

The 66th Session of the International Labour Conference, June 1980

The 66th Session of the International Labour Conference was held in Geneva from 4 to 25 June 1980 and was attended by delegations from 138 member States. The United States of America, after an absence of two years, and Lesotho, which had withdrawn from the ILO in 1971, resumed their places among the member States, whose ranks were further swelled by Grenada, the Socialist Republic of Viet Nam and St. Lucia. Zimbabwe, present to begin with as an observer, was admitted as a Member of the ILO on 6 June, the date on which its delegation accordingly took its place in the hall. Observers were present from Antigua, Belize, Bermuda and the Holy See, as were representatives of numerous international organisations, both governmental and non-governmental, and other bodies invited by the Conference.

In addition to the annual report of the Director-General (which, following a first part devoted to training, dealt with the activities of the ILO in 1979 and included appendices describing the action taken on earlier Conference resolutions and presenting a new report on the position of workers of the occupied Arab territories), a report submitted by the Governing Body summarising the more important decisions it had taken since the 65th Session, the regular report on the application of international labour Conventions and Recommendations, a number of financial and administrative questions, the sixteenth special report on apartheid and the report of the working party set up to consider the structure of the ILO, the Conference had before it four technical items. These concerned (1) older workers: work and retirement; (2) promotion of collective bargaining; (3) equal opportunities and equal treatment for men and women workers: workers with family responsibilities; and (4) safety and health and the working environment, and amendment of the list of occupational diseases appended to the Employment Injury Benefits Convention, 1964 (No. 121).

The Conference adopted a Recommendation on the first item. It held a first discussion on the three other items with a view to adopting international instruments at next year's session and amended the list of occupational diseases appended to Convention No. 121. It reviewed the progress made by the Working Party on Structure and decided to extend its

mandate so that it could report on the final results of its work at the 67th Session of the Conference. It adopted the report and conclusions of the Committee on Apartheid. In regard to the budget it decided that the United States' contribution for 1980 should be used to cover a cash deficit, while that for 1981, fixed at 25 per cent of the income, would enable the contributions of the other member States to be proportionally reduced. In addition, it authorised the provision of up to US\$4.5 million to pay off outstanding liabilities of the International Centre for Advanced Technical and Vocational Training in Turin.¹

A special sitting was held on 17 June on the occasion of the visit of Mr. Constantin Caramanlis. The President of the Hellenic Republic stressed, amongst other things, that in the face of the complex and dangerous problems of inflation, unemployment, the energy crisis and the inequality between North and South, the international community should concentrate attention on two major objectives: "the consolidation of world peace and the prosperity of mankind within the framework of a new international order, which would strengthen the role of labour and in due course make work more human". On 19 June it was Mr. Willy Brandt, Nobel Peace Prize winner, who was the guest of honour of the Conference. In his capacity as Chairman of the Independent Commission on International Development Issues, he presented the programme which this Commission has described as a Programme for Survival and which calls for four major objectives to be achieved during the next five years: a greater transfer of resources, an agreed international energy strategy and an assured global supply of energy, the elimination of mass hunger, and structural reforms in international organisations and in institutions which influence the world's economic system. Efforts to ensure the survival of the human race should be based on the growing interdependence between States and regions and on the realisation that North-South relations transcend the mere economic dimension. Hence the importance of the role played by social organisations such as the ILO.

The following sections of this article deal in turn with the Conference's discussion of the four technical items on its agenda, the application of the Declaration concerning the Policy of Apartheid, its annual review of the implementation of Conventions and Recommendations, and the three 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 as well as of his reply.

Older workers: work and retirement

Following the first discussion of this item at the 65th Session of the Conference,² the Office had prepared—on the basis of the Conclusions adopted and the comments received from governments—two reports containing the text of a proposed Recommendation.³ Since the majority of

governments had once again declared themselves in favour of adopting only a Recommendation, it had not been possible to meet the request of the Workers' members and some Government members made during the first discussion that a draft Convention should also be prepared.

As had happened the year before, the Committee on Older Workers set up by the Conference immediately came up against a strong divergence of opinion between, on the one hand, the Workers' members and some Governments who argued for a framework Convention laying down a number of fundamental principles supplemented by a detailed Recommendation and, on the other hand, the Employers' members and some other Governments who advocated the adoption of a single instrument—a Recommendation—sufficiently flexible to take account of differing national situations. Following a thorough discussion the Workers formally proposed that the Committee should also examine a draft Convention, but this proposal was finally rejected and the Committee decided to proceed with the preparation of a Recommendation only.

With a view to making the instrument more flexible and comprehensive, the Committee suggested a number of amendments to the text prepared by the Office regarding, in particular, the means of implementing the policy of equality of opportunity and treatment for which it called, and the right of workers to give their views on the new employment opportunities offered. It also proposed introducing some new elements such as studies to identify types of activity likely to hasten the ageing process, the participation of employers' and workers' organisations in the process of adapting systems of remuneration, assistance in securing new employment, facilitating the access of older persons to the employment market, and the content of retirement preparation programmes.

The Conference unanimously adopted the Recommendation concerning older workers. This instrument, which comprises 33 Paragraphs, applies to all workers "who are liable to encounter difficulties in employment and occupation because of advancement in age": the competent authority of each country may adopt more precise definitions. It is understood that these problems should be dealt with in the context of national employment policy and a social policy designed to ensure that employment problems are not merely shifted from one group of workers to another.

The Recommendation lays down guidelines covering all aspects of the conditions of employment and work of older workers, for whom the member States are invited to formulate and implement an appropriate policy in three main fields: equality of opportunity and treatment, protection in employment, and preparation for and access to retirement.

First of all it is provided (Para. 3) that measures should be taken for the prevention of discrimination in the various areas of working life enumerated in Paragraph 5. For the implementation of this policy, which should involve the effective participation of employers' and workers'

organisations, it is recommended that legislation be enacted and programmes of action promoted, that existing provisions should be examined and where necessary adapted, that observance of the policy be enforced in all activities under the direction or control of a public authority and promoted in the other sectors, and that all the persons and organisations concerned should have access to the bodies empowered to examine and investigate complaints.

