

The 60th Session of the International Labour Conference, June 1975

THE 60TH SESSION of the International Labour Conference was held in Geneva from 4 to 25 June 1975. It was attended by delegations from 119 of the ILO's member States including, for the first time since it joined the Organisation, Swaziland. The session was also attended by observers from Angola, the Bahamas, Belize, Bermuda, Grenada, the Holy See, Papua New Guinea and Surinam and by representatives of numerous international organisations, both governmental and non-governmental.

In addition to the annual report of the Director-General, the eleventh in the series of special reports on apartheid, a number of financial and administrative matters (including the Organisation's programme and budget for 1976-77), the regular report on the application of international labour Conventions and Recommendations and the report of the tripartite working party on the structure of the ILO which it set up last year, the Conference had before it five technical items. These concerned (1) organisations of rural workers and their role in economic and social development; (2) migrant workers; (3) human resources development: vocational guidance and vocational training; (4) the establishment of national tripartite machinery to improve the implementation of ILO standards; and (5) equality of opportunity and treatment for women workers. The Conference adopted a Convention and a Recommendation on each of the first three of these points, held a first discussion on the fourth with a view to adopting international instruments at next year's session and adopted a declaration and two resolutions on the fifth.

The Conference took note of the report on apartheid, extended the mandate of the tripartite working party on the structure of the ILO for a further year and adopted the Organisation's programme and budget for 1976-77. The Conference also amended its standing orders to bring them into conformity with the amendment of the Constitution increasing the number of titular members of the Governing Body, to increase the number of deputy members of the Governing Body, and to enable liberation movements recognised by the Organisation of African Unity or

the League of Arab States which have been invited by the Governing Body or the Conference, as the case may be, to be represented at the general and regional ILO conferences. Following the last-mentioned amendment the African National Congress (South Africa) and the Palestine Liberation Organisation were invited to participate in the 60th Session of the Conference as observers. During the session elections were held for the renewal of the membership of the Governing Body of the ILO and of the African, Asian and Inter-American Regional Advisory Committees for the period 1975-78.

The following sections of this article deal in turn with the Conference's discussions of the five technical items on its agenda, its annual review of the implementation of Conventions and Recommendations, and the resolutions it adopted on questions not included in its agenda. In conclusion, a brief account is given of the debate on the report of the Director-General—which this year was concerned with the problem of making work more human—as well as of his reply.¹

Organisations of rural workers and their role in economic and social development

The Conference adopted a Convention and a Recommendation on organisations of rural workers. This was despite the fact that, when the question came up for second discussion, the committee set up by the Conference had before it only a proposed Recommendation drawn up by the Office on the basis of the conclusions adopted during the first discussion² and of the observations sent in by governments at the Office's invitation.³ Only five out of 72 governments that replied had favoured the adoption of a Convention, possibly supplemented by a Recommendation.

From the outset of the Conference committee's discussions, however, the Workers' members, supported by a number of Government members, vigorously maintained—as they had done during the first discussion—that the question was of such importance and the conditions in which rural workers were living so unsatisfactory that both a Convention and a Recommendation were needed. The Employers' and some other Government members were against this at first and stated their preference for a Recommendation as being more flexible, referring to the vote against adoption of a Convention which had been taken during the

¹ The Conventions, Recommendations, declaration, resolutions and other texts adopted by the Conference are reproduced in *Official Bulletin* (Geneva, ILO), 1975, Series A, No. 1.

² For an account of the first discussion of this and the two following agenda items see *International Labour Review*, Oct. 1974, pp. 282-290.

³ See ILO: *Organisations of rural workers and their role in economic and social development*, Reports IV (1) and (2), International Labour Conference, 60th Session, Geneva, 1975.

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first discussion. In view of the arguments advanced by the other side, however, they suggested, as a conciliatory gesture, that the Workers' members should produce precise proposals regarding the content of a possible Convention which should then be discussed by a tripartite working party. The latter's meetings were held in a spirit of understanding and co-operation, and after discussion of the Workers' members' formal proposals and some further proposals by the Government member of the USSR, unanimous agreement was reached on a proposed Convention. The text was adopted by the committee without any amendment.

The Convention, which was then adopted by the Conference with no opposition and 10 abstentions, takes over in its entirety the preamble of the proposed Recommendation, together with the provisions concerning the definition of the words "rural workers" (slightly modified by the working party) and the right of such workers to form their own organisations. The definition is broad and covers any person engaged in agriculture, handicrafts or a related occupation in a rural area, whether as a wage earner or as a self-employed person. In the latter case, however, the Convention applies only to tenants, share-croppers or small owner-occupiers who derive their main income from agriculture, who work the land themselves, with the help only of their family or with the help of occasional outside labour, and who do not permanently employ workers, employ a substantial number of seasonal workers, or have any land cultivated by share-croppers or tenants.

The instrument provides that each ratifying Member shall encourage the formation and growth of rural workers' organisations, favour their participation in economic and social development, eliminate all discrimination against them and their members, and remove all obstacles to their establishment and lawful activities. Provisions taken from Articles 7 and 8 of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), were added to the general provision on freedom of association which already appeared in the proposed Recommendation. The new Convention also stipulates that steps shall be taken to promote the widest possible understanding of the need to further the development of rural workers' organisations and of the contribution they can make to improving employment opportunities and general conditions of work and life in rural areas, as well as to increasing and achieving a better distribution of the national income. This provision contains the essence of the ideas developed in the section of the Recommendation devoted to public information.

