40
Minimum Wage-Fixing Convention, 1970	10	10
Labour Clauses (Public Contracts) Convention, 1949	3	45
Protection of Wages Convention, 1949	7	70
Plantations Convention, 1958, Part IV	3	10
Social Policy (Non-Metropolitan Territories) Convention, 1947	-	4
Social Policy (Basic Aims and Standards) Convention, 1962	7	25
6. <u>Equal pay for work of equal value:</u>		
Equal Remuneration Convention, 1951	10	78
Discrimination (Employment and Occupation) Convention, 1958	13	82
Social Policy (Non-Metropolitan Territories) Convention, 1947		4
Social Policy (Basic Aims and Standards) Convention, 1962	7	25
7. <u>Right to rest and leisure:</u>		
A. <u>Hours of work:</u>		
Hours of Work (Industry) Convention, 1919	4	36

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Subject and Convention	No. of ratifications between 1.7.69 and 30.6.73	Total ratifications at 30.6.73
Hours of Work (Commerce and Offices) Convention, 1930	1	24
Forty-Hour Week Convention, 1935	1	5
Hours of Work and Rest Periods (Road Transport) Convention, 1939	-	4
Sheet-Glass Works Convention, 1934	1	10
B. <u>Weekly rest:</u>		
Weekly Rest (Industry) Convention, 1921	5	81
Weekly Rest (Commerce and Offices) Convention, 1957	8	37
Plantations Convention, 1958, Part VI	3	10
C. <u>Holidays with pay:</u>		
Holidays with Pay Convention, 1936	3	48
Holidays with Pay (Agriculture) Convention, 1952	4	38
Holidays with Pay Convention (Revised), 1970	3	3
Plantations Convention, 1958, Part V	3	10
8. <u>Trade union freedom:</u>		
Freedom of Association and Protection of the Right to Organise Convention, 1948	3	80
Right to Organise and Collective Bargaining Convention, 1949	4	93
Right of Association (Agriculture) Convention, 1921	3	89
Right of Association (Non-Metropolitan Territories) Convention, 1947	-	4
Workers' Representatives Convention, 1971	10	10
Plantations Convention, 1958, Parts IX and X	3	8

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Subject and Convention	No. of ratifications between 1.7.69 and 30.6.73	Total ratifications at 30.6.73
B. <u>The Right to Social Security</u>		
1. <u>Generally:</u>		
Social Security (Minimum Standards) Convention, 1952	3	22
Equality of Treatment (Social Security) Convention, 1962	5	26
2. <u>Unemployment benefit:</u>		
Unemployment Indemnity (Shipwreck) Convention, 1920	3	41
Unemployment Provision Convention, 1934	1	14
*Social Security (Minimum Standards) Convention, 1952 - <u>Part IV</u>	-	11
3. <u>Sickness benefit and medical care:</u>		
Sickness Insurance (Industry) Convention, 1927	-	22
Sickness Insurance (Agriculture) Convention, 1927	-	17
Sickness Insurance (Sea) Convention, 1936	2	11
Social Security (Minimum Standards) Convention, 1952 - <u>Part II</u>	2	14
- <u>Part III</u>	1	13
4. <u>Employment injury benefit:</u>		
Workmen's Compensation (Agriculture) Convention, 1921	1	53
Workmen's Compensation (Accidents) Convention, 1925	1	52
Equality of Treatment (Accident Compensation) Convention, 1925	4	88
Workmen's Compensation (Occupational Diseases) Convention, 1925	1	53
Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934	1	45

* The figures given refer to States accepting the relevant part.

