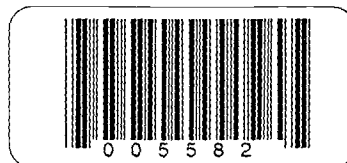


~~Salle de Lecture~~

# INTERNATIONAL LABOUR CONFERENCE

FORTY-FIRST SESSION  
GENEVA, 1958

## RECORD OF PROCEEDINGS



INTERNATIONAL LABOUR OFFICE  
GENEVA, 1959

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# INTERNATIONAL LABOUR CONFERENCE

FORTY-FIRST SESSION

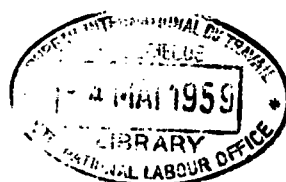
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## RECORD OF PROCEEDINGS

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# CONTENTS

	Page
INTRODUCTION . . . . .	VII
FIRST PART: LIST OF MEMBERS OF DELEGATIONS, ETC.	
Delegations . . . . .	XV
Representatives of the United Nations, Specialised Agencies and Other Official International Organisations . . . . .	XXIV
Representatives of Non-Governmental International Organisations . . . . .	XXIV
Secretariat of Delegations . . . . .	XXIV
Officers of the Conference . . . . .	XXV
Officers of the Groups . . . . .	XXV
Secretariat of the Conference . . . . .	XXVI
Selection Committee . . . . .	XXIX
Credentials Committee . . . . .	XXIX
Resolutions Committee . . . . .	XXIX
Committee on Wages, Hours and Manning . . . . .	XXX
Committee on the Engagement of Seafarers . . . . .	XXXII
Committee on Flag Transfer . . . . .	XXXII
Committee on Medical Questions . . . . .	XXXIII
Committee on Competency Certificates . . . . .	XXXIV
Committee on Identity Cards . . . . .	XXXV
Drafting Committee . . . . .	XXXV
SECOND PART: VERBATIM REPORT OF THE PROCEEDINGS.	
1st Sitting: Opening of the Conference; Election of the President; Presidential address; Order of work of the Conference . . . . .	3
2nd Sitting: Election of the Vice-Presidents; Appointment of the Selection Com- mittee; Nomination of the Officers of the groups . . . . .	7
3rd Sitting: Tribute to the memory of Professor William Rappard; First report of the Selection Committee: Submission and adoption; Second report of the Selection Committee: Submission, discussion and adoption . . . . .	10
4th Sitting: Report of the Director-General: Discussion . . . . .	20
5th Sitting: Report of the Director-General: Discussion ( <i>cont.</i> ); Third report of the Selection Committee: Submission and adoption; Report of the Director- General: Discussion ( <i>cont.</i> ) . . . . .	29
6th Sitting: Fourth report of the Selection Committee: Submission and adoption; Report of the Director-General: Discussion ( <i>cont.</i> ); Address by Mr. Holzer; Director of the Swiss Federal Office of Industry, Arts and Crafts, and Labour; Report of the Director-General: Discussion ( <i>cont.</i> ) . . . . .	34
7th Sitting: Fifth report of the Selection Committee: Submission and adoption; Report of the Director-General: Discussion ( <i>cont.</i> ) . . . . .	50

	Page
8th Sitting : Report of the Committee on Competency Certificates : Submission, discussion and adoption ; Resolution concerning the jurisdiction competent to suspend or cancel officers' competency certificates : Adoption ; Ratification of a Convention by Yugoslavia ; Report of the Director-General : Discussion ( <i>cont.</i> ) . . . . .	70
9th Sitting : Sixth report of the Selection Committee : Submission, discussion and adoption ; Seventh report of the Selection Committee : Submission and adoption ; Report of the Director-General : Discussion ( <i>cont.</i> ) . . . . .	88
10th Sitting : Report of the Committee on Identity Cards : Submission, discussion and adoption ; Proposed Convention concerning seafarers' national identity documents : Discussion and adoption ; Report of the Committee on Medical Questions : Submission, discussion and adoption ; Proposed Recommendation concerning the contents of medicine chests on board ship : Adoption ; Proposed Recommendation concerning medical advice by radio to ships at sea : Adoption ; Report of the Committee on the Engagement of Seafarers : Submission, discussion and adoption ; Proposed Recommendation concerning the engagement of seafarers for service in vessels registered in a foreign country : Adoption ; Report of the Director-General : Discussion ( <i>cont.</i> ) . . . . .	107
11th Sitting : Report of the Director-General : Discussion ( <i>concl.</i> ) . . . . .	123
12th Sitting : Report of the Committee on Wages, Hours and Manning : Submission, discussion and adoption ; Proposed revised Convention concerning wages, hours of work on board ship and manning : Discussion and adoption ; Proposed Recommendation concerning wages, hours of work on board ship and manning : Adoption ; Resolution concerning the application of the principle of a 40-hour working week on board ship : Adoption . . . . .	136
13th Sitting : Report of the Committee on Flag Transfer : Submission and adoption ; Proposed Recommendation concerning social conditions and safety of seafarers in relation to registration of ships : Adoption ; First and second reports of the Credentials Committee : Submission and noting ; First report of the Resolutions Committee : Submission, discussion and adoption . . . . .	148
14th Sitting : Second report of the Resolutions Committee : Submission and discussion ; Final record vote on the Convention concerning seafarers' national identity documents ; Final record vote on the Recommendation concerning the contents of medicine chests on board ship ; Final record vote on the Recommendation concerning medical advice by radio to ships at sea ; Final record vote on the Recommendation concerning the engagement of seafarers for service in vessels registered in a foreign country ; Order of work of the Conference ; Reply of the Director-General following the discussion of his Report . . . . .	154
15th Sitting : Second report of the Resolutions Committee : Discussion ( <i>concl.</i> ) and adoption ; Communication to the Conference concerning the selection of members of the Joint Maritime Commission ; Order of work of the Conference . . . . .	168
16th Sitting : Final record vote on the Recommendation concerning social conditions and safety of seafarers in relation to registration of ships ; Final record vote on the Convention concerning wages, hours of work on board ship and manning (revised 1958) ; Final record vote on the Recommendation concerning wages, hours of work on board ship and manning ; Closing speeches . . . . .	187

THIRD PART : APPENDICES.

APPENDIX I : Reports of the Selection Committee . . . . .	199
APPENDIX II : Credentials . . . . .	207
APPENDIX III : Resolutions . . . . .	212
APPENDIX IV : Second item on the agenda : General Revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93) . . . . .	222
APPENDIX V : Third item on the agenda : Engagement of seafarers through regularly established employment offices . . . . .	234

	Page
Appendix VI : Fourth item on the agenda : Flag transfer in relation to social conditions and safety . . . . .	237
APPENDIX VII : Fifth item on the agenda : Contents of ships' medicine chests and medical advice by radio to ships at sea . . . . .	240
APPENDIX VIII : Sixth item on the agenda : Jurisdiction over the suspension of officers' certificates of competency . . . . .	244
APPENDIX IX : Seventh item on the agenda : Reciprocal or international recognition of seafarers' national identity cards . . . . .	246
APPENDIX X : Communications to the Conference . . . . .	251
APPENDIX XI : Resolutions adopted by the Conference . . . . .	253
APPENDIX XII : Conventions and Recommendations adopted by the Conference : Authentic texts . . . . .	258
INDEX TO SECOND AND THIRD PARTS . . . . .	297

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## INTRODUCTION

The Forty-first Session of the General Conference of Members of the International Labour Organisation was held at Geneva from 29 April to 14 May 1958.

The following letter and memorandum concerning the session and communicating the agenda were sent to the Governments of the Members on 11 September 1957:

Geneva, 11 September 1957.

Sir,

I have the honour to communicate to you the agenda of the 41st (Maritime) Session of the International Labour Conference, together with certain information concerning the organisation of the session.

### 1. *Agenda of the Conference.*

The agenda of the Conference, as determined by the Governing Body at its 130th and 131st Sessions (Geneva, November 1955 and March 1956), is as follows:

- I. Report of the Director-General.
- II. General revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93).
- III. Engagement of seafarers through regularly established employment offices.
- IV. Flag transfer in relation to social conditions and safety.
- V. Contents of ships' medicine chests and medical advice by radio to ships at sea.
- VI. Jurisdiction over the suspension of officers' certificates of competency.
- VII. Reciprocal or international recognition of seafarers' national identity cards.

I enclose for your information a memorandum prepared with a view to explaining the scope and purport of the items on the agenda and the procedure which the Conference will follow in dealing with them. Every effort will be made to ensure that the documents submitted to the Conference are communicated to you well in advance of the opening of the session.

It will be noted that, as a result of decisions taken by the Governing Body, items II to VII of the agenda, which have already been considered by the Preparatory Technical Maritime Conference held in London from 19 September to 2 October 1956, are to be considered by the Conference under the single-discussion procedure provided for in article 38 of the Standing Orders of the Conference. The documents which will be sent to governments will therefore be final reports.

### 2. *Composition of Delegations.*

In addition to notes on the items on the agenda, the enclosed memorandum contains information relating to the composition of delegations. In this connection, your attention is drawn to the importance of constituting delegations on the tripartite basis provided for in article 3, paragraph 1, of the Constitution of the International Labour Organisation. As items II, III, IV, V, VI and VII are separate items on the agenda, each delegate to the Conference may, in accordance with article 3, paragraph 2, of the Constitution, be accompanied by two advisers for each of these six items. In order to make possible an equal representation of Employers and Workers on the Committees set up by the Conference, it is desir-

able that, so far as possible, equal numbers of Employers' and Workers' advisers should be appointed in each delegation.<sup>1</sup>

At its 123rd Session (Geneva, November 1953), the Governing Body of the International Labour Office instructed me to invite the governments concerned to explore, in consultation with the most representative organisations of employers and workpeople, and in such manner as appeared to them appropriate, methods of developing in practice the powers already existing under article 3 (3) of the Constitution of the International Labour Organisation enabling States Members to appoint, in appropriate circumstances, additional advisers from non-metropolitan territories to each of their delegates. Article 3 (3) of the Constitution provides as follows :

Each Member which is responsible for the international relations of non-metropolitan territories may appoint as additional advisers to each of its delegates—

- (a) persons nominated by it as representatives of any such territory in regard to matters within the self-governing powers of that territory ; and
- (b) persons nominated by it to advise its delegates in regard to matters concerning non-self-governing territories.

I may also remind you that at its 124th Session (Geneva, March 1954), the Governing Body agreed that, on the recommendation of the responsible member State, where the latter considers that this would be appropriate having regard to the constitutional, political, economic and social development of any non-metropolitan territory for which that member State is responsible, such non-metropolitan territory may be invited, through the member State concerned, to participate by means of a tripartite observer delegation in sessions of the General Conference, with the rights and status accorded to observers under the present Standing Orders of the Conference.

### 3. *Place and Date of the Session.*

The 41st (Maritime) Session of the Conference will be held during 1958. The precise place and date have not yet been determined by the Governing Body.

### 4. *Depositing of Credentials and Draft Resolutions.*

The memorandum also draws attention to certain provisions of the Standing Orders of the Conference concerning the depositing of credentials and draft resolutions. In this connection I venture to remind you that the text of proposed resolutions submitted to the Conference, other than those dealing with items on the agenda, should, in accordance with article 17, paragraph 1 (1), of the Standing Orders of the Conference, be deposited with the International Labour Office at least seven days before the date fixed for the opening of the Conference session.

### 5. *Election of Members of the Joint Maritime Commission.*

In accordance with the provisions of article 1 of the Standing Orders of the Joint Maritime Commission, the members of the Joint Maritime Commission are nominated by the International Labour Conference at a session dealing with maritime questions. The Shipowners' and Seafarers' delegates at the 41st (Maritime) Session of the International Labour Conference will consequently be called upon to select 15 regular members and five deputy members for each group to serve on the Joint Maritime Commission.

A further communication will be sent to you in due course concerning the place and date for the session and the material arrangements to be made for it.

I have the honour to be, etc.,

(Signed) DAVID A. MORSE,  
Director-General.

<sup>1</sup> The remaining paragraphs of point 2, which relate to the appointment of additional advisers from non-metropolitan territories, appear in the letter sent to the Governments of the following member States only: Australia, Belgium, Denmark, France, Italy, the Netherlands, New Zealand, Portugal, Spain, the Union of South Africa, the United Kingdom and the United States.

# MEMORANDUM ON THE 41st SESSION OF THE INTERNATIONAL LABOUR CONFERENCE (1958)

## A. AGENDA OF THE CONFERENCE<sup>1</sup>

### B. INFORMATION ON THE ITEMS ON THE AGENDA

At its 130th Session (Geneva, November 1955), the Governing Body of the International Labour Office decided, in accordance with the recommendations of the Joint Maritime Commission at its 18th Session (Paris, October 1955), to convene in the autumn of 1956 a Preparatory Technical Maritime Conference, to be followed by a Maritime Session of the International Labour Conference. The Governing Body, at the same session, and likewise in accordance with the recommendations of the Joint Maritime Commission, provisionally approved the agenda of these two Conferences. This approval was confirmed at the 131st Session (Geneva, March 1956). At the same time the Governing Body also decided, in accordance with a unanimous recommendation of the Joint Maritime Commission, that those countries would be invited to participate in the Preparatory Technical Maritime Conference which were at the time represented by regular members or deputy members on the Joint Maritime Commission.

Reports on the various questions placed on the agenda of the Preparatory Technical Maritime Conference were prepared by the Office. The Preparatory Conference, meeting in London from 19 September to 2 October 1956, considered these reports and adopted Conclusions and proposed texts for transmission to the Governing Body in order that they might be submitted for consideration by the Maritime Session of the International Labour Conference.

The Governing Body, having considered at its 133rd Session (Geneva, November 1956) the Conclusions of the Preparatory Technical Maritime Conference, requested the Office to prepare, on the basis of those Conclusions, final reports on each of the items on the agenda, containing proposed texts to be communicated to governments. The questions listed above will consequently be dealt with at the 41st (Maritime) Session of the Conference under the single-discussion procedure provided for in article 38 of the Standing Orders of the Conference, so that the Conference may take final decisions on these questions during that session.

The scope and purport of the items on the agenda of the 41st (Maritime) Session of the Conference and the procedure which the Conference will follow in dealing with them are explained in the following paragraphs.

#### I. *Report of the Director-General.*

In accordance with the Standing Orders a Report by the Director-General of the International Labour Office will be submitted to the Conference. This Report will deal with developments connected with maritime work during recent years. It will also describe the maritime activities of the International Labour Organisation during the same period and the future tasks of the Organisation in the maritime field.

#### II. *General Revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93).*

The Office has prepared and will communicate to governments a final report on this question containing a proposed revised text of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93). Furthermore, on the recommendation of the Preparatory Conference the Governing Body had set up a tripartite Working Party to examine the possibility of submitting in connection with this item draft proposals designed to secure general agreement at the 41st Session of the Conference. This Working Party, which met in Geneva from 11 to 17 April 1957, submitted a proposed Recommendation to the Governing Body at its 135th Session (Geneva, May-June 1957), which will be laid before the Conference in addition to the proposed text of the Convention.

#### III. *Engagement of Seafarers through Regularly Established Employment Offices.*

On this question the Office has prepared and will communicate to governments a final report containing a proposed Recommendation concerning the engagement of seafarers for service in vessels registered in a foreign country.

#### IV. *Flag Transfer in Relation to Social Conditions and Safety.*

The proposed text which will be submitted to the Conference in the final report on this item is a resolution which urges that the country of registration should accept the full obligations implied by registration and should exercise effective control for the purposes of safety and welfare of seafarers in its ships.

<sup>1</sup> Section A of the memorandum, which repeats the information contained in the letter of convocation, is not reproduced here.

### V. *Contents of Ships' Medicine Chests and Medical Advice by Radio to Ships at Sea.*

The Conference will have before it on this item a final report containing two proposed Recommendations, one defining standards in respect of medicine chests on board ship, with an annex containing a suggested minimal list of medicaments, and the other concerning medical advice by radio to ships at sea.

### VI. *Jurisdiction over the Suspension of Officers' Certificates of Competency.*

The text submitted to the Conference in the final report on this item takes the form of a resolution on the jurisdiction competent to suspend or cancel officers' competency certificates. The resolution, *inter alia*, affirms the general principle that the authorities of the State which has issued a competency certificate are alone competent to suspend or cancel it.

### VII. *Reciprocal or International Recognition of Seafarers' National Identity Cards.*

The Conference will have before it a final report on this item, together with the text of a proposed Convention concerning the form and content of seafarers' national identity documents and their reciprocal recognition.

## C. COMPOSITION OF DELEGATIONS

Article 3, paragraph 1, of the Constitution of the Organisation provides that each delegation to a session of the International Labour Conference shall be composed of four delegates, namely two Government delegates, one delegate representing the Employers and one delegate representing the Workers.

In accordance with the provisions of article 3, paragraph 2, of the Constitution, each delegate may be accompanied by two advisers for each separate item on the agenda. As each of the last six items mentioned in section A of this memorandum<sup>1</sup> forms a separate item on the agenda of the session, each Government, Employers' and Workers' delegate to the 41st Session may be accompanied by not more than 12 advisers. In order to ensure an equal representation of Employers and Workers on the Committees of the Conference it is desirable that, so far as possible, equal numbers of Employers' and Workers' advisers should be appointed in each delegation.

Article 3, paragraph 3, of the Constitution provides that—

Each Member which is responsible for the international relations of non-metropolitan territories may appoint as additional advisers to each of its delegates—

- (a) persons nominated by it as representatives of any such territory in regard to matters within the self-governing powers of that territory ; and
- (b) persons nominated by it to advise its delegates in regard to matters concerning non-self-governing territories.

Article 3, paragraph 5, of the Constitution provides that—

The Members undertake to nominate non-Government delegates and advisers chosen in agreement with the industrial organisations, if such organisations exist, which are most representative of employers or workpeople, as the case may be, in their respective countries.

Governments will no doubt take the necessary steps to ensure that the delegations attending the Conference are complete and that they include the advisers necessary for dealing adequately with the technical questions on the agenda.

## D. CREDENTIALS

The credentials of delegates to the Conference and their advisers should, in conformity with the provisions of article 26, paragraph 1, of the Standing Orders of the Conference, be deposited with the International Labour Office at least 15 days before the date fixed for the opening of the session of the Conference.

For the convenience of governments a suggested form for the credentials of delegates is appended to the present memorandum.<sup>2</sup>

## E. RESOLUTIONS

The text of resolutions submitted to the Conference, other than those dealing with items on the agenda, should, in accordance with article 17, paragraph 1 (1), of the Standing Orders of the Conference, be deposited with the Director-General of the International Labour Office at least seven days before the date fixed for the opening of the session of the Conference.

## F. ELECTION OF THE JOINT MARITIME COMMISSION

Article 1 of the Standing Orders of the Joint Maritime Commission provides that the Commission—

<sup>1</sup> See above, footnote, p. ix.

<sup>2</sup> This form is not reproduced here.

1. . . . shall consist of two members appointed by the Governing Body of the International Labour Office, representing respectively the employers' group and the workers' group of the Governing Body, and of thirty members nominated by the International Labour Conference at a session dealing with maritime questions, fifteen of whom shall be selected by the shipowners' delegates and fifteen by the seafarers' delegates at the Conference.

2. It shall also include five deputy shipowner members and five deputy seafarer members appointed respectively by the shipowners' delegates and the seafarers' delegates at the Conference.

The composition of the Joint Maritime Commission was last renewed during the 28th (Maritime) Session of the International Labour Conference (Seattle, 1946).

In accordance with the provisions quoted above the Shipowners' and Seafarers' groups at the 41st (Maritime) Session of the International Labour Conference will be called upon to select 15 regular members and five deputy members for each group to serve on the Joint Maritime Commission. It should be mentioned in this connection that at its 35th Session (Geneva, March 1927), the Governing Body adopted a resolution concerning the appointment of nationals of non-European countries as members of the Commission, recommending that, in order that the Commission should be truly representative of maritime employers and workers in all parts of the world, at least four of the regular members of the Commission should be nationals of non-European countries.

The following communication concerning the date and place of the session was sent to the Governments of the Members on 21 January 1958.

Geneva, 21 January 1958.

Sir,

I have the honour to refer to my letter No. ILC 41-100 of 11 September 1957 concerning the convocation of the 41st (Maritime) Session of the International Labour Conference and to inform you that that session of the Conference will be held in Geneva at the Palais des Nations from Tuesday, 29 April to Friday, 16 May 1958. Monday, 28 April, is left free for such meetings of the Government, Employers' and Workers' groups as may be necessary. The first sitting of the Conference will open at 10 a.m. on Tuesday, 29 April 1958.

I should be glad if you would inform me as early as possible of the composition of your country's delegation.

As indicated in my previous letter, the text of proposed resolutions submitted to the Conference, other than those dealing with items on the agenda, should, in accordance with article 17, paragraph 1(1), of the Standing Orders, be deposited with the International Labour Office at least seven days before the date fixed for the opening of the Conference session. In the case of the 41st Session, the final date for the deposit of such proposed resolutions will therefore be 22 April 1958.<sup>1</sup>

I have the honour to be, etc.,

(Signed) DAVID A. MORSE,  
Director-General.

\* \* \*

This Record of Proceedings of the Forty-first Session of the Conference is arranged as follows :

#### FIRST PART

List of members of delegations, etc., comprising the names of all persons who took part in the Conference, classified according to the functions they performed.

#### SECOND PART

A verbatim report of the proceedings in plenary sitting, including stenographic reports of the original speeches in the case of speeches delivered in English, and translations based on the simultaneous telephonic interpretations into English given by the official interpreters to the Conference in the case of speeches delivered in other languages.

#### THIRD PART

Appendices, including the reports and documents submitted by the Committees to the Conference and the texts of the Conventions, Recommendations and resolutions adopted by the Conference.

In addition, the volume contains a table of contents, which precedes this Introduction, and an index to the Second and Third Parts.

<sup>1</sup> The remainder of this letter deals with accommodation for delegations in Geneva and is not reproduced here.



**FIRST PART**  
**LIST OF MEMBERS OF DELEGATIONS, ETC.**





# LIST OF MEMBERS OF DELEGATIONS, ETC.

## Delegations

### ARGENTINA

#### GOVERNMENT DELEGATES

Mr. Andrés M. LESCURE, Minister Plenipotentiary; Chief of the Permanent Delegation of Argentina accredited to the European Office of the United Nations and the International Organisations in Geneva; Representative of the Government of Argentina on the Governing Body of the International Labour Office.

Commander Néstor NORIEGA.

#### *Adviser*

Mr. Adolfo P. LACÚ, Counsellor of Embassy.

#### EMPLOYERS' DELEGATE

Lieutenant-Commander José C. GÓMEZ ORTEGA.

#### *Adviser*

Mr. José Juan HOSKING.

#### WORKERS' DELEGATE

Mr. Julio César AZQUETA.

### AUSTRALIA

#### GOVERNMENT DELEGATES

Mr. A. L. BRENTWOOD, Assistant Secretary, Department of Labour and National Service.

Captain D. S. BULL, Director of Navigation, Department of Shipping and Transport.

#### *Advisers*

Mr. N. S. CURRIE, Permanent Mission of Australia to the European Office of the United Nations.

Mr. R. DWYER, Deputy Chief Migration Officer, Australian Embassy, Rome.

#### EMPLOYERS' DELEGATE

Mr. Percy William HADDY, Chairman, Australian Steamship Owners' Federation.

#### *Adviser*

Mr. Francis Stewart CROSS, Secretary, Western Australian Employers' Federation.

#### WORKERS' DELEGATE

Captain Thomas MARTIN, Secretary, Merchant Service Guild of Australia.

### AUSTRIA

#### GOVERNMENT DELEGATES

Mr. Ferdinand SCHELLENBACHER, Counsellor, Ministry of Social Administration.

Mr. Franz SCHLAFFER, Counsellor, Ministry of Transport and Electric Energy, Shipping Office.

#### EMPLOYERS' DELEGATE

Mr. Viktor SCHLÄGELBAUER, Federation of Shipping Undertakings.

#### WORKERS' DELEGATE

Mr. Anton PEHAM, Secretary, Commercial and Transport Workers' Union.

### BELGIUM

#### GOVERNMENT DELEGATES

Mr. R. DE KINDER, Member of the House of Representatives.

Mr. J. PLUYMERS, Administrative Director, Merchant Marine Administration.

#### *Advisers*

Mr. M. VAN MOLLE, Director, Merchant Marine Administration.

Mr. E. CARLIER, Chief Superintendent of the Scheldt Ports.

#### EMPLOYERS' DELEGATE

Mr. G. DUFOUR, General Director, Compagnie maritime belge.

#### *Advisers*

Mr. J. DE BRUYN, Director, Belgian Shipowners' Federation.

Mr. Jean POLL, Marine Superintendent, Armement Deppe, S.A.

Dr. M. PAYNJON, Medical Inspector, Compagnie maritime belge.

Mr. J. BAEK, Compagnie maritime belge.

#### WORKERS' DELEGATE

Mr. Roger DEKEYZER, Senator; President of the Belgian Transport Workers' Union.

#### *Advisers*

Mr. Omer BECU, General Secretary, International Transportworkers' Union.

Mr. E. CASSIERS, National Secretary in the Belgian Transport Workers' Union.

Mr. L. EGGERS, National Secretary in the Belgian Transport Workers' Union.

### BRAZIL

#### GOVERNMENT DELEGATES

Mr. Júlio Augusto BARBOZA-CARNEIRO, Ambassador; Representative of the Government of Brazil on the Governing Body of the International Labour Office.

Mr. Geraldo Augusto de FARIA BAPTISTA.

*Advisers*

Mr. Alfredo Ewbank da ROCHA LEÃO.  
 Mr. Jatyr de ALMEIDA RODRIGUES.  
 Mr. Eugênio Aurelino LEAL BORGES.  
 Mrs. Maria Ignez OLIVEIRA.

## EMPLOYERS' DELEGATE

Mr. Antonio Manoel CARVALHO.

*Adviser*

Mr. Vitório Fernando BEHRING CABRAL.

## WORKERS' DELEGATE

Mr. Mamede Caetano TEIXEIRA.

*Adviser*

Mr. Moacyr de SOUZA.

**BULGARIA**

## GOVERNMENT DELEGATES

Mr. Atanas BELINSKI, Permanent Representative of the People's Republic of Bulgaria accredited to the European Office of the United Nations and to the International Organisations.  
 Mr. Todor STOYANOV, Third Secretary, Permanent Delegation of the People's Republic of Bulgaria accredited to the European Office of the United Nations and to the International Organisations.

**BURMA**

## GOVERNMENT DELEGATES

Mr. Aung THIN, Nautical Adviser.  
 Mr. Kyi MYINT, Executive Chairman, Seamen's Employment Control Board.

**CANADA**

## GOVERNMENT DELEGATES

Captain G. L. C. JOHNSON, Assistant Chief, Nautical Division, Department of Transport.  
 Mr. W. THOMSON, Director, Employment Branch, National Employment Service, Unemployment Insurance Commission.

*Adviser and Substitute Delegate*

Captain G. W. R. GRAVES, Principal Examiner of Masters and Mates, Nautical Division, Department of Transport.

*Adviser*

Mr. H. JAY, First Secretary, Canadian Permanent Mission to the European Office of the United Nations.

## EMPLOYERS' DELEGATE

Mr. Harold E. KANE, President, H. E. Kane Agencies, Ltd.

## WORKERS' DELEGATE

Mr. Michael SHEEHAN, Montreal Agent, Seafarers' International Union.

*Adviser*

Mr. George F. BULLOCK, National Secretary, Canadian Merchant Service Guild.

**CHINA**

## GOVERNMENT DELEGATES

Mr. YÜ Tsune-chi, Ambassador Extraordinary and Plenipotentiary in Rome and in Madrid; Representative of the Government of the Republic of China on the Governing Body of the International Labour Office.

Mr. LEE Yen-ping, Ministry of the Interior; Substitute Representative of the Government of the Republic of China on the Governing Body of the International Labour Office.

## EMPLOYERS' DELEGATE

Mr. SA Yun-cheng, Traffic Manager, Tokyo Office, China Merchants Steam Navigation Co., Ltd.

*Adviser*

Captain Michael KAHN, Manager, Marine Department, China Merchants Steam Navigation Co., Ltd.

## WORKERS' DELEGATE

Mr. CHEN Wen-kwei, former Charman, Chinese National Seamen's Union.

**COLOMBIA**

## GOVERNMENT DELEGATE

Mr. Vicente GONZÁLEZ.

## EMPLOYERS' DELEGATE

Mr. Alberto ALBÁN LIÉVANO, Commercial Director, Grand Colombian Merchant Fleet.

## WORKERS' DELEGATE

Mr. Eduardo VANEGAS.

**CUBA**

## GOVERNMENT DELEGATES

Mr. José Enrique CAMEJO ARGUDÍN, Envoy Extraordinary and Minister Plenipotentiary; Chief of the Permanent Delegation of Cuba accredited to the European Office of the United Nations and to the International Organisations in Geneva; Representative of the Government of Cuba on the Governing Body of the International Labour Office.

Mr. Jesús A. LOMBERA CADALSO.

## EMPLOYERS' DELEGATE

Mr. Pedro PRENDES AGUIAR.

## WORKERS' DELEGATE

Mr. José ENSEÑAT POLIT.

**DENMARK**

## GOVERNMENT DELEGATES

Mr. Jørgen WORM, Chief of the Shipping Department, Ministry of Commerce.

Mr. Ejner LYSGAARD, Assistant Chief of Division, Ministry of Commerce.

*Adviser and Substitute Delegate*

Mr. Jens MØLLER, Ministry of Commerce.

## EMPLOYERS' DELEGATE

Mr. H. U. GARDE, Director, United Steamship Company.

*Adviser and Substitute Delegate*

Captain K. W. LINNEMANN, Danish Shipowners' Association.

*Adviser*

Mr. V. WENZELL, Managing Director, Danish Shipowners' Association.

## WORKERS' DELEGATE

Mr. S. FROM-ANDERSEN, President, Danish Seamen's Union.

*Adviser and Substitute Delegate*

Mr. H. P. LARSEN, President, Danish Engineer Officers' Association.

*Adviser*

Mr. C. NYGAARD, President, Danish Deck Officers' Association.

**DOMINICAN REPUBLIC****GOVERNMENT DELEGATES**

Mr. Ambrosio ÁLVAREZ AYBAR, Ambassador.  
Mr. Salvador PARADAS.

**FINLAND****GOVERNMENT DELEGATES**

Mr. Allan RELANDER, Counsellor of Navigation, Board of Navigation.  
Mr. Torsten TIKANVAARA, Counsellor of Legation; Permanent Delegate of Finland accredited to the International Organisations in Geneva.

**EMPLOYERS' DELEGATE**

Mr. Hilding HALLBERG, Director, Finnish Shipowners' Association.

**WORKERS' DELEGATE**

Mr. Niilo WÄLLÄRI, President, Finnish Seamen's Union.

*Adviser*

Captain Yngve FYHRQUIST, Director, Finnish Ships' Officers' Association.

**FRANCE****GOVERNMENT DELEGATES**

Mr. Paul RAMADIER, Representative of the Government of France on the Governing Body of the International Labour Office.  
Mr. Jean ROULLIER, Director, General and Seafarers' Section, Department of Merchant Marine.

*Advisers*

Mr. Edouard LAMBERT, Inspector-General of Labour and Manpower, Ministry of Labour and Social Security.  
Mr. Claude COLLET, Civil Administrator; Chief of the Maritime Labour Office, Department of Merchant Marine.  
Dr. R. CEVAER, Chief Medical Officer for Seafarers; Head of the Office of Hygiene and Health, Department of Merchant Marine.  
Mr. Louis WARASSE, Civil Administrator, Department of Merchant Marine.

**EMPLOYERS' DELEGATE**

Mr. Jacques MARCHEGAY, General Representative, Central Committee of French Shipowners.

*Advisers*

Mr. Charles LAÉ, Inspector-General of the Maritime Services of the Compagnie maritime des Chargeurs réunis.  
Mr. Max LE GRAND, Director of Maritime Services, Société d'armement fluvial et maritime.  
Mr. Fernand PEYROT, Deputy General Secretary for Labour Affairs, Central Committee of French Shipowners.

**WORKERS' DELEGATE**

Mr. A. GRUËNAIS, General Secretary, National Federation of Seamen's Unions (Confédération générale du travail).

*Advisers*

Mr. Jean MINIOU, Secretary, Engineer Officers' Union (C.G.T.).  
Mr. J. PHILIPPS, General Secretary, Merchant Marine Federation (C.G.T.-Force ouvrière).  
Mr. Hervé BELIARD, General Secretary, National Union of Merchant Marine Officers (Confédération française des travailleurs chrétiens).  
Mr. Charles AGEZ, General Secretary, Federation of Seamen's Unions (C.F.T.C.).  
Commander Lucien LEMOINE, Administrative Secretary, National Union of Masters (Confédération générale des cadres).

**FEDERAL REPUBLIC OF GERMANY****GOVERNMENT DELEGATES**

Mr. Günther SCHELP, Director in the Federal Ministry of Labour and Social Affairs.  
Mr. Richard FETTRACK, Senior Counsellor, Federal Ministry of Transport.

*Advisers*

Mr. Günther ARNING, Counsellor, Federal Ministry of Labour and Social Affairs.  
Mr. Hermann ERNST, Counsellor, Federal Ministry of Labour and Social Affairs.  
Mr. Günther TRIESCHMANN, Counsellor, Federal Ministry of Labour and Social Affairs.

**EMPLOYERS' DELEGATE**

Mr. Harald H. SCHULDT, Owner and Manager, Deutsche Orient Linie; Member of the Board of Directors and Chairman of the Social Affairs Committee of the German Shipowners' Association.

*Advisers*

Captain Jürgen Heinrich BREUER, President of the German Coaster Owners' Association.  
Mr. Werner SCHILDKNECHT, Managing Director, German Shipowners' Association.  
Mr. Willi RÖHRIG, German Shipowners' Association.  
Captain Ernst Heinrich KETELS, German Shipowners' Association.  
Mr. Hans Jürgen STÖCKER, German Shipowners' Association.

**WORKERS' DELEGATE**

Mr. Henry HILDEBRAND, Principal Chief of Division, Public Services and Transport Workers' Union.

*Advisers*

Mr. Fritz ANNERL, Secretary in the Public Services and Transport Workers' Union.  
Mr. Gerhard BECKER, Merchant Marine Officer, Chief of the Shipping Division (Federal Section), German Union of Salaried Employees.  
Mr. Fritz BUND, Secretary in the Public Services and Transport Workers' Union.  
Mr. Otto BUSS, Engineer Officer; Secretary, Shipping Division (Federal Section), German Union of Salaried Employees.  
Mr. August GRUBBA, Secretary in the Public Services and Transport Workers' Union.  
Mr. Gustav KEIL, Public Services and Transport Workers' Union.  
Mr. Willi MATTHIES, Secretary in the Public Services and Transport Workers' Union.

Mr. Heinrich WÄTKE, Chief Engineer Officer (Retired), Chief President of the Shipping Division (Regional Section), German Union of Salaried Employees.

Mr. Heinrich WIEMERS, Secretary in the Public Services and Transport Workers' Union.

## GHANA

### GOVERNMENT DELEGATES

Mr. A. J. DOWUONA-HAMMOND, Parliamentary Secretary, Ministry of Labour and Co-operatives.

Mr. Samuel Tetteh NETTEY, Acting Deputy Commissioner of Labour.

### EMPLOYERS' DELEGATE

Mr. W. M. Q. HALM, Director, Black Star Line, Ltd.

### WORKERS' DELEGATE

Mr. A. O. MENSAH, President, United Africa Company (Lighterage) Employees' Union.

## GREECE

### GOVERNMENT DELEGATES

Commander Spyridon GOULIELMOS, Director, Seamen's Division, Ministry of Merchant Marine.

Commander Xenofon ANTONIADES, Chief of Section, Seamen's Division, Ministry of Merchant Marine.

### EMPLOYERS' DELEGATE

Mr. Costas LYRAS.

### Advisers

Mr. John HADJIPATERAS, Shipowner; Director, Hary Hadjipateras Ltd.; Member, Greek Shipping Corporation Committee, London.

Mr. George C. LEMOS.

### WORKERS' DELEGATE

Mr. Manthos PETROULIS, General Secretary, Panhellenic Seamen's Union.

### Advisers

Mr. Demetrios MELETIS, President, Panhellenic Captains' Union.

Mr. Demetrios BENETATOS, President, Panhellenic Seamen's Union.

## INDIA

### GOVERNMENT DELEGATES

Mr. NAGENDRA SINGH, I.C.S., Director-General of Shipping and Joint Secretary, Ministry of Transport and Communications.

Mr. S. T. MERANI, Ph.D., I.A.S., Labour Attaché, Consulate-General of India, Geneva; Representative of the Government of India on the Governing Body of the International Labour Office.

### EMPLOYERS' DELEGATE

Mr. R. E. KUMANA, Managing Director, Scindia Steamships (London) Ltd.

### Adviser

Mr. T. M. SANGHAVI, Engineer, Great Eastern Shipping Co. Ltd.

### WORKERS' DELEGATE

Mr. A. K. Mohamed SERANG, General Secretary, National Union of Seamen of India.

### Adviser

Mr. Bikas MAJUMDER, Section Secretary, Calcutta District, National Union of Seamen of India.

## INDONESIA

### GOVERNMENT DELEGATES

Mr. Panangaran SIREGAR, Labour Inspector First Class, Industrial Relations Department.

Mr. SANITIOSO, Senior Official, Ministry of Shipping.

### EMPLOYERS' DELEGATE

Mr. R. M. Sanjoto HARSONO, Secretary, Pelni Line.

### WORKERS' DELEGATE

Mr. Tuk SUBIANTO, General Secretary, Indonesian Seamen's and Dock Workers' Union.

## IRELAND

### GOVERNMENT DELEGATES

Mr. Diarmuid Ó RÍORDÁIN, Principal, Department of Industry and Commerce.

Mr. Cathal CROWLEY, Administrative Officer, Department of Industry and Commerce.

## ISRAEL

### GOVERNMENT DELEGATES

Mr. Haïm RADAY, Deputy Director-General, Ministry of Labour.

Mr. Shaul BAR-ZEEV, Director, Department of Shipping and Ports, Ministry of Transport.

### Adviser

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### EMPLOYERS' DELEGATE

Mr. Benjamin IVRI, General Secretary of Zim, Israel Navigation Company.

### Adviser

Mr. Sol ADLER, Manager, Chamber of Shipping of Israel.

### WORKERS' DELEGATE

Mr. Zeev BARASH, General Federation of Labour.

### Adviser

Captain Walter Zeev DALLMANN, Secretary, Israel Seamen's Union.

## ITALY

### GOVERNMENT DELEGATES

Mr. Alberto BERIO, Ambassador, Permanent Delegate of Italy accredited to the European Office of the United Nations.

Mr. Rosario PURPURA, Substitute Representative of the Government of Italy on the Governing Body of the International Labour Office; Director-General of Labour Relations, Ministry of Labour and Social Welfare.

### Advisers

Mr. Gianni PERAZZO, Ministry of Labour and Social Welfare.

Mr. Leandro CAVALLARI, Ministry of Merchant Marine.

Mr. Gabriele POSTERARO, Ministry of Labour and Social Welfare.

#### EMPLOYERS' DELEGATE

Captain Giorgio CAVALLINI, Marine Superintendent-General, "Italia" Shipping Company.

#### *Advisers*

Mr. Renato IMBRUGLIA, Barrister; Director, Association of Shipowners of Southern Italy.

Mr. Pasquale BRIA, Director, West Adriatic Shipowners' Association.

#### WORKERS' DELEGATE

Mr. Umberto ROMAGNOLI, National Secretary, Seamen's Federation (Italian Confederation of Trade Unions).

#### *Advisers*

Mr. Andrea PROTO, Secretary, Italian Maritime Union (Italian Workers' Union).

Mr. Ittio RIMONDINI, National Secretary, Italian Federation of Maritime Workers (Italian Confederation of Trade Unions).

Mr. Mario MANGIAPANE, Central Executive Secretary, Italian Federation of Maritime Workers (F.I.L.M. : autonomous federation).

### JAPAN

#### GOVERNMENT DELEGATES

Mr. Ichiro KAWASAKI, Envoy Extraordinary and Minister Plenipotentiary; Permanent Delegate of Japan accredited to the International Organisations in Geneva.

Mr. Itsuo MORI, Director, Seamen's Bureau Ministry of Transportation.

#### *Adviser and Substitute Delegate*

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#### *Advisers*

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Mr. Kazuo CHIBA, Third Secretary, Permanent Delegation of Japan to the International Organisations in Geneva.

Mr. Yoshitaro WAKIMURA, President, Seamen's Central Labour Board; Professor, Tokyo University.

Mr. Taneo FUJIKAWA, Chief, Labour Administration Section, Seamen's Bureau, Ministry of Transportation.

#### EMPLOYERS' DELEGATE

Mr. Katsumi YAMAGATA, President, Japan Shipowners' Association.

#### *Advisers*

Mr. Masao DOI, Vice-President, Daido Shipping Co., Ltd.

Mr. Shigeo OBARA, Managing Director, Tokyo Shipping Co., Ltd.

Mr. Takuo KOKUBO, Director, Liaison Department, Japan Shipowners' Association.

#### WORKERS' DELEGATE

Mr. Hisashi KAGEYAMA, President, All Japan Seamen's Union.

#### *Advisers*

Mr. Toshio NISHIMAKI, Director, International Department, All Japan Seamen's Union.

Mr. Yutaka NABASAMA, Director, Steamer Department, All Japan Seamen's Union.

### LIBERIA

#### GOVERNMENT DELEGATES

Mr. A. Dashward WILSON, Labour Adviser, Department of Agriculture and Commerce.

Mr. Momolu Songu COOPER, Chairman, Board of Concessions of Liberia.

#### *Advisers*

Mrs. Sarah SIMPSON GEORGE.

Mr. Rocheforte L. WEEKS.

#### EMPLOYERS' DELEGATE

Mr. Simon SIMONOVITCH, President, Liberia Chamber of Commerce; Substitute Deputy Member of the Governing Body of the International Labour Office.

#### *Advisers*

Mr. Magnus YANCY.

Mr. Edgar T. KONSBERG, President, Liberian Services.

#### WORKERS' DELEGATE

Mr. Henry B. COLE, Vice-President, Liberian Labour Congress.

### LUXEMBOURG

#### GOVERNMENT DELEGATE

Mr. Ignace BESSLING, Permanent Representative of Luxembourg accredited to the I.L.O.

### MEXICO

#### GOVERNMENT DELEGATES

Mr. Juan Antonio MÉRIGO AZA, Permanent Delegation of Mexico accredited to the International Organisations in Geneva.

Miss Elisa AGUIRRE, Secretary, Ministry of External Relations.

### MOROCCO

#### GOVERNMENT DELEGATES

Mr. Abdelhamid GUESSOUS, Attaché in the Cabinet of the Minister of Labour and Social Questions.

Mr. BENNANI, Chief of the Merchant Marine Division.

#### *Adviser*

Mr. DROUX.

#### WORKERS' DELEGATE

Mr. Taieb ben BOUAZZA, Deputy General Secretary, Moroccan Workers' Union.

#### *Adviser*

Mr. Bouchta Ali LAKHDAR.

### NETHERLANDS

#### GOVERNMENT DELEGATES

Mr. P. H. VALENTGOED, Director-General of Labour; Chief of Labour Inspection.

Mr. H. E. SCHEFFER, Counsellor, Ministry of Transport.

#### *Advisers and Substitute Delegates*

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Mr. J. A. BERGER, President of the Board of Government Conciliators.

*Advisers*

Mr. A. P. J. van BRUGGEN, Ministry of Foreign Affairs.

Mr. C. J. DAMEN, Head of the Maritime Labour and Safety Section, Directorate-General of Shipping.

**EMPLOYERS' DELEGATE**

Mr. W. N. H. van der VORM, Joint President Director, Holland-America Line.

*Advisers*

Mr. K. de GRAAF, General Manager, Netherlands Shipping Council.

Mr. P. E. BECK, President, Royal Netherlands Coaster Owners' Association "De Groninger Eendracht".

Mr. A. H. ROMBOUTS, Catering Superintendent, Holland-America Line.

Mr. G. VERMEULEN, Personnel Manager, Royal Netherlands Steamship Company.

Mr. A. F. VAS DIAS, President, Netherlands Shipping Council; President of the Board, United Netherlands Shipping Company.

**WORKERS' DELEGATE**

Mr. P. de VRIES, Chairman, Federation of Seafarers and Fishermen.

*Advisers*

Mr. D. HARMS, Deputy Chairman, Federation of Seafarers and Fishermen.

Mr. C. W. van DRIEL, Secretary-Treasurer, Federation of Seafarers and Fishermen.

Mr. Maarten PRONK, Member of the Board of the Seafarers' Section, Christian Union of Transport Workers.

Mr. A. H. KULING, Member of the Board of the Seafarers' Section, Catholic Transport Workers' Union.

**NORWAY****GOVERNMENT DELEGATES**

Judge Brynjulf BULL, President of the Labour Court.

Mr. Markus ENDRESEN, Chief of Division, Ministry of Commerce and Shipping.

*Advisers*

Mr. Sigurd STORHAUG, Chief of Division, Ministry of Commerce and Shipping.

Mr. Johan CAPPELEN, Permanent Delegate of Norway to the European Office of the United Nations and other International Organisations in Geneva.

**EMPLOYERS' DELEGATE**

Captain Odd I. LOENNECHEN, Vice-President, International Shipping Federation.

*Adviser and Substitute Delegate*

Mr. H. J. Darre HIRSCH, Managing Director, Norwegian Shipping Federation and Norwegian Shipowners' Association.

*Advisers*

Captain Rudolf HIESTAND, Director, A. O. Andersen Shipping Company.

Mr. T. I. KRAFT, Shipowner.

Mr. Per LODDING, Shipowner.

Mr. Børre SVERDRUP, Deputy Director, Norwegian Shipping Federation.

**WORKERS' DELEGATE**

Mr. Ingvald HAUGEN, President, Norwegian Federation of Seamen.

*Advisers*

Mr. Gunvald HAUGE, Vice-President, Norwegian Federation of Seamen.

Mr. Henry BJØNNES, President, Norwegian Shipmasters' Association.

Mr. Leif LERSTAD, President, Norwegian Union of Engineers.

Mr. Nils NILSEN, President, Norwegian Mates' Association.

**PAKISTAN****GOVERNMENT DELEGATES**

Mr. S. B. CHAUDHURI, Deputy Secretary, Ministry of Labour.

Mr. Khalique AHMAD, Assistant Secretary, Ministry of Commerce.

*Adviser and Substitute Delegate*

Mr. Amin-UI ISLAM.

**EMPLOYERS' DELEGATE**

Mr. Kassim DADA, Federation of Chambers of Commerce and Industries.

**WORKERS' DELEGATE**

Mr. M. A. KHATIB.

**PANAMA****GOVERNMENT DELEGATES**

Mr. Raimundo ORTEGA VIETO, Panamanian Ambassador in France.

Mr. Julio ALDRETE.

*Adviser*

Mr. John S. SCARPA.

**EMPLOYERS' DELEGATE**

Mr. Roy PHILLIPPS.

**WORKERS' DELEGATE**

Mr. Rómulo ESCOBAR BETHANCOURT.

**POLAND****GOVERNMENT DELEGATES**

Mr. Tadeusz OCIOŚZYŃSKI, Under-Secretary of State in the Ministry of Shipping and Inland Waters.

Mr. Jerzy LICKI, Director in the Ministry of Labour and Social Welfare.

*Advisers*

Mr. Edmund ŻEBROWICZ, Director in the Ministry of Shipping and Inland Waters.

Miss Maria MATEY, Counsellor, Ministry of Labour and Social Welfare.

Mr. Jan KROSKOWSKI, Chief of Section in the Ministry of Shipping and Inland Waters.

**EMPLOYERS' DELEGATE**

Mr. Stanisław SUCHORZEWSKI, Legal Adviser, Polish Ocean Lines Company.

**WORKERS' DELEGATE**

Mr. Teodor SKIBA, President of the National Federation of the Seafarers' and Fishermen's Union.

*Adviser and Substitute Delegate*

Mr. Jan WISZKIELIS, Deputy Chief of the International Relations Section, Central Council of Polish Trade Unions.

**PORTUGAL****GOVERNMENT DELEGATES**

Mr. António Ferreira PEDROSA, Director-General, Department of Justice.

Commander Jerónimo Henriques JORGE, Vice-Chairman of the National Board of the Merchant Marine.

*Adviser*

Mr. Manuel Sebastião de ALMEIDA de CARVALHO DAUN e LORENA, Chief of the International Relations Service of the Ministry of Corporations and Social Welfare.

**EMPLOYERS' DELEGATE**

Mr. José Augusto Correia de BARROS, Corporation of Merchant Marine Shipowners.

*Advisers*

José GAGO de MEDEIROS, Viscount BOTELHO, Member of the Joint Maritime Commission.

Commander Albano de OLIVEIRA, Corporation of Merchant Marine Shipowners.

**WORKERS' DELEGATE**

Captain José dos SANTOS, National Union of Merchant Marine Captains, Mates and Pursers.

*Adviser*

Mr. Silvino NORONHA, National Union of Merchant Seamen.

**RUMANIA****GOVERNMENT DELEGATES**

Mr. Alexandru LAZAREANU, Deputy Minister, Ministry of Foreign Affairs.

Mr. Stefan GAL, Permanent Representative of the People's Republic of Rumania accredited to the United Nations Economic Commission for Europe.

**EMPLOYERS' DELEGATE**

Mr. Costin ANZULATO, Director-General, "Navrom" Shipping Company.

**WORKERS' DELEGATE**

Mr. Gheorghe RADULESCO, Vice-President of the Central Committee, Union of Transport-workers.

**SPAIN****GOVERNMENT DELEGATES**

Mr. Juan PASTOR TOMASETI, President, Merchant Marine Social Institute.

Mr. Luis GARCÍA de LLERA, Minister Plenipotentiary, Permanent Delegate of Spain accredited to the International Organisations.

*Advisers*

Mr. Manuel AMBLÉS PIPO, Assistant Director-General of Social Insurance.

Mr. Luis CURIEL BARRAGÁN, Technical Inspector-General, Directorate of Labour.

Mr. Manuel GARCÍA-MIRANDA, Embassy Secretary, Member of the Permanent Delegation of Spain accredited to the International Organisations.

**EMPLOYERS' DELEGATE**

Mr. Fernando de AZQUETA URIGÜEN, Manager, "Naviera Vizcaina S.A."; Member, Transport Union; Former Vice-President, Central Maritime Office.

*Advisers*

Mr. Hilario ARGUIMBAU AMENGUAL.

Mr. Francisco GARAY.

**WORKERS' DELEGATE**

Mr. Vicente GARCÍA RIBES.

*Adviser*

Mr. Fernando CANALS ÁLVAREZ.

**SWEDEN****GOVERNMENT DELEGATES**

Mr. Carl Gösta WIDELL, Director-General, Royal Board of Shipping and Navigation.

Mr. Åke HARTVIG, Chief of Division, Ministry of Commerce.

*Advisers*

Mr. Gustaf LINDENCRONA, Chief of Division, Royal Board of Shipping and Navigation.

Mr. Stig WERNSTEDT, Chief of Section, Ministry of Social Affairs, Labour and Housing.

**EMPLOYERS' DELEGATE**

Mr. H. F. REUTERSKIÖLD, LL.B., Managing Director, Swedish Shipowners' Association.

*Advisers*

Captain Douglas FORSSBLAD, Director, Swedish Shipowners' Association.

Mr. Henry GRANBERG, Director, Broström's Shipping Company.

**WORKERS' DELEGATE**

Mr. Johan S. THORE, President, Swedish Seamen's Union.

*Advisers*

Mr. Nils-Hugo ÅKESSON, Managing Director, Swedish Mercantile Marine Officers' Association.

Mr. Harry LYCKE, President, Swedish Engineer Officers' Association.

**SWITZERLAND****GOVERNMENT DELEGATES**

Mr. Adolf J. RYNIKER, Director, Swiss Maritime Navigation Office.

Mr. Erich MESSMER, Legal Officer, Federal Office of Industry, Arts and Crafts, and Labour.

**EMPLOYERS' DELEGATE**

Mr. Paul KELLER, Director, Keller Shipping A.G.

*Adviser and Substitute Delegate*

Mr. Jean FORNET, Director, Suisse-Outremer S.A.

*Advisers*

Mr. Rolf RINGIER, Managing Director, Alpina Reederei A.G.

Mr. Ernst KRAUSS, Legal Representative, Suisse-Atlantique S.A.

Mr. Alfred LUESSI, Technical Director, Suisse-Outremer S.A.

**WORKERS' DELEGATE**

Mr. Eduard HOFER, Central Secretary, Swiss Commercial, Transport and Food Workers' Union.

## TUNISIA

## GOVERNMENT DELEGATES

Mr. Noé LADHARI, Chief of the Labour Service,

Department of Social Affairs.

Mr. Hamida Ben SALEH, Merchant Marine Administrator, Department of Commerce and Industry.

## EMPLOYERS' DELEGATE

Mr. Ali SEILAMI, Secretary-General, Tunisian Association of Handicrafts and Commerce.

## TURKEY

## GOVERNMENT DELEGATES

Mr. Adnan TOYGAR, Member of the Research Committee, Ministry of Labour.

Mr. Galip YENAL, Chief Counsellor, Ministry of Transport.

## EMPLOYERS' DELEGATE

Mr. Ekrem AYMEN, Assistant Director-General, Turkish Maritime Bank.

## WORKERS' DELEGATE

Mr. Raci ÖZKAN, Chief Engineer, Istanbul Shipping Lines, Turkish Maritime Bank.

## UKRAINIAN SOVIET SOCIALIST REPUBLIC

## GOVERNMENT DELEGATES

Mr. Sergei Aleksandrovich SLIPCHENKO, Vice-

Minister of Foreign Affairs.

Mr. Ivan Artemievich NIZHNIK, Deputy Chief,

Central Department of Sea Transport, Council of Ministers.

## Advisers

Mr. Galii Yehimovich BUVAILIK, First Secretary, International Organisations Section, Ministry of

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Captain Dmitrii Ignatievich SOBOKA, of the M.V. *Rossiya*, Black Sea Shipping Administration.

## EMPLOYERS' DELEGATE

Mr. Aleksei Yevgenievich DANCHENKO, Chief, Black Sea Shipping Company.

## WORKERS' DELEGATE

Mr. Nikolai Prokofievich BAKURSKI, Chairman, Maritime and River Workers' Trade Union Committee, Black Sea and Sea of Azov Basin.

## Adviser

Mr. Viktor Nikolaevich KREMLYANSKI, Deputy Chief, Labour and Wages Section, Maritime and River Workers' Trade Union Committee, Black Sea and Sea of Azov Basin.

## UNION OF SOVIET SOCIALIST REPUBLICS

## GOVERNMENT DELEGATES

Mr. Nikolai Nikolaevich DOLINSKI, Vice-Minister of Marine, U.S.S.R.

Mr. Aleksandr Petrovich MOROZOV, Adviser, Ministry of Foreign Affairs, U.S.S.R.

## Advisers and Substitute Delegates

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## Advisers

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## EMPLOYERS' DELEGATE

Mr. Makhmud Dzhatfar Kuli Ogly BAGIMOV, Director, Caspian Sea Shipping Company.

## Adviser and Substitute Delegate

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## WORKERS' DELEGATE

Mr. Aleksandr Ivanovich KOETIKIN, Chairman of the Central Committee, Maritime and River Workers' Trade Union.

## Adviser and Substitute Delegate

Mr. Pavel Aleksandrovich ZELBININ, Chairman of the Port Committee, Maritime and River Workers' Trade Union, Commercial Seaport of Leningrad.

## Adviser

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## UNITED ARAB REPUBLIC

## GOVERNMENT DELEGATE

Mr. Hussein KAMEL, Social and Labour Counsellor, Permanent Delegation of the United Arab Republic accredited to the European Office of the United Nations.

UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND

## GOVERNMENT DELEGATES

Mr. Philip Dennis PROCTOR, C.B., Deputy Secretary, Ministry of Transport and Civil Aviation.

Mr. Dennis Cliff HASSELGROVE, Under-Secretary, Ministry of Transport and Civil Aviation.

## Advisers

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Mr. James Hunter GALBRAITH, Principal, Ministry of Labour and National Service.



Dr. Laurence Murray KELLY, M.B.E., M.B., B.S., M.R.C.S., L.R.C.P., Medical Officer, Ministry of Transport and Civil Aviation.

Mr. Albert William WOOD, Assistant Secretary, Ministry of Transport and Civil Aviation.

#### EMPLOYERS' DELEGATE

Sir Richard SNEDDEN, C.B.E., LL.D., Director of the Shipping Federation; Shipowners' Representative on the National Maritime Board; Chairman of the Shipowners' Side of the Joint Maritime Commission; Member of the Governing Body of the International Labour Office.

#### *Advisers*

Mr. Arthur Wybergh CARTER, Secretary, Employers' Association of the Port of Liverpool; Shipowners' Representative on the National Maritime Board.

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Mr. John Robertson COWPER, O.B.E., Director, Dundee, Perth and London Shipping Company Limited; Chairman of the Short Sea Trades Committee, Chairman of the Dundee District Committee and Member of the General Purposes Committee and of the Executive Council of the Shipping Federation; Shipowners' Representative on the National Maritime Board.

Mr. Stanley Spencer Woodbridge DALGLIESH, Director, R. S. Dalgliesh Limited; Chairman of the Tyne and Blyth District Committee and Member of the General Purposes Committee and of the Executive Council of the Shipping Federation; Shipowners' Representative on the National Maritime Board.

Captain Thomas FORSYTH, Assistant Marine Manager, Ellerman Lines Ltd.

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 Mr. van der VORM; substitutes: Mr. de GRAAF, Mr. BECK, Mr. ROMBOUTS, Mr. VERMEULEN, Mr. VAS DIAS (*Netherlands*).

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*Japan*: Mr. MORI; substitute: Mr. HAYASHI.  
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*Netherlands*: Mr. VALENTGOED; substitute: Mr. SCHEFFER.  
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Mr. MARCHEGAY ; substitutes : Mr. PEYROT, Mr. LAÉ, Mr. LE GRAND (*France*).

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Mr. YAMAGATA ; substitutes : Mr. OBARA, Mr. KOKUBO (*Japan*).

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*Ghana* : Mr. DOWUONA-HAMMOND.  
*Greece* : Commander GOULIELMOS; substitute: Commander ANTONIADES.  
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*Israel* : Mr. RADAY.  
*Italy* : Mr. BERIO; substitute: Mr. POSTERARO.  
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*Portugal* : Mr. DAUN e LORENA.  
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*Spain* : Mr. CUIEL BARRAGÁN; substitute: Mr. GARCÍA-MIRANDA.  
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 Mr. LYRAS; substitute: Mr. HADJIPATERAS (*Greece*).  
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 Sir Richard SNEDDEN; substitutes: Mr. CARTER, Mr. COWPER, Mr. DALGLIESH, Captain FORSYTH, Mr. LAIRD, Captain MERRICK, Mr. ROBERTSON, Mr. SWAYNE (*United Kingdom*).  
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 Mr. SCHULDT; substitutes: Mr. SCHILD-KNECHT, Captain BREUER, Mr. RÖHRIG, Mr. STÖCKER (*Federal Republic of Germany*).  
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 Mr. PHILLIPPS (*Panama*).  
 Mr. de BARROS; substitutes: Viscount BOTELHO, Commander de OLIVEIRA (*Portugal*).  
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Mr. BERIO.

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*Burma* : Mr. THIN.

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*Cuba*: Mr. CAMEJO ARGUDÍN; substitute: Mr. LOMBERA CADALSO.  
*Denmark*: Mr. WORM; substitute: Mr. LYS-GAARD.  
*Finland*: Mr. TIKANVAARA; substitute: Mr. RELANDER.  
*France*: Mr. COLLET; substitute: Mr. WARASSE.  
*Federal Republic of Germany*: Mr. FETTBACH; substitute: Mr. ERNST.  
*Greece*: Commander GOULIELMOS; substitute: Commander ANTONIADES.  
*Ireland*: Mr. Ó RÍORDÁIN.  
*Israel*: Mr. BAR-ZEEV.  
*Italy*: Mr. PERAZZO; substitute: Mr. CAVAL-LARI.  
*Japan*: Mr. HAYASHI.  
*Liberia*: Mr. WEEKS.  
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*Norway*: Judge BULL; substitutes: Mr. ENDRE-SEN, Mr. STORHAUG.  
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*Poland*: Mr. KROSKOWSKI.  
*Spain*: Mr. GARCÍA-MIRANDA; substitute: Mr. AMBLÉS PIPO.  
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 Mr. YAMAGATA; substitutes: Mr. KOKUBO, Mr. DOI (*Japan*).  
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*Rumania*: Mr. LAZAREANU; substitute: Mr. GAL.  
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 Mr. YAMAGATA ; substitute : Mr. DOI (*Japan*).

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 Mr. LYRAS (*Greece*).  
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*Canada* : Captain GRAVES.

*Denmark* : Mr. LYSGAARD ; substitute : Mr. MÖLLER.

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Captain CAVALLINI; substitute: Mr. BRIA (*Italy*).

Mr. de BARROS ; substitutes : Viscount BOTELHO, Commander de OLIVEIRA (*Portugal*).

Mr. REUTERSKIÖLD ; substitutes : Captain FORSSBLAD, Mr. GRANBERG (*Sweden*).

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 Mr. KEIL (*Federal Republic of Germany*).  
 Mr. LARSEN (*Denmark*).  
 Commander LEMOINE (*France*).  
 Mr. LERSTAD (*Norway*).  
 Mr. PROTO (*Italy*).

## CHAIRMAN

Mr. PEDROSA.

## VICE-CHAIRMEN

Captain HIESTAND.  
 Captain LURVEY.

## REPORTER

Captain GRAVES.

**Committee on Identity Cards**

## GOVERNMENT MEMBERS

*Australia* : Mr. DWYER ; substitute : Mr. CURRIE.  
*Belgium* : Mr. CARLIER.  
*Brazil* : Mr. de FARIA BAPTISTA ; substitute :  
 Mr. LEAL BORGES.  
*Canada* : Captain JOHNSON.  
*Denmark* : Mr. WORM ; substitute : Mr. MØLLER.  
*Federal Republic of Germany* : Mr. TRIESCHMANN.  
*Ghana* : Mr. NETTEY.  
*India* : Mr. MERANI ; substitute : Mr. NAGENDRA SINGH.  
*Italy* : Mr. CAVALLARI.  
*Japan* : Mr. FUJIKAWA.  
*Liberia* : Mrs. SIMPSON GEORGE.  
*Netherlands* : Mr. van BRUGGEN ; substitute :  
 Miss LUNSINGH MEIJER.  
*Norway* : Mr. STORHAUG.  
*Pakistan* : Mr. CHAUDHURI.  
*Poland* : Miss MATEY.  
*Spain* : Mr. GARCÍA de LLERA.  
*Sweden* : Mr. LINDENCORONA.  
*Tunisia* : Mr. Ben SALEM.  
*Turkey* : Mr. YENAL.  
*Ukraine* : Mr. NIZHNIK ; substitute : Captain  
 SOROKA.  
*U.S.S.R.* : Mr. SHAKHOVSKOI ; substitutes :  
 Mr. DZHAVAD, Mr. PERETRUTOV.  
*United Kingdom* : Mr. HASELGROVE ; substitu-  
 tutes : Mr. BEALE, Mr. COOMBES, Mr. WOOD.  
*United States* : Lieutenant GARDNER.  
*Yugoslavia* : Mr. ŠUC.

*Deputy Members*

*Austria* : Mr. SCHLAFFER.  
*China* : Mr. LEE.  
*Ireland* : Mr. Ó RÍORDÁIN.  
*Rumania* : Mr. GAL.

## EMPLOYERS' MEMBERS

Mr. CASEY ; substitute : Vice-Admiral SPENCER  
 (*United States*).  
 Mr. DADA (*Pakistan*).  
 Mr. KUMANA ; substitute : Mr. SANGHAVI  
 (*India*).  
 Captain LOENNECHEN ; substitutes : Mr. LOD-  
 DING, Mr. SVERDRUP (*Norway*).  
 Mr. LYRAS ; substitute : Mr. HADJIPATERAS  
 (*Greece*).

Mr. SA ; substitute : Captain KAHN (*China*).  
 Sir Richard SNEDDEN ; substitutes : Mr. CAR-  
 TER, Mr. COWPER, Mr. DALGLIESH, Captain  
 FORSYTH, Mr. LAIRD, Captain MERRICK,  
 Mr. ROBERTSON, Mr. SWAYNE (*United  
 Kingdom*).  
 Mr. YAMAGATA ; substitute : Mr. DOI (*Japan*).

*Deputy Members*

Mr. DUFOUR ; substitutes : Mr. POLL, Mr. DE  
 BRUYN, Mr. BAEK, Dr. PAYNJON (*Belgium*).  
 Mr. MARCHEGAY ; substitutes : Mr. LAÉ, Mr.  
 PEYROT, Mr. LE GRAND (*France*).  
 Mr. SCHULDT ; substitutes : Mr. SCHILD-  
 KNECHT, Captain BREUER, Mr. RÖHRIG,  
 Mr. STÖCKER, Captain KETELS (*Federal  
 Republic of Germany*).  
 Mr. IVRI ; substitute : Mr. ADLER (*Israel*).  
 Captain CAVALLINI ; substitute : Mr. IMBRU-  
 GLIA (*Italy*).  
 Mr. van der VORM ; substitutes : Mr. de GRAAF,  
 Mr. BECK, Mr. ROMBOOTS, Mr. VERMEU-  
 LEN, Mr. VAS DIAS (*Netherlands*).  
 Mr. REUTERSKIÖLD ; substitute : Captain  
 FORSSBLAD (*Sweden*).  
 Mr. YEFIMOV (*U.S.S.R.*).  
 Mr. KESIC (*Yugoslavia*).

## WORKERS' MEMBERS

Mr. BJØNNES (*Norway*).  
 Mr. CHEN (*China*).  
 Mr. DEKEYZER (*Belgium*).  
 Mr. GRUBBA (*Federal Republic of Germany*).  
 Mr. KIRKLAND (*United States*).  
 Mr. LARSEN (*Denmark*).  
 Mr. LYCKE (*Sweden*).  
 Mr. MAJUMDER (*India*).  
 Mr. PHILIPPS (*France*).  
 Mr. WÄLLÄRI (*Finland*).  
 Mr. WILSON (*United Kingdom*).  
 Mr. WISZKIELIS (*Poland*).

*Deputy Members*

Mr. BECKER (*Federal Republic of Germany*).  
 Mr. ben BOUAZZA (*Morocco*).  
 Mr. BUTCHER (*United Kingdom*).  
 Mr. HAUGEN (*Norway*).  
 Mr. HAWK (*United States*).  
 Mr. KULING (*Netherlands*).  
 Mr. NABASAMA (*Japan*).  
 Mr. SERANG (*India*).

## CHAIRMAN

Captain JOHNSON.

## VICE-CHAIRMEN

Vice-Admiral SPENCER.  
 Mr. DEKEYZER.

## REPORTER

Mr. CARLIER.

**Drafting Committee**

Mr. KAWASAKI, President of the Conference.  
 Mr. MORSE, Secretary-General of the Conference.  
 Mr. JENKS, Assistant Secretary-General of the  
 Conference.  
 Mr. WOLF, Legal Adviser of the Conference.  
 Mr. VALTICOS.



**SECOND PART**  
**VERBATIM REPORT OF THE PROCEEDINGS**





# VERBATIM REPORT OF THE PROCEEDINGS

## FIRST SITTING

Tuesday, 29 April 1958, 10.15 a.m.

*Presidents : Mr. Calderón Puig, Chairman of the Governing Body of the International Labour Office, and Mr. Kawasaki.*

### OPENING OF THE CONFERENCE

*Interpretation from Spanish :* Mr. CALDERÓN PUIG (*Chairman of the Governing Body of the International Labour Office*)—As Chairman of the Governing Body of the International Labour Office I have the honour of opening the 41st (Maritime) Session of the International Labour Conference and of occupying the Chair until such time as you gentlemen elect your President.

May I be allowed in the first place, on behalf of the Governing Body, to welcome all of you who have come here and to offer you our good wishes for the success of your work? In this connection it may be appropriate to remind you that you are taking part in a process which goes back to the origins of the I.L.O. Although Maritime Sessions of the Conference are held relatively seldom, they have the same formal and legal importance as the annual Ordinary Sessions of the International Labour Conference.

As you know, the First Maritime Session of the Conference was held in Genoa in 1920, when the I.L.O. began its activities after being set up by the Peace Conference of 1919 which marked the end to the First World War. In this session and in subsequent sessions held before the Second World War the I.L.O. steadily went ahead with the laying down of standards for an industry which is perhaps the most international industry of all and which, for this reason, raises social problems of a very particular nature.

The sixth Maritime Session of the International Labour Conference was held at Seattle in 1946, and the present Conference is the seventh of the series. In 1946 the delegates to the Seattle Conference had in mind the great sacrifices which the Second World War had inflicted on the merchant navies of the whole world, and the work of that Conference consisted in effect in setting minimum standards that would be applicable as the shipping industry was built up to its former strength.

In 1958 we have to face new problems which have arisen since that time, both within

the I.L.O. and within the shipping industry in general. For example, since 1946, the number of member States of the I.L.O. has increased by almost 30; this fact clearly shows how much nearer to universality the I.L.O. has advanced since then. The shipping industry also has undergone a marked evolution. The world total of gross tonnage, which was about 77 million in 1946, now exceeds 100 million, and important changes have taken place also in the distribution of tonnage among the various countries. Both of these factors—the increased membership of the I.L.O. and the increase in the number of countries with shipping fleets—bear directly on the social problems which affect seamen. We now have the task of setting up legal standards for a greater number of countries and of trying to find common factors in maritime legislations which sometimes vary according to the social progress achieved in the countries concerned.

There is yet a third important factor which has given rise to changes in the structure and operation of the world shipping industry and will give rise to still more in the future: I am referring to the use of atomic energy and automation.

We already have submarines propelled by atomic energy, and certain countries are preparing plans to use this source of energy for passenger liners, ice-breakers, cargo ships, etc. This technological revolution, which is welcome because in this case it is used for peaceful purposes and progress, will nevertheless give rise to social problems which it is necessary to foresee now. It is not too much to say that it may result in a radical change in present concepts concerning the vocational training of seamen, manning, safety and health, wages, hours of work and other questions.

One of the most important items on the agenda of this session of the Conference, to give but one example, is that relating to the Convention on wages, hours of work on board, and manning. Differences of opinion have arisen between seamen and shipowners concerning the reasons why this Convention in its original text as well as in its revised form of

1949 has still not come into force. This question was examined by the Joint Maritime Commission of the I.L.O.; it was then discussed at the Preparatory Technical Maritime Conference in London in 1956, which prepared the preliminary work for this session. A tripartite Working Party met in Geneva in April of last year to prepare proposals for submission to this Conference. You have before you the draft texts of a revised Convention and of a Recommendation on this problem, and I am convinced that you will give them the attention they deserve.

Among the other items on the extensive agenda submitted to you I wish to mention also the item connected with flag transfer in relation to social conditions and safety. This is a difficult and important subject on which without doubt the present Conference will be able to find an adequate solution.

As you see, the Conference has before it a heavy task, but I am convinced that this seventh session, like the Seattle and earlier sessions, will be an important milestone in the solution of the social problems of the shipping industry throughout the world.

Gentlemen, the responsibility of dealing with these important items on your agenda rests on all of you and each one of you. If we all make serious and constructive efforts to advance the work of the committees, if we concentrate on the technical items on the agenda and avoid as far as possible political discussions, which do not lead anywhere and which merely hold up work, I think the Conference will be able to complete its task successfully.

#### ELECTION OF THE PRESIDENT

*Interpretation from Spanish:* Mr. CALDERÓN PUIG (*Chairman of the Governing Body of the International Labour Office*)—The next item on the agenda is the election of your President. I call for nominations.

*Interpretation from French:* Mr. BARBOZA-CARNEIRO (*Government delegate, Brazil*)—I have the privilege and the pleasure of proposing as President of this Conference the very distinguished chief of the Japanese delegation, His Excellency Mr. Ichiro Kawasaki. If you will do me the honour of supporting my proposal, we shall be placing the work of our Conference in the hands of a person whose brilliant career and experience of international conferences are a sure guarantee that we shall not regret our decision.

Mr. Kawasaki is a diplomat whose career began 27 years ago and who early acquired the practice of the complex task of working in harmony with the representatives of different nations. It was here in Geneva, as a member of the Japanese delegation to the League of Nations, that he began his career in the foreign service. His first contacts with international conferences showed that he was predestined to work in the great assemblies of the peoples. His work has taken him to London, Prague, Shanghai, San Francisco, Vancouver, Moscow, New Delhi, and finally back to Tokyo, where I was fortunate to make his personal acquaintance, to learn, with my colleagues from other

countries, to appreciate him as an accomplished diplomat, and to enjoy his refined courtesy.

After being chief of protocol Mr. Kawasaki has returned to the conference world. He has been successively Director of United Nations affairs in the Foreign Ministry of Japan; Chairman of the E.C.A.F.E. trade conference, held in Tokyo in 1956; delegate of his country at the conference on atomic energy held in New York under the auspices of the United Nations; permanent delegate of the Japanese Government in Geneva; and Japanese Government delegate at the 40th Session of the International Labour Conference. I should like to add that before all this he attended the Regional Conference of the F.A.O. at Bangalore in 1953, and the Tenth Session of the E.C.A.F.E. in Ceylon in the following year.

These are all milestones in a fruitful career, and they tell you something about the candidate I am proposing to you. I think you will now appreciate how well qualified he is to steer us through the waters ahead.

Mr. PROCTOR (*Government delegate, United Kingdom*)—On behalf of Her Majesty's Government in the United Kingdom, it gives me very great pleasure to follow Mr. Barboza-Carneiro in seconding the recommendation which he has put before you. Mr. Barboza-Carneiro has told you very fully all the particulars of Mr. Kawasaki's distinguished career, and there is no need for me to expatiate further on that subject. I have had the pleasure also of meeting Mr. Kawasaki and I am perfectly sure that, as Mr. Barboza-Carneiro has said, our Conference will be in the best possible hands if we elect him as our President.

It is with the greatest confidence and, as I have said, with great pleasure, that I have the honour, on behalf of my Government, to second the proposal that Mr. Ichiro Kawasaki be elected our President.

Sir Richard SNEDDEN (*Employers' delegate, United Kingdom*)—This Conference is going into action with bewildering and almost breathless speed. The portents are good for two reasons: the first, Mr. Chairman, is your own commendable and may I say unexampled brevity; the second is that at the London Conference we reached most of our conclusions unanimously. The one conclusion which was not unanimous is now unanimous so far as the Working Party which met in Geneva last April is concerned, and therefore we have at long last established a tradition of unanimity at maritime meetings. I am glad to feel that the proposal which is now before you will continue that tradition. So far as the Ship-owners' group is concerned, they warmly endorse the proposal that Mr. Kawasaki should be President of this Conference. It is a decision which we are taking very gladly now, and it is a decision which I am sure, in three weeks from now, we will look back upon with great pleasure, confident that we were right.

Mr. de VRIES (*Workers' delegate, Netherlands*)—On behalf of the Workers' group I have great pleasure in seconding the proposal made by Mr. Barboza-Carneiro to nominate

Mr. Kawasaki as President of this Conference. We also have great confidence in Mr. Kawasaki; we are sure that he will be a good President for this Conference and will preside over our deliberations impartially and with very great skill.

*Interpretation from French:* Mr. BERIO (*Government delegate, Italy*)—Previous speakers have already referred to Mr. Kawasaki's virtues. I merely wish to add a few words to remind you of our appreciation of the work he did in India and to say that the Italian delegation is very pleased to support the proposal to appoint Mr. Kawasaki President of this Conference.

*Interpretation from Spanish:* Mr. CALDERÓN PUIG (*Chairman of the Governing Body of the International Labour Office*)—Mr. Kawasaki, Government delegate of Japan, has been proposed for the Presidency and has been seconded by a number of speakers. If there is no other nomination, I shall consider Mr. Kawasaki elected President by acclamation and will ask him to take the Chair.

(*Mr. Kawasaki, Government delegate, Japan, is elected unanimously and takes the Chair.*)

#### PRESIDENTIAL ADDRESS

The PRESIDENT—Before I say anything more I wish to thank both the proposer and the seconders for their very generous and gracious remarks concerning myself. In electing me President of this session of the Conference you have done me a signal honour which I appreciate. I realise that the honour you have bestowed on me is not for myself in person alone but for the country which I represent.

As you all know, we are meeting in this session of the Conference for the first time since 1946. Since the last Maritime Session of this Conference there have been very many changes in the maritime industry throughout the world. Indeed, the changes and the progress made during this last decade are greater than during any previous decade. In particular, technological advance during this period has been such that it cannot fail to have a profound effect on the conditions of seamen in the years to come. This Conference will review all these changes and will survey future prospects, and

I am confident that valuable ideas and suggestions will come out of it.

It is significant that this session of the Conference happens to be held at a time when the maritime industry, like other industries of the world, is just about to go through a period of severe depression. This should be the concern not only of the shipowners but of the seafarers and all those who have the welfare of seamen sincerely at heart.

One notable feature of these Maritime Sessions of the Conference is that they meet at rather infrequent intervals. This will necessitate the delegates' looking ahead and planning far ahead for the future. I hope that the session may be able to map out useful long-range programmes. This Conference will also be called upon to take final decisions on Conventions and Recommendations which have been pending since the last session held in Seattle in 1946.

This great assembly of the world's leading seafarers and shipowners and those who are interested in the maritime industry is, as it were, a huge ocean-going liner and the captain of this ship is none other than myself, a poor and inexperienced skipper. It will be my duty for the next three weeks to steer this ship over the ocean successfully to its destination. I sincerely hope that the ocean we have embarked upon will not be choppy, let alone stormy. On the contrary, I hope that the sea we are about to traverse will be as placid and as smooth as the Lake of Geneva in springtime.

With your co-operation, with the indulgence of the distinguished delegates, and with the assistance of the very able and efficient secretariat, I sincerely hope that I may be allowed to steer this ship to its final destination without any serious mishap.

#### ORDER OF WORK OF THE CONFERENCE

The PRESIDENT—The groups will meet 15 minutes after the close of this plenary sitting to elect their officers and to nominate the Vice-Presidents of the Conference, the members of the Selection Committee and the members of the Credentials Committee. This brings us to the close of the business of the morning sitting. We shall meet again in plenary sitting at 3 o'clock this afternoon.

(*The Conference adjourned at 10.45 a.m.*)

## Delegates Present at the Sitting

*Australia :*

Mr. Brentwood  
Mr. Haddy  
Captain Martin

*Austria :*

Mr. Schellenbacher  
Mr. Schlaffer  
Mr. Peham

*Belgium :*

Mr. De Kinder  
Mr. Pluymers  
Mr. Dufour  
Mr. Dekeyzer

*Brazil :*

Mr. Barboza-Carneiro

*Bulgaria :*

Mr. Belinski

*Burma :*

Mr. Thin  
Mr. Myint

*Canada :*

Captain Johnson  
Mr. Thomson  
Mr. Kane  
Mr. Sheehan

*China :*

Mr. Yü  
Mr. Lee  
Mr. Sa  
Mr. Chen

*Cuba :*

Mr. Camejo Argudín  
Mr. Enseñat Polit

*Denmark :*

Mr. Worm  
Mr. Lysgaard  
Mr. Garde  
Mr. From-Andersen

*Dominican Republic :*

Mr. Álvarez Aybar

*Finland :*

Mr. Relander  
Mr. Tikanvaara  
Mr. Hallberg  
Mr. Walläri

*France :*

Mr. Lambert (substitute  
for Mr. Ramadier)  
Mr. Roullier  
Mr. Marchegay  
Mr. Gruénais

*Federal Republic of Germany :*

Mr. Schelp  
Mr. Fettback  
Mr. Schuldt  
Mr. Hildebrand

*Ghana :*

Mr. Dowuona-Hammond  
Mr. Netey  
Mr. Halm  
Mr. Mensah

*Greece :*

Commander Goulielmos  
Commander Antoniadis  
Mr. Lyras  
Mr. Petroulis

*India :*

Mr. Merani  
Mr. Kumana

*Ireland :*

Mr. Ó Riordáin  
Mr. Crowley

*Israel :*

Mr. Raday  
Mr. Bar-Zeev  
Mr. Ivri  
Mr. Barash

*Italy :*

Mr. Berio  
Mr. Purpura  
Captain Cavallini  
Mr. Romagnoli

*Japan :*

Mr. Mori  
Mr. Yamagata  
Mr. Kageyama

*Liberia :*

Mr. Wilson  
Mr. Cooper  
Mr. Simonovitch  
Mr. Cole

*Netherlands :*

Miss Lunsingh Meijer (sub-  
stitute for Mr. Valent-  
goed)  
Mr. Scheffer  
Mr. van der Vorm  
Mr. de Vries

*Norway :*

Mr. Storhaug (substitute  
for Judge Bull)  
Mr. Endresen  
Captain Loennechen  
Mr. Haugen

*Pakistan :*

Mr. Chaudhuri

*Panama :*

Mr. Philipps

*Poland :*

Mr. Ocioszynski  
Mr. Licki  
Mr. Suchorzewski  
Mr. Skiba

*Portugal :*

Mr. Pedrosa  
Commander Jorge  
Mr. de Barros

*Rumania :*

Mr. Lazareanu  
Mr. Gal  
Mr. Anzulato  
Mr. Radulesco

*Spain :*

Mr. Pastor Tomasetti  
Mr. García de Llera  
Mr. de Azqueta Urigüen

*Sweden :*

Mr. Widell  
Mr. Hartvig  
Mr. Reuterskiöld  
Mr. Thore

*Switzerland :*

Mr. Ryniker  
Mr. Messmer  
Mr. Keller  
Mr. Hofer

*Tunisia :*

Mr. Ladhari  
Mr. Ben Salem  
Mr. Sellami

*Turkey :*

Mr. Toygar  
Mr. Yenil  
Mr. Aymen

*Ukraine :*

Mr. Slipchenko  
Mr. Nizhnik  
Mr. Danchenko  
Mr. Bakurski

*U.S.S.R. :*

Mr. Dolinski  
Mr. Morozov  
Mr. Ragimov  
Mr. Koetkin

*United Kingdom :*

Mr. Haselgrove (substitute  
for Mr. Watkinson)  
Mr. Proctor  
Sir Richard Snedden  
Mr. Yates

*United States :*

Mr. Jacobs  
Mr. Popper (substitute for  
Mr. Rothschild)  
Mr. Casey  
Mr. Hawk

*Yugoslavia :*

Mr. Velimirović  
Mr. Makiedo  
Mr. Kesić  
Mr. Velkaverh

## SECOND SITTING

Tuesday, 29 April 1958, 3 p.m.

*President : Mr. Kawasaki*

### ELECTION OF THE VICE-PRESIDENTS

The PRESIDENT—We will now proceed to the election of the Vice-Presidents of the Conference. The Clerk of the Conference will read the nominations made by the groups.

The CLERK OF THE CONFERENCE—The nominations for the Vice-Presidents of the Conference are as follows :

*Government group : Mr. Ocioszynski (Poland).*

*Employers' group : Mr. van der Vorm (Netherlands).*

*Workers' group : Mr. Haugen (Norway).*

The PRESIDENT—If there are no objections these proposals are declared adopted.

*(The proposals are adopted).*

### APPOINTMENT OF THE SELECTION COMMITTEE

The PRESIDENT—We will now proceed to the appointment of the Selection Committee. The Clerk of the Conference will read out the proposals made by the groups.