Secondly it is recommended (Para. 11) that measures be devised, again with the participation of employers' and workers' organisations, to enable older workers to continue in employment under satisfactory conditions. Studies on this subject should first be undertaken and their findings widely disseminated. Next, solutions must be sought to the difficulties encountered by older workers in respect of adaptation, particularly as regards certain conditions of work and of the working environment, the organisation of work in general and of particular jobs, different arrangements of working time, systems of remuneration, safety and health, and vocational guidance and training. In addition, measures might be taken to make alternative employment opportunities available to those older workers desiring them, and special efforts should be made to help older workers who are affected by workforce reductions or are seeking employment after having been kept out of the workforce by their family responsibilities.

Thirdly it is recommended, in the interests of a gradual transition from working life to retirement, that measures should be taken wherever possible to ensure that the cessation of gainful activity is voluntary and that the age at which old-age pensions are payable should be made flexible (Para. 21). To this end, provisions making mandatory the termination of employment at a specified age should be examined and older workers who are fit for work should be able to defer their claim to an old-age benefit, a special compensatory benefit should be granted to older workers whose hours of work are reduced, resources should be guaranteed for older persons who have been out of work for a lengthy period, and early retirement benefits should be payable to older workers who are engaged in arduous or unhealthy occupations, who are recognised as being unfit for work, or who wish to retire early for reasons of personal convenience subject to reductions in the level of their old-age pension. In addition, retirement preparation programmes should provide information in a wide variety of fields.

Finally, measures should be taken to ensure that all concerned—individuals, services and organisations—are informed of the problems which older people encounter and of the proposed solutions.

Promotion of collective bargaining

Although the practice of collective bargaining has expanded considerably in the past three decades its development continues to run up

against various difficulties. In a number of countries there are still in fact legal restrictions which are likely to affect its scope, content or procedures. Moreover, the percentage of workers covered and the range of negotiable issues still vary greatly from one country to another and, within countries, according to the branch of activity and category of worker. In addition, it is sometimes handicapped by the absence or inadequacy of rules governing the way it should be carried out. The development of collective bargaining can also be held back when, as is now often the case, it has to be conducted against a difficult economic background of inflation, unemployment or underdevelopment. It may be particularly difficult in such situations to preserve the voluntary nature of collective bargaining since in some countries the public authorities tend to intervene to ensure that the negotiators do not jeopardise the general interest.

For some 30 years the ILO has been very active in promoting collective bargaining through, for example, the publication of studies and the organisation of meetings. On the other hand, it must be noted that the Conference has adopted comparatively few standards on the subject. The most important are Article 4 of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and the Collective Agreements Recommendation, 1951 (No. 91). It was with a view to supplementing these standards, whose principal aim is to recognise the *right* to bargain collectively, that the Governing Body decided to place on the agenda of the 66th Session of the Conference an item entitled "Promotion of collective bargaining", for which the Office, in accordance with its normal procedure, prepared two reports as a basis for the first discussion.⁴

The Conclusions adopted by the Conference first of all recall the key importance of existing international standards on the subject and state that, without revising them, the new standards designed to promote collective bargaining should give greater effect to their objectives.

According to the Conclusions, the term "collective bargaining" should extend to all negotiations conducted for the purpose of determining working conditions and terms of employment or regulating relations between employers and workers or their organisations.

The central Point of the Conclusions provides that measures should be taken to ensure that (a) collective bargaining is made possible for all employers and all groups of workers in the branches of activity covered by the new standards; (b) collective bargaining is progressively extended to all matters concerning working conditions and terms of employment as well as relations between employers and workers or their organisations; (c) collective bargaining is not hampered by the absence of rules governing the procedure to be used or by the inadequacy or inappropriateness of such rules; and (d) bodies and procedures for the settlement of labour disputes are so conceived as to contribute to the promotion of collective bargaining. According to the same Point, such measures may not be so interpreted or applied as to hamper the freedom of collective bargaining.

The Conclusions go on to list a number of specific means that could be employed relating, *inter alia*, to the establishment and growth, on a voluntary basis, of free, independent and representative employers' and workers' organisations; the recognition of such organisations for the purposes of collective bargaining; the training of negotiators; the granting to negotiators of the necessary mandate to conduct and conclude negotiations; and giving the parties access to the information required for meaningful negotiations. Elsewhere the Conclusions state that collective bargaining should be possible at any level, including that of the establishment, the undertaking or the branch of activity, and that where it takes place at several levels the parties should seek to ensure that there is co-ordination among these levels.

It was the scope of the new standards and the form of the instrument(s) that led to the toughest discussions.

As regards the scope, it is provided that the new standards should, "subject to national laws, regulations and practice, apply to all branches of economic activity". It has been argued that this text, which was adopted by a very small majority during the work in committee, makes it possible for member States to fix the scope as they wish, whereas the text proposed by the Office only enabled them to exclude from its scope certain groups of persons employed by public authorities.

As regards the form of the instrument to be adopted there was wide agreement that only the adoption of a Recommendation should be proposed, whereas the Office had suggested the adoption of a Convention supplemented by a Recommendation. The arguments developed on this point by the Employers and Workers were nevertheless very different. The Employers wanted a Recommendation, and only that, for reasons of flexibility. The Workers, for their part, would have preferred a Convention supplemented by a Recommendation but they finally voted for the adoption of a single instrument—a Recommendation—since the text of the Conclusions did not in their view represent a sufficient advance on the existing standards to justify a new Convention on the subject. They considered, in particular, that the Conclusions left the member States too much freedom to determine the scope of the proposed standards. They declared that their objective would still be to strengthen the text of the Conclusions during the second discussion in 1981 in such a way as to make it possible to adopt a Convention supplemented by a Recommendation.