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Subject and Convention	No. of ratifications between 1.7.69 and 30.6.73	Total ratifications at 30.6.73
Shipowner's Liability (Sick and Injured Seamen) Convention, 1936	3	13
*Social Security (Minimum Standards) Convention, 1952 - <u>Part VI</u>	2	16
Plantations Convention, 1958 - <u>Part VIII</u>	3	10
Employment Injury Benefits Convention, 1964	5	13
5a. <u>Old-age benefit:</u>		
Old-Age Insurance (Industry, etc.) Convention, 1933	-	11
Old-Age Insurance (Agriculture) Convention, 1933	-	10
Seafarers' Pensions Convention, 1946	1	9
*Social Security (Minimum Standards) Convention, 1952 - <u>Part V</u>	3	19
*Invalidity, Old-Age and Survivors' Benefits Convention, 1967 - <u>Part III</u>	5	7
5b. <u>Invalidity benefit:</u>		
Invalidity Insurance (Industry, etc.) Convention, 1933	-	9
Invalidity Insurance (Agriculture) Convention, 1933	-	8
*Social Security (Minimum Standards) Convention, 1952 - <u>Part IX</u>	2	12
*Invalidity, Old-Age and Survivors' Benefits Convention, 1967 - <u>Part II</u>	4	6
5c. <u>Survivors' benefit:</u>		
Survivors' Insurance (Industry, etc.) Convention, 1933	-	7
Survivors' Insurance (Agriculture) Convention, 1933	-	6
*Social Security (Minimum Standards) Convention, 1952 - <u>Part X</u>	2	13
*Invalidity, Old-Age and Survivors' Benefits Convention, 1967 - <u>Part IV</u>	3	6

* The figures given refer to States accepting the relevant part.

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Subject and Convention	No. of ratifications between 1.7.69 and 30.6.73	Total ratifications at 30.6.73
<u>Right of the family, motherhood and childhood to protection and assistance</u>		
1. <u>Family Benefit:</u>		
Social Security (Minimum Standards) Convention, 1952 - <u>Part VII</u>	2	14
2. <u>Motherhood:</u>		
Maternity Protection Convention, 1919	2	28
Social Security (Minimum Standards) Convention, 1952 - <u>Part VIII</u>	2	14
Maternity Protection Convention (Revised), 1952	3	14
Plantation Convention, 1958, <u>Part VII</u>	3	10
Night Work (Women) Convention, 1919	1	57
Night Work (Women) Convention (Revised), 1948	4	52
Underground Work (Women) Convention, 1935	1	75
3. <u>Childhood:</u>		
(i) <u>Minimum age of employment:</u>		
Minimum Age (Industry) Convention, 1919	1	60
Minimum Age (Industry) Convention, (Revised), 1937	7	31
Minimum Age (Sea) Convention, 1920	1	43
Minimum Age (Sea) Convention (Revised), 1936	4	45
Minimum Age (Agriculture) Convention, 1921	2	41
Minimum Age (Trimmers and Stokers) Convention, 1921	3	60
Minimum Age (Non-Industrial Employment) Convention, 1932	-	23
Minimum Age (Non-Industrial Employment) Convention (Revised), 1937	1	11
Minimum Age (Fishermen) Convention, 1959	6	30

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Subject and Convention	No. of ratifications between 1.7.69 and 30.6.73	Total ratifications at 30.6.73
Minimum Age (Underground Work) Convention, 1965	14	32
Minimum Age Convention, 1973	-	-
(ii) <u>Medical examination:</u>		
Medical Examination of Young Persons (Sea) Convention, 1921	5	60
Medical Examination of Young Persons (Industry) Convention, 1946	5	26
Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946	3	24
Medical Examination of Young Persons (Underground Work) Convention, 1965	12	28
(iii) <u>Night work:</u>		
Night Work of Young Persons (Industry) Convention, 1919	1	52
Night Work of Young Persons (Industry) Convention (Revised), 1948	4	36
Night Work of Young Persons (Non- Industrial Occupations) Convention, 1946	1	16
Night Work (Bakeries) Convention, 1925	1	15
IV. <u>Non-discrimination in employment and occupation:</u>		
Discrimination (Employment and Occupation) Convention, 1958	13	82
Indigenous and Tribal Populations Convention, 1957	3	25
Social Policy (Non-Metropolitan Territories) Convention, 1947	-	4
Social Policy (Basic Aims and Standards) Convention, 1962	7	25
Migration for Employment Convention (Revised), 1949	1	30

See also A.6.