The CLERK OF THE CONFERENCE—The proposals for membership of the Selection Committee are as follows :

*Government members :*

*Australia.*

*Belgium.*

*Brazil.*

*Canada.*

*China.*

*Denmark.*

*France.*

*Federal Republic of Germany.*

*India.*

*Italy.*

*Japan.*

*Liberia.*

*Pakistan.*

*Poland.*

*Spain.*

*Sweden.*

*Switzerland.*

*U.S.S.R.*

*United Kingdom.*

*United States.*

*Employers' members :*

*Captain Cavallini (Italy).*

*Mr. Casey (United States).*

*Mr. Kane (Canada).*

*Mr. Kumana (India).*

*Captain Loennechen (Norway).*

*Mr. Marchegay (France).*

*Mr. Schuldt ; substitute : Mr. Reith (Federal Republic of Germany).*

*Sir Richard Snedden (United Kingdom).*

*Mr. van der Vorm (Netherlands).*

*Mr. Yamagata (Japan).*

*Deputy members :*

*Mr. Reuterskiöld (Sweden).*

*Mr. Garde (Denmark).*

*Mr. de Azqueta Urigüen (Spain).*

*Mr. Lyras (Greece).*

*Mr. Haddy (Australia).*

*Mr. Dufour (Belgium).*

*Mr. Aymen (Turkey).*

*Mr. de Barros (Portugal).*

*Mr. Simonovitch (Liberia).*

*Workers' members :*

*Mr. Azqueta (Argentina).*

*Mr. Becu (Belgium).*

*Mr. Haugen (Norway).*

*Mr. Hawk (United States).*

*Mr. Hildebrand (Federal Republic of Germany).*

*Mr. Kageyama (Japan).*

*Mr. Khatib (Pakistan).*

*Mr. de Vries (Netherlands).*

*Mr. Wälläri (Finland).*

*Mr. Yates (United Kingdom).*

*Deputy members :*

*Mr. Barash (Israel).*

*Mr. ben Bouazza (Morocco).*

*Mr. Dekeyzer (Belgium).*

*Captain Martin (Australia).*

*Mr. Mensah (Ghana).*

*Mr. Petroulis (Greece).*

*Mr. Sheehan (Canada).*

*Captain Tennant (United Kingdom).*

*Mr. Thore (Sweden).*

*Mr. Vanegas (Colombia).*

The PRESIDENT—Those are the proposals made by the groups. If there is no opposition I declare the proposals adopted.

*(The proposals are adopted).*

# NOMINATION OF THE OFFICERS OF THE GROUPS

The PRESIDENT—I now ask the Clerk of the Conference to read the names of the delegates who have been selected as Officers of the various groups.

The CLERK OF THE CONFERENCE—The nominations of the groups are as follows :

## *Government group :*

*Chairman :* Mr. Camejo Argudín (*Cuba*).

*Vice-Chairman :* Mr. Slipchenko (*Ukraine*).

## *Employers' group :*

*Chairman :* Sir Richard Snedden (*United Kingdom*).

*Vice-Chairman :* Captain Loennechen (*Norway*).

*Secretary :* Mr. Wright (*International Shipping Federation*).

*Assistant Secretary :* Mr. Rice-Oxley (*International Shipping Federation*).

## *Workers' group :*

*Chairman :* Mr. Yates (*United Kingdom*).

## *Members of the Bureau :*

Mr. Azqueta (*Argentina*).

Mr. Haugen (*Norway*).

Mr. Hawk (*United States*).

Mr. Hildebrand (*Federal Republic of Germany*).

Mr. Kageyama (*Japan*).

Mr. Khatib (*Pakistan*).

Captain Tennant (*United Kingdom*).

Mr. de Vries (*Netherlands*).

Mr. Wälläri (*Finland*).

*Secretary :* Mr. Becu (*Belgium*).

*Assistant Secretaries :* Mr. Santley (*International Transportworkers' Federation*);  
Mr. White (*International Transportworkers' Federation*).

The PRESIDENT—The Conference takes note of the appointments made by the various groups. That concludes the rather brief sitting of this afternoon.

(*The Conference adjourned at 3.15 p.m.*).

## Delegates Present at the Sitting

*Australia :*

Mr. Brentwood  
Mr. Haddy  
Captain Martin

*Austria :*

Mr. Schellenbacher  
Mr. Schlaffer  
Mr. Peham

*Belgium :*

Mr. Dufour  
Mr. Dekeyzer

*Brazil :*

Mr. Barboza-Carneiro

*Burma :*

Mr. Thin  
Mr. Myint

*Canada :*

Captain Johnson  
Mr. Thomson  
Mr. Kane  
Mr. Sheehan

*China :*

Mr. Yü  
Mr. Lee  
Mr. Sa  
Mr. Chen

*Colombia :*

Mr. Albán Liévano

*Cuba :*

Mr. Camejo Argudín  
Mr. Lombera Cadalso  
Mr. Enseñat Polit

*Denmark :*

Mr. Worm  
Mr. Lysgaard  
Mr. Garde  
Mr. From-Andersen

*Dominican Republic :*

Mr. Álvarez Aybar

*Finland :*

Mr. Relander  
Mr. Tikanvaara  
Mr. Hallberg  
Mr. Wälläri

*France :*

Mr. Collet (substitute for  
Mr. Ramadier)  
Mr. Roullier  
Mr. Marchegay  
Mr. Gruénais

*Federal Republic of Germany :*

Mr. Schelp  
Mr. Pettback  
Mr. Scholdt  
Mr. Hildebrand

*Ghana :*

Mr. Dowuona-Hammond  
Mr. Nettey  
Mr. Halm  
Mr. Mensah

*Greece :*

Commander Goulielmos  
Commander Antoniadis  
Mr. Lyras  
Mr. Petroulis

*India :*

Mr. Nagendra Singh  
Mr. Merani  
Mr. Kumana  
Mr. Serang

*Ireland :*

Mr. Ó Riordáin  
Mr. Crowley

*Israel :*

Mr. Bar-Zeev  
Mr. Ivri  
Mr. Barash

*Italy :*

Mr. Berio  
Mr. Purpura  
Captain Cavallini  
Mr. Romagnoli

*Japan :*

Mr. Hayashi (substitute  
for Mr. Kawasaki)  
Mr. Mori  
Mr. Yamagata  
Mr. Kageyama

*Liberia :*

Mr. Wilson  
Mr. Cooper  
Mr. Simonovitch  
Mr. Cole

*Netherlands :*

Mr. Scheffer  
Mr. van der Vorm  
Mr. de Vries

*Norway :*

Mr. Storhaug (substitute  
for Judge Bull)  
Mr. Endresen  
Captain Loennechen  
Mr. Haugen

*Pakistan :*

Mr. Chaudhuri

*Panama :*

Mr. Philipps

*Poland :*

Mr. Ocioszynski  
Mr. Licki  
Mr. Suchorzewski  
Mr. Skiba

*Portugal :*

Mr. Pedrosa  
Commander Jorge  
Commander de Oliveira  
(substitute for Mr. de  
Barros).

*Rumania :*

Mr. Lazareanu  
Mr. Gal  
Mr. Anzulato  
Mr. Radulesco

*Spain :*

Mr. Pastor Tomaseti  
Mr. García de Llera  
Mr. de Azqueta Urigüen

*Sweden :*

Mr. Hartvig  
Mr. Reuterskiöld  
Mr. Thore

*Switzerland :*

Mr. Ryniker  
Mr. Messmer  
Mr. Keller  
Mr. Hofer

*Tunisia :*

Mr. Ladhari  
Mr. Ben Salem  
Mr. Sellami

*Turkey :*

Mr. Toygar  
Mr. Yenil  
Mr. Ayman

*Ukraine :*

Mr. Slipchenko  
Mr. Nizhnik  
Mr. Danchenko  
Mr. Bakurski

*U.S.R.R. :*

Mr. Dolinski  
Mr. Morozov  
Mr. Ragimov  
Mr. Koetkin

*United Kingdom :*

Mr. Haselgrove (substitute  
for Mr. Watkinson)  
Mr. Proctor  
Sir Richard Snedden  
Mr. Yates

*United States :*

Mr. Jacobs  
Mr. Popper (substitute for  
Mr. Rothschild)  
Mr. Casey  
Mr. Hawk

*Yugoslavia :*

Mr. Velimirović  
Mr. Kesić  
Mr. Velkaverh

### THIRD SITTING

Wednesday, 30 April 1958, 4 p.m.

*President: Mr. Kawasaki*

#### TRIBUTE TO THE MEMORY OF PROFESSOR WILLIAM RAPPARD

The PRESIDENT—Before we take up the business of this afternoon the Conference will no doubt wish to pay a silent tribute to the memory of Professor William Rappard, who died yesterday.

Professor Rappard was a former President of the Conference. He served as a member of the Organising Committee of the First Session of the International Labour Conference in 1919 and had been associated with the International Labour Organisation since that time.

I would ask you to rise for one minute of silent prayer.

*(The Conference observes one minute's silence.)*

#### FIRST REPORT OF THE SELECTION COMMITTEE<sup>1</sup>: SUBMISSION AND ADOPTION

The PRESIDENT—The first item on the agenda for today is the first report of the Selection Committee. I call upon Mr. Merani, Chairman of the Committee, to present the report.

Mr. MERANI (*Government delegate, India ; Chairman of the Selection Committee*)—I have the honour to submit the first report of the Selection Committee, the text of which has been distributed.

The PRESIDENT—If there is no objection I declare the first report of the Selection Committee adopted.

*(The report is adopted.)*

#### SECOND REPORT OF THE SELECTION COMMITTEE: SUBMISSION, DISCUSSION AND ADOPTION

The PRESIDENT—The next item on our agenda is the second report of the Selection Committee. I call upon Mr. Merani again to present the report.

Mr. MERANI (*Government delegate, India ; Chairman of the Selection Committee*)—The Selection Committee met for the second time this afternoon and we have just completed our work. If you will therefore permit me, I will briefly read out the second report.

The figures proposed by the Selection Committee for the membership of the Conference are as follows:

Resolutions Committee: 48 members  
(24 Government members, 12 Employers' members and 12 Workers' members).

Committee on Wages, Hours and Manning: 65 members (35 Government members, 15 Employers' members and 15 Workers' members).

Committee on the Engagement of Seafarers: 50 members (30 Government members, 10 Employers' members and 10 Workers' members).

Committee on Flag Transfer: 45 members (25 Government members, 10 Employers' members and 10 Workers' members).

Committee on Medical Questions: 32 members (16 Government members, 8 Employers' members and 8 Workers' members).

Committee on Competency Certificates: 40 members (24 Government members, 8 Employers' members and 8 Workers' members).

Committee on Identity Cards: 40 members (24 Government members, 8 Employers' members and 8 Workers' members).

The lists of names of members of each of the committees will be published tomorrow in the *Provisional Record* as an annex to the present report<sup>1</sup> and delegates will be able to take note of them.

The PRESIDENT—Is there any observation on this report? If not, I shall declare it adopted.

*Interpretation from Russian: Mr. DOLINSKI (Government delegate, U.S.S.R.)*—We have only just heard at the meeting of the Selection Committee the details concerning the composition of the various committees of this Conference. As a representative of the Government of the U.S.S.R. I asked the Selection Committee that we and a number of other delegations be given an opportunity to study in greater

<sup>1</sup> See Appendix I, p. 199.

<sup>1</sup> See Appendix I, p. 199.



detail the proposed composition and membership of the committees. That is all the more necessary since, as you have just heard, these lists will only be available tomorrow.

I have to draw your attention to the fact that we came here to attend this Maritime Session of this Conference with the intention of taking an active part in the work of all committees and thereby helping to improve the living and working conditions of seafarers throughout the world. However, I wish to state that the employers' and workers' representatives of the U.S.S.R. and of other countries who have come to this Conference have in fact been deprived of the right to take part in the work of any committee. We consider that such an act is a discrimination against the representatives of certain governments, including the Soviet Union, who have every right to take part in the work of any committee. Moreover, so far as it was possible for us to judge from the lists that were read out in the Selection Committee, the representatives of a number of countries, especially those of Eastern Europe, had not been given a place on any of the committees. We consider this is entirely wrong, if only because the International Labour Organisation must abide by its Constitution and its Standing Orders and uphold the rights of the Members of the Organisation, of which the U.S.S.R. is one.

I therefore appeal to the delegates of this Conference to give the representatives of the Employers and the Workers of the Soviet Union and other countries, particularly those of Eastern Europe, an opportunity to take part in the work of all the committees. That would be fair and right and would make it possible for the representatives of Employers and Workers to work together properly; otherwise we shall not be able to achieve the aims to which the President of the Conference referred in his opening address. I am certain that the delegates here present will grant the request of the Employers' and Workers' delegates of the U.S.S.R. That would be both just and fair.

Mr. OCIOŚZYŃSKI (*Government delegate, Poland*)—I wish to support the proposal made by the representative of the U.S.S.R. As we have just heard, the proposed lists of members of the main committees in this Conference read to us in the Selection Committee do not include any representatives of the Polish seafarers' unions and the Polish shipping undertakings. I wish to state, on behalf of the Polish Government delegation, that we cannot allow discrimination of this kind by the Conference against a particular organisation or a group of organisations. We desire to participate in the work of the Conference and we are firmly of the opinion that the principles of equality, of freedom and of political rights do not permit such discriminatory measures to be taken against particular Members of this Organisation. Such a step seems to be contrary to the fundamental principles of the Organisation, and it is therefore essential that all the participants at this Conference take a clear and definite stand against it. I am deliberately refraining at the present time from any legal consideration of this matter. This problem

has again and again been considered by this Organisation, and it has been stated clearly that this attitude is undoubtedly in contradiction with the fundamental rules of the International Labour Organisation.

Therefore, I, also, appeal to the Conference to support the proposal which has been made and to solve this question in a way which would permit our organisations to take part in the work of this Conference.

*Interpretation from Russian*: Mr. KOETKIN (*Workers' delegate, U.S.S.R.*)—In his opening address the President called upon all delegates to this Conference to show mutual understanding and co-operation in order to solve the extremely important questions that are before the Conference. As he so expressively put it: "I sincerely hope that the ocean we have embarked upon will not be choppy, let alone stormy." Many delegates welcomed this statement with warm and sincere applause. As the U.S.S.R. Workers' delegate I came to attend this 41st Session of the Conference with the intention of taking a most active part in the work, in a spirit of co-operation, and of making my own contribution to the solution of those problems with which the Conference is faced and the answer to which is awaited by many hundreds of thousands of workers in the shipping industry throughout the world.

I have to state that the delegates of the Seafarers' Union of the U.S.S.R., when they attended a meeting of the Workers' group of the Conference, did not encounter this spirit of mutual consideration and co-operation in the work of that group. Even more, we are forced to recognise that part of the Workers' group is following a definite line aimed at discrimination against one part of the group, that is to say, against the delegates of the trade unions of Rumania, Poland, the U.S.S.R., Ukraine and certain other countries. This discrimination was clearly expressed when the composition of the committees was being discussed.

In accordance with the Standing Orders of the Conference, the Workers' delegates of the countries I have mentioned made, in good time, an application to take part in the work of a number of the committees. We were not told what inspired the action taken by the officers of the Workers' group, but it is quite clear that they were not moved by a spirit of mutual understanding and co-operation when they failed to include these delegates in any of those committees for which they had applied. We are convinced that is not a chance occurrence but a definite line carefully worked out beforehand and followed by a certain number of delegates and aimed against mutual co-operation and understanding. This group of delegates has shown a discriminatory attitude by taking action against representatives of trade unions who represent very large numbers of workers but whose opinions happen to differ to a greater or less extent from those upheld by these particular delegates.

I shall justify my remarks by quoting examples. During the very first meetings of the Workers' group Mr. de Vries, the delegate of one of the trade unions of the Netherlands, made a proposal that the representatives of the W.F.T.U., who had come to attend this

session of the Conference as observers, should leave the room where the Workers' group was meeting. I do not think that the seafarers of the Netherlands empowered Mr. de Vries to act in such a hostile manner towards the representatives of the W.F.T.U., which is a world-wide organisation with a membership of over 92 million workers of various political convictions and of varying races, colour and beliefs. Mr. Yates and Mr. Becu, who presided over the meeting of the Workers' group, did everything they could in order to force a vote on Mr. de Vries's proposal without allowing it to be discussed. This decision will certainly have extremely serious consequences and will considerably complicate the work of the Conference because the largest international trade union organisation will be deprived of taking part in that work. Mr. Skiba of Poland asked for the floor, yet the Chairman, Mr. Yates, ignored him. He also ignored the fact that the U.S.S.R. Workers' delegate had also asked for the floor in order to express his opinion concerning Mr. de Vries's proposal. Instead he immediately called for a vote and thus deprived the delegates of the possibility of hearing the U.S.S.R. delegate's point of view. This vote deprived the representatives of the largest workers' organisation of its lawful right to take part in the discussion of problems that are to be examined at this Conference and to make constructive proposals in a spirit of co-operation.

As you see, Mr. President, it is difficult to speak of calm waters in such conditions. What happened at the Workers' group meeting, and against which we wish to protest most emphatically, is unprecedented in the history of meetings of the I.L.O. It is a flagrant violation of procedure, of the Standing Orders and of the Constitution. It is threatening not only the success of the work of this Conference but also the very foundations of the International Labour Organisation.

Consequently I ask you, Mr. President, as captain of this ship, to take the necessary steps and to use the whole of your rich experience to steer our ship back to its proper course and into calmer waters. I ask the Conference to give us our lawful rights and allow us to take part in the work of the committees in which we are interested, in accordance with the Standing Orders and the Constitution.

I also ask the Conference to take into account the fact that the W.F.T.U. is an organisation recognised by the United Nations and the I.L.O., which have given it consultative status. I ask that the representatives of this organisation be given the right which is lawfully theirs to take part as observers in the work of this Conference.

Sir Richard SNEDDEN (*Employers' delegate, United Kingdom*)—I do not want to take part in the merits of this debate at all. I simply want to raise a point of order. It seems to me that this discussion is at least premature and possibly quite out of order.

I understand from what has been said that some of the representatives from the Communist countries who have been labelled for purposes of this Conference as "Employers" object to the fact that they have not been

included in the list of the Employers' representatives on the various committees.

My point of order is this: Is not the procedure for their lodging their complaints laid down by paragraph (d) of article 9 of the Standing Orders? And is not that the proper course to adopt? That paragraph says: "If a delegate has not been nominated by his group to sit on any committee, he may bring the matter to the notice of the Selection Committee which shall have power to place him on one or more committees, enlarging the number of members of such committee or committees accordingly. Any such request shall be made to the Chairman of the Selection Committee at latest at the sitting following that at which it fixed the composition of the committee or committees in question."

In other words, my question to you, Sir, as President of the Conference, is this: Is it not laid down quite clearly in the Standing Orders that those who feel that they have been aggrieved by the decision which has been taken by the Employers' group should inform the Chairman of the Selection Committee by tomorrow night what their complaints are and ask for the Selection Committee to take action? It will, of course, be for the Selection Committee to take its own decision, and it is entirely free to do what it likes in this matter.

The PRESIDENT—The Employers' delegate from the United Kingdom has raised a point of order. I see that paragraph (d) of article 9 of the Standing Orders provides that a request of this kind should be referred to the Selection Committee. Therefore the Conference takes note of the requests made by the members of the U.S.S.R. and other delegations and the requests will be referred to the Selection Committee.

Mr. YATES (*Workers' delegate, United Kingdom*)—It was not my intention to come to the rostrum, but in order that the record shall be straight there are two corrections that I would like to make to the Workers' delegate from the Soviet Union.

The first is about one of the Workers' delegates, Mr. de Vries, taking exception to the status of a consultative organisation. I would like to make it quite clear that the seafarers have consistently taken this point of view over the years. This is nothing new; it happened at Nuwara Eliya; it happened in London; and it happened again here yesterday. We do not think, as seafarers, that that organisation represents any of the free seafaring organisations of the world.

My second point is that the delegate did, perhaps unwittingly, convey to this Conference that a delegate might not have been given the opportunity of speaking in the Workers' group. That is not true. In fact, no vote was taken on any subject until a vote had been taken as to whether a vote on the proposal should be taken, and, in fact, on several occasions I held up the vote in order that points of order could be dealt with.

Interpretation from Russian: Mr. DANCHENKO (*Employers' delegate, Ukraine*)—This is the first time that I have taken part

in the work of the International Labour Conference, although I have been interested in the work of the Organisation for some time. I am acquainted with its Constitution and the Standing Orders of the Conference; but the reality which I have met here entirely changes the idea that I had of the International Labour Organisation. On the one hand we have the Constitution and Standing Orders, and on the other, as I understand it, we have the groups, which can make up their own rules, and, if the Employers' group is anything to go by, certainly do.

I am the appointed representative of the employers of a member State of this Organisation and I came here to take part in the work of the Conference, and in particular that committee which interests me most. Basing myself on the Constitution and Standing Orders I made a request to participate in the work of the committee on the revision of the Wages, Hours of Work and Manning (Sea) Convention, yet the majority of the Employers' group refused to accede to my request.

The Constitution states that all delegates should be able to take part in the work of the Conference and its committees. But it seems that not all delegates have the same right; some of them are not allowed to take part in the work of the committees. The representatives of the shipowners of the capitalist countries are flouting the Standing Orders; they have refused to satisfy not only my own request but the request of the leaders of the maritime transport undertakings in a certain number of countries attending this Conference.

The reason put forward by the Employers for this attitude was that the representatives of the shipowners of the Socialist countries are not employers within the meaning of the tripartite structure of the I.L.O. I can in no way agree with this. In spite of the fact that in the Socialist countries the means of production are public property, as some of them are in certain capitalist countries, the leaders of maritime transport undertakings, both in Ukraine and in other countries, have all the rights of employers with reference to questions of wages, hours of work, organisation of work and leisure, and are fully responsible for the financial activities of an undertaking. Therefore in the sphere of the problems coming within the competence of the I.L.O. the employers in Socialist undertakings in no way differ from other employers.

As for the question of ownership, this does not fall within the province of the I.L.O. This is solely a domestic matter for the country concerned and its people. Moreover, nowhere in the Constitution of the I.L.O. have I found any reference to the fact that representatives of employers must be representatives exclusively of private undertakings. On the contrary, the Constitution speaks of the equal rights of all delegates, the universal nature of the Organisation, and mutual co-operation.

The decision of the Employers' group which deprives me of the right to take part in the work of the committee in which I was interested is nothing more or less than a serious violation of the Constitution of the I.L.O. and the Standing Orders of the Conference. It is

quite apparent that it is not a satisfactory foundation for international co-operation and mutual understanding. Acts of this kind are a serious threat to the prestige and authority of the International Labour Organisation. Ukraine, which has all the rights of a Member of this Organisation, just like all the other Members, must be allowed to enjoy all those rights conferred upon it by the Constitution and Standing Orders, and in this connection any attempt to curtail the rights of a delegate to the Conference is unlawful and unconstitutional. The decision of the Employers' group to deprive me, as a representative of a shipping undertaking, and others similar to me, of our rights is an unlawful decision and I protest against it.

In my written protest I drew the attention of the Chairman of the Selection Committee to this unjustifiable discrimination, and I hope this Conference will not allow the principles of the Constitution of the I.L.O. to be trampled on.

The PRESIDENT—Before I give the floor to the next speaker I would like to make it quite clear that the requests made by the delegates of Poland, the U.S.S.R. and Ukraine will be referred to the Selection Committee and will be studied there; the Conference is in no way refusing the request of the distinguished delegates.

*Interpretation from French:* Mr. VELIMIR-OVIĆ (*Government delegate, Yugoslavia*)—We are once more faced with injustice in view of the attitude of the Employers' group to the Employers' delegates of certain countries and, *inter alia*, to persons representing Yugoslav shipping undertakings. This is a result of a well-known policy of the Employers' group, and now it is also being followed by the Workers' group. The Employers' group has prevented the Yugoslav Employers' delegate from taking part in the work of the Committee on Identity Cards as a titular member, while the Workers' group has refused to allow the Yugoslav Workers' delegate to sit on the Committee on Wages, Hours and Manning. In taking these decisions the Employers' and Workers' groups have taken no account of the profound changes that have taken place in the economic and social structure of many countries.

They have acted counter to the spirit of the I.L.O. Constitution and have challenged the principle of universality on which this Organisation is based. These groups in fact undermine the very bases of this Organisation, since the I.L.O. cannot have any moral right to deny the possibility of any country taking part on an equal footing in the work of the I.L.O.

*Interpretation from French:* Mr. GRUËNAIS (*Workers' delegate, France*)—I asked to speak from this international rostrum because I do not intend to miss the opportunity of raising my voice in strong protest at the fact that certain Workers' delegates to this Conference belonging to a trade union organisation have arranged to keep out of committees dealing with seafarers' problems certain delegates or

advisers who do not belong to the same trade union organisation. We cannot allow such a practice to become established. Not only is this procedure open to objection in itself but, so far as I know, the International Labour Organisation is a place of meeting for the representatives of governments, employers and workers of all countries that are members of the I.L.O., on an equal footing without any discrimination. This principle of universality, on which the I.L.O. is based, has not been respected and I therefore wish to make a public protest in order that it may be heard by public opinion and, above all, by seafarers. I am well acquainted with seafarers and their spirit of solidarity, which always comes to the fore in times of danger at sea, and I am sure that they will not approve of such a decision. For my part I hope that the solidarity and co-operation of seafarers will once again be asserted, as emphatically as it was when the Second World War had to be won, to promote the welfare and the building of a better world in which unemployment and the danger of war will no longer exist.

I can remember that in over three years' service in the British Royal Navy, during which I earned a high decoration, we were all very much struck by the fact that in the Allied forces we were all equal, serving the same cause and sharing the same burdens. And today I have still not forgotten those times; I have remained faithful to the memory of the thousands of my fellow seamen who were buried at sea, and my friendship remains just as deep for all seamen, whether they be British, American, Scandinavian, Dutch, Belgian, from Europe or from Latin America, Africa, Asia, the Soviet Union, China, or from any other Socialist country.

I think that active co-operation among the workers of all countries should now be established with a view to improving their standard of living, and in order to stop the armaments race and provide effective assistance to the countries that have just attained independence and to underdeveloped countries in general. Is that not why we are here? What would be the purpose of this meeting, in view of the fact that we held one 12 years ago?

Now that recession is approaching, now that unemployment is rearing its head once more, with all the misery and privation it entails for the workers, young and old, in all these countries, I feel that the workers, whatever their opinions may be in the political, philosophical or religious fields, and whatever their race or the colour of their skins may be, should attempt to find a joint solution for this problem and a joint way of dealing with it. It is quite unacceptable that in the twentieth century—the century of the atom bomb—thousands of human beings should live in conditions which are far from acceptable by any standards whilst goods are being wasted for lack of purchasing power. If we were to manage to increase by some 50 kilos per year the consumer goods purchased by the millions of people to whom I have just referred, the problem of unemployment would no longer exist, all the ships afloat would be in full use and none would be laid up.

That was what lay behind my protest.

May I express my hopes for the success of this Conference? I should like the letter which I addressed to the Chairman of the Selection Committee at 3 p.m., in accordance with article 9 of the Standing Orders of the International Labour Conference, to be taken into consideration in order that we may take part in the work of the various committees.

*Interpretation from Russian : Mr. BELINSKI (Government delegate, Bulgaria)*—It is unfortunate that at the very beginning of this Conference we should encounter such an attitude on the part of certain representatives of countries that not only do not help us to achieve mutual understanding over the problems before us but are also in fundamental conflict with the spirit of understanding and co-operation which should reign within the International Labour Organisation. The refusal to admit the representatives of the Socialist countries and the W.F.T.U. to the work of this Conference is not only in contradiction with the spirit of the Constitution of the I.L.O. but also runs counter to any attempt to find a basis for co-existence between Socialist and capitalist countries and their respective political and economic systems. This decision is prejudicial to the principles enunciated in many documents of the United Nations concerning mutual understanding between countries.

As regards the International Labour Organisation we know that its fundamental principle is the tripartite solution of problems dealing with the conditions of workers. The discriminatory decisions and votes taken violate this principle, and such an attitude against the Socialist countries can in no way serve the interests of the workers of the world. Economic and social problems in the Western countries will not easily be solved if there is no mutual understanding between countries of the East and of the West. Decisions taken at the Conference without the participation of representatives of Socialist countries, and Conventions which may be adopted, will not have the same force as international decisions adopted at previous sessions. These decisions and resolutions will not help to solve the complicated problems of the workers or of promoting co-operation and understanding between countries. They are in contradiction with the spirit of the Constitution of the I.L.O., and are contrary to the resolution unanimously adopted last year by the General Assembly of the United Nations on the question of peaceful co-existence between the peoples of the world. Our delegation asks that the spirit and letter of the Constitution of the I.L.O. be honoured and that the Conference should not allow any decisions to be taken that would disunite the workers and would, indeed, undermine the work of this Conference.

*Interpretation from French : Mr. ROULLIER (Government delegate, France)*—I should like to say quite simply and without any undue emotion that the French Government delegation was very surprised to find so few representatives of French seamen on the committees set up just now. In the case of the most

important committee—the one which interests France the most, that is to say, the one dealing with the revision of Convention No. 93—there is no representative of French seamen.

I need hardly say, though this may not be the real point at issue, that the appointment of the French Workers' delegate and his advisers was carried out by the French Government in strict accordance with article 3 of the Constitution, and I can assure you that that delegate and his advisers do genuinely represent the organisations to which French seamen belong. This is not a question of prestige; we know that all delegations cannot be represented on all committees. We are simply afraid that there may be a certain lack of balance here and that it may hinder the work of the committees and thus the work of the Conference as a whole. We are also aware of the fact that some solution may be found, for example, in accordance with article 9 of the Standing Orders. I must say that we consider that, at first sight, the position taken up a moment ago was a mistaken one and that this may be a very serious mistake as regards France.

*Interpretation from French:* Mr. LAZAREANU (*Government delegate, Rumania*)—I do not intend to go into the merits of the issue before us or into the substance. A number of delegates have already spoken on this question. As the Employers' delegate of the United Kingdom referred to article 9 (*d*) of the Standing Orders, which refers to the competence of the Selection Committee to deal with requests made for a reconsideration of the cases of delegates not accepted for membership of the committees, I should also like to draw attention to the fact that it seems to me that not only paragraph (*d*) but also paragraph (*b*) of article 9 should be taken into account, particularly that part of paragraph (*b*) which refers to representation "satisfactory as regards the allocation of seats to the various nationalities". I know very well that this matter should also be dealt with in agreement with the groups, and that is why I should like to appeal to the groups to reconsider this question in the light of that provision of the Standing Orders when they come to re-examine applications for membership by Employers' and Workers' delegates from Rumania and other Eastern European countries and by the Workers' delegate from France.

I should also like to appeal to the spirit of co-operation which should prevail in this Organisation. I know that a few years ago, when certain Eastern European countries expressed a wish to take part in the work of the International Labour Organisation, there were certain apprehensions, particularly on the part of some Employers' and Workers' representatives from Western countries, regarding the results of such participation. It was even said by some representatives at this rostrum that they were afraid that the delegates from Eastern European countries had come with the intention of destroying the Organisation. Experience has shown over the last few years not only that these delegations did not come with any such intention but that, on the contrary, they have always tried to make a positive con-

tribution to the Organisation's work and to the improvement of the living conditions of workers all over the world. Many proposals made by delegations from Socialist countries have been accepted and have helped to improve the instruments adopted by the Conference.

It is clear that through the participation of a larger number of countries the Organisation stands to gain in terms of universality. Quite clearly, the Conventions, the Recommendations and resolutions prepared by the Conference of the I.L.O. stand to gain in value if a larger number of countries take part in such preparation; not only Government representatives but also Workers' and Employers' representatives from the various countries must participate.

As already emphasised by other speakers, it is well known that the position of the employers of the Socialist countries is not that as described by Sir Richard Snedden, who has classed them with the Government representatives of those countries. In point of fact the employers of the Socialist countries have to deal with special questions which are similar to those dealt with by the managers of nationalised organisations in Western countries.

May I conclude by appealing to you once more to show a spirit of co-operation which should, we feel, reign over this Conference in view of the need for universality, good understanding and peaceful co-operation between all the countries taking part?

I hope that at its next meeting the Selection Committee, with the co-operation of representatives of the Workers and the Employers, will reconsider its position in order that this spirit may prevail and that the Conference may not begin in an atmosphere of tension but in an atmosphere of mutual co-operation.

*Interpretation from Russian:* Mr. SLIPCHENKO (*Government delegate, Ukraine*)—I find it most regrettable that the representatives of over 40 countries assembled here in this Conference find themselves involved in a discussion which—and apparently many delegates share my views—is out of place here.

The International Labour Organisation must face the facts. The decisions by the Employers' and Workers' groups depriving the representatives of the employers and workers of the Socialist countries (and not only of the Socialist countries) of the right to take part in the work of the committees of the Conference was a mistaken and illegal one.

I have been thinking it over. What can be the reason behind it? What can be the reason for such steps being taken when we want to co-operate so that we can, all of us together, solve the extremely important problems before the Conference? It seems to me that the unfounded protest on the part of the delegates of the Workers' group to the delegates from Socialist countries taking part in meetings pursues a hidden purpose, and that is to stifle the democratic and progressive tendencies which are spreading throughout the world and finding expression in the I.L.O. I am convinced that is the purpose and the aim pursued by the persons who raised this

question. Their aim is to hamper this progressive tendency in our Organisation and to prevent business-like and co-operative contacts between representatives of the various social and economic systems. In other words they are trying to prevent life from going on and the world from developing.

We see what is happening today in the world around us but we again take up the attitude of an ostrich burying its head in the sand in order that it may not see what is happening around it. It would be inappropriate that this should happen in this Conference, which is an esteemed body, and in my view delegates should not attempt this shameful violation of the lawful rights of delegates representing the member countries of this Organisation. As a matter of fact I should like to remind you of something which perhaps you do not remember. At the 23rd and 37th Sessions of this Conference (perhaps Mr. Morse will remember this) attempts were made to discredit the lawful representatives of workers of Socialist countries. Well, how did that end? As many of you probably remember, it ended as could only have been expected, in complete failure. Both of these Conferences justly and, I would say, with indignation rejected the attempts of a small group to try to prevent the representatives of the workers of the Socialist countries from taking part in the work of the Conference; and we hope that in this Conference, too, justice will prevail. On two occasions the Conference rejected such unworthy attempts. Why should it not do the same now? I should like to say that discrimination against the representatives of the employers of the Socialist countries has continued at many sessions, including this session. Of course, judging by the statements made by very responsible persons in the I.L.O., we thought that the question of the legal status of employers in Socialist countries would be positively examined in the near future.

In spite of this we are treated to a new surprise which will not lead our Organisation and Conference towards progress but will be a step back. Can we agree that this should happen, and that we should witness it? Everything which happens today in the Employers' and Workers' groups is quite glaringly of a political nature. If you impose a political discussion on us here we will understand it as such and take it up; but we consider that the Organisation is not the place for political discussions when there are hundreds of thousands of seafarers and other workers in connected occupations awaiting decisions that would improve their lot. What is it that you are aiming at, you defenders of the interests of the workers? Whom are you helping that way?

As for the Ukrainian seafarers' trade union, I must say straight away that this is an organisation which represents the interests of seafarers in the Black Sea and the Sea of Azov. It is a free and democratic organisation; in the Ukrainian S.S.R. it enjoys authority and has considerably helped to improve the conditions of seafarers.

In connection with the statement made by the French Workers' delegate, I should also

like to cast my mind back. Recently, sailors on a Black Sea tanker helped to save those of a Greek ship which was wrecked. When they were dragging out of the sea those frozen Greek sailors and saving their lives, I can assure you that they did not ask them what trade union they belonged to, whether they belonged to the W.F.T.U. or not. They were moved by the spirit of friendship and comradeship between sailors, for which seafarers throughout the world are famous. I am certain that any sailor in the Workers' group would do the same. Or would they be consistent and first ask them: "To which trade union do you belong, you young men who are drowning over there?" and if the drowning men should reply back that they belonged to the W.F.T.U., then probably they would not receive any help. Of course, I am exaggerating somewhat, but I can assure you that is what it looks like.

Until this session we never heard any protest against Workers' delegates wishing to take part in the work of various committees. But, if we allowed the Workers' and Employers' delegates of Socialist countries to be barred from the work of the committees, that would imply—and we must be frank about this—discrimination against the Government delegations too. Here, the Government delegations have adopted an attitude of silence, considering that this is an internal matter for the groups and that it does not really behove them to meddle in the internal affairs of the groups. They consider that it is their business and that they should not exercise any influence over the groups.

Let us take a look at this question from the point of view of the Constitution. The Constitution, as is well known to all of you, provides for tripartite representation of each State Member of this Organisation, in order to ensure that three points of view are put forward on every problem with which the Organisation is called upon to deal. If a member State cannot be represented by a full delegation, then one or, as it would appear here, two of these points of view cannot be heard. As a result the participation of the Government delegation would be less effective and that delegation could no longer make that contribution to the work of the Organisation which is incumbent upon it under the Constitution. I can understand the concern expressed by the Government delegate of France in this connection. Further, if certain Government delegates are not given the right to take part in the work of the session with a full delegation they are put in an unfair situation as far as other delegates are concerned. After all, this would violate the principle of equality of rights and obligations of all Members of the Organisation, and that is something to which the Conference cannot and must not agree.

Finally, the Government delegation of the Ukrainian S.S.R. considers that it is not in the interests of the Conference that States which are lawful Members of this Organisation should not be allowed to enjoy fully their rights, and particularly in connection with the right to have a full delegation taking part in the work of all the organs of the Conference.



I must remind you that the International Labour Organisation has often drawn attention to the fact that governments of Members must take effective measures to ensure that full delegations are sent to conferences because that is essential for the carrying out of the normal functions of the Organisation. On the other hand, when that lawful request of the International Labour Organisation is complied with by governments, then these delegations are subjected to discrimination at the Conference. I would therefore request the competent organs of this Conference to be consistent and to restore their rights to these delegations and at the same time take effective action to prevent violations of these principles and of the Constitution of this Organisation, as was done at previous sessions.

This decision by the Employers (which was made beforehand, of course) not to admit Employers' delegates from the Socialist countries to take part in the work of the committees is a very serious one. We consider that it undermines the Constitution of our Organisation. As stated by the Ukraine Employers' delegate here, we will not find in our Constitution any demand that Employers' delegates should be representatives of private undertakings. Just show me any such provision in the Constitution! All that it asks for—and it is quite specific on this point—is that Employers' representatives must be persons organising work. It is quite natural that the representatives of employers in countries where a Socialist system of economy is in force can be only those persons who organise work in Socialist state undertakings. In other words, they are the heads of these undertakings. After all, we cannot send a cobbler in our employers' delegation just because there are still a few cobblers working on their own account in Ukraine. It seems to us that in depriving these delegates of the possibility of taking part in the work of the Committees you are impoverishing yourselves.

I must tell you that some of these persons have under them undertakings that are much larger than some of the undertakings represented by employers here, who sometimes have only five or ten ships. We have some that have under their orders hundreds of thousands of tons of shipping, and they possess vast experience. Anyway, that is not the point. There has been a deliberate violation of the Constitution. This well-known voting machine was set in motion and the matter was settled.

The Government delegation of the Ukrainian S.S.R. still hopes that sound sense—I repeat, sound sense—will prevail in this Conference, and that the International Labour Organisation, its leading organs and officials and all the delegates sitting here who really do hope for co-operation will use their authority in order to see that we do not admit this blatant violation of the principles of the I.L.O., will safeguard the representation of employers and workers of all countries, including the Socialist countries, and will give them an opportunity to take part in the work of the committees.

In conclusion I should be glad if we could have a vote on the second report of the

Selection Committee. That is my lawful right, and I ask you to take that into account.

There is yet another point: someone referred to article 9 of the Standing Orders, to the effect that a request can be made to the Chairman of the Selection Committee at the meeting following the meeting at which the composition of the committees is determined. That is just what we did. Now, what do we do next? I should like that to be explained. If we are now going to vote on the report of the Committee that means that that composition, as read out to us, will be confirmed; but suppose the Selection Committee takes those protests into account and wishes to change the composition of the committee—what happens then? I should be glad if I could be given some explanation.

The PRESIDENT—Before I give the floor to the next speaker may I draw the attention of prospective speakers to the fact that article 14 of the Standing Orders provides for a 15-minute limit for each speaker, including the time allotted for the translation, so I request you all to observe this 15-minute rule.

Mr. SKIBA (*Workers' delegate, Poland*)—This morning at the meeting of the Workers' group we were given the list of the members of the committees. In this connection I would point out that my request, put to the meeting, to take part in the work of the Committee on the revision of Convention No. 93, and for my adviser to take part in the work of the Committee on Identity Cards, was turned down. In such a situation I feel justified in protesting at the discrimination against the representative of the Polish seamen. This decision of the majority of the Workers' group is contrary to the spirit of the Constitution of the I.L.O. It is a limitation of the right which every delegate should possess and exercise. In accordance with article 9 of the Standing Orders of the Conference I ask the Conference to take a decision to enable us to participate in the work of the committees. This is a rather unnatural situation. We, as members of the Workers' group, came here to seek help of members of the Government and Employers' groups. It is unnatural, I say, but it is so.

Not long ago we heard the declaration of the representative of the United Kingdom that we from the Communist countries are not elected in a democratic way and are not entitled to represent anyone. I can assure the gentleman that I was elected quite democratically and I am prepared to discuss with him his status and my own. Of course if it is put that way by the Chairman of the group it is easy to imagine the atmosphere at the meeting of the group. If we could have here real seamen and not bureaucratic seamen's union bosses we could soon settle the question, because what is going on in the Workers' group is not in the interests of the seamen. It is something unnatural, I say again.

I therefore support what the Ukraine representative said. I do not want to go over the question again but I can tell you that what is going on in the Workers' group is not the way of doing things, and from this rostrum

I object to the suggestion that I am not entitled to represent the Polish seamen. When I came here there was not any question; everything was according to the rules, and therefore I find it rather strange. We have found something which is not specially pleasant for us.

*Interpretation from French:* Mr. SUCHORZEWSKI (*Employers' delegate, Poland*)—As representative of the Polish Employers I wish to mention that in the composition of the Committee on Wages, Hours and Manning, proposals for which have just been submitted to the Conference for approval, no allowance is made for the fact that I expressed a wish to take part in the work of that Committee. I therefore make a strong protest against this discriminatory action. To my great regret I must note that the decision of the majority of the Employers' group in refusing to give me a seat on a Conference Committee is a token of its long-standing prejudice, which is harmful and which is hard to understand in view of previous actions.

Similarly I should like to draw attention to the fact that the McNair Report noted that, in view of their experience, the Employers' delegates of the Socialist countries were in a position to make a special contribution to the work of the I.L.O.

The Constitution of the I.L.O. provides that all Members shall have equal rights; neither the text nor the spirit of the Constitution suggests that only private employers can have full rights in the Conference, and such exceptions do not exist in I.L.O. practice with regard to other nationalised industries.

In view of the foregoing the Committee's decision with regard to the Polish shipowners is not compatible with the I.L.O. Constitution and with the principles of international co-operation. It constitutes discrimination against the Polish shipowners and disregards the fact that they come from a country which is bound by a considerable number of I.L.O. Maritime Conventions, the application of which has given rise to no objections. I do not think that the work of the I.L.O. can really call for the exclusion of the Polish shipowners from the discussion of the questions involved in the work of seafarers. I think, on the contrary,

that we should be able to learn from each other's experience on the subjects that are now under discussion. I may say that these unfortunate methods have frequently been used in the past and that they have been rejected by the Conference and by its Committees. Consequently, it must be recognised that the decision of the majority of the Employers' group is unfounded, unfair and undemocratic. I protest against that decision and I submit an official appeal to the full Conference. At the same time I should like to draw your attention to the fact that under the I.L.O. Constitution the General Conference is the supreme authority in all matters. In the light of that, I cannot agree with Sir Richard Snedden in his interpretation of article 9. In my opinion that article in no way deprives the full Conference of the right of dealing with such matters as the supreme authority in the I.L.O.

The PRESIDENT—The Conference takes note of the various statements made by different delegations.

There being no further business, I shall adjourn the meeting until 10 o'clock tomorrow morning when we hope to open the discussion on the Report of the Director-General.

*Interpretation from Russian:* Mr. SLIPCHENKO (*Government delegate, Ukraine*)—I hope you will forgive me for asking for the floor a second time. I have already spoken but I am afraid I am forced by circumstances to do so again.

The point is that at the end of my statement I asked for a vote on the second report of the Selection Committee because there was no formal vote and I ask that this be done.

The PRESIDENT—At the request of the Government delegate of Ukraine I put to the vote the adoption of the second report of the Selection Committee.

(A vote is taken by show of hands. The report is adopted by 86 votes to 1, with 28 abstentions.)

(The Conference adjourned at 5.45 p.m.)



## Delegates Present at the Sitting

<i>Argentina :</i> Mr. Lescure Lieutenant-Commander Gómez Ortega	<i>Dominican Republic :</i> Mr. Álvarez Aybar	<i>Japan :</i> Mr. Hayashi (substitute for Mr. Kawasaki) Mr. Mori Mr. Yamagata Mr. Kageyama	<i>Spain :</i> Mr. Pastor Tomaseti Mr. García de Llera Mr. de Azqueta Urigüen
<i>Australia :</i> Mr. Brentwood Captain Bull Mr. Haddy Captain Martin	<i>Finland :</i> Mr. Relander Mr. Tikanvaara Mr. Hallberg Mr. Wallâri	<i>Liberia :</i> Mr. Wilson Mr. Cooper Mr. Simonovitch Mr. Cole	<i>Sweden :</i> Mr. Widell Mr. Hartvig Mr. Reuterskiöld Mr. Thore
<i>Austria :</i> Mr. Schellenbacher Mr. Schlaffer Mr. Peham	<i>France :</i> Mr. Collet (substitute for Mr. Ramadier) Mr. Roullier Mr. Marchegay Mr. Gruénais	<i>Morocco :</i> Mr. Guessous Mr. ben Bouazza	<i>Switzerland :</i> Mr. Ryniker Mr. Messmer Mr. Fornet (substitute for Mr. Keller)
<i>Belgium :</i> Mr. De Kinder Mr. Pluymers Mr. Dufour Mr. Cassiers (substitute for Mr. Dekeyzer)	<i>Federal Republic of Germany :</i> Mr. Schelp Mr. Fettback Mr. Schildknecht (sub- stitute for Mr. Schuldt) Mr. Hildebrand	<i>Netherlands :</i> Miss Lunsingh Meijer (sub- stitute for Mr. Valent- goed) Mr. Scheffer Mr. van der Vorm Mr. de Vries	<i>Tunisia :</i> Mr. Ladhari Mr. Ben Salem Mr. Sellami
<i>Brazil :</i> Mr. Barboza-Carneiro Mr. de Faria Baptista Mr. Carvalho Mr. Teixeira	<i>Ghana :</i> Mr. Dowuona-Hammond Mr. Nettey Mr. Halm Mr. Mensah	<i>Norway :</i> Mr. Storhaug (substitute for Judge Bull) Mr. Endresen Captain Loennechen Mr. Haugen	<i>Turkey :</i> Mr. Toygar Mr. Yenâl Mr. Aymen Mr. Özkan
<i>Bulgaria :</i> Mr. Belinski	<i>Greece :</i> Commander Goulielmos Commander Antoniadès Mr. Lyras Mr. Petroulis	<i>Pakistan :</i> Mr. Chaudhuri Mr. Khatib	<i>Ukraine :</i> Mr. Slipchenko Mr. Nizhnik Mr. Danchenko Mr. Bakurski
<i>Burma :</i> Mr. Thin Mr. Myint	<i>India :</i> Mr. Nagendra Singh Mr. Merani Mr. Kumana Mr. Serang	<i>Panama :</i> Mr. Ortega Vieto Mr. Philipps	<i>U.S.S.R. :</i> Mr. Dolinski Mr. Morozov Mr. Ragimov Mr. Koetkin
<i>Canada :</i> Captain Johnson Mr. Thomson Mr. Kane Mr. Sheehan	<i>Indonesia :</i> Mr. Siregar	<i>Poland :</i> Mr. Ocioszynski Mr. Licki Mr. Suchorzewski Mr. Skiba	<i>United Kingdom :</i> Mr. Proctor Mr. Haselgrove Sir Richard Snedden Mr. Yates
<i>China :</i> Mr. Yü Mr. Lee Mr. Sa Mr. Chen	<i>Ireland :</i> Mr. Ó Riordáin Mr. Crowley	<i>Portugal :</i> Mr. Pedrosa Commander Jorge Commander de Oliveira (substitute for Mr. de Barros) Captain dos Santos	<i>United States :</i> Mr. Jacobs Mr. Popper (substitute for Mr. Rothschild) Mr. Casey Mr. Hawk
<i>Cuba :</i> Mr. Camejo Argudín Mr. Lombera Cadalso	<i>Israel :</i> Mr. Raday Mr. Bar-Zeev Mr. Ivri Mr. Barash	<i>Rumania :</i> Mr. Lazareanu Mr. Gal Mr. Anzulato Mr. Radulesco	<i>Yugoslavia :</i> Mr. Velimirović Mr. Makiedo Mr. Kesić Mr. Velkaverh
<i>Denmark :</i> Mr. Worm Mr. Lysgaard Mr. Garde Mr. From-Andersen	<i>Italy :</i> Mr. Berio Mr. Purpura Captain Cavallini Mr. Romagnoli		

## FOURTH SITTING

Thursday, 1 May 1958, 10.15 a.m.

*President : Mr. Kawasaki*

### REPORT OF THE DIRECTOR-GENERAL : DISCUSSION

The PRESIDENT—This morning we begin the discussion of the Director-General's Report.

*Interpretation from Spanish :* Mr. ENSEÑAT POLIT (*Workers' delegate, Cuba*)—I would like to take this opportunity of congratulating Mr. David A. Morse, Director-General of the International Labour Office, for the guidance and general information contained in his Report to this Conference. It points with particular emphasis to the fact that the relations between shipowners and seamen in most maritime countries have generally been harmonious and have thus ensured a favourable atmosphere for improving the living and working conditions of merchant seamen. On this basis of mutual understanding it has been easier to make a constructive approach to the main problems which have cropped up since the last Maritime Session of the Conference, held in Seattle in 1946.

A study of the Report of the Director-General to the Seattle Conference reveals that a solution has now been found to the problems which caused traditional maritime countries to keep the running costs of merchant ships down in order to recover the cost of various vessels lost during the Second World War. However, the shipping industry has known such prosperity that world shipping tonnage is now twice what it was before the Second World War.

Nevertheless this Conference will have to deal with the same questions, i.e. the international minimum wage, maximum hours of work and manning, as were dealt with at the previous Maritime Session of the Conference. The Convention revised in 1949 has not yet been ratified by the traditional maritime countries. It is also deplorable that the countries of the so-called "flags of convenience" have ratified no international labour Conventions.

It has been a subject of constant concern to the Government of the Republic of Cuba that its legislation applying to the vessels of its small merchant fleet makes labour costs higher than those of the more economical vessels which compete for the country's foreign trade. The result of such competition is unfavourable to the economic operation of the merchant fleet of Cuba.

Up to 1952, under Decree No. 2605 of 1948, the Government of the Republic of Cuba paid a direct subsidy, amounting to 50 dollars a month for each member of the crew, to shipowners engaged in foreign trade in order to make up for the cost of social charges and maintenance expenses.

The Cuban Workers' Confederation is also keenly interested in the outcome of this Conference. Its policy as a union is one of frank co-operation to ensure the implementation of social and economic plans and it has fostered an atmosphere favourable to private capital under a programme of diversified production by developing new employment and economic opportunities, including the development of the merchant marine as one of our country's natural resources.

Since the subsidies policy is uneconomic and does not fit in with the basic principles of the economic and social plan now being applied by the present Government of Cuba, the subsidy has been abolished and the Cuban Bank for Foreign Trade has been set up. Its capital is used for the purchase and construction of merchant ships, which are becoming increasingly numerous in spite of the competition from low-cost vessels.

The Cuban mercantile fleet is a small one; nevertheless, the questions to be dealt with at this Conference are of first-rate importance for our country's labour policy as far as seafarers are concerned. The Cuban seamen's organisations, which make up the Cuban Maritime Confederation, recently signed a collective agreement with Cuban shipowners. This agreement is of a general character and lays down for five years a number of wage rates very much lower than those secured by Cuban seamen after the Second World War. These are similar to the basic wages earned by thousands of Cuban seamen who cannot find work in Cuba and are forced to sign up on vessels flying "flags of convenience"; they do not enjoy the benefits of national laws or of those international Conventions concerning safety and social welfare which apply in our own country.

The Cuban labour movement has been compelled to co-operate in order to facilitate the economic operation of the Cuban merchant fleet now being created, the reason being that the low operating costs of competing vessels, and particularly the increasing competition from the merchant fleets of Liberia, Panama, Honduras and Costa Rica, account for a very

high proportion of the maritime cargo charges paid abroad. These vessels, sailing under flags of convenience, have now a regular and permanent place in our foreign trade involving almost no contacts with the ports and harbours in the countries of their flags.

Cuban seamen have therefore been harmed by the increasing tendency of shipowners to transfer to other flags the registration of their vessels in service or in course of construction. This tendency, at the same time, has reduced the effectiveness of the excellent work of international co-operation so ably carried out by the I.L.O. to raise the standard of living and improve the welfare of merchant seamen.

The small number of ratifications of the Wages, Hours of Work and Manning (Sea) Convention (Revised) makes a striking contrast with the technical improvements introduced and developed in the maritime industry over the last few years. With the emergence of new types of ships and of faster cargo-handling equipment, crew members and port labour have become redundant, and the wage bill in relation to the size of and the income from freight charges has fallen accordingly.

In other industries automation has generally been accompanied by an improvement in the wages and hours of work of the personnel operating the new machinery. Yet in the maritime industry this advantage has been lost to us as a result of the employment of workers who do not belong to the ship's country of registration. I have in mind the modern super-tankers, the enormous bulk cargo carriers and super-ferries, launched recently to increase the tonnage and the competitive efficiency of the merchant fleets registered in Liberia, Panama, Honduras and Costa Rica. This tendency to remove vessels which are cheaper and more competitive, because of their modern design, from the scope of national and international regulations relating to employment at sea is a sad blow to maritime workers, whose wages are lowered or who are thrown out of work owing to the laying-up of vessels of smaller tonnage and of smaller carrying capacity which take more time to load and unload.

The amount of employment provided by the merchant fleet of any country is a matter of much importance for its economy, but any favourable effect is diminished or lost when the seamen go to work for mere subsistence pay on the merchant vessels of other, low-cost countries.

The Cuban Maritime Commission had to promulgate General Order No. 20, which provides that Cuban merchant seamen sailing under foreign flags must be guaranteed repatriation and assistance in the event of employment injury, in accordance with the provisions of the international Conventions adopted on this subject. This Order was never applied; in fact, it was immediately suspended at the request of the organisation of Cuban merchant seamen in order to avoid the immediate and wholesale discharge of Cuban seamen serving under flags of convenience, as far more seamen than the small Cuban merchant fleet could absorb were threatened with loss of their employment. The tonnage of vessels sailing

under flags of convenience run by Cuban shipping companies is several times greater than that of the Cuban merchant fleet.

This issue of the nationality of the seaman or of the shipowner forms an integral part of the subject of engagement of seafarers and is therefore fully within the competence and jurisdiction of the I.L.O., whatever the territory where merchant ships are registered. This Conference must produce practical solutions without waiting for other agencies of the United Nations to find the solution of the legal problem of identification and recognition of the nationality of the person or company owning merchant vessels, in relation to the country of registration or the structure of limited companies.

This question of giving preference in employment to cheaper labour on board merchant vessels is as old as the I.L.O.'s own history and is one of the reasons that gave rise to the adoption of its Constitution and its terms of reference.

Before the Second World War the improvement in the conditions of work of merchant seamen was rendered difficult by the preference given in employment to seamen engaged in colonial countries, in order that they might be excluded from the social legislation that was beginning to develop in traditionally maritime countries.

The present position is similar to that met with in the past, with this difference: there is a tendency to register vessels in certain economically underdeveloped countries in order to deprive the seaman of the benefits of the social legislation of our age, of the benefits of international labour legislation, of collective agreements and of trade unionism, with the aggravating circumstance that any international agreement to limit such harmful results will be opposed on the pretext that it runs counter to the rules of private international law.

When they come to analyse the content of the Director-General's Report on the items on the agenda of the Conference, the representatives of the countries concerned will be unable to refrain from dealing with the economic consequences arising from the social problems in conditions of work on board vessels sailing under flags of convenience, in view of the fact that the tradition of freedom of seaborne trade has been used in an improper and completely unsatisfactory manner by a certain group of shipowners and traders to protect their own interests of a purely business and private nature to the detriment of the majority of the States Members of the I.L.O., and to the detriment of many thousands of merchant seamen serving under foreign flags.

Mr. GARDE (*Employers' delegate, Denmark*)—I should just like to make a very short statement in order to present the following correction to Chapter I of the Director-General's Report, in the section "Wages and Hours", table II, showing the monthly cash wages.

The figures shown against Danish wages are not quite correct. The figures stated include only basic wages plus the cost-of-living bonus, but, according to the Danish collective agreements, the so-called "war risk bonus", which was payable until March 1956, has been

converted into a "dispensing" or "compensation" bonus payable to seafarers for the same period as the basic wages and the cost-of-living bonus.

The figures (exclusive of overtime and all allowances other than those mentioned above) should be: U.S.\$172 for a second officer; U.S.\$127 for an able seaman (as against U.S. \$105.50); U.S. \$134 for qualified engine-room personnel; and U.S.\$135 for a ship's cook.

As I think it is most important that the information shown in the tables should be correct and up to date, I would appreciate it if these corrections could be made known to all delegates.

Mr. YAMAGATA (*Employers' delegate, Japan*)—As Japan was not a Member of the I.L.O. at the last Maritime Session of the Conference, held in 1946, this is the first opportunity we have had to attend a Maritime Session since the war. I consider it therefore a great pleasure and honour to be here today as the representative of the Japanese ship-owners to report on their behalf, and to pay their deepest respects to the I.L.O. for its great work and remarkable achievements during past years.

As you are aware, the Japanese shipping industry was devastated by the Second World War. To revive our economy, which depends heavily on overseas trade, the rehabilitation of our destroyed merchant fleet became a matter of the greatest importance. Rehabilitation work began soon after the end of the war and continued steadily; I am pleased to say that by the end of March this year our fleet had been built up to 4,600,000 gross register tons, or approximately 80 per cent. of its pre-war tonnage.

Our energetic activities in the international market have often in the past been criticised as "social dumping". However, such criticism cannot be made today, thanks to the democratisation undertaken in every phase of our national life. The formation of labour unions, the guarantee of collective bargaining rights, the establishment of labour standards and many other far-reaching reforms to protect the workers have completely wiped out the possibility of anything even remotely resembling social dumping.

Some of the measures adopted concerning labour conditions in Japan go beyond the international standards set forth by I.L.O. Maritime Conventions.

In 1947 Japan undertook to revise extensively the provisions of the Mariners' Law and the Seamen's Insurance Act as a part of Japan's post-war transformation into a welfare State. There have been many remarkable achievements in social security in Japan. The Seamen's Insurance Act is one of them. It is revised yearly, and now contains the framework of an independent insurance system with the most progressive provisions. It can be compared favourably with social security schemes in many other countries, as reported by the Director-General.

As regards seamen's wages, the basic standard of pay is fixed by a collective agreement between the labour unions and the shipowners' groups. Needless to say, democratic procedure

is employed in the determination of the wages and allowances of seamen. As a result the basic pay of Japanese seamen today compares favourably with that of other domestic as well as international industries when we take into consideration the messing allowance, the retirement allowance and the reserve seamen's system.

I wish to point out that the data relative to the wages of Japanese seamen shown in the Director-General's Report to the Preparatory Technical Maritime Conference do not correspond to actual conditions in 1956. Moreover, further improvements have since been made, and the manning of Japanese vessels far surpasses the international standard.

Through the adoption of the reserve seamen system, which is a pattern of employment peculiar to Japan, the maintenance of continuity of employment, as reported by the Director-General, has been fully realised in Japan. Furthermore, Japanese seamen are receiving other invisible benefits. Thus, while maintaining our national customs, the Japanese shipping industry has lived up to various progressive laws and regulations and achieved a remarkable improvement in wages and labour conditions.

In this connection I would like to draw your attention to the fact that the peculiar nature of the pattern of employment of Japanese seamen and their wage structure must be taken into consideration when comparing their labour conditions with those obtaining in foreign countries.

Under the circumstances the decision of the Japanese shipowners regarding the most important topic of the current session, namely wages, hours of work and manning, is a very difficult one to make.

On the other hand, the financial foundation of our shipping industry is still very weak. This weakness has been the cause of difficulty in solving many problems that confront our shipping industry. The principal factors which account for this weakness are, first, the end of the payment of compensation for vessels lost during the Second World War; second, the dependence of financing of post-war construction of new vessels on loans from city banks or the Government; and third, the high rate of interest charged for the loans, which adversely affects freight charges. All these factors, coupled with the recent depressed market situation, constitute a serious threat to the prosperity of our shipping industry.

There is no denying that co-operation and the stabilisation of labour-management relations are indispensable in the circumstances I have just mentioned. We have to overcome these difficulties if we are to proceed with the rehabilitation of our shipping industry and, further, to aim for the improvement of labour conditions. I must add that I was deeply impressed by the statement of the Director-General in his Report that "In the field of labour-management relations the shipping industry has long been noted for its ability to settle problems through bilateral negotiations and without recourse to arbitration". In recent years in Japan we have had labour-management disputes over wage increases, but we are determined to pursue steadily a con-

structive policy designed to bring about a healthy development of amicable labour-management relations.

In order to achieve the above aims we must seek friendly co-operation, not only internally but internationally as well. The Japanese shipowners' participation in the International Shipping Federation since last year is but one step towards the international co-operation which we hope to develop with other nations.

In closing I wish to express again my great pleasure in attending this Conference. I assure you that no effort will be spared on the part of Japan's shipowners for the improvement of labour conditions and the achievement of the ideals of the International Labour Organisation as set forth in its Constitution.

Captain TENNANT (*Workers' adviser, United Kingdom*)—The dictates of courtesy would normally demand that I congratulate the Director-General on his Report. However, our congratulations are based on something more than courtesy: they are an expression of the seafarers' appreciation of the efforts of the Director-General, as his Report reveals a fundamental understanding of the problems affecting the most international of all industries—a phrase, incidentally, which was coined by the late Ernest Bevin. May I say how pleased the Seafarers' group is that the Director-General made reference to this great statesman and trade unionist in his introduction? Ernest Bevin's claim to a place in history is established on many counts, although I doubt if one in particular will be recorded. He, I believe, was the man who succeeded in making the I.L.O. work fast—from the publication of the Seafarers' Charter in 1944 to a Preparatory Conference in December 1945 and a Maritime Session in 1946. I think it took the I.L.O. a long time to get its breath back after that, and it has certainly not moved so fast since.

I hope the Director-General will not regard these remarks as criticism or take them too seriously as I would like to assure him that there is a genuine link between the seafarers and the I.L.O. If I may say so, I think the forecasts contained in the conclusion of the Director-General's Report may well be more accurate than his assessments of the economic climate at the beginning of the Report, because times have changed but, let us hope, not for long. Seafarers have not been under any illusion as to the possibility of a shipping recession, and I think it is safe to say that the position which is with us today would have been with us in 1950 and again in 1955 had not external circumstances intervened. The plain truth is that the expansion of shipping services has outstripped, let us hope temporarily, the expansion in world trade; this is particularly noticeable in the case of tankers. I have seen it estimated that last year oil consumption increased by some 9 per cent., while the carrying capacity of tankers increased by 14 per cent.

We feel that the position in which we find ourselves today can, to some extent, be attributed to flags of convenience, and if there are ships laid up and unemployment among seafarers for any length of time, owners operating under these flags must accept their share

of responsibility. There are now over 15 million tons of shipping on these registers, and a considerable proportion of that tonnage has been built out of unpaid taxes. It is safe to assume that there are hundreds more ships in the world today than there would have been had shipping expansion been governed by tonnage built from taxed profits.

It is sometimes convenient to look back on the record—not always, but on this occasion it is. I have been looking up what was said about the question of world tonnage in 1946. At the Seattle Conference the fear was expressed that, having regard to the tremendous demand that there must inevitably be for shipping services to replenish depleted stocks of goods and commodities throughout the world, there might be a spate of speculative building without any regard to the ultimate level of world trade. It was urged that consideration should be given to the establishment of a world shipping authority and, to some extent, this latter point has been satisfied. Ten years have gone by since the adoption of the Convention concerning the Intergovernmental Maritime Consultative Organisation (I.M.C.O.); it has now received the required number of ratifications to bring it into force, and we can assume that the organisation envisaged by that Convention will be established in the near future.

If I may deal for a moment with the world tonnage position, I estimated in 1946 that, if ships were built without regard to the level of world trade, what happened after the First World War might be repeated in 1948 or 1949. We were a year out as, had it not been for certain international developments, the present shipping slump would have been with us in 1950. Speculative building has not, generally speaking, taken place in the traditional maritime countries. The present excess of tonnage can be in part attributed to ships built and placed on the registers of certain countries which allow those operators to evade tax and other obligations. It seems to us that it is a farcical position that the "Panlibhonco" countries combined rank third or fourth in world tonnage; and unless some very definite steps are taken—and we can take some at this Conference—the genuine maritime countries may well be wrecked on the rocks of "Panlibhonco". We recognise that States which within recent years have attained self-determination are entitled as of right to develop their mercantile marines; but let it be noted that these States do in the main exercise effective control over the ships on their registers.

Dealing with the second point—I.M.C.O.—this is not the kind of organisation that we envisaged. We would have preferred, and still do, to see the establishment of a shipping agency on a tripartite basis in which both shipowners and seafarers would have been able to make the contribution which we believe they are entitled to make in the functioning and the operation of an industry so essentially international in character. However, what has been done cannot be undone. But we are pleased that the position, at least to some extent, has been safeguarded inasmuch as working arrangements between I.M.C.O. and the I.L.O. will, we hope, be established as a

result of a resolution adopted some years ago. This is very important in the view of the seafarers, having regard to the fact that these two agencies may tend to overlap. We think it is important that a working agreement should be established, as it is not the wish of the seafarers that the functioning of the I.L.O. within its specialised field should be in any way curbed or restricted as a result of the establishment of a governmental shipping agency.

It seems that shipowners would have preferred a tripartite set-up—at least, to judge from the objections to I.M.C.O. recently made by the International Chamber of Shipping. I cannot understand the shipowners' point of view on this issue as, on the one hand, they are complaining—and rightly so—about unfair trading practices, flag discrimination, flags of convenience; and yet, on the other hand, it would appear, they want I.M.C.O. limited in its scope to deal only with technical and safety issues.

The I.M.C.O. Convention provides facilities for dealing with the economic aspects of shipping on a consultative basis. It seems to us that shipowners are perhaps more frightened of governments who want to help them than they are of the trading manœuvres which, left uncorrected, may well strangle the shipping industries of the traditional maritime countries. Moreover, if the provisions of the various articles of the International Law Commission's report which was recently dealt with by a diplomatic conference in Geneva are to be made effective, this surely can be done only by governments, and yet it would seem that shipowners want governments out of the picture.

I think it will be generally appreciated that at the conclusion of his Report, in the section dealing with seafarers' conditions of employment, the Director-General has made reference to labour-management relations. The good industrial relations which have been established in many maritime countries have helped the seafarer to attain a new status in society, but I think it would be a mistake to think that good machinery necessarily establishes good relations. In most industrially advanced countries good machinery exists on paper—probably better than the machinery of the National Maritime Board in the United Kingdom, to which the Director-General draws attention—but it must be recognised that it is not the machinery which has established the good relations but the representatives of the shipowners and seafarers. This, I believe, stems from strong organisations which command respect, thus enabling discussions to take place in an atmosphere not of suspicion but of integrity, where both sides can fearlessly and objectively express their points of view, recognising the international character of the industry they serve.

Different countries, and, indeed, different continents, have their traditional backgrounds and varying economic settings, but nevertheless I believe that the problems of Asian seafarers, to which the Director-General makes reference, might have been markedly reduced had the countries of Asia been able to follow the example of the older maritime countries in their approach to the problem by first

establishing the machinery and thereafter developing the right climate to enable the machinery to function as it does in many countries represented at this Conference.

I would have liked to have said a considerable amount about the *Ad Hoc* Meeting on Civil Aviation held in December 1956, but as the Director-General has been so brief I must obviously be likewise. This meeting was one of the most dismal and deplorable in the long history of the I.L.O. The Report of the Director-General says it adjourned without reaching any conclusions. The reason for that was that the Employers refused to talk. We know from experience how difficult it is on occasions, particularly at the international level, to reach agreement, but when the other fellow will not talk it is impossible. As Chairman of the Workers' group at that meeting I found it extremely difficult to understand how people with a stagecoach mentality towards the discussion of social problems at an international level could at the same time be responsible for management in the jet age. I hope the Director-General will soon complete his study on the possibility of convening a tripartite meeting on civil aviation, as I believe the presence of governments at such a meeting would force the Employers to take part in the proceedings and would, furthermore, dispel for all time the Employers' contention that the I.L.O. has no part to play in dealing with the social problems of civil aviation.

The Director-General remarks in Chapter I of his Report that the session of the Conference held in Seattle marked the end of one era and the beginning of another, and on reading his conclusions it may well appear that this Conference will mark the beginning of a new decade on the technological side which will bring in its train new problems for the shipping industry to solve. In the solution of these problems the I.L.O. has an important role to play and, as he has invited ideas, I would like, if I may, to mention two.

The first of these is the application of nuclear power for ship propulsion. This development is as yet in its infancy as the first commercial ship has yet to be built, but many countries have expressed their intention of giving their attention to this problem and it may well be that within the next two or three years several ships will be in commercial service.

Considerable experience has been gained in the operation of atomic plant ashore, but the maritime application of this development will bring many new problems. In the case of a shore plant considerations of space and weight do not necessarily present problems, but obviously they will so far as shipping is concerned. Space will be restricted, and considerations of weight may well rule out concrete as a form of shielding; new materials and possibly new methods may be required. Moreover, shore plants are not faced with the problems arising from collisions and strandings, features which must be very fully borne in mind when designing maritime plant. No doubt many of the safety requirements for the marine plant will be included in the basic design, which will have to take into account the fact that marine plant, unlike shore plant, will not have a stable basis—for ships sometimes roll.

No doubt countries which are interested in these developments will give consideration to the necessity of introducing regulations to provide maximum safety, but shipping is an international industry and it will obviously be necessary to have international agreement, for ships trade in the territorial waters—dare I mention territorial waters in Geneva?—of many countries, and safety and other requirements will have to be recognised and accepted by all the countries where such ships may trade.

Furthermore, ships invariably load and discharge near dense centres of population and industrial activity, and it is natural to assume that dock authorities will require very specific assurances that an accident on board will not necessitate the closing of a port.

The effects of radiation, whether by accident such as a collision or a stranding, or as a result of the malfunctioning of equipment, and also the effect of radiation on cargoes which may be carried in the ship, must be studied. The effect of radiation on life-saving equipment and the effect of radioactive discharge into the sea are other issues upon which shipowners, I am sure, and certainly seafarers, would like some answers, and also regulations designed to reduce hazards to life and property.

It is obvious that the safety of a nuclear-powered vessel in future will depend to a large extent on the correct operation of complicated electrical instruments. Study will be required with regard to the manning of these ships with a view to proper maintenance, and it will be necessary to lay down a minimum manning scale of the suitably qualified staff required to carry out the highly complex duties which will be required of them. There is also the question of the carriage of materials for atomic fuel and cargoes with radioactive content.

I would like to say this: shipowners may be assured that seafarers will co-operate in the development of the new techniques, but they have the right to expect that the most carefully thought-out regulations will be introduced not only to ensure their own safety and well-being but also to ensure that these ships will be able to ply in any part of the world without hindrance. As both social and safety issues are involved the seafarers expect the I.L.O. to play an important part in the evolution of regulations which would form the basis of an instrument or instruments which would find acceptance by both shipowners and seafarers in the first instance, and then by the member States.

The second matter to which I wish to direct attention is one which has an important bearing on the well-being, comfort and health of seafarers, that is, air conditioning. Great strides have been made in recent years, particularly since the Seattle Conference, in improving the insulation and ventilation of crews' accommodation. It is pleasing to note that the important Convention dealing with crews' accommodation is now in force, and there is no doubt that it has done a great deal to improve the comfort and general health of seafarers. It is realised that it is not possible to protect seafarers against adverse climatic conditions at all times as work aboard the ship must be performed whatever the conditions may be. If, however, in hot, humid climates, provisions can be made to ensure that rest and

relaxation under more normal conditions can be obtained, the adverse effects of heat and humidity can be considerably reduced. It is, I believe, a medically established fact that fatigue arising from the inability to obtain normal rest gives rise to heat exhaustion and heat stroke, sometimes with fatal consequences.

Apart from the comfort which would be provided by air conditioning, from the owners' point of view I believe it would also have its advantages. Hospital expenses could well be reduced and the ship's work done far more efficiently, and now that air-conditioning plants have become a practical proposition both from the point of view of efficiency and cost we consider that consideration should be given to the installation of this new equipment which science has placed at our disposal.

Finally, I should like to place on record our appreciation of those owners who have already installed air conditioning in new vessels, and I should like to express the hope that by international agreement there will be general acceptance of the idea. It is recognised that in existing ships many problems arise, but it is believed that air conditioning on an improvised basis could be introduced without very considerable outlay and which would bring many benefits to the seafaring population.

*Interpretation from Russian:* Mr. DOLINSKI (Government delegate, U.S.S.R.)—May I be allowed to offer very good wishes to the delegates of the 41st Session of the International Labour Conference on this Labour Day, 1 May?

At this Maritime Session we have to examine many important questions which are of vital importance to seamen throughout the world. There can be no doubt that the most important of these questions are connected with wages and hours of work for seamen; to which the Conference will have to devote particular attention. We hope that the successful work of the Conference will help to further international co-operation to improve social conditions in maritime transport in accordance with the noble aims of the I.L.O.

The Soviet delegation is taking part for the first time in a Maritime Session of the Conference, and we hope that it will be able to help in furthering the successful work of this meeting and, in any case, it is our intention to strive to achieve this end. However, this does not depend only on us but also on the extent to which all other delegations will strive to work together in a spirit of co-operation and mutual understanding. Unfortunately the unjust and unlawful decisions adopted by the Workers' and Employers' groups concerning participation of the workers and employers of the Soviet Union and other East European countries in the Committees of the Conference show that not all delegations share in the wish to strive towards constructive decisions. In spite of this we hope that these difficulties will be overcome, that the lawful rights of the Soviet Union and other countries will be restored and that future Conferences of this Organisation will be spared the need to discuss this question.

I hope that I may be forgiven for this slight digression from the subject under discussion, which I was compelled to make.



The Director-General, in his interesting Report, has dealt in some detail with the changes in the situation in shipping and in the living and working conditions of seamen which have occurred in the last ten years, and he has indicated a number of extremely interesting problems in the maritime field with which the International Labour Organisation will have to deal in the future. Having regard to the fact that, in his Report, the Director-General has not said very much concerning the social and economic conditions of seamen in the U.S.S.R., I shall take the liberty of speaking briefly on those subjects.

The Second World War inflicted tremendous losses on the national economy of the U.S.S.R., including its merchant navy. However, the U.S.S.R., thanks to its planned economy, has been able to repair the devastation of war and to reconstruct its economy on a modern and technical basis. Growing industries have made it possible for us to develop our merchant fleet.

Compared with pre-war tonnage the Soviet Union merchant fleet has increased by 57 per cent. At the same time the turnover of ships increased by 330 per cent. and the volume of cargo carried by 310 per cent. Under present plans the merchant navy of the Soviet Union will increase by 1.6 million tons by 1960.

As the Director-General quite rightly pointed out, this Conference must look to the future to see what positive and great changes will occur in the living and working conditions of seamen as the result of the rapid development of science and techniques, the uses of automation, atomic energy for peaceful purposes, and other technical achievements.

The whole world knows of the scientific and technical achievements of the Soviet Union, especially with regard to the development of atomic energy for peaceful purposes, including the building of the first atomic electrical power station in the world, and of its successful progress as regards aviation, the study of cosmic space and the launching of the first artificial satellite.

The merchant navy, like all other branches of the nation's economy, has developed on the basis of modern techniques and is complemented by the most modern ships. As you know, the Soviet Union has already launched an atomic ice-breaker which will shortly set out on its maiden voyage. Our shipbuilding programme provides for a further increase in the size and speed of ships, a decrease in the number of types used and the achievement of greater economy.

Technical improvements have made the ships as comfortable as possible and have facilitated the work of the crew by the use of remote control and automation and by mechanisation of operations. At the same time, most of the ships actually in use and all those that are at present being built will have improved accommodation for crews. They will have cabins for one or two persons and they will be well equipped with everything that is necessary for their comfort. All this makes for good conditions for the work of Soviet seamen. Our Government is constantly concerned with the improvement of conditions of the Russian people and workers, including seafarers.

In recent times extensive measures have been taken to improve the material situation of workers in the Soviet Union. Government grants have been increased for social security and pensions, lower-paid workers have had their wages raised, the working day preceding holidays has been shortened by two hours, and steps are being taken to introduce a 40-hour working week between now and 1960.

On 22 April of this year the Soviet Government published a decision to put workers in certain branches of heavy industry on a 7-hour and 6-hour working day in 1958 and also to increase their wages. In the U.S.S.R. medical services are free for the whole of the population. Far-trade ships and large near-trade ships carry their own medical staff.

The U.S.S.R. has full employment and, in connection especially with the large increase of our merchant fleet, we have even a certain shortage of qualified seamen. Thus, the social conditions of seamen and the standards set by the labour legislation of the U.S.S.R. are not lower but in many cases are even higher than the standards provided for in the draft Conventions and Recommendations which are submitted to this Conference.

I should also like to point out that the steady rise in the material welfare of Soviet seamen is considerably helped by the increase in the merchant fleet of the U.S.S.R. The international economic relations of the U.S.S.R. are constantly being broadened. The U.S.S.R. at present is trading with over 60 countries; before the war it held sixteenth place as far as volume of trade was concerned, but now it holds sixth place and the volume of its foreign trade is steadily increasing. The area served by Soviet ships has also increased. In 1957 Soviet ships carried cargoes to 348 foreign ports in 50 States.

We all know that the development of international trade helps to raise living standards and to increase employment of seafarers and of the population of the country as a whole, and to develop economic ties to improve mutual understanding between peoples. The seafarers of all countries are concerned in seeing international trade develop. It is in this connection that we have to point out, however, that at present in international trade we still find artificial obstacles set up by certain countries which violate traditional trade ties among nations, hamper the development of merchant shipping and thus cause unemployment among seamen. We fully agree here with the opinion expressed by the Director-General in his Report when he says that the future prospects of the shipping and shipbuilding industry depend almost entirely on the maintenance of high levels of activity everywhere and on the extent to which these high levels of economic activity mean a continuous growth of world trade. However, we cannot agree with the Director-General's opinion concerning these prospects as far as the near future is concerned and we cannot consider that it is satisfactory. We all know, of course, that at present in a number of countries there are hundreds of ships laid up, thus increasing unemployment among seafarers and lowering the profits of the ship-owners.



As far as the future activities of the I.L.O. are concerned (as mentioned in the Director-General's Report), I should like to say that the International Labour Organisation, in order to achieve its noble aims, should develop its activities in such a way as to further international co-operation and achieve the common aim of all countries, that is, the development of economic ties among the countries, which would create the necessary conditions for a development of the shipping trade, and raise employment and living standards among seafarers.

It seems to me that, faced with these noble tasks, the International Labour Organisation must not gloss over in silence or fail to express its opinion on a question which is giving concern to the whole world at present and on the solution of which depends the lot and peace of mankind. I refer to the cessation of atomic and nuclear tests.

These tests are now being conducted on such a scale that they represent a real threat to the life and health of millions of persons and thus threaten the safety of seafarers inasmuch as they are frequently carried out at sea. It is appropriate in this connection to recall that the harmful consequences of such experiments with nuclear weapons were first experienced by fishermen peacefully carrying out their fishing occupation at sea. It is clear to all today that experiments in nuclear weapons are a dangerous preparation for a terrible and devastating atomic war. In our days the movement for the cessation of atomic and hydrogen weapon experiments has assumed a world-wide scale. It has embraced the peoples of all countries in the world and is supported by scientists, parliamentarians, workers and peasants.

Guided by a sincere desire to lay a practical foundation for a cessation in experiments in atomic and nuclear weapons and thereby to take the first step towards ridding mankind of

the threat of atomic war, the Supreme Soviet of the U.S.S.R. on 31 March of this year decided that the Soviet Union should cease all experiments of every type in atomic and hydrogen weapons. This decision of the Supreme Soviet of the U.S.S.R. concerning a unilateral cessation by the Soviet Union of atomic and hydrogen weapon experiments has given rise to a feeling of tremendous satisfaction throughout the world. It has awakened in the hearts of people the hope that they will be spared the anxiety which they have felt for their life, the life of future generations and the fate of the world. The cessation of nuclear weapon experiments is a new proof of the peaceful policy of the Soviet Union. The further solution of this question depends entirely on the United States and the United Kingdom, as countries that have at their disposal such weapons.

The U.S.S.R. Government delegation, moved by feelings of humanity and justice, and in accordance with the humanitarian aims of the I.L.O., has submitted to the Conference a draft resolution concerning the cessation of atomic hydrogen experiments that would threaten the safety of shipping and the lives of seafarers. I hope the Conference will give this question all the attention it deserves and will show its sense of responsibility and give its support to the initiative of my Government, which is an answer to the hopes of all the peoples of the world.

In conclusion I should like to support the hope of the Director-General, as expressed in the concluding words of his Report, that "constructive ideas and policy will emerge from this session and that their gradual implementation in the years to come will enable us to go forward with a useful concrete programme for steadily improving conditions in the shipping industry in general and promoting the well-being of the seafarers in particular".

*(The Conference adjourned at 11.30 a.m.)*

## Delegates Present at the Sitting

*Argentina :*

Mr. Lescure  
Lieutenant-Commander  
Gómez Ortega  
Mr. Azqueta

*Australia :*

Mr. Brentwood  
Captain Bull  
Mr. Haddy  
Captain Martin

*Austria :*

Mr. Schellenbacher  
Mr. Schlaffer  
Mr. Schlägelbauer  
Mr. Peham

*Belgium :*

Mr. Pluymers  
Mr. De Bruyn (substitute  
for Mr. Dufour)  
Mr. Cassiers (substitute  
for Mr. Dekeyzer)

*Brazil :*

Mr. Barboza-Carneiro  
Mr. de Faria Baptista  
Mr. Carvalho  
Mr. Teixeira

*Bulgaria :*

Mr. Belinski

*Burma :*

Mr. Thin  
Mr. Myint

*Canada :*

Captain Johnson  
Mr. Thomson  
Mr. Kane  
Mr. Sheehan

*China :*

Mr. Yü  
Mr. Lee  
Mr. Sa  
Mr. Chen

*Colombia :*

Mr. Albán Liévano

*Cuba :*

Mr. Camejo Argudín  
Mr. Enseñat Polit

*Denmark :*

Mr. Worm  
Mr. Lysgaard  
Mr. Garde  
Mr. From-Andersen

*Dominican Republic :*

Mr. Álvarez Aybar

*Finland :*

Mr. Relander  
Mr. Tikanvaara  
Mr. Walläri

*France :*

Dr. Cevaer (substitute for  
Mr. Ramadier)  
Mr. Collet (substitute for  
Mr. Roullier)  
Mr. Marchegay  
Mr. Gruénais

*Federal Republic of Germany :*

Mr. Schelp  
Mr. Fettback  
Mr. Hildebrand

*Ghana :*

Mr. Dowuona-Hammond  
Mr. Nettey  
Mr. Mensah

*Greece :*

Commander Goulielmos  
Commander Antoniadis  
Mr. Petroulis

*India :*

Mr. Nagendra Singh  
Mr. Merani  
Mr. Serang

*Indonesia :*

Mr. Siregar  
Mr. Sanitioso  
Mr. Harsono  
Mr. Subianto

*Ireland :*

Mr. Ó Ríordáin  
Mr. Crowley

*Israel :*

Mr. Raday  
Mr. Bar-Zeev  
Mr. Ivri  
Mr. Barash

*Italy :*

Mr. Berio  
Mr. Purpura  
Mr. Romagnoli

*Japan :*

Mr. Kudo (substitute for  
Mr. Kawasaki)  
Mr. Mori  
Mr. Yamagata  
Mr. Kageyama

*Liberia :*

Mr. Wilson  
Mr. Cooper  
Mr. Simonovitch  
Mr. Cole

*Morocco :*

Mr. Guessous  
Mr. ben Bouazza

*Netherlands :*

Mr. Scheffer

*Norway :*

Mr. Storhaug (substitute  
for Judge Bull)  
Mr. Endresen  
Mr. Haugen

*Pakistan :*

Mr. Chaudhuri  
Mr. Khatib

*Panama :*

Mr. Ortega Vieto

*Poland :*

Mr. Ocioszynski  
Mr. Licki  
Mr. Suchorzewski  
Mr. Skiba

*Portugal :*

Mr. Pedrosa  
Commander Jorge  
Mr. de Barros  
Captain dos Santos

*Rumania :*

Mr. Lazareanu  
Mr. Gal  
Mr. Anzulato  
Mr. Radulesco

*Spain :*

Mr. Pastor Tomaseti  
Mr. García de Llera  
Mr. de Azqueta Urigüen

*Sweden :*

Mr. Widell  
Mr. Hartvig  
Mr. Reuterskiöld  
Mr. Thore

*Switzerland :*

Mr. Ryniker  
Mr. Messmer  
Mr. Fornet (substitute for  
Mr. Keller)

*Tunisia :*

Mr. Ladhari  
Mr. Ben Salem  
Mr. Sellami

*Turkey :*

Mr. Toygar  
Mr. Yenal  
Mr. Aymen  
Mr. Özkan

*Ukraine :*

Mr. Slipchenko  
Mr. Nizhnik  
Mr. Danchenko  
Mr. Bakurski

*U.S.S.R.*

Mr. Dolinski  
Mr. Morozov  
Mr. Ragimov  
Mr. Koetkin

*United Arab Republic :*

Mr. Kamel

*United Kingdom :*

Mr. Proctor  
Mr. Haselgrove  
Sir Richard Snedden  
Mr. Yates

*United States :*

Mr. Jacobs  
Mr. Popper (substitute for  
Mr. Rothschild)  
Mr. Hawk

*Yugoslavia :*

Mr. Velimirović  
Mr. Kesić  
Mr. Velkaverh

## FIFTH SITTING

Friday, 2 May 1958, 10.15 a.m.

