



FOURTH ITEM ON THE AGENDA

**Report of the Working Party on Policy
regarding the Revision of Standards****Contents**

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Introduction

1. In accordance with the decision taken by the Governing Body at its 276th Session (November 1999), the Working Party met on 20 March 2000, chaired by Mr. J.-L. Cartier (Government, France). The Employer Vice-Chairperson and Worker Vice-Chairperson were, respectively, Mr. D. Founes de Rioja (Argentina) and Mr. U. Edström (Sweden).
2. The Employer members regretted the late receipt of the working documents, and invited the Office to take the required measures to ensure that the documents were transmitted in due time before the meeting.
3. The Chairperson and the Worker members shared the views expressed by the Employer members.

A. Follow-up on the recommendations of the Working Party

4. The Chairperson drew attention to the appendices to the Office paper,¹ which included the updated information note. According to that note, the constitutional amendment enabling abrogation of obsolete Conventions had so far been ratified or accepted by 50 member States. In France, the Council of State had issued a favourable opinion regarding the ratification of this amendment, which would soon be submitted to Parliament. Five Conventions were candidates for possible abrogation, and the Governing Body had decided to propose to the Conference the withdrawal of 11 Conventions, six of which were Conventions concerning seafarers. Table 2 appended to the document presented the decisions by the Governing Body in chronological order. This table showed that at present 68 Conventions were up to date. These included the 12 fundamental and priority Conventions as well as the Conventions adopted since 1985, which were not to be examined by the Working Party. These figures were interesting, in particular in the light of the forthcoming discussion on standard-setting activities in the LILS Committee.
5. The Employer members stated that they were satisfied with this document which was important beyond the confines of the Working Party. The information note was a useful document which provided an overview of the present situation concerning standards. It was important to continue this process, which needed to be accompanied by other measures to implement a realistic policy on standards. The global vision offered by this document made certain policy conclusions possible. It was useful to have a methodology for the examination of the form and the substance as well as concerning the need for revision or the possible withdrawal of certain Conventions. The pace of the implementation of the recommendations of the Working Party should be maintained. Furthermore, the follow-up measures should be coordinated with other normative actions such as the adoption of new standards, the consolidation of existing standards and the conduct of special studies resulting from the work of the Working Party. The Working Party should contribute to a general consideration of the future of the standard-setting policy of the ILO.

¹ GB.277/LILS/WP/PRS/1/1.

6. The Worker members also expressed their satisfaction with the Office document. A follow-up mechanism was essential to ensure a modern standards system. They also thanked the Office for the information requested at the previous meeting of the Working Party. In the context of follow-up on the decisions of the Governing Body, the Office should also promote consultations and tripartite activities at the national level and, in particular, invite governments to ratify revised Conventions and to denounce, at the same time, the previous corresponding Conventions, as in the recent case of Conventions concerning seafarers. They asked why the document did not reflect any follow-up measures concerning the Employment Policy Convention, 1964 (No. 122) or the Labour Inspection (Agriculture) Convention, 1969 (No. 129) in paragraph 16. They noted that since 1995 some 84 new ratifications of revised Conventions and 100 denunciations of outdated Conventions had been registered. They were satisfied with the promotional activities referred to in paragraphs 6-14. The country-by-country analyses, mentioned in paragraph 11, should not only be prepared for tripartite seminars, but should be addressed to all the social partners in the countries concerned, with the assistance of the multidisciplinary teams. The Worker members appreciated the positive results achieved in the ratification campaign for the fundamental Conventions, which were the outcome of efforts by the Office and the political will demonstrated by the Governments. Such a campaign should also be conducted concerning the priority Conventions. Convention No. 144 had attracted 17 ratifications since 1995.
7. As regards the in-depth study that the Office has been requested to undertake regarding the directions that the revisions of the instruments concerning occupational safety and health could take, the Worker members emphasized that the adoption of a framework Convention was not necessarily the best solution and that such an option had not yet been decided upon. Several recent Conventions, mentioned in paragraph 23, had been well ratified. The promotional activities regarding up-to-date Conventions should be more targeted. The Conventions listed in paragraph 29 were also very important and their ratification should also be promoted. As regards the ratification of the constitutional amendment enabling abrogation of obsolete Conventions, they were of the view that 50 was not a high number of ratifications obtained, in view of the fact that 116 ratifications were required for the entry into force of this amendment. They were rather puzzled by the limited speed with which the ratification process of this amendment was progressing, given all the calls for a modernization of the standards system. As regards the appendices and tables attached to the document, the Worker members also expressed their satisfaction, emphasizing the usefulness of this material. Finally, they voiced the wish that the terminology used in the information note be further clarified in order to allow for a wider distribution of this document at the national level.
8. The representative of the Government of the Netherlands had read the document with interest. As regards the decisions to revise, she stated that she was particularly satisfied that the Office was preparing an in-depth study concerning the directions that the revisions of the instruments concerning occupational safety and health could take. She hoped that this examination would enable the Working Party soon to adopt recommendations concerning the most appropriate method of revising these instruments so that these questions could be placed on the agenda of the Conference. She also invited the Office to pursue work in this direction regarding the other categories of decisions.
9. The representative of the Government of India found the document very useful and complete. His Government would soon ratify the Abolition of Forced Labour Convention, 1957 (No. 105). As regards the Minimum Age Convention, 1973 (No. 138), there were still some obstacles to ratification, but a draft bill to bring the legislation into conformity with the Convention was being prepared. Convention No. 138 could be ratified subsequently. Tripartite negotiations were under way concerning the ratification of the Worst Forms of