There were also major differences in two other areas between the Conclusions proposed by the Office and those the Conference adopted.

First, the Conclusions proposed by the Office contained a provision whereby measures should be taken "to encourage and facilitate reconciling the specific interests of the parties to collective bargaining with the general interest". This Point was deleted during the discussion. Many members of the Committee, while recognising that the problem was a real one, considered that it was so delicate and raised so many difficulties—

especially with respect to definition—that it would be better not to deal with it in the Conclusions.

Secondly, the Office text contained a provision whereby measures should be taken “so that the parties negotiate in good faith and refrain from any practices that are liable to hamper the collective bargaining process”. This Point was also deleted in the course of the discussion, mainly because the Workers and a number of Governments considered that the concepts involved could not be defined sufficiently precisely.

Equal opportunities and equal treatment for men and women workers: workers with family responsibilities

The Conference held a first discussion of this item. The Governing Body, in deciding at its November 1978 Session to place the question on the Conference agenda, had sought to take the ILO's standard-setting activity a step further on the path towards complete equality of opportunity and treatment for men and women workers in employment and occupation.

Some Governments, particularly those of the Scandinavian countries, would have liked the Conference to deal with the whole question of equal opportunities and equal treatment for workers of both sexes, instead of restricting its focus to the problems of workers with family responsibilities. They nevertheless recognised that the difficulty of combining occupational and family responsibilities was a major obstacle in the way of achieving equal opportunities and equal treatment. This was partly because family responsibilities often act as a powerful brake on the effective exercise of the right to work, and partly because measures to combat discrimination in training, access to employment and working conditions often have only a limited effect if, because of these responsibilities, some workers have to give up their job or normal advancement in their careers.

Almost all the members of the Committee set up by the Conference to discuss this item⁵ agreed that it was opportune, and indeed most desirable, to adopt new standards on equality of opportunity and treatment for men and women workers with family responsibilities. Some Government members from developing countries stressed, however, that action in this area was not perhaps uppermost among the priorities of countries faced with problems of unemployment and underemployment, where there was still much to be done to eliminate poverty, illiteracy and disease, and where, in some cases, the concept of equality between men and women might clash with traditional attitudes or religious beliefs.

When it adopted, in 1975, the Declaration on Equality of Opportunity and Treatment for Women Workers,⁶ the Conference had recognised that the position of women could not be changed unless there was a corresponding change in the role of men within the family. It was now becoming increasingly clear, and the discussions of the Committee

confirmed this awareness, that the attainment of equality in working life is to a large extent dependent on that of equality within the family. It was not surprising, therefore, that the Conclusions adopted by the Committee were based on a dual concern: on the one hand, to promote the idea that men and women should share family responsibilities equally, this being a precondition for the attainment of equality of opportunity and treatment in working life, and, on the other hand, to give men and women workers with family responsibilities effective equality of opportunity and treatment with other workers.

It was only following a lengthy discussion that the Committee arrived at its decision regarding the form the proposed new standards should take. Those advocating that only a Recommendation should be adopted argued that, since it was impossible to foresee the legal, social and economic consequences of the measures envisaged, a circumspect approach was indicated; they underlined the great diversity of ways in which the problems under consideration are being tackled in the different countries as a result of the marked influence of economic, social and cultural conditions and hence the wide variety of solutions it was possible to reach. The advocates of a Convention supplemented by a Recommendation, whose point of view prevailed, pointed to the magnitude of the problem and the need for member States to adopt a voluntarist approach which alone was capable of creating the necessary economic and social conditions for its solution.

The definition of the concept of family responsibilities also gave rise to prolonged discussion. All the members were agreed in considering that it should be defined precisely so as to limit the scope of the proposed standards to workers who are genuinely placed at a disadvantage because of such responsibilities. While it was easy to specify, in regard to responsibilities in respect of children, that they should be taken into consideration only in relation to the dependent children of workers, a number of proposals were put forward regarding other members of the family. It was decided that the proposed standards should—by stages if necessary—apply to men and women workers with responsibilities in relation to other members of their immediate family who clearly need their care or support.

The Conclusions proposed by the Committee, which will serve as a basis for the discussion at next year's session of the Conference, contain provisions concerning the objectives of national policy, training and employment, terms and conditions of employment, child-care and family services and facilities, social security, and help in the exercise of family responsibilities.

Safety and health and the working environment

Recent years have brought a growing conviction of the need to replace ad hoc, piecemeal action on occupational hazards by a more systematic, comprehensive approach. The case for a shift of this sort was set out in a

report⁷ drawn up by the Office to prepare the way for consideration of this agenda item by the Conference. The report concluded with a questionnaire in which governments were invited to give their views on whether an international instrument (or instruments) on the subject should be adopted and, if so, what ground it should cover. The replies received from 63 member States showed a majority preference for a Convention supplemented by a Recommendation, and a second report,⁷ after summarising the views expressed, put forward suggestions regarding the content of the proposed instruments. These 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.

The proposals before the Committee covered the entire question of the prevention of occupational hazards and the improvement of the working environment. Their purpose, in the words of the representative of the Secretary-General, was "to lay the foundations for a national policy within each member State to establish as far as possible a total and coherent system of prevention, taking into consideration the present-day realities of the working world". These proposals did not necessarily call for immediate action; they were intended above all to encourage member States to promote the progressive application of new and far-reaching measures at the national and enterprise levels.

Opening the general discussion the Chairman of the Committee expressed her firm conviction that, regardless of the differences between the social systems of member countries and between the levels of technology they used, from the point of view of safety and health and the working environment all countries were developing ones.

The Employers believed that favourable results at the workplace could best be achieved by co-operation, and that legislation had limited effect unless it enjoyed the support of both workers and employers. Their experience was that the elaboration of legal requirements in this field could sometimes erode the employer's clear responsibility for safety and health matters and thus reduce protection for workers rather than improve it. In their view the aim should be to adopt instruments which could be widely ratified, bearing in mind the diversity of national legal and industrial relations systems.

