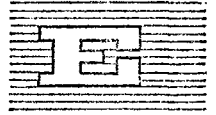


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ANNUAL REPORTS ON RACIAL DISCRIMINATION SUBMITTED BY THE ILO AND  
UNESCO IN ACCORDANCE WITH ECONOMIC AND SOCIAL RESOLUTION 1588 (L)  
AND GENERAL ASSEMBLY RESOLUTION 2785 (XXVI)

Note by the Secretary-General

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 the ILO.

1. The Director-General's 16th Special Report on the Policy of Apartheid of the Republic of South Africa was submitted to the International Labour Conference in June 1980. 1/ Chapter I contains an analysis of the measures proposed following the reports submitted by the two commissions appointed by the South African Government: the Commission of Inquiry into Labour Legislation (Wiehahn Commission) and the Commission of Inquiry into Legislation Affecting the Utilization of Manpower (Riekert Commission), the reaction of the Government and of various organizations, including the trade unions and employers' organizations, all measures taken to put the recommendations into practice, and information on training and wages. Chapter II of the 16th Special Report deals with the position of African women and apartheid in labour matters; it updates and supplements the information contained in the 11th Special Report submitted to the 1975 Conference, and the final chapter reports the developments which have occurred in the field of international action on apartheid. It refers to the measures taken by intergovernmental organizations and organizations of workers and employers, as well as the decisions of the Governing Body of the ILO (November 1979) aimed at additional tripartite action for the elimination of apartheid in the labour field.

2. In conformity with the decisions of the Governing Body at its two hundred and eleventh (November 1979) and two hundred and twelfth (February-March 1980) sessions, a tripartite meeting of members of the Governing Body was convened; it was also attended by representatives of the United Nations Special Committee against apartheid, the Organization of African Unity (OAU), the Organization of African Trade Union Unity (OATUU) and the national liberation movements of southern Africa recognized by OAU. The purpose of the meeting, which was held at Geneva shortly before the sixty-sixth session (June 1980) of the Conference, was to examine the changes which had occurred in the Republic of South Africa with regard to apartheid in labour matters as a result of the reports of the South African governmental Commissions on labour legislation and manpower utilization, as well as to evaluate the ILO's activities and explore other forms of action likely to strengthen concretely the ILO contribution to the elimination of apartheid. The conclusions of the meeting, in the form of an addendum to the 16th Special Report, were discussed by the Conference Committee on Apartheid.

3. The Conference Committee on apartheid was established for the first time at the sixty-sixth session of the Conference in order to give a detailed opinion on the preparation of an over-all strategy or policy and to consider the action to be taken in conjunction with the Director-General's Special Report on apartheid and the other activities in that field. The Conference approved the conclusions of its Committee on Apartheid, which call for a large number of measures to be taken by Governments (including action through the United Nations), by employers' and trade union organizations, and by the ILO. At its two hundred and fourteenth session (November 1980), the Governing Body took the appropriate measures to implement those conclusions, namely: the inclusion of the question of apartheid in South Africa in the agenda of the sixty-seventh session of the Conference (June 1981) and the updating of the 1964 Declaration concerning the Policy of Apartheid, the establishment of a committee on apartheid similar to that of 1980, a study of the

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1/ International Labour Conference, sixty-sixth session, 1980, 16th Special Report of the Director-General on the Application of the Declaration concerning the Policy of Apartheid of the Republic of South Africa.

measures taken against apartheid by Governments and by employers' and workers' organizations, and the organization of an international tripartite meeting in one of the front-line States to draw up a joint international plan of action in co-operation with the Organization of African Unity and the United Nations Special Committee against Apartheid.

4. With regard to technical co-operation with national liberation movements, two projects have been successfully carried out concerning changes in legislation required for the elimination of discrimination in labour matters in Zimbabwe and Namibia. Moreover, as part of the operational activities under the ILO's anti-discrimination programme, a seminar on equal treatment for women workers in southern Africa was held at Arusha (Tanzania) in October 1980. It reviewed the situation of women under apartheid and the assistance to be given to the liberation movements in coping with the problems encountered by women and helping to promote practical action aimed at eliminating discrimination in matters of employment and occupation, both in southern Africa and at the international level.