Child Labour Convention, 1999 (No. 182). The Government hoped to be able to convey positive results from these negotiations very soon. The ratification procedure concerning the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159) had been initiated. India had also ratified the constitutional amendment enabling the abrogation of outdated Conventions and was of the view that the ratification process should be encouraged. He expressed his appreciation for the work of the Working Party so far, and hoped that the work could continue successfully in the future.

10. The representative of the Government of the Dominican Republic congratulated the Office for preparing the document. He emphasized the importance of the promotion of the ratification of the fundamental Conventions. His Government had ratified seven of the fundamental Conventions, most recently Convention No. 138, and the ratification of Convention No. 182 would be forthcoming in the near future. As regards the priority Conventions, his Government had ratified neither the Employment Policy Convention, 1964 (No. 122) nor the Labour Inspection (Agriculture) Convention, 1969 (No. 129). It had, however, ratified the Labour Inspection Convention, 1947 (No. 81). The consultative labour council met every other month to follow up on policy regarding the revision of standards.
11. The representative of the Government of Trinidad and Tobago congratulated the Office on the paper, which had required a substantial amount of work. She expressed her agreement with the request by the Worker members for a simplification of the information presented in this document, so that it could become more useful for all constituents. At the most recent session of the Working Party, she had proposed the preparation of country-by-country analyses. The ILO Area Office in the Caribbean had decided to draw up such documents concerning the countries in this area.
12. The representative of the Government of Malaysia expressed appreciation for the Office paper. The increasing number of ratifications of the revised Conventions was encouraging, and the technical assistance provided by the Office played an important role in this respect.
13. The representative of the Government of Switzerland congratulated the Office on the paper and indicated that the Parliament in his country had adopted the draft ratifications of the constitutional amendment as well as of Conventions Nos. 144 and 182. An amendment to national legislation had had to be enacted in order to enable a ratification of the latter Convention. He expressed agreement with the statement by the Government of the Netherlands regarding the directions for revision of the instruments concerning occupational safety and health.
14. The representative of the Government of Indonesia thanked the Office for the paper. His Government had just ratified Convention No. 182, and had thus ratified all the fundamental Conventions.
15. The representative of the Government of El Salvador stated that he was very satisfied with the document examined. The ratification process concerning the Equal Remuneration Convention, 1951 (No. 100), the Workers with Family Responsibilities Convention, 1981 (No. 156) and Convention No. 182, had been initiated in her country. Other ratifications were the subject of tripartite consultations.
16. The Chairperson welcomed the information provided by several governments concerning the ratification of Conventions, and in particular concerning the ratification of the fundamental Conventions. The ratification campaign concerning these Conventions had raised awareness of their importance in all regions of the world. Furthermore, the Director-General had recently reiterated his appeal to governments to ratify the constitutional

amendment. Although the actual effect of the amendment might be rather limited in view of the very few Conventions concerned, its symbolic and political value was, on the other hand, substantial. He supported the appeal by the Director-General and declared that he would also do so in the Conference Committee on the Application of Standards in June.

17. In reply to the Worker members, a representative of the Director-General stated that the country-by-country analyses represented a substantial amount of work and had so far only been carried out on a case-by-case basis. The information concerning ratifications registered concerning the two priority Conventions not mentioned in paragraph 16, Conventions No. 122 and No. 129, appeared in Appendix II. For the next session of the Working Party the Office would prepare a new format for the information note. Finally, as regards the in-depth study regarding the possible directions for the revision of the occupational safety and health instruments, the Office was exploring different options and had no preconceived idea in favour of any one of them.
18. The Chairperson welcomed the information note. While it would be interesting to develop a glossary of the most important words used, the information note could not be oversimplified, as the reality it depicted was becoming increasingly complex. Follow-up on the recommendations of the Working Party was increasing the workload of both the Office and member States. Fewer and fewer criticisms were heard concerning the pace of work of the Working Party, due to the complexity of the work involved to ensure follow-up to the recommendations it had adopted. The follow-up was based on an excellent level of technical work by the Office, which was limited by the human resources within the Office and by the capacity of member States to take the information received into account and to draw conclusions from it.
19. *The Working Party on Policy regarding the Revision of Standards, having noted the information contained in the document "Follow-up to the recommendations of the Working Party", proposes that the Committee on Legal Issues and International Labour Standards recommend that the Governing Body request the Office to continue reporting in detail on follow-up on the recommendations of the Working Party.*

B. Follow-up on consultations concerning Conventions regarding seafarers²

20. The Chairperson recalled that this document reported on consultations conducted by the Office following recommendations by the Working Party on the Conventions in question. It contained three separate parts, the first concerning the revision of the Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16) and the Medical Examination (Seafarers) Convention, 1946 (No. 73). The second concerned requests for additional information, while the third dealt with the promotion of revised Conventions.
21. The Employer members noted that the requests for additional information from constituents were helpful and facilitated the work of the Working Party.
22. The Worker members were also pleased with the document. They noted however, that throughout this document, for example in paragraph 16, the number of replies received from workers' organizations had not been indicated in a sufficiently clear manner.