The drafting of the proposed Convention by the working party facilitated examination of the proposed Recommendation, which had obtained a large measure of agreement in the course of the first discussion. The amendments presented were few in number and generally concerned matters of detail.

Adopted by the Conference without opposition and with only 4 abstentions, the Recommendation develops the general principles contained in the Convention, using the same terms in respect of provisions appearing in both instruments. It describes in detail the role which organisations of rural workers should play (notably to represent and defend the interests of such workers and to involve them in development) and envisages various ways of promoting their establishment and growth, including legislative and administrative measures. The former would be designed chiefly to eliminate obstacles to the formation and development of such organisations. The need for national legislation to respect the international Conventions concerning freedom of association and 'collective bargaining is emphasised. The instrument also points to the need to establish appropriate control machinery to ensure the implementation of relevant laws and regulations. It recommends that rural workers' organisations should be associated with planning procedures and institutions concerned with the development of rural areas, and emphasises the need to ensure their effective participation in the formulation, implementation and evaluation of agrarian reform programmes. It also specifies in detail what should be done to keep various sections of the population informed about matters relating to rural workers and their organisations. Finally, it envisages measures to further the education and training of such workers and the leaders of their organisations, as well as the provision of financial and material assistance to facilitate the establishment and proper working of the latter. This assistance should, however, be given in a manner which fully respects the independence and interests of such organisations.

It may be mentioned that the Committee on Rural Workers' Organisations reached all its decisions and adopted the two proposed instruments without once having to take a vote. This was achieved thanks to the spirit of constructive collaboration and mutual comprehension which prevailed throughout the discussions, enabling the committee to complete its work in the shortest possible time.

Migrant workers

Following the first discussion of this item at the 59th Session of the Conference, the Office prepared a report which contained the texts of a proposed Convention and a proposed Recommendation designed to supplement existing instruments. These texts, which were based on the conclusions adopted by the Conference in 1974, had been slightly modified in the light of observations made by governments.¹

During the general discussion in the committee set up by this session of the Conference to consider the item, it was pointed out that economic

¹ ILO: *Migrant workers*, Reports V (1) and (2), International Labour Conference, 60th Session, Geneva, 1975.

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and social trends over recent months had been particularly unfavourable to migrant workers, whose situation had become more precarious in a number of immigration countries. Full account had to be taken of regional factors and, in this connection, of the phenomenon of permanent and long-distance migrations and the particular problems with which workers lacking the necessary papers are confronted. Further, certain fundamental questions of a general nature should not be forgotten, for example the maintenance of cultural links with countries of origin, the granting of social security benefits, the social rights of migrants and the position of women migrants. There was likewise a large measure of agreement on the need to control and organise the flow of migrant workers, this being as much in the interest of the countries of origin and of employment as in that of migrant workers themselves and their families. The main responsibility lay with governments, whose co-operation should be strengthened.

As at last year's session, the nature, purpose and number of instruments which should be adopted were the subject of long discussion. The Employers' members and a number of Government members of the committee again argued that the proposed Convention should not deal with two such different questions as those of migrations in abusive conditions and equality of opportunity and treatment. They urged that there should be a Convention concerning migrations in abusive conditions and that all other matters be dealt with in a Recommendation. This view was rejected and the committee maintained its decision to submit a single Convention with two distinct parts, the first dealing with migrations in abusive conditions and the second with equality of opportunity and treatment. This Convention was to be supplemented by a Recommendation concerning equality of opportunity and treatment, social policy, and employment and residence. There was a long discussion in the committee concerning desirable ratification procedures, and at the proposal of three Government members of Nordic countries a provision was introduced allowing for ratification of only Part I or Part II of the Convention.

With regard to Part I, the text adopted consists of nine Articles setting out the obligations of ratifying member States in organising a concerted drive against manpower traffickers and their accomplices. In this connection there was a long discussion concerning the types of sanction to be used against persons convicted of abusive practices, particularly where illegal workers were involved. The committee felt that these sanctions should be of all kinds, administrative, civil and penal, but that when an employer was prosecuted he must have the right to furnish proof of his good faith. In addition, the committee adopted a number of new provisions extending the contents of the proposed Convention. These consisted of the obligation to respect the fundamental rights of all migrant workers, of measures to terminate clandestine migration itself

and the illegal employment of migrant workers, and of two new Articles providing for the protection of migrant workers who lose their employment or whose position cannot be regularised.

Part II of the Convention concerns the promotion of genuine equality of opportunity and treatment. It contains five Articles defining the relevant objectives and the means to be used in attaining them within the framework of a concerted and accepted national policy. In particular, the Convention provides for measures to facilitate the adaptation of migrants; free choice of employment after two years; and equality with regard to employment and occupation (including social security), trade union rights and individual and collective freedoms. It also contains a few new provisions, including one designed to facilitate the preservation of national identity and another dealing with the reunification of families. Two particular questions gave rise to a wide divergence of opinions, namely the rights of illicit migrant workers (especially when they seek to change their employment or exercise their individual or collective freedoms) and the definition of the Convention's coverage. For while frontier workers, artistes, seamen and various categories of short-term worker are explicitly excluded, there is no mention of seasonal workers, whom certain governments would have wished to see excluded.