5. Co-operation on the elimination of discrimination and apartheid has been pursued with the United Nations and other organizations, particularly in connection with the activities of the United Nations Committee on the Elimination of Racial Discrimination, the Commission on Human Rights and the Sub-Committee on Prevention of Discrimination and Protection of Minorities. In connection with the study of questions concerning both the Decade for Action to Combat Racism and Racial Discrimination and the United Nations Decade for Women, the ILO was represented at, and contributed to, an international seminar on women and apartheid which was held at Helsinki in May 1980.

6. Since the last report was submitted, the number of ratifications of the Convention concerning Discrimination in respect of Employment and Occupation, 1958 (No. 111) has remained unchanged (98 ratifications). There has been one further ratification (Santa Lucia) of the Convention concerning Migration for Employment (Revised, 1949) (No. 97), bringing the total to 35, while the Convention concerning Migrant Workers (Supplementary Provisions, 1975) has received one further ratification (Benin), the total number of ratifications now being nine.

7. As regards the countries which have not ratified Convention No. 111, and pursuant to the Governing Body's decisions of November 1978 and March 1979, the Committee of Experts on the Application of Conventions and Recommendations has considered the first special reports requested under article 19 of the Constitution. Such reports will henceforth be requested every four years. The conclusions reached after considering this information are included in the report of the Committee of Experts. <sup>2/</sup> Statements in favour of ratifying the Convention fairly soon have now been made in 15 countries whose legislation and practice either raise no difficulties or are being adapted to bring them into line with the Convention. As regards certain other countries which have stated that they are not considering ratification for the time being, the report of the Committee of Experts showed that the obstacles referred to did not always really exist; it is to be hoped that the new procedure will encourage Governments to take the necessary steps to overcome them.

8. On the basis of the reports requested under articles 19 and 22 in 1979, the Committee of Experts at its session in March 1980 presented a general survey of the

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<sup>2/</sup> International Labour Conference, sixty-sixth session, 1980, report of the Committee of Experts on the Application of Conventions and Recommendations, paras. 32 to 38.

action taken on the conventions and recommendations concerning migrant workers - Conventions Nos. 97 and 143 and Recommendations Nos. 86 and 151. <sup>3/</sup> The main problems dealt with (measures of protection, migrations in abusive conditions, promotion of equality of opportunity and treatment of migrant workers, and other questions concerning employment, residence and departure) were considered by the Committee of Experts on the Application of Conventions and Recommendations of the Conference at its sixty-sixth session (June 1980), where it concluded that the ILO should take an active part in the work by the United Nations for the protection of migrant workers and at some suitable time consider the adoption of new measures in the light of the results of the United Nations' initiative and developments in the world situation.

9. The application of Convention No. 111 and other conventions mentioned above was the subject of a number of observations and comments on the part of the Committee of Experts at its March session, and also at the sixty-sixth session of the Conference (June 1980). In addition, as indicated in the report of the Director-General to the sixty-sixth session of the Conference, a new mission visited Israel and the occupied Arab territories in March 1980 to examine on the spot the situation of the workers in question and, more particularly, the measures taken with regard to the recommendations submitted in 1979. The report of the mission is appended to the above-mentioned report of the Director-General. At that same session in June 1980, the Conference adopted a resolution concerning the implications of Israeli settlements in Palestine and other occupied Arab territories in connection with the situation of Arab workers. In considering the action to be taken on that resolution, at its two hundred and fourteenth session in November 1980, the Governing Body decided to draw the Israeli Government's attention particularly to the operative paragraph concerning the establishment of settlements and to draw the attention of other Governments to the provision calling on States not to provide Israel with any assistance to be used specifically in connection with settlements in the occupied Arab territories; in addition, it requested the Director-General to take any possible new steps to ensure that the populations in question benefited by the ILO's technical co-operation activities. Lastly, the resolution requests the Director-General to submit annual reports to the Conference on the situation of Arab workers in Palestine and other occupied Arab territories.

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<sup>3/</sup> International Labour Conference, sixty-sixth session (June 1980), Report III, (4B), Migrant Workers.