The Workers' members felt that despite the differences in the levels of social and economic development in member States the instruments should have a full legal basis in all countries and should apply to all workers in all sectors. In particular, they insisted, those working in the public service should be included, and the definition clause was amended in this sense.

The meaning of the word "health" gave rise to a good deal of discussion. The Workers' and some Government members wanted to see it extended beyond the traditional sense of absence of disease. The words "well-being" were added but this amendment encountered opposition in the Committee and later in the plenary sitting of the Conference. Next

year's Session will be taking a second look at the phrase "occupational health including well-being" to see if another, more descriptive form of wording can be found.

Other matters which elicited some debate concerned the degree of consultation that should take place between governments and the representative organisations of employers and workers when drawing up national legislation in this field, and the worker's right to cease work if he judges it to involve immediate and serious danger to his life or health.

Some indication of the comprehensive nature of the texts ultimately agreed on by the Committee may be had from just a few extracts taken from the proposed conclusions with a view to the adoption of a Convention. The "coherent national policy" required of ratifying member States should, it was agreed, cover the design, testing, integration, choice, substitution, installation, arrangement, use and maintenance of machinery and equipment, substances and chemical, physical and biological agents used, and work processes; the adaptation of machinery, equipment, working time, organisation of work and work processes to the physical and mental capacities of the workers; the training, retraining, qualifications and motivation of persons involved in the achievement of adequate levels of safety and health; and communication and co-operation at the levels of the work group and the undertaking as well as at the national level.

Action called for at the national level includes the institution of an appropriate system of inspection to enforce occupational safety and health laws and regulations, with adequate penalties for violations; and guidance to help employers and workers comply with their legal obligations. The competent authorities should progressively assume responsibility for determining the conditions governing the construction and lay-out of undertakings and major alterations affecting them, prohibiting or limiting the use of hazardous substances, establishing procedures for the notification of occupational accidents and diseases and for the production of annual statistics, and holding inquiries into serious accidents or diseases. There follow requirements regarding the design, manufacture and sale of machinery, equipment and substances to ensure proper standards and safe use, as well as the inclusion of safety and health questions at all levels of education and training.

Further provisions relate to action that is called for at the level of the factory or plant, and to a good deal more which lack of space prevents describing here. The text of the proposed supplementary Recommendation goes into even greater detail.

The Committee's report was approved by the Conference in plenary sitting without opposition. The discussion will be resumed at the 67th Session of the Conference next year.

Amendment of the list of occupational diseases appended to the Employment Injury Benefits Convention, 1964 (No. 121)

When it adopted the Employment Injury Benefits Convention (No. 121) in 1964 the Conference, recognising that the schedule of occupational diseases giving entitlement to benefit would have to be kept up to date, requested the Governing Body to convene a meeting of experts charged with preparing "a draft list of occupational diseases which would take account of all recent information on the subject", and to include the revision of this list in the agenda of a future session of the Conference. The same request was repeated by the Conference in 1967 and 1970.

The updating of the list was made necessary by the discovery of new cause-effect relationships between physical, chemical or biological agents in the working environment and the state of health of the worker. In addition to facilitating the harmonisation of social security benefits at the international level, updating and extending the list could help to prevent occupational diseases by promoting a greater knowledge of hazards and encouraging medical supervision of workers and control measures for harmful agents.

A meeting of experts, organised by the ILO in co-operation with the WHO in January 1980, was therefore asked "to set criteria for determining the list of occupational diseases and, in the light of the most up-to-date medical and technical knowledge, to draft a new list of diseases, which would be submitted to the Conference for consideration".⁸

Only three diseases were included in the schedule of the Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18); ten in that of Convention No. 42 of 1934, which revised the earlier one; and 15 in the schedule of Convention No. 121, which superseded the two preceding instruments. This year the experts' proposal included 29 occupational diseases.

The Conference accepted the validity of the criteria adopted by the meeting of experts for selection of the occupational diseases to be included in the new list. Since this list could not give a detailed definition of the diseases in question nor of the working conditions likely to give rise to them, the Conference considered that it would be necessary to establish practical directives, criteria, examples or instructions for its use but that this was essentially a matter for the competent national authority. In addition, to draw attention to the qualitative and quantitative aspects of exposure to health hazards, it decided to indicate in a footnote to the list that in the application of the schedule the degree and type of exposure should be taken into account when appropriate.

The Conference made only slight changes to the proposals submitted by the experts and it adopted the new list of occupational diseases by 424 votes in favour and none against, with 9 abstentions.⁹

The Conference also noted the comments of the meeting of experts concerning a number of other hazards apt to give rise to diseases which might later be considered for inclusion in the list of occupational diseases: these observations warranted the attention of the ILO and WHO in their work relating to occupational diseases. It considered, finally, that the list and appropriate guidelines for its practical use should be periodically revised in the light of technical progress and new scientific knowledge.

Implementation of the Declaration concerning the Policy of Apartheid of the Republic of South Africa (1964)

With a view to finding practical ways of strengthening the ILO's contribution to the elimination of apartheid, the Governing Body had organised a tripartite meeting on the subject shortly before the 66th Session of the Conference. The purpose of the meeting was to analyse the changes which have been proposed or made in apartheid as regards labour matters in the Republic of South Africa, to evaluate present ILO activities in this field and to explore other forms of action. A great many suggestions had been made at the meeting, whose report was submitted to the Conference as an addendum to the special report of the Director-General on apartheid. In accordance with a recommendation made by the Governing Body, the Conference set up for the first time a Committee on Apartheid, which had before it the two above-mentioned reports.

The general discussion in the Committee revealed that there was unanimity regarding the objective to be pursued—the eradication of apartheid—but that agreement still had to be reached on the most effective means of attaining it. The Workers' members had drafted a paper listing the proposals they wished to see discussed and adopted. Supplemented subsequently by proposals presented by the Employers' and some Government members, this paper eventually resulted in the adoption of a number of recommendations concerning: (1) government action through the United Nations; (2) government action; (3) action by employers' organisations; (4) action of trade unions the world over; and (5) ILO action.