*President : Mr. Kawasaki*

### REPORT OF THE DIRECTOR-GENERAL : DISCUSSION (*cont.*)

The PRESIDENT—We will now continue the discussion of the Director-General's Report. It has been my painful duty to interrupt some of the distinguished speakers when they had exceeded the 15 minutes' limit. I sincerely hope it will not be necessary for me to resort to that practice again.

Mr. DOWUONA-HAMMOND (*Government delegate, Ghana*)—It is a pleasure for Ghana to be represented at this Maritime Session of the International Labour Conference, and without the least hesitation, on behalf of the Government and people of Ghana, I wish to thank the Organisation through the Director-General for the kind invitation to attend this session.

Ghana, until recently, had no ships of her own, although she had shown interest in shipping matters long ago. The establishment of the Black Star Line, barely a year ago, brought Ghana into the fold of maritime nations.

From Appendix I of the Director-General's Report (page 54), you will note that in consequence of this interest Ghana has ratified three Conventions which relate to maritime affairs. These are the Minimum Age (Trimmers and Stokers) Convention, 1921 (No. 15); the Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16); and the Minimum Age (Sea) (Revised) Convention, 1936 (No. 58). These are of little application in Ghana at present, but the standard set will be kept in view for the future.

As a new nation and very new in the maritime field, and on such first attendance at a Maritime Session, Ghana cannot hope to contribute much now. Nevertheless, she has endeavoured, as far as practicable, to serve on most of the committees, the work of which will be helpful and beneficial, and she hopes to make some contribution, however small, to the discussions, and also to be guided by the experience of those more mature in shipping matters.

The last Maritime Session of the Conference was in 1946. Great advances and changes, no doubt, have since been made in the field of science and in the political, social and economic spheres. If, according to the agenda, the central goal is to improve the conditions of life and work of seafarers everywhere, then it is the

hope of Ghana that, in a spirit of what is right, this session, working only in the spirit of the Constitution of the august International Labour Organisation, will respect such factors as will help dispel any atmosphere of tension and create instead an atmosphere of smooth understanding and peaceful co-operation irrespective of race, creed or class.

The Prime Minister of Ghana, the Rt. Hon. Dr. Kwame N'krumah, said recently at Accra that Ghana aims to be "a friend to all and enemy to none". In this vein Ghana is therefore always proud, ready and happy to participate in all activities that aim at the promotion of peace and understanding at the international level, no matter in what field.

Once more, on behalf of the Government of Ghana, I thank and congratulate the Director-General for the preparation of this commendable Report, which serves now as the spring-board for our discussions.

With the warmest greetings of the Government and people of Ghana I salute you, and pray that success may crown the deliberations of this session.

### THIRD REPORT OF THE SELECTION COMMITTEE<sup>1</sup>: SUBMISSION AND ADOPTION

The PRESIDENT—I now interrupt the discussion on the Director-General's Report and call upon Mr. Merani to present the third report of the Selection Committee.

Mr. MERANI (*Government delegate, India ; Chairman of the Selection Committee*)—I have the honour to present to the Conference the third report of the Selection Committee, the text of which has been distributed. It is a very brief report and a very factual one too. There is nothing for me to say on it, so I recommend that it be adopted without delay.

The PRESIDENT—If there is no objection or observation I declare the report adopted.

*(The report is adopted.)*

### REPORT OF THE DIRECTOR-GENERAL : DISCUSSION (*cont.*)

The PRESIDENT—We will now resume the debate on the Director-General's Report.

<sup>1</sup> See Appendix I, p. 204.

*Interpretation from Russian:* Mr. DAN-CHENKO (*Employers' delegate, Ukraine*)—As the lively discussion has shown, questions of the living and working conditions of seafarers are of great importance not only for the seafarers themselves but also for the employers. The Director-General has undoubtedly done a very important piece of work in studying and submitting to this Conference for its discussion the new problems of maritime transport that have arisen since the last Maritime Session of the Conference.

During that period the Black Sea Shipping Line, of which I happen to be Director, has acquired a definite amount of experience in solving many problems affecting the life and work of seafarers, and we are prepared to share that experience of our merchant fleet.

I should like to say a few words concerning our fleet. The territory of the Ukrainian S.S.R. has, as you know, two coasts, one on the Black Sea and one on the Sea of Azov. The Ukraine has first-class seaports as, for instance, Odessa, Zhdanov, Nikolayev and Kherson, and also a large fleet. I should like to remind you of the tremendous losses suffered by our nation's economy as a result of the Second World War, during which the maritime transport industry especially suffered, since a large number of ships and all our harbour installations were destroyed. In the post-war years, thanks to the great efforts made by our people and to the help of the entire Soviet Union, it was possible for us to reorganise our maritime economy and re-establish normal conditions for the working of our fleet.

The development of our merchant fleet is determined by our economic plan and in the last five years, 1953-58, the tonnage of the Black Sea merchant fleet in gross register tons has more than trebled, mainly because of the addition of large ships with modern equipment. Moreover, in the post-war years the "Slava" whaling fleet was created, which has three times won the Blue Riband for the record catch in the Antarctic.

We have listened to a number of interesting statements by delegates regarding the life and working conditions of seamen, and although we find some differences in the forms of organising sea transport and its working, yet an exchange of views and opinions regarding such work will be of great significance in helping us to solve the problems affecting the living and working conditions of seafarers.

I would like to describe some of the problems with which our fleet is faced. The Black Sea Line is the largest transport undertaking in Ukraine. As its Director I have to manage a modern fleet of over 1 million tons, a number of ports and shipyards and a number of auxiliary undertakings. I am empowered to take decisions regarding all the shipping undertakings, including economic and financial transactions, to make contracts with our clients, to engage and discharge crews and other persons employed in the various other undertakings of the organisations which go to make up this enterprise.

Like the rest of our economy, we have a socialised planning system which has entirely eliminated the problem of unemployment and any uncertainties regarding the future of

the seamen. It is indicated in the Director-General's Report that unemployment among seafarers is not a general problem; it is further stated that in certain countries it is extremely acute and measures are referred to which exist in a number of countries for increasing employment. We eliminated unemployment a long time ago; it has disappeared in Ukraine and the U.S.S.R. On the contrary we are at present successfully solving another problem which has to do with a shortage of qualified manpower for our merchant fleet, that is, the problem of setting up reserves for our seagoing personnel and improving their conditions. That is why I was so interested by that part of the Director-General's Report dealing with the future solving of the questions of manning and employment.

The Report says that in France only 75 per cent. of registered seamen are fully employed, and in Italy there exists a type of rotation system whereby a seaman may not remain on board ship for longer than 14 months but has to be replaced by another seaman chosen from a general list which includes 30 per cent. more seamen than actually engaged by shipping companies. These artificial measures seem to me inappropriate for solving employment problems. We also have a turnover system; this, however, is not intended to combat unemployment but to create better conditions for the providing of rest and leisure hours and cultural activities for seamen, and for the strengthening of their family ties. This plan for seafarers makes it possible to maintain a rotating paid reserve of seafarers in all specialised categories; it enables us regularly, and in good time, to find relief crews, to replace seafarers going on leave or to fulfil their social obligations, as well as to man new ships or ships which have just been refitted. When seafarers go on shore leave or on sick leave they are put on the paid reserve until they are assigned to new ships. We take into account the interests of the seafarers on all those matters. I, together with representatives of the trade union, have to solve those problems and as Director of a Socialist undertaking I am obliged to exercise great care when dealing with the welfare of the workers concerned.

There is yet another problem connected with the training of seafarers which may be of interest to the I.L.O. Having regard to the development of technical progress, electronic aids and the other complex machinery used on board ship, it is necessary now, and will be even more so in the future, to provide qualified staff in ever-increasing numbers, and in this connection the question of organising the training of seafarers arises. In the Black Sea shipping concern a large amount of work is undertaken with a view to retraining and improving the qualifications of seafarers. We run three-month training courses for officers. Those who follow that course continue to receive their average pay. This plan, with a well-organised system of training, benefits both the workers and the employers, has a direct bearing on the improved conditions of the fleet, increases the profits earned, and thereby helps to increase the real wages of the workers.

I should like briefly to describe this interrelation between profits and real wages. Each captain has a special fund made up of part of the profits the ship earns. There is another fund, called the director's fund, which is also financed from profits. My own fund, as Director of Black Sea shipping, received 11 million roubles for the period 1956-57 and the captains' fund 5.5 million. These funds are used in agreement with the trade unions mainly in order to improve the living and cultural conditions of seafarers and for similar purposes which further the modernisation and the efficiency of ships.

At present my concern is undertaking work which should ensure that by 1958-59 seafarers of our fleet will have a shorter working day. The merchant navy will have a 40-hour week for all members of the crews including auxiliary staff, and a 35-hour week for engine-room staff, stokers handling solid fuel and persons between the ages of 16 and 18 years. Of course, none of this entails a decrease in wages.

One of the main duties in this connection is to ensure the observance of safety and health precautions. That is a subject to which I am constantly giving attention, and I have a special group of experts on occupational safety and health, including qualified engineers. The measures taken for the safety of seafarers in the Black Sea Shipping Line have cost almost 11.5 million roubles in the past five years. These funds are expended in agreement and in consultation with representatives of the trade unions.

It was aptly pointed out at yesterday's plenary sitting that the development of ships propelled by atomic energy gives rise to new problems affecting the safety and health of seafarers and port workers; the solution of these urgent problems is one which employers also cannot ignore and in which they have a part to play.

In my country problems of the peaceful uses of atomic energy are dealt with carefully, and the protection of workers against radiations is considered extremely important, so that the resolution proposed by the Soviet delegation is a very appropriate one at present.

I have obviously not been able to deal with all the aspects of the work of the directors of Socialist undertakings; but they have acquired a tremendous amount of experience during the 40 years the undertakings have been in existence. We think that this experience may be useful to many countries, especially those that have recently attained political independence and have now embarked upon the development of their economies, including their merchant fleet. They should be able, through the I.L.O., to make use of everything that is useful in the experience of the older maritime countries, including that of Ukraine.

The active participation of the leaders of Socialist undertakings in all the activities of the I.L.O., which is what we are striving for, would be helpful to all the Members of the I.L.O., which, according to its Constitution is a universal organisation. Consequently, I must again protest at the fact that I, and other Employers from Socialist countries, have been prevented from taking part in the work of the

Committees of the Conference. But I hope that the spirit of co-operation which is so typical of seafarers of all countries will triumph at this Maritime Session.

Mr. HAYASHI (*Government adviser, Japan*)—It is indeed a great honour for me to be present at the 41st Session of the International Labour Conference on behalf of the Japanese Government and to have the opportunity of expressing our views on the Report which the Director-General has prepared in such a lucid manner with the assistance of his staff. He has indeed most successfully analysed the present situation confronting world shipping, and has drawn an excellent picture of the problems with which we are faced. I have found it full of valuable suggestions.

In this extremely helpful document the Director-General refers to the remarkable progress which world shipping has made during the past ten years. He goes on to suggest that the task of the Conference at the present session is to tackle, in the light of the steadily progressing conditions, the various problems confronting maritime labour. Recent technical developments in the maritime field have very much changed the working conditions and the nature of work on board ship. The present Report furnishes an excellent basis on which we may study and discuss how to find solutions to such problems as I have mentioned above. I should like to join other speakers in paying a profound tribute to the Director-General and his assistants for having produced this Report.

We should recognise that in the past decade or so there have been many nations which have attained independent nationhood and with it the desire and the aspiration to have their own merchant fleet or to participate in the carriage of goods or passengers at sea to a greater extent.

Since the war many Asian nations have been striving to build up their merchant marine, and their governments have had to cope with all kinds of difficulties inherent in the traditional or underdeveloped social and economic structures. Labour-management relations are, in my opinion, the products of environment and are bound to assume a different character according to the historic, economic and social background. I wish to emphasise that many of the economic and social structures found in Asian countries are unique and cannot be found elsewhere in the world.

Indeed, it is very significant that the First Asian Regional Maritime Conference was held in Nuwara Eliya, Ceylon, in 1953. You may recall that at that time various regional problems were discussed, including such matters as recruitment, employment and welfare facilities of seafarers. As a result several effective resolutions were adopted. We now hope that, when the present Conference comes to discuss the principles to be universally applied to the whole world, it may perhaps take into full consideration the special local conditions prevailing in each region. Such a gesture would in my opinion make it easier for some nations to work in closer co-operation with the I.L.O.

May I now perhaps try to give you a brief illustration of some issues facing Japanese

seafarers? After the war, in the course of which we lost practically all our merchant shipping and suffered very heavy casualties among our seafarers, we made every effort to reconstruct our ships and have succeeded to some extent in rebuilding our national tonnage within a relatively short period; but I must hasten to add that we are one of the very few nations in the world (as a matter of fact we are referred to in the Report as one of the three) whose present tonnage still falls short of the pre-war figure.

In 1947 we revised extensively our Mariners' Law, adopting in it most of the I.L.O. Conventions up to 1936. As a result of this revision we have very considerably improved the seafarers' working conditions. This is not to say, however, that we have not made any improvements beyond these Conventions. Just to give you a few examples, if I may: in accordance with Japanese law ships of 5,000 tons gross or over, including freighters and tankers, must carry a qualified doctor on board, and seafarers are entitled to paid annual leave of 25 days, which is far better than the requirements of the relevant international labour Conventions.

Keeping abreast of world social progress we, too, are devoting ourselves to improving the working conditions of seafarers. With the recovery of our national economy in the past ten years the wages of Japanese seafarers have shown a substantial increase, parallel with that of workers in comparable industries ashore. As has been pointed out by the Director-General, it is indeed extremely difficult to make a comparison of the wages in various countries because of the widely differing local circumstances. It is customary in our country, for instance, to pay a bonus twice a year in addition to the monthly remuneration, but this bonus is not related to the profits of the owners except to a very minor extent: in other words a substantial reduction in the profit of the owners, or even an actual loss,

would have only a very slight effect on the workers' bonuses. This has been markedly true during the depression in the shipping industry, which has not yet shown any sign of coming to an end. Thus this bonus has been virtually a part of the seafarers' regular pay, up to the present at least.

In Japan the relationship of the shipowner vis-à-vis the seafarer does not normally terminate when the latter leaves his ship. On the contrary, the seafarer is kept on the payroll as a "reservist" for an indefinite period. Under this system a reservist would get more than half of the monthly remuneration that he would have had if he were working on board. You will thus see that a simple comparison between the monthly wages of our seafarers and those of other countries can be misleading, because of our particular system. It would be dangerous to give a casual glance at the table of monthly wages of selected ships' personnel without carefully studying the diverse regional and national conditions of each country concerned. There are some statistics in that table which in my opinion should be subjected to further scrutiny, but I do not wish to go into details at this stage.

Finally, with reference to the role to be played by the I.L.O. in the foreseeable future in the field of shipping, the Director-General has referred to some new problems arising from the advent of nuclear-powered ships and the development of automation in the shipping industry or the operation of ships, and also to the necessity of dealing with some regional problems. We are in complete agreement with these views of the Director-General, and it is my firm belief that the collective wisdom of the delegates gathered here together will be fruitful and will enable us to take constructive steps which will prove to be of invaluable service in the improvement of conditions in the field in which we are all interested.

*(The Conference adjourned at 10.45 a.m.)*

## Delegates Present at the Sitting

*Argentina :*

Mr. Lescure  
Commander Noriega  
Lieutenant-Commander  
Gómez Ortega  
Mr. Azqueta

*Australia :*

Mr. Brentwood  
Captain Bull  
Mr. Haddy  
Captain Martin

*Austria :*

Mr. Schlaffer  
Mr. Schlägelbauer  
Mr. Peham

*Belgium :*

Mr. Pluymers  
Mr. De Bruyn (substitute  
for Mr. Dufour)  
Mr. Dekeyzer

*Brazil :*

Mr. Barboza-Carneiro  
Mr. de Faria Baptista  
Mr. Carvalho  
Mr. Teixeira

*Burma :*

Mr. Thin

*Canada :*

Captain Johnson  
Captain Graves (substi-  
tute for Mr. Thomson)  
Mr. Kane  
Mr. Bullock (substitute  
for Mr. Sheehan)

*China :*

Mr. Yü  
Mr. Lee  
Mr. Sa  
Mr. Chen

*Colombia :*

Mr. González  
Mr. Albán Liévano

*Cuba :*

Mr. Camejo Argudín  
Mr. Enseñat Polit

*Denmark :*

Mr. Møller (substitute for  
Mr. Worm)

*Finland :*

Mr. Relander  
Mr. Hallberg  
Mr. Wälläri

*France :*

Mr. Lambert (substitute  
for Mr. Ramadier)  
Mr. Warasse (substitute  
for Mr. Roullier)  
Mr. Peyrot (substitute for  
Mr. Marchegay)  
Mr. Gruénais

*Federal Republic of Germany :*

Mr. Schelp  
Mr. Fettback  
Mr. Schultdt  
Mr. Hildebrand

*Ghana :*

Mr. Dowuona-Hammond  
Mr. Nettey  
Mr. Halm

*India :*

Mr. Nagendra Singh  
Mr. Merani  
Mr. Kumana  
Mr. Serang

*Ireland :*

Mr. Ó Riordáin  
Mr. Crowley

*Israel :*

Mr. Raday  
Mr. Bar-Zeev  
Mr. Ivri  
Mr. Barash

*Italy :*

Mr. Berio  
Mr. Purpura  
Captain Cavallini  
Mr. Romagnoli

*Japan :*

Mr. Hayashi (substitute  
for Mr. Kawasaki)  
Mr. Mori  
Mr. Yamagata  
Mr. Kageyama

*Liberia :*

Mr. Wilson  
Mr. Cooper  
Mr. Simonovitch  
Mr. Cole

*Morocco :*

Mr. Guessous  
Mr. ben Bouazza

*Netherlands :*

Mr. Valentgoed  
Mr. van der Vorm  
Mr. de Vries

*Norway :*

Mr. Storhaug (substitute  
for Judge Bull)  
Mr. Endresen  
Mr. Hirsch (substitute for  
Captain Loennechen)  
Mr. Haugen

*Pakistan :*

Mr. Chaudhuri  
Mr. Islam (substitute for  
Mr. Ahmad)  
Mr. Dada  
Mr. Khatib

*Panama :*

Mr. Ortega Vieto

*Poland :*

Mr. Ocioszynski  
Mr. Licki  
Mr. Suchorzewski  
Mr. Skiba

*Portugal :*

Mr. Pedrosa  
Commander Jorge  
Mr. de Barros  
Captain dos Santos

*Rumania :*

Mr. Lazareanu  
Mr. Gal  
Mr. Anzulato  
Mr. Radulesco

*Spain :*

Mr. Pastor Tomaseti  
Mr. García de Llera  
Mr. de Azqueta Urigüen

*Sweden :*

Mr. Widell  
Mr. Hartvig  
Mr. Reuterskiöld  
Mr. Thore

*Switzerland :*

Mr. Ryniker  
Mr. Messmer  
Mr. Fornet (substitute for  
Mr. Keller)  
Mr. Hofer

*Tunisia :*

Mr. Ladhari  
Mr. Sellami

*Turkey :*

Mr. Toygar  
Mr. Yenäl  
Mr. Aymen  
Mr. Özkan

*Ukraine :*

Mr. Slipchenko  
Mr. Nizhnik  
Mr. Danchenko  
Mr. Bakurski

*U.S.S.R. :*

Mr. Dolinski  
Mr. Ragimov  
Mr. Koetkin

*United Kingdom :*

Mr. Proctor  
Mr. Haselgrove  
Sir Richard Snedden  
Mr. Yates

*United States :*

Mr. Jacobs  
Mr. Rothschild  
Mr. Pennington (substi-  
tute for Mr. Casey)  
Mr. Hawk

*Yugoslavia :*

Mr. Velimirović  
Mr. Kesić  
Mr. Velkaverh

## SIXTH SITTING

Monday, 5 May 1958, 10.15 a.m.

*President : Mr. Kawasaki*

### FOURTH REPORT OF THE SELECTION COMMITTEE<sup>1</sup>: SUBMISSION AND ADOPTION

The PRESIDENT—The first business this morning is the consideration of the fourth report of the Selection Committee. I would ask Mr. Merani to come to the rostrum to present the report.

Mr. MERANI (*Government delegate, India ; Chairman of the Selection Committee*)—I have the honour to present to the Conference the fourth report of the Selection Committee, the text of which has been distributed. It is a very brief report and I commend it to you for acceptance.

The PRESIDENT—If there is no objection I declare the report adopted.

*(The report is adopted).*

### REPORT OF THE DIRECTOR-GENERAL : DISCUSSION (*cont.*)

The PRESIDENT—We will now continue the discussion of the Director-General's Report.

Mr. SIREGAR (*Government delegate, Indonesia*)—It is a privilege for me to have the opportunity of addressing this distinguished Conference. On behalf of the Indonesian delegation to this 41st (Maritime) Session of the International Labour Conference, I wish to express to the Director-General our high esteem of his extensive and valuable Report. We strongly endorse his conclusion that "we are justified in feeling a certain satisfaction".

This is the first time that Indonesia has attended a Maritime Session of the International Labour Conference. The Republic of Indonesia consists of about 10,000 large and small islands, of which some 3,000 are inhabited. Therefore for a long time past shipping has been a vital means of communication for the transportation of persons and goods. As a new nation we are building up a merchant marine to enable us to cope with the requirements of the present and the needs of the future. In view of this the work and the experience of the International Labour Organisation in the maritime field will be very

valuable for us as a guide in solving many of our problems.

We are undertaking an important and difficult task ; fortunately, the shipowners as well as the seafarers in our country are now showing good understanding and close co-operation.

Among the several maritime problems facing Indonesia mention should be made of the fact that unemployment among seafarers is not as serious in our country as in other Asian countries ; there is even a shortage of officers and petty officers. It is hoped that as the number of ships in service increases unemployment among ratings will be overcome. On the very important question of wages, compared with the more developed maritime nations wages in Indonesia are low. In the fight for better and more reasonable wages, disputes have been settled by negotiation, conciliation or arbitrary decision by the Central Committee for the Adjustment of Labour Disputes. For the training of qualified maritime personnel, the Government has established a Merchant Marine Academy to educate officers for ocean trade. In several towns nautical schools have been opened to educate officers for short-distance and coastal trade. In those parts of the country where the people have been seafarers since olden times, the Government as well as private institutions has established seamen's training schools. Conditions in social security have not yet reached the level that we have seen in other maritime countries, but there are already statutory provisions relating to compensation for employment injury, medical care, and full pay during sickness and holidays.

Freedom of association and the right to organise are guaranteed by the Constitution of the Republic of Indonesia, which has existed since 1945. Since the independence of Indonesia the associations of shipowners and seafarers have steadily been improved. During the Conference on Maritime Reconstruction and the National Conference on Reconstruction of the Republic of Indonesia, recently held in Djakarta, associations of shipowners and seafarers were also represented and had their views on maritime problems presented.

In respect of maritime social legislation, our laws have already applied the principles of the following international labour Conventions : the Minimum Age (Sea) Convention, 1920 ; the Unemployment Indemnity (Shipowners)

<sup>1</sup> See Appendix I, p. 205.



Convention, 1920; the Medical Examination of Young Persons (Sea) Convention, 1921; the Minimum Age (Trimmers and Stokers) Convention, 1921; and the Seamen's Articles of Agreement Convention, 1926. The Government has just established a council for the revision of the present legal system, and due attention will be paid to maritime legislation.

As a young nation and an island State, for which shipping is a vital factor, Indonesia requests the goodwill and understanding of the older and more experienced maritime nations. To the Asian and African countries we appeal for closer relations in the maritime field, in accordance with the spirit of the Bandung Conference.

May I conclude by expressing my sincere hope that this Conference will come to a successful end?

Mr. TOYGAR (*Government delegate, Turkey*)—This is the first time that my country has been able to send a full delegation to a Maritime Session of the International Labour Conference. While personally gratified at having an opportunity of addressing the Conference as a Government delegate, I have been asked, on this occasion, by all the members of the Turkish delegation to extend their good wishes to the participants in the Conference for a very successful session.

I need not stress the importance of this Conference for Turkey, a country surrounded by the sea on three sides, located on important sea routes and bridging two major continents of the world. Delegates to this Conference are no doubt aware that as a result of this geographic position Turkey has attached great importance to seamanship since the very early days of her history. Not only has Turkey been a well-known maritime country but she has in the course of centuries also developed traditions of her own in this field.

It has therefore been with great interest and a sincere sense of satisfaction that the Turkish Government and its delegates to this Conference have read and taken note of the very able Report presented by the Director-General. It is an enlightening document and will, I am sure, usefully guide our debates in this international forum.

In taking the floor I should like to confine myself to making a short, modest contribution to the general debate by giving a very brief account of developments in my country in relation to the conditions of work and life of seafarers.

Wages, hours of work and other conditions of work of seamen were regulated in Turkey until recently by custom based on long-standing traditions and also by the general provisions of the Code of Obligations and the Code of Commerce. During the post-war years the volume of our foreign trade greatly expanded and an important development in maritime trade has been recorded. The tonnage of our merchant marine has very considerably increased, resulting, naturally, in a parallel increase in the number of seafarers. This rather recent development has had as a direct consequence the promotion of legislation regulating the employment and conditions of work of seafarers. A Committee specially

set up for the purpose prepared a Seamen's Labour Code which eventually was passed by Parliament and came into force in 1954.

This legislation has been greatly inspired by the provisions of Conventions and Recommendations adopted at the various Maritime Sessions of the International Labour Conference and has taken account, after careful study of regulations in force in the principal maritime countries, of the necessities of our time and of the particular conditions prevailing in Turkey. The Seamen's Labour Code thus contains provisions extending social security measures to seamen as well as regulating their conditions of work. To supplement the Code another important regulation dealing with the health, accommodation and welfare of seamen came into force just before the opening of this Conference. This regulation, too, conforms to the international standards set forth by the Conference and has in its preparation been very largely inspired by the principles that guide the Conference decisions.

I should now like briefly to touch upon the basic provisions of the Seamen's Labour Code. It applies to all merchant ships of 150 gross register tons or more which are engaged in sea or lake navigation, and to seafarers serving on board such ships as well as to their employers. It might be useful to point out in this connection that preparatory work has already been started to extend the coverage of the Code to ships of 100 gross register tons or more and to the crew and employers thereof.

The provisions of the Code also apply to seafarers employed on board ships of a tonnage covered by it who are nationals of countries which grant benefits of a similar nature to Turkish seafarers on a reciprocal basis.

The Code provides that the contract of employment must be in writing and specifies the provisions that must be included in the contract.

In the case of termination of a contract, either by the employer or by the worker, the grant of an indemnity equal to 30 days' wages for seafarers with less than three years' service, and 60 days' wages for seafarers with more than three years' service, is compulsory under the Code.

Every seafarer with continuous service of one year or more with the same employer or on board the same ship is entitled to one month's paid holiday per annum.

All seafarers coming within the scope of the Code are covered by social insurance. They also have the benefit of minimum wage fixing machinery.

Seamen in Turkey enjoy complete freedom of organisation and association. The trade union movement has speedily developed among seamen, as in other occupations, and within a comparatively short period of time the percentage of organised seamen has risen by about 70 per cent. This rate is above that of organised workers in other branches of industry. The trade unions organised by the seamen play, as in other branches of industry, an important part in determining and fixing wages, hours of work and other essential labour conditions. Statutory tripartite organs enable representatives of seamen's trade unions to take an active part in labour courts, in minimum

wage fixing boards and in all other tripartite and joint committees set up by the relevant laws and regulations.

To sum up, it can be stated that the legislation and regulations which are in force in Turkey enable seamen of my country to enjoy wages, working hours and other conditions which conform to international standards and to have the full right to organise freely and to benefit without restriction from the advantages afforded under the existing social security system. This development has also had the happy result of making it possible for Turkey to proceed with the ratification of some of the Conventions adopted by the International Labour Conference concerning seamen. The work in this direction has very considerably progressed and the imminent ratification of the Minimum Age (Trimmers and Stokers) Convention, 1921, the Seamen's Articles of Agreement Convention, 1926, the Repatriation of Seamen Convention, 1926, the Minimum Age (Sea) Convention (Revised), 1936, and the Paid Vacations (Seafarers) Convention (Revised), 1949, may be anticipated.

I should like to conclude this brief statement by saying that we have come here with great expectations of putting the achievements of the Conference to use in our work in Turkey for a better life and better conditions of work for seamen. It is in this spirit that I should like once more to wish the Conference a full measure of success in its work.

Mr. OCIOŚZYŃSKI (*Government delegate, Poland*)—On behalf of the Polish Government delegation I wish to extend our thanks to the International Labour Organisation for convening this Maritime Session of the Conference.

I also wish to express our great appreciation of the work done by the Preparatory Technical Maritime Conference, held in London in 1956, which drafted the proposed international instruments aimed at finding the best possible solution to the problems which continually arise in our everyday practice. There is little doubt that the activities of the I.L.O. have promoted, in the past, many improvements in the working and living conditions of seamen throughout the world.

These improvements are particularly appreciable when compared to the extent and complexity of the tasks with which the I.L.O. is confronted. The dangers of the war, the pressing problems of post-war rehabilitation and the rapid growth of sea transport in response to the growing needs of the world have all taken a heavy toll of seamen's lives and efforts.

Many social problems have arisen to which the International Labour Organisation should direct particular attention. The study of some of them has already resulted in the adoption of a number of international instruments, but there are a considerable number of other problems regarding which no international standards have yet been laid down. The need for international regulations which would ensure adequate working and living conditions for seamen is especially acute, as properly emphasised in the Report of the Director-General, in view of the increasing importance of sea transport for the promotion of economic co-operation among the nations of the world.

The aim of sea transport, as we know, is to bring the nations of the world closer to each other. This is obviously a commonplace, but in reviewing those aims some conditions should be observed. There are many such conditions, both of an economical and technical character; and one which is now becoming extremely important is the ridding of the open seas of particular dangers emerging from nuclear weapon tests. This danger is of vital and real importance, especially for seafarers. Our conviction is that nuclear energy should be applied only for peaceful purposes, due regard being paid to the health requirements of the workers concerned. Therefore we are in favour of the effective ban of nuclear weapon tests everywhere, and especially on the high seas.

May I add that we shall persist in our endeavours to put the Rapacki Plan into practice and will support every initiative that contributes to the elimination of "atomic fever"? We hope that our efforts will be supported by other countries, particularly by those who, situated in the same geographical region, close to the shores of the Baltic Sea, no doubt share our interest in biological survival.

The principles of economic co-operation with neighbouring countries are widely applied in practice by the Polish merchant marine. Closer regional co-operation on different issues among maritime neighbours, as for instance countries in the Baltic area, is of particular value. We believe that such co-operation would be of great advantage to all concerned.

Experience has shown that complicated problems of international importance should be solved through sincere and direct contacts between countries. The efforts of the I.L.O. to establish closer contact with other international organisations concerned with sea-transport problems, and in particular with the Intergovernmental Maritime Consultative Organisation, are therefore particularly appreciated. My Government is thinking of ratifying the Convention establishing the Intergovernmental Maritime Consultative Organisation because it believes that the activities of that Organisation may be particularly useful in regard to a number of technical as well as navigational problems.

This Conference has before it the important task of promoting closer relations among the various countries of the world, and it is clear that this can only be achieved provided the principle of universality is effectively applied. Therefore it is a matter of great regret to us that the impressive and continually growing maritime potential of the People's Republic of China is not represented at this Conference and that the delegates of such an important maritime country are unable to contribute to the work of the Conference.

Poland is one of the founder Members of the International Labour Organisation. It has always supported, and will continue to support, every initiative taken by the Organisation which is aimed at improving the working and living conditions of seamen and thus facilitating the extension of sea transport.

We took an active part in the preparation of the maritime Conventions adopted in 1946 and in the work of the Joint Maritime Commission.

Out of a total of 25 maritime international labour Conventions, Poland has ratified 14, including the Food and Catering (Ships' Crews) Convention, 1946, the Social Security (Seafarers) Convention, 1946, the Paid Vacations (Seafarers) Convention, 1946, and the Accommodation of Crews Convention, 1946. Out of the 12 Conventions adopted in 1946 and 1949, eight have already been ratified by my country, and six of these were ratified shortly after the Seattle Conference. The Conventions ratified by Poland include two which are not yet in force because they have not been ratified by a sufficient number of countries. The ratification of those two Conventions, which concern paid vacations and social security, by as great a number of countries as possible is of particular importance. The effective application of these Conventions would put a stop to the disappointment with the policy of the International Labour Office which is growing in maritime circles. I am glad to say that the Polish Government has already started ratification procedure with respect to three further Conventions, namely the Protection against Accidents (Dockers), Convention (Revised), 1932, the Officers' Competency Certificates Convention, 1936, and the Minimum Age (Sea) Convention (Revised), 1936.

Apart from ratifying the Conventions and giving full support to the International Labour Organisation in its efforts to lay down international minimum standards with a view to protecting the working and living conditions of seamen, the Polish Government warmly welcomes the action of the I.L.O. to protect seamen in cases in which both international custom and law have been misused and violated, in particular in cases of flag transfer.

In recent years the Polish Government has devoted particular attention to seamen's social problems because of the considerable development of the Polish merchant marine.

During the years 1919-39 our coastline was very small. Moreover, the small merchant marine which we possessed in 1939 was almost entirely destroyed during the Second World War. Now conditions have undergone a fundamental change. The rapidly growing industry and the rising standard of living of the Polish people are giving increasing momentum to overseas trade. This is a clear reason for my country adequately to expand its merchant fleet.

I should like to mention in this connection that in 1950 we had at our disposal a total of only 236,000 deadweight tons. Today our shipping companies are operating 88 vessels of a total deadweight tonnage of 436,000. The companies operate at present 16 regular lines, serving the Polish ports of Gdynia, Gdansk and Szczecin and the various ports of Scandinavia, the United Kingdom and other Western European countries, the Near and Middle East, the Far East (including Indonesia) and South America. Recently we started running cargo and passenger services between Polish ports and those of Canada and the United States.

Apart from the operation of the Polish lines, increasing numbers of foreign vessels are calling at Polish ports. According to the

programme which we have laid down with a view to further development of our merchant marine, by 1975 its tonnage should be about five times as great as it is now and the number of seamen should be four times the present number.

The experience which we have gained during the past 40 years, not only in time of peace but also in time of war, has contributed to the quality of the service of our merchant marine. We are devoting considerable attention to seamen's training so that their skill may match our continuous technical progress. This is the task, *inter alia*, of our seamen's vocational schools, which are of a high standard. I must say that we have no shortage of candidates and that the number of people who wish to attend the maritime vocational schools exceeds the current demand for seamen.

As well as increasing the number of seamen and improving their occupational qualifications, we are systematically improving their working and living conditions. Our seamen are regular employees of the shipping companies and they retain their employment and continue to receive their pay under the same basic wage conditions even during non-sailing periods. In addition to social security benefits Polish seamen enjoy holidays with pay as well as leisure time and food on board of a higher standard than those received by seamen of some other countries.

Apart from seamen to whom the provisions of Conventions are applicable, there are other groups of people to whom the International Labour Organisation should devote particular attention. I have here in mind fishermen and seamen on board low-tonnage ships. Fishermen enjoy in Poland the same rights as seamen, but their hours of work and wages are regulated in a different way which has hitherto operated rather to their disadvantage. We have been trying to improve the conditions of work of fishermen, and this is why we have welcomed the initiative of the Governing Body in putting this question on the agenda of the next session of the International Labour Conference. As regards seamen on low-tonnage ships, they are not covered by provisions of international instruments. I feel that the problems of this group of seamen should be discussed by the International Labour Organisation, so that they may enjoy the benefits of international labour standards.

Further, we must remember that the International Labour Organisation is at the moment and will be in the future confronted with a number of problems which have either not been settled or which will arise as a result of the changes brought about by technological progress in sea transport. Such problems include the provision of satisfactory medical care on board, the regulation of the situation of refugee sailors, safety of navigation, the training of crews in new skills necessitated by technical progress, and automation.

The work and the achievements of the International Labour Organisation make us feel that this Organisation will be able to stand up to its future task and find a right solution to the new problems arising in connection with the working and living conditions of seamen.

Before concluding my brief remarks dealing

with the activities of the International Labour Organisation in the field of maritime problems, I should like to comment upon certain phenomena which have been so ostensibly manifested in the past few days in our work in this Conference. I wish to remind you of the efforts made by some groups of delegates to classify and qualify in an unfriendly manner some particular participants in this Conference, with the intention of preventing their full incontestable partnership in our work. I suppose there is no need at this moment to engage your attention in more extensive consideration of this very regrettable situation, in which I personally am inclined to perceive a source of latent complications which will be detrimental to this Organisation. Our common work in the field of social development throughout the world requires unification of effort, of material resources, of experience—and of goodwill. Upon this, without any doubt, depends the preservation of the fundamental principle of universality of this Organisation.

In my humble opinion it is not possible to exclude particular partners from co-operating in our common, difficult and responsible work, nor to satisfy anyone with instruments in the framing of which he has not co-operated, and which may perhaps be prejudicial to his interests. Such an attitude seems to me absolutely contrary to today's convictions in the world. We must co-exist; therefore we must co-operate. We must try to co-operate on the basis of conciliation and goodwill.

Allow me to express my sincere hope that this sound principle will be strictly observed in this Organisation in future.

**Mr. MENSAH** (*Workers' delegate, Ghana*)—I bring you the greetings of the seamen, lighterage and dockworkers of Ghana, who have braved a period of toil and disappointments since lighterage work was begun.

The British pioneers were the first to establish this enterprise, but they never worked out schemes by which Ghanians could become qualified seamen. They rather imported into Ghana migrant labour from the French Ivory Coast, Sierra Leone and Liberia to do the stevedoring work as well as seamanship.

Ghanians had no opportunities to train themselves for this task, but they managed to work under the companies' headmen (who belonged to the reserve army of the migrant labour force) as menial workers, who were only allowed to do jobs like sweeping the ship's deck, stowing logs and cocoa, etc.

As the world market began to expand and other avenues for lighterage work were being rapidly established along the sea coast of West Africa, a few Ghanians, through their own initiative, managed to learn how to drive ships' winches, the correct methods of chipping and painting, firing boilers, greasing, wiping, sailing and other stevedoring work; others with the ambition of becoming qualified seamen had to stow away to Britain. Some of them met with success, others with disappointments and set-backs.

Thanks are due to the Ghana Government for the establishment of the Black Star Line, which is giving employment to our seamen;

it has also undertaken to train promising Ghanians to fill positions of trust on all Black Star Line ships. With the attainment of our national independence and the establishment of the Black Star Line, Ghanian seamen now cherish the hope that better opportunities will be made available by our Government, and Ghanian seamen and dockworkers will enjoy equal benefits with all seamen in the progressive world.

It is our hope that this Maritime Session of the Conference will collect useful data from the material I have just released, sympathise with all African seamen, and help solve their problems in the interest of friendship and the prosperity of all seamen.

I take the opportunity of my presence in this Conference to thank the I.L.O. for the assistance they have rendered to Ghana and to other parts of Africa. Undoubtedly this assistance will also help to raise the standards of living of African seamen. We most heartily welcome the very recent decision to establish an I.L.O. centre in Africa and a tripartite committee for Africa.

Long live the I.L.O.! Long live fraternity among seamen!

*Interpretation from French*: **Mr. ROULLIER** (*Government delegate, France*)—The Director-General's remarkable Report contains a large number of observations which we find encouraging. Although all the problems facing the Organisation are not solved it is nevertheless true that in the fields of vocational training, stability of employment, hours of work, holidays with pay, crew accommodation, social security and welfare in ports progress has been made—sometimes striking progress—in various parts of the world since 1946 as regards seafarers. I propose to tell you what has been done in this regard in France during the same period.

First of all, vocational training. Apart from officer training schools there were in France before the war no organised institutions providing any sort of vocational training for young seamen on shore. The first maritime training schools were set up during the last war. There are now 15 of them scattered along the coast; they give their pupils courses lasting eight or nine months and train them to become seamen in the deck and engine-room departments. Four-month courses are also run at the schools for youths who have already had technical training and those wishing to obtain certificates of a lower standard. These maritime training schools are attended by a total of between 1,600 and 1,800 pupils each year.

Attendance at these schools is compulsory for all boys wishing to serve on vessels of over 250 tons. Trainees of these schools who have obtained certain marks at the end of the course and who have three years' experience at sea obtain an able seaman's certificate without further formality at the age of 21. France is the country where the most time is spent in shore training. There has been a notable change in the performance of crews since such schools have been established.

I come now to conditions of work. As in other maritime countries, in France a seaman's articles terminate when he leaves his ship,

since the contract is concluded for service on board a particular ship and not for service on board any vessel belonging to a particular shipowner.

The shipowners, the unions and the Government of my country are all aware of the drawbacks of such a system. Already before the last war many ratings employed by shipping companies in which the Government has a financial interest were engaged on terms under which they were bound not to a particular ship but to a particular firm, which enabled the company to keep such ratings in their employment during periods of shore leave. The same applied to officers in a certain number of private companies.

Social developments resulting from the Second World War led shipowners and seamen's organisations to conclude after the war, as was done in the same period in other countries of Western Europe, a collective agreement under which shipowners running more than three ships were bound to provide steady employment for 70 per cent. of their seagoing personnel. In return for certain obligations established seamen can be sure of receiving when they are not at sea half their basic wage in addition to a daily allowance for board. As regards officers, who are covered by a special collective agreement, a higher proportion of them have established employment and they receive when they are not at sea not half but 60 per cent. of their salary. Moreover, neither officers nor ratings may be discharged except for clearly specified causes such as physical incapacity, or the laying-up of ships, and certain other clearly specified conditions; they are granted an indemnity corresponding to their length of service in the undertaking.

What is the position in France as regards seamen's hours of work? At the time of the Seattle Conference these were fixed at eight a day and 48 a week. The seamen had one day of rest after six days at sea and two days' holiday with pay per month spent on board. From 1948 onward they asked to return to the pre-war system which used to be the 40-hour week with one day's holiday a month and overtime pay. The conditions of work of seamen were brought into line with those of workers on land, with the necessary adjustments, in two stages—in 1954 and 1957.

At present, in view of the latest agreement between shipowners and seamen to apply in advance the provisions of a Bill now awaiting discussion in Parliament, French seamen now work 48 hours a week spread over six days; overtime pay is granted as from the 41st hour of work. The rate of pay is time-and-a-quarter for the first eight hours, that is from 40 to 48, and time-and-a-half for the following hours. Overtime worked by officers is paid for by a lump-sum grant equivalent to a quarter of their basic salary.

Holidays with pay are now calculated at the rate of two-and-a-half days per month spent on board, and when seamen cannot take their weekly rest, which frequently happens, they are granted a day of compensatory rest, which is added to their holidays with pay. During their holidays with pay seamen are paid their basic wage and an allowance for board.

These provisions, some statutory and some contractual, ensure that French seamen's conditions are much more favourable than those prescribed in the international standards embodied in the I.L.O. Conventions. The French Government considers that it has taken the right course and has helped to improve the living and working conditions of seamen generally.

As regards accommodation, progress in this field has been notable under the flags of all the nations belonging to the Organisation. In this respect France is no different from the other countries which have accepted the obligations of the Constitution. Even before ratifying Convention No. 92 it had applied its principles in all new ships. As there are now relatively few old ships left in the French merchant fleet the changes in accommodation standards have therefore been spectacular. In France, as elsewhere, the difficulty has always been greater on board passenger ships than on cargo ships or tankers.

Seamen's homes for French or foreign seamen in French ports existed in France before the war. Most of them were destroyed or severely damaged during the war, and new ones were built; there are now eight of them. They comprise hotels, restaurants, reading and recreation rooms and are open at small cost to foreign seamen just as to French seamen.

There are serious problems still to be solved in France. In particular, the training scheme for future officers of the Merchant Navy needs reorganising completely. This is now being done, and at the same time such schools as were destroyed during the war are being rebuilt. Here as elsewhere it has been necessary to take account of improved methods of teaching scientific subjects, to give education a more concrete slant and to provide more premises for practical work and more demonstration apparatus, and finally to enable more trainees to be admitted—at least as regards those studying for engineers' certificates—in view of the lower age at which engineer officers now tend to leave the service.

We are also aware that the existing stability may conceal grave perils, for example if many ships were to be laid up. The French Government has ratified almost all the maritime labour Conventions. It follows developments in this field very closely and has too many links with the Organisation to allow itself to be turned aside from a task that will always remain unfinished.

*Interpretation from French:* Mr. VELIMIROVIĆ (*Government delegate, Yugoslavia*)—I am very happy to have the honour of representing the Yugoslav Government at this Conference devoted to maritime problems, to which my country attaches a great deal of importance.

Although Yugoslavia has not a very large merchant fleet, it is still a maritime country whose history and tradition are well known. Its geographical position and its coastline have favoured the development of maritime transport using its ports and, consequently, these have given rise to a merchant fleet of some note. The development of the Yugoslav merchant fleet has been greatly helped by

seamen with considerable experience in navigation, who have made a reputation for themselves amongst seamen throughout the world.

The fact that our tonnage is so far not very great is due in the first place to the fact that until recently our country was underdeveloped and economically weak. This situation was further aggravated by the fact that the merchant fleet suffered great losses during the Second World War. Whilst the world tonnage at the end of the last war had increased by 13 per cent. as compared with 1939, the tonnage of the Yugoslav merchant fleet had fallen to 33 per cent. of its pre-war tonnage. Thus, at the end of hostilities, our merchant fleet had roughly only some 138,000 gross tons.

During the post-war period our country concentrated its efforts on creating a shipping industry which already constitutes a solid basis for the more rapid development of our merchant fleet. Thus the shipowners of our country have already drawn up contracts with our shipyards for the construction of ships totalling some 339,000 gross tons, some of which are already being built. With the existing tonnage of about 375,000 gross tons and the tonnage now being built under these contracts we shall, by the end of 1960, have a merchant fleet with a capacity of some 540,000 gross tons.

Referring briefly to the Report of the Director-General I should like to draw your attention to certain facts characteristic of the working conditions of seamen in our country, since the Report has not mentioned them. I hope that this information may be useful for further study of this question.

In my country a great deal of attention is being paid to the improvement of the working conditions of all workers, particularly seamen. In the first place I consider it very important to stress the fact that my country today is able to provide employment for almost all our seamen but, in case of unemployment, our insurance system guarantees for all unemployed seamen compensation equivalent to 50 per cent. of their usual earnings until such time as they are again employed. Seafarers who are temporarily unemployed receive at the same time 100 per cent. family allocations as well as all sickness insurance benefits.

Our system for training seamen is as follows. After eight years of compulsory primary schooling candidates are admitted to a secondary maritime school where training lasts four years. Having concluded this training and having served two years on board and passed their examinations, the young seamen are then promoted to the rank of lieutenant in the merchant fleet and may enrol in a higher maritime school, where training lasts four terms. When this training is completed and after two years of navigation, the seamen pass their examination and attain the rank of master. The same system applies to engineers. However, in addition to vocational training in schools, we have in our country another method of training for seamen through experience on board and proficiency examinations.

Under existing conditions hours of work on board merchant vessels are fixed at eight a day and 48 a week.

As regards wage scales for seafarers I should like to point out that the State, as a result of the introduction of workers' management throughout the economy, including shipping, fixes only minimum wage rates, whilst the remuneration for a particular post is fixed by the wage scale established by the undertaking itself. Consequently, wages are fixed by the workers as a body, namely by the wage earners and the salaried employees in the employment of the undertaking. The economic independence of a shipping undertaking in the fixing of remuneration results, above all, from the fact that the workers as a body are entitled to distribute a part of the profits resulting from their labour.

As regards the wage policy in my country's maritime industry, I should like to emphasise that one of its notable features is a system of various allowances, such as payments in kind (board, working clothes, etc.) or allowances in cash for special work (various lump-sum grants, allowances proportionate to the number of nautical miles covered or proportionate to the tonnage carried). The remuneration system also provides for bonuses in respect of savings.

In the event of shipwreck, in addition to normal wages for two months seamen receive damages for the loss of personal effects and repatriation costs.

Provisions in force in our country guarantee to seamen an annual holiday with pay of from 12 to 30 working days according to the length of service. In addition, if work is done on a day of weekly rest or on a public holiday, annual holidays increase by as many days as were spent at work on such days. Seamen are also entitled to split up their annual holidays with pay, as provided for in the Holidays with Pay (Sea) Convention, 1936.

Seamen are covered by the general system of social insurance for wage earners and salaried employees. They are insured against all major hazards such as sickness, accidents at work, occupational diseases, invalidity, old age and death, as well as against unemployment.

In conclusion I should like to emphasise that my country has ratified eight important Conventions concerning seafarers, namely the Minimum Age (Sea) Convention, 1920; the Unemployment Indemnity (Shipwreck) Convention, 1920; the Placing of Seamen Convention, 1920; the Minimum Age (Trimmers and Stokers) Convention, 1921; the Medical Examination of Young Persons (Sea) Convention, 1921; the Seamen's Articles of Agreement Convention, 1926; the Sickness Insurance (Sea) Convention, 1936; and the Repatriation of Seamen Convention, 1926.

I trust that our new Labour Relations Act, approved in December 1957, will enable us to examine the question of ratifying certain other Conventions relating to the merchant navy.

Mr. WORM (*Government delegate, Denmark*)  
—On behalf of the Government of Denmark I would like to associate myself with previous speakers in thanking the Director-General for his excellent Report, which my delegation has studied with the greatest interest.



I do not think that it will be necessary at this stage to say anything about the various questions on the agenda of the Conference, because we will have ample opportunity to deal with them in the Committees. There is, however, one question, not on the agenda but dealt with in the Director-General's Report, on which I would like to say a few words, and that is the question of seafarers' welfare in port and on board ship. As will be seen from the Report my Government and the other Scandinavian Governments have shown a great interest in this question by the setting up—on the basis of special legislation—of Merchant Navy Welfare Boards representative of shipowners and seafarers, government agencies and voluntary organisations interested in seamen's welfare. In the last ten years welfare work within the merchant navies of these countries has expanded in a successful manner and much experience has been gained about the methods and principles which are found to yield the best results in welfare work.

We think that every citizen of a country should have a right to enjoy as far as practicable the cultural and social amenities which are generally available to any citizen in his home country. The welfare authorities of the individual countries should therefore seek to confer the maximum number of these amenities on those of their seafarers who are far from their home country. Every seafarer, while serving his country outside its boundaries, should also have a right to be capable of maintaining close connection with his country and its social and public life.

We must, however, realise that the position as to the social and cultural amenities available still differs very much from one country to another. The aim should therefore be that all countries undertake to the fullest extent possible the establishment of all the institutions in their ports which are equal to the requirements of up-to-date organised welfare work.

Furthermore, steps should be taken to ensure that individual countries render assistance to maritime countries who wish to establish, or to take part in establishing, suitable institutions and arrangements of this kind in our ports, such as seafarers' hotels, sports grounds or points of contact for cultural connection between the seafarer and his home country.

The Scandinavian Welfare Boards have co-operated very closely and I feel that we are allowed to say that we have achieved rather satisfactory results. It is evident, however, that one particular country, or a limited group of maritime nations working together in this field, cannot cope in an efficient manner with all ports of interest to international shipping and seafarers.

Nor would a single group be capable of carrying into effect measures in all the fields of welfare activity without assistance from other countries. For this reason international co-operation on a broader level is urgently needed for the benefit of all of us.

The Scandinavian countries hold the opinion that international co-operation should be carried out and if possible strengthened within the framework of the I.L.O. and in close

relationship with the bodies already established by that Organisation for discussion and dealing with seafarers' conditions, thus following up the Seamen's Welfare in Ports Recommendation, 1936. In concluding I would like to express the hope that the tripartite Subcommittee of the Joint Maritime Commission, mentioned in the Report, may be established and begin its work in the nearest future.

*Interpretation from Japanese: Mr. KAGEYAMA (Workers' delegate, Japan)*—On behalf of all the Japanese seamen who are engaged in sea transport I should like to express my heartfelt gratitude on the excellent job done by the I.L.O. Secretariat, and I feel it is quite an honour to be given this opportunity of making a few observations on the Report of the Director-General.

Those who are engaged in sea transport in the world acknowledge the tremendous contribution the I.L.O. has made in its 40 years' history toward the improvement of the working and living conditions of the seamen of the world. We Japanese seamen have had the experience of witnessing how the Conventions and Recommendations adopted by the International Labour Conference at its various sessions have affected our Mariners' Law, Ship Officers' Law, Seamen's Employment Security Law, Seamen's Insurance Law, and so forth, and the legislation which protects the seamen, both directly and indirectly. I should like to point out, however, that our gains were not limited to the field of legislation; the trade union movement, among the Japanese seamen, itself was greatly influenced by the I.L.O.

All Japanese seamen on board merchant vessels at present, irrespective of whether they are deck hands, engine-room workers or clerical workers, or whether they are officers or ratings, belong to one union (the All-Japan Seamen's Union), which I represent. Many seamen on board fishing boats also belong to our organisation. United in this single organisation, all the seamen understand each other's aspirations and the conditions to which they are subject, and try to improve working conditions by the democratic operation of our union, thus contributing to the steady development of Japanese sea transport. Our union is rightly regarded as the most genuine labour organisation. In 1921 the Japanese Seamen's Union was founded, and our present organisation, which is the successor to this union, was built up in its traditions and on its foundations. The representatives of the Japanese seamen who attended the Second Session of the International Labour Conference, which was held in Genoa in 1920, received valuable advice from such forerunners as Albert Thomas, then the Director of the I.L.O., Havelock Wilson of the United Kingdom, and Andrew Furuseth of the United States; when they returned to Japan they were able to found the Japanese Seamen's Union. If the I.L.O. had not been founded in 1919 it is quite conceivable that the founding of this union and the subsequent development of the modern trade union movement by Japanese seamen would have been delayed for a considerable time. In this respect there is a close although invisible tie between the I.L.O. and Japanese seamen. It is because of the

able functioning and the energetic activities of the I.L.O. that we gave our positive support to the Organisation both before and after the Second World War and that we will do our utmost in future to co-operate with it. We cannot ignore this historic relationship between the I.L.O. and ourselves. I should like to take this opportunity of expressing our deep gratitude towards the people who contributed toward the founding of the I.L.O. and to its activities right up to the present time.

May I say how much satisfaction we derive from the I.L.O., and from its work aimed at achieving the objectives of its Constitution? We are especially indebted to it for holding the Asian Regional Maritime Conference in 1953. The five resolutions adopted at this Conference greatly improved the protection available to Asian seamen. I believe that those who were concerned with sea transport in Asia gained a new understanding of the I.L.O.'s role. Despite this development, however, there are so many urgent matters, such as social security in the event of sickness, unemployment, old age and so forth, and vocational training, which need international consideration. Therefore I urge the I.L.O. and its staff to consider the possibility of holding discussions at the next regional maritime conference in Asia on the effect given to the resolutions adopted at the 1953 Conference in these countries and in particular to discuss social security for seamen, their vocational training, and so forth.

I should like to tell you how much we appreciate the Declaration of Philadelphia adopted at the Twenty-sixth Session of the General Conference of the I.L.O. with regard to the extension of the range of I.L.O. responsibilities in relation to the great social progress achieved since its foundation, a document in which emphasis is laid on the following points :

"Believing that experience has fully demonstrated the truth of the statement in the Constitution of the International Labour Organisation that lasting peace can be established only if it is based on social justice, the Conference affirms that—

"(a) all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity ;

"(b) the attainment of the conditions in which this shall be possible must constitute the central aim of national and international policy ;

"(c) all national and international policies and measures, in particular those of an economic and financial character, should be judged in this light and accepted only in so far as they may be held to promote and not to hinder the achievement of this fundamental objective ;

"(d) it is a responsibility of the International Labour Organisation to examine and consider all international economic and financial policies and measures in the light of this fundamental objective."

It is the national and international social and labour policies which immediately and most profoundly affect the workers' living conditions, but these social and labour policies cannot be

separated from economic and financial policies. The Declaration of Philadelphia clarified this point, as I understand it, and we do feel it keenly in our own experience. I refer in general to the comprehensive policies on tariffs and trade, limiting either exports or imports, and I should like to point out here the fact that one nation's economic policy sometimes affects the fisheries industry of another nation so seriously that it is almost fatal, and many workers who are engaged in this industry are sacrificed. I appeal to you strongly that the I.L.O. may establish its future plans in accordance with this Declaration of Philadelphia.

I should like to touch on the subject of standard wages of Japanese ships' personnel which are mentioned in table II in the Director-General's Report, in which the wages of such personnel in various countries in 1956 are compared. I am not going to argue about the source of the figures or their validity, but I do wish to point out that since the wage system of Japanese ships' personnel is connected with and regulated by the form of their employment, and is a very complicated one, if we are to compare our wages with those of other countries we must pay due consideration to the differences in our wage system, otherwise serious misunderstandings might arise. This is why I ask your indulgence while I give you a few explanations.

One of the characteristic phases of the labour-management relationship in Japanese sea transportation is that seamen are attached to a particular shipowner and are employed for lengthy periods, and even when they are not on board their livelihood is guaranteed as reserve personnel. Therefore it is only natural that the proportion of the annual increases in pay granted on account of length of service sometimes add up to more than the actual basic wage. The starting wages of seamen are fixed according to age, degree of education and experience, and by adding the annual increases in wages you get the standard wage ; but there are some variations in the amount of the starting wage and the rate of annual increase, depending on the size of the firm or of the shipowner's fleet. That is why it is so difficult to give you the wages of A and B class seamen, because such classes simply do not exist in Japan, either as an institution or in practice.

Although shipowners regard the steady wages seamen receive, irrespective of whether they are on board or after they get off the boats, as being important from a point of view of labour policy, our union deems it also important to get the minimum guaranteed wage according to the job category, the tonnage of the boats and the routes they sail on. The labour agreement we concluded with the shipowners' organisation aims at providing this guaranteed minimum wage, so that the actual wages paid to the seamen engaged on ocean voyages are much higher than the wages agreed on in that contract. Japanese seamen's wages consist of basic pay, family allowances, boarding allowances and per diem navigation allowances. As a unique custom in Japan, we draw temporary allowances twice a year, and we also get a retirement allowance calculated on the basis of the number of years worked.



In view of the above facts, therefore, I request you to replace the figures of wages Japanese ships' personnel were actually paid in June 1956 (as shown in table II of the Director-General's Report), by the following, since they are the most suitable ones for comparison with other nations: second officer, \$118.5; able seaman, \$85.7; qualified engine-room personnel, \$85.6; ship's cook, \$101.2.

*Interpretation from French:* Mr. RADAY (Government delegate, Israel)—I have the honour of greeting this distinguished gathering on behalf of a very ancient people, not only by its age but also by its experience of seafaring. Even a superficial reading of the Bible—that magnificent chronicle of our history—tells us that over 26 centuries ago the people of Israel dwelt on the shores of the Red Sea and that, shortly after, it settled on the Mediterranean coast, where it built the port of Jaffa with its own hands. Having returned to the little country of our ancestors, which is half desert and has no natural resources, we are now lucky in only one respect—we have access to two seas.

The creative fever which inspires the State of Israel has spread into the field of shipping. It may well be that we cannot pride ourselves on possessing a large fleet, but we can note with satisfaction the progress achieved since 1948. Ten years ago, when our State was founded, our merchant navy consisted of three obsolete ships with a total of 3,000 tons displacement, and our labour force consisted of no more than 160 seamen. At the end of 1956—according to the Report submitted to us—the Israeli fleet amounted to 150,000 tons, and now, at the beginning of 1958, it has 34 vessels with a total displacement of about a quarter of a million tons. Their crews comprise about 3,000 seamen. Our objective is the constitution of a fleet that may cover about 50 per cent. of our needs. For that purpose we shall need at least 750,000 tons. We hope to reach that figure within a few years.

This expansion in our navigating potential is to be explained by a reawakening—if I may use such a term—in the maritime conscience of the Jewish people, which had lain dormant for 2,000 years. When the awakening came the people had to master all the refinements of modern techniques. With a view to making the best possible use of the bounty of nature, which has placed us on the shores of two seas, we have drawn on the best available forces to develop this industry which is of such importance for our young State if it is to become economically independent.

The Government and the public institutions which took part in the country's development even before the foundation of the State did all they could to encourage both private and public action to this end, the chief of these institutions being the Confederation of Labour (Histadrut). Considerable sums have been invested in the purchase of ships and the training of crews. While the purchase of a vessel is a single operation the vocational training of seamen and of technical and supervisory staff on the other hand is a uninter-

rupted and continuing process. It constitutes a long-term task which is doubly difficult in view of the fact that we started from scratch and that we aim to become a modern nation which will observe international standards. It seems to me that it would be neither presumptuous nor exaggeration on my part to say that the level of technical proficiency required by my Government and the degree of technical efficiency and welfare of our crews are among the highest.

May I say how happy I am to emphasise the spirit of understanding and the genuine desire to co-operate which are to be found among shipping companies, crews and the various ministries which are responsible for ensuring the proper performance of all activities connected with navigation? There is also no doubt—and I am glad to be able to say this—that we have learnt a good deal from nations that are in the forefront of progress in the maritime field.

In addition to the traditional and well-tried methods used in this field we have sought to discover new methods that would be in accordance with the general outlook of our country, particularly as regards co-operation in general which is so advanced in Israel in various fields. Thus about four years ago, under the auspices and care of the Histadrut, a first maritime co-operative society was founded. A ship was bought and is managed in accordance with co-operative rules. The profits are equally shared among the members of the society irrespective of their rank or position. A further step forward was taken in this field a year ago when a large co-operative organisation became associated with a private shipping company on a fifty-fifty basis. This enterprise already runs one vessel, and three others are now building. This experiment was conclusive, and we have great hopes for its future development in the interests of all concerned.

While all this is true as regards the economic and material aspects of the development of navigation, it is even more true as regards the human aspect—the vocational training of crews, the maintenance of their morale, etc. Here again it is my pleasant duty to point out that all those involved—workers, employers and Government—have continued to co-operate in full harmony in a search for satisfactory solutions to the problems inherent in the training of officers and ratings. A state school for officers has been operating for some years already in the ancient town of Acre, and a year ago we founded, in co-operation with a number of agencies, a national fishery school and a school for engine-room and deck personnel which is located in the vicinity of the famous old city of Caesarea. I might also mention a school on Mount Carmel where the various trades pertaining to passenger transport are taught; it provides training for cooks, stewards and catering staff generally. Finally, in the town of Haifa there is a training centre for all the technical trades involved in navigation.

A number of ministries—each within its own field of competence—organise supplementary courses to enable certificated personnel to improve their vocational qualifications.

I should now like to say a few words on the

legal aspect of maritime problems. Our legislation covering this field is not yet completed. Here again the authorities are active, and it is to be expected that within a few years the State of Israel will have a modern and comprehensive maritime code. Here are some of the main features of the existing situation.

On 2 July 1952 Israel ratified the International Convention concerning the Safety of Life at Sea, 1948. The provisions of that Convention are faithfully observed.

The Harbours Ordinance, 1926, which dates back to the time of the British Mandate, is still in force. It was amended in 1949, 1951 and 1953. Section 17 of this Ordinance empowers the Minister of Transport to issue orders relating to a wide variety of subjects, particularly as regards the application of any international maritime Conventions which the State of Israel may ratify. It is to be expected that the Minister of Transport will make use of this power when Israel ratifies the international labour Conventions applicable in this field.

Relations between seafarers and shipping companies are governed by a collective agreement which covers the social rights of crew members. A Bill on labour relations is about to be submitted to the Government.

Under regulations adopted in 1953 a national board has been set up which is empowered in particular to issue competency certificates to seamen, engineers, navigating officers and masters. The board is also entitled to suspend or withdraw such certificates.

In the space of ten years Israel has built up a very extensive network of social legislation. This legislation is thoroughly modern as regards holidays with pay, hours of work and rest periods, social insurance and the employment of women and young persons. It is the continuing concern of Israel to provide adequate protection for its seamen. May I say that my Government would very much like to contribute, together with all other States, to the maintenance and raising of social conditions for the seamen in all the fleets of the world? We have the best of intentions not only in this field but in all other fields connected with the problems of the sea and we hold out our hands to all the nations of the world with a view to securing a harmonious development of this branch of the economy, of which it has been truly said that it is the most international of all industries.

The few modest experiments we have made with the peoples of various continents afford grounds for believing that co-operation based on mutual understanding and goodwill is of benefit to all concerned.

May I in conclusion express on behalf of my Government my gratitude to the I.L.O. for the unceasing and fruitful work it has done in the solution of the problems we are dealing with here? These efforts, which are described in the Director-General's Report, have among other things led to close co-operation between the I.L.O. and the various specialised agencies of the United Nations as well as other international organisations.

I give my heartfelt support to the words by which the Director-General at the conclusion of his Report asserts that "we are justified in

feeling a certain satisfaction" with the work already done, and I extend my warmest congratulations to him. At the same time, however, may I express the hope that we shall not rest on our laurels but look forward to the important tasks that await us?

ADDRESS BY MR. HOLZER, DIRECTOR OF THE SWISS FEDERAL OFFICE OF INDUSTRY, ARTS AND CRAFTS, AND LABOUR

The PRESIDENT—I have pleasure in calling on Mr. Holzer, Director of the Swiss Federal Office of Industry, Arts and Crafts, and Labour, to address the Conference.

*Interpretation from French:* Mr. HOLZER (Director, Swiss Federal Office of Industry, Arts and Crafts, and Labour)—Unable to attend here in person, Mr. Hostenstein, the President of the Swiss Confederation, has asked me to express to you the sincere good wishes and welcome of the Swiss people and authorities. I am all the more conscious of the honour I have of welcoming you here today since this is the first time that our country has taken part in your discussions as a maritime nation.

May I be allowed at the same time to say how moved we were when we learnt of the tribute you paid to the memory of the late Professor Rappard, our eminent countryman, who for so many years, with untiring devotion, put at the service of the International Labour Organisation his vast knowledge of international affairs?

More than 2,000 years ago, at the time of Hannibal's wars, Cato said "To navigate is essential: to live is not", which we might freely interpret as meaning that navigation is more vital than life itself. During the two world wars which were, unhappily, the milestones of the first half of this century, we were able to understand the full meaning of this aphorism. Cut off from our sources of supply, deprived of any kind of fleet, we were compelled in order to cope with our needs to charter at incredible prices old, unwanted ships. That was further complicated by the need to recruit crews with sufficient qualifications from neutral countries; and, finally, we had hastily to set up the necessary minimum legislation and administrative machinery in order to organise our maritime transport.

Having learnt our lesson the hard way we decided after the end of hostilities to maintain in time of peace a small merchant fleet which would be able to take care of our supplies in moments of international unrest. Moreover, in order to determine the legal status of these ships we adopted a law concerning maritime navigation under the Swiss flag. This law, which came into force on 1 January 1957, was based on the principles of maritime law, qualified to a great extent by the Conventions and Recommendations of the I.L.O., so that Switzerland will probably soon be able to ratify a number of these Conventions.

Since need compelled us to create a fleet as well as maritime legislation, we felt it our duty to associate ourselves with the work which you have been carrying on in the

international field. We are happy, first of all, to be able in this way to show our solidarity with the maritime nations, to which we are profoundly grateful for the help they gave us during the war by putting at our disposal the ports which we so badly needed. Moreover, we are happy to take part in the setting of standards in order to improve the life of seamen. Even without long experience of maritime affairs one need only reflect on the conditions under which seamen carry out their hard duties to understand that they need not only protection such as is given to all workers but more extended protection going beyond their working conditions in the narrow sense of the term and which would cover also such questions as accommodation, health services, welfare, etc. This is why we are interested in all the questions on the agenda of this Conference and have examined attentively the excellent reports of the International Labour Office and particularly that remarkably clear and detailed Report of the Director-General, which serves as an introduction to them.

It is not my intention to prolong this statement by reviewing the various items on the agenda and I will confine myself merely to item V, expressing the hope that we may soon achieve uniformity in the interests of seamen on the question of sea chests, medical advice by wireless, etc.

I need hardly say that Switzerland, only recently promoted to the rank of a maritime nation and lacking the vast experience of those countries which have been sailing the seas for centuries, does not intend to play an outstanding role in the discussions of this assembly. But Switzerland will actively support any project that will make it possible to improve the working and living conditions of seamen provided that it is practicable and in accordance with present circumstances.

In conclusion I should like to say how happy we are to welcome you in our country and that we hope you will find in this pleasant city of Geneva the environment necessary to make your work as fruitful as possible.

The PRESIDENT—I am sure the Conference appreciates the kind message of the Swiss Government which, as representative of our host country, Mr. Holzer has just conveyed to us. We thank him most sincerely.

#### REPORT OF THE DIRECTOR-GENERAL: DISCUSSION (*cont.*)

The PRESIDENT—We shall now resume discussion of the Director-General's Report.

Captain JOHNSON (*Government delegate, Canada*)—My remarks will be very brief. However, before turning to the subject at hand I should like to offer congratulations to His Excellency, Mr. Kawasaki, on his election by acclamation as President of this Conference. Under his wise leadership our labours are bound to be fruitful and I say this despite the somewhat heavy weather we have encountered since moving out of the harbour of preliminary pleasantries into the substantive part of our journey.

It is a great pleasure to me personally to have again the privilege of seeing so many of the friends I have made at previous conferences; for, in addition to the collective results obtained at our meetings, the exchange of individual ideas made possible through our personal contact is of immeasurable value and allows each of us to gain an indispensable broader understanding of the other fellow's problems. In this connection it is particularly pleasant for me as a Canadian representative to see among us for the first time members of the delegation of a sister Commonwealth country—Ghana.

At the same time this is also a somewhat sad occasion, for since our last Maritime Session of the Conference the I.L.O. has suffered the loss of Mr. Cyril Phelan, formerly Director of the I.L.O.'s Canadian Branch Office, a man whom I am proud to recall as a former colleague. He was known to most of the regular attendants at this Conference, who I am sure regret his passing as much as I do. Mr. Phelan leaves behind treasured memories of co-operation, interest and loyalty in I.L.O. affairs.

On behalf of the Canadian delegation I would like to congratulate the Director-General on his very excellent Report of the steps taken since the last Maritime Session of the Conference and the results achieved on the basis of earlier Conference decisions. I should also like to pay a word of tribute to the staff of the I.L.O. for the other reports presented for our consideration here and to express appreciation for the valuable assistance and guidance so willingly given to all of us, particularly in the Committee stages of our deliberations.

There are few industries in the world which can profit as much by I.L.O. meetings and the assistance of the International Labour Office as the shipping industry. It is an industry where workers and employers from many countries deal in the same markets and offer the same services. As a result we are more aware, I think, than representatives of some other industries of the advantage of having international minimum labour standards. We have crossed each other's paths so often that we know and appreciate the mutual social and economic effects of such standards.

As a maritime nation Canada has seen a considerable reduction in her tonnage since the last Maritime Session of the Conference. The marked increase in the cost of operation, a significant component of which is, of course, directly related to the relatively high labour standard established throughout Canadian industry, including her merchant marine, has had no small bearing on this reduction. In short, it has been found increasingly difficult to maintain satisfactory economic operations of the Canadian maritime fleet in competition with other countries where rates of pay and other costs of operation are at lower levels. It hardly seems necessary to emphasise that we do not regard this as a happy situation and that we would wish to do everything in our power to alter the trend, short of lowering the present standards of Canadian seafarers. We have, therefore, a second interest in the task of this Conference, an interest in addition to that which we share with others in the

cause of seafarers generally, since an improvement in internationally applied standards of welfare cannot fail to regularise the competitive position of the Canadian merchant marine.

Concerning the inland fleets, a matter of very great interest to our marine people is the forthcoming opening of the St. Lawrence Seaway, which will give deep-sea vessels access to the very heart of the North American Continent. At the same time the opening of the seaway will tend to release our efficient Great Lakes fleet from their geographically limited operations within the centre of the continent. The impact of the St. Lawrence Seaway on the pattern of Canadian trade and on the employment and working conditions of Great Lakes seamen will be a matter of considerable consequence. I say this because on the Great Lakes we have 900,000 gross tons of shipping comprising a fleet of 271 ships.

While I.L.O. Conventions are not at present applicable to our inland fleets, it is possible to visualise a future trend in this direction. Many Canadian nationals are employed on ships with registry in other countries, foreign as well as Commonwealth, a fact which lends weight to our conviction that the maritime industry is particularly appropriate to international action. Canada has so far ratified ten of the maritime Conventions, including four of those adopted at the last Maritime Session. Moreover, we are in agreement with other instruments adopted in the maritime field which, although not ratified, have had considerable effect in relation to wages and hours of work and the setting of other standards in the Canadian shipping industry. I might also add that generally we favour the principles in the prepared drafts of the instruments to be considered at this Conference. For example, Canada favours an acceptable minimum level of protection covering wages and hours; accordingly, since shipping is essentially an international activity, the international standards we are to consider here in this context appear especially appropriate.

However, despite our forward-looking attitude in this matter, we think it essential to emphasise the practical aspects of the pre-occupation of all of us with international instruments. It is all too simple to set standards which are so low as to be meaningless for some countries but which may, on the other hand, be too high to justify hopes for effective implementation in other countries where the general level of economic and social standards may not as yet have developed to the same extent. The more difficult and thus the more important task is to hit upon those standards which will in fact benefit the maximum number of seafarers, wherever they may be in the world.

With these thoughts in mind the general approach to be taken by the Canadian delegation at this Conference will be to endeavour to secure the adoption of international instruments that will really prove effective in raising the working standards of all seafarers. Such an endeavour, to be successful, of course requires the general agreement of the seafarers and the shipowners, and I am confident that that will be forthcoming. The prospect, along

these and other lines, of improving old and developing new I.L.O. instruments covering matters of grave and specific interest to the maritime industry will stimulate the best efforts of the Canadian delegation at this important session.

*Interpretation from Russian:* Mr. KOETKIN (*Workers' delegate U.S.S.R.*)—In his Report the Director-General has dealt in great detail, quoting examples from many countries, with the changes that have occurred in the living and working conditions of seamen in the period from 1946 to 1957. Unfortunately, the Report contains no description of the living and working conditions of Soviet seamen, so that we feel it may be useful to deal—even briefly—with some of these questions, so as to give the delegates attending this Conference some idea of the condition of seamen in the Soviet Union and of their trade unions.

Our seamen, like seamen from other countries, attach a great deal of importance to the problems of wages, hours of work, pensions, conditions of safety and health and general working conditions, all of which have been dealt with in the Report of the Director-General.

I should like to refer now to the question of wages. The nominal wages of seamen in our country have been increasing every year but, as you know, in order to judge the living standards of workers and economic trends in this sphere, the decisive factor is not the number of roubles, francs, or dollars received by the worker as his monetary wage; what matters is the factor of what, and how much, the worker can buy with his wages, whether his rent decreases or increases and whether the prices of the consumer goods necessary to the worker rise or fall.

After the war the retail prices of foodstuffs and consumer goods in common demand repeatedly dropped in our country. In 1947 a worker was obliged to pay 100 roubles for a certain variety of essential consumer goods but in 1957 the same variety of goods cost only 43 roubles. In other words, real wages had increased by 230 per cent. Further, rents in our country have remained unchanged and are dependent upon the amount of wages earned by the tenants; they vary between 0.44 and 1.32 roubles to the square metre of living space.

Moreover, a seaman and the members of his family, just as all other people in the Soviet Union, enjoy free medical services and free schooling and the seaman himself has the right to rest in convalescent homes either free or at only 30 per cent. of the actual cost. Children attend the technical or secondary schools and higher educational establishments, for which they receive grants.

As you know, there is no unemployment in the Soviet Union. The labour legislation in force in our country is prepared in direct co-operation with the trade unions. The rules governing safety and health on board ships and in other maritime transport installations are binding upon management and are approved by our Central Trade Union Committee. The trade union organs which exist on each of our ships, in each of our under-

takings and in each shipping enterprise, constantly supervise the enforcement by the management of labour legislation and the rules governing safety and health. Trade union technical inspectors are entitled to issue orders which are binding on the management, and which relate to any measures which may be regarded as necessary for the safety and health and good working conditions of workers. They can also order stoppages of work when they consider conditions constitute a threat to the safety, health or life of the workers.

Apart from labour legislation, the fundamental document governing relations between the trade union and management is the collective agreement which is renewable every year. Collective agreements provide, in particular, for obligations to be adhered to by management as regards housing, clubs and other cultural and social services; provisions are also made for children and their welfare, and the tasks the management must undertake to reduce the arduousness of work, to improve working conditions, etc.

Naturally disputes and differences of opinion arise between trade union and management, or between workers and management. I think that it may be of interest to my fellow delegates to hear something of the procedure adopted for examining and solving labour disputes in our country. Whenever a worker has a complaint, or a dispute with the management arises—for instance, if the management has committed a breach of labour legislation or has contravened the regulations of the collective agreement entered into by the workers and the trade union—the complaint is examined by a commission for labour disputes which consists of representatives from the management and from the trade union in equal numbers. If the commission fails to reach an agreement, or if the worker is not satisfied with the decision of the commission, the question is referred to the trade union committee of the particular undertaking concerned, which not only supervises the activities of the commission but has the right to take a decision on the substance of the dispute. That decision is binding on the management. Should the management still fail to comply with the decision of the trade union, the decision is automatically and compulsorily implemented by legal procedure on the basis of a special certificate issued by the trade union committee to the worker concerned. A worker who disagrees with the decision of the trade union committee on the substance of his dispute can refer the matter to the People's Court. The management concerned may also apply to the People's Court if the decision of the committee is contrary to the legislation in force. In case of temporary disability, or disability due to sickness or old age, or on the occasion of the birth of a child in his family, the seaman is entitled to allowances or a pension payable out of a state insurance fund. If a seaman dies each member of the family is entitled to receive a pension.

Contributions to the social insurance funds are paid by the undertakings and by the management, while the funds themselves are managed entirely by the trade unions. The social insurance receipts of our own trade

union amounted, in 1955, 1956 and 1957, to 1,175 million roubles.

Even this very meagre information concerning the activity of our trade union enables one to see the utter lack of foundation and substance in the demagogic allegations made by some of the participants to this Conference who claim that the trade unions of the Soviet Union cannot be considered as representing the interests of the workers, even if the narrowest interpretation should be placed on the words "trade union".

The Director-General in his Report has very rightly stressed the positive significance attaching to the improvement of welfare services in ports. In our country we are also adopting a number of measures which will enable our seamen to make the best possible use of shore leave; and in this connection perhaps I should recall that our trade union does not confine itself to caring only for the seaman himself, whether on board ship or ashore, but also cares for his family and his children.

Every year we organise for the children of our members holiday homes where we send the children in the summer. In 1956 and 1957 we sent to such summer homes over 74,000 children of seamen and of other members of our trade union. The parents pay on an average one-third of the cost, the remaining two-thirds being paid by the trade union out of social insurance funds.

Knowing how pleasant it may be for a seaman, after a long, tiring and frequently dangerous voyage and the monotonous life on board ship, to go ashore, we consider it our duty to our colleagues in this profession, regardless of the flag under which their ship is sailing, to do everything our union can to make sure that every foreign seaman can usefully and pleasantly spend his free time in our Soviet ports, in order that he should not suffer so much from the separation from his family and his country. At present our maritime trade union clubs in 13 ports of the U.S.S.R. provide foreign seamen with premises, musical instruments, amusements and organised excursions. They take them around museums, theatres, cinemas, undertakings, rest homes and to watch sporting events. We make it our duty to provide such conditions for foreign seamen in all our ports.

Something must be said about the question of cultural and social welfare facilities for seamen on board ship. The Report says that progress in this field has been slower but it may be that the next decade will see as much progress in this field as has been made in the last decade in seamen's welfare in ports. This is a question of great importance to seamen, and at the same time it seems to us that it is not so complicated that it should require ten whole years for its solution. It would be very useful if the I.L.O. could specially examine and solve this question. In this connection the Soviet Union seamen's trade union delegation supports the resolution submitted by Mr. Bakurski, the representative of the Ukrainian seamen.

In order that the I.L.O. may more successfully cope with its tasks, it seems to us essential that in future it should take up questions of maritime transport more frequently and in

greater detail, not only on account of the nature of the problems involved but also because this field contains many questions that are of concern to seamen but which have not yet been solved.

It is impossible to agree with those statements in the Report which affirm that in the last ten years everything has been satisfactory in maritime transport as far as relations between seamen and shipowners are concerned. In actual fact, in the last ten years there has been a stubborn struggle on the part of seamen to improve their social and economic situation, to increase their wages and to reduce their hours of work, against the onslaught of the employers on their standard of living. In many countries, including the United States, Canada, Brazil and France, this struggle was often so acute as to lead to strikes.

Finally, I should like to say a few words concerning employment and unemployment. The Report states that unemployment among seamen has not been a general post-war problem, but that it has remained in certain countries and regions, for example in parts of Asia and southern Europe, and that the distinctive characteristic of the situation at present is the shortage of seamen in certain countries as compared with the demand.

If we were to judge by the statements in the world press concerning the development of the world merchant fleet and the employment of seamen, then we would have to admit that employment of seamen at present is very far from corresponding to the optimistic appreciation given in the Report. For instance, the

organ of the national seamen's trade union of the United States, *The Pilot*, states that the number of working ships in the merchant navy of the United States from February 1952 to February 1956 decreased by 975, so that about 50,000 workers were thrown out of work. This situation continues to worsen. There is also a very gloomy picture for the first quarter of 1958 in many other countries, which, I am sure, is a fact very well known to delegates.

All this shows that the threat of mass unemployment among the seamen of the capitalist countries is an extremely real one and that it represents a very serious problem for seafarers which cannot fail to cause concern to this Conference also. Every unprejudiced person will see clearly that the most effective means of eliminating the crisis in maritime transport and the slump, and of combating unemployment among seafarers, is a broad development of international trade and peaceful economic ties among all the countries of the world. That is why the present Conference, in order to fulfil its duty to the workers in maritime transport, must, in our opinion, fully declare before all the world the need to broaden peaceful trade among all the countries of the world, to put an end to any kind of discrimination in this field and to do away with everything that hampers the freedom and safety of navigation. If the Conference were to do this then I am convinced it would have the full support and gratitude of seamen throughout the world.