The Recommendation, consisting of 34 Paragraphs, emphasises the need for States to formulate a migration policy satisfying certain general criteria. It is divided into three parts dealing respectively with equality of opportunity and treatment, with social policy and with employment and residence. It supplements and develops the principles laid down in the Convention on equality of opportunity and treatment and on guarantees relating to employment and residence. It also lists a number of measures that should be taken in favour of migrant workers and their families in connection with such matters as the reunification of families, health and safety, and social services. For the most part, the provisions envisaged correspond to the conclusions adopted last year. There is, however, a new provision, prepared jointly by the Office and the Secretariat of the United Nations, which was introduced to give migrant workers the right of appeal against expulsion orders and to provide for the necessary legal assistance.

The Conference adopted the Migrant Workers (Supplementary Provisions) Convention by 265 votes in favour and none against, with 81 abstentions, and the Migrant Workers Recommendation by 288 votes in favour and none against, with 62 abstentions.

Following the adoption of the two new instruments, the committee examined two proposed resolutions submitted by the Workers' members. The first, which called for the establishment of an arbitration or conciliation procedure in case of dispute between the authorities of countries of emigration and of immigration over the conditions of work and life of migrant workers, was referred by the Conference to the Governing Body

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of the ILO for study and decision. The second, which dealt with a variety of problems arising from the causes and consequences of migratory movements in the countries of different regions, could not be fully considered by the committee for lack of time. The Conference took note of this fact.

Human resources development: vocational guidance and vocational training

The Conference held a second discussion of this item. The committee set up to consider the question had before it the texts of a proposed Convention and Recommendation based on the conclusions reached last year and modified in the light of the observations since submitted by governments. The two texts were adopted with some changes.

The Convention, which was adopted by the Conference by 351 votes in favour and none against, with 4 abstentions, consists of five operative Articles outlining general principles to be applied in the establishment of policies and the preparation of programmes of vocational guidance and vocational training. The modifications introduced into the text this year were mainly designed to broaden the objectives of policies and programmes; for instance, not only economic and social objectives but also cultural ones are now included. A new Article was added to the proposed text requiring that policies and programmes of vocational guidance and vocational training shall be formulated and implemented in co-operation with employers' and workers' organisations and, as appropriate, with other interested bodies.

The Recommendation, which was adopted by 351 votes in favour and none against, with 2 abstentions, is a longer and more comprehensive document. It spells out in considerable detail the main objectives to be pursued in the development of human resources in member States and outlines the main measures that need to be taken to these ends. A fundamental objective, also included in the Convention, is that member States should "adopt and develop comprehensive and co-ordinated policies and programmes in vocational guidance and vocational training, closely linked with employment". They should "establish and develop open, flexible and complementary systems of general, technical and vocational education, educational and vocational guidance and vocational training, whether these activities take place within the system of formal education or outside it". Vocational training systems should "meet the needs for vocational training throughout life of both young persons and adults in all sectors of the economy and branches of economic activity and at all levels of skill and responsibility".

A considerable part of the Recommendation concerns the action needed in particular fields of economic activity or sectors of the economy which, in many training and guidance systems, may be insufficiently

provided for. Emphasis is placed on the development of special vocational training and guidance programmes to cater for rural areas, branches of economic activity using obsolescent technologies and methods of work, industries and undertakings in decline or converting their activities, and new industries. Similar emphasis is placed on programmes that may be necessary to provide assistance for particular groups of the population: persons who have never been to school or who left school early, older workers, members of linguistic and other minority groups, and handicapped and disabled workers. A distinct part of the Recommendation sets out in some detail the measures required to promote equality of opportunity between women and men in training and employment, and another part outlines the particular training and guidance requirements of migrant workers.

The importance of effective co-operation between governments and various bodies representing industry, the different sectors of the economy or particular groups of the population is also spelt out in some detail in the Recommendation. Other major fields covered include training for managers and self-employed persons, the training of staff for vocational guidance and training activities, research and international co-operation.

The new Recommendation supersedes the Vocational Guidance Recommendation, 1949, the Vocational Training (Agriculture) Recommendation, 1956, and the Vocational Training Recommendation, 1962.

As the field is broad and rapidly changing, it is foreseen that in giving effect to the Recommendation member States should take account of guidelines supplementing its provisions which may be formulated by regional conferences, industrial committees and meetings of experts or consultants convened by the ILO and other competent bodies. The preamble of the Recommendation specifies that the ILO will continue to collaborate closely with UNESCO, which in 1974 adopted a Recommendation on Technical and Vocational Education, with a view to the effective implementation of their respective instruments.

Establishment of national tripartite machinery to improve the implementation of ILO standards

For several years now, increasing attention has been paid at all levels of the ILO—including the Conference, regional meetings, bodies supervising the application of Conventions and Recommendations and the Governing Body—to the role that national tripartite bodies can play in furthering the application of ILO standards.

In preparation for the first discussion of this item by the Conference this year the Office published two reports. The first¹ outlined existing

¹ ILO: *Establishment of national tripartite machinery to improve the implementation of ILO standards*, Report VII (1), International Labour Conference, 60th Session, Geneva, 1975 (Geneva, 1974).

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ILO provisions concerning the role of employers' and workers' organisations in relation to international labour standards; examined the position of existing tripartite machinery at the national level; set out existing practice in regard to the matters on which consultation might usefully take place; and circulated a questionnaire to governments concerning the desirability, form and content of a proposed instrument.