It should be noted that there was unanimity on all the points relating to ILO action. Amongst other things, the Organisation is invited to update the 1964 Declaration concerning the Policy of Apartheid and to set up tripartite machinery to carry out annual monitoring of the action taken in this connection by governments, employers and workers. The ILO should also expand its activities relating to the diffusion of information as well as those it undertakes in the field of education, workers' education and management training and its technical assistance to the liberation movements, Black workers and their independent trade unions in South Africa. It is also invited to encourage and extend financial support to workers' and employers' organisations in their programmes of action

against apartheid. Finally, it is called upon to co-operate closely with the Organisation of African Unity, the United Nations Special Committee against Apartheid and, in general, with the United Nations and its specialised agencies in order to intensify and co-ordinate all activities whose ultimate objective is to eliminate apartheid in all its facets. In particular it should organise, before the 1981 Session of the Conference, an international tripartite meeting in one of the "front-line" States to plan a joint programme of action.

Governments, for their part, are invited to give effect to the relevant resolutions of the United Nations, which include, for example, an embargo on deliveries of arms and oil to the Republic; they should also sever all relations with South Africa, stop public and private investment there, discourage emigration and tourism to the country, withhold recognition of the "Bantustans" and increase their support for independent African States enclaved within or immediately neighbouring the Republic of South Africa, as well as for the liberation movements.

Employers' organisations are called upon to ensure that their members do not maintain relations with the Pretoria regime and that economic and financial groups do not extend loans to it; foreign companies are also requested to withdraw their investments and to refrain from any co-operation with South Africa in the economic and military fields.

The recommendations invite trade unions to put pressure, including recourse to industrial action, on companies investing in South Africa which do not recognise African trade unions; to mobilise the rank-and-file in solidarity action with the workers of South Africa; to give financial and moral support to the African trade unions and to insist on compliance with the codes of conduct adopted for companies investing in South Africa.

The action proposed for governments and employers was the subject of a number of reservations, certain governments and employers considering that some of the proposed measures did not come within the competence of the ILO or risked harming the very people they were intended to help.

The Conference devoted two plenary sitting to the discussion of the report of the Committee on Apartheid. At the end of this debate, which provided an opportunity to discuss the latest developments in the Republic of South Africa in the field of labour in general and, in particular, to shed light on the extremely difficult situation facing the Black trade union movement, the Conference endorsed the report and conclusions of the Committee.

Application of Conventions and Recommendations

As it does each year, the Conference Committee on the Application of Conventions and Recommendations reviewed the measures taken by the member States to fulfil their obligations under the ILO Constitution with respect to international labour standards and, in particular, the application

of Conventions they have ratified. The Committee once again took as the basis for its work the report of the Committee of Experts on the Application of Conventions and Recommendations; appreciation for the high quality of this report was expressed by the spokesmen of the Workers' and Employers' members and a large number of Government members, who paid tribute to the independence, objectivity and impartiality with which the Committee of Experts had performed its difficult task.

The Conference Committee devoted considerable attention to an examination of its own working methods and the basic principles governing its supervision of the application of ratified Conventions. At the 1979 Session of the Conference the Committee had established a tripartite working party to examine what changes, if any, might be made in its methods of work as regards the "special list" and "special paragraphs" in its report, the aim of which is to draw the Conference's attention to the serious difficulties which some States appear to have in fulfilling their obligations. The working party had not been able, in the time available to it, to reach specific conclusions. Accordingly the Committee decided to establish another working party at the current session of the Conference to re-examine the question in the light of the results achieved last year and of the comments and suggestions received in the meantime from governments and employers' and workers' organisations.

On the proposal of this working party, the Committee decided that its report should henceforth contain a section entitled "Application of ratified Conventions", in which it will draw the attention of the Conference to cases of progress, certain special cases, and cases of continued failure to apply Conventions. In addition, various types of failure to provide information (previously enumerated under criteria 1 to 6 of the special list) will be presented in narrative form in separate paragraphs at the end of each of the appropriate sections of the report. In the future the Committee will also include in its report a paragraph noting any cases of failure for the past three years to indicate the organisations of employers and workers to which copies of reports and information supplied to the ILO under articles 19 and 22 of the Constitution have been communicated in accordance with article 23 (2).

In this connection the Committee emphasised the important contribution that employers' and workers' organisations can make to the better application of international labour standards.

The major part of the Committee's work was devoted to discussing with representatives of the countries concerned problems arising in connection with the application of ratified Conventions or compliance with the obligation to submit reports or other obligations laid down in the ILO Constitution. The Committee received information from 38 governments. With two exceptions all the countries which were named in connection with the examination of individual cases and were represented at the Conference availed themselves of the opportunity to state their position.

The Committee noted with satisfaction the continuing efforts made by governments to ensure compliance with ratified Conventions. It was pleased to learn that the Committee of Experts had noted 73 cases in which governments had made the necessary changes in their law and practice following observations by that Committee. This brought the number of cases of progress noted by the Committee of Experts to more than 1,300 since it began to list them in 1964.

The Committee drew the Conference's attention to the discussions it had held on some special cases. It expressed its concern about the application of certain Conventions by six States and welcomed the information supplied by one government regarding progress made in the application of the Forced Labour Convention, 1930 (No. 29).

This year the Committee did not list any case of continued failure to eliminate serious deficiencies in the application of ratified Conventions.

There was a broad measure of agreement in the Committee as to the usefulness of the direct contacts procedure established in 1969. Under this procedure a representative of the ILO Director-General may visit the country concerned, with the agreement of the government, in a joint endeavour to overcome the difficulties encountered and clear up any uncertainties or misunderstandings. The Committee noted that direct contacts had taken place recently in several countries and that new requests for contacts had been received while the Conference was in session. The recent appointment by the ILO of three regional advisers on international labour standards was welcomed by the Workers' members and several Government members.