*(The Conference adjourned at 12.30 p.m.)*

## Delegates Present at the Sitting

<i>Argentina :</i> Mr. Azqueta	<i>Dominican Republic :</i> Mr. Álvarez Aybar	<i>Japan :</i> Mr. Hayashi (substitute for Mr. Kawasaki) Mr. Mori Mr. Yamagata Mr. Kageyama	<i>Spain :</i> Mr. Pastor Tomaseti Mr. García de Llera Mr. de Azqueta Urigüen Mr. García Ribes
<i>Australia :</i> Mr. Dwyer (substitute for Mr. Brentwood) Captain Bull Captain Martin	<i>Finland :</i> Mr. Relander Mr. Tikanvaara Mr. Hallberg Mr. Wälläri	<i>Liberia :</i> Mr. Weeks (substitute for Mr. Wilson) Mr. Cooper Mr. Simonovitch Mr. Cole	<i>Sweden :</i> Mr. Widell Mr. Hartvig Mr. Reuterskiöld
<i>Austria :</i> Mr. Schellenbacher Mr. Schlaffer Mr. Schägelbauer Mr. Peham	<i>France :</i> Mr. Lambert (substitute for Mr. Ramadier) Mr. Roullier Mr. Peyrot (substitute for Mr. Marchegay)	<i>Morocco :</i> Mr. Guessous Mr. ben Bouazza	<i>Switzerland :</i> Mr. Ryniker Mr. Messmer Mr. Fornet (substitute for Mr. Keller) Mr. Hofer
<i>Belgium :</i> Mr. Pluymers Mr. De Bruyn (substitute for Mr. Dufour) Mr. Dekeyzer	<i>Federal Republic of Germany :</i> Mr. Schelp Mr. Fettback Mr. Schuld Mr. Hildebrand	<i>Netherlands :</i> Mr. Valentgoed Mr. Damen (substitute for Mr. Scheffer) Mr. de Vries	<i>Tunisia :</i> Mr. Ladhari Mr. Ben Salem Mr. Sellami
<i>Brazil :</i> Mr. Barboza-Carneiro Mr. de Faria Baptista Mr. Teixeira	<i>Ghana :</i> Mr. Dowuona-Hammond Mr. Nettey Mr. Halm Mr. Mensah	<i>Norway :</i> Mr. Storhaug (substitute for Judge Bull) Mr. Endresen Captain Loennechen Mr. Haugen	<i>Turkey :</i> Mr. Toygar Mr. Yenäl Mr. Aymen Mr. Özkan
<i>Bulgaria :</i> Mr. Belinski Mr. Stoyanov	<i>Greece :</i> Commander Goulielmos Commander Antoniadès Mr. Lyras Mr. Petroulis	<i>Pakistan :</i> Mr. Chaudhuri Mr. Islam (substitute for Mr. Ahnäd) Mr. Dada Mr. Khatib	<i>Ukraine :</i> Mr. Slipchenko Mr. Nizhnik Mr. Danchenko Mr. Bakurski
<i>Burma :</i> Mr. Thin Mr. Myint	<i>India :</i> Mr. Nagendra Singh Mr. Merani Mr. Serang	<i>Panama :</i> Mr. Ortega Vieto	<i>U.S.S.R. :</i> Mr. Dolinski Mr. Ragimov Mr. Koetkin
<i>Canada :</i> Captain Johnson Mr. Thomson Mr. Kane	<i>Indonesia :</i> Mr. Siregar Mr. Sanitioso Mr. Harsono Mr. Subianto	<i>Poland :</i> Mr. Ocioszynski Mr. Licki Mr. Suchorzewski Mr. Skiba	<i>United Arab Republic :</i> Mr. Kamel
<i>China :</i> Mr. Yü Mr. Lee Captain Kahn (substitute for Mr. Sa) Mr. Chen	<i>Ireland :</i> Mr. Ó Riordáin Mr. Crowley	<i>Portugal :</i> Mr. Pedrosa Mr. Daun e Lorena (substitute for Commander Jorge) Viscount Botelho (substitute for Mr. de Barros) Captain dos Santos	<i>United Kingdom :</i> Mr. Proctor Mr. Haselgrove Sir Richard Snedden
<i>Colombia :</i> Mr. González	<i>Israel :</i> Mr. Raday Mr. Bar-Zeev Mr. Ivri	<i>Rumania :</i> Mr. Lazareanu Mr. Gal Mr. Anzulato Mr. Radulesco	<i>United States :</i> Mr. Jacobs Mr. Rothschild Rear-Admiral Shephard (substitute for Mr. Casey) Mr. Hawk
<i>Cuba :</i> Mr. Camejo Argudín Mr. Lombera Cadalso Mr. Enseñat Polit	<i>Italy :</i> Mr. Berio Mr. Purpura Mr. Romagnoli	<i>Yugoslavia :</i> Mr. Velimirović Mr. Makiedo Mr. Kesić Mr. Velkaverh	
<i>Denmark :</i> Mr. Worm Mr. Lysgaard Mr. Garde			



## SEVENTH SITTING

Tuesday, 6 May 1958, 10 a.m.

*President : Mr. van der Vorm*

### FIFTH REPORT OF THE SELECTION COMMITTEE<sup>1</sup>: SUBMISSION AND ADOPTION

The PRESIDENT (Mr. VAN DER VORM)—The first business this morning is the consideration of the fifth report of the Selection Committee. I ask Mr. Merani, Chairman of the Committee, to come to the rostrum to present his report.

Mr. MERANI (*Government delegate, India ; Chairman of the Selection Committee*)—I have the honour to submit for your consideration the fifth report of the Selection Committee, the text of which has been distributed. It is a very brief report and it refers to certain changes in the composition of committees.

The PRESIDENT (Mr. VAN DER VORM)—If there is no objection I declare the report adopted.

*(The report is adopted.)*

### REPORT OF THE DIRECTOR-GENERAL : DISCUSSION (*cont.*)

The PRESIDENT (Mr. VAN DER VORM)—We now continue discussion of the Director-General's Report.

Mr. NAGENDRA SINGH (*Government delegate, India*)—At the very outset I would like to join the previous speakers in congratulating the Director-General on his Report, which covers such a wide field, giving an excellent resumé of seafarers' conditions and the steps taken by the various nations to improve them. However, in the nature of things, the Report could not possibly be expected to cover all the activities of any particular member State. As far as India is concerned the Report makes some very brief observations which I would like to take this opportunity to expand. My intention is to confine my observations to those points which have been dealt with in the Director-General's Report, namely expansion of shipping, employment organisations, training, accommodation, holidays with pay, social security, welfare and labour-management relations.

The subcontinent of India has a vast coastline, and the Government of India is fully aware of the need for building up a suitable merchant navy to meet the urgent requirements of the country so far as the export-import trade is concerned. Thus, in the expansion and development of the world shipping industry India is keen to make her contribution, and according to the Second Five-Year Plan our target is to reach about 1 million gross register tons. We have not yet reached our target, even though we have almost doubled our tonnage since our country won its independence. In 1947 we had about 300,000 gross register tons, whereas today we have 600,000 if ships on order are included. It is well known that we carry a very small fraction of our international trade in our own vessels. Over 90 per cent. is carried in foreign ships, and all possible assistance is being given by the Government to the Indian shipping companies by way of long-dated loans to acquire additional tonnage.

To meet our growing needs, as well as to cater for the requirements of foreign ship-owners who recruit Indian seamen, the Government of India has been fully conscious of the fact that the training facilities for Indian seamen must be increased. The first essential is to produce efficient trained personnel to man our vessels, and in this regard we have seven training institutions. There is firstly the Dufferin institution, which imparts pre-sea training for officers in the deck and engineering departments of merchant ships. Since 1949, however, the institution has been reserved exclusively for training in the deck department. Its annual intake has been 60 cadets, but a decision was taken only last month by the Government to increase this number to 75. As many as 1,333 trainees have passed out from this institution. Secondly, there is the Directorate of Marine Engineering Training at Bombay and Calcutta, which trains selected candidates for the profession of marine engineering in the merchant navy. It is a three-year course and 50 cadets are admitted every year. In accordance with our expanding requirements the Government has decided to increase the intake to 65 as from this year. Thirdly, there is the Nautical and Engineering College in Bombay, which holds tutorial courses of an advanced technical type for officers sitting for various grades of examinations for certificates of professional competency as deck and

<sup>1</sup> See Appendix I, p. 205.



engineer officers. This institution has trained as many as 2,681 officers. In addition there are three training centres for seamen, namely "Bhadra" in Calcutta, "Mekhala" in Vizagapatam and "Nau Lakshi" near Kandla. The present annual intake of these institutions is of the order of 1,680 boys. All these three institutions came into existence after our independence in 1947. They have hitherto trained about 8,000 seamen and are doing very useful work in their field. It is the intention of the Government to increase the intake of these institutions also. Lastly, there is a Lifeboat Training Centre for Seamen, which was started in Bombay in 1956. As many as 1,058 seamen have been trained in the launching and management of lifeboats. This helps them in the preparation for the examination for certificate of efficiency as lifeboatmen.

After fulfilling the important function of imparting training to Indian seamen, the Government of India has not in any way remained behind in making arrangements for the proper organisation of employment of seafarers. Though our tonnage is small and remains a tiny fraction of world shipping, there are large numbers of Indian seamen who are employed by foreign shipowners. In Bombay and Calcutta the number of registered seamen is over 65,000. Indian seamen excel in all three fields—deck, engine room and saloon. The latest figures indicate that about 26,000 Indian seamen were enrolled for service on deck, about 20,000 for engine-room service and about 19,000 for saloon service.

There is also our requirement on the coast for home trade. I am glad to state that the Seamen's Employment Organisation, which we devised for foreign-going ships, has now been made applicable to home-trade crews also. The Seamen's Employment Office in Bombay has two boards which are tripartite in nature. There is the Seamen's Employment Board for foreign-going ships, and recently there has been constituted a similar board for home-trade ships. There is also a Seamen's Employment Board in Calcutta. These tripartite institutions are doing very useful service, both to the seafarers and to the shipowners. They look after the employment of seamen as much as they cater to the requirements of the shipowner by getting him the crew he needs.

Having provided for training and proper employment facilities, the Government of India has also taken effective steps towards the welfare of Indian seamen. Among the Asian countries India has been the first to set up a national welfare board for seafarers. This organisation is now intended to be given a statutory basis by its inclusion in the new I.M.S. Bill, which has recently been introduced in the Indian Parliament. I would like to say a word about the I.M.S. Bill, which is the first step taken to establish a body of merchant-shipping law of our own, as previously the legislation of the United Kingdom had been made applicable to India. Though the proposed legislation is based on the United Kingdom pattern, it takes into account our special requirements also. At the present moment it is before the Joint Select Committee of both

Houses of Parliament, which is going to examine witnesses and take into consideration public opinion before recommending an enactment to Parliament. To come to welfare measures promoted already by the Government, I would like to list the following. Seamen's welfare offices have been opened at all the principal ports of India and also at four foreign ports, namely London, Glasgow, Liverpool and Sydney. Seamen's hostels have been opened at Bombay and Calcutta; the Government has also recently approved the construction of a new building for a hostel at Madras. A merchant seamen's amenities fund has been established with a capital of 800,000 rupees. A fund for sick and destitute seamen has been set up at Bombay to provide special medicine for seamen in indigent circumstances. Lastly, a new welfare fund has been set up with an initial contribution of 300,000 rupees from Indian shipowners. This is in addition to the existing funds, which total 4,400,000 rupees. The Government of India is, needless to say, always actively engaged in formulating comprehensive schemes for seamen's welfare and in this connection the National Welfare Board, of which the Minister for Transport himself is the Chairman, has an important role to play. The Welfare Board is also a tripartite organisation; it recently set up a subcommittee, under my chairmanship, to go into important matters such as social security schemes.

In India there is a State Employees' Social Insurance Scheme in operation for industrial workers. This scheme does not, however, extend to seafarers. The intention now is to have a separate scheme for seamen. For this purpose the National Welfare Board, as already stated, has appointed a special subcommittee to formulate a social security scheme. It may be that the formulation of a proper scheme of social security may take time, hence active measures are being taken to cover the social security aspect. The following are some of the measures:

(1) Seamen "off" articles for less than one year are allowed free medical treatment at government expense.

(2) Medical care of the seamen while "on" articles is a statutory liability of the shipowners.

(3) Arrangements have been made for treatment of social diseases like tuberculosis, etc.

(4) Even though under the existing law shipowners are not liable to pay wages to seamen after they are hospitalised, they have voluntarily assumed responsibility to pay full wages to such seamen for up to 12 weeks when they are hospitalised abroad. A further payment of 50 per cent. of wages is allowed till the seaman joins a ship for repatriation.

(5) Shipowners have agreed to pay food money at the rate of 3 rupees per day to all categories of seamen for the period they may have to wait for engagement after their selection and medical examination by the company doctors.

(6) Pending finalisation of the social security scheme for seafarers, suitable relaxation has been made from year to year in the I.M.S. (Medical Examination) Rules, 1951, to enable engagement of seamen over 60 but below 65.

In his Report the Director-General has also mentioned problems connected with accommodation and holidays with pay. In our newly constructed ships accommodation has been provided in accordance with the provisions of the I.L.O. Conventions. In certain cases, in fact, it is on a scale more liberal than that provided for in the Accommodation of Crews Convention, 1946.

Again, in regard to holidays with pay, I am glad to report that as against the provision of 18 days' holiday with pay for officers and 12 days per year for seamen, prescribed in the Paid Vacations (Seafarers) Convention, 1946, the existing practice in India is as follows: officers are given 45 days in a year by almost every Indian company under the terms of their agreements with the Maritime Union of India; and seamen get one day's pay for each completed month's service. This is allowed on the basis of a collective agreement.

Lastly, something may be said about labour-management relations, which also find a place in the Director-General's Report. I have already mentioned the Seamen's Employment Boards which function at Bombay and Calcutta and I would like to add to that list a most important organisation which we have very recently set up in the form of the National Maritime Board. This is a bipartite organisation which provides the necessary forum to negotiate and settle conditions of service. The National Maritime Board has already made a very good beginning. It has secured a 10 per cent. increase in wages as a result of an agreement reached between the seafarers and ship-owners through the agency of the Board.

In regard to officers I am glad to report that there has been established a convention of negotiating all demands and disputed points with the Maritime Union of India, the only organisation which represents merchant navy officers. Whenever any points of difference have arisen in regard to officers' conditions of service, the shipowners and the Maritime Union of India have come to an agreement, and the most healthy relations exist between the two.

Before I conclude I would like to make a request to the International Labour Organisation. The welfare of Indian seamen in non-Asian ports is a matter of vital importance to us. As already stated, as many as 65,000 of our seamen are employed on ships visiting foreign ports, and they have to visit a large number of non-Asian ports where facilities for Asian seamen are often lacking. Would it not be possible for the I.L.O. to make a special study of the problems of the welfare of Asian seamen in these non-Asian ports? If this could be done it would help to solve many of the difficulties that confront Indian seamen when they are abroad. While, therefore, congratulating the I.L.O. for already studying the problem of Asian seamen, I would request that their well-being in non-Asian ports should also form a subject of special study. In this connection I am delighted to learn that there is already a resolution in this behalf for consideration by the Resolutions Committee.

I thank you, Mr. President, for giving me this opportunity of explaining the conditions of seafarers in India and of bringing out the

important steps which the Government is taking to meet their requirements.

*Interpretation from Spanish:* Mr. ALBÁN LIÉVANO (*Employers' delegate, Colombia*)—Those who read the Report of the Director-General of the International Labour Office with care must admit that it is a thorough and sensible study which shows the overwhelming importance of the work done by the I.L.O. from the time when it started holding these periodic meetings to deal with seafarers' problems up till 1946, when the Seattle Session of the Conference marked a further step in the recognition of the rights of maritime workers.

The instruments adopted at Seattle have, of course, not been fully applied, but it is quite certain that the living conditions of seamen have improved since then, thus complying with the maxim that whoever has obligations also acquires rights.

The fact that 1946 marked a step forward and that what has been done since that time has been of increasing benefit to seafarers proves that such Conventions are not a dead letter. Little by little the workers are obtaining an increasing number of concessions. If all claims were accepted at once the result would be to weaken the financial position of the companies and to affect the economy of the shipping industry.

This Conference of 1958 will be a pointer towards the future, since nuclear energy will lead to changes in machinery and in man, transformations in human life and in mechanical operations which are the essential factors in any industry. Special attention will have to be devoted to the conditions of human life in order that the legislation adopted at this Conference may be in accordance with scientific progress as applied to shipping.

The fact that in Mr. Morse's Report there is no reference of any kind to the Republic of Colombia has led me to come to this rostrum to acquaint delegates of the major maritime powers which are represented at this Conference and also of the small powers, which, like my country, have fleets of limited tonnage, with the maritime achievements of an underdeveloped republic.

In 1946 a group of far-seeing men who looked towards the future and wished to obtain for the Republics of Colombia, Ecuador and Venezuela economic independence and the right to ply the waters of the world decided to found an undertaking to be known as the "Grancolombiana", a name which in Simón Bolívar's mind was an expression connoting liberty, independence, a yearning for improvement and for union.

The fleet was formed in 1947 when the first ship, one of only six that had been acquired, sailed from New Orleans for the ports of the three Republics. Such were the small beginnings of this undertaking which by the year 1957 had 25 boats of its own with a tonnage amounting to 142,000 gross registered tons. To cope with the traffic it has hired ten more ships, which gives it a total of 200,000 tons in service.

In its 11 years of operation, the Grand Colombian merchant fleet has carried 11,100,000 tons of cargo and earned about 262 million

dollars—that is to say, an average of 1 million tons a year for the ports of the Republics that founded this company.

The Grand Colombian merchant fleet now has 128 offices and agencies in America and Europe. Its vessels call at 90 ports in different countries and maintain contact with 30 countries in the New and the Old Worlds. Its lines extend to 66,000 nautical miles, which its 35 ships cover on a strict schedule. The ten services it runs benefit greatly the South American import and export trade.

Unfortunately, in October 1953, the Republic of Venezuela decided to leave this undertaking and Colombia and Ecuador remained the sole shareholders, Colombia with 80 per cent. of the shares and Ecuador with 20 per cent. Since that time, therefore, the only routes served are those to Ecuadorian and Colombian ports. The undertaking is owned in Colombia by the National Coffee Growers' Federation and in Ecuador by the National Development Bank. The initial capital of the undertaking amounted to 25 million Colombian pesos and by 1957 it exceeded 70 million.

Since this undertaking was not founded for speculative purposes but to provide a service it ploughs back most of its profits for the improvement and development of the business. The present directors plan to extend the fleet so that it may meet the needs of the traffic.

The Grand Colombian merchant fleet gives strict observance to international agreements. All the rules of national and international conventions are strictly applied and its officers strive to avoid complaints on this account.

As regards the relations of the company with its workers, a subject which lies within the competence of this Conference, allow me to give you a few facts.

It is known that as regards labour legislation Colombia is one of the most advanced countries, but the fleet has gone beyond its obligations under Colombian laws. As I told you before, when it began its operations it was a Colombian, Ecuadorian and Venezuelan firm. When the seamen's wages were fixed it was necessary to align them with the highest existing rates, and the seafarers of Colombia and Ecuador were granted wages equal to those earned by Venezuelan seamen who at that time were employed in the oil industry, which, as is known, pays very high wages, particularly in a country with a strong currency such as Venezuela. That means that the wages for the crews were fairly high from the very first. Nevertheless, for international reasons and owing to the high cost of living in Colombia and Ecuador, constant adjustments have been made to increase wages as and when required.

As an example I should like to tell you that the salary of a master is almost the same as that of a Minister of State in Colombia and higher than that of a Supreme Court Judge.

The management of the company has also been careful to promote the welfare of the personnel with a view to making them workers in a common cause, satisfied and doing their best, this being of outstanding importance according to modern concepts of labour administration and management. With this end in view, apart from the statutory benefits which the undertaking is compelled to grant

under the labour laws, it voluntarily grants the following benefits to all its personnel.

Colombian law provides for a service bonus of one month's wages per year. The Grand Colombian merchant fleet, however, pays two months' wages per year, one month's pay in June and another month's pay in December.

In 1952 the undertaking introduced a long-service bonus which represents an increase of 10 per cent. on wages as from the fifth year of employment. This bonus increases by 1 per cent. for each year, so that as from the sixth year the bonus amounts to 11 per cent., as from the seventh year to 12 per cent., and so forth.

A workers' retirement fund was constituted in 1954 and is still in being. It operates as follows: 5 per cent. of the worker's monthly wage is deducted and the undertaking pays another 5 per cent. These funds are managed by a special board of a commercial character and the profits obtained increase the assets of the fund and, consequently, the credit balance of each worker.

Seamen's holidays, like their wages, are paid half in pesos and half in dollars at a rate of 1.75 pesos to the dollar. This rate is very favourable to the maritime workers, since the dollar is quoted in Colombia at over 7 pesos. These holidays with pay are paid for at a rate corresponding to average earnings over the past year, which in practice means that the maritime worker receives more money when on holiday than if he were at work.

This year the Grand Colombian merchant fleet founded 30 scholarships to enable young people to acquire special qualifications in foreign universities. These scholarships, in granting which preference is given to the children of the workers, have the advantage of providing training for technical personnel who subsequently have an assured future in the undertaking with earnings which, as already stated, are quite satisfactory.

In 1951 the general meeting of the shareholders set aside a sum of 600,000 pesos to form a workers' housing fund. This fund, the operation of which is governed by appropriate rules, began to have good results, and by now some dozens of workers have benefited from it. Funds were granted for long terms and at a very low rate of interest. The beneficiaries now have their own homes and as all loans are paid back new beneficiaries enter the scheme according to the number of their children, the number of children below school age, and whether the worker has persons dependent upon him, the length of service in the undertaking, and so forth. This guarantees that those with the better right to obtain benefits will receive preference.

All these benefits are a proof of the flexible, and even generous, attitude of the undertaking, which has been recognised by both shore and sea-going personnel. The welfare of the workers improves in accordance with the progress made by the undertaking and consequently the workers of the Grand Colombian merchant navy try to avoid any claim which cannot reasonably be met, since logically there cannot be prosperous workers except in prosperous undertakings. The proof of all this lies in the fact that the Grand Colombian merchant fleet

has, up until the present, never known a strike. All claims are settled with the greatest promptitude on the part of the management and with the greatest spirit of unselfishness on the part of the workers. The company adopts an unvarying rule to give its crews abundant nourishment consisting of first-class foodstuffs and necessities, which is recognised by the workers. The accommodation on board ship is excellent and provided with all necessary conveniences.

In conclusion it only remains for me to say that the Grand Colombian merchant navy is not an official body. It belongs to two officially recognised institutions, the National Coffee Growers' Federation of Colombia and the National Development Bank of Ecuador, together with a few private shareholders.

Thank you, Mr. President, for giving me an opportunity of informing this distinguished gathering of the main features of the undertaking of which Colombians and Ecuadorians feel proud and I also thank the delegates for their attention.

*Interpretation from Russian : Mr. RAGIMOV (Employers' delegate, U.S.S.R.)*—The Director-General, in his Report, has referred in detail to questions regarding the living and working conditions of seamen and the changes which have taken place in the post-war years in their social and economic situation. May I express my conviction that the problems before us will be reflected in the decisions of this Conference and thus more effective measures will be taken to raise the standard of living of seafarers ?

It has already been stated during this Conference that the Director-General's Report fails to describe the manner in which the social and economic problems of seafarers are solved in our country. Yet all of you know that these problems receive a great deal of attention in the U.S.S.R. The improvement of the material well-being of seafarers in the Soviet Union is the constant concern not only of the State but also of the heads of maritime industries. As a representative of directors of maritime transport undertakings I should like to inform this Conference of the way in which we deal with questions of relations between workers and employers.

The main characteristic of the social and economic situation of seafarers in the Soviet Union and certain other countries springs from the very structure of these States; it is the special relationship between the parties which exists under public ownership of the means of production. The planned economy gives seafarers a guarantee against unemployment and the development of our maritime transport is smoothly operated in accordance with the general economic plan. The plan to increase tonnage afloat is drawn up by the various maritime undertakings taking into account the diversified economic regions. All questions affecting the living conditions of seamen are examined by the heads of the undertakings together with the trade union representatives and representatives of the health authorities; this helps to improve the living conditions of seafarers on new ships. Cabins for one and two persons are being

built on new ships; canteens, club rooms and cinema facilities are provided. Bath and shower rooms, laundries, facilities for drying working clothes, and mechanical and electrical equipment are installed. Seafarers themselves take an active part in discussing all questions concerning the improvement of their living conditions. In order to facilitate their work automation has been introduced in engine and boiler rooms on steam ships. Ships are built according to the specifications arrived at by the latest and most modern technical achievements, which makes it possible to have smaller crews aboard ships, although the rapid development of maritime transport enables a larger number of seamen to be employed; and some shipping concerns, including the Caspian Sea Shipping Company, of which I am the Director, actually suffer from a shortage of staff.

Hundreds of boilermen in our particular enterprise have been retrained for work as motor diesel-engine mechanics on special training courses; they are paid average wages during their training. The head of a maritime undertaking has the right to engage and dismiss staff and to recruit crews independently. The number of members of the crews of any given ship is determined according to a crew list which lays down the number of men to be engaged for a specific occupation. Thus safe sailing conditions and the servicing of ships are ensured.

In order to provide the normal rest and leave for seamen the crew list includes 15 to 20 per cent. more seamen than are actually required to operate the ship. The normal working week for seafarers is 46 hours, but on solid-fuel ships firemen work only a 36-hour week. Overtime is paid at higher rates, and at present measures are being drafted which will introduce a 40-hour week in the near future.

In devoting a great deal of attention to the welfare of workers, the heads of maritime undertakings are introducing various measures to safeguard the seamen's health and occupational safety. They act in conjunction with representatives of trade unions and experts in occupational safety and are introducing better systems of ventilation in engine and boiler rooms and service and living quarters; the use of low-voltage lighting ensures greater safety. Seamen are issued free with working clothes and footwear as well as warm clothes when sailing under winter conditions; storm-proof clothing is also provided. Training courses and courses to improve qualifications are also organised.

In caring for the seafarers the head of each maritime undertaking improves and increases still further the turnover of cargoes. He draws up a plan for every ship, for every voyage and for every month. The saving achieved by the overfulfilment of the plan is used to increase the real wages of the seamen by the payment of bonuses calculated as percentages of their basic wages; this is why the crews of ships attempt to achieve a faster turn-round and to make better use of the available shipping space, which in turn helps to raise the productivity of labour.

The head of each undertaking has at his disposal a fund from which he pays bonuses

to encourage seamen to make more economic use of fuel and lubricants, to keep ships in good running order and to make better use of shipping space; such bonuses may amount to as much as one-and-a-half times the basic wage. Every ship has to make full reports on this subject to the company; consequently each of the seamen concerned is interested in making the greatest possible saving. At the end of each financial year the profits are calculated, and part of them are made available to the head of the undertaking; half the sum allocated in this way is used for the payment of bonuses to the seamen. In agreement with the trade union organisations, the remainder is used for housing, the equipping of rest homes, crèches, nursery schools, the provision of cultural facilities for sailors, etc. Moreover, 30 per cent. of the net profits are used by the directors of undertakings to provide housing and lodging for seamen.

The head of an undertaking is the sole master thereof and he has a free hand in taking decisions. He controls the use of the working capital; he enters into agreements of an economic nature as well as agreements with the seafarers on the basis of their mutual advantage.

The relations between employers and seafarers are determined by collective agreements which are concluded between the management and the trade union representatives each year. These specify the mutual obligations of management and seamen; the management guarantees a definite wage level, retirement pensions and other types of additional earnings, which amount to some 60 per cent. of the original basic wage, as well as benefits such as canteen facilities and providing seamen on shore leave with board and lodging, whereas the seamen undertake to fulfil the monthly plan as stipulated and to improve on the technical and economic indices specified therein.

The collective agreement also fixes the standards of living accommodation for seafarers, the improvement of their living and working conditions and the funds to be expended on their cultural needs. The fulfilment of this collective agreement is supervised by the trade unions, and the head of the undertaking is accountable to the seamen employed in that undertaking.

The social and economic problems in our country are solved fruitfully because they are dealt with by the whole nation and consequently by the seafarers. For instance, there was a draft plan for state pensions which was widely discussed by the whole nation, and this year the reconstruction of our collective farms has been widely discussed.

In conclusion, I must say that we have come to take part in the work of this Maritime Session with a determination to share with the employers of other countries the experience that we have acquired in this field. However, for a whole week the representatives of the employers of the Soviet Union, Ukraine and other countries have been prevented from taking part in the work of Committees. We consider that close and fruitful co-operation among all countries can be achieved in spite of different ideological or state structure—and that is the spirit of the Constitution of our

Organisation. The decision to prevent the employers of the Soviet Union from taking part in the work of the Committees is a violation not only of the Constitution but also of the Standing Orders, since it is contrary to the principle of co-operation. We can definitely say that the decision to bar the employers of the Soviet Union from taking part in the work of the Committees was made by those who are concerned least of all with implementing the solution of the tasks before our Organisation.

The main problem before the I.L.O. is that of ensuring work for all seamen, and this can be achieved only by broadening international trade and increasing transport across the seas and setting up regular sea lines. The fact that the slackening in trade is causing the laying up of dozens of ships and the dismissal of crews leads to unemployment among seamen and is harmful both to employers and to workers. I am convinced that the I.L.O. will find a way of solving this very important question.

Mr. DEKEYZER (*Workers' delegate, Belgium*)—It is with great interest that we have gone through the outstanding Report of the Director-General, which is a remarkable document giving us an extremely clear over-all picture of the actual position in the maritime field and the achievements attained with regard to social conditions for seafarers.

However, I will not at this juncture dwell on the aspects pertaining to the mercantile marine, but I desire to say a few words about seafarers who are not usually included in the term, and who have always been excluded from all Conventions and Recommendations drafted and adopted by the International Labour Conference. I refer here to fishermen.

Is it to be understood that most of the honourable gentlemen here present at this Conference will declare themselves incompetent to deal with this matter?

As, however, questions pertaining to fishermen (and by this term we usually refer to salt-water or deep-sea fishermen) are mentioned in the Director-General's Report, I believe I am entitled to deal with this question.

It is a fact that for many the fishing industry and those working in it are a forgotten quantity, excluding perhaps those who work ashore in the fish-halls or in the canning industry.

I ask you sincerely: Can the term "seafarer" be refused to fishermen? The skipper, not always called "captain" and having no gold braid on his cap or on his sleeves, nevertheless has to pass pretty stiff examinations—at least in most countries—to obtain a deep-sea ticket. He has the responsibility of a vessel, sometimes with a crew of 20 to 30 men. He is away for weeks, sails the seven seas, weathers all storms, and often experiences far greater dangers than numerous cargoes or tankers crossing the Atlantic. Are not the mate and chief engineer seafarers—the A.B., the coxswain, the stoker, trimmer, greaser, wiper, radio operator, even the cook?

How often do they not risk their lives to bring in the necessary food? This is an operation the big profits from which do not go to the shipowners or to the crew but mostly to the fish merchants, whose only risks are involved in their invested capital.

In certain countries reference is still made to untouchables or outcasts—although the law of these countries has abolished these terms. Speaking of fishermen I would not go as far, but, having lived in their midst, gone with them to sea, organised them and looked into their troubles, I do know that for many people their conditions are not known.

When an accident occurs in the mines the papers, quite rightly, are full of it, giving us the description and the pictures of the families standing at the pit gates waiting—waiting to see if their beloved will come back to the surface. There is no such publicity for the fishermen, the miners of the sea. A scanty few lines in a corner: "Man washed overboard from fishing vessel during storm" or a few lines giving slight details of the members of the crew: "O.64, or H.212, has not returned to port. Latest news was heard on such or such a date. It is feared that the vessel has been lost with man and mouse. Relatives have been informed."

I know some of you have sailed on a fishing vessel. You will bear me out that the conditions on most of these vessels are not comparable to those of the mercantile marine, even to those on board the small tramper. Of course, here and there a large brand-new vessel makes an exception, but accommodation conditions are far below those in force in the mercantile marine.

Are the reasons for this state of affairs to be found in the fact that these men are often unorganised? My experience in a number of European countries and in America shows that such is not the case. In many countries, such as India, Burma, Indonesia and some countries of South America, fishing to all intents and purposes is still a family concern, very often with open boats, just off shore, and not on an industrial basis. But in many of the more developed countries—those having a high industrial potential and a fair amount of seashore—the fishing trade is carried out as an industrial concern, by companies owning one or many fishing vessels.

It is probably because of the old tradition of fishing being a family concern that the social side of the conditions in which the fishermen have to earn their living has for so long been neglected and, even today, a number of international social conditions are still non-existent for fishermen. For many years past hours of work have been regulated ashore and also at sea, be it now the six, seven or eight hour day, the 40, 45 or 48 hour week. Nothing of this kind is in existence aboard fishing vessels. One may stand on the bridge, at the helm, down below before the furnace, four, five, six or more hours at a stretch and work ten, 12 or more hours a day. Overtime payments? Unknown in this trade. I have personally, while on the fishing grounds, carried on for nearly 20 hours. After that we just tumbled down in our bunks, not troubling to undress, just taking off our gumboots. In our bunks we just had a few straw mattresses, a couple of blankets, no sheets.

Maybe some of you will be inclined to say that the earnings of a fisherman are based on the amount of fish caught and therefore the long hours bring in more earnings. That also

does not conform to the reality, as the amount awarded for the catch by the fish merchants depends on the total amount that day on the market, on the demand up-country, and on a number of economic factors in which the fisherman has no say whatsoever. In many cases I have known that a considerable amount of the catch for which lives have been risked, accidents incurred, has, owing to the glut on the market, been sold for fish-meal and manure to factories specialising in manufacturing these products. The result was that the seaman, the trimmer, went ashore after three extensive weeks of hard toiling at sea with wages amounting to barely those of a labourer who had worked only one week.

I could give you examples of men, at sea during more than a week, having to cut their nets off due to a sudden storm and returning to port empty-handed and with no wages, as the prevailing system is a percentage on the catch.

In national and international maritime conferences negotiations have led to agreements regarding the safety of life at sea, accommodation, insurance against accidents, food on board, welfare, pensions, health insurances, etc., etc. Apart from national laws on these matters, conventions have been adopted in conferences similar to this one, but these conventions or recommendations always specify that the agreement which has been arrived at does not apply to fishermen. They have always been excluded from the benefits of these conventions.

In many countries it has taken us years and years to get social legislation for fishermen equivalent to that already long in force for the workers ashore.

Nationally and internationally fishermen belong to the forgotten workers. They have been glorified in novels, in poems, in songs—but the legislative powers have often forgotten them. It is nice to write about them in a romantic mood, but it seems harder for legislators to include them with the other seafarers.

It is true to say that the interest of the I.L.O. in the conditions of work of fishermen is of long standing. At the very first session of the International Labour Conference (Washington, 1919) the question of hours of work of fishermen was discussed and referred to a special maritime conference for consideration. The question was placed before the Second (Maritime) Session of the Conference, held in Genoa in 1920, which adopted a Recommendation on the subject. The Joint Maritime Commission took note of the general Recommendation and asked the Office to undertake an extensive inquiry into all the working conditions of fishermen, as well as their hours of work. The Ninth (Maritime) Session of the International Labour Conference in 1926 adopted two resolutions concerning fishermen (on articles of agreement and on repatriation). Something had been done, although from an international point of view it only amounted to a Recommendation and a couple of resolutions.

For 20 years the fishermen again became the forgotten workers.

However, the International Transportworkers' Federation had taken up the matter and set up a special fishermen's section, and a



Congress of the I.T.F. endorsed a special International Fishermen's Charter.

The whole question of fishermen was again raised at the 28th Session of the International Labour Conference, held in Seattle in 1946. Again questionnaires were sent out to 44 member States, the contents of which were based in part on the principle already laid down for seafarers in the various maritime Conventions of the I.L.O. ; most, if not all, exclude fishermen from their scope. In part they were also based on the International Fishermen's Charter adopted by the I.T.F. The replies have come in—from some countries in a detailed form ; from others, extremely vague. Some countries have forgotten to reply. The machinery was again set moving—a very slow business, but understandably so.

The Governing Body of the I.L.O. set up a Committee of Experts. Its conclusions were summarised in three resolutions, included in its report submitted to the Governing Body. As an Expert Committee we expressed the view that minimum age of entry to employment, medical examination on entry and periodically thereafter, and articles of agreement were three aspects of fishermen's conditions of work which were ripe for international action. Our report was accompanied by three draft international instruments.

The Joint Maritime Commission, considering the request of the Governing Body to include these questions on the agenda of this maritime session of the Conference, stated that it felt that fishermen's questions should not be placed on the agenda but should be included as an extra item at a session of the International Labour Conference. Eventually, with a bit of luck, the Governing Body has placed this problem on the agenda of the 42nd Session of the International Labour Conference, to be held next month. As representatives of the fishermen we are grateful to the Governing Body for giving us a chance to obtain international instruments dealing with the problems of fishermen—but it has taken us—the seafarers' group—38 years to achieve this result !

Three instruments will be debated at next month's session. What about the others ?

The Committee of Experts, in a resolution, has pointed out that there are still a number of matters pertaining to fishermen for which international instruments could be drafted, namely safety of fishermen at sea and on board, certificates of competency of fishermen, unemployment and sickness insurance, accommodation and medical care on board fishing vessels, and vocational training for fishermen.

When and where are we going to deal with these matters ? Must we again wait 30 years ? Will the shipowners at the Joint Maritime Commission, however much in sympathy with our problems, declare themselves incompetent to deal with fishermen's problems ? I can understand their point of view, but where, on the international level, can we discuss fishermen's problems ? There is no Industrial Committee where they can be dealt with. The creation of a new Industrial Committee is, from a practical point of view, not feasible. The questions to be placed on the agenda of the International Labour Conference are so numerous that we foresee we will not get an

opportunity before another 20 years have passed. Must the 2 to 3 million fishermen spread out over the world still belong to the forgotten workers ?

It is for this reason that, as the seafarers' group of the I.T.F., we have drafted a resolution submitted for your consideration which at a later stage I will personally have the privilege of moving. Its adoption will ensure not only that fishermen's problems on the international level will be looked into every two or three decades but that there will be continuity, and with your help the fishermen, up till now the forgotten seafarers, will come into their own. At long last the miners of the sea will get a square deal. The many who for years have struggled to get decent working conditions will not have struggled in vain.

I would like in ending this appeal to place on record my very warm appreciation of the splendid work done by the Maritime Division of the I.L.O., which, with very limited means, finance and staff, has nevertheless done a wonderful job. We seafarers, therefore, are grateful to you all.

Mr. HADDY (*Employers' delegate, Australia*)—I welcome the opportunity, as representative of Australian shipowners, of addressing some remarks and comments on the excellently prepared Report of the Director-General.

In addressing these remarks I know delegates will appreciate that, amongst the maritime nations of the world, Australia ranks quite low as regards number and tonnage of ships. On the other hand, Australia's area of just under 3 million square miles is little less than that of the United States of America, and our long coastline of 12,310 miles, enclosing 244 square miles for each mile of coast, is indicative of the great area of this continent and the physical transport problems it poses. The relatively sparse population and the considerable distances between cities, important towns and centres of industrial production have created transport problems which only sea carriage has been able to solve, being, as it is, the most economical form of transport over long distances. Unless the development of Australia is to suffer it is imperative that at least the present efficient service be maintained. The extent of Australia's locally owned and operated shipping fleet is not at all insignificant in comparison with the size of its population and industrial development to date.

The island continent of Australia has a population even now only reaching towards 10 million people, but this population is largely concentrated on the eastern and southern seaboard in comparatively few cities of considerable size. Accordingly, conditions in the past have been very favourable to the growth of coastwise shipping. The rapid post-war development of other forms of transport, with interstate road haulage becoming an increasingly important factor in long distance movement of goods, has retarded, but not stopped, the development of coastal shipping operations.

At present Australian owned and registered tonnage, trading very largely around the

Australian coast, totals approximately half a million gross tons and 150 vessels of 200 tons gross or larger. Whether or not it can be said to be an inevitable development, it can be stated that recent years have accelerated the trend towards coastal shipping playing an increasingly important part in the transport of bulk cargoes to supply the basic needs of industry. In this connection my earlier reference to the development of interstate road haulage of general cargo previously carried by Australian shipping is very relevant. Transport by rail and air is also of considerable importance in Australian transport.

With these remarks as a background, I should like to make some comments and observations on particular matters dealt with in the Director-General's Report.

On page 18 of his Report the Director-General refers to the matter of accommodation and notes, in particular, that during the last ten years "striking improvements have been made in the accommodation of crews on board ship".

In Australia the Commonwealth Navigation Department, in 1954, made certain regulations which in effect implemented many of the recommendations emanating from previous Conventions, in particular the Accommodation of Crews Convention, 1946 (No. 75) and the Accommodation of Crews Convention (Revised), 1949 (No. 92).

The minimum standards required by our Navigation Department regulations are not only in excess of international labour Conventions but also are higher than the United Kingdom's comparable regulations.

During and since the war Australian shipowners paid particular attention to improving seafarers' accommodation, and this process has been accelerated by the Commonwealth regulations. As a matter of fact the immediate requirements of these regulations are exceeded in a number of respects in new Australian vessels and in those which have undergone major structural alterations.

An important and interesting development concerning accommodation has been the granting to seagoing personnel of a disability allowance, commonly termed "Hard Lying", on a number of older vessels whose standards of accommodation it has not been possible to bring up to the minimum regulation requirements. This payment was prescribed by the Commonwealth Arbitration Court, largely as a direct consequence of the new accommodation regulations; it is probably unique in world maritime circles.

The "Hard Lying" payment commonly made has been at the rate of five Australian pounds per month per seaman. Fortunately, the number of vessels with such accommodation has rapidly diminished: it has decreased from 41 in 1955 to less than half that number today. Australian shipowners have embarked upon an extensive reconditioning and replacement programme to make good both war losses and obsolescence, and in the new vessels coming on to the coast accommodation standards go further than statutory regulations require and beyond the recommendations of international labour Conventions.

That seamen appreciate these improved standards is apparent in their desire to seek or continue service in the new or reconditioned ships; therefore the observation by the Director-General that "there appear to have been beneficial results from the standpoint of efficiency and morale among the crews concerned" is justified with regard to Australia.

But, in the larger sense—that of beneficially affecting relations between labour and management—the record in Australia of ship-days lost through disputes occasioned by selfish and implacably militant union leadership gives rise to wonder whether this appreciation is of any real influence or of any tangible value.

At page 15 of the Report there appears a table (table II) which gives the monthly cash wages of selected ships' personnel in 15 different countries. The amounts are given in both national currency and the equivalent in U.S. dollars. There is no attempt to relate the wages to cost of living (which, of course, is necessary if their real value is to be determined); nevertheless, the table does provide a basis for comparison.

It appears from this table that Australian seafarers' wages are high on the international scale. Australian seamen and qualified engine-room personnel enjoy wage rates second only to those of the United States, which takes first place in all the categories listed.

Whether or not it is true of other countries is not known, but in Australia it is accepted that a seamen's ordinary cash wage is at least doubled by overtime and other penalty payments.

At page 19 of the Report the Australian "Seamen's Compensation Act, 1953" is referred to, with the statement that under that Act death benefit was increased from A£1,000 to A£1,500. It should be added to the record that the Act was further amended in 1954, as a result of which the death benefit was increased to A£2,350.

So far as social security by payment of wages is concerned the Australian seaman is favoured by comparison with shore workers. Both the Commonwealth Navigation Act and the Seamen's Compensation Act provide him with substantial benefits if he suffers any sickness or injury connected with service in his ship.

Under the Navigation Act the position is as follows: if a seaman is landed away from his home port he receives wages in full until recovery, without limit. Additionally, when landed away from his home port, he is entitled to medical, sustenance and repatriation benefits. If he is landed in his home port he receives full wages for up to three months.

These benefits provided under the Navigation Act are payable independently of the Seamen's Compensation Act, which, however, operates at the same time by conferring its benefits when the Navigation Act does not apply—for example, in the home port after three months it grants wages for injuries or sickness and, also in the home port, it provides for medical attention from the outset.

Furthermore, the Seamen's Compensation Act provides benefits for death, as mentioned earlier, and for loss of limbs, loss of faculties, etc.



At page 24 of his Report the Director-General states that the shipping industry has long been noted for its ability to settle labour-management problems through bilateral negotiations and without recourse to arbitration; and he adds these words: "During the past ten years this tradition has been maintained and even strengthened in most maritime countries."

Unfortunately, Australia stands as an exception to this rule. Of course, the system of compulsory conciliation and arbitration which exists in Australia to regulate industry and settle disputes leads us to recourse to arbitration rather than to bilateral negotiation, so that comparison with other countries must show us to have been "in court" very frequently—and that would not necessarily mean that labour-management relations were strained.

But the fact of the matter is that relations are indeed strained. Professionally the Australian seaman does a first-class job. But in the field of industrial relationship he is inarticulate; he fades into the background and is apparently content to allow his union executives to follow their own line of country and not his.

This official line is, ideologically, diametrically opposed to the principles and practice of the private enterprise system which created, developed and still largely sustains the Australian shipping industry. The official line manifests itself in an attitude of "take all and give nothing" and, through speeches to the men at their regular meetings and the columns of the *Seamen's Journal*, in the calculated inflammation of the men's minds against the owners.

Against such an intransigent attitude there is little we can do in the way of argument. One might well have expected that improvements in accommodation standards, increases in social security benefits and good rates of pay would have found a response in the men and have made relationships more harmonious. Such a response has been lacking; and bilateral negotiations that lack the prerequisite of a spirit of "give and take" are fruitless and are doomed to failure.

Consequently, arbitration is the only recourse. And arbitration would solve our many problems if the parties involved observed the law. But our experience has been that the union executives are not greatly concerned with legality and an instance of this may be found in the matter of crewing vessels built or purchased overseas and brought to Australia for the coastal trade.

The Australian Seaman's Union insists it has a right to send its members overseas to man these vessels on their delivery voyages. The owners believe it is their right to deliver the vessels with non-repatriate crews made up of non-Australian seamen (but all union members) desiring to emigrate to Australia or Australian seamen abroad who desire to return home.

This matter has been tested at law and it has been established that the Seaman's Union's claim has no validity.

One might expect the matter to rest there. It has not. It has been the cause of bitter disputes that have resulted in enormous loss to the industry and the community. The union's tactics have been very simple: when a

vessel has arrived it has been declared "black". The union, which has the right by law of providing crews from its own ranks, just does not provide them—and increases the effectiveness of its ban by obtaining the co-operation of allied unions, such as the cooks' and the stewards' unions.

The irony of these situations is that the vessels involved are, from the aspect of accommodation and seagoing conditions, among the finest on the coast, and seamen, given their own choice, would rush at the chance to join them. In recent months two new ships from the United Kingdom for Australia's coastal needs lay unmanned for 93 and 97 consecutive days respectively. At that time there were many unemployed seamen.

It will be a glad day, indeed, when Australia can be included in the Director-General's reference to good labour-management relations. But until there is a drastic change of heart by those who run union affairs for Australian seamen, that day will await its dawning.

When it does come—and if common sense prevails it will come—it will bring benefits not only to the Australian community and to the industry; it will bring benefits especially to the seamen themselves.

Mr. SKIBA (*Workers' delegate, Poland*)—As President of the National Federation of the Seafarers' and Fishermen's Union of Poland, representing the officers and the ratings of merchant shipping vessels, I am glad to have the opportunity to take part in this discussion so as to emphasise that Polish seamen, like the seamen of all other countries, wish to see in the present Maritime Session of the International Labour Conference a step forward towards solving problems which are vital to seamen, and therefore they attach great importance to decisions which will be taken at this session of the Conference.

In his interesting Report the Director-General of the International Labour Office has informed us about the changes which have taken place during the past ten years in international sea transport as well as in the material situation of seamen. The Director-General has reviewed the activities of the International Labour Organisation with respect to the realisation of the present programme of the I.L.O. concerning the improvement of working and living conditions of seamen.

We consider that the basic principles underlined in the activities of the I.L.O., undertaken in conjunction with the international seamen's organisations, have been positive and have corresponded to the necessities of our profession. But we do not think that the decisions of the Seattle Conference have been realised in a satisfactory manner. I should like to draw your attention to the fact that a substantial number of the social standards adopted at the Seattle Conference have not hitherto obtained a proper backing on the part of governments, with the result that so far they have not been implemented.

Although the Director-General is of the opinion that I.L.O. maritime Conventions have played a considerable part in shaping the working and living conditions of seamen of all countries in spite of the fact that some

of them have not been ratified, we on our part, as a trade union, cannot consider this state of affairs as satisfactory. This situation leads to negative consequences for seamen in all countries, including Polish seamen.

Our task at the present session of the Conference is to find proper means which would lead to a truly effective application of all these I.L.O. standards and in particular of the standards contained in the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93), which is basic for seamen.

With reference to the Director-General's Report I should like to mention what the situation of Polish seamen is and the role and task of the Polish Seamen's and Fishermen's Trade Union in the light of changes which have recently taken place in my country.

Until November 1956 Polish seamen were members of the trade unions of sea transport workers, which also covered dockers, inland navigation and administrative workers. This state of affairs made it difficult to ensure to seamen effective representation and defence of their interests. For this reason Polish seamen took the initiative of setting up a separate trade union, and on 4 November 1956 a temporary executive committee of the seamen's trade union was set up. The National Convention of Seamen and Fishermen, held on 26 and 27 January 1957, in which delegates from all Polish ships took part, approved the seamen's decision to set up a separate trade union and also approved its programme of action. The activities of the seamen's trade union had proved without any doubt that the existence of such a union allows for a better representation of the interests of this particular group of workers and ensures more effective action with a view to further improvements in the working and living conditions of seamen.

Since this trade union of seamen and fishermen was set up it has greatly contributed to the realisation of many demands raised by this group of workers.

One of the first achievements of our union was to take over control in matters concerning recruitment of crews of Polish ships, which formerly was exclusively in the hands of the shipowning enterprises, and therefore often was unjust and harmful to seamen.

Simultaneously our union began an action which resulted in the restitution to it of rights, originally given to it by a specially appointed commission of our Ministry of Shipping, to see that certain tasks are reserved for professional seafarers who in the past for various reasons have been dismissed from the Polish merchant marine.

As we have not so far been able to find work for all these seafarers on Polish vessels, our union finds work for quite a number of them (when asked, of course) on board foreign ships, furnishing them with all necessary documents.

Here I must say that, in the course of the past few months, about 100 Polish seamen and officers who had been employed on foreign ships came back to Poland because their ships had been withdrawn from exploitation as a result of the first signs of the economic crisis which has begun in the western world. None the less

over 300 Polish seamen and officers are still working on foreign ships.

In these conditions our trade union is particularly keen that adequate standards to protect seamen against exploitation by shipping companies and recruiting agencies should be established at the international level. At the same time the Polish seamen, who have numerous and wide contacts in many foreign ports, often meet with national discrimination in those ports. Therefore our union believes that it is justified and essential that the legal situation of seamen in foreign ports should be regulated at the international level. Our union will support the work of this Conference to adopt a proposed Convention concerning seafarers' identity cards.

Besides those seamen sailing on foreign ships there are also a number of ex-seamen who did not take up their original profession. We are quite sure that in the course of the next few years we shall be able to solve the present problem, which arises out of the fact that there is a disproportion between the existing seamen's reserve pool and the employment needs of the merchant marine. The solution is provided in the national plans concerning the expansion of the Polish merchant marine.

During the past ten years the development of the Polish merchant marine has not been as fast as that of other maritime countries. A very substantial part of the national investment fund has in the past years been used for reconstruction of our devastated country and for overcoming industrial and agricultural backwardness.

The changes in our economic structure which have taken place since the end of 1956 and the fact that the Polish Government now devotes much greater attention to maritime problems have great importance for and influence on the further development of the Polish merchant marine. During the year 1957 we acquired 13 new ships totalling 104,000 deadweight tons. The fact that today only 20 per cent. of the goods handled by our ports is transported on our ships and that we are going to increase this to 50 per cent. means that there are fair possibilities of solving the manpower problem and that of further expanding our shipyards so as to meet the needs of the Polish merchant marine.

In reference to the problem of employment of seafarers I would like to point out that in my country there exists a system of continuity in their engagement; seamen remaining ashore after their vacation, after illness, or waiting for a ship they can join and so forth, are placed in a "reserve pool" and receive their full basic wages.

The Director-General has mentioned in his Report that there is a certain tendency in the world for seamen to leave their profession. This problem does not arise in Poland. On the contrary, we have noted that there is a surplus of candidates who wish to take up seafaring. This is due to the fact that seamen's wages are often better than those paid in many land occupations. I also wish to make clear that our seamen have often better working conditions than those provided for in international Conventions. Wages are on the average higher than the minimum standards provided in

Convention No. 93. Paid vacations of Polish seamen are also much longer than those provided in the Convention, and food and catering on Polish ships are known for their high quality.

The possibility of further developing international sea transport and commercial relations and improving the working and living conditions of seafarers depends on the development of friendly relations and co-operation between nations and lasting peace ensured to mankind.

One problem which is of particular importance for sea transport, and especially for seamen, is that of protecting seamen by putting a stop to experiments with nuclear weapons. Our union considers that this Conference should take appropriate steps to ensure the safety of seamen's lives at the international level.

We think that in trade union matters, as well as with respect to peace, both seamen and their trade unions in all countries of the world, regardless of their political and economic systems, should find a common ground of understanding and of united action so as to solve as quickly as possible the burning problems of the working man.

Polish seamen and their trade union express full readiness, in this Conference as well as in future I.L.O. activities, to co-operate sincerely with all trade unions so as to achieve a further improvement in seamen's working and living conditions and to ensure friendly relations and peace among nations.

The Polish seamen's trade union believes that this idea should be implemented in the future activities of the I.L.O., which, because of the infrequency of maritime sessions of the Conference, should delegate a number of problems to its more operative body which has been especially set up to deal with maritime problems. In this connection we believe that it would be justified in replacing the Joint Maritime Commission by a tripartite body which would decide on problems important for seamen of all countries with greater efficiency and competence.

The Polish seamen would play their part in the work of such a body and, together with the representatives of seamen of other countries, would contribute to their utmost in furthering social progress and the well-being of seafarers.

Mr. VELKAVERH (*Workers' delegate, Yugoslavia*)—All the Yugoslav seamen and especially myself, whom they appointed as their delegate to this Conference, were pleased to hear that a special Maritime Session of the International Labour Conference was to take place 12 years after the session held in Seattle. During this time many new problems have arisen and many old ones have demanded immediate attention and satisfactory solutions. With this in mind I came here to take part in the deliberations and decisions, but to my greatest surprise and disappointment the majority of my fellow workers' delegates do not consider it appropriate that I should work with them on the same level. The atmosphere created here by such actions is not conducive to the constructive international co-operation

which is so necessary in the maritime field. If necessary, I will return to this question at an appropriate time.

Permit me now to outline certain aspects of our social and economic life and some of the achievements of Yugoslav seafarers.

Together with the strenuous but successful efforts of all our people to raise our undeveloped and devastated country to a higher economic level, our seamen have in a short period achieved considerable results. Our whole economic system is based upon the broadest application of the principle of workers' management in industrial and other enterprises as well as in various other aspects of our social life. The workers' collectives elect their own management organs and through them they direct and manage the whole of our production and decide all—even the most complex—problems of their enterprises. Besides this our workers exercise an influence on the working of all other state and social organs, from the communal to the federal institutions; they decide on questions of health, education, social insurance; and, above all, have the right to decide how the national income created by their toil should be apportioned.

The organs of management in a shipping enterprise are the workers' council, the managing board and the ship's committee. The members are elected by all the seafarers concerned. The main role of these bodies is to ensure that the principles of our social and economic structure are respected and that the enterprises are developed in accordance with our general planning.

Such is the general set-up in which our trade unions and their organs work and act. One of the most important aims of our trade unions is to increase the general educational level of our workers in order to enable them to deal successfully with the problems they are called upon to solve in their capacity as managers of their enterprises. No effort is spared, and the educational methods used are such as to give our workers the necessary knowledge of economics and other aspects of our social structure. There are naturally also other problems with which the trade unions have to deal, such as those of a social, economic, welfare and cultural nature.

Our trade unions have taken a very active part in all deliberations and decisions concerning the vocational training of seafarers (from "first voyagers" to masters), so that we now have a complete and efficient system of schools and training corresponding to the need for greater specialisation of seafarers required by the rapid technical development on modern ships.

In our country the trade unions play a very large and significant role in decisions concerning our system of earnings. They organise meetings where all the workers and employees of a given enterprise discuss and propose the relation between earnings of different grades of workers and employees of that enterprise.

After such broad discussions the workers' council discusses and accepts the wage schedule for that enterprise. To ensure proper interrelation of wages in a given industry the trade unions for that industry, as well as professional

bodies concerned (for example the Association of Maritime Shipping), co-ordinate studies of wage schedules in different enterprises. On matters of co-ordination of wage levels and relations between different industries, the regional, republican and federal trade unions have a decisive influence. The schedules so established serve as the basis for the participation of workers in the sharing of the distributable income of the enterprises. The newest Yugoslav legislation has given the workers' councils and the collectives themselves the sole right to decide what part of the distributable income shall be apportioned among workers and salaried employees as earnings and what amounts shall be set aside for other funds and purposes, such as housing, recreation facilities, rest homes and so on. During the last year our seafarers received in this way payments amounting to approximately three months' wages, and many houses for seafarers' families were built.

Besides these regular earnings, which include also the allowance for foreign-going ships paid in foreign currency for every day spent outside home waters, our seamen have special allowances of 15 per cent. of the basic wage rate for trips to the Far East and in tropical waters, 30 per cent. for service on tankers, and a special daily allowance while carrying dangerous cargo. All seamen receive free of charge their working and protective clothing, and the officers their uniforms.

Accommodation on board our ships, especially on those built since the war, conforms to the standards of the Accommodation of Crews Convention (Revised), 1949 (No. 92) and in some respects goes even further. Many newly built vessels have air-conditioned crew quarters.

Every Yugoslav seafarer has an annual holiday with pay ranging from 12 to 30 working days depending on the length of his service. For Sundays and national holidays spent at work our seafarers have, besides the payment of overtime, the right to the extension of their annual leave. Night work in port and at sea between 10 p.m. and 5 a.m. is paid for at a rate 50 per cent. higher than the normal hourly rate.

We also have a special premium system by which seafarers, who have, by special endeavour and extraordinary economy, contributed to the better running and greater earnings of our vessels, are suitably rewarded.

The employment of our seafarers is continuous, which means that they receive their wages also while not working, as in cases of temporary disability, convalescence, while in reserve, etc. While unemployed they are put on half-pay.

On our ships the same food is served to officers and crew; the control of the quality and quantity of the food is in the hands of the ship's committee.

There is general health and social security insurance which covers medical care, hospitalisation, incapacity for work, unemployment, retirement pensions and children's allowances and which gives full health and medical protection to the dependants of seafarers as well. When sick our workers are entitled indefinitely to all necessary treatment and care and their wages, with a reduction not exceeding 20 per cent., depending on the nature of the illness.

The retirement age for all workers is 55 after 35 years of employment. Our trade union is already taking the necessary steps to change these conditions for certain categories of seafarers whose work is especially arduous and detrimental to health.

In all our major ports we have, or are preparing, the establishment of special health centres for seafarers. One of our enterprises has set up a special dental clinic for seamen and is organising a similar service on its cargo boats by the engagement of a travelling dentist, as it is difficult to provide seamen with proper dental care during their short stay in port.

In the field of seafarers' welfare a lot has been done, but we are not satisfied with what has been done on board ship. There are radio sets in ships' messrooms, libraries, chess and other table games, but we think that a greater effort combined with an international scheme is necessary. The special broadcasts for seamen by four of our radio stations, the newspapers and magazines that are sent out to ships in foreign ports and the sending of greetings to seafarers by radio are some of the methods we are using to keep our seafarers in touch with their families and their country.

In our ports there now exist three seamen's clubs where Yugoslav and foreign seamen can spend their time while on shore. In our main port, Rijeka, there is a seamen's hostel built by our largest shipping enterprise.

For the vacations of our seafarers we are preparing cheap and comfortable rest homes where they can spend their holidays, together with their families. All our seamen and their wives and children who live mostly on islands and beside the sea receive three times a year a 75 per cent. reduction on fares on all our coastal liners to give them an opportunity of visiting each other while the ships are in Yugoslav ports. Besides this all our workers have a great reduction on all means of transport once a year.

I have tried briefly to give you an outline of the conditions of life and work of Yugoslav seafarers. We are not satisfied with what we have achieved so far, but with the improvement of our general economic situation and the rising standard of living even better conditions will be provided especially for the seafarers, whose life is hard and difficult.

In conclusion I wish in the name of Yugoslav seafarers the complete success of this Conference and better sailing to all seamen under all flags and on all the seven seas.

*Interpretation from Russian : Mr. NIZHNIK (Government delegate, Ukraine)*—The Director-General in his Report has touched on a very large number of problems which are of great importance in improving the living and working conditions of seamen, and it is quite natural that this Report should be the basis of our discussion. I can appreciate the great amount of research work that had to be carried out by the Director-General in the compilation of this valuable Report; yet, unfortunately, it seems to me that the Report is mainly a statement of facts and fails sufficiently to analyse the reasons for the grave drawbacks in the working and living conditions of seamen. In my opinion it has not sufficiently shown the role

of the governments of maritime countries in solving questions of employment and training of seamen and of improving their standard of living and their working conditions. As, in my opinion, this point has not been sufficiently reflected in the discussion which has taken place here, I feel it my duty to close this gap.

You will see from the Director-General's Report that in recent times a large number of seamen have left fleets in a number of countries in order to seek employment with better conditions on shore. This has been particularly true of engineers, yet the Report has failed to mention the reasons for this. The opinion of our delegation is that such a phenomenon can be the result only of unstable employment conditions and of the fact that the working and living conditions of seamen are considerably worse than those on shore, especially as far as engine-room staffs are concerned. The data given in the Report concerning monthly wages of crews show that in a number of countries, especially the older maritime countries, the wages of a qualified engineer are the same as, or only slightly higher than, those of an able seaman. This position is far from appropriate in view of the knowledge, the responsibility and the qualifications demanded of a qualified engineer. That is one of the reasons why engineers, as well as other seamen, abandon the merchant fleet in the hope of finding employment on shore—which is not always possible.

In our country the employment of seamen is constant and the wages paid to them are sufficient to allow them to keep themselves and their families. As for ships' engineers, taking into account their knowledge, the requirement of compulsory secondary, technical or higher engineering education, and the responsibility they have for the proper operation of the machinery entrusted to them, they form part of the officer staff and their wages, irrespective of the engine power entrusted to them, are one-and-a-half times to twice as much as those of an able seaman. Thus there is hardly any trend among seamen or engineers to leave sea employment for employment ashore.

In Ukraine the organisation of employment of seamen is not an acute problem for our Government, since the system of recruitment for the merchant navy is one which gives established posts to seamen, and this has been in force for many years now. It is complemented by measures which make it possible to eliminate any turnover in the personnel employed on board ship. Further, the Ukrainian merchant fleet has been augmented by large new ships equipped with the latest technical equipment and requiring smaller crews; but this has not led to a decrease in the total number of seamen employed, since the increased tonnage, according to plan, has also increased our requirements of qualified seamen. The rapid development of our national economy since the war has called for an increasing development in all types of transport, including maritime transport. Alongside this the development of trade ties with foreign countries has led to an increase in import and export transport and, consequently, to an increase in the tonnage of our merchant fleet.

The growth of our merchant fleet has been achieved, first of all, by building ships in our own shipyards, as well as by placing orders with firms abroad. While on this subject I may say that we are placing, and will continue to place, through the appropriate organisations, contracts with firms abroad for all types of modern ships.

The addition of first-class ships to our merchant fleet has called for a radical improvement in the training of seamen with higher or average qualifications as well as of other types of seamen, and for this purpose in 1944 the Government of Ukraine decided to reorganise higher and secondary maritime training. At Odessa a higher maritime training establishment was set up to train engineers specialising in various branches, captains, electricians, radio engineers and others. Training in this establishment lasts six years. Moreover, secondary maritime schools were set up in Odessa and Kherson. In these schools engineers, electro-mechanics, pilots and radio technicians for the merchant fleet are given a four-year course of secondary technical education. The theoretical training in the higher and secondary establishments is supplemented by practical training on training vessels.

Training of seamen, engine-room staff, stokers, electricians and radio staff since 1948 has been given in another five schools, where young people are accepted after having at least seven years' schooling in secondary schools. The training lasts one year. The cost of training in the higher and secondary establishments and schools, like the living expenses of the pupils, is borne entirely by the State.

Apart from these establishments our Government has set up an institution for engineers of the merchant fleet in Odessa, in order to train other engineering staff—technologists, hydro-technicians, operational staff, and so on. The schooling is free and grants are given to students, who are also given boarding facilities—all paid for by the Government.

The training of teachers for such establishments is carried out in the Odessa higher training establishment and the engineering merchant navy school of Odessa. These higher and secondary training establishments also have evening classes and correspondence courses to enable trainees to study while actually employed. Such trainees are given every year an additional 30 days' holiday and their average wages are still paid to them by the undertakings for which they work.

For young seamen who have not completed their secondary schooling there are two general correspondence colleges, which provide training for seamen, engine-room staff, stokers, electricians, radio operators and seafarers of other occupations. In the last two years these schools and courses have trained 436 seamen and at present over 1,200 seamen are attending them while continuing full employment on board ship.

In accordance with our Labour Code, those who take correspondence courses in secondary schools are given an additional 10 to 20 days' holiday a year for their examinations and their average wage is still paid by the undertaking

for which they work. These correspondence courses and other training courses enabling seamen to continue their training while actually serving are extremely popular among seamen, so they are given every encouragement by the Government.

This system of planned training for seamen and officer staff is one that has fully justified itself. There is a constant growth not only in the numbers employed in the merchant fleet but, what is particularly important, there is a growth also in the qualifications of the seamen. Thus, as compared with 1940, the number of specialists with a secondary or higher education in the Ukrainian fleet has increased by approximately seven times.

In this connection it may be of interest to hear in this discussion on the subject of the Director-General's Report how the problem of training and retraining of seamen, especially with high qualifications, is being tackled by other countries which are Members of the I.L.O. The Government of Ukraine has given great attention also to the organisation of healthy conditions and the cultural use of leisure by seamen. Every year milliards of roubles are spent on housing and cultural accommodation for seamen. In 1957 alone the seamen of the Black Sea shipping undertaking were given 11,000 sq. metres of living area, and in this current year, 1958, the undertaking will build an additional 20,000 sq. metres of living space for its seamen. Many seamen's families, with the help of credits from the Government, are building their own houses, but I must point out that we cannot yet fully satisfy the requirements of seamen in living accommodation. We have to take into account the fact that our nation's economy suffered great losses in the Second World War.

Thirteen resolutions have been submitted to this Conference on various aspects of the life and work of seamen. These are carefully examined by our delegation which, at the appropriate time, will express its opinion. Taking advantage of the opportunity given to me, I should like to stress the importance of the resolution submitted by the Soviet Government delegate concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers. In view of the great importance of this resolution I hope that the Conference will give it its support, since it is a question of the vital interests of the workers.

I am convinced that an exchange of experience and opinion on the Report of the Director-General will help to improve the living and working conditions of the workers and further co-operation among Members of the I.L.O.

*Interpretation from French : Mr. LADHARI (Government delegate, Tunisia)*—In a report which is as remarkable for its clarity as for its contents the Director-General has, with his customary skill, examined the social problems which arise in the field of the merchant navy in the present day.

The Director-General has rightly said of maritime transport that it is the barometer of world economy, since it is perfectly true that the production and, consequently, the distribution, of wealth is conditioned by trade.

Within the scope of a given country this activity, represented by the merchant navy, apart from being an essential complement to other productive activities, can also be a source of wealth in itself. The development of a national merchant navy releases nations from the servitude imposed upon them by the need to resort to foreign carriers and even to accept their dictates. Under the system known as the "colonial pact", all maritime transport affecting a subject people was reserved for ships bearing the flag of the colonising nation. It followed consequently that the cost of transport under this "colonial pact" could greatly exceed the level current throughout the world. Moreover, the dependent peoples were generally barred from professions connected with shipping, which did not help to solve employment problems in these underdeveloped countries suffering from unemployment. Thus the countries achieving full independence are careful to give maritime questions all the attention they deserve.

In Tunisia President Bourguiba, having accomplished the political liberation of the country, has begun to build up the fleet. He has just promulgated (on 24 April last) an important law the purpose of which is to encourage shipowners to develop the merchant fleet. Tunisia has a considerable coastline (over 1,700 kilometres) and several well-equipped ports such as Bizerta, Tunis, La Goulette, etc. The example of countries which have but recently come upon the international scene and have built up a large merchant fleet is encouraging, as may be seen from the table on page 7 of the Director-General's Report. There are already some large ships sailing under the Tunisian flag, and in the last few months several ships built in Tunisia itself have been launched. The number of seafarers is already large, for the maritime traditions of Tunisia go back to Carthage and have been maintained throughout the centuries. In order to deal with the problems connected with the condition of seafarers, an important Maritime Labour Code has been drafted and is shortly to be promulgated. This Code is a satisfactory answer to the growing concern for the social protection of seafarers. Thus, as far as paid leave is concerned, seamen are entitled to paid leave varying from 12 to 18 working days a year, that is, one or one-and-a-half days a month according to whether they serve in coastal or long-distance ships. They become entitled to leave after one month's service; there is no need for the seafarer to have served a full year. None can be compelled against his will to take his annual leave in a port outside the territory in which he signed on or in which he is domiciled.

In the field of social welfare, the conditions of seamen as regards compensation for occupational accidents are even more favourable than those provided by law. Thus the seaman remains on full pay for the whole time during which he is entitled to treatment at the shipowner's expense in the event of accidents or sickness arising after the beginning of the voyage. It is worth remembering that by law a worker injured in the course of his work is entitled to only half his daily wage. In addition a seaman receives the family allowances payable under general legislation.



As regards hours of work the new Code adopts the principle of the eight-hour day, with the possibility of calculating the hours of work on a weekly basis at the rate of 56 hours a week, or over a period other than a week at a corresponding rate. These limitations, by the way, are in harmony with the proposals to revise Convention No. 93, which are under discussion at this session. These limitations apply uniformly to all grades of personnel, irrespective of the kind of transport in which the vessel is engaged. The draft Code provides for the possibility of laying down permanent and temporary exceptions by ministerial order after consultation with a committee representing shipowners and seamen. The permanent exceptions are in regard to increases in hours of work to facilitate the carrying out of preparatory or supplementary work which must necessarily be done outside the hours specified for general work on board ships, or for work which is peculiar to certain kinds of navigation in which ordinary work is of an intermittent nature. This applies to safety control or safety work and to the seamen's personal jobs. Temporary exceptions can also be allowed to enable the master to cope with exceptional additional work or in case of an imperative or urgent need. The principle of such exceptions is commonly accepted, and the proposals for the revision of Convention No. 93 also provide for that.

A problem which will soon arise is that of the vocational training of seamen. To develop its merchant navy Tunisia will need technicians, such as engineers, electricians, wireless operators and so forth. It will be necessary to establish special schools to provide Tunisian ships with the technicians of all kinds who will be required as they increase in number. Training courses will also be of value in training seamen. It would be desirable to have technical assistance from the International Labour Organisation in this field. This would enable Tunisia to break through the bottleneck more rapidly, thanks to the co-operation of the international community.

It appears, therefore, that the new policy adopted by the Government as regards the merchant navy leads to considerable improvements in the condition of seafarers in Tunisia. The new maritime labour legislation was directly modelled on the international Conventions adopted by the I.L.O., although Tunisia has not yet ratified any maritime Conventions. But, as emphasised by the Director-General in his Report, States draw inspiration from international Conventions and try to conform to their provisions even if they have not ratified them. That is the most significant sign of the progress made towards the universal implementation of the international standards adopted by the I.L.O., ratification guaranteeing conformity with the standards adopted. Such growing uniformity in the conditions of work of seafarers in the various States will mark a step forward towards improving the lot of an important section of the labour force and constitutes a guarantee of social peace and concord.

Mr. KHATIB (*Workers' delegate, Pakistan*)  
—On behalf of the organised workers of

Pakistan, I wish to congratulate the Director-General for his able Report on the conditions prevailing in the maritime industry. Also I should like to take this opportunity to mention how greatly the workers of Pakistan, and transport workers in particular, appreciated the kind visit of the Director-General to Karachi last year.

I do not think it will be out of place if I make a few points in regard to the shipping industry in Pakistan.

The general economic situation both in the home trade and in foreign trade, so far as shipping is concerned, seems to have improved. But both the living and working conditions of the seafarers have not shown much improvement since the last Maritime Session of the Conference in Seattle more than a decade ago.

It cannot be denied that the volume of tonnage in the Pakistan ports has increased and correspondingly the financial position of the shipping companies has also improved. On the other hand the volume of recruitment has not increased in the same proportion, with the result that considerable unemployment amongst Pakistani seafarers persists.

A case in point is that of the Pakistani seamen who are being forced to seek alternative employment as the normal avenues of recruitment are barred to them. The fundamental right of any seaman to seek employment from any port of registry is being denied Pakistani seamen. Moreover, even when Pakistani seamen sign on from Pakistani ports they are restrained from joining ships in Indian ports. The I.L.O. should move the member States to grant reciprocal facilities to seafarers, who are truly international employees.

A fresh complication in the post-war era is the emergence of so-called new maritime nations, which, in other words, are merely flying flags of convenience. Our international organisation, the International Transportworkers' Federation, has already condemned the practice of ships being registered by such countries which cannot guarantee even the minimum standards as outlined by the I.L.O.

While it is admitted that there is a general shortage of qualified engine-room personnel, in so far as Pakistan is concerned we have a surplus of engine-room categories. It is strange that these qualified engine-room ratings are not being utilised, and the engine-room crews in Pakistan have been facing unemployment for the past decade. The oldest maritime country, the United Kingdom, which does employ Asian seafarers, somehow seems reluctant to employ sufficient numbers of Pakistani seamen, who can easily be made available. Perhaps this is due to some political reasons over which we cannot exercise any control. This is evident from the pre-independence record of the "Indian seaman". The term "Indian seaman" in at least 80 per cent. of the cases means a seaman hailing from territories which now form part of Pakistan. It is therefore felt that the United Kingdom shipowners should in their own interest encourage the recruitment of Pakistani seamen, who are bound by historical traditions to serve British ships. This would eliminate to some extent the prevailing unemployment among Pakistani seamen.

Moreover, in most of the Asian countries there is no unemployment allowance for seafarers and it is high time that the shipowners discharged their obligations in this regard.

It will be observed from the Director-General's Report that the wages of the Asian seafarers are the lowest in the world; the international standards in this regard seem to have deliberately been ignored with the result that the wages of an Asian seaman are one-third of those of a United Kingdom seaman and one-twelfth of those of an American seaman. This clearly proves that Asian seamen are considered cheap labour and in the larger interests of all concerned it is stressed that the difference in wages should be narrowed down. By a collective agreement last year Pakistani shipowners raised the wages of Pakistani seamen by 10 per cent. But unfortunately British shipowners have not fallen into line and are resisting the genuine demands of the Pakistani seamen.

The case is the same in so far as accommodation on board is concerned. The living conditions on board the ships beggar description and are most unhygienic.

There are no holidays with pay for Pakistani seafarers, neither is there any social security scheme for them. They are only compensated if they are injured while at work or fall sick on board ship.

The case in regard to welfare facilities is similar although there are regular departments dealing with the subject. In Pakistan there are no boarding arrangements either at Karachi or at Chittagong, with the result that most of the seamen are literally on the streets and such facilities as are made available by the Merchant Navy Club Society are far from adequate.

In the above circumstances the labour-management relations cannot possibly be of the best. However, the Pakistan Seafarers' Federation is doing its best to deal with the Pakistani Shipowners' Association on an industrial basis.

The I.L.O. has always helped and assisted us and the decisions of the Joint Maritime Commission are still to be implemented in Pakistan. The seafarers of Pakistan hope that the present session will also be a landmark, as was the Seattle Conference. In particular the Asian seafarers look forward to better wages, hours of work, manning scales, accommodation, catering arrangements, training facilities, social security schemes, welfare measures, medical facilities and holidays with pay. For this purpose the regional activities of the I.L.O. should be expanded and a second Asian Maritime Conference should be convened if possible next year to deal with the peculiar problems of the Asian seafarers.

In conclusion I thank you all for your kind courtesy in allowing me this opportunity to express the viewpoint of the Asian seafarers in general and Pakistani seamen in particular.

Mr. SERANG (*Workers' delegate, India*)—I congratulate the Director-General on his very informative Report.

The Director-General has said in his Report that a lot of improvement has taken place since the Second World War; but in my

country, apart from a rise of 10 per cent. in wages, the establishment of a Seamen's Employment Office and the granting of 12 days' holidays per year, a lot of things are yet to be done.

In the Seamen's Employment Office we do not like frequent changes in officers of the Government as such changes hinder the progress and smooth working of the establishment.

Our Government has just introduced the Indian Merchant Shipping Bill in our Parliament, and I very much regret that as far as the seafarers are concerned there are certain clauses in this Bill which we would like to see amended.

I take this opportunity of congratulating my Government on expanding our national tonnage and on the appointment of the Seamen's Welfare Board to deal with questions of social security and seamen's welfare in ports. The report of the Port Welfare Committee is just out; I appeal to my Government to act on the recommendations of the Port Welfare Committee and the Social Security Committee as early as they can.

Here I would like to appeal also to the British shipowners and the British Government to transfer the contributions which the British shipowners are paying to them for Indian seamen to the Indian Government, to be utilised for the early introduction of social security for Indian seamen in India.

I do not understand why my Government has not ratified certain important maritime Conventions so far. I would appeal to my Government to ratify all Conventions of basic importance and to try to implement such other resolutions and recommendations which affect the fundamentals of human life.

I believe the aim of my Government is to create a Socialist pattern of society where the workers are equal partners in industry. I hope in the public sector my Government will treat us as equal partners in the industry and thus give us a lead for the private sector to follow.

I would like to say a few words on the Director-General's Report as it concerns Asian seafarers. The Report has given us interesting information regarding the development of conditions of seamen, but it appears to us that perhaps in preparing the Report conditions prevailing in Western countries received the greatest attention.

I feel that while making the factual report it should also have been noted that Asian seamen have with few exceptions failed to win almost all the benefits that naturally resulted after the Second World War.

I would also like to point out a significant error in the Report of the Director-General. On page 20 of the English text of the Report it has been stated that special unemployment benefit is payable to all unemployed Indian seafarers for a maximum of 90 days. This is not quite correct. We hoped that such employment benefit would be given to us.

*Interpretation from French*: Mr. SUCHORZEWSKI (*Employers' delegate, Poland*)—I am happy to have the honour of attending this Conference and of speaking from this rostrum as the delegate of my country and more par-



ticularly as the delegate of the Polish shipping employers. First of all I should like to support the remarks made by previous speakers as regards the work of the Conference, and likewise to congratulate the Director-General on his excellent Report.

As stated in the Report, and as can be seen from the agenda, this Conference will mark a further step forward towards the attainment of better conditions for the running of shipping undertakings and for obtaining better living and working conditions for seafarers in all parts of the world, in accordance with the progress accomplished in the technical and social spheres throughout the world.

I would like to make a few brief remarks regarding the position of Polish shipping employers, and particularly on their legal standing as concerns this Conference.

The fundamental form of organisation in which Polish shipping employers operate is that of nationalised undertakings. I must emphasise that, contrary to various mistaken suggestions made during this session, such undertakings are not the property of either State or Government. They are independent bodies corporate from a legal and financial point of view. They operate independently on bases similar to those of commercial firms. The fact that they have been nationalised merely means that their profits are nationalised, that is to say, they are credited to the nation as a whole in the national budget. Even so, the profits are not entirely handed over to the State, since our undertakings set aside a considerable part of their income to meet future development needs, to pay pensions to their workers and to improve their social and economic position.

Several of the facts I will now quote to you will serve to illustrate this state of affairs and constitute striking testimony of what I have just said.

Polish law regarding nationalised industries provides that each nationalised undertaking should be a body corporate. It is not responsible for the liabilities of the State and the State is not responsible for the undertaking. It operates in accordance with its own rules and the resources it holds. The ships are owned by shipowning undertakings and not by the State; this is indicated on the ship's papers. The only exceptions to this rule are the ships received as war reparations and registered as the property of the Treasury. These are not numerous. There are also in our merchant navy a number of ships owned by three joint-stock companies (the "GAL", "Zegluga Polska" and "Polbryt") formed before the war and which have not yet been wound up.

The objection might perhaps be made that the issue is not one of nationalisation but of the way in which the State can control and intervene in the affairs of the undertaking. In reply to that objection I should like to draw your attention to the following facts.

The independence of the undertakings from an administrative and financial point of view has been increased to such an extent that the influence of the State on the activities of undertakings has been reduced to a minimum. The tasks of undertakings are determined

exclusively by the annual plans fixed by the State for the whole of the national economy. Each undertaking takes all decisions itself; in particular, it decides how the different tasks should be carried out. The arrangements relating to the activities of the undertaking, such as staffing, technical matters, operations, supplies, and so forth are totally and exclusively the responsibility of the management and the works council, which consists of workers elected by the whole staff of the undertaking.

It is clear, therefore, that the legal and economic situation of Polish undertakings in the merchant navy as owners of their ships is in no way different from that of shipowners in other maritime countries.

I should now like to give you some information concerning the situation today in my country with reference to the problems on the agenda of this Conference.

Since the adoption of the Act of 1952, regulating the employment of seafarers, we as shipping employers derive some advantages from the stability of employment of our personnel.

Here are the principles which are characteristic of this position. On leaving his ship a seaman is struck off the crew roll but is still regarded as being employed while ashore and receives the same basic wage. Such a reserve worker may be assigned by the employer to work on ships anchored in port until he resumes work on board a ship going to sea.

Clearly, therefore, the employers are put to considerable expense, but there are corresponding benefits: the system ensures that our requirements for labour adapted to the particular kind of employment can immediately be met, and, moreover, it ties the seaman more closely to his job.

A seaman who takes a job in another Polish shipping line retains all previously accrued rights. His total length of service is accorded to him, and this entitles him, after a certain number of years, to a permanent wage increase, to promotion, to long-service leave, and so on. In other words a seaman who has a job in another Polish shipping line is treated there as though he had been employed on board the vessels of that line throughout his working life.

Although the resultant expenses are undoubtedly considerable, experience has shown us that they are offset by the high quality of the personnel, the good relations between seafarers and the shipping lines, and the very loyal way in which the crews perform their duties.

The engagement of seamen for service at sea is co-ordinated by bodies run jointly by the employer and the seamen's union, which recommends applicants on the employer's request. This co-operation gives employers the possibility of selecting capable personnel and enables the seafarers' union to exercise an influence on the very important issue of engagement for service at sea.

The hours of work of seafarers in the Polish merchant navy are more favourable than in most other countries. The collective agreement which has been in force since 1948 fixes hours of work for seafarers at eight a day and at six hours on Saturdays, including two hours

for a thorough cleaning of their own quarters. In case of overtime work the shipowners pay extra in accordance with Polish labour legislation. This constitutes a heavier burden for the shipowner than that which would result from the application of the letter of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93).

The manning scales of Polish ships are not only in conformity—both from the point of view of quantity and quality—with the principles laid down in Article 21 of the draft for the revision of Convention No. 93 but go even beyond the standards applied on board ships in most countries. I should point out, however, that in our opinion the size of crews is often greater than would be justified by the real needs on board our ships. We consequently intend to revise the existing manning scales in order to bring them into greater conformity with real and fair needs.

Seamen are trained in special schools.

All the draft syllabuses for the education and training of seafarers take the operating needs determined by the employers' experience fully into account.