On the basis of the replies received from 65 member States, a second report¹ was prepared setting out proposals for one or more instruments. These proposed conclusions in turn formed the basis for the work of the committee set up by the Conference to consider the matter during the first stage of the double-discussion procedure. They offered alternative texts for the eventual adoption of either a Recommendation, or a Convention supplemented by a Recommendation.

The committee deferred its discussion of the form of the text until it had discussed the content of the instrument or instruments, but it finally decided that conclusions should be adopted with a view to a brief Convention setting out general principles, and a supplementary Recommendation. Several Employers' and Government members nevertheless reserved their positions on the form and content of the instrument or instruments until the second discussion. There was general agreement on the need to ensure a high degree of flexibility in order to permit implementation in differing national circumstances.

The conclusions adopted with a view to a Convention refer in the preamble to the Freedom of Association and Protection of the Right to Organise Convention, 1948, the Right to Organise and Collective Bargaining Convention, 1949, and the Consultation (Industrial and National Levels) Recommendation, 1960, as well as to the fact that a number of Conventions and Recommendations provide for the consultation of employers' and workers' organisations on the measures to give effect thereto. The conclusions set out the general principle that ratifying countries should operate procedures which ensure effective consultations on matters concerning the activities of the ILO, between representatives of the government, of employers and of workers. Many Government members pointed out that their countries already had such procedures, or procedures which could be adapted to these ends, and it was agreed in the discussion that existing procedures could be used. In order to ensure maximum flexibility, it was specified that the nature and form of the procedures should be left for each country to decide after consulting the most representative organisations of employers and workers. The conclusions for a Recommendation set out a number of methods which might be used for the consultations.

¹ ILO: *Establishment of national tripartite machinery to improve the implementation of ILO standards*, Report VII (2), International Labour Conference, 60th Session, Geneva, 1975 (Geneva, 1975).

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Employers' and Workers' members of the committee emphasised that they should be able to choose their own representatives freely, and that employers and workers should be represented on an equal footing on any bodies established.

A point which gave rise to extended discussion was the financing of the procedures. The conclusions for a Convention provide that governments should be responsible for the administrative support of the procedures, while it is proposed that the Recommendation should also contain an express reference to government responsibility for their financing.

Under the proposed Convention, the subjects covered by the consultations would include government replies to ILO questionnaires and comments on draft ILO texts, submission of newly adopted Conventions and Recommendations to the competent national authorities, means of promoting the ratification and implementation of ILO instruments not already in effect in the country, questions arising out of government reports on ratified Conventions, and the denunciation of ratified Conventions. The proposed Recommendation would set out further matters on which consultations should be held. It was pointed out during the discussions that these procedures would be purely consultative and that governments would not be bound by the views of the workers' and employers' representatives, the aim being that there should be open discussion of all these matters. Consultations should be held at least once a year, and an annual report on the operation of the procedures should be issued.

The conclusions with a view to a Recommendation, as already indicated, for the most part develop the points included in the proposed Convention. They also contain a provision calling for all necessary training of participants in the consultations to enable them to perform their functions effectively and recommend that there should be co-ordination between these procedures and the activities of other national bodies dealing with analogous questions.

The discussions will be resumed at the 1976 Session of the Conference.

Equality of opportunity and treatment for women workers

On the occasion of International Women's Year the ILO considered it appropriate to underline the interest it has always taken in the problems of women workers by placing the question of equality of opportunity and treatment on the agenda of its Conference for general discussion. The Office accordingly prepared a report¹ analysing the obstacles to the achievement of this goal and the steps being taken to

¹ ILO: *Equality of opportunity and treatment for women workers*, Report VIII, International Labour Conference, 60th Session, Geneva, 1975 (Geneva, 1974).

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overcome them in different countries. Exactly ten years had gone by since the Conference last dealt with a matter exclusively concerning women workers, when it had adopted the Employment (Women with Family Responsibilities) Recommendation, 1965 (No. 123).

The committee set up by the Conference to consider this question began with a broad survey of the problems dealt with in the above-mentioned report. In the course of the discussion numerous Government, Employers' and Workers' members reported on recent progress their countries had made in this field.

Various points of view were expressed during the debate. From the Nordic countries came the idea that full equality between the sexes at work can only be achieved by measures applying to all workers whether men or women, relating as much to social matters as to the organisation of work—for example the reduction of working hours, leave for the birth of a child being accorded to either the mother or the father, and so on.

By contrast with this "unisex" approach, committee members from the socialist countries continued to attach much importance to the protection of women workers, notably with respect to maternity. They feared that excessively egalitarian measures might result in this need for special protection being neglected.

Members from another group of countries belonging to the Third World felt that a great deal of inequality would be eliminated by the institution of a new economic and social order, the final disappearance of all traces of colonialism, and more equitable distribution of the world's wealth. Members from other developing countries insisted that women in rural areas, who faced particularly severe problems, should receive more attention both in the texts to be discussed by the committee and in the ILO's action programmes.