The Committee noted with satisfaction that 114 ratifications had been registered during the past 12 months; this brought the total number of ratifications to more than 4,800. The steady rate at which governments of industrialised and developing countries alike continued to ratify bore witness to their constant attachment to the ILO's standard-setting work.

The Employers' and Workers' members, as well as several Government members, welcomed the Governing Body's decision to request special reports at four-yearly intervals from States not yet having ratified the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). The Committee stressed the particular importance of this instrument and expressed the hope that the new reporting procedure would encourage governments to take the necessary measures to overcome existing obstacles to ratification. Given the flexibility of the Convention, few governments ought to experience serious difficulties in ratifying and implementing it.

The Committee also discussed the general survey on migrant workers made by the Committee of Experts on the basis of reports concerning the application of the Migration for Employment Convention (Revised), 1949 (No. 97), the Migration for Employment Recommendation (Revised), 1949 (No. 86), the Migrant Workers (Supplementary Provisions) Convention,

1975 (No. 143), and the Migrant Workers Recommendation, 1975 (No. 151). In conclusion, it emphasised the importance of the Conventions on migrant workers and expressed the hope that the general survey would help governments to overcome difficulties in their ratification and application. Continuing action was necessary to resolve the problems of migrant workers, and the ILO, with its long tripartite experience in this field, should participate actively in the work being undertaken in the United Nations for their protection. The question of further ILO measures should be considered in due course in the light of the results of the United Nations initiative and of developments in the world situation.

The Committee's report was adopted by the Conference in plenary sitting.

Resolutions on questions not included in the agenda of the Conference

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

The first—adopted by secret ballot by 249 votes in favour and 15 against, with 165 abstentions—expresses the Conference's concern at the establishment of Israeli settlements in Palestine and in other occupied Arab territories, the economic and social consequences of which seriously affect the rights and interests of the Arab labour force. It calls upon the Israeli authorities to put an end immediately to the establishment of such settlements and to dismantle the existing ones, appeals to all States not to provide Israel with any assistance to be used specifically in connection with such settlements and requests the Governing Body of the ILO to provide various types of assistance to Arab citizens in these territories. The Director-General is requested to submit annual reports to the Conference on this subject.

The second resolution was adopted unanimously. Welcoming the accession to independence of Zimbabwe and the assistance already provided by the ILO, it requests the setting up of a new programme of assistance to that country with special emphasis on problems of re-settlement and vocational rehabilitation, vocational training, workers' education and leadership training.

The third resolution, which was also adopted unanimously, invites the ILO to promote and support rural development programmes (including agrarian reform) that aim at the eradication of poverty and at ensuring full employment and adequate nutrition and education, under conditions of freedom of association and equal treatment. It stresses the need for tripartite participation in all the activities contemplated.

Report of the Director-General

In his introduction to this year's report the Director-General looked back with some satisfaction on the results achieved by the ILO in 1979 in what had been exceptionally difficult circumstances. This was the second consecutive year in which the ILO had been working under severe budgetary constraints and yet, thanks largely to the full support of its tripartite membership, it had been a year marked by intense activity and substantial achievements.

1979 had seen a marked increase in technical co-operation activities: the ILO had been fortunate to obtain financial assistance from many quarters, including the UNDP and multi-bilateral aid donors, enabling it to expand its budget for technical co-operation by 26.7 per cent over that for 1978. This had made it possible to finance activities under the regular budget in fields such as workers' education and assistance to employers' organisations that attracted little extra-budgetary support.

At its 65th Session the International Labour Conference had renewed its commitment to the World Employment Programme by adopting, after a full-scale discussion, a resolution which had reiterated the urgency of implementing the Declaration of Principles and Programme of Action approved by the World Employment Conference in 1976.

The ILO had also made a substantial input to the FAO World Conference on Agrarian Reform and Rural Development, whose outcome had reflected an approach to the problems of rural development that had much in common with that of the ILO. The ILO's rural development activities had been examined by the Ninth Session of the Advisory Committee on Rural Development, which had reaffirmed the importance of anti-poverty programmes.

Neither had the ILO ignored the important social theme that was highlighted by the designation of 1979 as the International Year of the Child. Concentrating on areas where it could make a unique contribution, the ILO had published *Children at work*, which studied the problem of child labour and explored possible remedies, and had also participated in various national and international events organised within the framework of the IYC.

In 1979 a determined effort had been made to intensify ILO activities in the struggle against apartheid. In addition to convening a tripartite meeting to study labour questions in South Africa and various measures that might be adopted to combat apartheid, to which reference has been made above, assistance to national liberation movements in the countries neighbouring the Republic of South Africa had continued. A UNDP/ILO vocational training programme had enabled members of these movements to train at Turin and in institutes based in Africa. The Office had also begun to implement projects in Zimbabwe and Namibia designed to end discriminatory practices in labour matters.

Considerable progress had been made in one of the ILO's earliest and best known fields of activity, standard-setting. The International Labour Conference had adopted four new instruments and had begun discussions on an item concerning older workers. A high proportion of ratifications registered during the year under review had continued to come from developing countries. At its February-March 1979 Session the Governing Body had completed its in-depth review and classification of international labour standards, which would provide important guidelines for member States as well as enabling the Office to take stock of changing needs and views.

This year the Director-General devoted a special section of his report to training, "the challenge of the 1980s"—which he anticipated would be a decade of modest economic growth, fewer employment opportunities, rapid technological change and a sharp increase in world population. In particular, nearly 60 million young people would be added to the world labour force each year.

Could training help to solve the employment problem this tremendous influx implied? Bearing in mind that "people are the wealth of nations", it was important that training, while meeting the needs of the economy, should above all respond to the aptitudes and aspirations of the individual. Provided it did so, it would not only lead to improved employment opportunities but also open the door to career development and personal satisfaction as well as promote self-reliance and self-respect.