As regards occupational safety and health the Polish shipping employer is bound by very detailed statutory regulations. Polish law imposes on these employers serious responsibility, and the relevant provisions are strictly applied by the courts in the event of occupational accidents—which are nevertheless uncommon on our ships. The ships have medicine chests which are among the best as regards the modern drugs and first-aid requisites they contain. Ships sailing to the tropics carry doctors with special training.

As regards accommodation on board ships of the Polish merchant navy, we have already recorded considerable progress in our efforts to apply the principle of crew accommodation in single or double cabins with the fullest sanitary and other conveniences. Unfortunately, conditions on board older ships are far from satisfactory in spite of our attempts to introduce improvements so far as possible.

The technical difficulties involved in converting such ships and the considerable expenses involved are serious obstacles, particularly since they are vessels that are less profitable to run and which have to be laid up within the relatively near future. On the other hand, crew accommodation on board newly built ships (and our shipyards are building an increasing number) is very satisfactory and fully in accordance with the progressive tendencies I have just mentioned.

The food supplied by shipping employers on board Polish ships can undoubtedly be regarded as being among the best, both from the point of view of quantity and from that of the calorie and vitamin content. The precepts of modern medical science are applied to secure a proper diet.

Meeting rooms, that is special premises for rest and recreation, help to meet the cultural

needs of seafarers. They are provided with wireless, libraries, a variety of games, and so on.

The wages earned in the Polish merchant navy are considerably higher than required by the Convention fixing minimum wage rates. These wage rates are a heavy burden on the Polish shipping employer; this is, however, counterbalanced to some extent by certain results mentioned above which are undoubtedly advantageous to the management and to the commercial operation of the lines.

In the Director-General's Report we find, *inter alia*, a comparison of the wages of able seamen and of salaried employees in the wholesale and retail trades in certain countries. I wish to point out that Poland is one of the countries in which seamen come out well in such a comparison.

The seaman receives, in addition, benefits for himself and his family, either free of charge or at very reduced cost, without his wages being reduced. For example, he gets holidays in health resorts, and there are holiday camps for children. Seamen also receive financial assistance from their employers for the construction of private houses, that is, family homes. Shipping employers have devoted part of their profits to that object.

It should be added that without exception all seafarers in Poland are eligible for social insurance benefits financed entirely by their employers' contributions. The coverage includes sickness, accident, invalidity and old age. Seamen also receive family allowances calculated according to the number of children. In these circumstances it is understandable that we have no reason to complain of a lack of applicants for admission to seafaring employment.

The Polish shipowners consider that the wages and other benefits they grant to seamen already go far beyond the requirements of Conventions, and this makes them all the more interested in the efforts of the I.L.O. in this field, since the work of this Organisation will undoubtedly exercise an influence in securing greater uniformity in social charges for all shipowners which will ensure proper equality in our competitive relationships.

In conclusion I cannot refrain from expressing my great regret that I have been deprived, as representative of the Polish shipping employers, of the possibility of taking part in the work of the Committee on Wages, Hours and Manning. I am sure that the Conference will restore my legitimate rights so that the principles of international co-operation may prevail.

I should like to thank you all for having listened to me and also to assure all the delegates to the Conference that the Polish shipping employers wish to make their own modest contribution to the work of this session of the Conference.

(The Conference adjourned at 12.30 p.m.)

## Delegates Present at the Sitting

*Argentina :*

Mr. Lescure  
Lieutenant-Commander  
Gómez Ortega  
Mr. Azqueta

*Australia :*

Mr. Brentwood  
Captain Bull  
Mr. Haddy  
Captain Martin

*Austria :*

Mr. Schellenbacher  
Mr. Schlaffer  
Mr. Schlägelbauer  
Mr. Peham

*Belgium :*

Mr. Pluymers  
Mr. De Bruyn (substitute  
for Mr. Dufour)  
Mr. Dekeyzer

*Brazil :*

Mr. Barboza-Carneiro  
Mr. de Faria Baptista  
Mr. Carvalho  
Mr. Teixeira

*Bulgaria :*

Mr. Belinski  
Mr. Stoyanov

*Burma :*

Mr. Thin  
Mr. Myint

*Canada :*

Captain Johnson  
Mr. Thomson  
Mr. Kane  
Mr. Sheehan

*China :*

Mr. Yü  
Mr. Lee  
Mr. Sa  
Mr. Chen

*Colombia :*

Mr. Albán Liévano

*Cuba :*

Mr. Camejo Argudín  
Mr. Lombera Cadalso  
Mr. Enseñat Polit

*Denmark :*

Mr. Worm  
Mr. Lysgaard  
Mr. From-Andersen

*Finland :*

Mr. Relander  
Mr. Tikanvaara  
Mr. Wälläri

*France :*

Mr. Collet (substitute for  
Mr. Roullier)  
Mr. Peyrot (substitute for  
Mr. Marchegay)  
Mr. Gruénais

*Federal Republic of Germany :*

Mr. Schelp  
Mr. Fettback  
Mr. Hildebrand

*Ghana :*

Mr. Dowuona-Hammond  
Mr. Nettey  
Mr. Halm  
Mr. Mensah

*Greece :*

Commander Goulielmos  
Commander Antoniadis  
Mr. Petroulis

*India :*

Mr. Nagendra Singh  
Mr. Merani  
Mr. Serang

*Indonesia :*

Mr. Siregar  
Mr. Sanitioso  
Mr. Harsono  
Mr. Subianto

*Ireland :*

Mr. Ó Ríordáin  
Mr. Crowley

*Israel :*

Mr. Raday  
Mr. Bar-Zeev  
Mr. Ivri  
Mr. Barash

*Italy :*

Mr. Berio  
Mr. Purpura  
Captain Cavallini  
Mr. Romagnoli

*Japan :*

Mr. Hayashi (substitute  
for Mr. Kawasaki)  
Mr. Mori  
Mr. Yamagata  
Mr. Kageyama

*Liberia :*

Mr. Wilson  
Mr. Cooper  
Mr. Simonovitch  
Mr. Cole

*Mexico :*

Mr. Mérito  
Miss Aguirre

*Morocco :*

Mr. Guessous  
Mr. ben Bouazza

*Netherlands :*

Mr. Valentgoed  
Mr. Scheffer  
Mr. van der Vorm  
Mr. de Vries

*Norway :*

Judge Bull  
Mr. Endresen  
Captain Loennechen

*Pakistan :*

Mr. Chaudhuri  
Mr. Ahmad  
Mr. Dada  
Mr. Khatib

*Panama :*

Mr. Ortega Vieto  
Mr. Philipps

*Poland :*

Mr. Licki  
Mr. Suchorzewski  
Mr. Skiba

*Portugal :*

Mr. Pedrosa  
Mr. Daun e Lorena (sub-  
stitute for Commander  
Jorge)  
Captain dos Santos

*Rumania :*

Mr. Lazareanu  
Mr. Gal  
Mr. Anzulato  
Mr. Radulesco

*Spain :*

Mr. Pastor Tomaseti  
Mr. García de Llera  
Mr. García Ribes

*Sweden :*

Mr. Widell  
Mr. Hartvig  
Mr. Reuterskiöld  
Mr. Thore

*Switzerland :*

Mr. Ryniker  
Mr. Messmer  
Mr. Fornet (substitute for  
Mr. Keller)  
Mr. Hofer

*Tunisia :*

Mr. Ladhari  
Mr. Ben Salem  
Mr. Sellami

*Turkey :*

Mr. Toygar  
Mr. Yenil  
Mr. Aymen  
Mr. Özkan

*Ukraine :*

Mr. Slipchenko  
Mr. Nizhnik  
Mr. Danchenko  
Mr. Bakurski

*U.S.S.R. :*

Mr. Dolinski  
Mr. Morozov  
Mr. Ragimov  
Mr. Koetkin

*United Arab Republic :*

Mr. Kamel

*United Kingdom :*

Mr. Proctor  
Mr. Haselgrove  
Sir Richard Snedden

*United States :*

Mr. Jacobs  
Mr. Rothschild  
Mr. Casey

*Yugoslavia :*

Mr. Velimirović  
Mr. Makiedo  
Mr. Kesić  
Mr. Velkaverh

## EIGHTH SITTING

Wednesday, 7 May 1958, 10.45 a.m.

*President : Mr. Kawasaki*

### REPORT OF THE COMMITTEE ON COMPETENCY CERTIFICATES<sup>1</sup>: SUBMISSION, DISCUSSION AND ADOPTION

The PRESIDENT—I call upon the Clerk of the Conference to make a brief announcement.

*Interpretation from Spanish :* The CLERK OF THE CONFERENCE—In the Spanish version of the *Daily Bulletin* a mistake has crept in. The first item on the agenda for today's plenary sitting should be the Report of the Committee on Competency Certificates and not the Report of the Committee on Identity Cards. This correction applies to the Spanish text only.

The PRESIDENT—The first item on the agenda this morning is the Report of the Committee on Competency Certificates. I ask the Chairman of the Committee, Mr. Pedrosa, and the Reporter, Captain Graves, to come up to the rostrum. Captain Graves will present the report.

Captain GRAVES (*Government adviser, Canada ; Reporter of the Committee on Competency Certificates*)—This Conference appointed a Committee to consider and report on the sixth item on the agenda, namely jurisdiction over the suspension of officers' certificates of competency. This Committee has elected me as its Reporter, and in this capacity I have the honour to present to the Conference on its behalf the results of its deliberations. This report, the text of which has been distributed, is submitted for your approval.

Without wishing to take up too much of your time, I feel that I should point out that there was comparatively little discussion on this item in the Committee stages. As a result the report appears to be somewhat meagre and not very informative, and for this reason I think that I should endeavour to amplify it a little with a view to giving you some idea of the desirability of this resolution, what it means and what is behind it. I am not going to deliver an explanation of officers' certificates, their nature, purpose and how they are obtained. I am speaking to maritime people, and I know that they are well acquainted with that aspect of the matter.

The preamble in the text of the resolution which is appended to the Committee's report gives, in effect, several reasons why we think that such a resolution is necessary. I would like to comment on two of them in particular.

At the outset bear in mind that a master's or officer's certificate may be valid for any ship in any waters. Also, we are considering not only navigating officers but engineer officers as well.

Then, let us consider firstly the Convention on the High Seas, signed last week here in Geneva. This Convention contains a provision that in disciplinary matters only the State which has issued a certificate is entitled to cancel or suspend it. This is the very stipulation that we want, but unfortunately it applies only on the high seas and not in a port, or in inland or territorial waters.

Secondly, let us look at the Brussels Convention of 1952 concerning penal jurisdiction in matters of collision or other incidents of navigation. This Convention provides that, in the event of a marine incident which involves penal or disciplinary responsibility on the part of the holder of a certificate, proceedings may be instituted only before the authorities of the State in which the ship was registered. At the same time the Convention does permit the State which issued the certificate to deal with it. However, it appears that there is nothing to prevent the country of registry from taking action with respect to a certificate which they did not issue.

Furthermore, the Brussels Convention does not apply to incidents occurring within the limits of a port or in inland waters, and it permits its adherents to make a reservation which would give them the right to take proceedings in respect of certificates if the offences were committed within their own territorial waters.

You can see, then, that any of our Members could sign, accede to or ratify both of these Conventions and still have the right to cancel or suspend any certificate of competency or licence, regardless of who had issued it, provided, of course, that the offence in question took place in the Member's own territorial waters. Suspension or cancellation of a certificate means loss of livelihood and is a professional discredit of the very highest order. As you know, to qualify for a certificate an officer must satisfy the issuing authorities as to his character, his experience and his knowledge.

<sup>1</sup> See Appendix VIII, p. 244.

The issuing authorities are the ones who found him competent. If his competence is to be held in question, and if he is to be deprived of his certificate, it is not an unreasonable principle that those who granted him the certificate should be the only ones empowered to take it away from him.

That is, briefly, the purpose of this resolution, to ensure that, regardless of whose waters the ship happens to be in, regardless of whose flag she is flying, if there is any suggestion of cancelling or suspending an officer's certificate of competency such action should be taken only by the State which issued it.

The PRESIDENT—The report is open for discussion.

Captain TENNANT (*Workers' adviser, United Kingdom*)—May I, first of all, say that it is with much satisfaction from the Workers' group that the Committee on Competency Certificates adopted its report, together with the annex, unanimously? May I also say how fortunate the Committee was in having for its Reporter Captain Graves, the Principal Examiner of Masters and Mates in Canada? Being a certificated officer himself he was eminently qualified to act in this capacity. The outcome of the Committee's deliberations has also brought satisfaction to me personally, as this question originally emanated from a resolution adopted by a general meeting of my own organisation. It should not be thought, because a resolution is adopted with a minimum of controversy, that it is not of very considerable significance to the masters and officers of the ships of all nations. It is a terrifying experience for any ship's officer to be called before an official inquiry arising from an incident of navigation in which he may have been involved, but it is much more terrifying to be arraigned before a court in a country other than his own, where the language and the procedures might be quite unfamiliar to him, the unfortunate officer realising that his whole future might be at stake.

Our concern has been to try to ensure that, even if an incident of navigation occurs in territorial waters, if it is of such a character that warrants legal processes being involved, such processes should take place in his own country. The resolution is significant, as it asks governments that even in cases where incidents of navigation occur in territorial waters (and this, I may add, is usually where ships collide and invariably where they strand) the State which issues the certificate should alone be responsible for the disciplinary action arising from such an incident.

The action of Governments and Employers on the Committee in so warmly supporting the introduction of this resolution will, I can assure you, be appreciated by many thousands of ships' officers of all nationalities.

*Interpretation from Russian*: Mr. DZHAVAD (*Government adviser, U.S.S.R.*)—In examining the resolution concerning jurisdiction over the suspension of officers' certificates of competency in committee the U.S.S.R. Government representative, following upon those of France and Poland, proposed the deletion from the resolution of paragraph 2, which contains a

recommendation to all Members of the International Labour Organisation to accede, as far as possible without reservation, to the Brussels Convention of 1952.

The U.S.S.R. Government delegation continues to feel that the paragraph in question should be deleted from the resolution, and we base ourselves on the fact that the Brussels Convention of 1952 is devoted to the general problems of jurisdiction in the case of incidents at sea and does not refer specifically to the question of jurisdiction over the suspension of officers' certificates of competency, with which the resolution deals exclusively.

I would therefore ask you, Mr. President, when you come to the vote on this resolution, to bear in mind our request that paragraph 2 of this resolution be voted upon separately.

The PRESIDENT—If there is no other speaker on the report I declare the report adopted.

*(The report is adopted.)*

#### RESOLUTION CONCERNING THE JURISDICTION COMPETENT TO SUSPEND OR CANCEL OFFICERS' COMPETENCY CERTIFICATES<sup>1</sup>: ADOPTION

The PRESIDENT—We shall now deal with the resolution.

I put the Preamble to the Conference. If there is no objection, the Preamble is adopted.

*(The Preamble is adopted.)*

The PRESIDENT—I shall now put the operative paragraphs to the vote, one by one.

*(Paragraph 1 is adopted.)*

The PRESIDENT—In accordance with the request made by Mr. Dzhavad, we will take a vote by show of hands on paragraph 2.

*(A vote is taken by show of hands. Paragraph 2 is adopted by 94 votes to 6, with 19 abstentions.)*

*(Paragraphs 3, 4 and 5 are adopted seriatim.)*

The PRESIDENT—I now put the resolution as a whole to the Conference.

*(A vote is taken by show of hands. The resolution as a whole is adopted by 121 votes to 0, with 1 abstention.)*

The PRESIDENT—This concludes the discussion of the report and the resolution submitted by the Committee on Competency Certificates. I take this opportunity of expressing the thanks of the Conference both to the Chairman, Mr. Pedrosa, and to Captain Graves, the Reporter, for the excellent work they have accomplished.

#### RATIFICATION OF A CONVENTION BY YUGOSLAVIA

The PRESIDENT—Before we go on to the next item on the agenda I am pleased to inform the Conference that the Director-

<sup>1</sup> See Appendix VIII, p. 245, and Appendix XI, p. 256.

registered on 5 May 1958 the ratification by Yugoslavia of the Minimum Age (Sea) Convention (Revised), 1936.

# REPORT OF THE DIRECTOR-GENERAL : DISCUSSION (*cont.*)

The PRESIDENT—We will now resume discussion of the Director-General's Report.

*Interpretation from French : Mr. ANZULATO (Employers' delegate, Rumania)*—The Director-General's comprehensive and detailed Report has given us a fairly clear picture of the work of the I.L.O. in the maritime field, as well as of developments in the position of seafarers as a whole over the last ten years. The Report has brought out the various trends which have emerged and has drawn attention to the fact that quite a number of countries which had only a small merchant navy are trying to form one at the present day.

This is indeed the case in Rumania which, after losing almost the whole of its merchant navy during the war, is now making a determined effort to increase the number of its vessels both by building them in its own yards and by purchases abroad. Under the development plan of the Rumanian Shipping Company its present sea-going fleet is to reach about two-and-a-half times its present size by 1961, and after 1961 efforts will be made to secure a further considerable increase.

That is why some of the problems mentioned in the Director-General's Report are of particular interest to us. I am referring primarily to the question of vocational training, which will be a difficult one for the Rumanian Shipping Company, particularly during the next two or three years. The planned development of our merchant navy will not be possible without effective measures to ensure a corresponding expansion of training facilities for the seamen we need. A special non-fee-charging school has already been established in Rumania to train young specialists, as well as a maritime college for the training of engineers. However, we share the opinion of the Director-General who, in his Report, comes to the conclusion that the experience acquired by certain countries could be of use to others, and we consider that I.L.O. action to develop exchanges of experience with regard to the training of seafarers deserves the closest attention.

Another problem of interest to us is that of ensuring that our seamen have the most favourable conditions from the health point of view. Effective measures to this end have been taken by the Rumanian Shipping Company. Apart from the fact that seafarers and their families receive free medical assistance on shore, like any other worker in our country, medical centres have been set up for seamen and for workers in our ports. In addition, medicine chests have been installed on board all ships whilst ships on long-distance runs carry a doctor or a person with recognised medical qualifications.

We consider that an acceptable conclusion as regards the fifth item on the agenda of this session, namely the contents of ships' medicine

chests and medical advice by radio to ships at sea, will lead to further improvements in the present state of affairs.

Finally, I should like to refer to the question of the welfare of seafarers. The Director-General's Report shows that progress has been made, particularly in connection with the improvement of the conditions provided in ports for seamen on shore. However, we can easily see that there is still a lot to be done in this field. That is why the resolutions dealing with these questions should be examined with the utmost attention.

We consider that the discussion and the solution of such concrete problems is extremely useful. Our experience has already shown the good results which might be obtained by such measures. The setting up of a library, a club, radio on board ships and other measures taken by our own shipping company, together with the seamen's trade union, have had good effects on the morale of seamen who are far from their countries and their homes. We are ready to support any action which the I.L.O. may deem necessary in this connection and to share our experience for the solution of problems that may arise in applying such measures.

The importance which we attach to the welfare of seamen as well as to other measures of a social character may be explained by the fact that the relations between employers and workers in our country are based on sincere collaboration. This can easily be explained by the fact that the managerial staff of the undertakings of our country is recruited from among the workers, engineers and other specialised employees, who are well acquainted with the point of view and the needs of workers through their own experience. That is why we, as employers, do not seek the means to elude our obligations in respect of the rights of workers but rather seek to find suitable solutions. Of course we, just as any other heads of undertakings in any other country, are faced with the problem of finding the wherewithal to fulfil these tasks, as well as the problem of our real possibilities. It is therefore necessary to think of the consequences of any given action on the profits of an undertaking and, of course, we have to bear in mind the need to improve output and productivity. Such measures always receive attention from the seafarers because they are conscious of the fact that they make for an improvement in their situation and are not acting against their interests. This explains why in our country collaboration between employers and seafarers is always close and constructive because it answers both the interests of the seamen and of the undertaking. I can give here as an example the fact that, following the good results of last year, our shipping company, together with the seamen's trade union, has begun building several rest homes in our holiday resorts for the workers of our undertakings as well as for their families.

I thought it useful to clarify this subject of the relationship between the employers and workers of the maritime world of our country in order to supplement the relevant chapter of the Director-General's Report.

I should like to thank the Director-General for the interesting information contained in General of the International Labour Office

his Report and the opportunities it gives us to learn more about the situation of merchant fleets and among seafarers today.

I should also like to assure the Conference of our sincere wish to collaborate in its work, both by our experience and our actual work. It must be deplored that this co-operation has been lacking since the very beginning of our Conference, and there can be no doubt that the situation which arose through political considerations will have an unfortunate effect on our work.

I hope that this situation will be remedied so that our present work may still help to make the I.L.O. a centre of exchange of experience in the maritime field, a centre of action to bring about new improvements in the situation of seafarers, and yet another means for developing international co-operation.

Mr. WILSON (*Government delegate, Liberia*)—I must express deepest appreciation on behalf of the Government I represent for the masterly Report submitted by the Director-General of the I.L.O., but before referring to that Report I would ask indulgence to be allowed to quote from a speech of the Liberian Ambassador to the Court of St. James's to the members of the Anglo-Liberian Society at the House of Commons on 26 March 1958:

"There is another matter on which I should touch rather briefly, and I hope that I shall by no means offend the susceptibility of anyone. At least, persons occupying high stations, whatever the occasion may be, should never employ offensive language. In this country the name of Liberia is most often used, I think, in connection with shipping, though sometimes Liberia's name is mixed with those of other countries to form a composite name, which apparently is supposed to strike alarm in some quarters. There should be no mystery at all about Liberia's shipping policy. We did not invent our taxation system in order to attract foreign owners to register under our flag. The taxation was there, and owners, apparently not liking their own systems, decided to use ours. What is wrong about this? To be candid, we see no reason why, because some people object to this, we should now change our taxation system to suit theirs. No one would venture to ask the British, American or French Governments to change their taxation. It is their prerogative under their laws. I do not pretend that it does not pay us—though that can be exaggerated—to have these ships registered under the Liberian flag; but I must insist that the matter is purely one of taxation and that nowadays there is no question of shipowners coming to us in order to avoid their obligations to their crews or to their countries.

"The matter was excellently put, I think, in a recent note in *The Economist*, which I believe we would all accept as an authority in this matter: 'wages, conditions, manning scales and safety in ships sailing under "flags of convenience"', says the note, 'often compare favourably with those in ships of European maritime nations ...'."

In discussing the Director-General's Report I wish to throw some light on our control of foreign vessels registered under our flag, and

to make some comments on certain statements made here. In a speech made from this rostrum a few days ago Liberia was mentioned as one of the countries on account of which the labour movements of certain countries were being compelled to co-operate in facilitating the economic operation of their national merchant fleets because of low operating cost, and also because we do not adhere to the international Convention concerning safety and social welfare. Further in the speech it was mentioned that ships flying the Liberian flag had no contacts with our country; consequently the effectiveness of the work of the I.L.O. to raise the standard of living and improve the welfare of seamen has been reduced.

I wish to state at the outset that wages paid to seamen serving on ships registered under the Liberian flag compare favourably with—if indeed they are not better than—those of many countries.

Under our maritime law and regulations one of the specific prerequisites for registration under the Liberian flag is that all vessels, apart from being seaworthy, must be of a particular class. Furthermore, if it comes to the notice of the Commissioner of Maritime Affairs or his Deputy that there are other considerations affecting or relating to seaworthiness or class which should be taken into consideration the application for registration may be denied or further evidence required. There are restrictions placed on vessels' commercial operations for failure to maintain seaworthiness after registration. I may mention for the benefit of our critics that for a ship to be registered under the Liberian flag it must be registered with one of the following classification societies: the American Bureau of Shipping; Lloyd's Register of Shipping; Bureau Veritas; Dat Norske Veritas; or Germanischer Lloyd, of which we became a member in February 1958.

A vessel not on the books of one of the above societies is not eligible for registration under the Liberian flag. The Government maintains close contact with these societies to be sure of the continuing classification of the vessels.

It is ridiculous to imply that Liberia has ratified no international maritime Conventions. We are a signatory to the International Convention for the Safety of Life at Sea (1945); the International Load Line Convention of 1930; and the International Telecommunication and Radio Conferences of 1947. As a party to these Conventions and Conferences we require strict compliance from ships registered under our flag.

I believe it would suffice to tell some of my friends in this audience—for indeed we are friends—that with respect to age of vessels the Republic of Liberia has one of the most modern fleets in the world.

There is a strict provision in our maritime law which requires that no vessel be navigated unless there is on board the complement of officers and crew necessary for her safe navigation. The maritime law further requires that all officers have Liberian licences of competence to fill their respective positions. The issue of officers' licences is centrally regulated and



controlled. Consular officials do not issue licences; these are only issued by the Commissioner of Maritime Affairs or his Deputy, and then only upon the presentation of a valid licence issued by another recognised maritime country and the successful completion of a comprehensive written Liberian examination.

In conclusion, permit me to state that Liberia welcomes criticisms from whatever source, but we resent any acts or statements that would tend to cast aspersions on the reputation of our country. We have consistently enjoyed a large measure of friendship with all nations, and it is our desire to have it remain that way.

Finally, permit me again to congratulate the Director-General for his fine Report and to express my Government's equal confidence that constructive ideas and policies will emerge from this session.

*Interpretation from Portuguese : Mr. de FARIA BAPTISTA (Government delegate, Brazil)*—The Government delegation of Brazil welcomes with greater interest than ever the Report of the Director-General of the International Labour Office. This document unfolds before us a panorama in which the condition of world maritime trade and its complex problems stand out clearly. At the same time it summarises and interprets with clarity facts and figures of a high degree of significance regarding the developments since the session of the Conference held in Seattle in 1946.

In spite of the stamp of objectivity which the whole document bears, its conclusions are encouraging and strengthen our confidence in the possibility of a full understanding among the nations in this most extensive and essential field of human activity. Although the road to be travelled seems full of pitfalls the obstacles already overcome suggest that the future is full of promise.

We are convinced that one of the best means of fulfilling that promise is to call Maritime Sessions of the International Labour Conference more frequently. Since the special nature of maritime transport in all its aspects, technical, economic, legal and social, is a matter of common knowledge we consider that the international study and discussion of social problems resulting from these special features would be more profitable if carried on in specialised gatherings attended by those directly concerned, that is seamen and ship-owners, as well as by government representatives.

At an Ordinary Session of the Conference it would be far more difficult to arrive at practical and immediate solutions, for in this case the number of maritime items would have to be adapted to the space available on the agenda. Maritime questions, by their very nature, are frequently subdivided into a number of related subjects requiring to be discussed together and can be properly discussed only in a special meeting.

Among the several leading themes of the Report we refer to those relating to the expansion of the shipping industry in the last few years. This is not open to challenge, being supported by statistical evidence. However, this extension has not been uniform; many

countries, including Brazil, have not managed to reach their targets for maritime development.

As regards my country, it should be noted that, in spite of heavy losses during the Second World War, our tonnage today is almost double what it was in 1939. This tonnage, however, is wholly inadequate in view of the tremendous length of our coastline. Although coastal traffic is reserved for Brazilian national shipping, the shortage of merchant ships led the Government to allow, as an exceptional measure, foreign shipping to engage in the coastal trade. Furthermore, the official merchant fleet, which handles all long-distance traffic and trade and about half of the coastal trade, and the essential function of which is to link the far north and south of the country; not only is inadequate in terms of tonnage but is to some extent obsolete. The privately owned fleet also suffers from this defect, and inland navigation by both state-owned and other vessels is far from adequate to meet the needs of a fast developing country. Further, the lack of shipbuilding and shiprepairing industries has contributed considerably to this state of affairs.

This serious situation called for prompt and radical measures, which have just been embodied in a recent Act establishing a Merchant Marine Fund. To implement the Act a plan has been prepared which, broadly speaking, provides for the expenditure between 1958 and 1960 of 5,767 million cruzeiros from the fund; external assistance is expected for the purchase of ships. The fund will supply about 10,000 million cruzeiros over the period 1961-65. With this sum 240,000 deadweight tons are to be acquired for long-distance coastwise traffic as well as a number of coastal passenger-vessels, and 72,000 deadweight tons of shipping for the high seas trading fleet.

The shipyards of Lloyd-Brasileiro (a government undertaking) will be equipped to deal with major repairs and with shipbuilding as a sideline. The sum of 8,900 million cruzeiros has been earmarked for the financing of private shipyards. As regards shipbuilding the plan is to set the industry firmly on its feet by 1960 and to ensure that it will receive regular orders in order that it may survive and develop.

Apart from this programme the Government has had recourse as an emergency measure to the purchase of cargo vessels for the coastal trade. Other measures are being taken with a view, among other things, to promoting also the small shipbuilding industry already existing so that within a few years Brazil may have a merchant navy corresponding to its standing as a traditional maritime nation.

In contrast with the present uncertainty of our shipping industry, Brazil is proud of possessing social legislation which provides seafarers with comprehensive protection in employment and as regards conditions of work. The disputes that have arisen from time to time have been settled without serious trouble through the existing conciliation and arbitration bodies and through agreements between the parties to the disputes.

For example, the standards regarding hours of work on board that are dealt with in the



proposed texts contained in the report relating to the second item on the agenda of the Conference at this session are already included in agreements concluded by the seafarers, who have formed 43 unions, 33 of which are affiliated to the National Seafarers' Federation, while the remainder belong to a federation of engineer officers; the shipowners have formed a single association at the national level.

It is certain, however, that there is still much to be done and improved on with a view to ensuring better living and working conditions in the maritime industry, as in other industries. In this regard the observations contained in the Report deserve careful thought, for example, those relating to employment organisation or the stability of employment, vocational training, accommodation, labour-management relations and welfare services in national and foreign ports, without forgetting the new problems that are arising and will certainly continue to arise as a result of technical progress.

We do not doubt that future conferences, specialised or not, will cope with these problems wisely and realistically. We trust that the decisions taken will be animated by a spirit of universality and equity which will set aside the limitations and discriminations permitted by article 35 of the Constitution of the International Labour Organisation. The revision of this article without delay is imperative and we therefore trust that it will be discussed at the forthcoming 42nd Session of the Conference.

Finally, I endorse the words so full of faith and inspiration that conclude the Report of Mr. David A. Morse, to whom, as representative of the Government of Brazil, I extend my most sincere congratulations for the excellence of that document.

*Interpretation from German:* Mr. SCHELP (Government delegate, Federal Republic of Germany)—At a time when technical achievement is helping to an ever-increasing extent to span distances, to change forms of economy and types of production, social changes too are in a state of flux. What was still considered a milestone of social progress yesterday will tomorrow have to make way for new improvements. In our striving for the constant improvement of working conditions and for progress in our professional life, we have long since become used to looking beyond the borders of our own country. Sometimes this is prompted by the wish to know how neighbouring nations solve the same problems as those with which we are faced, and sometimes in order to win appreciation for the social legislation of our own country. There is also the recognition of the fact that in the long run nations will have to tackle together the problems with which they are faced, pooling their knowledge and experience. That is why many nations joined together in the early days of the I.L.O. to serve the cause of social progress throughout the world.

At this Maritime Session of the Conference, in which we have the honour of taking part, we shall deal with very important aspects of social policy. In our attempt to achieve new progressive legislation in the maritime field it is of the utmost importance to have an idea

of social legislation in this field and of maritime questions as a whole.

The comprehensive Report of the Director-General is in this connection a most valuable basis for our work. This Report touches on the most important social problems of the maritime field and examines their technical development. It is thus my special duty to thank the Director-General for this Report on behalf of my Government as well as on my own behalf, and I should also like to thank the Director-General for the fact that a number of progressive social measures adopted in the Federal Republic of Germany have been mentioned in this Report. I am thinking particularly of measures for improving the vocational training of seamen and the object of which is to bestow on the seafaring profession the rank of a profession for educated beings.

The reconstruction of the merchant fleet in the Federal Republic of Germany has been accompanied by constant improvement of the statutory provisions applying to members of the crew.

At the beginning the principal improvements were effected in collective agreements; but at the same time the Federal Government was pressing hard for legislative reforms. It is of particular satisfaction to me to be able to inform this learned assembly of seafaring experts that, on 1 April of this year, that is, just a few weeks before our Conference assembled, as a result of this work a new Act came into force which fulfils the hopes our seamen have been cherishing for so many years for progressive legislation in this field. It repeals the old Seamen's Act of 1902, which no longer corresponded to the progressive trend of social policy. On the one hand, it takes into account the special nature of seafaring as an occupation, and, on the other, it gives the seamen once more the place within the framework of the existing social order to which the services they render entitle them.

Our new Seamen's Act contains not only formal provisions on manning, seamen's books, and employment offices but also comprehensive provisions specifically relating to labour protection, the employment relationship and ship regulations. The section dealing with contracts of employment, that is with the employment relationship, which is also of particular interest in connection with this Conference, contains provisions on the conclusion, nature and termination of this legal relationship.

There have been long discussions as to whether the provisions concerning the employment relationship of seamen should be dealt with in a general Act on labour relationship or should rather be contained in a special Seamen's Act—a problem which, as we saw by comparing the situation in other countries, has been solved in both ways. We favoured the inclusion of provisions governing the employment status of seamen in a special Act. This was prompted not only by the fact that, in view of the complexity of this question, it would still be some time before the Federal Republic of Germany adopted a general Act governing employment relationships but also, and more especially, by the fact that the significant and special nature of the employment relationship seemed to require that

these provisions be embodied in a special Seamen's Act.

As far as employer-worker relationships are concerned, the general provisions concerning collective agreements in the Seamen's Act deserve mention, as well as social improvements in respect of sickness, particularly the continued payment of wages, and so on. There are also provisions for annual leave, a matter in which the I.L.O. has been interested for years. Standards had to be formulated which took into account the peculiarities of seafaring as an occupation.

In connection with the new German regulations on contracts of employment I would like to say that we in the Federal Republic of Germany have read with interest the Director-General's arguments concerning the need to arouse the interest of young people in the seafaring profession by making employment more secure and thus stopping the drift away from the profession. Our maritime labour legislation, developed from collective agreements, contains the concept of fixed employment, providing a measure of social security by requiring longer notice of discharge. An attempt is now being made to introduce a clause into the collective agreement raising wages according to the length of service in the profession, as an inducement to remain in it.

The Director-General's explanation of the systems in force in various countries shows that our own system differs substantially from those of other countries. It might be useful within the framework of the I.L.O. to carry out a survey concerning the practice in all the member States in a matter of such importance to seamen and to shipowners.

The provisions concerning labour protection in the new Seamen's Act are also among the most important of the new provisions. We have examined with particular care the question of hours of work, which is among the problems that have given rise to a lively discussion in this Conference. You all know how difficult it is to find a solution which is satisfactory to everyone, but I believe that our new Act, which provides for a normal working day of eight hours and a 48-hour week, and limits overtime and the conditions under which it may be worked, satisfies all concerned and answers the requirements of social policy. The new Act also deals with the protection of young persons and medical services for seafarers.

When I refer to this new Act, but recently drafted, for our seafaring industry I feel the urge to take this opportunity to express my particular gratitude for the help we have derived from the pioneering work of the I.L.O. We not only studied carefully Conventions and Recommendations still unratified by the Federal Republic of Germany but we made use of the help of the I.L.O. in other ways also. We found it particularly useful to consult the numerous reports of experts on the various questions affecting seafaring, and I feel that it is particularly necessary to state this at this Conference in order to show the significance of the work of the I.L.O. and the influence it has on the framework of national legislation.

The Director-General was especially right in dealing in his Report with labour-management relations in the maritime field. If I have been able to tell you today that we have recently passed a modern Seamen's Act it must be stressed that great credit for this goes to the employers' and workers' representatives. After preliminary work together over a number of years, and with great mutual understanding, they drafted a preliminary text which has to a very great extent been retained in the new Act. If we bear that in mind we can but most warmly subscribe to what the Director-General says in his Report concerning the remarkable degree of maturity in labour-management relations in the maritime industry.

In our opinion legislation in the social field is of value only if, on the one hand, it sets standards offering a guarantee for certain aspects of social progress and, on the other hand, it does not hamper further progress, especially by collective agreements. That is what we had in mind above all in drafting our new Seamen's Act. It avoids all rigid formulae for this reason and leaves all doors open to further organic development.

The first trends of such a development on the basis of this Act can be seen already in the new collective agreement concluded in February of this year between the shipowners and the trade unions. There is not time to go into the details of this agreement here; but perhaps I might be allowed to mention one of its provisions, in the light of what has been said earlier concerning good labour-management relations in the Federal Republic of Germany. The agreement provides that the parties to it are to set up a standing committee to examine any doubts on fundamental questions arising out of the agreement. Here, again, we might recall the Director-General's words concerning the particular degree of maturity in labour-management relations.

I have taken the liberty, in connection with the Director-General's Report, of dwelling on certain new national provisions in social legislation affecting seafarers. The reason for it was not merely to complete what the Report has to say on legislation in our country but rather because today national legislation usually has a significance which goes beyond the borders of the country concerned. If it is progressive a new national law in the field of social policy, or a collective agreement—which in our country has the force of law—is a step forward towards the development of international social legislation. Conversely, in the field of international social legislation, where the I.L.O. through its many Conventions and Recommendations plays a leading part, it is equally true that the raising of the standards set by international law has a definite influence on the development of social policy in individual nations, and if our Seamen's Act and the new provisions of our collective agreements can make a small contribution to the general striving for social progress, we shall be filled with pride.

Captain MARTIN (*Workers' delegate, Australia*)—This is my first appearance at an I.L.O. Conference, and I must say how very pleased and honoured I am to be here.

Australia is an island continent, and as such will always be dependent to a large extent on ships and the men that go down to the sea in them. Australia has slightly more than half a million tons of shipping at present, and quite a number of vessels are under construction, mostly in Australian shipyards.

Many of you present have no doubt visited Australia, and are well aware of our fine seaports; the net tonnage of shipping entering Sydney in a year is about 10 million tons, which is the heaviest tonnage of any Australian port, and heavier than that entering any United Kingdom port other than London, Southampton and Liverpool. Melbourne is not far behind Sydney, and a number of other ports are each handling in the vicinity of 5 million tons per year.

I have made a study of the Report of the Director-General, and would like to add my congratulations to those of previous speakers. It is a very lucid and well-presented report.

I note that Australia has ratified a number of very important Conventions, including the Hours of Work and Manning (Sea) Convention, 1936 (No. 57) and the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93). It was one of only five countries to ratify No. 57 and one of four to ratify No. 93. I shall be particularly interested to learn the reason why other countries have not ratified either of these. The conditions which are prescribed are very much inferior to those enjoyed by Australian seafarers, who have had the benefit of the eight-hour day for many years; in addition monthly hours are brought into line with the 40-hour working week, which is standard throughout the whole of Australian industry. To apply the standard 40-hour week to the seafarer, various systems of "time-off" have been adopted. In the case of the officer he is credited with nine days off per month, and the shipowner is under an obligation to make every effort to give the officer the time off when due and in his home port. Whenever this is not possible such credits are allowed to accumulate, and often this results in an officer having three months' holiday with pay per year. In the case of seamen their entitlements are on the basis of 16 hours per week, and whenever the actual time off is not given it is liquidated by means of penalty payments. Further to this, all Australian seafarers receive at least 16 days' annual leave, and discussions are now taking place on the question of a long-service leave; again, the Australian seafarer is well covered by legislation in relation to compensation for sickness or accident.

I have no doubt we shall all learn a great deal from our associations in this Conference with the representatives of so many other countries, and I shall be very happy indeed if I personally can assist in some small way to navigate this "huge ocean-going liner", as our President aptly described it, to Port Success.

*Interpretation from Russian:* Mr. BELINSKI (Government delegate, Bulgaria)—Mr. President, the somewhat heated atmosphere in this hall when I made my first statement did not make it possible for me to congratulate

you on your election to the Presidency of this Conference. May I be allowed to do so now and to express my conviction that your objectivity, your high principles and other qualities, which I have already had occasion to observe during our work together, will further the success of this Conference?

I should like to begin by referring to what the President said when speaking of the circumstances in which this Conference met. He said: "The maritime industry, like other industries of the world, is just about to go through a period of severe depression." This crisis, as we see with our own eyes, is getting worse from day to day and is forcing governments to seek a way out of these economic difficulties. Our delegation considers that the Conference should not forget this and should do everything possible in order to eliminate all obstacles hampering maritime trade and to improve the lot of seamen.

In our opinion there are in the Director-General's Report a number of important questions relating to the living and working conditions of seafarers that are of concern not only to seamen and the trade unions but also to governments, since these questions affect important questions of social legislation. We quite agree with a number of the conclusions contained in the Report since they accurately reflect the existing situation and future prospects. For instance, we fully agree with the Director-General when he says, concerning the future, that the prospects depend almost entirely on the maintenance of high levels of activity everywhere and on the extent to which these high levels of economic activity mean a continuous growth of world trade.

We also agree with his conclusion concerning the fact that in connection with the rapid development of other forms of transport, such as civil aviation, and great competition, the position and prospects of the maritime industry and of its workers, the seafarers, must be appraised with regard to these facts and possibilities. There have been certain improvements in conditions of seamen since the Second World War and we agree with some other conclusions which we consider right, but in our opinion certain statements in the Report are not sufficiently based on factual material and consequently we find them unconvincing. Apart from the figures in table II and the data on social security provisions in certain countries, we have found that the Report is based on inadequate factual evidence. I refer especially to questions of employment of seamen, hours of work, welfare, and others. The Report, in our opinion, gives too optimistic a picture of the present situation of seamen in capitalist countries and consequently does not give a clear picture of the future. In this connection I should like to stress that we can in no way agree with the conclusion in the Report that "despite inevitable fluctuations the immediate outlook for the shipping industry seems to be reasonably good". Similar optimistic conclusions are made in connection with the employment of seamen, although it is admitted there is unemployment in certain countries. Too rosy a picture has been painted of the conditions of seamen, of their leisure and their social welfare conditions.

At the same time a number of facts show that the situation of seamen in a number of countries is not so pleasant. For instance, at the beginning of March, according to data available from Western countries, the shipping laid up throughout the world totalled over one-and-a-half million tons, including 492,000 tons in Britain, 333,000 tons in the Federal Republic of Germany and 200,000 tons in the United States.

In 1957 orders dropped sharply. For instance, shipyards in Britain in 1957 had orders of 800,000 tons less than in 1956. Employment among seamen is declining and unemployment is rising, not only in Asia, as was stated yesterday by the delegate of Pakistan, but also in the Western countries. In the United States in 1957 employment dropped by 7 per cent.

An important drawback in this Report in our opinion is the fact that it does not deal sufficiently with the situation of seamen in Socialist countries. With the exception of a few words on page 14 concerning the achievements of the U.S.S.R. in regard to the vocational training of seamen, nothing was said in the Report concerning the measures taken in Socialist countries to improve the working and living conditions of seamen and also of the results obtained in this field. We do not know the reason for this, but we must say that whatever the reasons behind it this insufficient attention paid to the experience of Socialist countries will not further the success of this Conference since, in our opinion, a broad exchange of experience with many countries is a necessary condition for the success of the Conference.

Speaking of experience in Socialist countries, I have in mind not only social security and social welfare services, in which Socialist countries have achieved a success that is not questioned by anyone, but other spheres too in which we have acquired vast experience since the Second World War. I should like to a certain extent to fill this gap and say a few words on the subject.

First of all, I should like to stress the constructive participation of our country in the work of the I.L.O., which we are striving to improve from year to year. I do not think that it will be boasting on my part to say that Bulgaria has ratified 19 maritime Conventions and that, in the number of ratifications up to 1 August 1957, it held second place among all maritime countries, after France.

My country during the last war lost almost the whole of its merchant fleet, which was seized by the Fascists. Our Socialist country had to reconstruct its economy destroyed by the war as well as its merchant fleet. In 1957 the activity of our merchant fleet, in tonnage and distance travelled, was more than five times greater than in 1948 and the average wages of seamen twice as high.

The Government pays a great deal of attention to the social situation of seamen and their welfare. The wages received by Bulgarian seamen are already greater than provided for in Article 6 of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949. Taking into account the fact that Bulgarian seamen, apart from their wages, receive a

number of social benefits, such as free medical services, free or cheap rest homes, free training to improve their qualifications, lodgings on shore, and low rent, it is quite obvious that the real wages of our seamen are considerably greater than their nominal amounts suggest.

Unfortunately the insufficient factual material in the Report did not make it possible to compare the present-day situation of Bulgarian seamen with that of other countries, and we consider that a more detailed analysis of the situation of seamen in various countries would make it possible for us better to determine the problems with which we are faced and help us to find solutions for them. Yet there can be no doubt of the fact that in order to ensure better prospects for maritime transport and to improve the situation and living conditions of the seamen it is essential to further the constant growth of international trade and contacts between the East and West and eliminate all sorts of discriminations and artificial obstacles to trade.

Since the question of obstacles and discrimination in the world of trade is not within the sphere of this Conference, I should like here to dwell on the no less serious obstacle to the development of economic ties and international trade constituted by the present nuclear weapon tests at open sea carried out by certain countries. At present these are not only a threat to the life and health of seamen but also destroy confidence among nations, without which it is impossible to achieve that development of international trade and economic ties. We feel that the question of the cessation of nuclear weapon tests at open sea is a characteristic case to which we can apply fully the conclusions of the Director-General that certain aspects of safety at sea demand the constant attention of the I.L.O. In this connection the Bulgarian delegation welcomes the initiative of the U.S.S.R. Government delegation to put before the present Conference a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers. The Bulgarian delegation considers that the proposal of the U.S.S.R. delegation is in the interests of the seamen and of the cause of peace and that our Conference, by accepting this proposal, will be rendering a great service to seamen and to the whole of humanity. We consider that, without decisive action aimed at eliminating this and other obstacles that hamper economic ties and world trade, it is impossible to develop shipbuilding and the activities of the merchant fleet as rapidly as we would like and also to ensure the full employment of seamen, especially if we take into account the fact that, at the end of 1957 and the beginning of 1958, the economic activity of the Western countries dropped sharply and assumed the shape of a cyclical economic crisis which is becoming increasingly grave. In spite of the fact that it is called an economic slump or a depression and not by its proper name, this in no way changes the situation and does not help to make the prospects any brighter.

I should like to comment on two more questions which in my opinion require our joint discussion. In the first place I refer

to the structure of the Joint Maritime Commission. We consider that, in connection with what is said, it is necessary to stress that the opposition of shipowners to a tripartite structure should in no way be allowed to hamper this just demand. We consider that all these questions are indeed questions that must be finally judged on a tripartite basis and, in order to do away with this procedure which is against the Constitution of the I.L.O., we should reconstruct this Joint Maritime Commission and make it tripartite.

In the second place I should like briefly to refer to the discrimination shown against the representatives of workers and employers from the Socialist countries by depriving them of the possibility of taking part in the work of the Conference. This decision, taken by means of numerical superiority, is in flagrant defiance of the Constitution of the I.L.O. and the principle proclaimed by the United Nations of co-existence between the East and the West. A similar unlawful decision could have been taken by the Government group in order to eliminate certain governments from this Conference, but I would like to warn you that this would destroy the principles of universality of our Organisation and thus undermine its very foundations.

In conclusion I may say that our legislation includes almost without exception all the measures that are proposed in the draft text before the Conference. Everything in the draft text of the Convention and Recommendation is only a beginning for further serious work to be done in this field. The Government of the Bulgarian People's Republic will, in future, apply all its efforts for a further improvement in the conditions of life and work of seamen, and for an improvement in their well-being. Our country will, by all means, develop its merchant fleet, which will serve not only for the development of our own economy but will strengthen the ties between countries and the development of international trade.

*Interpretation from French :* Mr. GUESSOUS (Government delegate, Morocco)—It is a great honour for me to represent Morocco for the first time at the Maritime Session of the International Labour Conference. May I be allowed on this occasion to extend thanks on behalf of His Majesty's Government to all the countries which are giving us so many tangible signs of their confidence and to the international organisations, particularly the I.L.O., for their outstanding co-operation in the construction of a new Morocco? Under the supreme guidance of its sovereign, Mohammed V, my country has, in a short period, given practical expression to its determination to set man free from all forms of servitude and is resolved to co-operate in the task of building a free world in which aspirations for peace, justice and common humanity will have a large part. I should therefore like to inform the Conference that we will co-operate loyally in the tasks which lie before us and do all we can to improve seafarers' conditions.

In this respect I, in turn, should like to join the various speakers who have paid a just tribute to the Director-General and his assistants for their remarkable Report, which is a model both of clarity of outlook and of

realism and lucidity and is notable for the wisdom of the opinions expressed not only as regards certain underlying problems peculiar to seafarers but also as regards the strengthening of the family of free nations by the birth of States which have recently achieved independence, and which we hope will become increasingly numerous. The same countries, for reasons it is superfluous to state here, are convinced that it is necessary to own and maintain merchant fleets corresponding to their possibilities, and without which their independence would have little meaning. I am stating an undeniable truth when I say that political independence when tied to economic dependence leads to conflicts because sooner or later the creditor will impose the iron fetters of debt.

We wish to achieve economic independence side by side with you. That is why my country, like our sister nations in Africa, attaches the greatest importance to maritime discussions of this kind and feels particularly that it can profit from the experience of maritime powers of long standing and ensure its own improvement of the living and working conditions of seafarers.

In this connection I should like to describe briefly the position of my country in this sphere. The geographical position of Morocco, whose shores run along the Atlantic to the west and the Mediterranean to the north, which has over 1,600 kilometres of coastline bordering on the Straits of Gibraltar (the commercial importance of which it is unnecessary to emphasise), this favourable situation, added to the particularly fertile soil and the richness of mineral resources—in short, a "land of promise"—fully justifies the development of a merchant navy. These factors, however, are not enough, since in any country engaging in maritime activities a variety of conditions of a technical, economic, political and administrative nature must be fulfilled. For a merchant navy one needs cargoes, ports, qualified crews and ships.

With regard to the first point, I should like to say that the import and export tonnage handled in my country exceeds 9 million tons. Ships flying the Moroccan flag, and that is over 34 ships, carry barely 10 per cent. of this total. If we consider that, as generally recognised by traditional maritime countries, they should be handling 50 per cent. of the country's foreign trade, it is self-evident that in Morocco the existing facilities are far from sufficient for the realisation of the country's legitimate aspirations.

As regards ports you are all aware that the particularly favourable location of our ports, their remarkable equipment and their favourable distribution on two coastlines are of great value. Moreover, although we have two large shipyards the development of our fleet has made necessary the expansion of our shipbuilding and shiprepairing industry.

In addition, any fleet needs increasingly qualified seagoing personnel to operate and develop its ships. Among the many maritime workers of my country those engaged in fishing or in commercial navigation show that they are sufficiently qualified for large numbers of them to serve as qualified seafarers.

As regards the training of officers and seamen, great efforts have been made, considering the modest resources available and the priorities which have to be observed. In 1956 a technical school was opened in Casablanca to train workers for certificates as engineer officers, radio mechanics and masters. Furthermore, an apprenticeship school has been founded in the same town, and similar schools exist in Agadir and Safi. Advanced training schools for seamen desiring to improve their position have been opened, and we plan to open, as part of our five-year plan and in co-operation with the I.L.O., a Royal Institute for supervisors and instructors operating on a basis of a survey of requirements.

The few examples which I have just listed, together with a very liberal seafarers' charter and an adequate administrative organisation, are fortunate in enjoying the support of a progressive trade union which is really free and organised. This union, in this field among many others, has in many cases made the general interest prevail, although sometimes sacrificing in the process the immediate satisfaction of certain legitimate claims. Similarly, I would like to mention that the reason why Morocco, unlike certain maritime countries, has not ratified a number of Conventions concerning seafarers is that it only recently joined the I.L.O.

Apart from the shortcomings of our social security system—shortcomings which I am happy to announce will be eliminated in the near future—the conditions of work of Moroccan seamen are in no way inferior to those existing in advanced countries. This also applies to the laws and regulations on safety and health, hours of work (the eight-hour day and the six-day week are in force), weekly rest, holidays with pay, minimum wage fixing machinery, long-service bonuses, minimum age of admission and articles of agreement—to mention only these examples. Thus by ratifying a number of Conventions Morocco will merely be confirming at the international level existing achievements at the national level.

I should not like to conclude this brief statement without mentioning that last year relations between shipowners and seafarers were peaceful. Another guarantee of stability saw the light of day barely a month ago. I am referring to the conclusion of the work of our national Collective Agreements Board (a body comprising high-ranking representatives of employers and workers in addition to the representatives of the various departments concerned), which has issued general recommendations for inclusion in individual agreements, this being an ideal means of building lasting foundations for harmonious employment relations.

An independent Morocco must, in view of its geographical position, its wealth, its human potential and its history, possess a fleet that will meet its needs while simultaneously ensuring better living conditions for all its seafarers without distinction.

Admittedly we know that a merchant navy that is in its infancy, as ours is, cannot shoulder the burden on its own. We are not unaware of the fact that the transport industry is essentially a world-wide one and that the running

of a fleet worthy of the name raises difficult problems on the solution of which the profitability and the very existence of this industry depend. To attain these objectives Morocco counts on your co-operation. In this connection I should like to join the Workers' delegate of Ghana in welcoming the establishment of an African Advisory Committee, which constitutes for my country, as for all African countries, a suitable means of understanding and trying to solve problems that arise on an all-African scale.

In asking for your co-operation and by playing its very modest part in clearing the social and political atmosphere in the world—faithful in that to its greatest traditions—Morocco will once more have demonstrated its desire for fruitful and close co-operation and not for a mere desire to shut the door on the outside world.

May the new age which is now dawning on the horizon of the maritime world remind us that there are many more subjects on which we agree than on which we disagree, and may our work be crowned with success.

*Interpretation from Russian : Mr. BAKURSKI (Workers' delegate, Ukraine)*—In his comprehensive Report the Director-General raises important questions which have been widely discussed from every aspect in this Conference, but it seems to me that neither the Report nor the discussions have shown sufficiently the role of the trade union organisations in solving the vital questions affecting the life and work of seamen. Yet the study and the exchange of experience concerning the work of trade unions in various member States of the I.L.O. is of prime importance for the Conference if it is to be able to give proper consideration to all aspects of the life of seamen.

Other representatives of seamen have spoken of the work of their trade unions, and I should like to tell you of the work of trade union organisations on board ships in my country.

The basis of the trade union movement in Ukraine is the primary trade union organisation. On board every ship of the Black Sea and the Sea of Azov fleet there is a primary trade union organisation, to which all the trade union members among the crew belong, whatever their speciality. It is headed by a ship's committee elected at the general meeting of trade union members among the crew. I know that in many countries there are no trade union ship's committees on board ship. Seamen belonging to the crew of one and the same ship may belong to various trade unions, depending upon their occupations. I do not wish here to criticise this system. It is a matter for each country. However, it seems to me that it is a system which considerably weakens unity among seamen and their struggle to improve their conditions.

In Ukraine trade unions on board ships—as indeed all other trade union organisations throughout the Soviet Union—are organised on a basis which reflects the interests of the whole of the community affected.

In accordance with the Labour Code of Ukraine a seaman elected to a ship's committee cannot be moved to another ship or dismissed without the approval of the ship's



committee, and the chairman of that committee may not be moved or dismissed without approval of a superior trade union organisation. In any case no seaman or officer may be dismissed without the agreement of the ship's committee. The most important document regulating this subject is the collective agreement, which is renewed every year, between the seamen's union and the management of the Black Sea and Sea of Azov shipping concern. The ships' committees conclude separate agreements with the captains of their ships; these agreements deal with the problems that have to be solved on board each particular ship. The ships' committees supervise the observance of each agreement and see that it is observed both by the management and the crew.

The majority of the crew of a ship which has fulfilled its plans receive a large share of the profits through the captain's fund. The ship's committee decides how the moneys in this fund are to be allocated between bonuses, assistance to seamen, housing, rest homes, the sending of children to holiday camps and other cultural needs.

The trade union committee also has to deal with such important questions as the observance of occupational safety rules by the management as well as on the ships, and control is exercised through inspectors elected at general meetings of the ship's company.

A great deal of attention is paid by the ship's committee to all sanitary and living conditions on the ship, to seeing that the food is good and the clothing adequate, and all other questions that affect the normal work and health of the seamen. I should like to say in this connection that the activity of the trade union organisation is carried out not by paid officials but voluntarily by active seamen who are members of the trade unions.

In describing to you the experience of trade unions on board ship, I must admit that we cannot say that we have fully solved all the problems that face us. Let us take, for instance, the question of housing, the demand for which is constantly on the increase, as we have already been told by the Government delegate of Ukraine. Even these measures, however, do not yet fully satisfy the requirements of seamen for suitable accommodation. It is appropriate, perhaps, to say that housing and its distribution and allocation are matters in which the trade unions play a very important part, and we are convinced that in future years, with the help of the Government and the active participation of the trade unions, the housing problem in our country will be solved. We cannot disagree with the opinion of the Director-General that the improvement of housing and cultural conditions of seamen, both aboard and on shore, is of great significance in raising productivity and morale among the crews, and the question of their cultural leisure is one to which a great deal of attention is devoted.

Our trade union has at its disposal a seamen's palace and two clubs in Odessa and five clubs in other ports of Ukraine. Moreover, we have in Odessa and Zhdanov three trade union bases providing cultural services for seamen; they supply outgoing

ships with newspapers, magazines, artistic literature and school books for those who are taking correspondence courses.

Our trade union, taking into account the wishes of foreign seamen, also organises cultural facilities for them, regardless of race, colour or creed. In the second half of 1957 our clubs were visited by almost 10,000 foreign seamen sailing under the most varied flags. Foreign seamen are given the chance to become acquainted with life in our country. They visit museums and sanatoria; they go on excursions to theatres and concerts, and take part in other cultural activities. They are given newspapers, magazines and artistic literature, and frequently our clubs organise friendship meetings between foreign and Ukrainian seamen, and there are sporting events in which they may participate.

I might tell you that the members of the crew of an Italian ship wrote in our club's book in Odessa: "We have been in many towns where we have wandered blindly in the streets. Sometimes we do not even know the name of the main street. But here in Odessa we have the best of memories; we have learnt its history; we have seen its monuments and other noteworthy sights." So you will see that our seamen, as all other seamen, are sincerely striving to strengthen the ties of friendship with all their colleagues in the profession and give all the help they can to foreign seamen; yet, as has been so rightly pointed out by the Director-General in his Report, the organisation of cultural facilities on board ship is still a thing of the future for many countries. Nevertheless, our trade unions are devoting a great deal of attention to this type of work.

On all ships engaged on coastal or overseas trade we have well-equipped rest cabins and, by special agreement with the trade union representing our seamen, we have special cultural facilities on each ship (including cinemas, accordions and other musical instruments, sports facilities and libraries of from 300 to 1,500 books, of both a technical and an artistic nature) provided by the management. The ships' committees, with the help of the management, organise all sorts of educational and technical clubs, taking into account the special conditions of work of seafarers and the fact that they are cut off from their families and homes; and knowing how pleasant it is for the seamen to receive regular news from home our trade union committee issues four times a week a special radio journal for seamen at sea. Whenever possible lecturers are sent aboard ships, as well as artists and teachers of secondary correspondence schools, who help those taking correspondence courses. We also accede to various requests made by the seamen, especially those serving on tankers, to send dentists, for instance, as ships' doctors are not always able to give dental treatment.

You will see from this brief statement that our trade union organisations have acquired a certain degree of experience in the organisation of cultural facilities, and it would be of interest if that experience in that field could be shared with other trade union members from States Members of the I.L.O., especially since, as the Director-General's Report shows, the ques-

tion of cultural facilities for seamen on board ships is still not solved.

That is why I felt it necessary to submit a resolution concerning social welfare services for seafarers on board ship. We feel it would be extremely useful for this question to be studied, and that on the basis of the experience of various countries we should prepare practical proposals. We might, perhaps, raise the question of welfare and cultural services for seamen on the agenda of the next session of the International Labour Conference and adopt an appropriate Recommendation on the subject. I think I am not mistaken in expressing the hope that the resolution submitted on this subject by me to this Conference, just as other resolutions aimed at improving the living and working conditions of seamen, will meet with the warmest support on the part of all those taking part in the Conference.

Mr. CHAUDHURI (*Government delegate, Pakistan*)—At the very outset I shall be failing in my duty if I do not congratulate the Director-General of the International Labour Office for the special Report that he has been able to prepare in connection with the world of seamen, and also with regard to the special work that is being done by the International Labour Organisation in the realm of the maritime industry, which has been very ably defined by the late the Honourable Ernest Bevin as the most international of all the industrial activities in the world.

The Director-General also in his Report has commented that the seafarers are the most international of all citizens in this troubled world of today. It is quite cogently correct to say that this class of people, who, because of the nature of their profession, are the messengers of harmony and concord all over the world, should be treated on a special level in respect of their movements and conditions of living. We believe in this attitude and we very sincerely wish that an international organisation like the International Labour Organisation should be able to set up a pattern of social behaviour in this limited field of seamen's activities which might eventually pave the way to greater internationalisation of human thinking and action. This is all the more necessary today in the context of the dangers that are looming large on the horizon of human existence as a result of the latest scientific inventions.

Imbued with this ideal and principle of world understanding and justice, the Government of Pakistan is prepared very genuinely to make its humble contribution to the deliberations of this Maritime Session of the Conference which is meeting in order to devise ways and means of an international character calculated to bring about improvements in the labour and social conditions of a vast section of the world's citizens who are known as seafarers.

The sea is eternal and the call of the sea can only be responded to by the brave and the courageous. In this respect Pakistan is in a happy position inasmuch as its people have for ages been traditionally renowned for their seafaring activities. The areas of Pakistan known as East Pakistan and certain areas of West Pakistan produce very good seamen and,

as a matter of fact, these people are found afloat everywhere in the world. Their sacrifices in the cause of freedom in the global wars of our times are household words and we feel confident that, given opportunities, they will not fail to make the greatest amount of sacrifice to the cause of peace and freedom and national honour when called upon to do so.

It is known to you all that we are a new country with a very rich tradition and heritage even in this particular field of seamen's activity. In the wake of partition of the Indian sub-continent, we got the recruiting areas for seamen but not the ports where the seamen used to be employed by foreign shipping companies. As a matter of fact a very peculiar position was created for us in this field as well, but our will and determination can enable us to face the difficulties and build up something, so much so that today we can boast of having been able to lay down the structure of a national mercantile marine with a fair amount of tonnage. We agree with the Director-General that the maritime industry can only flourish with greater economic activity in the shape of increase in the volume of world trade. It has been our constant endeavour to ensure that our volume of trade, coastal and external, increases and that the opportunity of employment of the unemployed expands. But circumstances beyond our control and despite our best intentions have put us into a very difficult situation in respect of the employment of our seamen. As the Pakistani ports of Karachi and Chittagong and Chalna were not so happily situated as some ports in the neighbouring areas, our seamen, who have been for a long time on various articles of agreement with different shipping companies of European countries, particularly of the United Kingdom, have been of late experiencing extreme difficulties in the enjoyment of their shore leave, repatriation to their homes, rejoining their ships for employment or transfer to ships in transit.

We would beseech this august Conference to appreciate in the proper perspective the implications of setting up special organs of the I.L.O. exclusively for maritime affairs. It is our belief that world public opinion would decide that special treatment on an international level was necessary for a particular class of citizens who are international in character. National laws and restrictions on movements of seamen must subordinate themselves to international concepts in this regard. It is being proposed in this Conference to evolve international standards of conduct and behaviour which would govern the labour and social conditions of these people who are to traverse the seven seas. As such, our attitude is that, in respect of employment of seamen, their repatriation, reshipping or transfer to another ship, there should be no restriction whatsoever by any country and the attitude shall always be one of open competition in the open field and not one of a sheltered environment. In spite of these difficulties our Government has been able to bring about some improvement in the employment position of our seamen. The Government of Pakistan has not yet been able to set up seamen's employment offices. The reason is that we



believe that in this difficult task of ensuring continued employment to a vast section of unemployed people in countries of Asia and Africa, where the unemployment problem has been looming large, one should proceed cautiously so as to be sure of future success in drawing up any scheme.

The report submitted by the I.L.O. experts in respect of the conditions of seafarers in India and Pakistan some time back brings out into the limelight the difficulties involved in creating a non-fee-charging employment organisation for seamen; hence, we have still been trying the old open muster system of recruitment. The recruitment is done under the direct supervision of the shipping masters of the ports in the presence of representatives of different parties and steps are taken so that no illegal fees are exacted from the seamen; efforts are also made to ensure that continued employment is maintained for the able seaman. The Government has constituted maritime tripartite boards at the major ports whose duties have been to advise the Government how to minimise unemployment among the seamen and how to improve the system of recruitment and conditions of wages and living of seamen.

In the matter of setting up regular employment organisations for seamen, we have purposely been rather slow so as to avoid the risk of failure of a system in the peculiar context of circumstances of living and unemployment in the eastern part of the world. It would not mean, however, that we are not considering this aspect as well.

We are quite conscious of the urgency of taking steps towards the better training of seamen in different 'technical aspects. As has been pointed out by the Director-General in his Report, nuclear power and automation, which are now regarded as marvels of modern civilisation, are going to change the very complexion and colour of maritime industry as well, and it is necessary that the seamen should get proper training in respect of engineering and specialised types of work in ships of modern construction. Though, of course, we are not a first-class maritime country as yet, but because of the fact that our seamen are in demand all over the world, we feel that they also should get technical training in the field of specialised functions. We have been able to take steps for setting up a mercantile marine academy for the training of officers in executive and engineering work, examinations for masters, mates and engineers for the purpose of granting certificates of competency and for the training of various operators in the handling of radar. The seamen's welfare director is concerned with the training of ratings. Illiteracy is also a great problem in the case of the seamen. We have set up national schools in the ports of Chittagong and Karachi for the training of ratings. At Chittagong, the Government has started training institutes for the vocational training of deck workers and saloon ratings who are issued with the necessary certificates after completion of the training. Although the Certification of Able Seamen Convention, 1946, has not yet been ratified by the Government, steps have already been taken to provide facilities for

the training of all categories of seafarers. In this field of imparting technical and general education to the seamen not only of Pakistan but also of other countries of the region, we feel that the International Labour Organisation and the specialised agencies of the United Nations can make an effective contribution with technical assistance and monetary contribution, as it appears that almost all the countries in these areas are short of financial resources and technical experts. The I.L.O. in its maritime work could give more attention to this aspect of training of seamen.

Coming to the very vital yet delicate question of seamen's minimum wages and hours of work and manning—a subject covered in Convention No. 93—we would like to say that at present we have no national law in Pakistan prescribing minimum wages, etc. As the majority of Pakistani seafarers are employed on ships of British and other European shipping companies, collective agreements between these shipowners and our seamen are taken as a guide to settle the points of dispute in all these matters. We have every sympathy that the wages and conditions of work of seamen should improve as much as possible, but this sympathy could be expressed in terms of real action by Pakistan if only countries which recruit Pakistani seamen were able to ratify the principles enunciated in Convention No. 93. Simultaneous ratification of this Convention is considered essential with a view to avoiding unnecessary burdens on our growing shipping industry. It is quite patent that the setting up of an international standard of minimum wages and hours of work in the context of differing conditions in the different environments of the developed and the underdeveloped countries is a very knotty question and should be tackled with great caution and realisation of the implications involved. We, on our part, would like this difficult question of minimum wages of seamen to be left to the principle of collective agreements. As the Director-General has pointed out in his Report that the principle of collective agreement has been more prominently at work in the shipping industry than in many other industries, it would perhaps be better to leave this aspect of the question of minimum wages and hours of work, etc., to the machinery of collective bargaining. It should not, however, be misunderstood that if international opinion decides to lay down a minimum standard by way of a Convention or Recommendation or both, we shall strain every nerve to ensure that international decision be respected and followed in the best possible manner. Though in the interest of our growing shipping industry and unemployment problem we have not been able to fix any minimum standard of wages and hours of work for seamen, we could bring about, by operation of the forces of custom and practice, certain minimum wages and hours of work. Wages are on the increase. The working hours, generally, for the engine and the deck crews are eight hours at sea and for the saloon ratings and the catering staff from nine to ten hours a day; for extra hours they get equivalent time off as and when possible.

It will be observed that, in the circumstances enumerated above, no action on a national

basis for further improvement on this behalf is immediately possible unless all the countries interested in the services of our seamen decide to take action. We are, however, anxiously examining how we could by national action improve the position further. In this connection I would urge foreign shipowners to consider how certain better conditions for Pakistani seamen in respect of wages and conditions of work, etc., can be ensured.

Touching on the subject of accommodation of crews, as dealt with by the Director-General, we endorse the purposes behind a Convention which would bring about better working conditions for seamen. This is a necessity for the protection of the health of a tired worker, such as a seaman, as also for the growth of the human personality. The framing of crews' accommodation rules is under consideration and the specification of the I.L.O. Convention in this respect will be duly considered when the rules are framed.

The question of holidays with pay is regarded by us as a vital social welfare measure for seamen. Though we have not ratified the Convention in question we have been able to see that all seafarers on Pakistani articles of agreement are granted one day's holiday with pay for every month's service on articles, periods of service of incomplete months above 15 days being taken as one month for the purpose. Our seamen generally prefer to be paid the holiday pay in lieu of actual holiday with pay.

That there should be social security measures for a class of people who have to face the hazards of sea life in forlorn conditions and environments is amply realised by us and we are considering how effective measures could be taken quickly in order to ensure that social security measures can be guaranteed to some extent to our seamen as well. We are grateful to the I.L.O. for sending us experts to suggest suitable measures for introducing a general social security legislation covering certain classes of workers. A report has been submitted by the experts and we shall be actively considering taking the necessary action according to local conditions. It is hoped that the day is not far off when we shall be able to ratify the Social Security (Seafarers) Convention, 1946. Whatever may be the position our seamen are, however, covered by a special clause in the articles of agreement requiring payment of compensation under the Workmen's Compensation Act in respect of injury sustained in the course of duty. There is also a provision for a special payment in respect of seafarers who are discharged abroad and have to go into hospital. Such seamen are entitled to full wages for a maximum period of 90 days, after which they are granted half wages until they are fit to resume duties or for repatriation, when full wages become payable again until they are returned to the port of engagement.

It is gratifying to see that the Director-General has laid ample stress in his Report on the betterment of conditions of seamen and we believe, as he does, that this question could receive greater attention from governments, shipowners' organisations and other philanthropic organisations of every country. It is quite natural that a seaman in his conditions

of work and living should make exacting demands for better amenities. Having regard to our circumstances we have been giving close attention to the subject at the government level. We have a network of welfare officers in the country and abroad to look after the grievances and welfare of our seamen. Our welfare officers are in the United Kingdom, Australia, the United States, Ceylon, etc. Necessary funds are provided by the Government. At the two ports of Karachi and Chittagong there are port welfare committees. These committees, which consist of representatives of seafarers and shipowners and port authorities, suggest and recommend steps necessary for providing amenities to the seamen to visit the ports in connection with employment and otherwise. In Karachi there is a fully fledged merchant-navy club for officers and another for ratings. Similar establishments are being set up at Chittagong. There are also port health committees in both the ports to examine all questions of seafarers' health and hygiene. Though the Convention in this regard is not yet ratified by us, under the existing rules every seaman who is granted a Pakistani discharge book is required to appear before the port health officer for medical examination according to the standard prescribed by the Director-General of Health, Government of Pakistan, and those who are declared fit are granted Continuous Discharge Certificates. The medical examinations include X-ray examinations where considered necessary by the shipping companies.

In the field of labour-management relations in the shipping industry, we have been finding that since the inception of our State there has been no trouble in this field. The seafarers have organised themselves into unions and the shipowners also have formed themselves into associations. The utmost attention is given to seeing that collective negotiations in this field develop. The Government has also established tripartite maritime boards at each port for settling differences between shipowners and seamen.

On the subjects of flag transfer and flags of convenience, the abuses involved in *mala fide* performance in this regard are all too patent and must be condemned on all hands not only for reasons of international good conduct but also for economic considerations.

On the topic of ships' medicine chests and medical advice, we would say that we are taking action as far as practicable and will be prepared to make further improvements in this regard.

With regard to the issue or suspension of certificates of competency, we are seriously considering how soon we can completely act upon the resolution concerned. We are trying to remove some practical difficulties.

I shall be failing in my duty if I do not congratulate the International Labour Organisation for the work it has been doing for the special class of people known as seamen, through its maritime organs, but we feel that such activity perhaps requires to be intensified, particularly with reference to the situations in the maritime world in the countries of Asia and Africa. We would suggest that a special subcommittee of the Joint

Maritime Commission should be set up to examine the problems and grievances of the seafarers in the countries of Asia and Africa, and that measures be taken at different levels. We are interested in the work concerned with inland transport and with the conditions of the orphans of the I.L.O.—fishermen. We would suggest that the I.L.O., through its maritime organs, interrupt its activities with reference to the countries of Asia and Africa.

The world is moving too fast. Progress in the Western countries has been meteoric, so much so that a race for conquest of space has started. It appears that the race of a conquest of self is rather slow everywhere. In the field of maritime activities progress in the Western countries is splendid, but what is the condition in the countries of Asia and Africa? Already they are roughly 200 years behind and, at the rate the Western countries are making progress in the field of nuclear science, the gap will further widen and the disparity in the conditions of living of the people will go on increasing. Will such a process solve the problems of the world? To us it suggests that the progressive and materially rich maritime countries of the world should pool their resources in a spirit of brotherly magnanimity and understanding, without any strings, excepting the strings of world peace and understanding, and help these countries with financial assistance and technical experts and equipment, so that the conditions of seafarers substantially improve at a quicker speed, so that they can stand on the same footing with their more happily placed compatriots. Poverty anywhere is a danger to peace everywhere and the sooner practical steps are taken in this regard the better it will be for the maintenance of world peace and strengthening of the forces of freedom. It is a challenge to the conscience of the West and in the answer lies the future of the world.

We are prepared to make whatever contribution we can in this regard, fully conscious of the fact that the enunciation and promulgation of high principles through such international forums carry us nowhere unless we are serious and sincere in our desire to translate them into real and concrete actions. What is necessary is to do what is right and straight. We have been trying, in our humble way, to act on these lines in all matters of disputes. We hope and trust that the I.L.O. will make further progress in the hard and difficult task of wiping away the tears from the eyes of the teeming millions of the world.

Mr. President, last but not least, it is a pleasure to congratulate you on being elected President of this Maritime Conference. It was richly deserved by a country like Japan, with whom we have the best of relations.

*Interpretation from French:* Mr. RADULESCO (*Workers' delegate, Rumania*)—The Director-General's Report, through the abundant information it contains concerning the most varied aspects of the employment of seafarers, gives us a general picture of the vast field of operations of the world merchant fleet and a good starting point for a study of the more topical issues which are of exceptional importance to seafarers. The Report

has on the whole managed to show the progress made over the last ten years as regards the development of the merchant navy, employment organisation, vocational training, the wages of seafarers and their welfare and so forth. A lot can be said about these achievements, but I should like to put forward for discussion by this Conference a number of problems connected with the living and working conditions of seafarers.

The Director-General gives a laudatory account of the results of the Seattle Conference of 1946, which he regards as having been a turning point in the history of the merchant marine. Among other instruments the Seattle Conference adopted a very important Convention concerning wages, hours of work and manning, that is to say, the key problems for seafarers. Now that 12 years have elapsed, however, we must recognise that this Convention has not yet received the number of ratifications required for its entry into force and that it is before the current session for revision.

We consider that this Convention comprises a series of special provisions that are fairly difficult to fulfil, and that when it is revised it will be necessary to bear in mind past experience and to adopt a system that will facilitate its implementation as soon as possible. Otherwise we run the risk that in the future, also, seafarers will be deprived of the protection of certain legislation adopted at the international level, which would be very harmful both for the living and working conditions of a large number of seafarers and for the prestige of the International Labour Organisation itself. It should be noted incidentally that once Convention No. 93 has been suitably revised, and after it has been ratified by most Members of the I.L.O., another problem of great importance for many seafarers, namely that of flag transfer, whether genuine or of convenience, will become much less serious.

The Director-General's Report also covers certain aspects of unemployment in the merchant marine. There are some features of this topic as it has evolved during the period that has elapsed between the drafting of the Report and the present day which call for special attention. Many sea-going vessels have been laid up and many seafarers have become unemployed. The limitations on trade between East and West have certainly contributed to this.

There is yet another problem which has been raised by several speakers who spoke before me which has a direct bearing on the living conditions of seafarers, namely atomic and hydrogen weapon tests which are held on the high seas, generally at a great distance from the States which organise them. Apart from their negative aspect as weapons in the "cold war" such tests also constitute an immediate biological threat to humanity and primarily to seafarers who happen to be in those areas. I should like to take this opportunity to inform you of the fact that the Central Trade Union Council of Rumania recently published a declaration concerning the decision of the Supreme Soviet of the U.S.S.R. to cease atomic and hydrogen weapon tests. In this declaration the workers' unions of our country demonstrated their conviction that in the face

of the threat of an atomic war the unions and the workers of the whole world, irrespective of their political opinions, religious beliefs and trade union allegiance, will find a way towards a joint and forceful action to secure the prohibition of atomic and thermonuclear tests and the development of a policy of peaceful co-existence and international security for the benefit of the peoples of the world.

I consider that the I.L.O., and particularly our Conference, cannot remain indifferent to the fatal consequences of atomic tests for seafarers and that it can and should give its support to action for the immediate cessation of all atomic and nuclear tests.

The above-mentioned problems are only some of those the solutions to which are awaited by seafarers with legitimate impatience. These examples, however, are sufficient to demonstrate the acute need for I.L.O. action. The I.L.O. must take forceful action, with all its prestige, to arrive at a just solution to these problems which are of prime importance to seafarers.

I wish to emphasise that I came to this session with the best and most genuine intentions, being sure that I could use the experience of our seamen to contribute a few suggestions and proposals with a view to the improvement of the working and living conditions of seafarers in the merchant navies of the world. The drafting of these Conventions aroused

much interest among seafarers in my country. The trade union representatives examined them with a great deal of attention and instructed me to inform this session of their proposals. As you know, however, I have not been able to perform this task since I have not been allowed to sit on any of the Committees. In view of this situation I consider that it is necessary to draw the attention of certain representatives of seafarers to the fact that, at the present day more than ever, irrespective of our political opinions and trade union affiliations, the workers must have a joint outlook because they have a common purpose. I hope that a just solution will be found for the discrimination which has been exercised against me.

Finally, I must also say that I consider it unfair that the representatives of the World Federation of Trade Unions, whose members include all the workers of Rumania and tens of millions of other workers throughout the world, have been excluded from the practical work of this Conference. I must emphasise how unfortunate this is because close co-operation among seafarers and their trade union representatives, irrespective of their political, economic or social outlook, would have made our work more effective.

*(The Conference adjourned at 1 p.m.)*

## Delegates Present at the Sitting

*Argentina :*

Mr. Lescure  
Lieutenant-Commander  
Gómez Ortega  
Mr. Azqueta

*Australia :*

Mr. Brentwood  
Captain Bull  
Mr. Haddy  
Captain Martin

*Austria :*

Mr. Schellenbacher  
Mr. Schlaffer  
Mr. Schlägelbauer  
Mr. Peham

*Belgium :*

Mr. Van Molle (substitute  
for Mr. De Kinder)  
Mr. Pluyms  
Mr. Poll (substitute for  
Mr. Dufour)  
Mr. Dekeyzer

*Brazil :*

Mr. Barboza-Carneiro  
Mr. de Faria Baptista  
Mr. Carvalho  
Mr. Teixeira

*Bulgaria :*

Mr. Belinski  
Mr. Stoyanov

*Burma :*

Mr. Thin  
Mr. Myint

*Canada :*

Captain Johnson  
Mr. Thomson  
Mr. Kane  
Mr. Sheehan

*China :*

Mr. Yü  
Mr. Lee  
Mr. Sa  
Mr. Chen

*Colombia :*

Mr. González  
Mr. Albán Liévano

*Cuba :*

Mr. Camejo Argudín  
Mr. Enseñat Polit

*Denmark :*

Mr. Worm  
Mr. Lysgaard  
Mr. Garde  
Mr. From-Andersen

*Dominican Republic :*

Mr. Álvarez Aybar  
Mr. Paradas

*Finland :*

Mr. Relander  
Mr. Tikanvaara  
Mr. Hallberg  
Mr. Walläri

*France :*

Mr. Lambert (substitute  
for Mr. Ramadier)  
Mr. Roullier  
Mr. Peyrot (substitute for  
Mr. Marchegay)  
Mr. Gruénais

*Federal Republic of Germany :*

Mr. Schelp  
Mr. Fettback  
Mr. Schildknecht (sub-  
stitute for Mr. Schuldt)  
Mr. Hildebrand

*Ghana :*

Mr. Nettey  
Mr. Halm  
Mr. Mensah

*Greece :*

Commander Goulielmos  
Commander Antoniadis  
Mr. Petroulis

*India :*

Mr. Nagendra Singh  
Mr. Merani  
Mr. Kumana  
Mr. Serang

*Indonesia :*

Mr. Siregar  
Mr. Sanitioso  
Mr. Harsono  
Mr. Subianto

*Ireland :*

Mr. Ó Ríordáin  
Mr. Crowley

*Israel :*

Mr. Raday  
Mr. Bar-Zeev  
Mr. Ivri  
Mr. Barash

*Italy :*

Mr. Berio  
Mr. Purpura  
Captain Cavallini  
Mr. Romagnoli

*Japan :*

Mr. Hayashi (substitute  
for Mr. Kawasaki)  
Mr. Mori  
Mr. Yamagata  
Mr. Kageyama

*Liberia :*

Mr. Wilson  
Mr. Cooper  
Mr. Simonovitch  
Mr. Cole

*Mexico :*

Mr. Mérito  
Miss Aguirre

*Morocco :*

Mr. Guessous  
Mr. ben Bouazza

*Netherlands :*

Mr. Valentgoed  
Mr. Scheffer  
Mr. van der Vorm  
Mr. de Vries

*Norway :*

Judge Bull  
Mr. Endresen  
Captain Loennechen  
Mr. Bjønness (substitute  
for Mr. Haugen)

*Pakistan :*

Mr. Chaudhuri  
Mr. Ahmad  
Mr. Dada  
Mr. Khatib

*Panama :*

Mr. Escobar Bethancourt

*Poland :*

Mr. Ocioszynski  
Mr. Licki  
Mr. Suchorzewski  
Mr. Skiba

*Portugal :*

Mr. Pedrosa  
Mr. Daun e Lorena (sub-  
stitute for Commander  
Jorge)  
Mr. de Barros  
Captain dos Santos

*Rumania :*

Mr. Lazareanu  
Mr. Gal  
Mr. Anzulato  
Mr. Radulesco

*Spain :*

Mr. Pastor Tomaseti  
Mr. García de Llera  
Mr. de Azqueta Urigüen  
Mr. García Ribes

*Sweden :*

Mr. Widell  
Mr. Hartvig  
Mr. Reuterskiöld  
Mr. Thore

*Switzerland :*

Mr. Ryniker  
Mr. Messmer  
Mr. Fornet (substitute for  
Mr. Keller)  
Mr. Hofer

*Tunisia :*

Mr. Ladhari  
Mr. Ben Salem  
Mr. Sellami

*Turkey :*

Mr. Toygar  
Mr. Yenal  
Mr. Aymen  
Mr. Özkan

*Ukraine :*

Mr. Nizhnik  
Mr. Danchenko  
Mr. Bakurski

*U.S.S.R. :*

Mr. Morozov  
Mr. Ragimov  
Mr. Koetkin

*United Arab Republic :*

Mr. Kamel

*United Kingdom :*

Mr. Proctor  
Mr. Haselgrove  
Mr. Carter (substitute for  
Sir Richard Snedden)  
Mr. Yates

*United States :*

Mr. Jacobs  
Mr. Rothschild  
Rear-Admiral Sheppard  
(substitute for Mr.  
Casey)  
Mr. Hawk

*Yugoslavia :*

Mr. Velimirović  
Mr. Komatina (substitute  
for Mr. Makiedo)  
Mr. Kesić  
Mr. Velkaverh

## NINTH SITTING

Thursday, 8 May 1958, 10.15 a.m.

*President : Mr. Kawasaki*

### SIXTH REPORT OF THE SELECTION COMMITTEE<sup>1</sup>: SUBMISSION, DISCUSSION AND ADOPTION

The PRESIDENT—The first item on the agenda for this morning is the sixth report of the Selection Committee. I call upon Mr. Merani, Chairman of the Committee, to come to the platform to present the report.