² GB.277/LILS/WP/PRS/1/2.

23. In reply to the question by the Worker members, a representative of the Director-General stated that in several cases the national replies included responses from governments as well as from workers' and employers' organizations. One workers' organization had responded alone, and in the absence of a response from the government or from any employers' organization its reply had been mentioned separately in the document.

I. Decisions to revise

C.16 – Medical Examination of Young Persons (Sea) Convention, 1921

C.73 – Medical Examination (Seafarers) Convention, 1946

24. The Chairperson proposed to replace the words “for a joint consideration” by the words “for a joint revision”.
25. The Working Party expressed its agreement with the proposal made by the Office as amended by the Chairperson. *It proposes to recommend to the Governing Body that the Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16), and the Medical Examination (Seafarers) Convention, 1946 (No. 73), should be included in the portfolio of proposals for the agenda of the International Labour Conference for joint revision.*

II. Requests for additional information

26. The Worker members stated that they would have liked to have the views of the Ventejol Working Party reflected in the analyses by the Office in this part.

II.1. C.22 – Seamen’s Articles of Agreement Convention, 1926

27. The Working Party expressed its agreement with the proposal made by the Office. *It proposes to recommend to the Governing Body the revision of the Seamen’s Articles of Agreement Convention, 1926 (No. 22), and the inclusion of this item in the portfolio of proposals for the agenda of a future International Labour Conference.*

II.2. C.68 – Food and Catering (Ships’ Crews) Convention, 1946

C.69 – Certification of Ships’ Cooks Convention, 1946

28. The Working Party expressed its agreement with the proposals made by the Office. *It proposes –*
- (a) *to recommend to the Governing Body the revision of the Certification of Ships’ Cooks Convention, 1946 (No. 69), in conjunction with the Food and Catering*

(Ships' Crews) Convention, 1946 (No. 68), and the inclusion of this item in the portfolio of proposals for the agenda of the International Labour Conference;

- (b) *to recommend that the corresponding International Maritime Organization (IMO) instruments be taken into account in the context of a revision of Conventions Nos. 68 and 69.*

II.3. C.74 – Certification of Able Seamen Convention, 1946

29. The Employer members recalled that it was important that the Office provide a methodological framework for the revision of Conventions in order to avoid certain technical problems in the preparation of standards.

30. The Chairperson invited the Office to re-examine the question of the methodological framework for these revisions in the light of the work of the Joint Maritime Commission which would hold its next session in January 2001.

31. The Working Party expressed its agreement with the proposals made by the Office. *It proposes –*

(a) *to recommend to the Governing Body the revision of the Certification of Able Seamen Convention, 1946 (No. 74), and the inclusion of this item in the portfolio of proposals for the agenda of the International Labour Conference;*

(b) *to recommend that corresponding IMO instruments be taken into account in the context of a revision of Convention No. 74.*

II.4. C.92 – Accommodation of Crews Convention (Revised), 1949

32. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body the maintenance of the status quo with respect to the Accommodation of Crews Convention (Revised), 1949 (No. 92).*

II.5. C.134 – Prevention of Accidents (Seafarers) Convention, 1970

33. The Working Party expressed its agreement with the proposals made by the Office. *It proposes –*

(a) *to recommend to the Governing Body the revision of the Prevention of Accidents (Seafarers) Convention, 1970 (No. 134), and the inclusion of this item in the portfolio of proposals for the agenda of the International Labour Conference;*

(b) *that corresponding IMO instruments be taken into account in the context of a revision of Convention No. 134.*