The committee was unanimously of the opinion that the measures taken in various countries to eliminate sexual discrimination—constitutional provisions, legislation, national policy, collective agreements, social institutions, administrative structures, etc.—are too often frustrated by the weight of historical influences, by cultural and psychological blocks and constraints, and by the traditional attitudes of families and educational and training systems. The result is the regrettable persistence of a sex-based division of labour and of the segregation of women workers in badly paid "women's jobs". The representatives of the Nordic countries considered that mere legal or constitutional proscription is not enough to help women escape from this trap, and that it may even be necessary to envisage special incentives giving temporary advantages to certain categories of particularly underprivileged women workers. Even when only temporary, however, such favourable treatment would appear inappropriate in the poorest countries where chronic unemployment is a reality facing all workers, men and women, and where inequality based on sex seems less serious than some of its other forms.

The committee considered three draft texts, namely a proposed Plan of Action and a proposed Draft Declaration on Equality of Opportunity and Treatment for Women Workers, both of which had been drawn up by the ILO and included in Report VIII, and a proposed resolution concerning equal status and equal opportunity for women and men in occupation and employment. This last was presented by the Government members of Denmark, Finland, Norway and Sweden. It was decided that the Plan of Action should also take the form of a resolution, and the Declaration and both resolutions were adopted by the Conference.

After declaring that any action aimed at establishing equality of opportunity and treatment of women workers must be based on the fundamental principle of the right to work, the resolution concerning a Plan of Action with a view to promoting equality of opportunity and treatment for women workers lays down broad guidelines for action at national level and by the ILO. In particular it enjoins member States to take specific action within the framework of national development planning to promote equality of opportunity and treatment for women workers and to set up effective machinery on a tripartite basis, and with the participation of women, for planning, stimulating and evaluating such action and for applying the policy of equal opportunity and treatment at all levels.

This policy is to be implemented in such diverse and complex fields as social security, protective legislation, the strengthening of the social infrastructure, the establishment of suitable administrative arrangements, the effective integration of women into active life and, finally, vocational guidance and training. With regard to these last two subjects, the resolution embodies the provisions relating to equality of opportunity in training and employment contained in the Human Resources Development Recommendation also adopted this year.¹

As regards ILO action, the resolution specifies that it should be carried on at both regional and international levels.

The Declaration on Equality of Opportunity and Treatment for Women Workers lays down a series of fundamental principles, some of which are taken from Conventions, Recommendations, resolutions or other instruments already adopted by the ILO, the United Nations or its specialised agencies, laying emphasis on those which are essential for the promotion of equality of opportunity and treatment in education, vocational guidance and training, employment policy, wages, occupational safety, social infrastructure, social security and the like.

Finally, in the third text adopted by the Conference, the resolution concerning equal status and equal opportunity for women and men in occupation and employment, the ILO Governing Body is invited to instruct the Director-General to study the need for new international

¹ See above.

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instruments in this field, and also to consider whether certain of the existing instruments should be revised.

Application of Conventions and Recommendations

The Conference Committee on the Application of Conventions and Recommendations carried out its regular review of the measures taken by member States to fulfil their obligations under the Constitution of the ILO with respect to international labour standards and in particular the application of Conventions which they have ratified. Its work was based on the reports and information supplied by governments and the report of the Committee of Experts on the Application of Conventions and Recommendations.

This year, in view of the proclamation by the United Nations of International Women's Year, as well as the importance always attached by the ILO to equality of opportunity and treatment, the general survey which the Committee of Experts carries out at each of its sessions on selected subjects was based on reports received from both ratifying and non-ratifying countries on the Equal Remuneration Convention and Recommendation, 1951. As the question of equal remuneration also fell within the terms of reference of the Committee on Equality for Women Workers, members of that committee were invited to participate in the discussion on this point. It was thus possible for useful exchanges of information and views to take place between the two committees. Mrs. Sipilä, Secretary-General of the World Conference on International Women's Year, also addressed the committee.

The percentage of reports received on the above-mentioned instruments was the highest ever reached, and in preparing its survey the Committee of Experts therefore had at its disposal an extensive and varied body of information. The Conference committee had to note with regret, however, that nearly a quarter of a century after the adoption of this key Convention, about one-third of the member States had not yet formally adhered to it. It therefore felt that it should address an urgent appeal to all member States to examine at the earliest opportunity the possibility of ratifying the Convention, if they had not done so, and to ensure better application of its provisions.

The difficulty of laying down a precise definition of equal pay for work of equal value was the subject of extensive discussion, which showed that long after its entry into force the Convention still gave rise to certain problems of interpretation. Issues concerning the payment of fringe benefits and the effect of objective job classification were evoked and an exchange of views took place on the respective advantages of implementing the principle of equality of remuneration through collective bargaining or legislation.

These discussions led to a wide measure of agreement that the practical application of the principle of equal remuneration was vitally

linked with equal opportunity in regard to basic education, vocational guidance and training, access to employment and promotion to better-paid jobs, just as it was vitally linked with the existence of special measures and facilities enabling women workers to reconcile their family and professional responsibilities.

In its general discussion the committee once again stressed the importance of ILO standards and of the procedures for ensuring their application. The contribution of ILO standards to harmonising legislation and social policy in a number of regions was also highlighted. The committee welcomed the in-depth review of international labour standards which had been put before the Governing Body in November 1974 and the latter's decision to send this review, as well as a report on the preliminary discussions and a questionnaire, to governments and employers' and workers' organisations in order to have their opinions on the issues raised in the review.

Concern was expressed, particularly by the Workers' members, at the falling trend in ratifications and at the fact that many countries had ratified fewer than 20 Conventions and, in some cases, were bound by none of the important Conventions concerning human rights. The committee called on all governments to review their position as regards unratified Conventions and to consider what steps could be taken to ratify further instruments, including more particularly those relating to basic human rights.