Mr. MERANI (*Government delegate, India ; Chairman of the Selection Committee*)—I have the honour to submit for your consideration the sixth report of the Selection Committee, the text of which has been distributed.

I move first the adoption of the recommendation of the Selection Committee in respect of the changes proposed by the Workers' group. This is contained in the first part of the report.

The PRESIDENT—If there is no comment I declare adopted the recommendation of the Selection Committee, contained in the first part of the report.

*(The first part of the report is adopted.)*

The PRESIDENT—I now call upon Mr. Merani to present the second part of the report.

Mr. MERANI (*Government delegate, India ; Chairman of the Selection Committee*)—The second part of the report deals with certain requests for membership of committees made by Employer delegates. The recommendation of the Selection Committee is that these delegates should be placed on the committees in question as deputy members. I move the adoption of the recommendation.

The PRESIDENT—There is an amendment to this part of the report, proposed by the Polish Government delegation, the text of which has just been distributed to you. The amendment reads as follows: "In the last line of the report relating to the requests submitted by Employers' delegates, delete the word 'deputy'."

Does anyone wish to speak ?

Mr. van der VORM (*Employers' delegate, Netherlands*)—The Employers' group at this Conference cannot accept the proposal adopted

by a very small majority of the Selection Committee last night—by 13 votes to 11 with 15 abstentions—that certain delegates from the Iron Curtain countries should be placed upon the technical committees of this Conference as deputy members on the Employers' side. The group considers, however, that it is no part of the work of a Maritime Session of the Conference to make constitutional departures from the practice adopted at Ordinary Sessions of the Conference, and they are aware that for some years the type of proposal now submitted by the Selection Committee has been imposed by a majority vote upon the Employers' group at such sessions. The shipowners' group have therefore decided to confine themselves on this occasion simply to asking that their complete opposition to this proposal of the Selection Committee be recorded. If there is a debate on this subject they, of course, reserve the right to take full part in it.

Mr. OCIO SZYNSKI (*Government delegate, Poland*)—I wish to explain briefly the essential reasons which have led me to present an amendment to the report of the Selection Committee, for the decision of the plenary sitting of the Conference.

The aim of the proposed amendment is to support the requests of the Employers' representatives from some countries of Eastern Europe (namely the Socialist countries), who demand the right to participate fully in the activities of the technical committees of the Conference. These requests were rejected by the majority of the Selection Committee in yesterday's sitting, at which a motion of granting them the limited status of deputy members was adopted.

In the opinion of the Polish Government delegation this decision of the majority of the Selection Committee deserves to be reconsidered in plenary sitting of the Conference because of its bearing on the proper application of essential rules governing the activities of the I.L.O. It cannot be denied that there exist many different systems of creating and managing shipping undertakings, which emerge at various stages of political or social development in different countries. Our deep conviction is that these differences should not be used as reasons for limiting the rights of the representatives of such undertakings to play their fair part in the peaceful activities of the I.L.O. On the contrary, we are sincerely convinced

<sup>1</sup> See Appendix I, p. 205.

that the full admission of such delegates to the work of this Organisation is the only efficient way to confront and to compare in continuous collaboration the different kinds of experience and thus to enrich the experience of the I.L.O. as a whole.

It would not be possible to achieve these ends if some members could be excluded or limited in their participation in the full-scale activities of this Organisation. Therefore, it seems to me clear that only by granting to all delegates equal rights of participation in the Committees of the Conference can the fundamental principles of universality, integrity and the democracy of the I.L.O. be preserved.

These are the main reasons for appealing to the plenary sitting of this Conference for support of my amendment to the report of the Selection Committee.

*Interpretation from Russian:* Mr. DAN-CHENKO (*Employers' delegate, Ukraine*)—I support the amendment submitted by the Government delegation of the Polish People's Republic concerning the granting of titular members' seats in the Committees of the Conference to the Employers' delegates of the Socialist countries. I hope that this plenary sitting will adopt a positive solution to this question and thus help to facilitate the future task of the I.L.O.

I do not wish to go into the history of this significant question, which affects the very principles of the I.L.O. As you know, the majority of the Employers' group refused to appoint me to the Committee on Wages, Hours and Manning, the item on the agenda which interested me most. By virtue of the Constitution and Standing Orders I sent a protest to the Chairman of the Selection Committee against these unlawful and discriminatory actions on the part of the Employers' group. Yesterday, at last, the Selection Committee took a decision on this matter, but this decision does not suitably solve the question of the representation of employers from Socialist countries in the manner the Constitution demands. Both in the Committees and in the rest of the work of the Conference my colleagues from the Socialist countries were refused the right to be titular members and were offered seats as deputy members. Now the Standing Orders lay down the principle of tripartite representation. Thus we have been deprived of the lawful rights granted to us by the Constitution and the Standing Orders of the Conference. This decision is also in violation of the principle of tripartite representation, which undoubtedly is one of the most important principles of the I.L.O. What would the Employers' representatives of any Western country say if they were admitted only as deputy members? I am sure that they would have emphatically protested against such a decision, and it is quite obvious that I too cannot accept such a solution.

Why are the representatives of one of the three groups of the Socialist countries' delegations not granted the right to work at the Conference as titular members? The first argument put forward is that of a violation of the tripartite structure, and that they are,

supposedly, Government delegates. Listening to the Employers' statement here I came to the conclusion that, on the one hand, there is a planned attack and a prejudice against the Employers' representatives here, and perhaps also a misunderstanding. There is a theory that the employers' representatives from the Socialist countries have no will of their own and no freedom of action. I protest emphatically against this and I should like to tell you that I, as Director of the Black Sea Shipping Company, have wider powers than any of the directors of the shipping companies of the capitalist countries. From the list of delegates you will see here that the gentlemen who represent the shipowners here are directors and vice-directors of shipping concerns; admittedly they have not the same responsibility as I have, but my own concern is one that has over a million tons of shipping. I have tremendous tasks to deal with concerning each ship and the whole of the fleet. I have to deal with all the financial transactions involved—all the agreements with the countries where our ships sail, and all questions affecting wages, hours of work, and manning, although in each individual case I consult the trade unions of the seafarers.

I could even refer to examples from the history and practice of the I.L.O.—and I believe that has already been done—in order to show you all the powers of the employers of the Socialist countries. I could quote yet another authoritative organ of the I.L.O.: I refer to the statement made by the Credentials Committee at the 37th Session of the Conference: "There is nothing express in the Constitution of the I.L.O. or implicit in its underlying principles which would require that the Employers, whose co-operation in the work of the Conference is provided for, should represent private interests or ownership. The role of the employer must, in its essentials, exist in the structure of any society, notwithstanding the function of the State in economic life. In nationalised economies as well as in systems of free enterprise there are workers to whom wages and salaries are paid. In both also there must be those who pay the wages and salaries and provide the workers with employment. They deal with workers not only in connection with their wages but also in connection with their training, their welfare facilities, precautions for their safety and all the other matters pertaining to workers' standards which come within the province of the International Labour Organisation. Thus the interests of employers, in any social structure and whatever their relationship to the State, persist and can accordingly be represented in the activities of the International Labour Organisation."

All this shows that, irrespective of the social structure and the role of the government, the heads of our undertakings do fulfil the necessary requirements. I think it is time we came to recognise the simple truth in regard to the credentials of the Socialist Employers and to see that they have the right to take part fully in the work of the Conference with the right to vote.

The Employers from the Soviet Union, from Ukraine and from other Socialist countries have acquired a considerable amount of



experience in maritime matters and are ready to share it with you and to help you solve the problems before this Conference. If they are appointed only as deputy members it is impossible to say that this is a just decision in accordance with the Constitution, since it deprives the representatives of employers of a large geographical area from taking part in the work of the Conference and is a flagrant violation of the Standing Orders and the Constitution. That is why I support the amendment put forward by the Polish Government delegation.

*Interpretation from French : Mr. ANZULATO (Employers' delegate, Rumania)*—I just want to say a few words concerning the report of the Selection Committee and concerning the amendment submitted by the Polish delegation, which provides for putting an end to the anomalous position in which the Employers' delegates from Rumania and certain other countries find themselves.

A lot has been said here in this connection and full explanations have been given regarding the position of the leaders of undertakings in my country as regards their status as employers. So I will not go back to that. However, I think it necessary to make one observation. In our everyday work no one—shipowner, charterer or any other kind of person concerned with maritime affairs—has ever challenged our status as shipowners or employers either from the economic or from the legal point of view. On the contrary, business has been done with us; people have often co-operated with us as equal partners. Why should it be impossible to co-operate in the same way in these discussions?

May I make a comparison with the position on the railways? You know very well that in most countries, whether Socialist or capitalist, the railways are owned by the State. What would be done at some session of the Conference devoted to the problems of railway workers? I am sure that employers managing nationalised state undertakings in both capitalist and Socialist countries would sit together on the various committees. This is quite natural and that is why I consider that it is fair and just that you should adopt the amendment put forward by the Polish delegation to the Selection Committee's report.

*Mr. van der VORM (Employers' delegate, Netherlands)*—I had reserved my right to speak again in case there should be a further discussion on this subject, and I should like to make it perfectly clear that I am not speaking in any political sense at all in the remarks which I am now making to express my point of view. The matter which is before us is one which in my opinion is of the utmost importance to all who desire to uphold the effective work of the I.L.O. on maritime matters. It is no less important for the work of the I.L.O. as a whole. The proposed admission of delegates of the Iron Curtain countries, whether as deputy members or as full members, to the Employers' group on the technical committees of the Conference simply means adding to that group delegates who cannot express their own free unbiased views as

Employers. It is my view that this freedom in fact does not exist in the Iron Curtain countries.

I am not asking the Conference to accept my view alone, as a matter of hearsay, that the Iron Curtain Employers have no freedom. You will find that point of view expressed in the McNair Report. I think it is far too often forgotten that one of the three members of the McNair Committee—Judge Cornelius—expressed the following emphatic view regarding the position of the so-called Employers in the U.S.S.R., Byelorussia, Ukraine, Albania, Bulgaria, Czechoslovakia, Hungary and Poland, and I now quote:

"The undertakings in these countries appear to be managed under the direct supervision of a number of ministries by personnel appointed by these ministries. It appears that the directors exercise wide independent powers, but their objective is the 'fulfilment and over-fulfilment of the plan' with the co-operation of the workers, and their responsibility is directly to the ministry. Though directors may consult with each other, and conferences may even be organised for the purpose of investigating problems of general occurrence, yet it is difficult to regard such association as either rendering these persons members of a group independent of the government, or as investing them with interests, *qua* the undertakings they manage, of a nature distinct from those of the government they serve. In these circumstances, even, if for the purposes of consideration of the relationship, the directors of such undertakings be collectively described as the 'socialised management', it seems impossible to deny that their relationship with the government is one of direct subordination, leaving no scope for freedom of action on their part. In the circumstances it can serve no useful purpose to consider that relationship from the viewpoint of 'freedom from domination or control by the government'. The possibility of 'freedom and independence' of these 'representatives of socialised management' *qua* the government to which they are directly subordinate is not, in my opinion, worthy of serious consideration."

There you have very significant and unbiased support for my point of view, and I therefore end as I began by saying that I am entirely opposed to the admission of Iron Curtain country delegates as members of the Employers' group on the committees for which they have applied for membership.

*Mr. KESIĆ (Employers' delegate, Yugoslavia)*—Unfortunately this is not the first time during the work of this Organisation that the right of full participation of the Employers' delegates of certain countries, and especially the representative of the Yugoslav Employers, is being withheld by the majority of the Employers' group.

On this occasion I, as the representative of the Yugoslav employers, am being prevented from taking an active part in the work of any Committee. Because of this I protest strongly against this unjust and discriminatory act, since it cannot be motivated by any exceptional reasons or any exceptional rights. Why are some Employers, in their opinion, more genuine than others? Only because of



the question of ownership? This Conference was not summoned to deal with such questions, but it should not be forgotten that after the Second World War great changes took place in the social and economic structures of a significant number of countries—and especially it should not be forgotten when questions of such an international character, as is the case here, are being discussed. Not to take account of these profound changes must have a damaging effect on the work of every international organisation.

The action of the Employers' group is the more strange since the problems that are being discussed here are more or less the same or similar for all the employers of the shipping industry, and since it is our aim to reach an agreement on the best possible conditions of work for all the seafarers on one side and the best effects in the management and prosperity of shipping undertakings on the other.

If we wish the Conventions, Recommendations and resolutions which are on the agenda of this Conference to be discussed and agreed upon in a generally acceptable form (and I think this is our basic aim) then it is quite impossible to ask for collaboration and at the same time deny active participation in such work. In my opinion the majority group of the Employers has cast aside the fundamental aims of this Organisation for another one; that is, they have tried to bring into the work of this Conference their subjective feelings and desires, but by so doing they have done harm to the normal and efficient proceedings and fruitful decisions.

The fact that the Selection Committee did not accept my request, and thus missed the opportunity to undo the said injustice, causes me to urge this Conference, as the last forum, not to accept the report of the Selection Committee as it is proposed but to accept it with the amendment made by the Government delegation of Poland.

In addition to the reasons already mentioned I wish to add a few more words. During the meeting of the Selection Committee on 2 May we heard the explanation of the speaker of the Employers' group to the effect that they do not want to elect to the Committees representatives of certain countries who can, as they say, express only the opinion of their Governments but not the independent opinion of Employers. I prefer to suppose that the representative of the Employers' group did not have bad intentions and did not want to present the situation in the Yugoslav enterprises in a wrong way. Therefore I must take it that he had been entirely misinformed.

To make it clear the position of the shipping enterprises in Yugoslavia is the following: the ships are utilised and operated exclusively by the appropriate organs of the shipping enterprises. They are managed by the workers' council elected by the workers themselves and by the management board elected by the workers' council. The director is a member of the management board and the sole responsible, operational and executive head of the enterprise. The enterprise itself decides on the division of the income and on its financial and investment policy. Our enterprises form their professional organisa-

tions. Mine is a member of the Association of Shipping Enterprises and also a member of the Chamber for Foreign Trade and the Federal Chamber of Transport. These organisations are set up to promote the development of trade as well as other professional interests of their members. In their commercial activities our shipping enterprises make use of and follow the international shipping market in the same ways as all other shipping undertakings of the world. They make use of the services of internationally recognised classification societies and insurance companies.

Consequently our shipping enterprises form their tariffs and freight rates in accordance with the prevailing situation on the world shipping market. The influence of the State is restricted, as is the case with many other maritime nations, to the co-ordination of the development of the merchant navy.

From this explanation it should be clear that the Yugoslav shipping enterprises must have policies of their own. There is another reason that makes me wonder how the Employers' group, and with it the Selection Committee, could take the stand that I do not represent fully the Yugoslav shipping enterprises. Article 3 of the Constitution of this Organisation explicitly provides in its first paragraph that every country shall be represented by four delegates of whom one shall be a delegate representing the employers of the Member. Paragraph 5 of the same article says that every Member undertakes to nominate non-governmental delegates chosen in agreement with the most representative industrial organisations. Paragraph 9 says that the credentials of delegates are subject to scrutiny by the Conference. I was nominated by the Yugoslav Government after having been appointed as representative by the Association of Shipping Enterprises, of which all our important shipping enterprises are members. Accordingly I fulfil all the requirements of article 3 of the Constitution. The Employers' group, by preventing me from taking an active part in the work of Committees with the sole explanation that I do not represent the employers but the State, obviously violates the provisions of article 3 of the Constitution because it is the Constitution that is decisive in these matters and the majority of the Employers' group cannot disregard so completely the intentions of the Constitution.

After all this, let me be permitted to conclude with a question. Do the Employers' majority group and the Selection Committee consider this a proper way to achieve the noble aims of this Organisation? Do they, by discriminating against the representatives of certain countries without regard to their professional capacity and excluding them from active participation in the Committees, hope to reach international collaboration and mutual co-operation in solving mutual problems?

Finally, I am appealing to this Conference, as the highest forum, not to accept the report of the Selection Committee since it is inspired and based on the discriminatory reasons put forward by the majority of the Employers' group which violate the basic principles of this Organisation and by which injustice is

inflicted upon me and, through my person, upon the whole Yugoslav shipping industry.

*Interpretation from Russian :* Mr. DOLINSKI (*Government delegate, U.S.S.R.*)—Yesterday the Selection Committee, on the proposal of the French Government delegate, decided to grant deputy membership of Committees to the Employers' representatives of a number of countries who, as a result of an unlawful and discriminatory decision by the Employers' group, have up to now been prevented from taking part in the work of the Committees. The Selection Committee rejected an amendment submitted by the Polish Government delegate, Professor Ocioszynski, to the French Government delegate's proposal, to the effect that the Employers' representatives of the Socialist countries should be given titular membership in technical committees.

I appreciate the efforts and aspirations to co-operate in the work of this Conference which have been shown by a number of delegations, but I cannot agree that the decision taken by the Selection Committee concerning Employers' representatives from the Socialist countries is a just decision and that it corresponds to the Constitution of the International Labour Organisation and the Standing Orders of the International Labour Conference. The solution which has been put to us as a compromise is not really a compromise: it merely perpetuates the discrimination shown against the representatives of a certain group of States Members of the I.L.O. and is not compatible with the fundamental principles of that Organisation. In any matter concerning the observance of the Constitution and Standing Orders and the principles of universality and equal rights for all Members we cannot be satisfied by compromises which, in actual fact, merely mean inequality of rights and discrimination.

The statements made by a number of delegates which you have heard here have shown quite clearly that, in accordance with the Constitution and the Standing Orders of the International Labour Conference, the Employers' representatives from Socialist countries are entitled to take part in the work of the Conference and its technical committees on an equal footing with the Employers' representatives of any other countries.

We all of us must take into account the fact that, alongside the economic systems based on private capitalism, there are also countries with Socialist economies and that there are directors of undertakings in Socialist state undertakings that have just as much influence and play just as important a part in the organising of their undertaking or in fixing labour standards as the so-called "free employers" of capitalist countries. That is why from the point of view of the tasks and problems of the International Labour Organisation the representatives of state undertakings can bring a contribution to the work of this Organisation equal to that of the representatives of private capitalist undertakings.

We cannot agree to the splitting of the Members of the I.L.O. into two categories: those with full rights and those not enjoying full rights, so that the representatives, for

instance, of the U.S.S.R. should have here rights not equal to those of representatives of the United Kingdom or some other countries. Nor can we agree that such a discriminatory approach is compatible with the Constitution and the principles of the I.L.O. as a universal international organisation.

Nowhere does the Constitution of the I.L.O. provide that in the work of the Conference and its committees only representatives of private undertakings can be allowed to take part as full members. In this connection I would like to remind you that the Report of the Conference Delegation on Constitutional Questions submitted to the 29th Session of the International Labour Conference in 1946 stated that if the U.S.S.R. resumed membership of the Organisation, and if the Employers' representatives shared the general desire that it should do so, it would naturally appoint as Employers' delegate a representative of the socialised management of the U.S.S.R. The role of employers in the Soviet Union, and their functions from the point of view of the I.L.O. and the problems of the Conference, are in no way different, as I have already said, from those of the employers in any other country. The director of an undertaking in a Socialist country carries out his activities independently of any other organisation. He engages and dismisses workers; he concludes collective agreements with trade unions; he has at his disposal the financial and material resources of his undertaking; he concludes agreements with clients; his undertaking is an independent corporate body, and he is an independent employer from the administrative, financial and managerial point of view.

I have found it necessary briefly here to explain the fundamental functions of the managers of state undertakings in Socialist countries, not in any way to try to convince the representatives of the so-called "free employers", for I well understand that arguments are useless wherever people refuse to listen.

I merely wanted to stress this and I wanted to draw attention to the fact that the attitude of the Employers' group, in attempting to hamper the Employers' delegates from the Socialist countries from taking part in the work of the Conference, is dictated merely by political reasons. It is not accidental that here for—we are sorry to say—nine days we have heard individual statements to the effect that the countries behind the so-called Iron Curtain have no freedom, no independence and so on. What is this? Nothing more nor less than a political judgment. But we did not come here to discuss politics; we came here in order to examine the substance of the matters before the Conference—questions of a technical nature and which greatly affect the fate of seamen throughout the world.

In justification of the illegal decision taken by the Employers' group not to admit the Employers from the Socialist countries to the Conference Committees a number of speakers have argued that the Socialist Employers are not representative of "free employers"; others have said quite a lot of hard words at the Conference about our countries being "totalitarian" and "behind the Iron Curtain" and so on. We have already had occasion to hear

such things from various other people; it is nothing new for us. These epithets do not bother us, and the Socialist countries will continue to live and flourish. This is a truth and a reality and it should be taken into account and should be borne in mind. It is necessary to find a common language of friendship and co-operation in order to try to solve those problems with which this Organisation is faced.

The correct approach is to abide closely by the Constitution of the I.L.O. and the Standing Orders of the Conference. According to these instruments every delegation should enjoy full rights to take part in the work of the technical Committees set up by the Conference. In this respect there must be absolutely no discrimination. It is for these reasons that the U.S.S.R. delegation supports the proposal of the Polish delegation to include the Employers' representatives from the Socialist countries among the Committee members as titular members.

*Interpretation from German:* Mr. SCHILDKNECHT (*Employers' adviser, Federal Republic of Germany*)—I should like to make a few remarks regarding the opinion expressed by Mr. van der Vorm and to support the proposal that we should reject the proposal of the Selection Committee. The reasons given by Mr. van der Vorm strike me as being particularly logical and I should like to take them up once more.

To supplement what he said I might refer to three points which, in my opinion, justify our attitude.

First of all, if I remember aright, a number of speakers in the plenary sitting on 30 April referred to the spirit of the Constitution of the International Labour Organisation. This spirit was mentioned to prove that it would be unfair to refuse to allow Employers' and Workers' representatives to take part in the work of certain Committees.

Well, if we really want to refer to this spirit within the Organisation, the spirit of 1919, then in my opinion we should cite it in quite another context and in quite another connection. The tripartite structure of the Conference and of committees and other bodies of the International Labour Organisation is based simply on the idea that we should have three groups, wholly distinct from each other both in form and in practice—independent groups of Governments, Employers and Workers. So much for the spirit of the Constitution.

I have cited this because that was the object aimed at, and I might say that if the founders of the International Labour Organisation, the authors of the Constitution of 1919, could witness the present position and the problem that is now under discussion, if they could see the changes that have taken place in the balance of the Organisation, if they had even thought of the possibility of such changes, then they would undoubtedly have introduced the necessary measures or provisions in the Constitution to avoid such a change of equilibrium.

In my opinion we should look at it as follows: as stated in one of the articles of the Swiss Civil Code, judges, in difficult cases, must reach a decision on the basis of the

attitude they would have taken if they had been members of the legislature. That, I think, is the attitude we should take up in the light of the spirit of the Constitution at the time of its drafting. That is why I think I was right in referring to the spirit of the Constitution.

Secondly, it was said that in other countries, not behind the Iron Curtain, there were also nationalised industries, that is to say that in countries other than the Socialist countries the State was also the employer. We in no way deny this, but it is not fair to say that the interests of the State, of the public sector, correspond to those of employers. In certain cases the management of nationalised undertakings is under democratic control—that is, in the case of nationalised industries in the Western countries. The employer does not act on principles other than those of a commercial nature; if he acts otherwise than as a businessman or an industrialist, then he has to render an account of his stewardship and must explain why he chose to adopt a purely governmental outlook and not to follow the dictates of business management.

The case is different when managers of undertakings are Government representatives as such. Mr. Becu, at the beginning of his speech in the Selection Committee, referred to this. The difference between these two forms of nationalisation lies in the fact that on the one hand the State is a democratic one, whereas it is totalitarian on the other. It is not therefore a matter of challenging the existence of such nationalised undertakings; it is a matter of the management of such undertakings by a totalitarian State.

Thirdly, I have no intention of launching into the theories of politics or public law; this is a maritime conference. It has been said here that the question we are discussing could not have any profitable results either here or even in a conference dealing with land matters. What is the difference between a Maritime Session and an Ordinary Session of the Conference? Could we not say that this is a conference of a particular kind and that the fundamental principles are the freedom of the seas, the freedom of competition between shipowners, the freedom of the master to take whatever measures he thinks fit on board his vessel? On the basis of these particular features of the maritime industry I feel that it is particularly necessary that those who wish to represent free and independent interests should not be associated against their will with persons who represent only a group of government people. In our opinion the Employers' and Workers' representatives of the Socialist countries do not have the freedom and the capacity to reach the required decisions. Therefore we cannot accept their arguments and we cannot adopt the proposal made to us.

*Interpretation from Russian:* Mr. RAGIMOV (*Employers' delegate, U.S.S.R.*)—For ten days, under the pressure of a particular group of Employers, the fully authorised representatives of the employers of Ukraine, the U.S.S.R. and other Socialist countries are being prevented from taking part in the work of the 41st Session of the Conference. We came here in order to take an active part

in the work of the Committee to discuss the revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949, which is vitally important both for workers and employers. We wanted to share our experience with other countries since we have a great deal to say concerning housing of seafarers, cultural activities and other welfare measures.

But in view of the discriminatory decision taken against us this was not possible. After a long delay it is now proposed that yet another unlawful decision be taken, namely that we should be allowed to take part in the work of Committees as deputy members only, that is with no opportunities to have full rights or having the right to vote. The Constitution of the I.L.O. states that Members of the Organisation, "moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world", wish to improve working conditions for most persons by improving social and economic measures. Among other questions hours of work and wages are of primary importance.

The activities of the directors of undertakings in the Soviet Union are entirely in accordance with these noble aims of the Constitution and there is nothing in our work which could be contrary to these measures. Yet Sir Richard Snedden on 2 May, and Mr. van der Vorm today, have put forward their unconvincing arguments which allegedly serve as a reason to prevent us from taking part in the work of the Committees. What are these arguments? They allege that we do not represent the interests of the employers of the Soviet Union, that we have not our own opinion, that we are not independent, etc. We can categorically refute such an allegation, and with full responsibility we state that as directors of undertakings we entirely represent the employers' interests in the Soviet Union. Our undertakings are organised on a Socialist basis and consequently they are different in their working from those of capitalist countries. Yet in spite of the differences in ideology and State structure there is every possibility for the employers of all countries to co-operate in a businesslike manner and thus observe the high principles of the I.L.O. Constitution, which nowhere refers to employers as being merely employers of private undertakings but talks of employers without indicating the economic structure of their countries.

How can one affirm that the representatives of employers in the Soviet Union are not independent when they have responsibility for the material running of the undertakings? They have full power to dismiss or engage workers and employees and conclude collective agreements with trade unions. Moreover, undertakings have legal personality in the Soviet Union, and employers may assume obligations and appear in a court of law in order to defend the interests of their undertakings, either personally or through others. The directors of our shipping undertakings have every power to conclude contracts for shipbuilding with their clients, in pursuance of the policy of our country.

I would like here to refer to the Declaration of Philadelphia, adopted by the Conference

at its 26th Session in 1944, which states that all human beings "have the right to pursue both their material well-being and their spiritual development"; in other words, the Constitution and the Declaration of Philadelphia are among the principles which are to be pursued by this Organisation. Every employer in our country pursues this aim.

The decision of the Selection Committee to give deputy status to our employers is a discriminatory act against which I, as an Employers' delegate from the U.S.S.R., must protest most energetically. It infringes the lawful rights of employers in the Soviet Union; it violates the principle of equal rights of one of the greatest sea powers; and it cannot be accepted by those who wish for the success of the International Labour Conference, particularly those who wish to see lasting peace established among the nations.

*Interpretation from French:* Mr. SUCHORZEWSKI (*Employers' delegate, Poland*)—I have the honour to represent, as you know, the Polish shipowners. I have only a few words to say.

I came to this Conference of the International Labour Organisation in the belief that it would be really international and that all nations would be entitled to take part in its work, particularly since its programme includes the lofty principles of improving in the light of social and technical progress conditions of work which throughout the world are equally hard and involve the same problems. I think that this field could really give scope for sincere international co-operation.

Frankly, however, I think I must say that I cannot understand why certain persons are trying to persuade me and all of us that all this is a mere illusion. In my opinion, as a Pole, this is all the more regrettable in that my country is one of those which laid the foundations of this Organisation and has co-operated with it for so many years.

I have heard it said that it is a matter of different régimes. This, however, is open to question in this case. It is difficult to understand why this should mean that our Organisation should show no interest in conditions of work in certain countries. For example, do not men work in the same way in my country? Do they not ply the same trades in my country as in others? Do not shipping lines, in spite of differences in structure, employ seafarers? Is our experience in this field, though different, not of interest to our Organisation, which is, after all, an international one? I should think that any experience can be of interest to enable comparisons to be made and that in this way it makes a positive contribution which can enrich the general experience of our Organisation. And yet an attempt has been made to deprive me, for example, as the representative of Polish shipowners, of the right even to take part in the discussions. This is not a pleasant thing; it is not pleasant to be invited and to find the door slammed in one's face. It is rather odd, I think, that I should be compelled to defend my legitimate rights in the above-mentioned circumstances, when the I.L.O. Constitution itself provides that all Members shall have equal rights.

I am sorry that I should have been compelled to speak so often from this rostrum simply in order to gain my elementary and normal right to play a positive part in the work of this session of the Conference. I was sure that I would be able to devote my efforts to questions that would be of much greater value from the point of view of the I.L.O.'s activities, and I cannot understand why so far I have not been allowed to do so. In any case I do not suppose that the modest contribution which I wish to make to the work of certain Committees would be so dangerous that it would constitute a great threat to the I.L.O.

In conclusion I express the hope that the plenary assembly, as the supreme authority of the Conference, will restore my legitimate rights and thus allow the principle of international co-operation to prevail. At the same time I am sure that the appeal made by our President, Mr. Kawasaki, at the beginning of this sitting will not go unheeded.

Sir Richard SNEDDEN (*Employers' delegate, United Kingdom*)—Eight days ago this Conference was subjected to nine rather dreary speeches from the same mould from the Communist countries. We tried at the opening of this meeting to avoid a repetition of these dreary speeches because we announced that we were prepared to vote without talking. Unfortunately, our good intentions have been thwarted.

You may feel as I do that it is a little bit strange to have these Communist delegates coming to this rostrum and talking about tolerance and the protection of the rights of minorities. May I humbly suggest to them that they take these doctrines home with them when they have finished with this Conference? You may also think it strange if I appeal to you all to listen with some tolerance to what the Communist delegates have to say. I do not suppose there are many in this Conference who believe a word of what they have been saying; and, to be quite frank, if any of them have heard of Hungary or been allowed to hear of Hungary, it may well be that they do not believe very much themselves. But they have got to say what they have said on the well-known principle that if you repeat what is untrue often enough someone will perhaps believe you.

The issue before this Conference is so simple that no amount of long, written speeches should deflect you from realising what it is. The issue is simply this: the free countries, and particularly the free governments, are being asked to insert into the free Employers' group Communist agents. Now that is a simple issue; you can talk till doomsday or till the next session, whichever is the shorter, but you will get the same result. I am not saying and I never have said that the Communist governments have no right to be here. Some of us think that this Organisation would be a cleaner, a healthier and a more progressive Organisation without them; but they have a perfect right to be here. What we do say is that they are not entitled to have four votes as governments when the governments of the free countries have only two.

Now the fundamental structure of this Organisation has been—and I use the past tense advisedly—tripartite. We have been proud of this tripartite structure. Unfortunately, it is no longer tripartite: it is partly tripartite and partly intergovernmental, because these Communist delegations are not tripartite at all. They are completely monolithic. They know it and we know it. One of the Communist representatives said rather naïvely last Wednesday that he wanted Employers and Workers in his delegation so that they could express three points of view. Well, did you ever hear such nonsense? The Employers and the Workers are—and they know it perfectly well—bound hand and foot, body and soul to their governments and to the party line, and they dare not express any other view except with the consent and direct instructions of their governments.

Now we have heard a great deal today about the contribution that these so-called Employers have to make. We have heard this story now for four years. I have never yet heard a Communist Employer make any contribution at all to any of the work of any of the Committees. But if they had any contribution to make then the right way to make it would be to express the view through the governments to whom they are bound. I want the U.S.S.R. Government delegate to pay some attention, if he will, to what I am about to say. He has announced pretty definitely that these so-called Employers are free. The Employers themselves have loudly denied that they are not free. Of course they have; they have been told to say that they are free. One of them proudly says he can dismiss workers. Of course he can, on the instructions of his Government. He can himself be dismissed under the instructions of the Government.

I do not want you to take my view of this so-called freedom of the Employers. I am going to repeat something I said to you at the last annual Conference. This is not my view: this is the view of Mr. Mazanek, who was speaking on behalf of the miners of Northern Bohemia on 12 June 1956 at the Czechoslovak Communist Party meeting. He said that mine managers should be given more power, and then he made this rather devastating and blistering revelation—and I am quoting his words: "We are told the manager is the responsible head of the enterprise; but let us look at reality. Being a manager does not mean a thing. I take the manager down the mine and show him people working in water. He agrees with me that the working conditions are difficult and that the miners deserve more pay, but he has no right to say 'I shall add two crowns to their hourly wage rate', only that he will pass the request on to the economist. The economist passes it on to the trust, the trust to the combine and the combine to the Ministry. The Ministry never replies and that hurts us."

So you know what power these so-called managers have. Of course they laugh; they have probably been instructed to laugh. But let me remind you that nobody is preventing these delegates from speaking on the Committees if they want to; they have a perfect right to speak.

We had a scarcely veiled threat on Wednesday of last week that if these Communist delegates did not get what they wanted they might walk out of the Organisation. Do not believe a word of it. I know the rumour has been going around the corridors that if you do not do this or do that, so-and-so will leave. Do not forget that before the U.S.S.R. came back, after rather a long absence, to the I.L.O., in the interval they had blackguarded the I.L.O. and all its work. Why did they come back? Because they thought it was a very good platform for propaganda and for subversion. Do you think they are going to sacrifice that by walking out? Not likely!

There is another argument. It is said that you have done this sort of thing many times before at a Conference and there is no harm in doing it again. I want to tell you that the shipowners object to being outraged just as much as the Employers at the land Conference. It is no compromise; we have never accepted the compromise. Of course I did notice only yesterday that some governments which are quite willing to knock the shipowners about a bit have second thoughts when they may have to knock the trade unions about a bit. Now, you are told, not at this rostrum but elsewhere, that there is a Governing Body Committee examining the problem, and that is true; and that the status quo must be maintained, and that is true. But when we say "status quo" what do we mean? Surely not this proposal whether it is deputy or full members. That is not the status quo. It means allowing Communists to get a foot in the door, which really means the Employers' group. This is really not good enough, and I say this advisedly to the Government representatives of the free countries. We are not diplomats and we do not pretend to be. It is not possible for us to take one view one week and a different view the next. It is not possible to say one day that we will have summit talks and the next day that we will not have summit talks. We have to remain reasonably consistent, and that is what we are doing.

One more word and that really means two or three. Throughout this debate the Communist delegates have without fail said "Socialist" States. They use the word "Socialist" as a complete synonym for "Communist". Well, they may deceive themselves, but they will deceive none of the Socialist countries in the free world. In my view the position is exactly as it was when Sir Anthony Eden said at a meeting of N.A.T.O. countries: "Soviet policy is still aimed at confusing, dividing and weakening the West". Are you going to let them do this this morning? I hope not. You cannot, gentlemen (and I am not addressing the Communist delegates) shelter behind the Constitution or behind the Standing Orders. The position is perfectly clear. You are perfectly free to decide to put them on as deputy members or as full members, or equally free not to put them on at all. It is your free and unfettered decision. I venture to suggest that some of the governments of the free countries must be feeling a little bit uneasy and a little bit unhappy about the decision which they are being asked to take. I would just say this

to you, that whereas "Big Brother" may be watching the Communist delegations, the free peoples of the world are watching the rest of you.

*Interpretation from Russian:* Mr. SLIP-CHENKO (*Government delegate, Ukraine*)—It seems to me that we have gone well beyond the half-way mark of our work, and it is of course very sad that our Conference should constantly be forced to defer taking decisions on the important work before it in order to deal with problems with which the present Conference might easily have not had to deal if all the Members of the I.L.O. had complied with, and closely observed, its Constitution. The discussions which have taken place here at the Selection Committee and today in the plenary sitting have once more convinced me, and apparently a number of other delegates, of the fact that the wish not to co-operate in the task and noble aspirations of the I.L.O. has forced the so-called "free employers" to follow to this rostrum those who came to protest against the withholding of the rights of the Socialist countries (I must refer to them as Socialist, although I know Sir Richard Snedden does not like the expression). We are fully aware why these rights have been withheld; we quite realise that this attack has been launched at a time when the Soviet Union and a number of other countries are trying to promote peace throughout the world and when new hopes of a lasting peace are awakening among all peoples.

In the International Labour Organisation the atmosphere of co-operation is being poisoned and the "cold war" opened. I do not know, Mr. van der Vorm, who is manipulating the Iron Curtain, nor do I know who is directing these manœuvres, but I do know there are certain groups who cannot abandon their old concepts; they do not understand what is new and do not want to take it into account. When something new appears it does not ask permission; it flourishes and grows; and when we talk of what is new and those who represent it we do not merely mean representatives of Socialist countries. But the enemies of what is new hope they will be able to hamper its progress and prevent the friendly and business-like co-operation between delegates representing it and the new social and economic systems. They hope that by these means they will be able to prevent the adoption of Conventions and Recommendations which would improve the lot of the workers.

I am not the only person to have called attention to this state of affairs. It is of interest to note that, in the booklet on the International Labour Organisation which was published in 1956 by the Publishing Association of New York, Inc., concerning the role of employers in the I.L.O., the following is said (and I quote from this publication): "It should be pointed out that our American employers"—here I must interrupt the quotation to say that I have nothing concerning the role of British employers and those of other Western countries—"at times acted most effectively. For instance, at recent Conferences, with the help of insistent statements, the Employers were able to retard the



adoption of Conventions. No Conventions were adopted in 1953 or 1954, and in 1955 only one Convention was adopted." This is a booklet published by a far from progressive American undertaking, and it goes on to make a most interesting statement (and I hope that you will give me the fullest attention): "The I.L.O. can be a most important instrument in furthering our policies of cold war." That is the whole crux of the matter. The authors of the booklet know, of course, full well what it is they are writing about, and that is fully confirmed at this Conference.

Various individuals in the group of so-called "free employers" are not only hampering the work of the Conference and poisoning the atmosphere here; they are attempting to undermine the decisions of the Committees and Conferences as a whole.

In committee the Employers' group votes against the most harmless provisions in Conventions and Recommendations. These gentlemen apply all their energies to breeding bad blood in the I.L.O. with the sole purpose of impeding fruitful work and undermining co-operation within the Organisation.

Mr. Schildknecht stated at this rostrum that in Switzerland the law requires a judge to put himself in the shoes of the legislator. This is not just a statement of an abstract principle. The point of view of the legislator for our purposes is expressed in the Constitution and the Standing Orders of the International Labour Conference, and it seems to me that we too should put ourselves in the legislator's shoes.

Just before I spoke Sir Richard Snedden took the floor and here levelled a "blistering" accusation against us that we, the Soviet delegates, came here with definite directives. Well, these directives are well known and these directives are those of defending the interests of men who, through their labour, organise production; of defending the interests of those who create material wealth through their efforts and who advance progress and civilisation; of defending those beings for whom our planet has become a home. Indeed, we have come here to defend the interests of those who work—and we are proud of it. As I understand it that is what the Constitution of the I.L.O. calls for, and that attitude seems to me to correspond entirely with the principles and tasks of this Organisation.

Gentlemen, we also realise that you too have come here with directives, but these directives were not given to you by stokers, sailors or deck officers but by those who employ you. Who pays you for your statements here? It is natural that the more you poison the atmosphere here, the more you abuse the I.L.O. when it tries to adopt progressive measures the greater are your gains. Let us be frank. We both know who are your masters and whose agents you are. Yes, gentlemen from the so-called "free employers", you accuse us Soviet delegates of honestly defending the interests of our people and of all the workers. To us such an accusation is an honour, since nothing can be more admirable than to serve the people.

You, Sir Richard, apparently seriously think

that the most "devastating" argument you can level against our tripartite delegation is that it is monolithic. Well, if the fact that all three groups in the Ukrainian delegation unanimously defend the principles of the Constitution of the I.L.O., the vital interests of our working people and the interests of the directors of the Socialist undertakings as well as the interests of the Government, makes our delegation monolithic, then, we are monolithic and we will remain monolithic and nobody can prevent us from doing so—not even you, Sir Richard; you just are not strong enough to do it. We object most strongly to the use in any I.L.O. document of the word "totalitarianism" and similar smear words.

Mr. President, I apologise if the feelings that move me have led me to speak rather harshly and at some length.

Now tell me, you so-called "free employers" of the Western world, what has prompted you to act in this manner? It seems to me that life itself has forced you—how can I put it mildly?—on to the defensive. Your attitude is a sign not of strength but of weakness. You are afraid that the representatives of the more progressive Socialist economy—which is the first step towards a Communist one—will hamper your private capitalist attempts to prevent the International Labour Organisation from adopting progressive decisions which are truly aimed at improving the working conditions of all men, including seamen. If that is so, then, of course, you are right in your way and, being the most reactionary part of our I.L.O. triumvirate, you are afraid of progress and progressive ideas. Of course, you are afraid of them, as night is afraid of the day. Otherwise, why should you not admit the representatives of Socialist countries into Committees as titular members?

At present there are more of you in the Employers' group of the Conference, but, Mr. Schildknecht, as your great compatriot Schiller said, the majority of votes cannot be the measure of justice. I have said here and I will repeat it with pleasure that the ranks of the so-called "free employers" are thinning out, and nothing and nobody can stop this inevitable historical trend.

I appeal once again to the collective common sense of the Conference that the lawful request of representatives from the Socialist countries be honoured.

Mr. NAGENDRA SINGH (*Government delegate, India*)—In the conflict of groups, Employers' and Workers', as well as the conflict of political patterns, I hold no brief for anyone except my country and I plead no one's cause except the cause of the Organisation under whose aegis we have been sitting every day. It is the cause of the I.L.O. which is at stake, and I plead not only in its name but in the name of all international organisations that every citizen of every member State must do nothing to minimise their universality and proper functioning. The essence of international organisations is to furnish a platform, a forum for discussion, deliberation, ultimately ending in resolutions and decisions which the member States, if they so choose, ratify. No citizen of a member State has the right to

destroy that platform or to minimise its importance.

Members will remember after the Second World War the extraordinary growth of international organisations, the United Nations and its specialised agencies, and even international organisations which are non-governmental in character. They all indicated that the faith of humanity has been rightly placed in the agency of international organisations for solving world problems, as well as the maintenance of international peace. If ever we are going to have "lex" as "rex" in the international sphere it will have to be through the agency of international organisations, and we must not allow the good name of this Maritime Session to be involved in any way in undermining the healthy growth of international organisations.

I have two points to make. Firstly, as my plea is in the name of the Organisation I will make my observations exclusively on the basis of the constitutional structure of the Organisation. Are the delegates of the countries which have been boycotted nominated in accordance with article 3, paragraph 5, of the Constitution? If so, and their credentials cannot be challenged, we cannot deprive them of the right of full membership. They are Members of the I.L.O., as any other member State is, and they have full rights to participate in the Conference. This right comes into conflict with the autonomy of the groups, the Workers' and Employers'. The groups may be completely autonomous, they may have their own views—and, quite rightly, they may stick to them—but when they select their members for Committees on a definite basis of exclusion of a particular group which is guided on political patterns the entire episode takes the appearance of discriminatory procedure.

Discrimination is regarded as bad in social behaviour, but if my approach to the problem is constitutional, and there is the principle of *ubi jus, ibi remedium*, let us examine if the I.L.O. rules and regulations provide a remedy.

The remedy is to be found in article 56, paragraph 4, of the Standing Orders, where the Conference can, to restore equilibrium, nominate members. If the Conference had the right under the Constitution to nominate full members I would certainly vote for it.

In this regard the Workers' group have, with due foresight, already given an example and voted for full membership. However, if the I.L.O. Constitution does not provide for full membership I will certainly vote for the deputy membership which the Selection Committee has recommended.

The PRESIDENT—There being no further speakers I will put to the vote the amendment submitted by the Government delegation of Poland. I will read it once more. "In the last line of the part of the report relating to the requests submitted by certain Employers' delegates, delete the word 'deputy'."

*(A vote is taken by show of hands. The amendment is rejected by 26 votes to 77, with 35 abstentions.)*

The PRESIDENT—Now we will proceed to the vote on the recommendation of the Selection

Committee that is contained in the second part of the sixth report.

*(A vote is taken by show of hands. The second part of the report is adopted by 68 votes to 29, with 39 abstentions.)*

*(The report as a whole is adopted.)*

#### SEVENTH REPORT OF THE SELECTION COMMITTEE<sup>1</sup>: SUBMISSION AND ADOPTION

The PRESIDENT—We now come to the seventh report of the Selection Committee. I ask Mr. Merani to present it.

Mr. MERANI (*Government delegate, India; Chairman of the Selection Committee*)—I move for adoption the seventh report of the Selection Committee, the text of which has been distributed.

The PRESIDENT—If there is no observation I declare the seventh report adopted.

*(The report is adopted.)*

The PRESIDENT—Perhaps this is the last report submitted by the Selection Committee and I would like to take this opportunity of thanking Mr. Merani on behalf of the Conference for the very arduous task which he has carried out so ably and in such a competent manner.

#### REPORT OF THE DIRECTOR-GENERAL: DISCUSSION (*cont.*)

The PRESIDENT—We now go on to the next item on the agenda, namely the continuation of the discussion of the Director-General's Report.

Mr. KUMANA (*Employers' delegate, India*)—Along with the previous speakers, I would like to compliment the Director-General of the I.L.O. on producing a valuable Report full of information supported by facts and figures.

The Report rightly indicates, on page 7, that the Indian tonnage is approximately only about half of 1 per cent. of the world tonnage. Judging by these figures you may come to the conclusion that India is not a maritime country of any consequence. I would, however, like to take the liberty of pointing out that it is only since 1947 that India has given serious thought towards the development of her merchant marine commensurate with the country's needs. I would also like to point out that India's share of the total maritime trade of the world is about 4 per cent. Furthermore, on page 8 the Report indicates that there are over 1 million seafarers engaged in the maritime industries of the world. It would have been useful if the I.L.O. had prepared a table indicating the breakdown of the 1 million seafarers by nationalities, although it is appreciated that this may have been difficult in view of the

<sup>1</sup> See Appendix I, p. 206.



lack of accurate statistics available for that purpose. It is estimated that there are about 65,000 Indian seafarers afloat, so that India provides about 6½ per cent. of the world's seafaring population. Thus, although India so far possesses only about half of 1 per cent. of the world's maritime tonnage, her share of the world's maritime trade is as much as 4 per cent. and her share of the world's seafaring population as much as 6½ per cent. You will therefore appreciate that, considered in this wider context, India is deeply interested in maritime questions dealt with by this Conference. It is, however, unfortunate that, for various reasons, it was not possible for our Government to send a delegation of a size commensurate with India's interest in maritime questions.

I would now call your attention to page 54 of the Report. The record of ratification of maritime Conventions by various maritime countries as given in the chart does not make impressive reading. This is particularly so with regard to India, which ratified three Conventions prior to July 1946 and none since then. In other words India has been unable to ratify any of the Seattle Conventions. I would, however, request you not to judge the degree of compliance by the number of ratifications. For various reasons, into which I need not go at this stage, it has not been possible for the Government of India to ratify the Seattle Conventions, but it is an established fact that the provisions of many of the Seattle Conventions are being substantially complied with in our country. For example, plans for new vessels have to be submitted by shipowners to the mercantile marine surveyors appointed by the Government of India, who will not approve of the plans unless they substantially comply with the provisions of the Convention relating to crew accommodation. Similarly, the provisions of the Conventions regarding medical examination of seafarers and regarding holidays with pay are being substantially complied with in our country. Furthermore, as stated in the Report, a scheme of social security for seamen is in the process of being formulated.

It should also be borne in mind that a greater proportion of Indian seafarers are employed on non-Indian ships. It will therefore be readily understood that ratification of Conventions is not possible until agreement is reached with both sets of shipowners, i.e. Indian as well as non-Indian shipowners employing Indian seafarers. This is one of the reasons which explains the difficulties in the way of the ratification of maritime Conventions by the Government of India.

Before I conclude my observations, I regret to have to point out that Mr. Khatib, the Workers' delegate from Pakistan, has unfortunately made use of this platform to criticise the system of recruitment of seafarers in India. All I need to say at this stage is that such remarks are out of place in a speech dealing with the Director-General's Report and that they are not correct. In saying that the remarks are not correct I would merely invite the attention of all concerned to the observations made by Mr. Nagendra Singh, the Government of India delegate, at the Committee

on Identity Cards and reproduced in document C.I.C./P.V.3 of 2 May. In particular, Mr. Nagendra Singh pointed out that the employers' organisation for seamen gives equal treatment to Indian and Pakistani seafarers without discrimination. I am further authorised to say that it is open to any delegate at this Conference, including the delegate from Pakistan, to visit and study the system of recruitment in the ports of Bombay and Calcutta.

In conclusion I would like to echo the sentiments expressed by the Director-General of the I.L.O. in the concluding paragraph of his illuminating Report, in regard to improvement of conditions in the shipping industry in general and promotion of the well-being of the seafarers in particular. The progress made so far in this direction, though satisfactory, may not be so rapid as many of us would like to see. This is because the speed of a convoy is regulated by the speed of its slowest ship. In other words if the general standard of living in underdeveloped countries, which is very low at present, can be increased more rapidly than heretofore, it will have a favourable effect in a further and more rapid increase in the standard of living of seafarers, which is the main objective of all of us assembled in this Conference.

*Interpretation from Portuguese :* Mr. TEIXEIRA (*Workers' delegate, Brazil*)—This being my first opportunity of attending an International Labour Conference, I should like first of all to express the thanks of the maritime workers of my country for the work done by the International Labour Organisation to improve the living and working conditions of seafarers.

May I also be allowed to say how glad I was to read the Director-General's Report, which gives us a clear and colourful account of the maritime industry?

A comparison of the figures for 1939 with those for 1956 shows very clearly the development of the merchant navies throughout the world and points to the changes that have occurred in the position of various countries and particularly to the appearance of ships flying new flags. The growth in tonnage does not seem sufficient to meet the requirements of transport in the future since the transport of passengers and goods by sea is still difficult and often gives rise to delays. Moreover, the constant development of air travel and other means of transport has had a serious effect on the maritime transport industry. The difficulties of maritime transport on one side and the technical difficulties on the other call for attention from governments and employers to prevent harm being done to seamen, since what is important is that merchant navies should grow so as to ensure full employment to all those engaged in this industry.

As the representative of the maritime workers of a country in which inland and sea navigation is of essential importance for the transportation of the nation's resources from one place to another in view of the navigability of numberless rivers and the length of our coast, I would point out that the numerous occupational organisations in Brazil, one of which is the National Seafarers' Federation, not only press for the economic and social

betterment of the class we represent but also give support and encouragement to the Government of our country in the establishment of a national shipbuilding industry and in its task of rebuilding our ports and modernising our poor harbours.

We consider conferences such as this one, at which there is a discussion of the problems of governments, employers and workers, to be of great value. We, the maritime workers of Brazil, very recently witnessed the adhesion of our country to a number of I.L.O. instruments, thus giving satisfaction to our claims, one of which relates to the position of wireless operators.

We are learning a great deal from what we have heard here. We shall take this knowledge back to our colleagues in our own country and pass it on at our next Congress, which is to be held on 29 June of this year; it will be attended by workers of all kinds affiliated to the National Seafarers' Federation. That Congress will prepare for a conference in which we hope to bring together the trade union representatives of seafarers of South American and Central American countries, and to ensure that it will be a successful conference we hope to have the co-operation of the International Labour Organisation.

Our attendance at this meeting is not simply for the purpose of promoting the interests of Brazilian maritime workers. It is our most genuine desire that all the progress we achieve may be fraternally shared in the great maritime family of the whole world.

In conclusion, I appeal to all countries to set up and use welfare facilities for maritime workers in order that those who live on board ships may have a chance of finding, in every port far from their own homelands, a shelter and a friendly welcome.

Mr. SUBIANTO (*Workers' delegate, Indonesia*)—I have studied with great interest the Report prepared by the Director-General for this Maritime Session of the Conference, and I think that it is a most interesting document giving a wide view of the factual situation in our industry throughout the world.

I do not want to go into details on the international situation or international questions; but I want to comment on the Report of the Director-General in so far as it concerns some questions of particular interest to Indonesian seafarers and, at the same time, to give you an idea of the conditions of Indonesian seamen.

Until some years ago the Indonesian seafarers, particularly those who were employed by foreign shipowners, had to fight energetically to obtain better conditions of work. Thus we had big strikes before 1957, as a result of which maritime workers won some improvements. Following this struggle, maritime workers in our country obtained the following monthly wages for able seamen on inter-island shipping: single: Rp. 184.41 (\$16.17); married: Rp. 277.17 (\$24.31); married with 1 child: Rp. 296.82 (\$26.03); married with 2 children: Rp. 316.46 (\$27.75); married with 3 children: Rp. 336.10 (\$29.48).

Now these wages are the national legal standard for all shipping industries in Indonesia.

The conditions of maritime workers in Indonesia gradually improved from then on, mostly in the national shipping industries. An agreement has been reached between employers and workers that every claim on the workers' side will be discussed on a basis of mutual understanding.

To improve the living standards of maritime workers our Government has established a Maritime Board, the membership of which consists of the representatives of the Ministry of Shipping, Dockyards and Shipbuilders, shipping and harbour employers and trade union representatives without any discrimination as to trade union affiliation, political opinions, religious, national or social background.

To fix the minimum wages of seamen and social insurance in my country the national shipping industry, the "Pelni", has established a body which consists of trade unions and employers' representatives.

In relation to the question of hours of work, the old system of eight hours a day and 56 hours a week and two hours' rest with full wages is still in practice.

On ocean liners an Indonesian steward earns monthly a minimum of \$26 and a maximum of \$31 (not including family allowances). Seamen's wages and accommodation in the national shipping enterprises are better than on foreign ships. For example, on foreign ships about 14 to 16 sailors are quartered in a space of 15 to 16 square metres, whereas on national ships four men at the most sleep in one cabin.

Therefore we strongly support the activity of the World Federation of Trade Unions and of its International Union of Transport, Ports and Fishing Workers to promote the adoption by this Conference of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93), including its Article 5, and of the supplementary Recommendations, concerning particularly wages.

In this connection the Asian seafarers cannot agree that, in the determination of the minimum pay or wage, considerations other than the principle of equal pay for equal work be taken into account. We cannot admit any discrimination in respect of seafarers in our country. Therefore we are opposed to any attempt to replace Article 5 of the revised Convention No. 93 with a Recommendation. We think that any attempt of this kind would mean a serious setback to the application of the principle established in 1946 at the Seattle Conference, quite apart from constitutional considerations.

Historically, Indonesia has for a long time been a maritime country, but our maritime industries are still very young. Therefore every effort for the development of our shipping industry is supported by us because this problem affects the dignity of the seamen and of Indonesia as a whole.

Some time ago we were faced with a shortage of ships for inland trade; but within a few months the shortage of shipping tonnage will be made up with the help of shipping industries and governments who sympathise with the Indonesian people, as for example Yugoslavia, India, Poland, Japan and several more. This means work for our seamen. This is why

I am thanking, on behalf of the Indonesian seamen, the governments and shipping industries of India, Yugoslavia, Japan, Poland and the Soviet Union.

Before concluding I wish to insist, on the basis of my experience, that to improve the living standards of seamen we must co-operate; we must try to co-operate on the basis of conciliation and goodwill.

Allow me to express my sincere hope that that sound principle will be strictly observed in one way or another.

Mr. PROCTOR (*Government delegate, United Kingdom*)—Like almost everyone who has spoken I wish first of all to congratulate the Director-General on the lucid and comprehensive picture he has given us of the changes which have been brought about since the Seattle Conference 12 years ago in seafarers' conditions all over the world, and of the work which has been done by the Organisation in this field. Delegates to this Conference will be unanimous in expressing their high appreciation of the remarkable progress which has been achieved, not merely by the official organs and conferences of this Organisation but also by the day-to-day work of the Director-General and his staff.

The Seattle Conference, as Mr. Tennant remarked in his impressive speech in the early stages of this debate, completed a period of almost breath-taking activity in laying foundations for the post-war settlement of seafarers' conditions and problems. The impact of the decisions taken by that Conference has been truly remarkable. As the Director-General points out, five of the Seattle Conventions are now in force and have binding operation over a substantial part of world shipping. There have been in all 79 effective individual ratifications of Seattle Conventions, and the total number of ratifications of I.L.O. maritime Conventions has increased from 214 in 1946 to 356 in August 1957: these are distributed among 50 countries.

The United Kingdom Government, in full agreement with the representative organisations of shipowners and seafarers, has ratified five of the post-war Conventions, namely those relating to food and catering, certification of ships' cooks, social security, certification of able seamen, and accommodation of crews (1949 revision); the social security Convention is not yet in force.

It would, however, be a profound mistake to judge the benefits of Seattle, and of the work of the Organisation as a whole, solely or even mainly in terms of ratifications of Conventions, though I would not wish in any way to seek to minimise the importance of Conventions. Even though a Convention may not be widely ratified, its terms influence profoundly the course of industrial negotiations and the decisions of governments; this is also true of Recommendations and resolutions adopted by the Conference and those adopted by Regional Conferences and by the Joint Maritime Commission. To take only one example: the Convention on wages, hours and manning, despite the well-known difficulties which exist over ratification, has exerted immense influence in industrial negotiations

in many countries including the United Kingdom. This all-important topic is again engaging our attention at the present Conference, and we are all hoping that governments, shipowners and seafarers may, for the first time at a session of the Conference, be able to reach a substantial measure of agreement on this subject.

The agenda of our Conference reflects, in the main, the work which has been patiently accomplished in recent years by the Joint Maritime Commission, to which I would wish to pay a special tribute, and the work also of the London Preparatory Conference, of last year's tripartite Working Party at Geneva and of the Joint I.L.O.-W.H.O. Committee on the Hygiene of Seafarers. This kind of preparatory work is always hard and never spectacular, but it enables us to start our discussions in the Conference with a clear understanding of the issues involved and, in many matters, a substantial prospect of agreement between governments, shipowners and seafarers.

I would wish to take this opportunity to refer briefly, with special reference to my own country, to a few of the more outstanding landmarks of progress since Seattle, and finally to leave with the Conference a few thoughts about the future.

First, I must pay tribute to the outstandingly good relations between our shipowners and seafarers, which have continued uninterruptedly for many years, but which become closer and closer year by year; they result in practical and substantial improvements in seafarers' conditions. Second, I would express appreciation of the constant and fruitful co-operation of shipowners and seafarers with my Government in matters which are the Government's concern. I have already referred to the ratification of I.L.O. Conventions, and in pursuance of these we have, in the post-war period, made new regulations on food and catering, the certification of ships' cooks and able seamen and crew accommodation. The improvements in crew accommodation and welfare arrangements on board ship, compared with pre-war and early post-war construction, are almost unbelievable; in many cases they go far beyond the strict requirements of the regulations. The comprehensive National Insurance Scheme, which came into force in July 1948 and embraces seafarers as well as all other workers, is fully in line with the Social Security (Seafarers) Convention, 1946 (No. 70).

Perhaps the greatest single advance was the adoption by the National Maritime Board in 1947 of the Merchant Navy Established Service Scheme, which aims at giving the maximum regularity and continuity of employment to as many seafarers as possible, and which has gone far to remove the casual character of seafaring employment. We naturally hope that the present serious setback in the prosperity of world shipping will be short-lived, but if the depression should unhappily continue for more than a short time the Established Service Scheme will, we believe, help to relieve the anxieties of a substantial part of the officers and men of the merchant navy. The scheme is fully in accord with the important resolution on this subject which was adopted by the Seattle Conference, and we are glad to know

that it has been possible to adopt similar schemes in some other leading maritime countries.

One of the main subjects to which much attention has been given in the United Kingdom, as in other maritime countries, is the development and improvement of methods and highest technical skills so as to utilise to the full the enormous technical advances in navigational techniques, safety aids and machinery for propulsion. Great progress has been made since the war, with the full co-operation and support of my Government, in the provision of improved facilities and the adoption of new schemes of training. The facilities for pre-sea training and refresher courses for seamen of the deck, engine-room and catering departments have been extended. Radar observers' and radar maintenance courses and certificates have been introduced, and my Government has recently taken the lead in making it compulsory for second mates to obtain a radar observer's certificate as part of the examination for a certificate of competency.

I turn now to the provision of welfare and recreational facilities at ports at home and abroad. In my country, a Merchant Navy Welfare Board was constituted in 1948 with representatives of government departments, shipowners, seafarers and the voluntary organisations which do so much valuable work in this field. As a result it has been possible to develop a co-ordinated programme to improve the facilities for seafarers of all nationalities and races in the United Kingdom, and also to improve the arrangements for British seamen in many ports overseas. Nevertheless, much remains to be done in this field, both nationally and by international co-operation, and we welcome the proposal by the Joint Maritime Commission that a tripartite subcommittee should be established to deal with these problems. We should be glad to have the opportunity to co-operate fully in this work.

Great advances have been made in maritime safety. The Conference on Safety of Life at Sea held in London in 1948 was a major landmark in this field. However, we are well aware of the need for agreement on further advances to combat the ever-present hazards which are inseparable from maritime navigation, and my Government has proposed that a further conference on the safety of life at sea be held in 1960. The International Labour Organisation has been invited to send representatives. Now that the Intergovernmental Maritime Consultative Organisation is about to come into active existence, we hope that it will prove possible for this conference in 1960 to be held under the auspices of I.M.C.O.

In the time remaining I can refer only very briefly to the future. I agree with the Director-General and with Mr. Tennant that soon we shall be called upon to find answers to the problems which will arise in connection with nuclear propulsion of merchant ships. These will undoubtedly have to be considered at the safety conference in 1960, and also by the I.L.O., so that the interests of seafarers may be fully protected. My Minister has recently appointed a committee representing all the

interests concerned to consider these problems. In other fields we shall have to consider the problems created by the increasing size of ships and the increasing tendency to design specialised ships for particular trades. There is a growing tendency to use large bulk-carriers, both tankers and dry-cargo vessels, plying almost continuously, with rapid turn-rounds, between a few fixed terminals, many of which are in places remote from the amenities of civilisation and often exposed to extremes of climate. Such developments obviously create new problems for all who are concerned to improve the conditions of life of seafarers.

I thank you all for your attention, and express my confidence in the successful outcome of our endeavours at this Conference. I also express my Government's good wishes for the future work of the International Labour Organisation in the maritime field.

*Interpretation from Spanish:* Mr. PASTOR TOMASETI (*Government delegate, Spain*)—After extending cordial greetings to all members of this Conference, I must first of all congratulate the Director-General for submitting a Report in which, with a balanced view of reality, he expounds and objectively analyses the various aspects of the employment of seafarers and the problems that arise in this connection.

The Introduction, the two chapters and the Conclusions that make up the Report have been carefully studied and would merit lengthy analysis, which must of necessity be cut short in order not to fall into the unpardonable error of making too long a speech in an age when concision is essential in all walks of life.

Since, therefore, I must confine myself to particular points of the Report, and without claiming to establish an order of relative importance between the various subjects dealt with in it, I think perhaps that the first chapter which analyses the position of seafarers and the progress made in the years 1946 to 1957 rightly deserves special attention, particularly since it was during that time that was promulgated in Spain the legislation now in force covering employment in the merchant navy, which reproduced not only all the provisions of the seven international Conventions ratified by my country but also the standards studied and discussed at the Maritime Session of the Conference held in Seattle in 1946, and amendments made to them at the Ordinary Session held in Geneva in 1949. Since these standards represent an undoubted and positive social advance for the crews of the merchant navy, their application could not be delayed any further, although there were no international obligations to this effect.

Moreover, this rule of including in the statute book all the written or customary standards which, owing to their genuine protective value promote or are supposed to promote the welfare of seafarers, has always been observed in the country which I have the honour to represent—a country which, being traditionally seafaring, issued in the twelfth century a code of existing practice and customs, as well as the Barcelona Ordinances of 1258 for the policing and control of merchant ships—all of which, together with other

memorable traditions, constitute an eternal example of the social justice and the national outlook which has remained unchanged through all the vicissitudes of Spanish history.

The new legislation concerning employment in the Spanish merchant navy, which goes back to the fundamental Act of 19 December 1951, gives recognition to traditional maritime practices and customs and embodies the provisions of the international Conventions ratified by Spain and of similar agreements that do not require ratification, as well as all those miscellaneous principles that can be applied or adapted to employment at sea. We therefore have a body of legislation on which, if analysed as a whole, it would be difficult to improve.

The statements in the Director-General's Report regarding vessels registered under so-called "flags of convenience" and regarding the drift from maritime employment, that is to say—and I use the very words of the Report—"The tendency, particularly marked in some of the older maritime countries and more especially among engineering staff, to leave maritime for shore employment", refer in my opinion to indisputable problems that will be difficult to solve, especially as regards the second, in view of the undeniable right of any Spaniard to choose his own place of domicile and his own occupation.

The first chapter of the Report, which I am taking the liberty of briefly analysing, shows that the International Labour Organisation is still concerned with the continuity of seafaring employment. I am in a position to assert that in my country there is no such concern; the new legislation classifies the personnel into three categories: established, provisional and casual, and provides that in case of doubt the rules are to be interpreted to ensure greater security of employment. This leads us to conclude that 94 per cent. of Spanish crews, from the master to the ship's boy, are employed, for an indefinite period, by the same shipowner, with whom they conclude their articles relating to all the vessels in his fleet; this ensures them stability of employment without making them subject to the vagaries of particular lines or particular vessels. Thus it has been possible to introduce regular increments for length of service in any particular undertaking, which strengthens the ties between the personnel and the firm.

Vocational training, which is of outstanding social value, is the subject of the ninth chapter of the Merchant Navy Employment Regulations, dated 23 December 1952, which includes suitable rules for this purpose. Merely to give you an example I might mention the obligation imposed on shipowning firms to grant leave with full pay, including board, for four months in order that selected seamen may take courses of study prescribed in the regulations at officially recognised schools or centres.

As regards the revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (item II of the agenda), it does not seem desirable to discuss this at a time when it is under discussion by the appropriate committee; I shall merely state that in Spain, in addition to the so-called

starting wage—I leave aside overtime pay and subsistence allowances—seamen receive Sunday or holiday pay when these are not days of rest or they are granted compensatory rest during the same week; that the regular increases for length of service to which I previously referred consist in a 5 per cent. rise in the seamen's wages every five years; that they receive an extra month's pay in July and December each year as a bonus; that they receive a share in the gross returns on a voyage—which constitutes a genuine and considerable advantage for the seamen, who thus have a share in the profits of the undertaking; that they receive family bonuses in addition to the family allowances paid by the National Social Security Institute, special bonuses, etc.; and in conclusion that Spanish seamen, under a traditional practice endorsed by the labour regulations, pay no state taxes on any of their earnings, such taxes being paid by the shipowners. This makes their position quite different from and more advantageous than that of workers employed on land.

Chapter XIII of the existing Merchant Navy Employment Regulations, which consists of 45 sections, covers the whole subject of hours of work, duty watches and overtime (a subject which is also under study at this international Conference); I must confine myself to mentioning that in drafting that chapter account was taken of what are considered to be the very sound provisions of the Wages, Hours of Work and Manning (Sea) Convention, 1946 (No. 76), which was adopted in Seattle in 1946 and revised in 1949 and the standards of which were improved upon in the final drafting of the operative sections of our national regulations, so that the statement in the Director-General's Report that "a few countries have gone beyond the eight-hour day and have introduced the 40-hour week on board ship" is now applicable to Spain.

All the provisions relating to crew accommodation are also embodied in our existing legislation, which, as I have already said, is based on the Act of 19 December 1951 and the Merchant Navy Employment Regulations dated 23 December 1952, so that you will not be surprised to learn that although we need not regard ourselves as being bound by any obligations whatsoever we have applied the fundamental principles of the Accommodation of Crews Convention, 1946 (No. 75), which was adopted in Seattle in 1946, and of the revised Convention (No. 92) on the same subject, adopted at the Conference held in Geneva in 1949.

Holidays with pay do not constitute an innovation in our legislation, since the regulations of 31 May 1922 governing work on board ship already included provision for such benefits. They are longer in my country than provided for in any international agreement; 30 days a year are granted to officers and junior qualified personnel and 20 days a year to petty officers and ratings. All of them receive an additional day for every five years of service with the company. The length of the holiday may not be reduced on any grounds whatever, and the date on which it is to be taken is settled by agreement between the

shipowner and the seaman, any differences being settled by the labour courts. During such holidays seamen receive their full pay, in whatever form it may be due, and a full allowance for board, just as though they were still on board ship. Annual leave is taken at the place named by the seaman himself as his usual place of residence, and the shipowner must grant him his fare and a travelling allowance both for his voyage home and for his return to the ship.

Since the Report, in summarising the social-security measures adopted from 1946 to 1956, mentions the provisions introduced in 16 countries but fails to mention those relating to Spain, I wish to put it on record that in my country seafarers are covered by the general compulsory schemes and that therefore crews on our ships receive occupational accident, sickness, invalidity, old-age and survivors' benefit, together with family allowances. Such benefits are paid (in addition to those which the shipping companies themselves are compelled to pay) through the National Social Security Institute and by the National Maritime Welfare Fund, a body attached to the Maritime Welfare Institute. It can be roundly and categorically asserted that even within the generous system of mutual aid applicable to Spanish labour, which is bound to be known to all of you, the benefits payable under the statutes of the Maritime Welfare Fund (which are dated 14 October 1951 and were recently amended), which include retirement pensions (payable from the age of 55, which may be raised to the age of 60, and amounting to 90 per cent. of the wage in respect of which benefit is payable), invalidity pensions, widows' pensions, orphans' and survivors' pensions, grants in respect of long illness or death, marriage grants, maternity grants, etc., are in the vanguard of social security practice and are worthy of a traditionally maritime nation.

I have tried to outline the position of seafarers in my country in relation to the particular points covered in the first chapter of the Director-General's Report. I have not mentioned other matters such as crew meals, the medical examination of seafarers and other matters that have been dealt with in Conventions or Recommendations adopted at the 28th and 32nd Sessions of the International Labour Conference and embodied in our legislation, since if I were to analyse the whole of that legislation I would go beyond the limits specified for my speech. In conclusion I must say that all the studies, decisions or recommendations that emerge from this Conference will duly receive from my Government the attention due to the merchant navy of a nation one of whose most famous men said that its eyes were fixed upon the sea.

Mr. DADA (*Employers' delegate, Pakistan*)—I would like to join all those speakers who have expressed their appreciation for the excellent Report of the Director-General and for the splendid achievements of the I.L.O. in following up the decisions of the Conference.

I should take this opportunity briefly to describe to this Conference a few of the important features of our shipping industry, which are not found in any other maritime country,

and which have a direct bearing on the scale of wages prevalent in the Pakistani coastal trade.

We still have in force a Shipping Control Act, which not only directs the movement of all Pakistani vessels but also controls the type and quantity of cargo, as well as the maximum freight rate to be charged. This system of government control constantly works against the shipping industry, particularly during periods of recession, such as at present, when freight rates from East to West Pakistan have fallen from 51 to 35 rupees per ton.

Another point I have in mind is the inadequate loading and unloading facilities at our ports, frequently causing delays of two or more weeks in securing a berth.

Repair and dry-docking facilities in the country are still not adequate, although, I am glad to say, they have considerably improved with the establishment of an excellent ship-building yard at Karachi, which is capable of constructing vessels up to 15,000 tons dead-weight.

These are some of the facts that adversely affect the development of shipping in our country and hamper us in acceding to the recurring demands of our seamen for higher wages.

I am happy to state that in spite of these handicaps Pakistani shipowners have recently agreed to a 10 per cent. increase in seamen's wages. We have also decided to acquire eight to ten more ships of 8,000 to 10,000 tons each within the next few weeks. This would help to some extent in providing employment to many of our unemployed seafarers. Our Government is also working out a programme for the shipowners to build a similar number of new ships.

Before I conclude, I would like to stress the point made by the Japanese Government adviser on 2 May that special conditions prevailing in each region should be fully taken into account in framing any Conventions, Recommendations or resolutions.

*Interpretation from Spanish:* Mr. GONZÁLEZ (*Government delegate, Colombia*)—Having read with great attention the Report of the Director-General, I am amazed at the depth and objectivity with which the author deals with the tasks and aspirations of the I.L.O. There is not a problem that has been forgotten or an anxiety ignored. I have had the impression that these pages were written by one who can see into the future and consequently deserves our attention and our congratulations. We all agree that to arrive at a great achievement we must go slowly; we must progress step by step, consolidating each advance, for in this life nothing of any value has been achieved in haste. The history of humanity, which is the sum total of great effort, has always heeded the counsel of the cautious.

My country, by virtue of its geographical position facing two great oceans, has always felt closely bound to the sea and its occupations, and that is why we are constantly on the watch to give force and life to our maritime aspirations. As the Employers' delegate of our country has said, Colombia has today a merchant fleet which, without undue conceit,



we may say need not fear comparison with any other of the same type or category, thanks to an organisation which has granted its workers the best social benefits that seamen can hope to obtain. I am happy to state this today on behalf of my Government. Equipped with fast and modern ships, which call at 90 ports in the Old World and the New World, our American ramifications and economic co-operation ensure our future and our progress.

Since I have mentioned social aspirations, perhaps I may be allowed to touch very lightly upon the conditions enjoyed by our seamen, for I am afraid that time is catching up with us. Following the path laid down in the past, our social legislation has taken into account the requirements of the present and the needs of the future, and as far as seamen are concerned we are not only complying with ratified Conventions but also implementing those which, through circumstances outside our control, have not yet been ratified by us. I am, however, happy to be able to state that these Conventions will be submitted for consideration and study to our Congress, which is due to meet on 20 July of this year.

The Conventions ratified, i.e. the Placing of Seamen Convention, 1920 (No. 9), the Minimum Age (Trimmers and Stokers) Convention, 1921 (No. 15), the Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16) and the Repatriation of Seamen Convention, 1926

(No. 23), are applied in accordance with the observations of the Committee of Experts of the I.L.O. The placement of seamen is carried out within the framework of the National Apprenticeship Service, which seeks to ensure professional skill and does not pursue strictly commercial aims, because in Colombia the placement of seamen has never been a gainful occupation.

Rules governing the repatriation of seamen are observed with scrupulous care even though we are newcomers to the maritime scene. A government commission is at present preparing a Bill concerning transport, in which seamen have an important place. I also have to say that the Ministry of Labour, through its Department of International Labour Relations, has just submitted to the Government for its consideration a draft decree which would put into practice all the technical requirements which the present situation demands.

I do not wish to conclude without saying that my country and my Government at the present hour share the preoccupations and aspirations which hold your attention here and which you are studying with such great attention. Colombia is a nation devoted to democracy, which has learned to apply the evangelical principle to give to each man his due.

*(The Conference adjourned at 1 p.m.)*

## Delegates Present at the Sitting

*Argentina :*

Mr. Lescure  
Commander Noriega  
Lieutenant-Commander  
Gómez Ortega  
Mr. Azqueta

*Australia :*

Mr. Brentwood  
Mr. Currie (substitute for  
Captain Bull)  
Mr. Haddy  
Captain Martin

*Austria :*

Mr. Schellenbacher  
Mr. Schlaffer  
Mr. Schlägelbauer  
Mr. Peham

*Belgium :*

Mr. Van Molle (substitute  
for Mr. De Kinder)  
Mr. Pluymers  
Mr. De Bruyn (substitute  
for Mr. Dufour)  
Mr. Dekeyzer

*Brazil :*

Mr. Barboza-Carneiro  
Mr. de Faria Baptista  
Mr. Carvalho  
Mr. Teixeira

*Bulgaria :*

Mr. Belinski

*Burma :*

Mr. Thin  
Mr. Myint

*Canada :*

Captain Johnson  
Mr. Kane  
Mr. Sheehan

*China :*

Mr. Yü  
Mr. Lee  
Mr. Sa  
Mr. Chen

*Colombia :*

Mr. González  
Mr. Albán Liévano

*Cuba :*

Mr. Camejo Argudín  
Mr. Lombera Cadalso  
Mr. Enseñat Polit

*Denmark :*

Mr. Worm  
Mr. Lysgaard  
Mr. Garde  
Mr. From-Andersen

*Dominican Republic :*

Mr. Álvarez Aybar  
Mr. Paradas

*Finland :*

Mr. Relander  
Mr. Tikanvaara  
Mr. Hallberg  
Mr. Walläri

*France :*

Mr. Lambert (substitute  
for Mr. Ramadier)  
Mr. Roullier  
Mr. Peyrot (substitute for  
Mr. Marchegay)  
Mr. Gruénais

*Federal Republic of Germany :*

Mr. Schelp  
Mr. Fettback  
Mr. Schildknecht (sub-  
stitute for Mr. Schuldt)  
Mr. Hildebrand

*Ghana :*

Mr. Dowuona-Hammond  
Mr. Nettey  
Mr. Halm  
Mr. Mensah

*Greece :*

Commander Goulielmos  
Commander Antoniaides  
Mr. Lyras  
Mr. Petroulis

*India :*

Mr. Nagendra Singh  
Mr. Merani  
Mr. Kumana  
Mr. Serang

*Indonesia :*

Mr. Siregar  
Mr. Sanitioso  
Mr. Harsono  
Mr. Subianto

*Ireland :*

Mr. Ó Ríordáin  
Mr. Crowley

*Israel :*

Mr. Raday  
Mr. Bar-Zeev  
Mr. Ivri  
Mr. Barash

*Italy :*

Mr. Berio  
Mr. Purpura  
Captain Cavallini  
Mr. Romagnoli

*Japan :*

Mr. Kudo (substitute for  
Mr. Kawasaki)  
Mr. Mori  
Mr. Yamagata  
Mr. Kageyama

*Liberia :*

Mr. Wilson  
Mr. Cooper  
Mr. Simonovitch  
Mr. Cole

*Mexico :*

Mr. Mérito  
Miss Aguirre

*Morocco :*

Mr. Guessous  
Mr. ben Bouazza

*Netherlands :*

Mr. Valentgoed  
Mr. Berger (substitute for  
Mr. Scheffer)  
Mr. van der Vorm  
Mr. de Vries

*Norway :*

Mr. Endresen  
Captain Loennechen  
Mr. Hauge (substitute for  
Mr. Haugen)

*Pakistan :*

Mr. Chaudhuri  
Mr. Ahmad  
Mr. Dada  
Mr. Khatib

*Panama :*

Mr. Ortega Vieto  
Mr. Escobar Bethancourt

*Poland :*

Mr. Ocioszynski  
Mr. Licki  
Mr. Suchorzewski  
Mr. Skiba

*Portugal :*

Mr. Pedrosa  
Mr. Daun e Lorena (sub-  
stitute for Commander  
Jorge)  
Mr. de Barros  
Captain dos Santos

*Rumania :*

Mr. Gal  
Mr. Anzulato  
Mr. Radulesco

*Spain :*

Mr. Pastor Tomaseti  
Mr. García de Llera  
Mr. Arguimbau (sub-  
stitute for Mr. de  
Azqueta Urigüen)  
Mr. García Ribes

*Sweden :*

Mr. Widell  
Mr. Hartvig  
Captain Forssblad (sub-  
stitute for Mr. Reuter-  
skiöld)  
Mr. Thore

*Switzerland :*

Mr. Ryniker  
Mr. Messmer  
Mr. Fornet (substitute for  
Mr. Keller)  
Mr. Hofer

*Tunisia :*

Mr. Ladhari  
Mr. Ben Salem  
Mr. Sellami

*Turkey :*

Mr. Toygar  
Mr. Yenil  
Mr. Aymen  
Mr. Özkan

*Ukraine :*

Mr. Slipchenko  
Mr. Nizhnik  
Mr. Danchenko  
Mr. Bakurski

*U.S.S.R. :*

Mr. Dolinski  
Mr. Morozov  
Mr. Ragimov  
Mr. Koetkin

*United Arab Republic :*

Mr. Kamel

*United Kingdom :*

Mr. Proctor  
Mr. Haselgrove  
Sir Richard Snedden  
Mr. Yates

*United States :*

Mr. Jacobs  
Mr. Rothschild  
Mr. Casey  
Mr. Hawk

*Yugoslavia :*

Mr. Velimirović  
Mr. Makić  
Mr. Kesić  
Mr. Velkaverh



## TENTH SITTING

Friday, 9 May 1958, 10.15 a.m.

*Presidents : Mr. Kawasaki and Mr. Haugen*

### REPORT OF THE COMMITTEE ON IDENTITY CARDS<sup>1</sup>: SUBMISSION, DISCUSSION AND ADOPTION

The PRESIDENT—The first item on the agenda for this morning is the report of the Committee on Identity Cards. I request the Chairman, Captain Johnson, and the Reporter, Mr. Carlier, to come up to the platform. Mr. Carlier will present the report.

*Interpretation from French :* Mr. CARLIER (*Government adviser, Belgium ; Reporter of the Committee on Identity Cards*)—In submitting for your approval the report of the Committee on Identity Cards, I consider it useful to give you some explanations concerning this report.

Articles 1, 2 and 3 of the proposed Convention were, after some discussion, maintained in the form in which they were to be found in the proposed text of the Convention submitted in Report VII.

As regards Article 4, the Drafting Committee took account of the amendment of the Netherlands Government member concerning specific mention of the validity of identity cards for seafarers. When this point was discussed it turned out that a number of members had certain apprehensions on the subject. In the hope of obtaining general agreement and of allowing each country the greatest possible freedom, the Drafting Committee tried to prepare as flexible a text as possible. This is covered in a new paragraph 5, as a result of which paragraphs 5 and 6 of the text as it appeared in Report VII, on which our work was based, have been renumbered.

As regards Article 5, two amendments were made, one submitted by the Government member of the United Kingdom and the other by the Government member of Belgium. After some discussion the Committee, with the approval of the United Kingdom Government member, agreed that the Drafting Committee should draft that Article in order to bring it into harmony with the two amendments in question. Paragraph 2 of the Article, as drafted by the Committee, provided that the person concerned should be allowed to re-enter the territory mentioned in the previous paragraph during a period not exceeding one year from the date of expiry of the validity of

the identity card for seafarers of which he is a holder.

When the draft report was submitted to the Committee for approval, the United Kingdom Government member proposed that, in order to make things easier for the seafarers, a slight amendment should be made, to the effect that the seaman should be readmitted to the territory referred to in the previous paragraph during a period of at least one year from the date of expiry of the validity of the identity card for seafarers of which he was a holder. After some discussion this proposal was accepted. In the English text of the proposed Convention this amendment has been included, but I must draw the attention of the Conference to the fact that in the French version it has remained unchanged. The Conference Drafting Committee will, I trust, be good enough to take account of this when it drafts the final version.

Article 6 is unchanged.

I am pleased to be able to tell you how much understanding and co-operation was shown by all the members of the Committee, who were united in the pursuance of a single aim, namely that of facilitating the lives of our seamen and making them more agreeable.

On behalf of the whole Committee I should like to extend my warm thanks to the secretariat and to the interpreters who have given us continuous and unstinted assistance, which has greatly helped us in carrying out our work.

The PRESIDENT—The discussion on the report is open.

Mr. DEKEYZER (*Workers' delegate, Belgium*)—Speaking on behalf of the Workers' group it is my privilege to second warmly the adoption of the report of the Committee on Identity Cards now before this Conference for approval.

The proposed Convention before you is of extreme importance to all seafarers who, in the course of their duties, must unavoidably enter countries which are not their own, be it to take shore leave, to enter in transit or for any reasons independent of their own will. We all welcome this Convention and, in regard to the very few countries which have abstained or voted against the adoption of this draft international instrument in committee, we seafarers express the hope that the new Con-

<sup>1</sup> See Appendix IX, p. 246.

vention will speedily be ratified in the huge majority of the different countries of the world.

A lot has been said at this Conference about freedom. One very important freedom, and one which will certainly tend to improve the relations between the peoples of the world, is the complete freedom to enter and to leave a country without any restriction whatsoever. This Convention is a step in the right direction. The action of the governments and shipowners in supporting the adoption of this Convention will certainly be appreciated by all seafarers.