III. Promotion of the ratification of revised Conventions

34. The Chairperson stressed that the overall response rate was relatively low, but that it was too early for a full evaluation of the results of the follow-up measures, as the national ratification and denunciation processes were slow. Further inquiries regarding the actual result of follow-up on the recommendations of the Working Party would have to be conducted at a later stage.
35. The Worker members expressed their appreciation for this part of the document. They expressed the hope that the Office would conduct further follow-up measures with respect to the member States that had announced that they envisaged ratification of the Conventions concerned or that had noted that there were no obstacles to ratification. They were pleased that several countries were considering ratification of Convention No. 138. However, some of the responses indicating obstacles to ratification of this Convention seemed to be based on a misinterpretation of its provisions which the Office might be able to rectify. It seemed inappropriate to reflect the views of two member States which were not bound by either of the older Conventions under examination. Generally, the low level of replies submitted was deplorable, and the hope was expressed that this situation would improve. Finally, they noted with pleasure the promotional efforts conducted by the Office referred to in paragraph 85. The results obtained reflected the need to adopt a strategy. Should the follow-up measures involve the tripartite structures at a national level, the results obtained would be more significant.
36. The Employer members declared that this part of the document was very useful. They did not share the concerns expressed by the Worker members regarding the responses received from member States not bound by the older Conventions under examination, since it could be useful to take account of them, even if they were small in number. The number of replies received was not satisfactory, and it was necessary to pursue the efforts to promote ratification and to spread information in this respect in order to obtain a clearer overview of the situation.
37. The Chairperson stated that the approach adopted by the Office was excellent, although it had not given all the results that could have been hoped for. In the future, such follow-up measures should be almost permanent and would be cumulative. He also noted the increasing level of ratification of Convention No. 138, which possibly related to the process of ratification of Convention No. 182. Convention No. 138 appeared to be a complex Convention and the Office should perhaps make educational efforts with respect to this Convention.
38. The Worker members asked the reasons why a few countries had responded that they did not intend to ratify the Seafarers' Hours of Work and the Manning of Ships Convention, 1996 (No. 180).
39. The representative of the Government of Canada stated that their reply, reflected in paragraph 68 of the document, concerned the follow-up related to Conventions Nos. 7 and 58, to which Canada is a party.
40. The representative of the Government of Mexico stated, with reference to paragraphs 62 and 70 of the document, that the question of the ratification of Convention No. 180 had not been formally submitted to the Senate, but was currently being re-examined.
41. *The Working Party took note of the information contained in Part III of the document.*

C. Deferred examination of the need for revision of Conventions and Recommendations concerning fishermen³

42. The Chairperson recalled that examination of these instruments had been deferred in order to allow the Working Party to examine them in the light of the conclusions of the Tripartite Meeting on Safety and Health in the Fishing Industry (TMFI Meeting) held in Geneva in December 1999.
43. The Worker member stressed that work in the fishing sector was one of the most hazardous activities, and that more than 24,000 casualties were recorded annually. They expressed the hope that the Governing Body would adopt the recommendation of the TMFI Meeting to convene a meeting of experts to examine the question of extending to fishermen ILO instruments applicable to seafarers.

I. Conventions concerning fishermen

I.1. C.112 – Minimum Age (Fishermen) Convention, 1959

44. The Worker members noted certain differences between the recommendation made by the Working Party on Standards of the TMFI (TMFI Working Party) and the proposal contained in the document submitted by the Office.
45. Following an exchange of views, the Working Party agreed to defer the examination of Convention No. 112 until its next meeting.

I.2. C.113 – Medical Examination (Fishermen) Convention, 1959

46. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body the revision of the Medical Examination (Fishermen) Convention, 1959 (No. 113), and the inclusion of this item in the portfolio of proposals for the agenda of the International Labour Conference.*

I.3. C.114 – Fishermen's Articles of Agreement Convention, 1959

47. The Worker members stated that consultations should be undertaken regarding the most appropriate method of revising this Convention referred to in section (b) of the proposed decision by the Office.
48. The Chairperson shared the view expressed by the Worker members, adding that it was generally valid for the future. The Office paper regarding methods of revision⁴ should be borne in mind in this respect.

³ GB.277/LILS/WP/PRS/2.

49. The Employer members emphasized the need for methodology in this area. The methodology was perhaps implicit in the Office paper, but it should be developed more clearly so as to guide the Working Party in its future work.
50. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body –*
- (a) *the partial revision of the Fishermen’s Articles of Agreement Convention, 1959 (No. 114);*
 - (b) *that it request the Office to examine the appropriate method for the partial revision of Convention No. 114.*

I.4. C.125 – Fishermen’s Competency Certificates Convention, 1966

51. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body the revision of the Fishermen’s Competency Certificates Convention, 1966 (No. 125), and the inclusion of this item in the portfolio of proposals for the agenda of the International Labour Conference.*

I.5. C.126 – Accommodation of Crews (Fishermen) Convention, 1966

52. The Working Party expressed its agreement with the proposals made by the Office. *It proposes –*
- (a) *to recommend to the Governing Body to invite member States to inform the Office of the obstacles and difficulties encountered, if any, that might prevent or delay the ratification of the Accommodation of Crews (Fishermen) Convention, 1966 (No. 126), or that might point to the need for a full or partial revision of the Convention;*
 - (b) *that the Working Party (or the LILS Committee) re-examine the status of Convention No. 126 in due course.*

II. Recommendations concerning fishermen

II.1. R.7 – Hours of Work (Fishing) Recommendation, 1920

53. The Working Party expressed its agreement with the proposals made by the Office. *It proposes –*
- (a) *to recommend to the Governing Body:*
 - (i) *the maintenance of the status quo with respect to the Hours of Work (Fishing) Recommendation, 1920 (No. 7);*

⁴ GB.276/LILS/WP/PRS/2.

(ii) *that it invite the Office to undertake a study of working-time arrangements and rest periods in the fishing industry;*

(b) *that the Working Party (or the LILS Committee) re-examine the status of Recommendation No. 7 in due course in the light of the study on working-time arrangements and rest periods in the fishing industry.*

II.2. R.126 – Vocational Training (Fishermen) Recommendation, 1966

54. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body the revision of the Vocational Training (Fishermen) Recommendation, 1966 (No. 126), and the inclusion of this item in the portfolio of proposals for the agenda of the International Labour Conference.*

D. Deferred examination of Convention No. 132 (short survey) ⁵

I. Holidays with Pay Convention (Revised), 1970 (No. 132)

55. The Chairperson presented the document, which contained a re-examination of Convention No. 132 by the Office in the light of the short survey by an external expert, Professor Blanpain, as well as new information regarding this Convention, and the short survey itself. Against this background the Office noted that the new elements introduced by the survey did not seem to warrant the conclusion expressed by the expert, in particular as this study did not have a universal scope but was essentially focused on European countries.