The usefulness of the procedure of direct contacts between governments and the ILO to discuss problems arising in the application of Conventions or in the discharge of governments' obligations relating to ILO standards was mentioned by a number of governments which had found that this procedure constituted an excellent means of overcoming difficulties. The committee also found encouraging the number of comments (over 50) sent by employers' and workers' organisations concerning the application of ratified Conventions. It further expressed its satisfaction at the continuing efforts being made to ensure compliance with Conventions; 91 cases of progress of this sort had been noted in the Committee of Experts' report this year.

In addition to considering issues of a general character, the committee examined a number of individual cases in which governments had met with difficulties in giving effect to Conventions that they had ratified or in fulfilling their constitutional obligations in respect of international labour standards. In accordance with its usual procedure the committee decided to draw the attention of the Conference to particularly serious cases, which it listed in its report according to seven criteria.

The committee concluded its work by stating its satisfaction concerning the calm and objective manner in which both general questions relating to the application of standards and the numerous specific cases had been examined.

Resolutions on questions not included in the agenda of the Conference

The Conference also adopted six resolutions on various questions not included in its agenda.

In the first of these the Conference urged the Chilean authorities to ensure, as recommended by two commissions set up by the ILO in 1974, that freedom of association is respected and that discrimination on the basis of political opinion is eliminated, and called on the Director-General of the ILO to follow the development of the trade union situation in Chile and to report to the Governing Body of the ILO later this year and to the Conference at its Session in 1976.

A second resolution invited the Governing Body to take various measures, within the ILO itself and jointly with appropriate United Nations organisations and other bodies, aimed among other things at implementing urgently a co-ordinated strategy for rural development, at reducing world hunger and at generating employment. It called upon member States to expand food production in co-operation with organisations representing rural workers and employers and to take a number of specific measures to secure these ends.

In a third resolution the Conference called upon the Director-General to take various steps—including the preparation of studies, the offer of technical co-operation and the organisation of international meetings—designed to enhance the contribution of small and medium-sized undertakings to economic and social progress and to the creation of employment, in particular in developing countries.

In a fourth resolution the Conference urged member States to recognise the right of disabled or handicapped persons to vocational rehabilitation and training and to provide for their integration in general training and employment schemes or for special services and support. It called on all public authorities and employers' and workers' organisations to promote maximum opportunities for disabled or handicapped persons to perform, secure and retain suitable employment and requested the Director-General of the ILO to compile relevant information, to assist developing countries in their efforts on behalf of disabled or handicapped persons and to promote international programmes for their vocational rehabilitation and social integration.

A fifth resolution concerned the future action of the International Labour Organisation in the field of working conditions and environment. Its main provisions are mentioned in the section below dealing with the discussion of the Director-General's report.

The sixth resolution concerned industrialisation, the guarantee of employment and the protection of the incomes of workers. In this resolution the Conference stressed the interdependence of social progress and economic development, and reaffirmed the right of all persons to employment and to free choice of employment, and the right to a

guaranteed income of all persons who are employed, are wholly or partly unemployed, are in need of vocational training or are retired. It invited the Governing Body to place on the agenda of an early session of the Conference an item entitled "Safeguarding of the right of employment, assistance to the unemployed and protection of the workers' incomes".

The Director-General's report

In devoting his report to the theme *Making work more human: working conditions and environment*¹, the Director-General sought to give new impetus to ILO action in this important field, in pursuance of the resolution concerning the working environment that was adopted by the Conference last year.

The subject of working conditions was chosen with an eye to the interdependence between the various elements of social policy and without losing sight of the seriousness of the employment problem. "The success or failure of modern societies will depend on how they solve this key problem of the inter-relationship between employment, remuneration, working conditions and environment, education, health and leisure." This passage from the introduction was to be frequently referred to in the course of the general discussion.

After reviewing some contemporary questions pertaining to the meaning of work in modern society, the report proceeded, on the basis of the resolution adopted by the Conference last year, to define three objectives for a vigorous and long-term ILO campaign in the field of working conditions and environment, namely:

- that work should respect the worker's life and health; this is the problem of safety and healthiness in the workplace;
- that it should leave him free time for rest and leisure; this is the question of hours of work and their adaptation to an improved pattern for life outside work;
- that it should enable him to serve society and achieve self-fulfilment by developing his personal capacities; this is the problem of the content and the organisation of work.

Three successive chapters of the report were devoted to these points. The report also stressed the need to associate workers' and employers' organisations in the quest for ways of improving conditions of work.

In the final chapter the Director-General proposed some broad guidelines for ILO action and mentioned two possible approaches. The first would consist in achieving a limited number of clearly defined objectives such as the reduction of occupational accidents or diseases. The second and more comprehensive approach would be to include these objectives in an international programme offering a general framework of action, definitions, methodology and aims common to national pro-

¹ Appendices I and II of the report contain summaries of ILO activities in 1974 and of action taken on the resolutions adopted at recent sessions of the Conference.

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grammes and by which such programmes might be guided. Finally, the report surveyed the machinery available to the ILO for carrying out a "coherent and integrated programme" which could "speed the general movement towards more human work".

DISCUSSION OF THE REPORT

Two hundred and thirty-one speakers took part in the debate on the Director-General's report.

