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Thirty-fifth session

Item 20 of the provisional agenda

ANNUAL REPORTS ON RACIAL DISCRIMINATION SUBMITTED BY THE ILO AND
UNESCO IN ACCORDANCE WITH ECONOMIC AND SOCIAL COUNCIL
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 eighth annual report of the ILO. The report of UNESCO will be circulated as an addendum to the present document.

Eighth Report submitted by the
International Labour Organisation on Racial Discrimination
in the Field of Labour

The International Labour Office refers to the following information extracted from the document GB.208/CD/1/1 submitted to the Governing Body of the ILO at its 208th Session (November 1978): 1/

"1. Since the last report, the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), has received one further ratification (Saudi Arabia), which brings the total number of ratifications to 96. The Equal Remuneration Convention, 1951 (No. 100), has received two further ratifications (Djibouti and Saudi Arabia), which brings the total number of ratifications to 95. The number of ratifications of the Indigenous and Tribal Populations Convention, 1957 (No. 107), and of the Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117), remains at 27 in each case. The Employment Policy Convention, 1964 (No. 122), has received two further ratifications (Djibouti and Turkey), bringing the total number of ratifications to 62. With regard to migrant workers, there has been a further ratification (Ecuador) of the Migration for Employment Convention (Revised), 1949 (No. 97), which brings the total up to 32, and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), has been ratified by four more countries (Cameroon, Guinea, Uganda and Upper Volta), the total number of ratifications now being five.

2. The application of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and of other Conventions referred to above, was the subject of a number of comments by the Committee of Experts on the Application of Conventions and Recommendations at its March 1978 session. 2/ At that session the Committee of Experts also carried out a general survey of the reports submitted by governments under article 19 of the ILO Constitution on the Employment (Women with Family Responsibilities) Recommendation, 1965 (No. 123). 3/ Those questions were also examined by the Committee on the Application of Conventions and Recommendations at the 64th (June 1978) Session of the Conference.

3. The system of two-yearly examination of reports still applies to the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Equal Remuneration Convention, 1951 (No. 100) (and also to the Migration for Employment Convention (Revised), 1949 (No. 97), and the Employment Policy Convention, 1964 (No. 122)). At its next session, in March 1979, the Committee of Experts will examine the reports due from all countries which have ratified those Conventions. Moreover, the Governing Body has chosen the instruments on

1/ GB.204/CD/1/2.

2/ International Labour Conference, 64th Session, Geneva, 1978, Report III (Part 4A), Report of the Committee of Experts on the Application of Conventions and Recommendations.

3/ International Labour Conference, 64th Session, Geneva, 1978, Report III (Part 4B), Employment of women with family responsibilities.

migrant workers as the subject of the reports to be supplied in 1979 by all countries, whether they have ratified or not, and the Committee of Experts will make a general survey of those reports in 1980.

...

5. A paper submitted under the second item on the Committee's agenda deals with a question which the Governing Body referred to the Committee at its 204th (November 1977) Session, 4/ namely the establishment or strengthening of the procedures for supervision of the constitutional obligation of non-discrimination. That paper proposes several forms of action: the promotion of means of supervision based on the ratification of Conventions, the use of procedures relating to unratified Conventions and to Recommendations, or the possibility of establishing a special procedure for review of questions of discrimination in employment.

6. The procedure came into operation this year for supervising the observance of the International Covenant on Economic, Social and Cultural Rights, which came into force on 3 January 1976. At its March 1978 session the Committee of Experts examined reports from States Parties on the application of Articles 6 to 9 of the Covenant, copies of those reports having been communicated to the Office by the Secretariat of the United Nations. A separate report by the Committee of Experts on the observance of those articles of the Covenant by nine countries has been sent to the Secretary-General of the United Nations for submission to the Economic and Social Council at its April-May 1978 session. 5/

7. The Supplement to the Report of the Director-General to the Conference at its 64th (June 1978) Session 6/ gives an account of action taken on the resolution, adopted at the 59th (1974) Session, concerning the policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and the other occupied Arab territories. A mission of ILO officials visited Israel and the occupied Arab territories in April 1978. The attention of the mission was drawn to the various aspects of equality of opportunity and treatment of Arab workers in the occupied territories in regard to employment, conditions of work, social benefits and trade union activities. The report of the mission is appended to the Supplement to the Report of the Director-General.

...

4/ CB.204/3/4.

5/ Article 7 of the Covenant covers, among other things, equal remuneration and opportunity for advancement. (Article 6 lays down the right to freely chosen employment, Article 8 deals with trade union rights, and Article 9 with the right to social security.)

6/ Action Taken on the Resolutions Adopted by the International Labour Conference at its 59th to 63rd Sessions.

11. The ILO has continued to carry out its research and publications programme relating generally to the elimination of discrimination in employment on grounds of such criteria as race, ethnic origin, sex, religious belief and political opinion and of discrimination against migrant workers. Notes and articles on developments in regard to these questions in several countries have regularly appeared in ILO publications such as the International Labour Review, the Social and Labour Bulletin and the new periodical Women at Work, which was first published at the beginning of 1977 and gives information on trends and developments regarding women workers.

12. As regards the labour situation in South Africa, the Director-General's Fourteenth Special Report on Apartheid, submitted to the Conference at its 64th Session, describes recent developments in the application of apartheid in a chapter which is concerned with factors restricting access to training and employment, as well as with questions relating to labour relations. In the section which relates to the first of those topics attention is given to the system of "Bantu education", the racism which it embodies, the unrest which its application has provoked, the inequality of opportunity which it has perpetuated, and to the measures concerning job reservation which, despite moves in the direction of change, continue in force and are still the subject of widespread criticism. Also dealt with are the alarmingly high estimates concerning unemployment among Blacks, and the evidence of continuing racial discrimination in respect of wages. The section of the chapter which is devoted to the question of developments in the field of labour relations refers to recent changes in the legislation affecting Africans and to proposals involving reforms or revision of the existing apartheid framework. It provides detailed information on the growth of trade unions among Africans and pressure for their recognition. In addition to a section on matters affecting freedom of association, another relates to unrest in the field of labour and to the incidence of strikes among Africans and their causes, indicating the clear connexion these strikes and the social unrest bred by the policy of apartheid. Because of the importance of international action concerning apartheid during the International Anti-Apartheid Year, the second chapter documents not only, as in previous years, developments within the framework of the United Nations but also measures adopted by governments and employers' and workers' organizations for the eradication of apartheid. In accordance with a decision taken by the Governing Body at its 204th (February-March 1978) Session, a special tripartite discussion was held on apartheid during the 64th Session of the Conference as the ILO's contribution to the International Anti-Apartheid Year. As a result of that discussion further tripartite action is being considered to eliminate apartheid in the labour field, and a paper on the subject is submitted to the Committee under the third item on its agenda.

13. The study entitled Labour Conditions and Discrimination in Southern Rhodesia (Zimbabwe) appeared in January 1978. Its forthcoming publication was announced in last year's report, which outlined its contents.

14. The Office has continued and increased its efforts to draw up an ILO programme of technical assistance to the peoples of southern Africa, and in particular to launch vocational training programmes to give those peoples the skills they will need most after independence.

15. A regional seminar on equality of rights in the field of labour was held in September-October 1978 in Lusaka (Zambia). One purpose of the seminar was to make representatives of the liberation movements of southern African countries familiar with the contribution which ILO standards and practical action can make to attaining equality of rights, in the light of the present and future circumstances of their countries."