56. The Employer members emphasized that the methodology had to be clarified. The opinion of an external expert had been requested with a view to obtaining a second opinion. The issue was whether or not it was possible to arrive at a consensus on this basis or whether it was possible to accept such a study only when one agreed with the views expressed. In technical terms, the study, which favoured a revision, seemed satisfactory. The Employer members stated that, as far as they were concerned, this study was acceptable.

57. The Worker members were of the opinion that the procedure adopted was not the right one. They did not wish to enter into a discussion on the substance of the study, for the reason that the terminology used as well as the scope of the study was not in conformity with the rules of the ILO; they preferred to limit the discussion to the question of methodology. The concern was not due to the fact that they might not like the conclusions of an expert. It was the Office and not an expert that had been requested to undertake the study. They did not object to the Office engaging an expert to draft a report, but the conclusions should be presented by the Office and under its sole responsibility. They requested the Office to submit a document fulfilling these criteria at the next meeting of the Working Party for discussion.

⁵ GB.277/LILS/WP/PRS/3/1.

58. The representative of the Government of Switzerland found the study interesting, bold and frank. He regretted, however, the European focus of the survey, which should be supplemented by additional information.
59. The representative of the Government of Denmark noted that his country had not ratified Convention No. 132 and that it was unable to do so. He was pleased with the survey conducted by Professor Blanpain, and this method should continue to be used. His Government was in favour of a revision of the Convention.
60. The representative of the Government of the Netherlands also indicated that her country had not ratified Convention No. 132. This instrument was not sufficiently flexible, in particular as regards the accumulation of days of leave and study leave. It was not adapted to part-time work, to atypical forms of work or, more generally, to modern forms of work and employment. She was generally in agreement with the opinion expressed by the expert, while sharing the concerns expressed regarding the fact that the study was limited to European countries. Prior to taking a decision, complementary information could perhaps be requested from other countries.
61. A representative of the Director-General recalled that the Working Party had undertaken a first examination of Convention No. 132 three years previously. Following this examination, it had been decided to request additional information from member States on the obstacles and difficulties preventing or delaying the ratification of the Convention and on the possible need for its revision. On the basis of the replies received, the Working Party had re-examined this Convention. As this second examination had not resulted in agreement, the Working Party had requested that the short survey be carried out. Although the decision did not state so explicitly, the agreement, as clarified by the Chairperson, was to entrust the conduct of this survey to an independent expert in order to try to overcome the stalemate on this Convention.
62. The Chairperson expressed concern over the continued stalemate. The point of the study had been to try to find a solution. Unfortunately, the Working Party did not seem able to reach a consensus in this respect. However, this did not imply that the method itself should be questioned. At the present stage, the only option available was yet again to defer the discussion while expressing serious doubts as to whether the secretariat had any further options. The Working Party agreed to defer to its next meeting the examination of the Holidays with Pay Convention (Revised), 1970 (No. 132).

E. Termination of Employment Convention, 1982 (No. 158) (short survey)⁶

63. Following the statements by the members of the Working Party on the matter of principle concerning the previous question, the Working Party agreed to defer to its next meeting its examination of the Termination of Employment Convention, 1982 (No. 158).

⁶ GB.277/LILS/WP/PRS/3/2.

F. Examination of Recommendations (third stage)⁷

64. The Chairperson recalled the methodology to be followed by the Working Party for the examination of Recommendations. This involved drawing a distinction between autonomous Recommendations and Recommendations linked to a Convention. Furthermore, in cases where Recommendations were replaced in a juridical sense by the Conference, the Working Party was asked to take note of this. In cases where the Conference de facto replaced obsolete Recommendations, the Working Party was invited to take note of their obsolete character and to consequently propose their withdrawal at the Conference.

I. Occupational safety and health

General provisions

I.1. R.31 – Prevention of Industrial Accidents Recommendation, 1929

65. The Working Party expressed its agreement with the proposals made by the Office. *It proposes –*

- (a) to recommend to the Governing Body the maintenance of the status quo with respect to the Prevention of Industrial Accidents Recommendation, 1929 (No. 31);*
- (b) that the Working Party (or the LILS Committee) re-examine the status of Recommendation No. 31 in due course.*

I.2. R.97 – Protection of Workers' Health Recommendation, 1953

66. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it invite member States to give effect to the Protection of Workers' Health Recommendation, 1953 (No. 97).*

I.3. R.112 – Occupational Health Services Recommendation, 1959

67. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it note the replacement of the Occupational Health Services Recommendation, 1959 (No. 112), by the Occupational Health Services Recommendation, 1985 (No. 171).*

⁷ GB.277/LILS/WP/PRS/4.

