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ORIGINAL: ENGLISH

INTERNATIONAL LABOUR ORGANIZATION

COMMENTS ON PROVISIONAL QUESTIONNAIRE

Item 6 of the Provisional Agenda for the Second
Session of the Trusteeship Council

The Secretary-General has the honour to transmit to the Trusteeship Council the following communication of 3 October 1947 which has been received from the International Labour Office. This communication is in reply to the Secretary-General's letter of 29 May 1947 transmitting the Provisional Questionnaire to the International Labour Organization for advice and comments in accordance with Resolution 7 adopted by the Trusteeship Council at its first session.

No. U.N. 10/1001/1

3 October 1947

The Secretary-General
United Nations,
LAKE SUCCESS, N. Y.

Sir,

By your letter No. 1501-2-5/RJB of 29 May 1947 you were good enough to communicate to me the text of the Provisional Questionnaire drafted by the Trusteeship Council in the course of its first Session, and to invite me to transmit to you, for the information of the members of the Trusteeship Council, any relevant advice or comments which the International Labour Office might wish to offer.

I have the honour to inform you that I communicated the text of the Provisional Questionnaire to the Governing Body of the International Labour Office at its 102nd Session (Geneva, June-July 1947), and that, in the course of the discussion which ensued, various members of the Governing Body laid stress on the desirability of aiming at the greatest possible measure of simplicity in the drafting of a questionnaire of this kind.

In view of the opinions expressed when the Questionnaire was considered by the Governing Body, and also in the light of the International Labour Office's experience with questionnaires in general, I should therefore feel it my duty, in putting forward concrete suggestions for the revision of the Questionnaire, to aim above all at securing a text which, while giving to administering authorities the fullest opportunity to supply the Trusteeship Council with all the information that that body is entitled under the Charter to require, would at the same time avoid imposing any tasks upon the services responsible for preparing reports which could not be regarded as indispensable in order to permit the Council to carry out the duties entrusted to it.

In view, however, of the fact that the Provisional Questionnaire was adopted so recently, I should prefer to postpone the formulation of any proposals for the radical revision of the Questionnaire until the competent Services of the International Labour Office have had an opportunity of examining the reports submitted on the basis of the Questionnaire in its present form. Moreover, the Ad Hoc Committee on the transmission of information under Article 73 (e) of the Charter has recently submitted to the General Assembly of the United Nations a standard form for the guidance of Members in the preparation of information to be transmitted under that Article. This "standard form" is of a very much simpler character than the Trusteeship Council's Provisional Questionnaire; and, while bearing in mind the different character of the obligations imposed on administering countries by Chapter XI and Chapters XII and XIII of the Charter respectively, I nevertheless feel convinced that it would be very useful to have some experience of the working of the "standard form" - supposing that it be approved by the General Assembly - for purposes of comparison before attempting to reach any final conclusions as to the suitability of the Provisional Questionnaire in its present form for the purposes of the Trusteeship Council.

I therefore propose to refrain at the present stage from submitting any suggestions for the radical revision of the Provisional Questionnaire. On

/the other hand

the other hand, the competent Services of the International Labour Office have given careful consideration to the drafting of those parts of the Questionnaire which deal with matters lying within the competence of the International Labour Organization, and have reached the conclusion that, without prejudice to the possibility of thoroughly revising the Questionnaire in the light of future experience with a view more particularly to its simplification, a few changes, mainly on points of drafting, might help to make the requirements of the Trusteeship Council clearer. I would accordingly request you to refer the following suggestions to the Council for its consideration:

1. Question 151 (c). The present drafting of this item links together two subjects which, in the light of the Office's experience, it appears desirable to keep separate, viz. the fixing of wage rates and the protection of the workers' wages. It is accordingly suggested that the item might be broken up into two separate items worded as follows:

"(c) Methods of wage fixing;

"(cc) Protection of the workers' wages, including regulations concerning payment of wages in forms other than cash, times and places at which wages are to be paid, deductions from wages, advances on wages."

2. Question 151 (i). The problems that arise in connection with the employment of women are often very different in character from those that arise in connection with the employment of juveniles. It would therefore appear desirable to break up this item as follows:

"(i) Employment of women;

"(ii) Employment of juveniles."

3. Question 151. It is not clear whether any of the items listed under this question offers reporting authorities an opportunity of supplying information on regulations concerning industrial health, safety and welfare. It can hardly be doubted that the Trusteeship Council would desire information on matters of such vital importance. It is therefore suggested that the following items might be added to those already listed under Question 151:

"Industrial health;

"Industrial safety;

"Industrial welfare."

4. Question 152. In view of the importance of labour inspection for the enforcement of laws and regulations on conditions of employment, it would appear advisable to include in this question a specific reference thereto. Moreover, it frequently happens that duties connected with the protection of the workers are entrusted to more than one department. It is accordingly suggested that the question might be redrafted as follows:

"Describe the organisation of the Department or Departments responsible for the administration and enforcement of labour laws and regulations, and especially of labour or factory inspectorates, giving an account of their functions, number and type of personnel, and the financial provisions made for them."

/5. Question 155.

5. Question 155. Although the term "trade unions" may be interpreted in its strictly legal sense as covering employers' organisations, it is currently understood as applying only to organisations of work people. It is therefore suggested that the term "occupational organisations" might be substituted for the term "trade unions."

6. Question 158. It is thought that the present wording of the first sentence in this question might give rise to misunderstandings. It is accordingly suggested that the word "emigration" might be substituted for the word "absence".

7. Question 160. A matter of some importance to workers who emigrate from one territory to take up employment in another is the possibility of remitting funds to their dependants in the territory of emigration. This point does not appear to be covered by Question 160 in its present drafting. It is accordingly suggested that the following additional paragraph might be inserted:

"What provision is made for the remittance of funds by these workers to their dependants in the territory of emigration?"

I have the honour to be
Sir,
Your obedient Servant,

E. J. Phelan,
Director-General.

Received at the United Nations 15 October, 1947.