In conclusion, I would like to express our hearty appreciation to the Chairman of this Committee, Captain Johnson, who has managed to the satisfaction of one and all to steer his ship to a safe port. Our thanks also go to the Reporter, Mr. Carlier, who has drawn up a remarkable and faithful report; also to the representatives of the Director-General and his very able assistants who, all through the proceedings, have given us very valuable help, and, last but not least, to the I.L.O. staff, the interpreters, the secretaries, the clerks and to those whose names are seldom mentioned but whose work, very often done at night, has enabled the Committee to get through the necessary work speedily.

Captain BULL (*Government delegate, Australia*)—When the adoption of the proposed Convention concerning seafarers' national identity documents is voted on, the Australian Government delegates will abstain. I should like to state the following reasons for the purposes of the record.

My Government has no objection to the international recognition of seafarers' identity documents of the kind envisaged in the proposed Convention; nevertheless it could not agree without qualification to the proposal that the identity documents should remain in the possession of the seafarer at all times, as provided in Article 3. The effect of this proposal could be that in the event of a seafarer's desertion or disappearance the authorities would be left with little information which might assist in tracing him.

The Australian Government would like to see international recognition of the need for masters to have available at all times an identity card for each crew member. This card would be quite distinct from the seaman's identity document contemplated in the proposed Convention. However, in the absence of such an identity card, to be held by the master, my Government could reserve the right to require seafarers' identity documents to be held by masters or left with immigration officers in case of the seafarer's desertion or for any other reasons associated with Australian immigration laws.

Whilst my Government does not wish to press amendments to the Convention on these lines it desires the foregoing reservation to go on record.

Mr. NAGENDRA SINGH (*Government delegate, India*)—To begin with I would like to congratulate the Chairman of this Committee, who conducted the deliberations most impartially and most efficiently, giving everybody an opportunity to be heard.

While fully appreciating both the principle and the spirit which animated the proposed Convention concerning seafarers' national identity documents we would like to submit that, for reasons specially applicable to India, it would not be possible for us to accept this Convention as it stands today. Most of the members of the Committee have had in view the needs of Western seafarers, particularly of European countries, who in the course of their calling often have to move from one country to another, and it has rightly been felt that all possible steps should be taken to facilitate their movement. The use of identity cards as a means of obtaining transit facilities is certainly understandable, but when their use in our special case is likely to be abused, in so far as thousands of foreign seamen would settle in our ports and take jobs which should be held by our national seamen, the circumstances would become difficult for any country in our position to accept such a Convention. Thus, while the proposal to issue seamen's identity documents is acceptable, we would not accept the proposal that the identity documents should serve as passports for travel purposes, because the existing requirements of the Indian Passports Act and the visa rules and regulations would make this impossible.

It may be pointed out that the Government of India has agreed to grant visas freely to Pakistani seamen who held Indian Continuous Discharge Certificates dating from before the partition, but there could be no question of similar treatment being extended to new Pakistani seamen who might choose to enter the seafarer's profession in future. The law and logic of such a decision are obvious, as foreign nationals can hardly claim equality with our own nationals for purposes of employment in our own country. However, it is to our credit that, taking the historical position into consideration, we have allowed and continue to allow today Pakistani seamen to be employed on the same footing as our own nationals, and in this connection I would invite any member State, or a representative of the I.L.O., to study our seamen's employment offices in Calcutta and Bombay.

At the Preparatory Technical Conference held in London in 1956 the Indian Seafarers' delegate expressed the view that the seafarers of India would oppose the acceptance by the Government of India of any instrument which obliged them to admit foreign seamen in large numbers, and which might adversely affect their employment opportunities in India. The special difficulties of the Government of India in the acceptance of the proposed instrument were appreciated by several members of the Committee on Identity Cards at the Preparatory Technical Maritime Conference, but they felt that that was not sufficient reason for giving up the instrument in its proposed form. At one stage of the discussion in 1956 the Committee appeared to be agreeable to making a special provision in the case of India to the effect that the acceptance of the proposed instrument by India would be subject to the requirements of Indian laws and regulations; this would have met our point of view adequately. A proposal to this effect was made by the Indian Government representa-

tive and seconded by the United Kingdom Government member, but it was eventually dropped because of strong opposition from the Pakistan delegation.

At the present session of the Conference the Committee on Identity Cards has witnessed a similar amendment, which met with a similar fate. This time the amendment was moved by the United States Government member and seconded by us. The reservation sought was in respect of Article 6, paragraph 2, the application of which was to be made subject to national laws and regulations. This, to my mind, was an innocent amendment. Much more was read into it than was ever meant. For example, almost the entire group of European countries would not have had any reason to refuse ratification on account of the proposed amendment. On the other hand, several members, those from the United States and India in particular, would probably have found the Convention easier to ratify. There was a feeling among members that the reservation relating to subjection to national laws would dilute the efficacy of the Convention. I would submit that so long as the principle of the majority, which governs the enactment of municipal laws, is not extended to the international sphere, where a majority vote does not bind the dissenting minority, it is important to accept dilution of a Convention if this makes acceptance on a broader basis possible. The strategy should be to lure the reluctant member State to come into the parlour of the Convention, rather than to scare it stiff and drive it out. We may be driven out, but we wish the Convention well for those countries that need it. As for our own country, I have expressed our deep regret that owing to special circumstances it will not be possible for us to accept or to vote for this Convention, much less to ratify it.

Mr. CHAUDHURI (*Government delegate, Pakistan*)—I am just here to give a very brief explanation of the reasons that led the Government of Pakistan to subscribe to the principles of this Convention in the greater interest of seamen all over the world. This Convention, as you all know, was discussed in committee in detail, and after a considerable exchange of views it was adopted in its present form.

So far as the right of alien seamen to travel in an unfettered and unrestricted manner in all the ports of the world is concerned, our view has been constantly that as seamen are a special class they should be given certain special privileges quite distinct from those of an ordinary citizen; this has been the internationally accepted standard all over the world and I shall not say more on this subject.

If you look at the Convention you will find that Article 2, paragraph 2, and Article 4, paragraph 4, deal with the question of granting certain facilities to foreign seamen, but these provisions, which in our opinion are far from generous, have been qualified on the other hand with the reservations contained in Article 6, clauses 3 and 4. In spite of these restrictions put in the Convention, the Government of Pakistan considers it in the greater interest of the seamen that we should support

the proposed Convention, and we are here to support it with the sole objective of evolving a pattern of behaviour and social conduct that will ensure that we achieve our objective of building an international framework within which greater harmony can be established, at least among some of the peoples in this distressed world of today.

My distinguished friend from the Government of India was pleased to make certain observations with regard to the special difficulties that exist between the situation with reference to India and Pakistan so far as the question of seamen is concerned. Here I would like to give you a very brief account of the background of the entire situation. You know the Indian subcontinent was divided into two independent States in the year 1947. The seamen hailed mostly from the areas which went to Pakistan, but the developed ports—the major ports—fell to India. Since the partition, in the midst of all the difficulties, the Government of Pakistan has been trying to develop its ports, and today we are happy to announce that our ports in Karachi and Chittagong have come almost to the same standard as any other developed port, or modern port, in any of the neighbouring countries.

But still we are not out of the wood so far as seamen are concerned. There are problems of recruitment and other connected problems. There are two classes of seamen: first those who have been, say, for 20, 25 or 30 years afloat in different ships belonging to different countries. These seamen can be defined without any difficulty from any quarter as able seamen, but, with regard to the new seamen, they do not get the facilities enjoyed such as shore leave, repatriation, rejoining a ship. This gives rise to serious difficulties.

My friend has invited us to go to any of the Indian ports and to have a look as to how the situation is. I made a request in my address to this Conference that the Joint Maritime Commission should examine the question of setting up a special subcommittee to inquire into the problems and grievances of seamen in the Asian region. I would hope that this would be duly considered and that the situation will be brought into the limelight.

Secondly, there are the new seamen—that is seamen who signed Pakistani articles of agreement—and here the same difficulty arises; in other words, they cannot sign articles of agreement in Pakistani ports, for, as I told you, most of the major ships do not touch our ports as yet, so the seamen have to go for employment to Indian ports. But they are also being refused those facilities which they enjoy in ports like London or any other European port. Therefore, any special difficulty as being mentioned by the distinguished member from India also can be cited by any other people whose ports we use.

The honourable member has also referred to the question of the visa and passport system existing between India and Pakistan. This is true. I do not bring any sort of accusation; but the Government of India has of late gone even further. It has invoked the provisions of the Foreign Regulations Act, that is, any Pakistani visiting any portion of India must

report to the police authorities, who will fix the period of his stay. But we have not applied this simultaneously in our country.

So these are the difficulties. Our stand has been all through that while between different countries there are these restrictions—maybe in some countries there are not—the seamen should be treated as a special occupational group, as they have been treated all over the world; and to invoke any provision of national laws against them will be rather uncharitable and inhuman in the context of the world situation. As we want peace, we want co-operation on an international basis. This guides us to adopt this attitude, and we shall try, so far as we are concerned, that in all these matters we are with the world at large; we do not like to live in a sheltered environment of our own suitability and our own choice.

I think I have taken much of your time. In brief, our position is that we are for the Convention, though we know that certain provisions of it, as I have quoted, will act very adversely against us. But despite that fact we must move with other people, and we have decided to support this Convention. The only thing I would say is that I do not see any reason why the Government of India, which announces itself to be a very advanced and democratic form of government, should not ratify this Convention, because when one looks at the provisions of the Convention, even if the Government of India wanted to be uncharitable towards the Pakistan Government, they could even distort the provisions of Article 6, paragraphs 3 and 4, and apply these provisions even against the seafarers. Anyway, it is up to them, but we hope that they will be guided by world public opinion and will rally to the views of the majority.

The PRESIDENT—In the absence of any further speakers, I declare the report adopted.

*(The report is adopted.)*

#### PROPOSED CONVENTION CONCERNING SEAFARERS' NATIONAL IDENTITY DOCUMENTS<sup>1</sup>: DISCUSSION AND ADOPTION

The PRESIDENT—We will now proceed to deal with the proposed Convention concerning seafarers' national identity documents, the text of which has been submitted by the Committee on Identity Cards. We will go through the proposed Convention article by article.

*(The Preamble and Articles 1 to 4 are adopted seriatim.)*

The PRESIDENT—We shall now take Article 5.

Mr. JACOBS (*Government delegate, United States*)—It is necessary for me on behalf of my Government to vote "No" on Article 5, as well as on Article 6.

The PRESIDENT—The statement of the Government delegate of the United States will be noted.

*Interpretation from Spanish*: Mr. MÉRIGO (*Government delegate, Mexico*)—I also must state that the Mexican Government delegation will vote against Article 5.

The PRESIDENT—The statement of the Mexican Government delegate will also be noted.

Mr. NAGENDRA SINGH (*Government delegate, India*)—I wish the opposition of my Government to Articles 5 and 6 to be recorded.

The PRESIDENT—The statement of the Indian Government delegate will be noted.

*(Article 5 is adopted.)*

*(Article 6 is adopted.)*

The PRESIDENT—I now put the proposed Convention as a whole to the Conference for a vote.

*(A vote is taken by show of hands. The proposed Convention as a whole is adopted by 105 votes to 6, with 15 abstentions.)*

The PRESIDENT—The provisions of the proposed Convention as adopted will be referred to the Conference Drafting Committee for the preparation of a final text, and when the latter is ready a record vote will be taken on it.

I would like to convey to the Chairman and the Reporter of the Committee the thanks and appreciation of the Conference for the excellent work which they have done.

#### REPORT OF THE COMMITTEE ON MEDICAL QUESTIONS<sup>1</sup>: SUBMISSION, DISCUSSION AND ADOPTION

The PRESIDENT—The next item on the agenda is the report of the Committee on Medical Questions. I ask Mr. Lazareanu, Chairman of the Committee, and the Reporter, Dr. Cevaer, to come up to the platform and for Dr. Cevaer to present the report.

*Interpretation from French*: Dr. CEVAER (*Government adviser, France; Reporter of the Committee on Medical Questions*)—The members of the Committee on Medical Questions did me a great honour when they appointed me as their Reporter. I fully appreciate the honour, which is no doubt intended more for my country than for myself. I now have the privilege of submitting to you the report drafted following the work of that Committee.

The text of the report has already been distributed to you.

As you may have seen, this is a relatively brief report, because the discussions of this Committee gave rise to no incident whatsoever. The six meetings of our Committee were all imbued with a spirit of courtesy and an obvious desire to arrive at a mutual understanding. I am pleased to be able to stress this here and to state that naturally it made the work much easier.

The Committee's work was based on the two drafts prepared by the Office which are to be

<sup>1</sup> See Appendix IX, p. 249.

<sup>1</sup> See Appendix VII, p. 240.

found in Report V prepared for this session of the Conference, namely text A (Proposed Recommendation concerning the contents of medicine chests on board ship) and its Annex, and text B (Proposed Recommendation concerning medical advice by radio to ships at sea).

To discuss the list of medicaments and medical equipment included in the Annex to text A the Committee set up a working party consisting of doctors who were members of the Committee. Although there were five doctors on this working party, including myself, it is remarkable that there were only changes on details and one addition, namely an antibiotic for oral use. Those were the only changes in the original text. For once, exceptionally perhaps, in spite of the genuinely international character of this medical meeting, which would normally give rise to divergences of views, complete agreement was reached by the five doctors on the working party, so I can conclude that the list submitted for your approval is a really valuable one.

As regards the Recommendation itself, there has been only one amendment, introduced in order to make it clear that certain medicaments should be kept under lock and key.

As regards text B, concerning medical advice by radio to ships at sea, the draft put forward by the Office was adopted without any amendment.

My report would be incomplete if I did not emphasise that a reference was made in our Committee to the resolution adopted by the Preparatory Technical Maritime Conference of 1956 regarding the establishment of an international code of medical instructions for vessels that do not carry doctors. I am not unaware of the difficulties involved in the preparation of such a code; but is there really an agency more qualified than the International Labour Organisation or the World Health Organisation to carry out such a task?

In conclusion I should like to state that the two proposed Recommendations were adopted by the Committee unanimously, and I hope that the report which I have the honour to submit to you will receive the same welcome from the plenary sitting as it received from the Committee on Medical Questions, which adopted it by 45 votes to 0, with no abstentions.

The PRESIDENT—The report is now open for discussion.

Mr. ÅKESSON (*Workers' adviser, Sweden*)—First of all I would like, on behalf of all seafarers, to express our great satisfaction that this very important question of the medical care of seafarers was placed on the agenda of this 41st Session of the International Labour Conference. Furthermore, I would like to congratulate Dr. Cevaer for his excellent presentation to this Conference of the report of the Committee on Medical Questions.

I am sure that the proposed Recommendations will meet with the approval of all the delegates, especially as they have been unanimously adopted by the Committee. I hope these Recommendations will be very useful instruments in the hands of the different maritime nations to standardise medical equip-

ment as well as to provide medical advice to seafarers wherever and whenever it may be required. The acceptance of these Recommendations will be a marked step forward. It is to be hoped that governments will make full use of what is contained therein for the benefit of seafarers throughout the world and to ensure that those persons or officers responsible for carrying out the work in this connection will be adequately trained in the use of the items set out in the Recommendations.

During the discussions we learned that some countries have qualified doctors on board ships even if they are not passenger vessels, and that may be a question to take up in future in the International Labour Organisation. As there is still a great shortage of doctors on shore I am afraid it will not be possible to solve these questions at this juncture.

As regards medical advice by radio to ships at sea there is still one point which needs close study (and Dr. Cevaer mentioned it in his report), and that is to ensure that the people at each end of the communication lines will actually understand each other.

This must be taken care of by means of an international code. At the moment this is a complicated question; but it must not be shelved because of that, and it is necessary for a solution to be found so as to ensure that misunderstandings shall not arise either in diagnosing or prescribing.

The PRESIDENT—Are there any other speakers on the report? If not, I declare the report adopted.

*(The report is adopted.)*

#### PROPOSED RECOMMENDATION CONCERNING THE CONTENTS OF MEDICINE CHESTS ON BOARD SHIP<sup>1</sup>: ADOPTION

The PRESIDENT—We will now proceed to consideration of the first proposed Recommendation, concerning the contents of medicine chests on board ship.

*(The Preamble and Paragraphs 1 to 4 of the proposed Recommendation, and the Annex, are adopted seriatim.)*

The PRESIDENT—I now put to the Conference the proposed Recommendation as a whole, including the Annex.

*(A vote is taken by show of hands. The proposed Recommendation as a whole is adopted by 106 votes to 0, with 0 abstentions.)*

#### PROPOSED RECOMMENDATION CONCERNING MEDICAL ADVICE BY RADIO TO SHIPS AT SEA<sup>2</sup>: ADOPTION

The PRESIDENT—I shall now put the second proposed Recommendation, concerning medical advice by radio to ships at sea.

*The Preamble and clauses (a) to (d) are adopted seriatim.)*

<sup>1</sup> See Appendix VII, p. 242.

<sup>2</sup> See Appendix VII, p. 243.

The PRESIDENT—I now put the proposed Recommendation as a whole to the Conference.

(A vote is taken by show of hands. The proposed Recommendation as a whole is adopted by 103 votes to 0, with 0 abstentions.)

The PRESIDENT—The provisions of the two proposed Recommendations which have just been adopted will be forwarded to the Drafting Committee for the preparation of the final texts and we will then have a record vote on these two Recommendations.

Before we leave this item on the agenda, I would like to thank Mr. Lazareanu and Dr. Cevaer, on behalf of the Conference, for the very great contribution they have made.

#### REPORT OF THE COMMITTEE ON THE ENGAGEMENT OF SEAFARERS<sup>1</sup>: SUBMISSION, DISCUSSION AND ADOPTION

The PRESIDENT—The next item on the agenda is the report of the Committee on the Engagement of Seafarers. I ask Mr. Rothschild, the Chairman, and Mr. Berio, the Reporter, kindly to come up to the rostrum.

*Interpretation from French:* Mr. BERIO (Government delegate, Italy; Reporter of the Committee on the Engagement of Seafarers)—I have the honour of submitting the report of the Committee on the Engagement of Seafarers, the text of which has already been distributed.

I do not think that I need to make a long statement to explain this report. The task of the Committee was greatly facilitated by the preparatory work that preceded this 41st Session of the International Labour Conference. The draft international instrument submitted to it was the result of a great deal of work by the I.L.O. and the Governing Body, as well as the Joint Maritime Commission and the Preparatory Technical Maritime Conference. Nevertheless, the Committee closely examined all the clauses of the proposed Recommendation.

As you will have noticed from reading this report, the Committee as a whole did not think it necessary to make any substantial changes to the proposed text. Any changes that were adopted were aimed only at making the provisions clearer, and in any case the result was to strengthen and never to weaken the provisions in question. Since this proposed Recommendation was accepted almost unanimously by the Committee, I hope that this will also be the case in the plenary sitting.

Now I should like to ask your permission to depart from my role as Reporter and to say a few words of my own.

I have no great experience on the technical question of maritime social conditions, which was the subject we were dealing with, but I have human experience of the subject, because in the course of my wanderings throughout the world during my diplomatic career I have frequently been faced with situations similar to those with which the Preamble of the proposed Recommendation

deals. Whether in the Pacific or the Indian Ocean, many times have I found on board a ship seamen who had been recruited perhaps without sufficient guarantees, and who found themselves faced with tremendous difficulties. When listening to their complaints I never imagined that fate would have given me the opportunity—I may say the honour—of being the spokesman of these men before the highest international authority which deals with the protection of the interests and rights of the workers.

That is why I almost have the impression of fulfilling my duty towards the seamen whom I have met on distant seas in urging that in the future the engagement of seamen for ships registered abroad be accompanied by adequate guarantees. That is why I am not speaking only as Reporter when I recommend this text to you, and venture to hope that the Governments of member States will do everything necessary to abide by the provisions of this text.

The PRESIDENT—The report now is open for discussion.

Mr. ROTHSCILD (Government delegate, United States; Chairman of the Committee on the Engagement of Seafarers)—Mr. Berio has given a complete report on the deliberations of the Committee, and all I should like to add is a reminder that the Committee adopted the present report by a vote of 72 in favour and none against, with 10 abstentions. I am sure the Committee would want me to say to you that we hope that the Recommendation will receive the same treatment in this body.

Commander GOULIELMOS (Government delegate, Greece)—I would like to repeat from this rostrum all that I said at the meetings of the Committee on the Engagement of Seafarers when I supported the amendment moved by the Greek Employers' delegate. The latter insisted then that the measures to be taken by each Member accepting the Recommendation should be limited to the engagement of its own national seafarers. We, as Greek Government delegates, fully agreed with this proposal, for the following reasons.

You all know the high level of the working conditions and social standards that Greek legislation and collective agreements now provide to seamen serving on board Greek ships. That is the reason why I did not occupy the time of delegates during the discussion of the Director-General's Report. Nevertheless I am obliged to refer briefly to the practices followed in Greece under the provisions of the Placing of Seamen Convention, 1920 (No. 9). This Convention was ratified by the Greek Government in 1923, and since then regularly established employment offices have been functioning in every Greek port in accordance with its provisions.

For the application of this Convention abroad we have appointed in the principal ports Greek port officers accredited to our consulates, and where an officer is not appointed the consul himself is the competent authority for the application of the provisions of the Convention. In accordance with the

<sup>1</sup> See Appendix V, p. 234.



provisions of Convention No. 9 and of national legislation a Greek seaman cannot leave Greece in order to join a vessel abroad, of Greek or foreign flag, without the written permission of the Greek competent authorities. Therefore Greece, as a sovereign State and as an old maritime country, cannot deprive its representatives abroad from observing and controlling the application of the provisions of the Recommendation as far as it concerns its nationals and give simultaneously the opportunity to foreign representatives to provoke confusion in regard to the recruitment of national seafarers.

The text of the Recommendation, as it was accepted by the Committee and as it stands now before us, might be an obstacle to the Greek Government's acceptance, as its provisions are opposed to the Greek Constitution proclaiming the freedom of labour.

There is yet another reason. The decision taken at the Preparatory Technical Maritime Conference in London in 1956 reads as follows :

"Consideration should be given to the adoption of an international instrument to ensure that the engagement of national seafarers for the purpose of crewing foreign ships would take place through approved employment offices. During the discussion it was made clear that the proposed instrument would not be intended to interfere with accepted recruitment or replacement practices applicable to the seafarers of traditional maritime countries, either in their own country or abroad, nor with the replacement of seafarers by the consular offices of the traditional maritime countries in foreign ports, but would be designed to prevent malpractices in the placing of national seafarers for crewing foreign-flag vessels."

While this decision accepted two principles—first, that this instrument should apply only to national seafarers and, second, that this instrument would not interfere with accepted recruitment or replacement practices applicable to the seafarers of traditional maritime countries, either in their own country or abroad—the draft text of the Recommendation now before us does not accept either of these two principles and in our opinion confusion might result.

Let us take an example. If a Greek seaman is engaged in Piraeus, as is the usual practice, to join a foreign-flag ship at the port of Antwerp, I really wonder which is to be the competent authority to examine the conditions of his recruitment and to discourage him from joining this ship if the conditions under which he is to be engaged are not equal to those applicable under collective agreements and social standards accepted by bona fide organisations of shipowners and seafarers. Should it be the Greek authorities in Piraeus, the Greek consular officer of Antwerp, the ship's flag consular officer in Antwerp, the employment offices of Antwerp or the Workers' Union of Antwerp? And what will be the result if all these authorities do not agree to the standards to be applied?

These are the reasons why we cannot accept the proposed Recommendation as it was adopted by the Committee and why we are therefore obliged to abstain.

Mr. LYRAS (*Employers' delegate, Greece*)—We are about to come to the conclusion of what, in my opinion, is the most important item on the agenda of this Conference; important because, in my opinion, it marks a point of departure from the accepted policy of the maritime countries as regards matters of freedom of navigation. It is a departure because in Paragraph 1 of the proposed Recommendation it is stated that each Member should do everything in its power to discourage seafarers within its territory from joining or agreeing to join vessels registered in a foreign country unless certain conditions are fulfilled. The right is hereby given to every Member of the I.L.O. which has adopted the instrument to interfere with the manning, and thereby the freedom of navigation, of the ships of another Member which may or may not have adopted it. No safeguards are provided as to the interpretation of certain terms contained in the proposed Recommendation.

In the view of the Greek Employers' delegation each Member should take care of its own nationals, whether they are within its territory or not, who wish to take employment on ships under foreign flags with the consent and co-operation of the Member country under whose flag the ship is registered. In this way this question would have been contained in its proper boundaries and within the scope of the decision of the Joint Maritime Commission which preceded the Preparatory Technical Maritime Conference of September-October 1956. Our amendment, submitted to the Committee in order to prevent the interference I mentioned just now, was rejected. We therefore found it necessary to abstain from voting for or against the Recommendation. Yet it is possible, since the Greek shipowners have a very long finger in this pie, that I might have been prejudiced by self-interest. I wish to apologise to the Conference for any sacrifice of impartiality for which I may have been consciously or unconsciously responsible. I hope all the other parties involved were absolutely free from such human weakness.

Now that the proposed Recommendation is to be adopted by a great majority of the delegates present, we wish to state that we shall abstain from voting on the text. In this way we beg to differ from the majority at this stage but wish to express our hopes for the success of its application and effect. Maybe at a later date we shall see that our fears were unfounded. I hope so.

The PRESIDENT—Is there any other speaker? If not, I declare the report adopted.

*(The report is adopted.)*

#### PROPOSED RECOMMENDATION CONCERNING THE ENGAGEMENT OF SEAFARERS FOR SERVICE IN VESSELS REGISTERED IN A FOREIGN COUNTRY<sup>1</sup>: ADOPTION

The PRESIDENT—We now proceed to deal, Paragraph by Paragraph, with the proposed Recommendation concerning the engagement of seafarers for service in vessels registered in a foreign country.

<sup>1</sup> See Appendix V, p. 236.

(*The Preamble and Paragraphs 1 and 2 are adopted seriatim.*)

The PRESIDENT—I now put the proposed Recommendation as a whole to the Conference.

(*A vote is taken by show of hands. The proposed Recommendation is adopted by 103 votes to 0, with 11 abstentions.*)

The PRESIDENT—The provisions of the proposed Recommendation which has just been adopted will be forwarded to the Conference Drafting Committee for the preparation of the final text. A record vote will then be taken.

On behalf of the Conference I thank Mr. Rothschild, the Chairman, and Mr. Berio, the Reporter, for the excellent work they have done and the valuable assistance they have rendered to the Conference.

#### REPORT OF THE DIRECTOR-GENERAL : DISCUSSION (*cont.*)

The PRESIDENT—The next item on the agenda is the continuation of the discussion of the Director-General's Report.

Mr. WÄLLÄRI (*Workers' delegate, Finland*)—As a representative of Finnish seafarers I feel it my duty to make a few remarks on the excellent Report of the Director-General and touch upon a very important question that should be taken in due course for serious consideration.

In the first place I find in the Director-General's Report on page 7 figures on merchant fleets of various countries for the years 1939, 1948 and 1956. This comparison may be in general characteristic. But as far as Finland is concerned it does not give the full picture. When Finland withdrew from the war in September 1944 and made a separate peace, she had to give all her best ships as war reparations to the Soviet Union. About 100,000 gross tons were thus lost, and in 1945 our merchant fleet was only 267,099 gross tons. As a consequence most of our seafarers had to seek employment elsewhere. As our shipyards were occupied in building ships for war reparations, Finland could increase its merchant fleet—during many years—only by buying second-hand ships from abroad.

On page 13 of the Director-General's Report I find a note on vocational training in Finland. It is true that a Finnish committee has made recommendations on the training of seafarers. I must, however, say that although detailed plans have been made nothing has yet been done to implement these recommendations. For party political reasons everything is given to agriculture, but the seafarers have always to rely upon industrial action to achieve anything essential. I am afraid that we cannot make any headway, as far as seafarers' vocational training is concerned, unless we tie up shipping one way or another—that can be achieved also by bringing ice-breakers to a standstill.

The Director-General has spoken about "harmonious relations between shipowners and seafarers in most maritime countries".

I can associate myself completely with that statement. In Finland seafarers are 100 per cent. organised, and everyone on Finnish foreign-going ships belongs either to the Seamen's Union or the officers' unions. This organised strength provides a solid basis for harmonious relations. Due to that fact the unions and the shipowners could agree on the implementation of the Seattle Convention concerning seafarers' pensions. As the parties in the shipping industry had agreed upon pensions, Parliament had nothing else to do in the matter but to sanction it, and the Law on Seafarers' Pensions became effective in June 1956. So far Finland has not ratified this Convention. In the same way the parties in the shipping industry agreed on many vital amendments in the Finnish Seamen's Act extending social security in many respects. Also in this case Parliament could do nothing but accept the *fait accompli*. One may criticise the work of the I.L.O. in general, and various Conventions adopted by the I.L.O. in particular, but the fact remains that these Conventions have served as a guide for social development. For this we ought to be grateful to the I.L.O.

I shall touch on one more point, namely the need for efficient inspection and enforcement of the regulations based upon various Conventions. I shall particularly deal with regulations concerning protection against accidents on board ships. We have the revised Convention concerning the protection against accidents of workers employed in loading or unloading ships. This Convention refers particularly to dockers, and includes provisions on hoisting-machines, blocks, shackles, gears, wires, ropes, beams, hatch-coverings, gangways, ladders, etc. All these must be in a safe working condition and they must be adequately examined and tested.

Article 17 of the Convention in question provides that the protection of workers against accidents must be ensured and provision made for an efficient system of inspection and for penalties for breaches of the regulations. In Finland these regulations are now interpreted in such a manner that they do not cover seafarers' safety at all, although seafarers are endangered on board ship just as much as dockers. I think that there is a lack of efficient safety inspection in many maritime countries. During 1957 one single inspector in Finland, Mr. Mäkipää, inspected Finnish and foreign ships at different Finnish ports. On 179 ships he found winches, beams, gears, wires, ropes, hatches or hatch-coverings, gangways, etc., defective or in a very dangerous condition. In at least three different cases seamen have lost their lives because of such conditions. One such case has just been before the municipal court at Helsinki. A ship's engineer fell through an open hatch and died. Although the Finnish Shipping Act (paragraph 43) provides that hatches must be closed and hatch-covers put on before the ship begins its voyage, the hatches on that particular ship had been kept open from France to Ventspil (U.S.S.R.). The court at Helsinki ruled on 28 March that although the hatches were kept open all through the voyage the ship or the cargo had not been endangered thereby, and



the defendant was acquitted. The loss of human life did not matter at all. Thus a law court can nullify international conventions. I think that this case will, in due course, be referred to the International Labour Office.

Mr. Mäkipää is the only inspector in Finland who is technically capable and willing to do his duties as an inspector and he has found his position rather difficult. The Employers' Confederation approached the Ministry of Social Affairs and demanded measures against the inspector, blaming him for over-zealous activity. A particular case was brought as a proof against him. He had prohibited the loading of a German vessel at the port of Vaasa because its loading machinery was defective and the winchman a minor, a young boy. However, the court in Vaasa quite recently sentenced the stevedoring employer responsible to heavy fines. The activities of the inspector were thereby justified by a law court. But the Chief Inspector of Labour and other superiors of Mr. Mäkipää restricted his rights of inspection in such a way that he is no longer allowed to inspect any ships. He can only ask municipal inspectors and the like, who lack the necessary technical training, to inspect the ships as far as the safety of dockers is concerned.

The situation in Finland is not exceptional. The enforcement of the Convention concerning the protection against accidents of workers employed in loading and unloading ships is far from satisfactory in many maritime countries and calls for due action. I would like to suggest that the I.L.O. should study the matter and give serious consideration to the framing of measures necessary for the efficient inspection of safety of work on board ships. This is a wide field before us. But the protection of seafarers against employment injury is also within the domain of I.L.O. activities.

*(Mr. Haugen takes the Chair.)*

*Interpretation from Spanish :* Mr. ORTEGA VIETO (*Government delegate, Panama*)—On behalf of the Government delegation of the Republic of Panama I have the honour to extend to you my country's cordial greetings.

In connection with the problem of flag transfer which is under discussion at this Conference I was sorry to read documents and to hear speeches which habitually, with reference to the Republics of Liberia, Panama, Costa Rica and Honduras, employ the expression "flags of convenience". It is being said or insinuated here and there that with their flags these countries, in full awareness of what they are doing, are protecting ships which are a permanent threat to the social achievements of the workers and, even more, that these ships, since they do not pay tax, are a threat to certain maritime powers.

I cannot go any further without expressing my profound displeasure at the use of such an expression, which I regard as being derogatory for the Republics which I have mentioned. The countries represented here in the I.L.O. deserve the greatest respect from all and in no circumstances may they be identified with acts or practices which are regarded as being incompatible with established standards, whether of a moral, social, economic or fiscal character.

It would be easy for any State, and of course for Panama as well, to assert that in all parts of the world there are shipping, commercial, industrial, financial or other firms which depart to a greater or less extent from the ideal standard. None would be excused, however; no representative of Panama, no representative of any of the other countries I have mentioned, would be safe from identification with any particular country being guilty of such acts.

Having fulfilled my duty in making this general protest on the use of this unfortunate expression "flags of convenience" I also wish to put it on record that I hope that if some particular country, some particular organisation or some particular person insists on using this term, which I have described as being improper, to say the least, I trust that the I.L.O. will not allow the continuation of the use of this term with regard to the Republics of Panama, Liberia, Honduras and Costa Rica. I think that is the least that a representative of a member State of this International Labour Organisation can require.

Having concluded my protest I wish now to analyse the position of my country as regards social charges, economic and taxation charges, which are occasionally made in an underhand manner. As regards social standards and the conditions of work of seafarers, my Government's good faith and its proper concern to fulfil its obligations, were finally demonstrated when, in connection with charges laid by the International Transportworkers' Federation concerning ships flying the flag of the Republic of Panama, the Government immediately applied to the I.L.O. for the appointment of a tripartite committee to investigate the charges that had been made. A country that protects improper actions would not have adopted the attitude which was in fact adopted by the Republic of Panama, whose attitude has always been clear and always confined to the performance of its international obligations. As regards this particular matter, a report was submitted, and there were various comments made on this report; the Republic of Panama always came out of it very well, but at the moment I do not want to make any further comments.

I shall take the liberty of referring to page 41 of the Report submitted by the Director-General of the International Labour Office which, with clarity and elegance of style, reveals what was really the situation and what was the result of the inquiries spontaneously made by the Republic of Panama with regard to charges made regarding ships flying the Panamanian flag. These are his words:

"In 1948 the Seafarers' Section of the International Transportworkers' Federation decided to boycott sub-standard ships transferred to the Panama and Honduras flags, on the grounds that the crews' conditions on these ships were unsatisfactory. The Government of Panama asked the I.L.O. to appoint an independent tripartite committee of investigation to examine and report on these charges. The Governing Body in 1949 appointed a committee consisting of three members, one nominated by each group of the Governing Body. This committee studied Panama's legislation

on shipping and working conditions, examined the machinery for applying the laws and inspected 30 Panama-flag ships in different ports of six countries of three continents in order to see conditions at first hand. Its report was submitted to the Governing Body, which asked for observations on it from the Government of Panama, and which later decided to publish the report together with the observations of the Government and a statement by the Governing Body itself. The Governing Body accepted the conclusions of the report as valid in respect of the ships inspected but did not attempt to judge conditions in other ships of the Panama merchant marine. It noted that serious efforts were being made by the Government of Panama to improve seafarers' conditions and suggested certain points to which these efforts might be directed, both by the encouragement of collective negotiation and by government action, in order to provide better protection for seamen sailing under the Panama flag. The Governing Body noted that, with the rapid expansion of tonnage in the post-war period, an increasing proportion of the Panama merchant marine consisted of new and safe vessels. It thanked the Government of Panama for its co-operation throughout the inquiry and made it clear that nothing in the report should be construed as an intrusion on the sovereign rights of the Republic or as a breach of the full respect due to its institutions.

"Shortly after the publication of the report of the committee of inquiry the Panama Government set up a new organisation to promote continued advance in crew conditions, and a number of collective agreements were signed between the owners of Panamanian-registered ships and the Seafarers' Section of the International Transportworkers' Federation. Thus, with the standards adopted by the Conference in Seattle as the criteria for action, and in co-operation with the government concerned, the I.L.O. was able to make some contribution towards the improvement of the conditions of these seafarers."

That is the conclusion of my quotation from the Director-General's Report, which refers to the constant readiness of my Government to co-operate in relation to seafarers and in general to co-operate with international organisations.

I shall now read a passage from the report of the committee of inquiry as regards the charges laid by the International Transportworkers' Federation :

"In most cases the committee or the individual members were accompanied by the Panamanian consular representative, and the committee wishes to pay a tribute to the invariable courtesy and helpfulness of these officials who did everything possible to facilitate its task and also frequently provided information concerning conditions in other Panamanian ships which had previously called at their ports. Members of the committee also had with them on several occasions as technical advisers representatives of the maritime authorities of the port in question or of the local seafarers' union."

As you see, the attitude of Panama has always been clear in these matters. For my country such behaviour implies no special

effort ; it does not require the exercise of any kind of pressure because, above all, as regards labour-management relations the Republic of Panama is proud to say that it has a Labour Code and a national Constitution which fully guarantee the workers' rights. This Labour Code and this national Constitution are among the most progressive in the modern world.

As regards the fact that our country does not levy taxes on income from ships that transfer to its flag, I must explain that this is only an insignificant aspect of the policy of our country for the promotion of international trade in general. To give you a typical example of the policy of the Republic of Panama, I would inform you that we have established in the city of Colón, on the Atlantic edge of the Panama Canal, a free zone where naturally goods from all parts of the world can come in without paying any kind of tax. Industrialists have been able to establish undertakings in this free zone to which they bring their raw materials ; there they process them and after that they export them without any kind of restriction whatsoever to all countries of the world. Not only can they bring in their own experts but they can also bring in their own workers. These workers can come in without any special formalities and there is no discrimination against them of any kind on grounds of race, colour, religion or custom. As regards taxation, in the free zone of Colón earnings are taxed at such a low rate that it is barely worth mentioning. As an example I might tell you that an income of 1,000 million French francs pays barely 3 per cent. per annum. As regards the entry and departure of capital and exchange control in the free zone, there is no control restriction of any kind. Anybody who goes there can take out his money when he wishes to without any sort of restriction.

I should like to take this opportunity to congratulate the Director-General for his wonderful Report and to give him our most heartfelt thanks for the impartial and fair manner in which he has so clearly described the Republic of Panama's attitude towards seafarers. I also wish to repeat both to seafarers and to shipowners that the Republic of Panama will always be ready to give them just protection and to fulfil its international obligations and that in our country they will have the full benefit of all their earnings and all their rights.

*Interpretation from Russian : Mr. SLIPCHENKO (Government delegate, Ukraine)*—The Director-General is right in stating in his very comprehensive Report that as a result of post-war economic and social changes the seafarers of today are living in a different world from those of yesterday, and that as conditions change the problems arising also change.

The task of the present session, as the Director-General stresses in his Report, is to solve the urgent problems affecting seamen. At this special session of the International Labour Conference there are extremely important questions dealing with the protection of the life and the health of seamen and their occupational safety which, as indicated in the Preamble to the Constitution of the I.L.O., is one of the main tasks of the International

Labour Organisation. The discussion on the Director-General's Report, which is now drawing to an end, has shown all the importance of a speedy solution of these problems.

All the resolutions submitted to this session outside of its agenda deserve, I feel, the most careful attention of the Conference, but at present I wish to mention only three. They are the resolutions concerning questions of atomic power and shipping, concerning safety of life at sea and—the one which I consider to be particularly important—on the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers.

The questions raised in these resolutions concerning the protection of the life and health of seamen and the safeguarding of shipping should receive the most active support of all delegates to this Conference, since what can be more important for the International Labour Organisation than to care for those whom it is called upon to protect? In this sense the I.L.O. has already a certain tradition behind it. As far back as 1925 the International Labour Organisation, taking into account the technical developments in the peaceful and military branches of science and technology, adopted the Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18) providing protection for workers exposed to serious risks from all kinds of poisonous substances during their work. Since then many years have passed. Technical progress has taken an immense step forward and in our days we are once more forced to intervene to protect persons who in their work are exposed to a new danger from poisoning which did not exist previously—radioactivity.

Today the main source that threatens the life and health of seamen is not the ships with atomic installations, which to a great extent are still a thing of the future, but another source which is already bringing death, forming a death-dealing cloud over seas and oceans. Of course the I.L.O. can and must study problems which will arise in the future, but it cannot remain aloof in face of the present serious threat, when death—not tomorrow, but yesterday and today—has taken and continues to take the lives of seamen. Yet it is indeed so. Experiments in atomic and hydrogen weapons in the Pacific (which, as we all know, comprises half of the world's ocean space) still continue to threaten the life and health and the work of an enormous number of seamen, who have to work in poisoned waters or a poisoned atmosphere, while many of them do not even know of the danger.

I should like to refer to an authoritative statement made by an outstanding scientist in Japan. The Director of the Scientific Research Laboratory of the Japanese Meteorological Institute, Dr. Yasuyu Miyaki, and others, on 8 April of this year, in Tokyo, declared that as a result of radioactive fall-out after the hydrogen bomb experiment on the Bikini Atoll in 1954, in the whole of the enormous area from the Hawaiian islands to Japan the radioactivity level increased ten times compared with the radioactivity level in the Atlantic Ocean. There has since then been a very great increase in

radioactivity as a result of subsequent nuclear weapon experiments both in this and in other sea areas.

All these fears are founded not on some theoretical suppositions but on actual facts, on facts which have already caused many victims among seamen. Let us recall how it all began, something which has been widely mentioned in the world press.

A Japanese ship, the *Fukuryu Maru* (which I believe means the *Happy Dragon*) was sailing 100 miles from the Bikini Atoll. Just before that the ship's radio officer had got a message that the United States Government had declared the Bikini area to be a forbidden area, but the crew did not worry, the ship was sailing much to the west of that area and the fishermen felt that there was no threat for them from anywhere. It was a clear, cloudless day; but suddenly, on the east, there appeared a threatening black cloud, and in a few seconds a hurricane happened and the ship was whipped by waves and by a whirlwind of dust. This dust soon covered the ship in a thick layer. However, the ship continued on its course; her seamen knew nothing; but after some time all 23 members of the crew felt suddenly ill. The symptoms of that sickness were identical for all of them: sickness, nausea and acute headache. When the ship finally reached the port of Yatsu doctors found the seamen suffering from an acute form of radioactivity sickness. The radio officer died and other members, gravely ill, were taken to hospital. I do not know that happened to them afterwards.

Such was the first, but alas! not the last, experiment with the hydrogen bomb. Seamen, for whom the sea is their natural element, their home, do not wish to run further risks to their life and health. Is not that a lawful wish? Can our Conference ignore such demands—a Conference which has the duty of protecting the life and the health of all working people? Is there any need to bring proof and more facts to show that the nuclear weapon experiments in open seas make it impossible for many States freely to use the sea-lanes, and constitute a serious threat to the life and health of their citizens?

The tremendous importance of the resolution submitted by the Soviet Government delegate lies, in my opinion, in the fact that it calls upon the I.L.O. to come out openly in the defence of the seamen's health, in defence of freedom of navigation, and is addressed formally to those States upon which the solution of this problem rests today. That is why we feel it our duty to remind the Conference of this, so that it be not deluded with appeasing expressions, so that it should not remain indifferent to the serious problem raised by the Soviet resolution, and so that the attempts which are already manifest in the Conference lobbies to wave it aside on account of its allegedly political nature should not mislead anyone.

Why should the Conference examine this question? The answer is simple: it is impossible to speak of improving the living and working conditions of seamen while remaining indifferent to the most serious threat to their life and their work. Radioactive elements make

no distinction between the origins of a man, whether he comes from a capitalist or a Socialist country, or to what trade union he belongs. Radioactivity strikes at all, regardless of their political beliefs. This problem can be solved only if thermonuclear experiments are banned everywhere, both on land and at sea. I think that it must be clear to all that if nuclear experiments are continued at sea no preventive measures will be able to ensure normal navigation or protect the life and the health of seamen or prevent the destruction of the natural resources of the sea. We must not remain indifferent here, I repeat, if we really believe in our duty to struggle for the principle of our Constitution for, in this case, this is a very serious matter and there must be no illusions on that score.

In view of the fact that the International Labour Organisation must study questions arising out of the use of atomic energy and navigation and prepare draft measures to protect seamen from any possible danger in this connection, in view also of the fact that the International Labour Organisation must bring the provisions of the Convention of 1948 on the Safety of Life at Sea into harmony with present-day achievements, as has been proposed by the Workers' delegate from Sweden, the International Labour Organisation should raise its voice in support of the demands contained in the resolution of the Soviet Government delegate for the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers. There can be no doubt that this would help to strengthen the authority of the I.L.O. among the workers of the world.

We are convinced that seamen all over the world would welcome with sincere gratitude the news that our Conference has adopted a resolution calling for a cessation of atomic and nuclear weapons experiments as showing its concern for their welfare and their health. That is why I appeal to all representatives of all countries Members of this Organisation to take into account the tremendous importance of the questions before us and to support the resolution submitted by the Soviet Government delegate.

*Interpretation from French :* Mr. PURPURA (Government delegate, Italy)—Allow me to express on behalf of the Italian delegation our profound satisfaction and to congratulate the Director-General for his Report on the position of seafarers and on the progress achieved from 1946 to 1957 and, above all, on the planning of this Conference. I should like to emphasise also the importance attached by my country to the proceedings of this 41st Session of the International Labour Conference devoted to the social problems of seafarers, to the solution of which the Italian Government has always contributed both nationally and internationally.

In his Report the Director-General made a brief and cogent review of the fundamental problems of employment at sea in its various economic, technical and social aspects in the period running from 1946 to 1957, that is to say, since the time of the last Maritime Session

of the Conference. Considering the progress we have made over the last 12 years there are two grounds for viewing with keen satisfaction the technical, economic and social developments in the field of maritime transport and the results achieved by I.L.O. action on behalf of seafarers. A number of significant facts mentioned in the Director-General's Report bear witness to this. To take total world tonnage, this rose from 68.5 million tons in 1939 to 80.3 million in 1948, to reach 105 million in 1956, the increase having been steady over the years. In world terms Italy, which now has a fleet of nearly 5 million tons according to the figures at 1 January 1958, ranks fifth after the United States, the United Kingdom, Norway and Liberia. It possesses 4 per cent. of the world fleet. This is, of course, an important position which involves obligations in the field of national economic policy and in the international field.

The Italian merchant navy, which amounted to 3,537,000 tons at the end of 1939, comprised only 429,000 tons at the end of the Second World War. After the war it made a remarkable recovery, for it rose to over 2 million tons in 1948 and increased in succeeding years at a fast rate: 3½ million tons on 1 January 1953, 4 million on 1 January 1955, 4½ million on 1 January 1957 and nearly 5 million on 1 January 1958. Such growth has called for considerable investment, which was made possible partly by the growth of large shipbuilding undertakings and large oil companies and partly thanks to effective state action.

After the first measures adopted to cope with the immediate requirements of the post-war period, the first step in the promotion of shipbuilding was taken with the Act of 8 March 1949 which was in force for three years, and with the Act of 25 July 1952 concerning tankers. Meanwhile, the Government made thorough and extensive plans to increase the size of the merchant fleet and to bring Italian shipping up to the technical and economic standards required. This led to the Act of 17 July 1954, which is intended to give long-term encouragement to the shipbuilding industry.

The favourable effects of this legislation are confirmed by the following figures, which show the increasing number of profitable orders: about 500,000 deadweight tons at the end of 1954, 850,000 in May 1955, over 1 million at the end of 1956, and 1½ million at the beginning of 1958. Construction plans will keep the shipyards busy until 1960. This involves considerable sums of money. In addition, there are the investments by public and private shipping undertakings.

In connection with the action of the administration to promote the planned growth of the merchant fleet, mention should be made of the reorganisation of subsidised shipping lines, the creation of favourable conditions for the development of the private merchant fleet and the reconstruction or modernisation of harbour and railway equipment and so forth.

A notable feature of the last 12 years in Italy has been a reduction in the average age of ships, a reduction which has brought the Italian fleet nearly up to the world average. Today 22.3 per cent. of the Italian merchant navy is less than five years old. About 38 per

cent., consisting largely of American ships built during the war and made over to Italy, have been in service for between 12 to 15 years. Ships that have seen more than 25 years of service now account for only 26 per cent. of the total.

Coming now to the specific questions concerning employment and welfare, the following remarks are called for. At a time when traffic is normal it may be estimated that employment on board Italian vessels of all kinds accounts for about 50,000 to 52,000 seafarers. This figure fluctuates according to certain factors and that is why some of these workers are now unemployed.

Let us take first the question of engagement. In this connection it should be recalled that under the Act of 14 December 1933 concerning medical examination of seafarers, certain specified physical qualities are required to obtain registration. Section 238 of the regulations issued under the Navigation Code confirms that good physique and good character are required. A measure of particular importance is the Decree of 10 August 1952, which enabled younger established personnel to be obtained for the Italian fleet and which gave every shipowner the possibility of obtaining better staff.

Yet we are short of specialists, particularly in the engine-room department. The training of specialists is a difficult task and vacancies in industry generally, which is also growing apace, represent a further attraction to work which does not involve the privations of life at sea.

The problem is of topical importance throughout the world. To cope with it in Italy steps have been taken since the war to speed up the application of the new rules of the Code and the regulations as regards new maritime certificates, to amend certain over-rigid provisions regarding manning, and also to encourage vocational training by improving nautical facilities in nautical institutions and to create new vocational schools and proficiency courses.

The recruitment of seamen in Italy, in accordance with the provisions of Act No. 562 of 18 March 1926, which made the Placing of Seamen Convention, 1920 (No. 9) applicable in Italy, is ensured by approved placement offices supervised by the maritime authorities.

As regards vocational training it should be recalled, in conclusion, that most technical education is given on board ships through the acquisition of the necessary practical experience. An institution for the vocational training of seamen has been established on private initiative at San Giorgio (Venice). It has been given official recognition by a Presidential Decree dated 29 September 1956. This is a very important institution for the training of engineers, wireless operators, electricians, stokers and so forth. I should also like to mention the action begun by the Private Shipowners' Federation, which has set up a college at Camogli, which offers many scholarships, and the action of the National Federation of Harbour Pilots' Unions, which has set up a vocational training school at Sciano de Sorrente, as well as the work of the Ente

Nazionale Educazione Marinara, which ensures the vocational training of future ratings.

The remuneration of seamen, as of all Italian workers, is governed by collective agreements among those concerned, but, in view of the very special character of certain fundamental conditions of recruitment and as a result of the obligations resulting from Italy's adherence to certain international conventions relating to maritime labour, the Ministry of the Merchant Navy intervenes in certain trade union negotiations.

In the field of collective agreements the agreements of 2 August 1954 and 1 August 1956 are of particular importance. Thanks to these the agreement between the parties provides not only for some relation between wages and the cost of living but also for the settling of certain fundamental factors in regard to conditions of work, such as hours of work, overtime, holidays with pay, work on public holidays and so forth.

As a general rule, apart from certain minor exceptions, the minimum wage level is on the whole higher than that laid down in the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93). In this connection it should be emphasised that social charges are very considerable and that the wages mentioned for my country in table II (p. 15) of the Report should be supplemented by nearly 70 per cent. in respect of social charges.

A fundamental aspect of the conditions of seafarers is that of social security. One of the most important problems for seafarers is that of pensions, which have been reduced to a rather small amount owing to the devaluation of the currency, in spite of collective agreements which had provided for provisional increases. The position was of particular importance to seamen also in relation to the revision of invalidity pensions and old-age pensions, as for other categories of workers. After thorough study pension increases were granted by Act No. 915 of 25 July 1952. Subsequent improvements are now under way and will be dealt with by appropriate legislation.

Other measures have been adopted over the last few years to give better protection to seafarers: these include the reorganisation of the national assistance association for seafarers, the reform of the administration of the three maritime funds for insurance against employment injuries, the development of the Italian radio-medical centre for health assistance to seafarers, and other things.

As regards the conditions of work on board ships it should be recalled that in general shipowners and the Government try to improve safety and health conditions. Italian legislation is in full accordance with I.L.O. Conventions.

In concluding my speech I am very happy to be able to state that now conditions of work of Italian seamen have reached a remarkably high level. But we recognise the necessity of improving these conditions even further and my Government is prepared to pursue its efforts in this direction.

Mr. VALENTGOED (*Government delegate, Netherlands*)—As the shipping industry and good labour-management relations are well established institutions in my country, in fact

and by long tradition we have followed step by step all the activities in maritime matters by the I.L.O. since 1919 and, particularly since the Seattle Conference. So there is much in the Director-General's Report that was known to us. It is, however, the great merit of this Report that it is classic in its comprehensive brevity and in its clearness, based on a fundamental understanding of the problems of the shipping industry. We are very thankful for that and on behalf of the Netherlands delegation I want to join the previous speakers who congratulated Mr. Morse for his excellent performance.

The shipping industry is by nature the most international of all industries. With a slight variation I presume to say that by nature our people are very internationally minded. It may sound a bit exaggerated, when we consider our country as the gateway to Europe and the window on to the world, but in principle it means that international contact is of vivid importance for us, with more than 4 million gross tons and about 11 million inhabitants. Therefore we pay the greatest attention to I.L.O. activities in maritime and other social matters.

Our shipping industry is of great concern for our national economy and social policy. Therefore it is necessary that our maritime social conditions shall be in harmony with the over-all aspect of our national social policy. Not labour conditions alone mark the place in world trade but also the ability of the ship-owners and seafarers; their devotion to their jobs is of striking importance. The Director-General states in his Report that in a good many cases, where higher standards of crew accommodation have been introduced, there appear to have been beneficial results from the standpoint of efficiency and morale among the crew concerned. Let me dwell on this point for a moment. It is said that after the Second World War the value of the human factor has been more and more distinguished as an element of the greatest importance for productivity and efficiency. We are inclined to say that the dignity of mankind is the basis of all; recognition of this dignity is also the basis for good management. Numerous activities of the organisations of shipowners and seafarers and the I.L.O. did and do contribute to promote well-being, i.e. to develop a man's personality, to take into account the dignity of man. I consider this as a conceivable step forward in obtaining a good morale. Scientific research in a numerous number of undertakings has shown the very great importance of good leadership.

"Good instruction," says the Director-General in his Report, "is hard to come by and instructor shortages arising with post-war personnel changes in the maritime industry have not yet been made good in a number of countries. Also, more and more countries are beginning to give attention to the problems connected with training for promotion in the industry." I am glad to hear that, as in my view this is of very great importance. An exchange of experience between land and shipping industry in this concern may be useful. The handling of men is just as important as the handling of cargo!

"A great many problems connected with the training of seafarers have still to be met in all the maritime countries." I would add to this statement of the Director-General: not only connected with training, but also with regard to good human relations in all branches of industry.

I always have had objections to the expression: *Navigare necesse est, vivere non est necesse*. In principle the same may be said of the coal-miner or the farmer. In the past it gave rise to much misunderstanding. The positive meaning is: *Navigare necesse est ut mundus vivat*. That stimulates activities to the benefit of the total shipping industry, shipowners and seafarers together.

Being personally connected with the protection of labour against dangerous radiation, I would have gone more into detail on this subject mentioned by the Director-General in his Report. Mr. Tennant, however, dealt with this matter in his speech some days ago and in such an excellent way that there is no need for me to touch this point.

Of the many activities of the Joint Maritime Commission, the I.L.O. and the individual countries, I have discussed only some which seemed to be of some importance. May God bless all the future activities of all parties concerned, *ut mundus vivat in pace!*

*Interpretation from Spanish:* Mr. GARCÍA RIBES (*Workers' delegate, Spain*)—As a delegate of the workers of Spain I bring you an affectionate and cordial greeting and the wish that the International Labour Conference may contribute to creating general well-being, without discrimination of race, belief or ideology.

Last year I also had the honour of speaking during the discussions on the Report of the Director-General and I am again happy to note the work that has been done, the suggestions made by him and his constant concern to bring the ship safely to port.

I shall confine myself to explaining broadly the situation of seamen in our country so that you may know what it is and that our trade union has won, and is winning, time and time again, improvements which, for our trade union, are a further achievement in our constant struggle for a better future.

Taking matters in the order in which they are dealt with in the Report, I wish to inform you of the standards achieved. Our seamen are secure in continuity of employment, since employers are compelled to establish the crew list for each ship; in other words they are obliged to give fixed contracts to the staff they need and that has been embodied in a law promulgated on the proposal of our trade union. This measure means in practice that we have no periods of unemployment and moreover, in all the ports in our country there are placement offices which carry out free of charge all activities concerning the welfare and well-being of seamen. Furthermore, the national trade union has a placement office of national scope which is in constant contact with the placement officers in the ports.

As regards vocational training, nautical schools have been established in Bilbao, Barcelona, Cádiz, la Coruña and Las Palmas,



where studies can be carried out and appointments as future officers in the technical department and in the engine-room department can be obtained. These schools are our pride, since their graduates have become highly qualified technicians. We are also studying the vocational training of other categories, which will be of benefit to our seamen.

As regards wages, in addition to wages proper we include other payments such as subsistence allowances, long-service allowances, and payment of a proportion of the freight value, which amount together to over half the wage. In addition to family allowances a supplementary benefit ("family wage") is granted as a bonus for dependants. As I have said, we are always trying to achieve more in this field and our union will achieve its objectives.

As regards hours of work in my country, in comparison with the proposals of the Convention hours are more favourable in Spain and we prefer overtime to be worked only in exceptional circumstances.

With respect to accommodation and messing facilities on our modern ships, these are governed by labour regulations and even on all old ships the provisions of the regulations have to be complied with as far as possible so that proper accommodation shall be provided.

With respect to holidays with pay, inspectors, masters and officers have 30 days and ratings have 20 days. In addition, for every five years of service in the undertaking, they are given one day more. Naturally they receive all their pay when on holiday.

In the field of social security, death, illness and invalidity are covered, and the seafarers have a provident fund with contributions from the undertaking which are higher than those paid by the workers. This provident fund is managed by the seafarers, and their board of management, which they elect freely, administers the funds and sees to the payment of retirement, widows', orphans' and other benefits.

As regards welfare facilities on shore, both seafarers and their families enjoy the benefits of the trade union education and rest institution with its homes, the trips it runs, its sports camps, and so on. They pay a contribution which may be called a token one, since in order to be entitled to all its benefits they pay only 1 peseta a month.

Labour-management relations are handled exclusively through the union, which collaborates to the maximum and in which regular study is made of all the relevant problems. These human relations continue on board ship, since we have trade union representatives on board ship. The whole crew elects its representatives by free and secret ballot. The number of representatives is proportionate to the number of crew on the ship. Trade union representatives, in co-operation, ensure that the social legislation in force is applied on board and, in particular, that the committees which have to be set up on each ship to look into the amount and the distribution of allowances and of the family wage and to check the amount and quality of the food and the preparation of meals, do their duty. These committees consist of members of the crew with the master or an officer as chairman. The members of the committee concerned with the freight value allowance are nominated by the union and all members of the crew sit on the food and meals committee in turn in accordance with a weekly roster.

I will not tire you with an enumeration of the social benefits provided for in the employment regulations for seafarers of my country but I must tell you—and I must say how glad I am—that I have been able to prove that our social legislation, if I may be excused for saying so, is in no way inferior to that of other countries, since it is very advanced. We are not yet satisfied, however, and we fully intend to make as much further progress as possible, since in my country a Collective Agreements Act has been officially adopted (although I should tell you that we have already secured agreements through our union in a manner which may be described as unofficial). The Spanish trade unions have managed to secure the adoption of this Act and we Spanish workers have great hopes regarding it for the welfare of the workers themselves, the economy and the country generally.

Although I have spoken at length I feel there are still many things to say. I repeat that we Spanish workers will unfalteringly pursue our present course through our trade unions, with the security and faith of those who trust in their own destiny.

*(The Conference adjourned at 12.45 p.m.)*

## Delegates Present at the Sitting

*Argentina :*

Mr. Lescure  
Commander Noriega  
Lieutenant-Commander  
Gómez Ortega

*Australia :*

Mr. Dwyer (substitute for  
Mr. Brentwood)  
Captain Bull  
Mr. Haddy  
Captain Martin

*Austria :*

Mr. Schellenbacher  
Mr. Schlaffer  
Mr. Schlägelbauer  
Mr. Peham

*Belgium :*

Mr. Van Molle (substitute  
for Mr. De Kinder)  
Mr. Pluymers  
Mr. De Bruyn (substitute  
for Mr. Dufour)  
Mr. Dekeyzer

*Brazil :*

Mr. Barboza-Carneiro  
Mr. de Faria Baptista  
Mr. Carvalho  
Mr. Teixeira

*Bulgaria :*

Mr. Belinski

*Burma :*

Mr. Thin  
Mr. Myint

*Canada :*

Captain Johnson  
Mr. Thomson  
Mr. Kane  
Mr. Sheehan

*China :*

Mr. Yü  
Mr. Lee  
Mr. Sa  
Mr. Chen

*Colombia :*

Mr. González  
Mr. Albán Liévano

*Cuba :*

Mr. Camejo Argudín  
Mr. Enseñat Polit

*Denmark :*

Mr. Worm  
Mr. Lysgaard  
Mr. Garde  
Mr. From-Andersen

*Dominican Republic :*

Mr. Álvarez Aybar  
Mr. Paradas

*Finland :*

Mr. Relander  
Mr. Tikanvaara  
Mr. Hallberg  
Mr. Wälläri

*France :*

Mr. Lambert (substitute  
for Mr. Ramadier)  
Mr. Roullier  
Mr. Peyrot (substitute for  
Mr. Marchegay)  
Mr. Gruénais

*Federal Republic of Germany :*

Mr. Schelp  
Mr. Fettback  
Mr. Schildknecht (sub-  
stitute for Mr. Schuldt)

*Ghana :*

Mr. Nettey  
Mr. Mensah

*Greece :*

Commander Goulielmos  
Commander Antoniadis  
Mr. Lyras  
Mr. Petroulis

*India :*

Mr. Nagendra Singh  
Mr. Merani  
Mr. Sanghavi (substitute  
for Mr. Kumana)  
Mr. Serang

*Indonesia :*

Mr. Siregar  
Mr. Sanitioso  
Mr. Harsono  
Mr. Subianto

*Ireland :*

Mr. Ó Riordáin  
Mr. Crowley

*Israel :*

Mr. Raday  
Mr. Barash

*Italy :*

Mr. Berio  
Mr. Purpura  
Captain Cavallini  
Mr. Romagnoli

*Japan :*

Mr. Hayashi (substitute  
for Mr. Kawasaki)  
Mr. Mori  
Mr. Yamagata  
Mr. Kageyama

*Liberia :*

Mr. Wilson  
Mr. Cooper  
Mr. Simonovitch  
Mr. Cole

*Mexico :*

Mr. Mérito  
Miss Aguirre

*Morocco :*

Mr. Guessous  
Mr. ben Bouazza

*Netherlands :*

Mr. Valentgoed  
Mr. Scheffer  
Mr. van der Vorm  
Mr. Harms (substitute for  
Mr. de Vries)

*Norway :*

Mr. Bull  
Mr. Storhaug (substitute  
for Mr. Endresen)  
Mr. Sverdrup (substitute  
for Captain Loennechen)  
Mr. Haugen

*Pakistan :*

Mr. Chaudhuri  
Mr. Ahmad  
Mr. Khatib

*Panama :*

Mr. Ortega Vieto  
Mr. Philipps  
Mr. Escobar Bethancourt

*Poland :*

Mr. Ocioszynski  
Mr. Licki  
Mr. Suchorzewski  
Mr. Skiba

*Portugal :*

Mr. Pedrosa  
Mr. Daun e Lorena (sub-  
stitute for Commander  
Jorge)  
Mr. de Barros  
Captain dos Santos

*Rumania :*

Mr. Lazareanu  
Mr. Gal  
Mr. Anzulato  
Mr. Radulesco

*Spain :*

Mr. Pastor Tomaseti  
Mr. García de Llera  
Mr. Arguimbau (sub-  
stitute for Mr. de  
Azqueta Urigüen)  
Mr. García Ribes

*Sweden :*

Mr. Widell  
Mr. Hartvig  
Mr. Granberg (substitute  
for Mr. Reuterskiöld)  
Mr. Åkesson (substitute  
for Mr. Thore)

*Switzerland :*

Mr. Ryniker  
Mr. Messmer  
Mr. Fornet (substitute for  
Mr. Keller)  
Mr. Hofer

*Tunisia :*

Mr. Ladhari  
Mr. Ben Salem  
Mr. Sellami

*Turkey :*

Mr. Toygar  
Mr. Yenal  
Mr. Aymen  
Mr. Özkan

*Ukraine :*

Mr. Slipchenko  
Mr. Nizhnik  
Mr. Danchenko

*U.S.S.R. :*

Mr. Dolinski  
Mr. Peretrutov (sub-  
stitute for Mr. Morozov)  
Mr. Ragimov

*United Arab Republic :*

Mr. Kamel

*United Kingdom :*

Mr. Proctor  
Mr. Haselgrove  
Sir Richard Snedden

*United States :*

Mr. Jacobs  
Mr. Rothschild  
Mr. Casey  
Mr. Hawk

*Yugoslavia :*

Mr. Velimirović  
Mr. Kesić  
Mr. Velkaverh



## ELEVENTH SITTING

Friday, 9 May 1958, 3 p.m.

*President : Mr. Kawasaki*

### REPORT OF THE DIRECTOR-GENERAL : DISCUSSION (*concl.*)

The PRESIDENT—We continue the discussion of the Director-General's Report.

*Interpretation from Portuguese :* Mr. CARVALHO (*Employers' delegate, Brazil*)—It is with the greatest satisfaction that the shipowners of Brazil are attending a session of this Conference for the first time. Sessions devoted to maritime labour questions should be held more frequently. Our ground for saying this is that for technical and social reasons conditions of work at sea are being profoundly affected by changes imposed by world-wide scientific progress.

In appreciation of the Report of the Director-General of the International Labour Office I must say it constitutes most striking proof of the influence of scientific progress in employment at sea, from both the technical and the social points of view and, consequently, the relations between employers and workers. As we are attending a Conference of this kind for the first time the shipowners of my country wish to express to the International Labour Organisation and its member States their gratitude for the fact that the Organisation's work is expressly directed towards the maintenance of social equilibrium, technical progress and the improvement of the conditions of work of seafarers. We, as shipowners, can only agree with that, since it is essential for ensuring constant productivity with the co-operation of capital and labour.

The developments achieved in maritime work and its consequences are analysed in the most apposite manner in the Report, which gives an objective account of the whole range of the wonderful work done by the International Labour Organisation.

The merchant fleet of my country has considerably increased in terms of tonnage, but in view of the marked and rapid industrialisation of the country it is still below the requisite minimum. The acquisition of new ships is becoming impossible, not only owing to the difficulty of obtaining foreign currency but also owing to the lack of incentives and protection offered to private enterprise.

Nevertheless my country has launched into a new age for coastal navigation and overseas trade as a result of the recent Act setting up the Merchant Marine Fund. The purpose of

this fund, which will be made up by various taxes imposed on freight charges on imports and exports and in internal transport, is to include investment for a variety of purposes : for the purchase, construction and repair of ships for both private and government enterprises, for the building, re-equipment, and extension of shipyards, docks, repair yards and so forth, both private and government-owned. Undoubtedly the merchant fleet, both in the coastal and in the long-distance trades, will in a few years expand greatly as a result of the new legal provisions. The necessary calculations have already shown that a slight improvement has been made and point to a promising future.

One of the basic aims of my country's programme is the total and urgent modernisation of the merchant fleet ; the industrial and commercial progress of my country depends on it. The steady development of navigation in Brazil makes it necessary for maritime workers to acquire occupational knowledge commensurate with modern techniques. Only a few months ago we inaugurated a merchant-marine school located in the Federal District for the purpose of training engineer and navigating officers in accordance with the most modern technical principles. We have already two schools, one in the State of Rio Grande do Sul and the other in the State of Pará. We shipowners give not only moral support but also financial support. We hope that our ships will come up to the high technical standards of today. That also is the desire of seafarers in my country.

Contracts of employment, whether relating to hours of work or to increased wages, are concluded in a spirit of good understanding. The remuneration earned by seafarers in my country is very high, and it may be said that they are a well-paid category of workers. They have their Retirement Institute, which gives them very good medical and social benefits. This organisation is supported by government contributions and contributions by the shipowners calculated as a proportion of their total wage bill and by the workers on their total earnings. The Institute gives medical care not only to maritime workers but also to their families. In the event of an occupational accident it provides hospitalisation as well as all types of medical care. It also provides seafarers with funds for the acquisition of housing. When they reach the maximum

age for employment they receive a monthly pension. In short this assistance scheme, in which we co-operate, is an excellent one and helps to maintain harmonious relations between labour and capital.

In conclusion I wish to convey on behalf of the shipowners of my country our best wishes and our congratulations to the Director-General for the excellent work of which he has informed us.

Mr. JACOBS (*Government delegate, United States*)—On behalf of my Government, as well as personally, I warmly congratulate the Director-General on his excellent and most constructive Report. It presents with great clarity the substantially altered situations which faced the 1946 Session of the Conference held in Seattle, and those confronting the current 41st Session. The uncertainties of the former were the product of war devastation, economic destruction and political unrest, and during the Second World War and for several years thereafter dry-cargo ships of from 8,000 to 10,000 tons were considered typical. In a salutary economic climate, the intervening years have witnessed both the remarkable resurgence of the merchant marines of the traditional maritime nations and the growth of shipping among smaller nations.

The monumental technological change which has occurred in industrial life has caught up with the maritime industry. Larger and faster ships of over 100,000 gross tons are on the drawing-boards or under construction. The forward-looking character of the merchant marines of the world is evidenced by their willingness to explore new sources of power, new techniques, new devices and new types of ships transporting complete trucks, trailers, railway cars and large tanks.

The constructive developments of the past 12 years in the merchant marines of the world, as the Director-General's Report makes clear, have been translated into improvements in the status of seafarers. The uncertainties of the immediate post-war situation resulted in a major emphasis being laid upon the establishment of minimum standards for seamen. The generally favourable economic climate of the post-war years has produced in many countries improvements in the wages and the working conditions of seafarers which bring them to well above the minima formerly considered appropriate. For some areas of the world these minima continue to be significant, but there, too, major improvements have occurred.

The Director-General's Report cites the evidence, although limited, of the economic equality of the seaman with his counterpart ashore. Equally significant, and the result of both economic improvement and of better ship operation, are the growing opportunities for seamen to enjoy a greater measure of normal family life while following their vocation. Basic to all these developments has been the great advance in many countries in the stability of maritime labour-management relations and the gains made through constructive collective bargaining relations between shipowners and seafarers. This constructive relationship is reflected in the ability of the representatives of the shipowners and the seafarers who attended

the Preparatory Technical Maritime Conference in London in 1956 to reach substantial agreement on virtually all the items on the agenda. That conference facilitated our task substantially and has smoothed the way for harmonious discussions.

The Report of the Director-General, in dealing with world-wide maritime developments, has of necessity touched only briefly on those in my country. The full significance of developments in the merchant marine of the United States warrants brief summary. A part of our great merchant fleet built during the war and operated by the Government was sold to both domestic and foreign ship-operators; the remainder was retired. Today we have an active, privately operated merchant marine of approximately 11 million tons, with a Government reserve fleet of some 19 million tons.

The labour-management relations which exist in our merchant marine are of a high order. During the past decade such relationships on both coasts have been becoming more stable. Our shipowners and seafarers have been able to sit down at the bargaining table and to reach agreement. The statistics of seafaring strikes reflect the increasing stability in this relationship and in their day-to-day relations. The almost complete absence of strikes in our seafaring industry during recent years is a signal credit to the modern and enlightened American practice of employers meeting with free labour. In my country collective bargaining, I am happy to report, covers practically the whole industry. The fact that we do not have just one trade union but several—and several are represented on our Seafarers' delegation to this Conference—has been a source of strength to our unions. Through collective bargaining they have won for themselves far more than legislation could ever have produced.

Reference to the statistics in the Director-General's Report indicates the high level of the money wages earned. In 1946 able-bodied seamen on United States ships were receiving as a basic wage rate \$162.50 per month. In 1947 the straight-time basic wage for an 8-hour day and a 40-hour week for able-bodied seamen on the East Coast was advanced to \$353.27 per month. In the same year able-bodied seamen on the West Coast were increased to \$478 per month for an 8-hour day and a 56-hour week for watchstanders at sea and a 40-hour week in port. But this is not all. The 8-hour day and 56-hour week for watchstanders at sea was established prior to the war. Since then the basic work week has, through collective bargaining, been reduced to 40 hours. The resultant increase in overtime earnings has been substantial, amounting to from 30 to 50 per cent. of basic wages rates.

Through collective bargaining the seaman has gained in other ways as well. Agreements have been reached to establish funds for vacation allowances, health and welfare plans and pension and unemployment benefits in addition to those provided by federal laws. Furthermore, in 1956 a special employment security plan for seamen became effective under a collective agreement. In the United

States we point with pride to the evolution of relationships between shipowners and seamen as evidence of the fruition of the collective bargaining process. As a result United States seamen now enjoy benefits comparable to those of shore workers.

Our feelings are reinforced by the necessarily brief description in the Director-General's Report of developments affecting seamen in the other maritime nations. These indicate similar trends in stability in labour-management relations and in the improvement in the condition of seafarers. Such trends are possible only where freedom of association is available and where free collective bargaining predominates.

The role of the I.L.O. in encouraging and fostering these developments in the maritime industry is apparent in the Director-General's Report. The effect of Conventions, even of unratified Conventions, in aiding in the improvement of wages and hours is clearly set forth. The numerous activities of the I.L.O. dealing with day-to-day problems relating to the affairs of seamen is also of great importance. It is in the areas of technical assistance in meeting such problems that the activities of the I.L.O. have shown particular foresight and growth in the post-war era.

The interest of the United States in the maritime activities of the I.L.O. has always been great. Notwithstanding the relatively high standards in the United States, my Government has always been directly concerned with the maritime activities of the I.L.O. Under the present, as well as under prior, administrations, we have consistently been working towards the ratification of other maritime Conventions, which are receiving current consideration and study. And, if I may for a moment speak for our shipowners and seafarers, their genuine concern with this field has always been apparent. The maritime industry is the most international of all. It is well that sessions of this kind permit us to meet on a problem of such great mutual concern—the condition of the seafarers of the world.

I wish to express the appreciation of my Government to the Director-General and to the staff of the I.L.O. for preparing such a clear and valuable analysis of the developments of the past 12 years.

It is to be noted that on 1 May in plenary sitting the U.S.S.R. Government, delegate departed from the Director-General's Report and sought general support for his resolution on the discontinuance of tests of atomic and thermonuclear weapons. Certainly this issue is not germane to any discussion of the Director-General's Report, but since the U.S.S.R. delegate seized the opportunity to single out the United Kingdom and the United States as the two States among the Members of the I.L.O. upon whom the solution of this problem depends, I feel obliged to comment very briefly on this issue of such vital concern to us and to all peoples of the world.

At the outset I wish to emphasise that the United States has always held the interests of humanity as being of primary importance in the objective established in its nuclear testing

programme. With this responsibility in mind my Government subjects its tests to rigid control to ensure that the resulting radiation is not in any degree harmful to the peoples of the world and to their resources.

The United States considers that the vital problems concerned with nuclear explosions are absolutely dependent upon the fundamental question of effective controlled disarmament. My Government has stated repeatedly that it will support a ban on all nuclear tests provided that such ban is a part of a programme of truly safeguarded international control and disarmament.

The Soviet Union has consistently been unwilling to agree to such a programme. Instead it boycotts the disarmament talks established by the United Nations General Assembly and proposes a unilateral ban on tests. However, to stop nuclear tests and to continue producing weapons makes and can make no contribution to the real problem facing the world today.

Thank you, Mr. President, for permitting me to make these brief comments.

In closing, may I say that this Conference can congratulate itself on the very substantial progress it has made in completing its agenda and for the harmony of its deliberations? At the end of this second week we have finished the work of the six substantive committees. For the first time, I believe, in the more than 30 years that the question of wages, hours of work and manning has been on the agenda, we have here reached nearly unanimous conclusions by overwhelming votes of agreement. My delegation wishes the Conference continued success in its deliberations.

Mr. SA (*Employers' delegate, China*)—The remarkable Report of the Director-General has been carefully studied with much interest by the National Association of Chinese Shipowners, on behalf of which I wish to express our appreciation for the comprehensive presentation made by Mr. David Morse. Since scores of delegates from all parts of the world have spoken in praise of this document, I am afraid I can have nothing more to add.

In view of the scarcity of information in the Report concerning the Chinese shipping industry, I wish to take this opportunity of presenting to you a brief sketch of our maritime industry and the contributions made by our shipowners for the betterment of the seafarers' living and working conditions.

Our present tonnage is comparatively small and is insufficient to meet the requirements of our nation today. Therefore, a fleet expansion programme has been jointly worked out with the aim of reaching the 1 million gross ton mark in the near future. In addition, our shipowners are constantly replacing their uneconomic ships by purchasing or building modern ones.

As shipowners, we fully realise that without the seamen's co-operation there could be little hope for a profitable shipping business, and that better living and working conditions on the part of seamen mean higher efficiency and more economy in operation. In view of this, Chinese shipowners spare no effort in finding ways and means for the promotion of a better life for our seafarers and their well-being.

As regards wages, the lowest monthly scale for our ocean-going dry cargo ships is as follows (figures given being the equivalent in U.S.\$): master, 300; first mate, 200; second mate, 150; third mate, 110; chief engineer, 250; first, second and third assistant engineers, the same as corresponding mates; senior deck and engine-room ratings, 90; able seamen, 80; lowest wage, 60. Ten per cent. more is paid for certain tanker services.

These are just the round figures which give a general indication of the wage scale. In fact, each of our 14 larger companies differs one from another. Most of them fix their scales higher than those I have just mentioned. They pay their masters from 400 to 500 U.S. dollars with comparative increases for officers and other ratings. I know of a company which pays its masters as much as 800 U.S. dollars.

It has been a practice of long standing that seamen receive an additional month's pay at the end of each year and an extra bonus if large profits have been made by the company. On national holidays, whether worked or not, at sea or in port, double pay is given.

The two government-invested companies maintain the lowest wage scale given above. However, they provide uniforms for the seamen, housing for most of their families, bachelor officers' quarters, educational allowances for children, allowances for childbirth, additional food allowances for each dependant according to age, and even electricity and water fees, and so forth. These two companies also have the largest number of reserve seamen and therefore serve as reservoirs of labour supply when required by other companies.

In addition to doctors on distant ocean-going ships, every vessel is supplied with medicine chests containing necessary medicines and equipment. Moreover, medical treatment for both men on active service and those on the reserve list is taken care of by the shipowners.

All of our ships sailing on international sea lanes must pass the survey of the several classification societies of world-wide recognition in addition to the China Corporation Register of Shipping. The condition of our ships is therefore of the prevailing international standard. Navigational aids are of modern types. Even on old ships such equipment as radar, gyro-compasses and echo-sounding machines are installed. On new ships, loran, gyro-pilots and radio telephones are added. Since the ratification by my Government of the Safety of Life at Sea Convention of 1948 all life-saving equipment has been brought up to date and is in conformity with the Convention.

As regards training, cadets, after completing their school courses, are assigned on board ships belonging to various companies for one year's training at sea. Mess fees and educational expenditures are borne by the shipowners.

Some companies have agreements with certain shipyards for allowing their reserved engine-room ratings to practise in the plants on lathes, welding machines, and so forth. When new ships are being built owners usually send additional personnel to the shipyard to become acquainted with the construction for both hull and engines.

The manning scale on Chinese ships is known to be larger than any of the leading maritime countries. For instance we have about 50 crew members on our "Liberty" ships. To some traditional maritime powers it may seem a waste of labour or extra expenditure under the heading of wages. However to us Chinese it is not so, for by employing a few more hands on board the crew do not have to do so much overtime. They prefer an ample amount of lump-sum pay. Chinese shipowners would not take the chance of having the seamen do more work, and the seamen are usually willing to do a little more in case of necessity. I suppose that the Workers' delegate from my country could agree with me on this point but I do not know whether this spirit could be understood by peoples of other nationalities. Nevertheless, Chinese shipping companies have their own regulations as to how much extra bonus should be paid to the crew if they have done certain jobs which ordinarily should be done by shore or dock labourers. For instance, cargo-hold sweeping and cleaning, tank cleaning, gas freeing, minor engine repairs, boiler cleaning, painting, and so forth is work which will be paid for if done by the crew themselves, whether within normal working hours or not.

Chinese seafarers are very much concerned about the welfare of their families. Our seafarers appreciate it very much when representatives of shipowners are sent to visit the families of officers and crew at sea and to help them solve some of their problems. That is what we are doing now.

There are radio broadcast programmes specially designed for officers and crew on the high seas. Seafarers can even know the activities of their families from the programmes. Reading matter and amusement facilities are supplied on board. Television is often installed.

In short, Chinese shipowners are paying the same attention to the living and working conditions of their seafarers as to their own interest, for both are inseparably connected with each other. On behalf of Chinese shipowners I should like to give assurance to this Conference that we will join the shipowners of the world in furthering the well-being and raising the living standard of our brother workers, and we will also keep in pace with other maritime countries for the development of a modern shipping industry in order to promote international trade and world peace.

*Interpretation from French: Mr. GRUÉNAIS Workers' delegate, France*)—My time being necessarily limited in an international Conference such as this, I shall confine my statement to one point in the Report of the Director-General, where he refers to the extension of the merchant navy, and this for the reason that this question is directly connected with the living conditions of seamen. For, indeed, what is the wish of the latter, without whom ships would be useless carcasses? They wish to have permanent work. They wish to be paid a wage which takes due account of the hardships of their trade, those numerous hardships. They wish their wages to be in constant progression so as to raise their living standards. The I.L.O., which has already done a great deal in this

field, must continue to extend its resources and its activities in order to achieve these aims. However, we must be clear and show that there can be no question of an improvement in the standard of living and of security for seamen so long as there are periodical unemployment crises on a greater or lesser scale.

The Report of the Director-General shows that the tonnage of world merchant ships rose from 68½ million gross tons in 1939 to 105 million gross tons in 1956 and that progression is all the more important since the carrying capacity per ton of shipping is much higher today, in 1958, than it was in 1939, owing for the most part to specialisation and to the increase in the speed of the vessels. Statistics show that the increase has been particularly important for ships carrying liquid cargoes, in other words, tankers.

In spite of the continuous increase in the total tonnage afloat since the end of the Second World War the merchant marine has not had to face any grave crises. It is true that such events as the war in Korea, the closing of the Suez Canal, bad harvests in certain parts of the world and the shipping of American coal to Europe have increased the demand for tonnage and have resulted in a great rise in freight rates.

After this period of full employment, due partly to the situation and events I have just mentioned, we now hear talk of crises and of laying up of ships. Shipowners' associations publish statistics on changes in tramp-steamer freight rates, which are particularly great since these rates rose very sharply at the time of the events I have just mentioned.

The concrete result is that many ships are laid up. It is said that throughout the world some 5 million tons of shipping, not including the 13 million tons of reserve of the American fleet, are laid up.

It is true that the majority of the ships which make up this 5 million tons have had their day and should normally have been sold for scrap.

It is none the less true that the recession which has taken place in a number of countries, and particularly in the most important Western countries, is liable to have grave repercussions on maritime transport if the situation is not remedied. I have been surprised that at this Conference, among the many speakers who came to this rostrum, not one has spoken of the situation which we are facing at present—that of unemployment and the threat of unemployment. What should the remedy be? The press tells us that shipowners are getting together to find a solution, but the only remedy suggested is in fact to lay up what is considered as excess tonnage in order to check the drop in freight rates. This measure cannot give us satisfaction, for in our opinion it does not tackle the root of the matter. Moreover, it would result in unemployment among seamen, whose fate comes before everything.