I.4. R.164 – Occupational Safety and Health Recommendation, 1981

68. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it invite member States to give effect to the Occupational Safety and Health Recommendation, 1981 (No. 164).*

**Protection against specific hazards –
Toxic substances and agents**

I.5. R.3 – Anthrax Prevention Recommendation, 1919

69. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body the revision of the Anthrax Prevention Recommendation, 1919 (No. 3), and the inclusion of this revision in the item on the use of hazardous substances in the portfolio of proposals for the agenda of the International Labour Conference.*

I.6. R.4 – Lead Poisoning (Women and Children) Recommendation, 1919

70. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body the revision of the Lead Poisoning (Women and Children) Recommendation, 1919 (No. 4), and the inclusion of this revision in the item on the use of hazardous substances in the portfolio of proposals for the agenda of the International Labour Conference.*

I.7. R.6 – White Phosphorous Recommendation, 1919

71. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body the revision of the White Phosphorus Recommendation, 1919 (No. 6), and the inclusion of this revision in the item on the use of hazardous substances in the portfolio of proposals for the agenda of the International Labour Conference.*

I.8. R.114 – Radiation Protection Recommendation, 1960

72. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it invite member States to give effect to the Radiation Protection Recommendation, 1960 (No. 114).*

I.9. R.144 – Benzene Recommendation, 1971

73. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body the revision of the Benzene Recommendation, 1971 (No. 144), together with the Benzene Convention, 1971 (No. 136), and the inclusion of this revision in the item on the use of hazardous substances in the portfolio of proposals for the agenda of the International Labour Conference.*

I.10. R.147 – Occupational Cancer Recommendation, 1974

74. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it invite member States to give effect to the Occupational Cancer Recommendation, 1974 (No. 147).*

Protection against specific hazards – Machines

I.11. R.32 – Power-driven Machinery Recommendation, 1929

75. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it –*

(a) note that the Power-driven Machinery Recommendation, 1929 (No. 32), is obsolete;

(b) propose to the Conference the withdrawal of Recommendation No. 32 in due course.

I.12. R.118 – Guarding of Machinery Recommendation, 1963

76. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body the revision of the Guarding of Machinery Recommendation, 1963 (No. 118), together with the revision of the Guarding of Machinery Convention, 1963 (No. 119), and the inclusion of this item in the portfolio of proposals for the agenda of the International Labour Conference.*

Protection against specific hazards – Maximum weight

I.13. R.128 – Maximum Weight Recommendation, 1967

77. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body the revision of the Maximum Weight Recommendation, 1967 (No. 128), together with the revision of the Maximum Weight Convention, 1967 (No. 127), and the inclusion of this item in the portfolio of proposals for the agenda of the International Labour Conference.*

Protection against specific hazards – Air pollution, noise and vibration

I.14. R.156 – Working Environment (Air Pollution, Noise and Vibration) Recommendation, 1977

78. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it invite member States to give effect*

to the Working Environment (Air Pollution, Noise and Vibration) Recommendation, 1977 (No. 156).

**Protection in certain branches of activity –
Building industry**

**I.15. R.53 – Safety Provisions (Building)
Recommendation, 1937**

**R.55 – Co-operation in Accident Prevention
(Building) Recommendation, 1937**

79. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it note the replacement of the Safety Provisions (Building) Recommendation, 1937 (No. 53), and the Co-operation in Accident Prevention (Building) Recommendation, 1937 (No. 55), by the Safety and Health in Construction Recommendation, 1988 (No. 175).*

**Protection in certain branches of activity –
Commerce and offices**

**I.16. R.120 – Hygiene (Commerce and Offices)
Recommendation, 1964**

80. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it invite member States to give effect to the Hygiene (Commerce and Offices) Recommendation, 1964 (No. 120).*

Social services, living-in conditions and spare time

**I.17. R.16 – Living-in Conditions (Agriculture)
Recommendation, 1921**

81. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it –*

- (a) note that the Living-in Conditions (Agriculture) Recommendation, 1921 (No. 16), is obsolete;*
- (b) propose to the Conference the withdrawal of Recommendation No. 16 in due course.*

**I.18. R.21 – Utilisation of Spare Time
Recommendation, 1924**

82. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it –*

- (a) *note that the Utilisation of Spare Time Recommendation, 1924 (No. 21), is obsolete;*
- (b) *propose to the Conference the withdrawal of Recommendation No. 21 in due course.*

I.19. R.102 – Welfare Facilities Recommendation, 1956

83. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it invite member States to give effect to the Welfare Facilities Recommendation, 1956 (No. 102).*

I.20. R.115 – Workers' Housing Recommendation, 1961

84. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it invite member States to give effect to the Workers' Housing Recommendation, 1961 (No. 115).*

II. Social security

General standards

II.1. R.17 – Social Insurance (Agriculture) Recommendation, 1921

85. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body –*

- (a) *the maintenance of the status quo with regard to the Social Insurance (Agriculture) Recommendation, 1921 (No. 17);*
- (b) *that the Working Party (or the LILS Committee) re-examine the status of Recommendation No. 17 in due course.*

II.2. R.67 – Income Security Recommendation, 1944

86. At the request of the Employer members and in order to clarify the purpose of the Recommendation, a representative of the Director-General indicated which guiding principles contained in the Recommendation were still considered as relevant. These were the restoration of income which is lost by reason of inability to work, the organization of income security, as far as possible, on the basis of compulsory social insurance, the provision for needs not covered by compulsory social insurance through social assistance, and social assistance appropriate to the needs of other persons in want.