Mrs. Bandaranaike, Prime Minister of Sri Lanka, addressed the Conference at a special sitting on 10 June. Referring to the condition of women, she suggested that the opening up of improved career opportunities should be accomplished fully and harmoniously without causing any break with the family background. Her second preoccupation was raising the standard of living of the rural masses. Emphasising the seriousness of the unemployment and population pressure to which cities were subjected, she proposed that the developing countries should adjust their shortage or surplus of manpower among themselves by means of regional migration and expressed the wish that the ILO should assist in the implementation of such a project.

Among the other speakers were Mrs. Sipilä, Secretary-General of the World Conference on International Women's Year, and Mr. Maurice Strong, Executive Director of the United Nations Environment Programme. The former congratulated the ILO for its report on equality of opportunity and treatment for women workers. She emphasised the importance of the development of human resources and of improving the quality of life and argued that development should be measured to a larger extent by means of social indicators. Mr. Strong praised the constructive role played by the ILO in environmental matters and welcomed its concept of development as a process in which social considerations and the quality of life occupied a prominent place. Expressing his pleasure over the existing degree of collaboration between the ILO and the United Nations Environment Programme, he hoped that it would continue to broaden and deepen.

The majority of speakers expressed their appreciation for the report, which they found rich in ideas and information, and their speeches provided a mass of complementary data about the activities of their country or region in this field.

The theme chosen by the Director-General for his report was considered to be fully justified and was welcomed as being of real importance and as emphasising the connection between employment policy and the improvement of working conditions. Many speakers from developing countries considered that action to improve working conditions was a matter of high priority and urgency despite the present crisis and prevalence of unemployment, while others felt that the report did not take sufficient account of the position of the poorer countries.

Attention was repeatedly drawn to the diversity of situations with regard to working conditions, according to the various countries' economic systems and stages of development. Referring to the gap between the rich and the poor countries, many speakers pointed out that to a large extent these widely different conditions had their origin in the nature of international relations, and that improvement was therefore a matter for the international community and was only possible within the context of a new world economic order. Reference was made in this connection to next year's Tripartite World Conference on Employment which was of great interest from this point of view as also with regard to the question of migrant workers.

Insisting upon the idea of interdependence, some speakers emphasised the need for an over-all strategy taking due account simultaneously of the transfer of technology, the environment, ergonomic imperatives and the quality of life in the broadest sense of the term.

Apart from their direct comments on the report, speakers made a number of useful suggestions concerning the role the ILO should play in this field. Many wanted the larger part of the Organisation's resources to be utilised for the benefit of developing countries where conditions of life and work were poorest, especially in the rural sector.

In this connection, as well as at a more general level, occupational health and safety were at the heart of the debate. The idea of a vigorous campaign to protect the lives and health of workers received unanimous support. Many speakers referred to experiments in their own countries and called on the ILO to step up its technical assistance and information work. The essential role of standard-setting in this field and the need for employers and workers to participate in the development and application of the relevant provisions at enterprise level were strongly emphasised.

The question of working hours and leisure time proved of particular interest to the representatives of the more highly industrialised countries, who reported on current and planned experiments in this field in which due allowance was made for family responsibilities, these being themselves bound up with equality of opportunity and treatment for women workers.

Various contradictory theories were advanced with respect to the cost of modifying methods of work organisation, but there was general agreement that detailed cost/benefit studies should be carried out on the humanisation of work.

The vast majority of speeches referred to International Women's Year and it was considered that the ILO had a vital role in ensuring equality of opportunity and treatment for women workers. Many speakers provided details of the reforms now being carried out in their countries. In some industrialised societies these reforms implied a new balance between the world of work and domestic responsibilities, with husbands shouldering a greater share of the latter than hitherto.

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As to the practical measures required, many speakers explicitly supported the possible approaches outlined by the Director-General in the last chapter of his report and called for a large-scale programme on these lines. Opinions differed on the question of standard-setting, however.

The various proposals put forward in plenary session were supplemented and consolidated in the resolution concerning future action of the International Labour Organisation in the field of working conditions and environment which was adopted by the Conference.

In its operative part this resolution

supports the world-wide action suggested by the Director-General of the International Labour Office in his report with a view to reconsidering the current activities of the ILO and to launching an international programme for the improvement of working conditions and environment which is designed to promote or support activities of member States in this field.

It invites the latter to promote the improvement of working conditions and environment and periodically to set themselves a number of definite objectives. It also invites the Governing Body of the ILO to instruct the Director-General:

- (i) to prepare a programme taking into consideration the aims of the "general inquiry into human labour" announced by the Director-General last year and entailing an increase of ILO resources devoted to activities in the field of working conditions and environment. Such a programme should include a large element of technical co-operation (particularly in favour of rural areas); continual reappraisal of existing international labour standards and the adoption of new ones relating to occupational safety and health in particular; full utilisation of the opportunities provided by meetings of Industrial Committees; the preparation of guides, codes of practice and teaching materials; the establishment of multidisciplinary teams of experts with certain specified tasks; and the in-depth study of the costs of employment injuries, cost/benefit analysis of different means of improving working conditions, and the effect on working conditions and environment of experiments in work organisation and of transfers of technology;
- (ii) to study the possibility of convening a tripartite meeting on this subject, the results of which would help the Conference to decide on a future programme of activities;
- (iii) to undertake, in collaboration with and with the support of the United Nations Environment Programme, a coherent programme of action in the field of the environment.