The task ahead was difficult and therefore it was necessary to concentrate on three major issues.

The first was equality of training opportunities. Too many social and economic barriers still denied certain groups a fair chance of receiving appropriate training—women, out-of-school youth, the disabled, migrant workers, rural dwellers, etc. Other obstacles, such as inherited values, high entry requirements, language problems and the lack of facilities, had also to be removed.

The second priority was to expand training opportunities, *inter alia* by encouraging undertakings to assume their responsibilities for training, providing more mobile training units and making greater use of the mass media.

Thirdly, it was necessary to improve the effectiveness and efficiency of training by securing more accurate information on employment market trends and establishing vocational guidance and counselling systems. Instructors also had to be trained and policies and programmes at the national, regional and sectoral level developed with the participation of employers' and workers' organisations.

This year, as a supplement to his report, the Director-General introduced the Medium-Term Plan for 1982-87. The Plan was neither a budget nor a blue-print for action but an attempt, based on an analysis of long-term labour trends, to help member States articulate their priorities for

the 1980s in the field of ILO competence. The Plan addressed itself to two major tasks: the fight against poverty and injustice in the developing countries through concerted action to raise levels of employment, skills and conditions of work and life; and the pursuit of social progress in the more developed countries while promoting their adjustment to the new world economic order, both aims being pursued with full regard to the protection of human rights. Its discussion by the ILO's full membership represented at the Conference would give the Office valuable guidance in planning the ILO's programme and budget.

While putting the finishing touches to this year's report, the Director-General had learnt of the decision of the United States to resume membership of the ILO. The absence of the US, he said, had weakened the universality of the Organisation and deprived it of a wealth of experience in labour matters. Thus it was with particular satisfaction that he welcomed the US back as an invaluable ally in facing the challenges of the coming decade.

Discussion of the report

In the course of the debate that followed many speakers congratulated the Director-General on his initiative in introducing the Medium-Term Plan, which provided an opportunity for an exchange of views and encouraged member States to reflect critically on the challenges of the 1980s and what the ILO could do to meet them.

The majority of delegates also welcomed the section of the Director-General's report devoted to training and thought that he had chosen the right theme at a crucial moment. Emphasising the key role of training in the social and economic development of their own countries, they noted that it was particularly important at a time of recession or slow economic growth since it provided people with an opportunity to upgrade and update their skills or to enter a new occupation.

Many speakers stressed the need to intensify training activities in rural areas and extend them to the urban informal sector. Much more emphasis should be given, they urged, to low-cost, high-quality programmes which related directly to the needs of the poor in those areas. Special attention should also be devoted to other disadvantaged groups, especially women, migrant workers, the disabled and unemployed youth.

It was observed that the effectiveness of a national training system rested on two premises. The first was an educational system closely geared to the country's social and economic priorities and the second was the establishment of a fully fledged vocational guidance and counselling system. Training curricula and methodology had to be adapted to the cultural environment of the trainees, and it was also important that training activities should be co-ordinated by national bodies in which employers and workers were represented in order to ensure that programmes were relevant and wastage was minimised.

As for the International Centre for Advanced Technical and Vocational Training in Turin, the majority of speakers from developing countries thought that the Centre was of vital importance and that its future should be assured. Finally, stress was laid on the leading role played by the ILO within the UN system, where it was the organisation most directly concerned with the development of human resources through training.

The question of North-South co-operation and its links with, and effect on, the world employment situation was a recurrent theme in the debate. The deterioration of the employment situation in the North was prompting a move towards protectionist measures, and speaker after speaker emphasised the need to reverse this trend. A more dynamic growth process in the developing countries, it was argued, would greatly improve the prospects of growth in the industrialised countries through its effect on demand and employment. Thus trade liberalisation was necessary in order to reap the full benefits of the growing interdependence between North and South. In fact repeated reference was made to the recent symposium on this subject held in the ILO, which had shown that protectionism was a prescription for economic stagnation in both the North and the South.

The ILO's technical co-operation programmes were also in the forefront of the discussions. Most participants expressed their appreciation for the positive contribution made by the ILO to the elaboration and implementation of their countries' development programmes, and looked forward to further assistance.

The question of international labour standards was also fully debated. Speakers stressed the importance of laying down standards to govern job security, acceptable conditions of work, and employment creation. However, many representatives from the developing world felt that most ILO standards could be made more relevant to the social and economic circumstances prevailing in their countries. Delegates welcomed action already taken by the ILO to protect migrant workers and to improve their social benefits, especially through its Conventions and Recommendations, but the Office was called on to intensify its efforts to persuade host countries to eliminate the discrimination in labour matters that large numbers of migrants still suffered.

Many speakers shared the Director-General's view that the vast sums spent on armaments could be used instead to improve working and living conditions. They called on the ILO to do what it could to promote disarmament and to give special priority to studying its social and economic implications.

Sharing the general concern about the situation in the Middle East, many delegates urged the ILO to redouble its efforts to protect the rights and interests of the Arab workers in the occupied territories.

The Director-General's reply

After paying tribute to the quality of the discussions on his report, the report of the Governing Body and the Medium-Term Plan, the Director-General commented on the critical issues which had dominated the Conference. Impressed by the extent to which the participants had addressed themselves to the question of North-South relations, Mr. Blanchard clarified the ILO's position on this vital topic. Underlining the necessity of creating more "development-mindedness" among all nations, he warned against the dangers of the protectionist policies that were currently enjoying popularity in some industrialised countries and were creating a sense of injustice and resentment in a world that was more interdependent than ever before. In this connection Mr. Blanchard referred to the speeches of the two distinguished visitors who had addressed the Conference. President Caramanlis had stressed the need to attack the existing imbalance in North-South relations, failing which peace and prosperity would remain in jeopardy. Mr. Brandt had drawn attention to the need for the industrialised countries to encourage growth in the South by eschewing protectionism and facilitating adjustment to a new order of economic relations.