87. In the light of this explanation, the Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it invite member States to give effect to the Income Security Recommendation, 1944 (No. 67).*

II.3. R.68 – Social Security (Armed Forces) Recommendation, 1944

88. The Working Party expressed its agreement with the proposals made by the Office. The Worker members pointed out that in this particular case, Recommendation No. 68 should again be reproduced in the compilation by the Office. *The Working Party proposes to recommend to the Governing Body –*

- (a) the maintenance of the status quo with regard to the Social Security (Armed Forces) Recommendation, 1944 (No. 68);*
- (b) that the Working Party (or the LILS Committee) re-examine the status of Recommendation No. 68 in due course.*

II.4. R.167 – Maintenance of Social Security Rights Recommendation, 1983

89. Paragraph (a) of the proposals by the Office read as follows: “The Working Party might recommend to the Governing Body to invite member States to give effect to the Maintenance of Social Security Rights Recommendation, 1983 (No. 167), and, as the case may be, to invite member States to communicate to the Office any additional information on the possible need to replace this Recommendation.” The Worker members indicated that in their view there was a contradiction between the first and second parts of this paragraph.

90. A representative of the Director-General explained that this formulation was modelled on that adopted for the corresponding Convention and that it had been simplified to reflect the particular nature of Recommendations.

91. The Worker members proposed replacing the final sentence of the paragraph, beginning with “any additional information ...” with the following: “on the obstacles and difficulties encountered, if any, in giving effect to this Recommendation”. The Employer members agreed to this change since it coincided with the decision already taken on the related Convention.

92. The Working Party expressed its agreement with the proposals made by the Office, as amended by the Worker members. *It proposes –*

- (a) to recommend to the Governing Body to invite member States to give effect to the Maintenance of Social Security Rights Recommendation, 1983 (No. 167), and to inform the Office on the obstacles and difficulties encountered, if any, in giving effect to this Recommendation;*
- (b) that the Working Party (or the LILS Committee) re-examine the status of Recommendation No. 167 in due course.*

**Protection in certain branches of social security –
Medical care and sickness benefits**

**II.5. R.29 – Sickness Insurance
Recommendation, 1927**

93. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it –*

- (a) *note that the Sickness Insurance Recommendation, 1927 (No. 29), is obsolete; and consequently,*
- (b) *note that Recommendation No. 29 should be withdrawn, and defer the proposal of withdrawal of this instrument to the Conference until the situation has been re-examined at a later date.*

II.6. R.69 – Medical Care Recommendation, 1944

94. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body –*

- (a) *the maintenance of the status quo with regard to the Medical Care Recommendation, 1944 (No. 69);*
- (b) *that the Working Party (or the LILS Committee) re-examine the status of Recommendation No. 69 in due course.*

**II.7. R.134 – Medical Care and Sickness Benefits
Recommendation, 1969**

95. The Working Group decided to amend the proposals by the Office in the same manner as for Recommendation No. 167, as the situation was similar. *The Working Party proposes to recommend to the Governing Body –*

- (a) *to invite member States to give effect to the Medical Care and Sickness Benefits Recommendation, 1969 (No. 134), and to inform the Office on the obstacles and difficulties encountered, if any, in giving effect to this Recommendation;*
- (b) *that the Working Party (or the LILS Committee) re-examine the status of Recommendation No. 134 in due course.*

**Protection in certain branches of social security –
Old-age, invalidity and survivors' benefits**

**II.8. R.43 – Invalidity, Old-Age and Survivors'
Insurance Recommendation, 1933**

96. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it –*

- (a) *note that the Invalidity, Old-Age and Survivors' Insurance Recommendation, 1933 (No. 43), is obsolete;*
- (b) *propose to the Conference the withdrawal of Recommendation No. 43 in due course.*

II.9. R.131 – Invalidity, Old-Age and Survivors' Benefits Recommendation, 1967

97. The Working Group decided to amend the proposals by the Office in the same manner as for Recommendations Nos. 134 and 167, as the situation was similar. *The Working Party proposes to recommend to the Governing Body –*

- (a) *to invite member States to give effect to the Invalidity, Old-Age and Survivors' Benefits Recommendation, 1967 (No. 131), and to inform the Office on the obstacles and difficulties encountered, if any, in giving effect to this Recommendation;*
- (b) *that the Working Party (or the LILS Committee) re-examine the status of Recommendation No. 131 in due course.*

Protection in certain branches of social security – Benefits for employment injuries and occupational diseases