THE DIRECTOR-GENERAL'S REPLY

In his reply the Director-General referred to the excellent technical work accomplished by the Conference despite the particularly full agenda

this year. He recalled that it had adopted new standards with regard to human resources (vocational guidance and training), migrant workers and rural workers, that it had held a first discussion with a view to the adoption next year of a Convention and Recommendation concerning tripartite machinery for the fuller implementation of ILO standards, that it had approved the programme and budget for 1976-77, and that it had adopted several important resolutions. The Director-General also mentioned the texts adopted with regard to women workers and observed that, in this International Women's Year, the presence and message of Mrs. Bandaranaike, Prime Minister of Sri Lanka, had highlighted the ILO's traditional role and future work in this field.

Turning to the discussion of his report, the Director-General considered that the convergence of views expressed by the representatives of different countries was remarkable, even if it was accompanied by nuances that attested to both the diversity and the interdependence of their respective situations.

In his view, the diversity was primarily one of culture, whence the need for each country to exploit its creative potential to the utmost so as to avoid the waste involved in the adoption of solutions devised for different conditions. There was also a diversity of needs stemming from differences between levels of industrialisation, development goals and economic and social systems. Paradoxically this very diversity, which might appear inimical to international action, was in fact an encouragement to it. It was a major function of an international organisation to collate the varied experience of its members and to share the results and work with them in an attempt to develop practical strategies.

Interdependence, the Director-General felt, was above all an interdependence of problems; this was particularly the case with the connection between the improvement of working conditions and action in favour of employment. In general, the Conference had accepted that there was no conflict between these two major social objectives and that, even with very unequal or delayed development, some measures for improving subhuman working conditions were profitable from the point of view of society as a whole. In the more developed countries there was an organic link between the volume and quality of employment. Creating better jobs often meant creating more jobs.

The same boldness with which the ILO had launched the World Employment Programme, in the teeth of certain economic theories prevalent at that time, now led the Director-General to put forward two working hypotheses he believed to be in the best traditions of the Organisation. First, it was essential not only from the immediate social point of view, but also from that of subsequent economic progress, to invest in the improvement of working conditions irrespective of a country's degree of development. Second, this improvement, far from damaging the prospects of employment growth, would actually strengthen them.

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The other aspect of interdependence was that of solidarity and the bonds between member States. In the ILO this spirit of solidarity took on a particular moral significance by virtue of the proscription of exploitation and oppression. The ILO provided a privileged and indeed unique framework within which measures to harmonise working conditions between countries could be negotiated.

From these general conclusions the Director-General drew two practical lessons. First, the ILO must draw up an international programme for vigorous action in this field with all possible despatch. There was a broad measure of agreement concerning this proposal in the report, while unequivocal support had been provided by the resolution already alluded to in which the Conference invited the Governing Body to instruct the Director-General to prepare and submit "an international programme for the improvement of working conditions and environment which is designed to promote or support activities of member States in this field".

The second lesson was the importance of using tripartite machinery in the preparation and supervision of relevant national programmes. The finalising of the proposed international standards for such machinery was the best guarantee for the success of the undertaking upon which the ILO must and would embark.

The Director-General assured the Conference that he would submit precise proposals to the Governing Body for carrying out this programme. Already the discussion had highlighted four types of urgent action which seemed to warrant priority under the programme. These were:

- (i) the improvement of conditions of work in the rural sector in developing countries, especially in tropical and subtropical agriculture. The ILO could devise practical and simple ways of providing minimum protection for these workers and, in addition, study the possibility of setting up elementary safety and health systems which could be extended to the whole of the rural environment. The new instruments concerning rural workers' organisations would be most useful in this respect;
- (ii) a reduction in the rate of employment injuries in the sectors where they were most frequent, i.e. agriculture, building, metal trades and mining. The Industrial Committees would have a primordial part to play here, and tripartite action at national level would be decisive;
- (iii) in the field of job satisfaction there were two priority objectives: to give workers a wider range of choice and better vocational guidance. In this connection, excellent provisions had been included in the new instruments concerning human resources;
- (iv) the discussion of the report had not produced unanimity over the action to be taken regarding standard-setting, certain speakers

having remained non-committal while others had suggested drawing up an instrument very quickly so that it might inspire research and national action, yet others considering that standards should, on the contrary, constitute the culmination of the whole programme. Nevertheless there appeared to be general agreement that the nature of the difficulties which had in the past prevented the ratification of certain instruments would have to be fully explored and that particular care would have to be taken in the framing of future international standards. The discussions had also revealed the importance attached to workers' participation at the level of the undertaking in decisions concerning safety and health, the use of ergonomics and all and every means of making work more human. The adoption of an international instrument in this field would surely play no mean part in the campaign for the reduction of employment injuries.

The Director-General recalled the importance of the major debate to be held next year at the Tripartite World Conference on Employment, expressing the hope that the delegates would be chosen with the utmost care and that ministers of labour would be accompanied by ministers responsible for economic planning.

In conclusion the Director-General emphasised that the major international programme for the improvement of working conditions which the ILO had been called on to prepare and develop would require willpower and time. It amounted in fact to drafting the terms of an ambitious contract for the generation to come, a contract which would hold up for young people to see the long-term objectives proposed by the International Labour Organisation and would galvanise them into action.