The Director-General assured delegates that the ILO was committed to helping both the North and the South to cope with the problems of the energy crisis, recession and adjustment to the changing world economic situation. The ILO would make its contribution by providing assistance in the fields of employment, training and technical co-operation. It had already hosted a symposium on the North-South dialogue and participated in the work that had led to the thoughtful and absorbing report of the Brandt Commission. As delegates had pointed out, the cost and availability of energy affected both the industrialised and the developing countries, and the ILO would accordingly study the effects of the energy problem on employment. In this connection greater use might be made of industrial committee and similar meetings which could deal, on a tripartite basis, with the problems of sectors especially affected by the repercussions of international competition and technological change.

As for the forthcoming Special Session of the UN General Assembly, which was to adopt the new development strategy for the 1980s and prepare the way for a new round of global negotiations, Mr. Blanchard told the Conference that the ILO had taken a very active part in seeking to ensure that the social aspects of development were given due priority in the new strategy.

Reminding delegates that, within the UN system, the ILO had a unique responsibility where training was concerned, Mr. Blanchard noted the prime interest of training to industrialised and developing countries alike. The task was immense, and priority had to be given to the poorest countries. Facilities should no longer be available only in large towns and

cities but in rural areas too. The three regional training centres—ARSDEP, CIADFOR and CINTERFOR—would help workers' and employers' organisations to plan and operate their own training programmes. As for the Turin Centre, the Director-General reported that it was now operating at full capacity, and he stressed that it was complementary to, not in competition with, the three regional centres and national training institutions.

Recalling the assistance provided to Zimbabwe even before it became a Member of the ILO, Mr. Blanchard referred to the ILO's long-standing commitment to the elimination of apartheid and all other discriminatory practices, and expressed his satisfaction at the full debate that had been held on apartheid at this session.

Technical committees, where the essential work of the Conference was done, had this year achieved substantial results. Equality was one of the Organisation's cherished goals and the Director-General was pleased to see the Conference concerning itself with the question of equal treatment for men and women workers with family responsibilities. He also welcomed the adoption of the Recommendation concerning older workers. The Committee on Safety and Health had revised the list of occupational diseases, so vital to the improvement of working conditions, and had laid the groundwork for two new instruments concerning the prevention of occupational hazards.

Mr. Blanchard was pleased that delegates shared his opinion that the work of the Committee on the Application of Conventions and Recommendations was crucial to the Conference. Referring to the controversy generated—in bodies other than the ILO—over the question of minimum standards, he said he appreciated the importance attached to the observance of fair labour standards but he also understood the fears of certain countries that these might be little more than a form of disguised protectionism. The Office would undertake an objective study of the facts and bring the results before the Governing Body and the Conference.

On the question of freedom of association and labour relations the Director-General informed the Conference that, in November, he intended to submit to the Governing Body proposals in connection with a resolution adopted by the European Regional Conference in which he had been requested to undertake studies in certain European countries. Since the ILO had equal responsibilities to all member States, he intimated that similar studies might later be undertaken in other regions as well.

The Director-General drew attention to the Organisation's continuing budgetary constraints. The financial situation would remain precarious until the end of the 1980-81 biennium since the contribution of the United States would be used—as already reported—to cover the previous year's deficit and to reduce the contribution of member States in 1981.

Mr. Blanchard extended a warm welcome to all the new Members—Zimbabwe, Grenada, Viet Nam, Lesotho and St. Lucia—and to the United

States on its return to the ILO. He hoped that it would now be possible for the Organisation, strengthened as it was by its new Members, "to pursue objectives that are both ambitious and realistic, in response to the needs arising at the end of this millennium".

Notes

¹ The Recommendation, resolutions and other texts adopted by the Conference are reproduced in *Official Bulletin* (Geneva, ILO), 1980, Series A, No. 2.

² See *International Labour Review*, Nov.-Dec. 1979, pp. 665-668.

³ ILO: *Older workers: work and retirement*, Reports IV (1) and (2), International Labour Conference, 66th Session, 1980.

⁴ Idem: *Promotion of collective bargaining*, Reports V (1) and (2), International Labour Conference, 66th Session, 1980.

⁵ The Committee had before it two reports prepared by the Office: *Equal opportunities and equal treatment for men and women workers: workers with family responsibilities*, Reports VI (1) and (2), International Labour Conference, 66th Session, 1980.

⁶ See *International Labour Review*, Oct. 1975, pp. 240-243.

⁷ ILO: *Safety and health and the working environment*, Reports VII (a) (1) and (2), International Labour Conference, 66th Session, 1980.

⁸ The report of the meeting of experts is reproduced in idem: *Amendment of the list of occupational diseases appended to the Employment Injury Benefits Convention, 1964 (No. 121)*, Report VII (b), International Labour Conference, 66th Session, 1980.

⁹ The occupational diseases that have now been added to the list are as follows: diseases caused by the toxic halogen derivatives of aromatic hydrocarbons; infectious or parasitic diseases contracted in an occupation where there is a particular risk of contamination; hearing impairment caused by noise; diseases caused by vibration (disorders of muscles, tendons, bones, joints, peripheral blood vessels or peripheral nerves); diseases caused by work in compressed air; skin diseases caused by physical, chemical or biological agents not included under other items; lung cancer or mesotheliomas caused by asbestos; bronchopulmonary diseases caused by cotton dust (byssinosis), or flax, hemp or sisal dust; occupational asthma caused by sensitising agents or irritants both recognised in this regard and inherent in the work process; diseases caused by cadmium or its toxic compounds; diseases caused by fluorine or its toxic compounds; bronchopulmonary diseases caused by hard-metal dust; diseases caused by nitroglycerin or other nitric acid esters; diseases caused by asphyxiants: carbon monoxide, hydrogen cyanide or its toxic derivatives, hydrogen sulfide; diseases caused by alcohols, glycols or ketones; and extrinsic allergic alveolitis and its sequelae caused by the inhalation of organic dusts, as prescribed by national legislation.