II.10. R.22 – Workmen's Compensation (Minimum Scale) Recommendation, 1925

R.23 – Workmen's Compensation (Jurisdiction) Recommendation, 1925

R.24 – Workmen's Compensation (Occupational Diseases) Recommendation, 1925

98. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it –*

- (a) *note that the Workmen's Compensation (Minimum Scale) Recommendation, 1925 (No. 22), the Workmen's Compensation (Jurisdiction) Recommendation, 1925 (No. 23), and the Workmen's Compensation (Occupational Diseases) Recommendation, 1925 (No. 24), are obsolete; and consequently,*
- (b) *note that Recommendations Nos. 22, 23 and 24 should be withdrawn, and defer the proposal of withdrawal of these instruments to the Conference until the situation has been re-examined at a later date.*

II.11. R.25 – Equality of Treatment (Accident Compensation) Recommendation, 1925

99. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body –*

- (a) the maintenance of the status quo with regard to the Equality of Treatment (Accident Compensation) Recommendation, 1925 (No. 25);*
- (b) that the Working Party (or the LILS Committee) re-examine the status of Recommendation No. 25 in due course.*

II.12. R.121 – Employment Injury Benefits Recommendation, 1964

100. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it invite member States to give effect to the Employment Injury Benefits Recommendation, 1964 (No. 121).*

Protection in certain branches of social security – Unemployment benefits

II.13. R.44 – Unemployment Provision Recommendation, 1934

101. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it –*

- (a) note that the Unemployment Provision Recommendation, 1934 (No. 44), is obsolete; and consequently,*
- (b) note the fact that Recommendation No. 44 should be withdrawn, and defer the proposal to withdraw this instrument to the Conference until the situation has been re-examined at a later date.*

III. Migrant workers

III.1. R.2 – Reciprocity of Treatment Recommendation, 1919

102. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it –*

- (a) note that the Reciprocity of Treatment Recommendation, 1919 (No. 2), is obsolete;*
- (b) propose to the Conference the withdrawal of Recommendation No. 2 in due course.*

**III.2. R.26 – Migration (Protection of Females at Sea)
Recommendation, 1926**

103. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it –*

- (a) *note that the Migration (Protection of Females at Sea) Recommendation, 1926 (No. 26), is obsolete;*
- (b) *propose to the Conference the withdrawal of Recommendation No. 26 in due course.*

**III.3. R.61 – Migration for Employment
Recommendation, 1939**

**R.62 – Migration for Employment (Co-operation
between States) Recommendation, 1939**

104. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body that it note the replacement of the Migration for Employment Recommendation, 1939 (No. 61), and the Migration for Employment (Co-operation between States) Recommendation, 1939 (No. 62), by the Migration for Employment Recommendation (Revised), 1949 (No. 86).*

**III.4 R.86 – Migration for Employment
Recommendation (Revised), 1949**

R.151 – Migrant Workers Recommendation, 1975

105. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body –*

- (a) *the maintenance of the status quo with regard to the Migration for Employment Recommendation (Revised), 1949 (No. 86), and the Migrant Workers Recommendation, 1975 (No. 151);*
- (b) *that the Working Party (or the LILS Committee) re-examine the status of Recommendation No. 86 and Recommendation No. 151 in due course.*

**III.5. R.100 – Protection of Migrant Workers
(Underdeveloped Countries)
Recommendation, 1955**

106. The Working Party expressed its agreement with the proposals made by the Office. *It proposes to recommend to the Governing Body –*

- (a) *the maintenance of the status quo with regard to the Protection of Migrant Workers (Underdeveloped Countries) Recommendation, 1955 (No. 100);*
- (b) *that the Working Party (or the LILS Committee) re-examine the status of Recommendation No. 100 in due course.*

G. Programme of work for the 279th Session (November 2000) of the Governing Body

- 107.** The Chairperson listed all the items that could be included in the agenda of the next meeting of the Working Party:
- an analysis of the methods of revision of instruments concerning occupational safety and health (numerous possibilities, including a consolidation);
 - examination of the last series of Recommendations (except for Recommendations concerning the social security of seafarers, in view of the meeting of the Joint Maritime Commission in January 2001);
 - deferred examination of Convention No. 158 and possibly Convention No. 140 (short surveys);
 - follow-up measures on consultations regarding instruments concerning social security;
 - information note in a new format;
 - deferred examination of Convention No. 132;
 - deferred examination of Convention No. 112.
- 108.** In view of the large number of questions and the planned general discussion regarding social security at the 89th Session (2001) of the Conference, the Employer members proposed that the follow-up measures on instruments concerning this matter not be included in this programme of work.
- 109.** The Worker members, however, wished to retain this item on the agenda. The Working Party should not miss the opportunity to ensure that the question of social security was discussed at the Conference from a standards perspective.
- 110.** The representatives of the Governments of the Netherlands and Switzerland supported the inclusion of an item on follow-up measures on instruments concerning social security in the agenda of the next meeting of the Working Party.
- 111.** In view of the majority view in the Working Party, the Chairperson confirmed that the work programme proposed was adopted without amendment.
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112. *The Committee on Legal Issues and International Labour Standards is invited –*

- (a) to take note of the report of the Working Party on Policy regarding the Revision of Standards, based on the documents submitted by the Office;***
- (b) to adopt the proposals in the corresponding paragraphs of this report on which the Working Party has reached a consensus.***

Geneva, 21 March 2000.

Point for decision: Paragraph 112.