


UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL




Distr.
GENERAL
E/CN.4/1986/31
20 January 1986
Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-second session
Item 17 (b) of the provisional agenda

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE
TO COMBAT RACISM AND RACIAL DISCRIMINATION

Annual report on racial discrimination submitted by ILO in accordance
with Economic and Social Council resolution 1588 (L)
and General Assembly resolution 2785 (XXVI)

1. The Economic and Social Council in its resolution 1588 (L) of 21 May 1971 invited the International Labour Organisation (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) to provide the Commission on Human Rights with reports on the nature and effect of any racial discrimination, especially in southern Africa, of whose existence they had knowledge in their sphere of competence.
2. The General Assembly, in resolution 2785 (XXVI) of 6 December 1971, endorsed the invitation of the Council and requested that such reports be submitted annually.
3. The Secretary-General has the honour to transmit herewith to the Commission on Human Rights the annual report of ILO.

As in the past, racial discrimination in South Africa and Namibia arising from apartheid is analysed in the Director-General's Special Report on Apartheid, 1/ submitted to the International Labour Conference (ILC) at its seventy-first session (June 1985). Chapter I of the Special Report contains an analysis of recent developments in the application of the policy of apartheid in labour and social matters. Chapter II reports on recent developments in the field of international action against apartheid, including an analysis of measures taken against apartheid by Governments and by employers' and workers' organizations as described in information supplied by them. Chapter III examines international action against apartheid, including measures taken by the ILO as well as action taken within the framework of the United Nations and other intergovernmental organizations.

During the Session of the Conference, the Special Report of the Director-General was examined by the Conference Committee on Apartheid in light of its previous conclusions and those unanimously adopted by the Lusaka Tripartite Conference on Apartheid held in 1984. The Committee adopted a number of conclusions, among them reaffirming the ILO's full commitment to the updated Declaration concerning the Policy of Apartheid in South Africa, including the programme of action as adopted by the annual Conference in 1981. In a series of detailed recommendations, the Committee called for the strengthening of the ILO's monitoring formula concerning reporting by its constituents on legislative and administrative action taken or not taken against apartheid. Governments, employers and trade unions as well as the ILO were requested to take a number of further steps to put pressure on South Africa for the elimination of the apartheid system, which include recommendations for various types of actions, including stopping investments and bank loans to South Africa, pressure on the South African Government to abolish apartheid and international solidarity campaigns. The ILO is requested to examine its relationship with Swiss banks and to produce studies relating to investments in South Africa and limitations on international trade union solidarity activities.

The Committee also reaffirmed the proposal to organize in 1985, under the auspices of the United Nations, an international conference on an oil embargo against South Africa with the participation of oil-exporting and transporting countries, including unions from the appropriate sectors, and again called for maximum assistance to the front-line States. 2/

1/ Special Report of the Director-General on the Application of the Declaration concerning the Policy of Apartheid in South Africa, ILC, 71st Session, 1985.

2/ Provisional Record, No. 17, ILC, 71st Session, 1985.

The ILO's educational activities and technical assistance to liberation movements, the black workers and their independent trade unions in South Africa, as well as to the front-line States and those States in the neighbourhood of South Africa continues to increase. A number of projects of assistance have been or are being implemented in the following fields: vocational training, vocational rehabilitation of war victims and other disabled persons; training of southern African rehabilitation staff; training for labour administration; rural development options for Namibia; workers' education assistance to migrant workers in southern Africa and to independent black trade unions in South Africa: practical training and experience in employment and development planning and worker's education assistance to independent trade union organizations of black workers in South Africa and the National Union of Namibian Workers (NUNW). Although some projects remain unfinanced, several projects are under discussion with donor organizations. In addition, the ILO has also received voluntary contributions from Governments and workers' and employers' organizations designed for use in its anti-apartheid programme, as well as contributions in the form of placements in training institutes for national liberation movements' fellows.

Aside from technical assistance projects financed from extra-budgetary sources, the ILO has financed from its own resources a number of fellowships and projects, in the fields of vocational training, manpower planning and small-scale enterprises; social security; workers' education; and non-discriminatory labour legislation and practices.

As a follow-up to the recommendation made by the Lusaka Tripartite Conference on Apartheid, the ILO began an in-depth evaluation of its practical programme against apartheid in 1985. A detailed report on ILO technical co-operation activities was accordingly submitted to the Governing Body in November 1985. The evaluation will be completed in 1986 with the elaboration of the report of a tripartite evaluation mission established by the Governing Body.

With a view to eliminating discrimination, the ILO has continued to co-operate with the United Nations and other organizations, particularly in the activities of the Centre for Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities and within the framework of the Decade of Action to Combat Racism and Racial Discrimination. The ILO co-operated closely, for example, with the Ad Hoc Working Group of Experts on Southern Africa, notably in its examination of discrimination against and violation of trade union rights in South Africa. A special feature of ILO activities in 1985 included increased involvement of ILO offices around the world in activities and events marking international solidarity days on behalf of Namibia and South Africa, as part of international observance of the twenty-fifth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Since the last annual report submitted by the ILO, the Discrimination (Employment and Occupation) Convention, 1958 (No.111) has not received any further ratification, and the total number of ratifications remains at 107. The Equal Remuneration Convention, 1951 (No.100), has received two further ratifications (San Marino and Equatorial Guinea), bringing the total number of

ratifications to 107. The Employment Policy Convention, 1964 (No.122) has not received any further ratifications, and the total number remains at 70. No further ratifications have been registered for the Indigenous and Tribal Populations Convention, 1957 (No.107) with the total remaining at 26, or the Social Policy (Basic Aims and Standards) Convention, 1962 (No.117), with a total of 29 ratifications. Concerning the conventions on migrant workers, since the last report no further ratifications have been registered for Convention No.97, the total remaining at 38, while one additional ratification has been registered for Convention No.143 (San Marino), bringing the total to 15.

The application of Conventions No.111 and No.100 and other conventions referred to above gave rise to observations and comments by the Committee of Experts on the Application of Conventions and Recommendations at its March 1985 Session.

A series of regional tripartite seminars on non-discriminatory employment practices have continued to be held. Since the last report, a seminar has been held for southern Africa (Livingstone, Zambia, October, 1985). In light of the conclusions of these seminars, the ILO also has continued to revise and update a guide of practice of equitable employment practices to be used by government agencies, employers' organizations and trade unions, with a view to eliminating direct or indirect forms of discrimination in employment and promoting equality of opportunity irrespective, inter alia, of race or similar factors. 3/ This guide of practice is intended to provide models for guidelines to be developed at the national level. The above-mentioned seminar also discussed measures to be taken to promote the adoption and utilization of draft guidelines at the national level. Further seminars of the same nature are planned in other regions.

The ILO has also undertaken research in the field of racial discrimination and notes and studies on developments in various countries were prepared for ILO publications such as the International Labour Review and the Social and Labour Bulletin as well as for external publications. A new series of working papers examining discrimination in legislation and practice under apartheid has also been inaugurated.

3/ EGALITE/1985/D.3: Proposed Guide of Practice for Equal Opportunity and Treatment in Employment.