Why should such an alarming situation for seamen have arisen? Are the needs of human beings satisfied? Is there such a standard of living that there is a surplus of goods? Unfortunately, that is not so. We know that

the needs which must be satisfied are tremendous. We know that there are hundreds of millions throughout the world who live in conditions of utter poverty, whilst, as I have already said, factories are at a standstill, and unemployment is growing because the masses of the poor have no purchasing power.

Before coming here I read the Preamble to the I.L.O. Constitution, which says: "Whereas universal and lasting peace can be established only if it is based upon social justice; and whereas conditions of labour exist involving such injustice, hardship, and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled;" and the Declaration concerning the Aims and Purposes of the International Labour Organisation, adopted by the Conference in Philadelphia in 1944, which says: "Confident that the fuller and broader utilisation of the world's productive resources necessary for the achievement of the objectives set forth in this Declaration can be secured by effective international and national action, including measures to expand production and consumption, to avoid severe economic fluctuations, to promote the economic and social advancement of the less developed regions of the world, to assure greater stability in world prices of primary products, . . .".

I think that we shall be remaining within the framework of I.L.O. activities if we recall these principles, which should always be present in our minds, whatever our preferences. Consequently, I feel that it is true to say that maritime transport will not be able to free itself of the cycle of prosperity, recession and unemployment so long as there is no improvement in the relationship between nations and so long as there is not between them co-operation on an equal footing. That is why I join those who demand that action be taken to ensure that this comes about. I believe that to carry out our task correctly we must demand the development of trade between all countries. To make this possible we must help to ease international tension and to put an end to the armaments race; the industrially rich countries must help those which have just attained independence or the underdeveloped countries without imposing upon them political conditions which are incompatible with their independence.

I do not, for my part, see any other solution to the problem before us. Of course, one may deem it useful to set up some committee or commission to find a solution to this recession which may become a grave economic crisis tomorrow. Anything that is done in that direction will have our full support; but the situation is none the less a political one.

That is why, in refraining from any partisan attitude—which I deprecate to the utmost degree—, abiding by the mandate given me and respecting the opinions and beliefs of the seamen whom I represent here, conscious of my responsibilities to them, I ask specially that seamen who have come here from all countries of the world to attend the 41st (Maritime) Session of the International Labour Conference should advocate effective measures which will ensure better conditions for the life

and work of seamen and show solidarity among men throughout the world.

Mr. President, in your opening speech you said that "it is significant that this session of the Conference happens to be held at a time when the maritime industry, like other industries of the world, is just about to go through a period of severe depression. This should be the concern not only of the ship-owners but of the seafarers and all those who have the welfare of seamen sincerely at heart."

My statement on the Director-General's Report is an answer to your appeal and is within the framework of the principles and aims of the I.L.O.

*Interpretation from Russian:* Mr. PERE-TRUTOV (*Government adviser, U.S.S.R.*)—The discussion on the Director-General's Report is drawing to a close, and in this connection I should like to state some of the impressions I have had and the considerations that arise in connection with this discussion.

The comprehensive and valuable Report of the Director-General has served as an excellent basis for the discussion of many problems that are vital to seamen and has put before us a number of new and interesting problems.

Delegates to this Conference in their statements have supplemented the Report to a considerable extent and informed us of the situation in countries with different social and economic conditions as regards seamen, their hours of work and wages, and the steps taken in order to improve the living and working conditions of those who work at sea. This information is extremely useful for the furtherance of mutual understanding among countries.

The discussion has also shown that there is a number of serious problems requiring the constant attention of the International Labour Organisation. A number of delegates pointed out in their statements that the present economic slump entails a decrease in employment and creates unemployment among seamen. The question of employment is one of the most acute and vital problems for seamen in a number of capitalist countries, and it would seem that the Governing Body of the International Labour Office should increase its activity in studying this question together with the governments concerned.

There can be no doubt that one of the most effective means of raising employment among seamen would be the development of international trade and the abolition of the existing artificial limitations, as has already been pointed out so rightly by the Workers' representative of France, Mr. Gruénais.

Some delegates in their statements have raised the question of the improvement of medical services, of the protection of the life and health of seamen and of the safety of shipping. This leads us to the conclusion that these problems must be rapidly and properly dealt with. The Workers' adviser of the United Kingdom, Captain Tennant, in his statement rightly indicated the need for a careful study of the protection of seamen's health on board ships using atomic power or carrying radioactive cargoes. This point of view was stated also by a number of other delegates. This

problem is linked to another problem, which is vital now to all seamen: that of the protection of the lives of seamen from radioactivity arising from experiments with thermonuclear weapons, a subject which the Government representative of Ukraine has already thoroughly discussed. The interests of seamen throughout the world demand a rapid solution to all these problems, at which the efforts of the I.L.O. and governments of Members of this Organisation should be aimed.

In this connection I should like to refer to a statement made by the Government delegate of the United States, Mr. Jacobs. The Soviet Union always was, and still is, in favour of lasting peace throughout the world and has repeatedly put forward proposals for general disarmament and the cessation of experiments in atomic and thermonuclear weapons, but the Western countries have always, on various pretexts, rejected the proposals of the Soviet Government. In spite of this the Soviet Union has constantly applied concrete measures to ensure disarmament by reducing the strength of its armed forces and showing its peaceful purposes by unilaterally giving up thermonuclear experiments. I think facts will show that it is not the Soviet Union but the Western countries which do not wish to embark on the path of peace. This Maritime Session of the Conference has before it the resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers, and by giving this resolution its full support it will help to further the humanitarian aims of the I.L.O.

Another important question raised is that of the wages of fishermen. The Workers' delegate of Belgium, Mr. Dekeyzer, has already spoken eloquently on the significance of this problem and the need for its solution. We feel that the proposed resolution put forward by Mr. Dekeyzer is both appropriate and timely.

The provision of cultural and recreational services for seamen in ports and on board ship is also a question which needs thorough study. This has been convincingly demonstrated by a number of delegates in their statements. We feel that it is desirable for the Governing Body to take rapid and practical measures in this direction.

A very serious question was raised by the Government delegate of Pakistan, Mr. Chaudhuri, concerning help to be given to seamen from the underdeveloped countries of Asia and Africa by the more developed countries of the West to enable them to improve their living and working conditions. I feel that the Governing Body of the I.L.O. should carefully study this question and suggest an appropriate solution.

I should like to be able to dwell on some of the more complex and important questions before this Conference, such as that of working hours and wages. As the Report of the Director-General has shown, the problem of the reduction of working hours is in itself an extremely acute and topical problem, affecting tens of millions of workers. The Soviet Government is consistently implementing measures to transfer workers and employees to a shorter working day without loss of wages.



The Soviet Union has ratified the Forty-Hour Week Convention, 1935 (No. 47), and in accordance with the principle it has adopted it has, since 1956, been transferring to a 7-hour working day the workers in the mines, the metallurgical industry and heavy industries, and in the near future a shorter working day will be introduced for seamen, too.

The hard working conditions of seamen in connection with the special nature of their work and the long periods they spend at sea call for the greatest physical effort and nervous tension. Taking this into account we think that the reduction of the working week to 40 hours fully corresponds to the present level of technical achievements in maritime matters and we should like to express our sincere wish, while calling upon all countries represented at this Conference, that the Forty-Hour Week Convention, 1935, will soon be ratified by a large number of States and that they will continue their efforts to apply it also to seamen.

In this connection I should recall that there is before the Conference a resolution, already approved by the Committee on Wages, which is based on the principle of a 40-hour working week and aimed at studying measures connected with the reduction of working hours for seamen. It is a matter for regret that the Committee on Wages failed to come to unanimous agreement concerning uniformity in hours of work for crews on the distant- or near-trade ships and catering staffs on all ships. In the Soviet Union hours of work are the same for all seamen, regardless of the distance to which the ships sail. The working week is 46 hours, except for stokers and firemen on solid-fuel ships, who work only six hours a day.

The second serious problem before this Conference is that of seamen's wages. In this connection I should like to say a few words concerning the principles upon which wages are organised for Soviet seamen. Wages in the Soviet Union are determined by the quantity and quality of the work of each worker. Equal work receives equal pay, regardless of sex or race. To encourage workers to better results various incentive and bonus systems have been produced. The wages of seamen, following such principles, are calculated according to occupation, the degree of complexity, the difficulty or responsibility of the work and the length of voyages. Certain allowances are added. Thus for instance, in the Far East the wages of seamen are 1.6 times greater than those in the central seas. In the Arctic, with more difficult conditions, the wages are increased by 50 per cent. Seamen with equal qualifications receive equal wages, whatever the tonnage of the ship.

As the national income is constantly increasing measures are being taken according to plan in order to increase nominal and real wages. According to a decision of the Soviet Government wage scales are being changed, particularly in heavy industries. Similar measures will be also applied to other branches, including the merchant fleet.

In addition to these increases in monetary wages measures are also taken to increase real wages, as has been explained in detail by the Workers' representative of the U.S.S.R. Such action ensures better conditions of work for

seamen. In the five-year period 1950-55 the real wages of workers and employees in the Soviet Union increased by 39 per cent. and under the next five-year plan they will increase still further.

With regard to holidays with pay I wish to point out that they depend on the conditions of work, length of service and area of sailing, etc.: a seaman receives from 12 to 45 days and an officer 18 to 66 days. Such objective conditions make it possible for the Soviet Government delegation in principle to apply positively the standards for minimum wages of qualified seamen as proposed in the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93) and the relevant Recommendation. At the same time we should like to request the Governing Body of the I.L.O. to direct its attention to a further study of the matter so as to prepare proposals concerning the improvement of working conditions and wages on ships under 500 tons and on special ships and also for unqualified seamen. These questions are very important for the future activity of the I.L.O.

Allow me to say that I hope that the work of the present Conference will help further to develop contacts and mutual understanding among countries on questions of improving working conditions in the merchant fleet and also to strengthen international co-operation on a peaceful basis.

Mr. YÜ (*Government delegate, China*)—This 41st Session of the International Labour Conference, known as the seventh Maritime Session, is of special significance because it is a session which deals with a very important sector of the I.L.O.'s activities. On this occasion we are given an opportunity to review what has been the progress of the seafarers' conditions during the last 12 years and to what extent the I.L.O. has been instrumental and will be instrumental to that progress.

The Director-General has written a very lucid Report which deserves high tribute and careful examination. The fact that delegates are gathered here at this special Maritime Session after a lapse of 12 years compels us to deliberate the issues involved with more vision and foresight. We should take matters into our hands, keep our eyes wide open and have the enlightened interests of the I.L.O. and its activities at heart. In the concluding words of the Director-General: "It is, of course, impossible to foresee what the future may bring forth, but we can be certain of one thing: fresh problems will have to be tackled in the future as in the past and we must be ready to deal with them." From these remarks we can see that in this changing world of ours our challenge is constant and we can best tackle our problems, no matter how knotty they are, by asking ourselves whether or not our actions and activities, no matter how apparently insignificant they may appear, are in line with or running counter to universal and lasting peace, social justice, freedom of association and the tripartite structure of our Organisation, which are not only the letter and spirit but the very soul of its Constitution.

The problems we are going to face between now and the next Maritime Session of the

International Labour Conference may be divided into two categories, namely moral and technical. In the technical fields, there is no doubt that we shall see scientific applications in the shipping industry, such as improved machinery for automation and increasing utilisation of atomic energy for transport purposes. The seafarers' conditions should certainly be improved and the counsel and advice, co-operation and assistance of the I.L.O. should naturally become even more valuable to the seafarers than ever before. It is the opinion of my delegation that as long as we are determined to tackle new problems with fortitude and courage, we have no fear of defeat and high hopes of tremendous progress in store. Should we some day find land too scarce for the world population, we might even answer the problem by maritime endeavours such as building floating villas, hotels and universities on the surface of the open sea. In the fall of 1951, I made the following observations at the General Assembly of the United Nations: "The world could be made a garden instead of a cockpit, if its inhabitants were only willing to take and give with the spirit of true co-operation. There is enough land on the surface of the earth for all of us, and even if the time should come when the population problem would become serious, human wisdom and scientific advancement could solve that problem without too much difficulty. Not long ago, we dreamed about flying in the air, and that dream has come true. Who can deny that some day we might have our castles built in the air and thus solve our housing and population problem? Not only in the air might we find an answer to the solution of the problem, for crystal palaces could also be constructed under the surface of the ocean, if we could let scientific ingenuity of man work for peaceful co-operation and human happiness."

Since these utterances were made, we have progressed even beyond our erstwhile expectations. We can now talk about going to the moon while we dared not imagine such a trip when we were holding our last Maritime Session of the International Labour Conference in Seattle. It is hoped that, while progress is made in the field of applied science, similar progress should be made in the field of social, economic and political sciences. The treatment of seafarers should be so improved as to keep abreast with the advancement in technical knowledge.

What is more important, however, is that if we are not conscious of our moral obligations as Members of the I.L.O., not only can we not contribute to society but even our Organisation might some day fret out its life and existence. The good name of the I.L.O. is in danger and we have been facing danger with fear. It is not so damaging to be deceived as we are deceiving ourselves. The I.L.O. is no longer the homogeneous organisation it used to be: it is a dangerously heterogeneous one at present. In the introduction to the Director-General's Report, we find the following passage: "The first significant fact is the increase of I.L.O. membership. Since the last Maritime Session of the Conference in 1946, 27 States have been admitted or readmitted to membership. This

has brought the Organisation steadily nearer to universality and has raised its membership to a peak figure of 78 countries."

While we understand the optimism with which the Director-General has painted the picture, my delegation owes the Conference the duty to state our frank opinion that the increase of membership of Communist countries is certainly not for the better of our Organisation but for the worse and we should not entertain a false sense of pride and security. At this very Conference we have witnessed in the course of the last few days a debate between right and wrong and between the tripartite principle and the so-called universality. This is neither the time nor the place for me to repeat the words of tongue and pen with which the three groups have engaged in the heated discussions: these discussions would not have been necessary if the unqualified States had not been admitted to membership of the I.L.O. But let me invite all delegates from the countries of the free world to read what was said from this rostrum yesterday by Sir Richard Snedden, who actually took quite a few words out of my mouth. All that I wish to point out now is that if we have made one mistake, let us not make another, and then another, for two or more wrongs do not make one right. The so-called universality is a beautiful word, and it is beautiful only when its true meaning is made alive. It becomes an ugly word when it is abused and utilised for the purpose of smuggling into our Organisation States which do not have and in fact despise the tripartite social and economic structure. It gives all of us food for thought when we ponder over the truism that universality applies only to the fully-qualified member States; we cannot invite women to join a men's club. We all know that it is not healthy to create international tension, but I submit that more international tension is created when certain countries are within the I.L.O. than when they were without. When the true worth and very existence of the I.L.O. are at stake we should face the situation with courage and genuine wisdom.

We should not repeat the sorrowful history of the last two human catastrophes, made possible chiefly by compromise after compromise and appeasement after appeasement, which fed the increasing appetite and built up the false stature of the aggressor until he was led to believe he was really powerful enough to strike. If we are wise, let us not permit this sorrowful history to be repeated for the third time in our lifetime. Let us fight against the saying: "Never two without three." The time has come for the I.L.O. to make a supreme effort and to have a full house-cleaning either through its Governing Body or through its General Conference. Let us really work for social justice through freedom of association and through the tripartite structure. Let us not whitewash our acts and activities. Universality, as liberty, is a good word. Let us not be blinded by its misapplication. Through that word, the I.L.O. has let some wolves come into the sheep's fold; Trojan horses are now running amok in our Organisation. My delegation—and I am sure many a delegate present here—does not rejoice to see the increase of I.L.O.



membership due to the admission and readmission of the Communist countries, whose abusive language, threatening attitude, and imperfect structure of their delegations do not contribute anything but disorder and chaos to our Organisation. Sooner or later we have to find a remedy and a true remedy for this impossible situation.

So much for the general observations on the introduction and the conclusions of the Director-General's Report. Let us now examine the body of this document. It is doubtless a clear presentation of certain facts, but I have to point out that meagre information can be found therein about the state of affairs in the maritime field of my country both in the area that is free and in the area that is occupied by the Communists. May I venture to supply certain data and facts in order to fill the gap, in addition to what our Employers' and Workers' delegates may have to say?

Since the site of my Government moved to Taiwan, shipping has become increasingly important both for economic and military purposes. Great efforts have been made in connection with the development of navigation. After V-J Day, Chinese shipping tonnage reached the maximum of 1,200,000 in October 1948. Because of the resistance of international communism and foreign aggression and consequent evacuation from the mainland, the tonnage has considerably decreased. The story of the evacuation is a heroic one on the part of the Chinese seamen. After the Communist occupation of the mainland, because loyal crews refused to desert or defect to the enemy, a number of merchant ships that had been reported as going over to the enemy returned to Taiwan.

It is also worthy of note that new and important efforts in shipbuilding are being made by my country. On 15 March a ceremony for the keel-laying of the largest ocean-going vessel ever built in China took place at the Keelung dockyard in north Taiwan, and the vessel, one of two 36,000-ton oil tankers under construction by the Ingall-Taiwan Shipping and Drydock Corporation for the General Tankers Corporation of the United States, will be completed in the first half of next year.

As regards employment of our seafarers, although not all of them are now in active sea service, most of them are on the payroll of different shipping companies. Those who are not working on board are put on the list for reserved seamen, and they are paid a reduced wage sufficient to maintain the livelihood of a small family. A rotation system has been developed to give equal opportunity for all seamen to get to sea, and those on the list for reserved seamen may work in any private concern other than a shipping company.

As regards the wage scale for our seafarers, it is comparable to wages paid in European and other Asiatic maritime countries, and indeed it is much higher than any scale for salary earners in the other fields of service in my country. From the point of view of the Government, it may be better not to see the wage scale of seafarers go too high in order not to stimulate a rise in wage scales in the other fields. Nevertheless, our ship-

owners see fit to maintain a high standard of living for our seamen.

From the foregoing we can see that there have been no serious problems between the seafarers and the shipowners in my country as far as free China is concerned. But when we come to consider the situation on the mainland, it is a tragic and different picture. I wish I had the time to go into some detail on this subject but suffice it for me to give you some indications as to how the seafarers and shipowners are treated—or rather maltreated—on the Chinese mainland. The living and working conditions of Chinese seafarers serving on vessels operated by the puppet régime on the Chinese mainland, where individual freedom is completely ignored, are deplorable. When a ship is calling at a foreign port shore leave is seldom granted to the crew. Even when granted, members of the crew are not allowed to go on shore alone. A group of at least three is the requirement. Conversation with other people is forbidden. In fact they are denied freedom of movement and freedom of speech, let alone freedom of association. To date there have been more than 10,000 Chinese seamen seeking shelter in Hong Kong and Singapore after forsaking their membership of the seamen's union under Communist control. Oftentimes ships, including fishermen's vessels from the ports of the Chinese mainland fleeing under gun shots, arrive in free China to seek freedom.

Last Sunday, 4 May, the *New York Times* published a special report from Hong Kong, which states in part as follows: "Fifteen hundred Chinese fishermen and their families have fled from southern Chinese waters in terror in the last month to seek refuge on the island of Cheung Chau. The island is between Hong Kong and Macao in British territorial waters." This report, which is one among many, gives us a comprehensive picture of the lot of the seafarers on the mainland. As to the shipowners, I can only report to you the sad tidings that the Employers' delegate of my country who attended the last Maritime Session of the I.L.O. Conference held in Seattle has been compelled by the Communists on the mainland to take his own life and has thus joined the 20 million of my countrymen who have been liquidated since the occupation of the mainland by Communists.

In conclusion, the challenge of our time is the challenge to the delegates of the Conference. May we take stock of the fact that not only is the I.L.O. in imminent danger but humanity at large is at stake. Let us face the future with courage and wisdom and let our conscience be our guide in our activities inside as well as outside the Conference hall. Let us be friends if at all possible. Let us be the enemies of no nation or man, but of man's inhumanity to man.

*Interpretation from French:* Mr. LAZAREANU (Government delegate, Rumania)—Before I make a few observations on the Director-General's Report, I should like to thank Mr. Morse and his assistants for this document, which undoubtedly constitutes a valuable starting point for the discussion of the various aspects of seafarers' work. The

Report analyses the development of the merchant navy throughout the world since the last Maritime Session up to the present and brings out the rapid increase in tonnage, which amounted in 1956 to over 105 million tons. This figure has no doubt been considerably exceeded since then.

The increase in tonnage has enabled a better use to be made of the labour force. However, as may be seen from the Report of the Director-General, the outlook for the merchant navy depends on greater economic activity and on the continual development of international trade. We entirely agree with that view since, as stated in the Report, maritime transport is a rough but sensitive barometer of the general state of trade.

We are convinced that the development of commercial relations between countries calls for the elimination of all artificial barriers in the sphere of trade. Only increased international trade can ensure a continual development of the merchant navy and can provide seafarers with better and more stable conditions of employment.

The Report of the Director-General does not reflect the alarming situation facing a considerable proportion of the merchant fleet as a result of the reduction in trade. It is true that this position has become increasingly severely felt since the completion of the Report. There are now ships totalling millions of tons laid up in various ports for lack of freight, and unfortunately there is as yet no sign which might give us grounds for believing in a rapid recovery.

The development of international trade, and consequently also of maritime transport, is, in our opinion, also closely linked with the problem of disarmament. Partial and one-sided measures for the reduction of armed forces have been taken by certain countries, including the People's Republic of Rumania. A general reduction of armed forces and of armaments would enable funds to be made available for a continual increase in peaceful production and for effective assistance to underdeveloped countries which would, in turn, make possible increased activity of the merchant fleet and full employment of seafarers.

A number of speakers before me referred to a great problem which is of concern to public opinion and particularly to seafarers, namely the question of cessation of atomic and nuclear weapon tests. This subject is of considerable interest to seafarers since not only are their lives and health at stake but also the free movement of ships. When considering this problem our Conference should reach a decision on this subject and show the interest it attaches to this question and to the interests of seafarers.

Similarly our Conference should come out against the practice of certain countries of closing important sections of the sea to international trade routes on the grounds that military, naval and air exercises are being held. We should also protest against all barriers to the continual and intensive development of maritime trade.

The Report of the Director-General emphasises the fact that new technical improvements have helped to improve the working

and living conditions of seamen. It should however be noted that the improvement in seafarers' living conditions, where they have occurred, are due primarily to the fact that modern ships afford better possibilities for the health and comfort of the crew. However, if we look at actual achievements in the sphere of international regulations concerning seafarers, it must be recognised that the progress made has been fairly slow. It should be recalled that the Conventions adopted at Seattle, those dealing with the most important issues regarding seafarers, have not come into force. Similarly a large number of States Members of the International Labour Organisation have ratified no maritime Conventions.

An important problem with which the Report of the Director-General deals is the training of technical and supervisory staff and the lack of trained seamen in countries which are developing their merchant navy. In this connection we appreciate the suggestion made in the Report that the experience of the traditional maritime countries should be made available to other countries and we ask the Director-General to look into this in order that the I.L.O. may become a centre for the exchange of experience. As a first step it might be possible to carry out a study of training methods for seafarers in the more advanced maritime countries, a study which could be communicated to all member States.

We also wish to emphasise our interest in problems relating to medical assistance to seafarers. There is here a broad field for international co-operation and undoubtedly the I.L.O. must do all it can to arrive at international regulations which will meet present requirements. We hope that the Recommendations adopted this morning will serve as a starting point for even better and more accurate regulations which will take the form of one or more Conventions. Moreover, the establishment of close co-operation between countries—above all those in the same region—with a view to improving medical advice to seafarers would certainly be a useful step.

Allow me to give you a little information regarding the present position in our merchant navy and regarding the working and living conditions of our seamen. Most of our cargo fleet was lost as a result of the war. Losses were partly made up by new construction and the purchase of new ships. Recently further orders have been given to shipyards at home and abroad. For the first time the shipyards in our Danubian valley are building seagoing vessels. It can also be mentioned as an achievement of the post-war period that a fishing fleet has been established, built in Rumanian shipyards.

In spite of the fact that we have only a small fleet, maritime factors are still important in the Rumanian economy since we have a large inland fleet and good port facilities.

Rumanian seamen enjoy all the rights established by the Labour Code. Hours of work on board are eight a day. To ensure effective work three shifts are worked every 24 hours. Wages are higher than the minima laid down in the Convention before us. Special allowances ensure that seafarers on board receive adequate nourishment. All seafarers have holidays with

pay, free medical attention, sick leave with pay, invalidity insurance and retirement pensions in old age.

As regards vocational training of officers both in the deck department and in the engine-room department, our country has for the first time set up a merchant navy institute.

We consider that the practice introduced within the I.L.O. of holding special Maritime Sessions affords us considerable possibilities for studying and settling problems affecting the living and working conditions of seamen. The results achieved so far at Maritime Sessions of the International Labour Conference lead us to believe that it would be a good idea to study the possibility of holding sessions for the discussion of specific problems of other industries in the future, for example, air transport, rail transport, road transport, underground work, and so forth.

Allow me nevertheless to express my regret that, at this Conference which should be attended by all maritime countries and by representatives of all shipowners and seafarers, one of the countries which has a fleet and ports of great importance is not represented, a country whose contribution to our work might have made the results of our Conference more effective. I am referring to the People's Republic of China. We consider that only in the strictest conformity with the fundamental principles of the International Labour Organisation, of which universality is one of the most important, can the spirit of co-operation necessary to prepare Conference documents and to apply the results on a world-wide scale be ensured.

In thanking you for your attention, I express the hope that our Conference may be a fully successful one.

Mr. CHEN (*Workers' delegate, China*)—The information on living and working conditions of seamen of different countries contained in the Report of the Director-General is so helpful for the improvement of Chinese seamen's conditions that I must thank Mr. Morse for his valuable work. However, little has been said about the living and working conditions of Chinese seamen and I am glad to have the opportunity to report to you about them now.

Being away from home for most of the year, seafarers are deprived of the sweet home life that people ashore can usually enjoy. If they could earn as much ashore as at sea they would prefer to get shore jobs and there would be no seafarers. I believe that all delegates here must be pleased to hear that Chinese seafarers, after consistent efforts in fighting for improved living and working conditions, are now enjoying a better life than any other Chinese workers and are being paid wages which are the admiration of their fellow workers ashore.

It is true that the wage scale for our distant ocean-going vessels is comparable to that of most leading maritime countries, except the United States. In companies where there are very few or no reservists our seafarers feel quite satisfied with their wages. At present, however, in the few companies where reservists are numerous, our seafarers think that their average wages, taking into account the reser-

vists' pay, are lower than they should be when compared with those of other seafarers on account of the rotation system. Nevertheless, our seamen understand that this shortcoming is being overcome by the gradual addition of new ships to the fleet.

For many years some foreign companies followed the practice of employing Chinese seamen on their ships sailing on certain particular routes. Yet the Chinese seamen employed have been restricted mostly to the ranks of rating, and only a very few have risen as high as petty officer. But in recent years high-ranking Chinese officers and engineers have been employed on ships under foreign flags. In many cases, a full complement of Chinese crew (including the Master) is employed on foreign ships.

Chinese crews are known to all employers as possessing such good qualities as diligence, patience, industry, obedience and good conduct, and are now known for their modern standard of shipboard knowledge and techniques.

In consideration of the repeated appeals made by our seafarers for the improvement of living and working conditions, the revision of our Merchant Marine Code has been submitted by the Ministry of Communications to our legislative body for approval, and the Retirement and Pension Act for Chinese seamen is now in preparation.

Now we have two big aims which we are struggling to realise: one is the introduction of a uniform wage scale throughout all Chinese shipping companies, and the other is the increase of the wage scale for short-distance trade so that there may be little or no wage differential between short-distance and long-distance vessels. We hope that our Government and shipowners will give us their usual support and sympathy, as they have towards our other past requests.

Masters are not allowed to be members of our seamen's union because they represent the interests of shipowners. Of course, it is the duty of a master to protect the owner's interest in dealing with agents, charterers, shippers, cargo owners, stevedores, underwriters and so forth in connection with damages, claims, dispatches, demurrage, insurance and so forth. However, when it comes to the problem of seamen's welfare, our masters are always on the seamen's side and unfailingly come to our help.

For those seamen who tire of seafaring and choose to stay ashore, a Vocational Guidance Committee has been established under our seamen's union where such persons may register. A shipping company in need of persons having sea experience for certain shore jobs may ask the Committee to recommend it such seamen. Some dockyard jobs are suitable for either deck or engine-room personnel. Hotel and restaurant jobs are suitable for seamen from the catering department. Those with some savings or capital may wish to have a shop of their own. Small repair shops, electrical, radio or welding shops and ship-chandler's shops are their usual choices. Some even go into new fields of business. In all these vocational transfers the said Committee plays an important role in rendering every kind of service, giving advice and in making

all kinds of arrangements for our seafarers.

Our ship ratings depend more upon our seamen's union than do our officers for protecting their rights and interests and for promoting their well-being, for most ratings are less educated seamen, who might neglect or lose their lawful rights and interests through sheer ignorance. Our seamen's union takes care of the legal matters of our seamen in order to ensure fairness and justice. In case of death, the special grant allowed for the deceased seaman and the insurance may be too small to be of much help to the bereaved dependants. Therefore, the seamen's union has to raise funds by asking for donations and contributions from other sources. As a matter of fact, should some catastrophe overtake a seaman's family, the seamen's union and the shipowner usually work together in obtaining a favourable solution.

Concerning the problem of Asian seamen being employed on foreign ships, I have one suggestion to make. I suggest that governments to which such ships belong should take steps to ensure that the spirit of equality shall prevail and that no racial or national discrimination shall exist between employers and crew and among the crew themselves, especially where seafarers of mixed nationalities are employed.

Before I conclude I wish to assure you that our seafarers have always been loyal supporters of the I.L.O. and have always been positive in urging our Government to ratify Conventions adopted at Maritime Sessions of the Conference.

The PRESIDENT—That concludes the debate on the Director-General's Report.

*(The Conference adjourned at 4.45 p.m.)*

## Delegates Present at the Sitting

<i>Argentina :</i> Lieutenant-Commander Gómez Ortega	<i>Denmark :</i> Mr. Worm Mr. Møller (substitute for Mr. Lysgaard)	<i>Japan :</i> Mr. Hayashi (substitute for Mr. Kawasaki) Mr. Mori Mr. Yamagata	<i>Spain :</i> Mr. Pastor Tomaseti Mr. García de Llera Mr. Arguimbau (sub- stitute for Mr. de Azqueta Urigüen) Mr. García Ribes
<i>Australia :</i> Mr. Dwyer (substitute for Mr. Brentwood) Captain Bull	<i>Dominican Republic :</i> Mr. Álvarez Aybar Mr. Paradas	<i>Liberia :</i> Mr. Simonovitch	<i>Switzerland :</i> Mr. Ryniker Mr. Messmer Mr. Fornet (substitute for Mr. Keller) Mr. Hofer
<i>Austria :</i> Mr. Schellenbacher Mr. Schlaffer	<i>Finland :</i> Mr. Tikanyaara Mr. Hallberg Mr. Wälläri	<i>Mexico :</i> Mr. Mérito Miss Aguirre	<i>Tunisia :</i> Mr. Ladhari Mr. Ben Salem Mr. Sellami
<i>Belgium :</i> Mr. Dekeyzer	<i>France :</i> Mr. Lambert (substitute for Mr. Ramadier) Mr. Roullier Mr. Gruénais	<i>Morocco :</i> Mr. Guessous	<i>Turkey :</i> Mr. Toygar Mr. Yenäl Mr. Aymen
<i>Brazil :</i> Mr. Barboza-Carneiro Mr. de Faria Baptista Mr. Carvalho Mr. Teixeira	<i>Federal Republic of Germany :</i> Mr. Schelp Mr. Fettback	<i>Netherlands :</i> Mr. Berger (substitute for Mr. Valentgoed)	<i>Ukraine :</i> Mr. Slipchenko Mr. Nizhnik Mr. Danchenko
<i>Bulgaria :</i> Mr. Belinski	<i>Ghana :</i> Mr. Nettey Mr. Halm	<i>Norway :</i> Judge Bull Mr. Hauge (substitute for Mr. Haugen)	<i>U.S.S.R. :</i> Mr. Peretrutov (sub- stitute for Mr. Dolinsk Mr. Morozov Mr. Ragimov
<i>Burma :</i> Mr. Thin Mr. Myint	<i>Greece :</i> Commander Goulielmos Commander Antoniadès Mr. Petroulis	<i>Pakistan :</i> Mr. Chaudhuri Mr. Ahmad Mr. Khatib	<i>United Kingdom :</i> Mr. Proctor
<i>Canada :</i> Captain Johnson Mr. Sheehan	<i>Indonesia :</i> Mr. Sanitioso	<i>Poland :</i> Mr. Licki Mr. Skiba	<i>United States :</i> Mr. Jacobs Mr. Hawk
<i>China :</i> Mr. Yü Mr. Lee Mr. Sa Mr. Chen	<i>Ireland :</i> Mr. Ó Riordáin Mr. Crowley	<i>Portugal :</i> Mr. Pedrosa Mr. Daun e Lorena (sub- stitute for Commander Jorge) Viscount Botelho (sub- stitute for Mr. de Barros) Captain dos Santos	<i>Yugoslavia :</i> Mr. Velimirović Mr. Kesić Mr. Velkaverh
<i>Colombia :</i> Mr. González	<i>Israel :</i> Mr. Raday Mr. Bar-Zeev Mr. Ivri Mr. Barash	<i>Rumania :</i> Mr. Lazareanu Mr. Anzulato Mr. Radulesco	
<i>Cuba :</i> Mr. Camejo Argudín Mr. Enseñat Polit	<i>Italy :</i> Mr. Berio Mr. Purpura		

## TWELFTH SITTING

Monday, 12 May 1958, 10.15 a.m.

*President : Mr. Kawasaki*

### REPORT OF THE COMMITTEE ON WAGES, HOURS AND MANNING<sup>1</sup>: SUBMISSION, DISCUSSION AND ADOPTION

The PRESIDENT—The first item on the agenda this morning is the report of the Committee on Wages, Hours and Manning. I call upon Mr. Valentgoed, the Chairman, and Mr. Endresen, the Reporter, to come up to the platform. I ask Mr. Endresen to present his report.

Mr. ENDRESEN (*Government delegate, Norway ; Reporter of the Committee on Wages, Hours and Manning*)—I have the honour to submit to the Conference the report of the Committee on Wages, Hours and Manning, the text of which has already been distributed.

The Committee has adopted the proposed text of a revised Convention on Wages, Hours of Work on Board Ship and Manning, the proposed text of a Recommendation on the same subject and a resolution concerning the application of the principle of a 40-hour working week on board ship. These are recommended to the Conference for approval.

As regards the revision of the Convention you will note that the Committee adopted amendments to four Articles, namely Articles 3, 5, 6 and 27. I refer you in this respect to paragraph 37 of the report. Of these amendments the amendment to Article 5 deals with the very important question of the divisibility of the Convention.

In conformity with the decisions taken at the Preparatory Technical Maritime Conference held in London in October 1956 the Committee has proposed that countries shall be allowed to exclude from their ratification Part II of the Convention dealing with wages. At the same time Part II may be accepted by the country concerned with the force of a Recommendation. As a supplement to Article 5 a new paragraph has been added which was proposed by the Canadian Government member; it provides that any country which excludes Part II from its ratification shall also supply certain information concerning the basic monthly wages of an able seaman on a vessel of a type to which the Convention applies. The new Article 5 if adopted by the Conference

may open the door to ratification by countries which up until now have regarded Part II as a real obstacle in the way of ratification, whether it be for practical or constitutional reasons.

On the other hand it must be borne in mind that the Employers' group has met Article 5 with great disapproval. They did so in London and have done so again at this Conference. I think it is quite right to say that we are here confronted with opinions which differ to a very great extent. The position of the Employers' group is of course an added disadvantage; but I think the situation is better now than in London because the Committee in its report has proposed a Recommendation of great importance. This Recommendation, which includes the principles of minimum wages and an eight-hour day for all departments on board, at sea and in port, is meant to come in addition to the proposed text of the revised Convention. The Recommendation was adopted by the Committee as it was submitted to the Governing Body by a tripartite Working Party which met in Geneva in April last year. It should not be necessary to go into detail about the establishment of the Working Party, but I do hope that I am right in saying that it has managed to bridge the gulf which existed between the different opinions in this respect. I have the greatest respect for the excellent work done by the Working Party, which included in its membership the leaders of the seafarers' and shipowners' groups. Therefore, in spite of the attitude of the Employers' group to the adoption of Article 5, I have strong hopes that the adoption of the proposals to revise the Convention and of the proposed Recommendation, which comes in addition to the revised Convention, will assist international co-operation regarding better standards and working conditions for seafarers of every country, which again will be of benefit to the shipping industry itself.

In adopting the proposed special resolution concerning the principle of a 40-hour week for seafarers the Committee was conscious of the progress made in recent years with regard to the reduction of hours of work. It was held that, as the question of hours of work was to be debated at the Ordinary Session of the Conference, it was only reasonable to ensure that the particular interests of seafarers were not overlooked. Consequently the resolution requests the Governing Body of the International Labour Office to include the seafarers

<sup>1</sup> See Appendix IV, p. 222.

in any measures or investigations which may be decided upon as a result of the forthcoming discussion, concerning a general reduction of working hours.

The report of the Committee was adopted unanimously and I commend it for approval.

The PRESIDENT—The report is now open for discussion.

Mr. YAMAGATA (*Employers' delegate, Japan*)—I wish first of all to express my hearty thanks to Mr. Valentgoed, the Chairman of the Committee on Wages, Hours and Manning and to Mr. Endresen, the Reporter, for drawing up the excellent report which is now under consideration. I would like, however, to give you a very brief commentary on the report, especially as regards the part dealing with the proposed Recommendation, which has been one of the main subjects of attention in our country. The report points out with particular emphasis that those Employers who were prepared to vote for the proposed Recommendation and those who abstained completely reserved their position nationally and wanted to make it quite clear that they reserved their rights to decide which Parts are acceptable with reservations. As regards the reservations which we wanted to make, however, I feel that the report could not possibly be expected to cover the remarks made at the Committee meeting as regards the particular nature in Japan of the arrangements covering seamen. In Japan the provisions governing hours of work, for instance, are quite different from those contained in the proposed Recommendation, and I feel that such differences are of principle and not only of practice as was suggested. They are based on the actual position in Japan as regards hours of work and it is almost impossible for us to shorten hours to eight a day and 56 a week. Similar remarks must be made by us also in regard to wages and manning; especially as regards wages I understand that it is the policy of our Government that minimum wages should not be stipulated in a legal document but should in principle be decided upon as a result of the collective bargaining between the shipowners and employees. It is not, however, my intention to say more on the report. Rather, I would say that I yield to none in expressing my deepest respect for the splendid work done by the tripartite Working Party in preparing and submitting the proposed Recommendation to this Conference, and especially for the great work done by the Chairman and the Reporter of the Committee in making possible the introduction of the proposed Recommendation to the plenary sitting of the Conference today.

I would ask that my remarks made here now be recorded in order to prevent any possible subsequent misunderstanding.

Mr. BECU (*Workers' adviser, Belgium*)—The seafarers are greatly surprised, not to say bewildered, to note that so many countries, among them several important maritime countries, have abstained in the vote on the proposals to revise the Wages, Hours of Work and Manning (Sea) Convention. I know that seafarers the world over will be cruelly dis-

appointed and disillusioned and that their faith in the I.L.O. will be shaken if this Conference does not by a convincing majority adopt—or rather readopt—this Convention, which has been hanging fire for 12 years.

It is important, I think, to remember that this is no new Convention and that the text contains nothing more than what was agreed upon as far back as 1946. Actually, it contains rather less, since, as a result of two revisions, one of which was carried out in 1949 and the second here in 1958, the original Convention has been watered down on quite a number of points.

Throughout the intervening years the seafarers have refrained from proposing any improvements in the 1946 provisions, and this in spite of the fact that the original Convention contained nothing which could be regarded as extravagant, even at that time, and in spite of the fact that in those intervening years substantial improvements have taken place in many countries in the social conditions of workers in general and of seafarers in particular.

We have followed this line because our primary concern has been to remove obstacles which have hitherto prevented implementation and thus to secure an instrument which would be implemented, rather than to advocate improvements which, however justified in themselves, would only create fresh obstacles to implementation and thus condemn this instrument to remaining a dead letter. It would be a serious setback, you know, to this policy of moderation and to the esteem in which the I.L.O. is held in seafarers' circles if it did not meet with the response which it deserves.

As far as the seafarers of the advanced maritime countries are concerned, this Convention, if adopted, envisages very little in the way of actual improvements in their social conditions. However, the same is not the case when we consider the position of seafarers in the socially less advanced parts of the world. From the point of view of these seafarers the Convention still means a great deal. It has been primarily with them in mind that we have concentrated all these years on urging implementation of the existing provisions, rather than initiating attempts to secure new ones.

One cannot overestimate the importance—from more than one point of view—of doing justice to seafarers, who will derive direct benefit from the absolute minimum standards which are provided by the Convention.

I would like—and I cannot be strong enough in this—to address a few special words to Government delegates who have abstained or did not take part in the committee work on this Convention, in order to underline one or two points which may not emerge from the report of the Committee. We often speak as though the purpose of this Convention is to regulate conditions of work on board ship, but it cannot be overemphasised that this is not the case. The purpose of this Convention is only to set international minimum standards, and I underline "minimum". I submit that this is a very different thing; and that destroys practically every argument, I should say, which has been brought against the Convention. This applies in particular to



the assertion that wages and hours are two inseparable factors from the point of view of the economies of the shipping industry. We question the argument in any case because we can only understand it if it assumes that relatively high wages tend to be accompanied by relatively long hours of work and so on. The issue is perhaps a little too involved to develop here, and I certainly have no wish to do so. However, I would say that our observations are the opposite: that there is, on the contrary, a tendency for higher wages to be accompanied by shorter hours, in which case the argument regarding the relationship between wages and hours would obviously work the other way round.

I submit, however, that the whole argument is an economic one anyhow, so that it is of doubtful relevance in a discussion at the International Labour Conference and should therefore be disregarded at this point. Instead I base our case for the Convention primarily on the observation that it is concerned not with the regulation of wages and hours on board ship but with the setting of international minimum—and I repeat, minimum—standards. This, I should like to say very emphatically, is a purely social matter and therefore highly relevant to this discussion. We submit that the question of a minimum wage is a question of social justice, one to be decided from a moral, not an economic, point of view. An industry which could not pay what is recognised as the minimum wage from the social point of view would just have no basis of existence. I submit that it is the plain duty of every government to ensure that such a minimum is observed.

The same considerations apply with respect to the international minimum standards regarding hours of work. In short, just as Governments can and do lay down standards with regard to age of admission to certain industries, the restriction of work at night and various other matters without thereby resorting to actual regulation of the details, so in the opinion of the seafarers they can do the same with respect to hours without this being considered to constitute intervention in industrial relations.

For the reasons which I have just developed we cannot accept the position of Governments who would abstain from voting for the Convention on the ground that their policy is to leave the regulation of questions like wages and hours to the two sides of the industry concerned. We would, as regards such governments, repeat respectfully, but emphatically, that what this Convention requires is the setting of international minimum standards in accordance with the principle of elementary social justice. This is something which, in our opinion, no government may contract out of, irrespective of the system of industrial relationships which operate rates in its country.

In conclusion I would make one more point. It may be thought that the remarks which I have made apply equally to wages and hours of work and that consequently it is hardly consistent to separate wages and hours in the way which has been done on our initiative. This would be perfectly true but for one fact, a fact which explains why at Seattle in 1946 we agreed to the inclusion of wages and hours

in one instrument. We could not—or at least did not—foresee the instability which has characterised the financial and currency structures of so many countries in post-war years. I do not think that I need explain how this factor can and does distort the concept of an international minimum wage. It is because of this distorting factor of financial instability, and for no other reason, that we have felt compelled to separate the two elements of wages and hours, for though the factor of a minimum wage is thereby affected the factor of working hours is not. This point of view, I respectfully submit, restores complete consistency to the case of the seafarers. Consequently I feel that I can conclude these final remarks on behalf of the seafarers—or rather on behalf of the overwhelming majority of the seafarers—not only in this hall but in the whole of the world, by appealing to all Governments to cast their votes in favour of the Convention.

Sir Richard SNEDDEN (*Employers' delegate, United Kingdom*)—When I say I shall be very brief I really mean to be very brief. The Employers' group, as you know and as you will read from the report of this Committee and the report of the London Preparatory Technical Maritime Conference, is completely opposed to a Convention which enables governments to ratify it by cutting out the section regarding wages. That is a complete travesty, in our opinion, of all we have been struggling for since Copenhagen, but it has been done, and we are not going to complain about it any more; we shall express our view now by our votes. You all know the arguments which we have put forward.

There is, however, one point on which I must say a word and which I had not realised was going to be raised this morning.

Mr. Becu has urged that Governments who abstained from voting on this Convention in the Committee, and other Governments who may feel that they ought to abstain in the Conference, should think again and should perhaps vote for the Convention. Fair enough, but this does not bring out into the open the fact that there are now, and have been for many years, two schools of thought about what you are doing when you vote for a Convention. Some of us think—I am certainly one of them—that if you vote for a Convention it means that it is your firm intention to ratify the Convention and give effect to your vote. There are others, of course, who take a different view and who regard a vote for a Convention as very largely a gesture of goodwill, and in some cases nothing more.

This whole Organisation is cluttered up with gestures of goodwill. There are literally thousands of votes which have been given for Conventions and they have never been ratified. Now if you take the view that a vote is simply a gesture of goodwill, all right, but if you do that I think you are sapping at the very roots, the very foundations, of this Organisation. Well, it is for you to decide; I am not going to argue the case any further.

I had asked for the floor on a completely different point. The Reporter mentioned in his report that the proposed Recommendation



was an addition to the Convention. There was any amount of argument about this in London, and I have just got up to speak on this point because I feel there may be some misapprehension. Do not let us argue about additions, supplements, parallels, complements—words like that; let us just take the simple word which appears on page XI, where you have the text of the proposed Recommendation. All that is there is: "Recognising the need for a further instrument . . .". "Further" is the word that is used; "further" is the word we stick to. There is not necessarily any link between these two instruments: countries can accept one or other, or both. But in no sense is the Recommendation to be regarded as a mere annex to the Convention. I hope that the Reporter will agree that I have put the matter correctly.

Now may I say one word on behalf of the shipowners of the United Kingdom? We are delighted that at long last as a result of the Working Party meeting an international instrument is likely to be adopted which will be generally accepted throughout the maritime world. At least, it gives that possibility. Personally, it is a great satisfaction to me that after 30, or 37, years of—dare I call it wrangling?—this International Labour Organisation is at long last within sight of adopting an instrument on wages, hours of work and manning which British shipowners can accept.

*Interpretation from French:* Mr. BARBOZA-CARNEIRO (*Government delegate, Brazil*)—First of all I should like to congratulate the Chairman and the Reporter of the Committee, and in so doing I am congratulating all the members of the Committee for the constructive work submitted to us.

The Brazilian delegation is prepared to give its full support to Parts I and III of the Convention. It regrets that it is not possible for it to vote in favour of Part II, which deals with wages. It regrets it all the more since in my country, Brazil, seafarers have a guaranteed minimum wage which is higher than the level of wages laid down in that Convention. Our legislation makes it impossible for us to assume an international obligation following which these minimum wages would depend on foreign currency even if, instead of the amount being specified in the currency of any given country, it were specified in terms of a gold currency. The law in force in my country does not make that possible. I know that I could vote in favour of the Convention and leave it to Parliament to pass judgment on it and not to ratify it; but that would not be that kind of loyalty to you which I feel I ought to display.

I would like this Convention to be voted upon Article by Article; even if there is a record vote I shall be all the more happy since we are anxious to show our friends, the Workers, those brave seamen, that we wish to ensure them the best possible conditions of work. But we would have to abstain on Part II of the Convention and also on the proposed Recommendation.

The Convention when submitted as a whole to the Conference for a vote could not of course have our support; we would have to

abstain. But the Convention will be submitted to the National Congress, and if the legislature sees fit to do what it alone can do, making an exception in this case and ratifying the Convention, then those who have the honour of representing Brazil at this Conference will have cause for great satisfaction. I do not, however, wish to put myself in the situation to which reference was made a moment ago by Sir Richard Snedden when he said that sometimes an attempt is made to make a show of goodwill here while knowing all the time that a Convention cannot be ratified. No, first of all I wish to prove my sincerity. That is why the Brazilian delegation will vote in favour of Parts I and III and will refrain from voting on Part II.

*Interpretation from Russian:* Mr. BELINSKI (*Government delegate, Bulgaria*)—At the beginning of my statement I should like to say that the Government delegation of the People's Republic of Bulgaria supports the proposed Convention and will vote in favour of it.

As indicated in the Committee's report, when the draft text for the general revision of the Wages, Hours of Work and Manning Convention was being examined, the Government delegation of Bulgaria proposed an amendment to Articles 13, 14 and 15 of the draft text. This amendment was intended to improve the working hours of seamen on near-trade ships as well as of the service and catering staff on all ships. Our proposal bears in mind the fact that the seamen mentioned should enjoy the same working hours as those provided for in Article 14 for distant-trade ships; in other words, working hours should be based on an eight-hour day and a 48-hour week and not as laid down in Articles 13 and 15, which are based on a 12-hour day and a 56-hour week.

Now what is it that prompted the Bulgarian Government delegate to make this proposal? I do not suppose that many people would maintain that work on near-trade ships is necessarily less arduous than work on distant-trade ships. On near-trade ships the seafarers have more laborious jobs to do in connection with mooring and unmooring, the clearing of holds, the opening and closing of hatches, the cleaning of holds, decks and so on on account of the small space available, and consequently they work under more difficult conditions than seafarers on distant-trade ships. Seamen employed on these ships have to go on night watch and in bad weather they work in worse conditions than seamen on distant-trade ships. On near-trade ships as a rule living accommodation is worse than on distant-trade ships, and this sometimes makes it impossible to provide a full crew and to ensure that all watches are kept fully manned at sea. Consequently the available seamen have to work extra watches.

There are also fewer possibilities of providing welfare facilities for seamen working on such ships. All this shows that sailors on near-trade ships use up a great deal of strength and energy but have less possibility of restoring their strength and of resting. Consequently we fail to see why under such circumstances men working on near-trade ships should be expected to work 12 hours a day, as provided for in Article 13, instead of eight hours a day.

I should also like to speak in defence of the service and catering staff on all ships, for whom Article 15 provides for a 12-hour day. Since these men work on the same ships as the rest of the crew, do they then not find themselves working under the same conditions? Their health also is adversely affected by storms, changes in temperature, absence of normal sleeping hours, noise and other conditions, and I think we are not mistaken in concluding that all categories of seamen should enjoy the same conditions. All conditions of work at sea are dangerous and difficult and the conditions of these particular workers are not devoid of danger either.

The Government delegation of Bulgaria considers that Articles 13 and 15 are not fair in providing these conditions of work and hours of work for men employed on near-trade ships and for catering and service staff. We ask that you put Articles 13 and 15 to the vote separately. We will abstain from voting on these two Articles, but we will, as I have already indicated, vote in favour of the proposed Convention as a whole.

Mr. WIDELL (*Government delegate, Sweden*)—The two proposals we have before us today are no doubt an important sign of the wish which has been manifested in all groups of this Conference to support a continuous improvement of the social conditions for seafarers. The differences of opinion concerning the form of the proposals which have existed are in my opinion of a secondary nature compared to the feeling of social responsibility which has all the time been expressed during the discussions. I strongly believe that when the din of the discussions has faded away the decisions we make today will constitute a good basis for united efforts in the whole world to improve the social conditions of seafarers, and that a balance will thus be reached with the conditions of workers in other similar professions. Such an adjustment does not only imply a desire for justice and an expression of a general understanding for the special needs of seafarers; in addition a satisfactory solution of these questions can lead to more stable conditions on the employment market, co-operation between the two parties being, of course, of great importance in this connection. More stable conditions could furthermore lead to an increased security at sea and be a good basis—as has been the case in other industries—for a continued increase of efficiency.

In the light of what I have said it seems evident that the formal side of an agreement to increase the social welfare of seafarers is of minor importance. One-and-a-half years ago we met in London in order to study at the Preparatory Technical Maritime Conference the reasons why this long-existing Convention concerning wages, hours of work on board ship and manning had been ratified by only a few States and to propose such changes in this Convention as would make possible a more general acceptance. On the Scandinavian side we declared that the most difficult obstacle to ratification seemed to be the stipulations regarding minimum wages fixed by law. Consequently an amendment to the Convention

was proposed which would give countries greater liberty than before as regards these stipulations. It became apparent at the discussions in London that most of the governments represented shared the points of view which had been presented from the Scandinavian side concerning the Convention and the need for an amendment thereto. However, the proposal ran into opposition from other quarters.

In order to secure general agreement it was proposed in London that a special tripartite Working Party should meet during 1957 in Geneva. It was in accordance with the general attitude of the Swedish Government to support this proposal. This Working Party held a meeting and it unanimously suggested that a Recommendation be drawn up in addition to the revised draft Convention prepared by the London Conference.

In this connection I wish to recall the statement of the Chairman of the Working Party concerning its proposal. He stated that the adoption of a Recommendation in addition to the Convention was a novel approach in I.L.O. practice. "If we decide to go ahead in this way," he said, "we break new ground which would prove to be a starting point for a more effective use of the double instrument which the I.L.O. has adopted more or less on its own, namely the Convention and the Recommendation, and to treat them not as two separate things but as a sort of combined exercise."

I do not wish to hide that in this case we do prefer a Convention to a Recommendation. However, others may hold different opinions, and that we understand and respect. There already exists a Convention which, even if not ratified, according to general opinion has strongly influenced actual developments in this field. Now we remove the main obstacle which prevents many countries from ratifying the Convention. We would also like to believe that it will be possible later for more countries to ratify it. For many reasons we consider a Convention to be a better and stronger instrument in the long run to encourage social welfare than a Recommendation would be. There is always a risk that a Recommendation in addition to a Convention may weaken the Convention as an instrument. However, we are aware of the fact that there may be some States which perhaps will not be able to ratify the Convention for some time but which could now, by an acceptance of a Recommendation of the same spirit as the Convention, encourage in their territories the development of the social conditions in the maritime field. Notwithstanding our fundamental attitude I can therefore entirely agree to the proposal of the Geneva working party. It seems to me to be within the spirit of this proposal to try to persuade the Conference to adopt with the greatest possible unanimity the Convention as well as the Recommendation as a combined exercise, then each one of the individual countries will have to decide if it wants to ratify the Convention or, in any case for the time being, if it prefers to accept the Recommendation only.

With regard to the Government delegation of Sweden it is with great satisfaction that I shall vote in favour of the Convention as well as the Recommendation. Permit me to recom-

mend warmly the proposals made by the Committee on Wages, Hours and Manning.

*Interpretation from Russian : Mr. YEFIMOV (Government adviser, U.S.S.R.)*—Today we are taking part in a debate which sums up the result of a great deal of work begun in the I.L.O. a long time ago and is now expressed in the proposed revised Convention concerning wages, hours of work on board ship and manning. We consider that this Convention is aimed at defending the interests of the workers and that those interests require protecting in view of the particularly difficult and dangerous conditions of the work of seamen ; we consider that the Convention, in the text before us, can be accepted and has our support. At the same time we consider it necessary to point out that the present text unfortunately has still not solved the fundamental questions which are causing so much concern to seamen today. The Convention does not apply to part of the crew working on board and a large number of seamen working on ships below 500 gross register tons. In addition it contains no positive solution to the problem of the working hours of seamen on near-trade ships and for catering and service staff on board all ships for which a 56-hour week is laid down, instead of a 48-hour week as provided for seamen on distant-trade ships. However, taking into account the fact that the interests of seamen at sea are concerned our Government delegation supports this Convention and will vote in favour of its adoption as a whole.

At the same time the U.S.S.R. Government delegation, in supporting the amendment of the Bulgarian Government representative on Articles 13, 14 and 15, cannot agree with the contents of those Articles as they stand at present concerning seamen in near-trade ships and service and catering staff on ships, for whom these Articles lay down a 56-hour week ; consequently we shall refrain from voting on these Articles.

The Committee on Wages, Hours and Manning in adopting the Recommendation has, with great attention, discussed and adopted a resolution concerning the application of the principle of a 40-hour working week on board ship. This resolution was supported by the workers and the governments of a number of countries. In adopting the Convention the Committee took into account the argument in support of this resolution.

We all know that seamen are pressing for the adoption of the Convention in its present form while at the same time they are constantly expressing a wish for its improvement, especially with reference to the working hours of seamen. We all understand that the Conference cannot ignore the wishes of the seamen and their demands must be carefully examined since they are well-founded and are justified in the light of the extremely hard conditions under which seamen live and work. The proposals in the resolution correspond to the wishes of the seamen and are in harmony with the principle contained in the Report of the Director-General, since that Report points out that the present task of the Conference is to solve the current problems and also those that may arise in connection with the working and

living conditions of seamen. It also points out that seamen, just as the majority of other workers, are striving for a reduction of working hours. It should be emphasised that the question of the principle of a 40-hour working week is not a new one, and it arises from the demands of present life. You all know that the principle of the 40-hour week was adopted by the General Conference at its 19th Session and is embodied in the Forty-Hour Week Convention, 1935 (No. 47). In view of all this, we assume that there is no reason which could prevent anyone from voting for the resolution on the 40-hour week, even those who did not find it possible to support it in Committee. We assume that, like the workers, these persons are anxious that the I.L.O. should apply its efforts to improve the conditions of workers and apply the conditions of Convention No. 47 to all members of the crews.

The fears of certain representatives are groundless when they think that the adoption of this resolution may detract from the strength of the Convention, since the resolution in no way implies that the principle of the 40-hour week for seamen must be implemented immediately. The resolution merely asks the Governing Body of the I.L.O. to include maritime transport in any survey that may be decided on following the forthcoming discussion at the 42nd Session of the International Labour Conference on a general reduction of hours of work. The intention behind the proposal is that the International Labour Organisation, having begun this noble task, should take steps to study this question and that the experience of a number of countries should be made available to all other countries which are ready to apply the principle of the 40-hour week.

We are sure that the Conference will give positive approval of the Committee's attitude to this question, since the Committee has shown that it has dealt not only with the current affairs but also with the future problems of seamen. This position and the fact that the Convention concerning wages, hours of work on board ship and manning was already considered out of date by the seafarers when it was discussed by the Conference in committee, shows that the text is not in itself enough and leads us to hope that the Conference will adopt the resolution in question.

*Interpretation from Spanish : Mr. MÉRIGO (Government delegate, Mexico)*—I shall be extremely brief in explaining the position of the Mexican Government delegation with regard to the subject we are discussing now.

My delegation did not take part in the work of the Committee, and I think it useful that the rest of the Conference should be acquainted with our position. I shall refer at the same time to both the proposed Convention and the proposed Recommendation, and would tell you that my delegation cannot support the second paragraph of Article 18 in Part III of the proposed Convention because in my country minimum wages are fixed by a board consisting of representatives of workers, employers and the Government ; nor is it possible for me to support the references made in Article 6 and other Articles to the fact that wages should be based on a foreign

currency. The legal currency of Mexico is the Mexican peso and it is the only one which can be used as a basis for the calculation of wages.

As regards the resolution, my delegation can support it.

In addition to my statement concerning the first part of Article 5 of Part I of the proposed Convention I must state that my delegation will abstain as regards Articles 6, 9, 10 and 18 of the Convention.

*Interpretation from German:* Mr. HILDEBRAND (*Workers' delegate, Federal Republic of Germany*)—For many years we have been working together on a social problem, and many of us, whether among the workers or among the shipowners or even on the government benches, have witnessed the very beginnings of this international social legislation. I think that we all wish today, in 1958, to bring this work to a close by a decision that will be more than a mere majority one. That is why I take the liberty of appealing to all of you and to Government representatives in particular.

In this age of automation and of high-speed living it is no longer appropriate to apply the same measures and to have the same opinions as were held only two years ago in London. We earnestly beg you, as seafarers' representatives, and we urge Government representatives, to give such support to this text that seamen may realise that we have protected their interests.

When we have to explain to the seamen that it is only with great difficulty that we managed to secure the adoption of this text by an international assembly, they may doubt the good will of members of this assembly. That is why I take the liberty of repeating once more my appeal. In 1958 we must adopt an instrument that will be of the greatest international scope and will reach even the very smallest ships in the merchant navy.

*Interpretation from Spanish:* Mr. LESCURE (*Government delegate, Argentina*)—I have only a very short statement to make on behalf of my Government. The Government of Argentina cannot accept Article 6 of the proposed Convention which is before us, for reasons that are well known to all of you and which have been explained at length by our delegation ever since the Preparatory Technical Maritime Conference held in London in 1956. They were repeated during the Working Party meeting held in Geneva last year, and finally once more in the meetings of the Committee at the present Conference. These reasons account for the abstention of the Argentine Government on this proposed Convention.

Similarly, in order not to have to speak again, I should like to explain our position with regard to the proposed Recommendation, that we cannot vote for it and will abstain because we do not agree with the principles in Paragraphs 2, 3 and 4 of that text.

Mr. LYRAS (*Employers' delegate, Greece*)—I wish to make a short statement on the proposed Recommendation which, I hope, the Conference will accept. During of fifth sitting of the Committee on Wages, Hours and Man-

ning Sir Richard Snedden made a short statement on behalf of the Employers' group, explaining the position of the group with respect to the text which is before the Conference today. When the proposed Recommendation was voted on in the Committee the Greek Employers' member, in company with other members, abstained from voting. My delegation, after considering the matter, proposes to vote today in favour of the proposed Recommendation, but in so doing will maintain the same reservations as those explained in the statement of Sir Richard Snedden which I have mentioned. I thought it was essential to make this short statement in view of the change in my vote.

Mr. YATES (*Workers' delegate, United Kingdom*)—It was not my intention to speak when I came into the building this morning but I am little apprehensive at the number of Governments that have signified that they wish to come to the rostrum. After all, we, as seafarers, feel that at this stage the responsibility is with the Governments. For 38 years now this question of hours, wages and manning has been receiving the attention of representatives of maritime nations. My experience internationally does not go back as far as that, but since 1936 more or less the same proposals have been before the Conference and I find that there are still quite a number of representatives who were at Geneva in 1936, at Copenhagen and Seattle, and who are here. Some of the Governments whose standards are more advanced than what we are asking in this Convention may wonder why we are not looking further ahead than what is proposed in the Convention, while the matter is perfectly simple to those who understand procedure and who realise that we, in the main, are concerned about those countries that were referred to by Mr. Becu this morning, countries where there are no strong organisations of seafarers and, therefore, no real national agreements.

I did imagine that because of the difficulties that exist in these particular countries the Governments of countries whose standards are far in advance of the provisions of this Convention would have come to this rostrum, made their position quite clear, and given some indication to those Government representatives who were shaky, or at least did not know their position. That is the reason that I have come up here to try to appeal for a little more support from this rostrum than what was shown in the Committee. I hazard a guess, but I would say that over 60 per cent. of the maritime nations have got conditions nationally in excess of what we are seeking in the Convention, and we are sincerely hoping that the Governments will demonstrate in no uncertain manner. I got a little warmed up on this subject 12 years ago in Seattle; I am not going to do it today. The reasons are quite different. Sir Richard did say that Governments that support a Convention should strive to adopt it in their own countries. I would agree with him too on that, but do not let us forget that although only four or five nations have adopted the Wages, Hours of Work and Manning (Sea) Convention, 1946 (No. 76) or its revised version (Convention No. 93), I would say that

quite a number of countries, my own included, have benefited immeasurably from Seattle. Therefore, Conventions on paper, we have been forced to admit, do have their effect and are quite helpful.

Before leaving the rostrum I would like to ask a question, because I am not sure whether the Convention is going to be adopted in Parts or as a whole, and it is because I do not know the answer to the question at this stage that I am concerned about the statements from the Government delegates of Brazil, Mexico and Argentina. They said that because in the main they could not agree with wages coming into the Convention, they could not vote in favour. Well, as I understand it, it is possible to vote in favour if the Convention is adopted as a whole, even though there are Parts of the Convention to which exception may be taken. I should like those Government delegates of Brazil, Mexico and Argentina to find the answer to that one in order that, if they cannot support both, they can at least support Part I.

Mr. JACOBS (*Government delegate, United States*)—In explaining my delegation's vote, I wish to say that the United States Government delegation will vote in favour of the revision of Convention No. 93 and of its individual provisions. In doing so, however, my Government would have me inform the Conference that we do not propose to seek ratification of its provisions concerning the establishment of minimum wages as provided in Part II. The wages for seafarers in my country, I may add, are several times the minimum wage set forth in the proposed Convention.

*Interpretation from Spanish*: Mr. AZQUETA (*Workers' delegate, Argentina*)—I did not intend to speak, but the statements made by the Government representative of my country compel me to do so.

I cannot understand why our Government is opposed to Paragraph 4 of the proposed Recommendation. We have had the eight-hour day in Argentina for many years and we are prepared to defend it energetically.

I want my words to be placed on record because Argentina is a very special case. The State is the main shipowner, so that it is both judge and party in all negotiations for the conclusion of collective agreements. That means that we cannot accept the idea that there should be a split vote in our delegation on this subject. That is why I ask the Argentine Government representative that, in spite of any instructions he may have received, he vote in favour of a Convention which will be of benefit not only to the workers in my country but to those of all countries of the world.

*Interpretation from French*: Mr. ROULLIER (*Government delegate, France*)—The French Government has in the past, as you know, met with certain difficulties which prevented it from ratifying the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93). I must say that these difficulties were due solely to Part II, which laid down minimum wage rates in one or more foreign currencies. I must say also, in order that this

will be perfectly clear, that these difficulties no longer exist in the opinion of the French Government since Article 5 of the Convention was amended to its present form.

All obstacles have therefore disappeared so far as we are concerned and I shall have no difficulty in voting for the proposed Convention as a whole.

*Interpretation from French*: Mr. PEYROT (*Employers' adviser, France*)—I should like to make a brief statement on behalf of the French shipowners. We had abstained in committee on the vote on the proposed Recommendation concerning wages, hours of work on board ship and manning. After reconsidering the question, I should like to state that we have decided to vote today in favour of the proposed Recommendation, it being understood that we endorse the reservations made by Sir Richard Snedden when the text was examined in detail.

Mr. CHAUDHURI (*Government delegate, Pakistan*)—We are here to come to a final conclusion in our deliberations on a very difficult subject, which it appears has been knocking at the door of the International Labour Organisation for a number of years. The question of drawing up an international Convention prescribing on an international level minimum wages, hours of work and manning in the shipping industry, is a very difficult and knotty problem, and I should say that the nature of our deliberations so far in this regard has been governed by the character of the question concerned.

It appears from the speeches made here today that primarily there have been two schools of thought, one representing the employers and the other representing the seafarers. The employers want this question tackled as a whole—that is to say, one part should not be separated from the other but the question should be treated as an indivisible whole—and the other group—the seafarers—consider that governments might ratify this Convention without treating it as indivisible. As a matter of fact it would not be hiding the truth to say that the Governments are in a very trying position in regard to this question. This would seem to be the case not only in the underdeveloped countries but also in the most advanced maritime countries today.

The views of these two schools of thought in regard to the Convention have been met by a compromise solution, and I must congratulate those who have been able to meet on a compromise formula. So far as the Government of Pakistan is concerned, we support the Convention in principle, subject to certain factors about which we are still not clear from the text and content of the draft.

I would refer you to Article 7 of the Convention, wherein it is stated—

"1. In the case of ships in which are employed such groups of ratings as necessitate the employment of larger groups of ratings than would otherwise be employed the minimum basic pay or wages of an able seaman shall be an amount fixed as the adjusted equivalent of the minimum basic pay or wages stipulated in the preceding Article.

" 2. The adjusted equivalent shall be fixed in accordance with the principle of equal pay for equal work and due allowance shall be made for—

- (a) the extra number of ratings of such groups who are employed ; and
- (b) any increase or decrease in cost to the shipowner consequent on the employment of such groups of ratings.

" 3. The adjusted equivalent shall be determined by collective agreement between the organisations of shipowners and seafarers concerned . . . . "

Now you will find from a study of this draft that it is stated that exceptions should be made in respect of the wages of certain groups of ratings. Here I would very much like to ask a question : how are we going to draw this line of discrimination or distinction ? It would have been better if this distinction could have been avoided, although we know the difficulties inherent in the situation existing in those regions of the world where there is a terrible problem of unemployment. So we have also got to be practical sometimes in our approach to a situation.

In regard to paragraph 2 (b) of Article 7, we require clarification as to what would happen in certain countries where the situation is such that ratings may wish to join foreign ships in foreign ports, even flying there by plane. What would be the situation with regard to minimum wages for those seamen ? Does this paragraph mean that the necessary transportation costs should also be deducted from their minimum pay ? However, as I see it, there is a line of hope in paragraph 3 of Article 7, wherein it is stipulated that such difficult situations can be or should be avoided by resort to the principle of collective bargaining.

As you know, in my general address to this Conference I explained our position with regard to wages, hours of work, etc., and stressed that collective bargaining should be relied upon in regard to the question of fixing minimum wages and hours of work.

These are some of the points in the proposed Convention which we feel require clarification. Apart from this there are certain difficulties so far as we are concerned, for if it is difficult for an advanced maritime country or countries interested in the recruitment of our seamen to ratify this Convention, then ratification by our country may be subject to ratification by those countries.

With regard to the question of hours of work on board ship, as I told you before, custom and tradition have already gained so much ground that the conditions stipulated in Part III exist even in the less advanced maritime countries today. The same position also obtains so far as we are concerned with regard to Part IV.

I have tried to explain the position of my country and I would like to emphasise, as I did before, that we seriously believe in international co-operation and we believe that in spite of the difficulties that might be faced by individual countries we have to adopt the principle of mutual give and take in order that we can evolve a measure of co-operation at an international level ; we hold firmly to that principle.

So in conclusion I announce to you that the Government of Pakistan will support the proposed Convention as a whole.

Captain CAVALLINI (*Employers' delegate, Italy*)—I just want to make a very short statement, as made by some of the other Employers' delegates, to the effect that as Employers' delegate of Italy I shall vote in favour of the Recommendation, reserving my rights on the basis of the declaration made by Sir Richard Snedden on the subject in the name of the Employers' members.

Mr. THOMSON (*Government delegate, Canada*)—My remarks will be very brief indeed, but I hope they will be sufficiently clear that they will leave no doubt as to the position of the Canadian Government on this very important matter.

As intimated in the speech of the leader of the Canadian delegation the other day, the Canadian Government delegation will vote in favour of the proposed Convention as revised. The grounds on which we vote in favour of the Convention are, first, because we recognise the necessity for an acceptable minimum level of protection with regard to wages, hours and manning. Also, shipping is essentially an international activity and hence it is one in which international standards of this type appear to be peculiarly appropriate even though difficult for some countries to effectuate.

With regard to Article 5 we favour its retention because its inclusion may provide a greater measure of support for an international instrument. Speaking for Canada, there will be better prospects for Canada to ratify this Convention although it is possible that we may not have to take advantage of Article 5.

We are also in favour of the proposed Recommendation.

Mr. NAGENDRA SINGH (*Government delegate, India*)—I would like to make clear the attitude of the Government of India as far as this proposed Convention is concerned. At the very outset I would like to state that all problems relating to conditions of work, manning and wages are regarded by my Government as strictly bipartite, and the two parties are left to themselves to decide all issues relating to these questions. The Government of India takes a strictly neutral attitude in these matters. In the circumstances, as far as the proposed Recommendation is concerned, since seafarers and shipowners are both in agreement the Government of India would like to vote for its adoption.

As far as the Convention is concerned there is a difference of opinion, and although my Government takes a progressive attitude and I would therefore be entitled to vote for the Convention, I would like to have it recorded that the ratification would entirely depend upon there being an agreement between seafarers and shipowners on all the issues that arise out of the instrument.

The PRESIDENT—In the absence of any further speakers I shall consider the report adopted.

(*The report is adopted.*)



PROPOSED TEXT OF A REVISED CONVENTION  
CONCERNING WAGES, HOURS OF WORK ON  
BOARD SHIP AND MANNING<sup>1</sup>: DISCUSSION  
AND ADOPTION

The PRESIDENT—We shall now proceed to vote on the proposed text of the revised Convention concerning wages, hours of work on board ship and manning. I shall take it Article by Article. Later on the Conference will be called upon to vote on the Convention as a whole. It may be that the Conference may wish to have a separate vote on some of the more important Articles.

*(The Preamble and Article 1 are adopted seriatim.)*

The PRESIDENT—We shall now take Article 2. Are there any observations ?

Sir Richard SNEDDEN (*Employers' delegate, United Kingdom*)—It may save the time of the Conference if I place on record what the general view of the Employers' group is on the Articles which are about to be put.

We are against Article 2—one of our amendments was defeated. We are against Article 3 for the same reason. We have no comments on Article 4. We are, of course, completely opposed to Article 5, and if Article 5 is adopted we shall abstain on the rest of the Convention.

The PRESIDENT—The statement made by Sir Richard Snedden will be noted.

*(Articles 2 is adopted.)*

*(Articles 3 and 4 are adopted seriatim.)*

The PRESIDENT—Now we shall deal with Article 5.

Sir Richard SNEDDEN (*Employers' delegate, United Kingdom*)—May we have a vote on Article 5 ?

The PRESIDENT—I put Article 5 to the vote.

*(A vote is taken by show of hands. Article 5 is adopted by 99 votes to 25, with 15 abstentions.)*

The PRESIDENT—I give the floor to Mr. de Faria Baptista, Government delegate, Brazil, to explain his vote.

Mr. de FARIA BAPTISTA (*Government delegate, Brazil*)—Just a brief statement. As Article 5 has been adopted, the Brazilian Government delegation will abstain on the voting on the Part II, but will vote for the Convention as a whole.

The PRESIDENT—We shall now deal with Article 6.

*(Article 6 is adopted.)*

The PRESIDENT—Are there any observations on Article 7 ?

Mr. CHAUDHURI (*Government delegate, Pakistan*)—I request that a vote be taken.

The PRESIDENT—I put Article 7 to the vote.

*(A vote is taken by show of hands. Article 7 is adopted by 87 votes to 0, with 51 abstentions.)*

The PRESIDENT—Does anyone wish to comment on Article 8 ?

Mr. de FARIA BAPTISTA (*Government delegate, Brazil*)—I request that a vote be taken.

The PRESIDENT—I put Article 8 to the vote.

*(A vote is taken by show of hands. Article 8 is adopted by 103 votes to 0, with 42 abstentions.)*

The PRESIDENT—On Article 9 I shall take a vote by show of hands.

*(A vote is taken by show of hands. Article 9 is adopted by 86 votes to 0, with 57 abstentions.)*

The PRESIDENT—We shall vote on Article 10 by show of hands.

*(A vote is taken by show of hands. Article 10 is adopted by 93 votes to 0, with 51 abstentions.)*

*(Articles 11 and 12 are adopted seriatim.)*

The PRESIDENT—Are there any comments on Article 13 ?

*Interpretation from Russian : Mr. BELINSKI (Government delegate, Bulgaria)*—I ask that a vote be taken on Articles 13 and 15.

The PRESIDENT—I put Article 13 to the vote.

*(A vote is taken by show of hands. Article 13 is adopted by 94 votes to 0, with 52 abstentions.)*

*(Article 14 is adopted.)*

The PRESIDENT—There will be a vote on Article 15 at the request of the Bulgarian Government delegate.

*(A vote is taken by show of hands. Article 15 is adopted by 90 votes to 0, with 52 abstentions.)*

The PRESIDENT—I call upon Mr. Slipchenko, who wishes to give an explanation of vote.

*Interpretation from Russian : Mr. SLIPCHENKO (Government delegate, Ukraine)*—I should like very briefly to say why the Government delegation of Ukraine abstained from voting on Articles 13 and 15. These Articles provide for seamen on near-trade ships and for catering staff a working week which is longer than 48 hours, which is something we cannot agree to.

The PRESIDENT—Are there any observations on Article 16 ?

*(Articles 16 and 17 are adopted seriatim.)*

The PRESIDENT—We shall now deal with Article 18. Are there any observations ?

<sup>1</sup> See Appendix IV, p. 226.

Mr. MÉRIGO (*Government delegate, Mexico*)  
—I ask for a vote.

The PRESIDENT—The Government delegate of Mexico has asked for a vote on Article 18 which I now put to the Conference.

*(A vote is taken by show of hands. Article 18 is adopted by 103 votes to 1, with 39 abstentions.)*

The PRESIDENT—Mr. Mérito has the floor for an explanation of vote.

*Interpretation from Spanish:* Mr. MÉRIGO (*Government delegate, Mexico*)—I merely wish to explain my vote. I thought that, as in the case of other Articles which contain several paragraphs, the paragraphs would be voted on separately. I have no objection to the first part of Article 18, but the second part of that Article cannot be approved by me because in my country, at any rate, it is not possible to pay part of wages in kind. Wages always have to be paid in cash.

The PRESIDENT—We shall now proceed to deal with Article 19.

*(Articles 19 to 33 are adopted seriatim.)*

The PRESIDENT—I now put to the vote the proposed Convention as a whole.

*(A vote is taken by show of hands. The proposed Convention is adopted by 97 votes to 23, with 27 abstentions.)*

PROPOSED RECOMMENDATION CONCERNING  
WAGES, HOURS OF WORK ON BOARD  
SHIP AND MANNING<sup>1</sup>: ADOPTION

The PRESIDENT—We now proceed to the proposed Recommendation concerning wages, hours of work on board ship and manning. I will go through it Paragraph by Paragraph.

*(The Preamble and Paragraphs 1 to 8 are adopted seriatim.)*

The PRESIDENT—We shall now deal with Paragraph 9.

Mr. MÉRIGO (*Government delegate, Mexico*)  
—I ask you to put Paragraph 9 to the vote.

The PRESIDENT—Then I will put Paragraph 9 of the proposed Recommendation to the vote.

*(A vote is taken by show of hands. Paragraph 9 is adopted by 126 votes to 3, with 10 abstentions.)*

*(Paragraphs 10 to 13 are adopted seriatim.)*

The PRESIDENT—I now put the proposed Recommendation as a whole to the vote.

*(A vote is taken by show of hands. The proposed Recommendation as a whole is adopted by 125 votes to 0, with 17 abstentions.)*

The PRESIDENT—The provisions of both the proposed Convention and the proposed Recommendation will be referred to the Drafting Committee of the Conference for the preparation of the final texts.

RESOLUTION CONCERNING THE APPLICATION OF  
THE PRINCIPLE OF A 40-HOUR WORKING WEEK  
ON BOARD SHIP<sup>1</sup>: ADOPTION

The PRESIDENT—We now come to the last business of this morning, which is the adoption of the proposed resolution concerning the application of the principle of a 40-hour working week on board ship. I will now put it to the vote.

*(A vote is taken by show of hands. The resolution is adopted by 71 votes to 32, with 35 abstentions.)*

The PRESIDENT—I should like to thank Mr. Valentgoed, the Chairman of the Committee, and Mr. Endresen, the Reporter, for the very excellent work they have done in conducting the proceedings of this difficult technical committee and preparing the report. I thank them on behalf of the Conference.

*(The Conference adjourned at 12.45 p.m.)*

<sup>1</sup> See Appendix IV, p. 232.

<sup>1</sup> See Appendices IV, p. 233, and XI, p. 255.



## Delegates Present at the Sitting

*Argentina :*

Mr. Lescure  
Commander Noriega  
Lieutenant-Commander  
Gómez Ortega  
Mr. Azqueta

*Australia :*

Mr. Brentwood  
Captain Bull  
Mr. Haddy  
Captain Martin

*Austria :*

Mr. Schellenbacher  
Mr. Schlaffer  
Mr. Schlägelbauer  
Mr. Peham

*Belgium :*

Mr. De Kinder  
Mr. Pluyms  
Mr. De Bruyn (substitute  
for Mr. Dufour)  
Mr. Dekeyzer

*Brazil :*

Mr. Barboza-Carneiro  
Mr. de Faria Baptista  
Mr. Carvalho  
Mr. Teixeira

*Bulgaria :*

Mr. Belinski

*Burma :*

Mr. Thin  
Mr. Myint

*Canada :*

Captain Johnson  
Mr. Thomson  
Mr. Kane  
Mr. Sheehan

*China :*

Mr. Yü  
Mr. Lee  
Captain Kahn (substitute  
for Mr. Sa)  
Mr. Chen

*Colombia :*

Mr. González

*Cuba :*

Mr. Camejo Argudín  
Mr. Lombera Cadalso  
Mr. Enseñat Polit

*Denmark :*

Mr. Worm  
Mr. Lysgaard  
Mr. Garde  
Mr. From-Andersen

*Dominican Republic :*

Mr. Álvarez Aybar  
Mr. Paradas

*Finland :*

Mr. Relander  
Mr. Hallberg  
Mr. Walläri

*France :*

Dr. Cevaer (substitute for  
Mr. Ramadier)  
Mr. Roullier  
Mr. Peyrot (substitute for  
Mr. Marchegay)  
Mr. Gruénais

*Federal Republic of Germany :*

Mr. Schelp  
Mr. Fettback  
Mr. Schuldt  
Mr. Hildebrand

*Ghana :*

Mr. Nettey  
Mr. Halm  
Mr. Mensah

*Greece :*

Commander Goulielmos  
Commander Antoniadès  
Mr. Lyras  
Mr. Petroulis

*India :*

Mr. Nagendra Singh  
Mr. Merani  
Mr. Kumana  
Mr. Serang

*Indonesia :*

Mr. Siregar  
Mr. Sanitioso  
Mr. Harsono  
Mr. Subianto

*Ireland :*

Mr. Ó Riordáin  
Mr. Crowley

*Israel :*

Mr. Raday  
Mr. Bar-Zeev  
Mr. Ivri  
Mr. Barash

*Italy :*

Mr. Berio  
Mr. Purpura  
Captain Cavallini  
Mr. Romagnoli

*Japan :*

Mr. Hayashi (substitute  
for Mr. Kawasaki)  
Mr. Mori  
Mr. Yamagata  
Mr. Kageyama

*Liberia :*

Mr. Weeks (substitute  
for Mr. Wilson)  
Mr. Cooper  
Mr. Simonovitch  
Mr. Cole

*Luxembourg :*

Mr. Bessling

*Mexico :*

Mr. Mérito  
Miss Aguirre

*Morocco :*

Mr. Guessous  
Mr. Lakhdar (substitute  
for Mr. ben Bouazza)

*Netherlands :*

Mr. Valentgoed  
Mr. Scheffer  
Mr. van der Vorm  
Mr. de Vries

*Norway :*

Judge Bull  
Mr. Endresen  
Captain Loennechen  
Mr. Haugen

*Pakistan :*

Mr. Chaudhuri  
Mr. Ahmad  
Mr. Khatib

*Panama :*

Mr. Ortega Vieto  
Mr. Philipps

*Poland :*

Mr. Ocioszynski  
Mr. Licki  
Mr. Suchorzewski  
Mr. Skiba

*Portugal :*

Mr. Pedrosa  
Commander Jorge  
Mr. de Barros  
Captain dos Santos

*Rumania :*

Mr. Gal  
Mr. Anzulato  
Mr. Radulesco

*Spain :*

Mr. Pastor Tomaseti  
Mr. Garcia de Llera  
Mr. Arguimbau (sub-  
stitute for Mr. de  
Azqueta Urigüen)  
Mr. García Ribes

*Sweden :*

Mr. Widell  
Mr. Hartvig  
Mr. Reuterskiöld  
Mr. Thore

*Switzerland :*

Mr. Ryniker  
Mr. Messmer  
Mr. Ringier (substitute  
for Mr. Keller)  
Mr. Hofer

*Tunisia :*

Mr. Ladhari  
Mr. Ben Salem  
Mr. Sellami

*Turkey :*

Mr. Toygar  
Mr. Yenil  
Mr. Aymen  
Mr. Özkan

*Ukraine :*

Mr. Slipchenko  
Mr. Nizhnik  
Mr. Danchenko  
Mr. Bakurski

*U.S.S.R. :*

Mr. Yefimov (substitute  
for Mr. Dolinski)  
Mr. Morozov  
Mr. Ragimov  
Mr. Koetkin

*United Arab Republic :*

Mr. Kamel

*United Kingdom :*

Mr. Proctor  
Mr. Haselgrove  
Sir Richard Snedden  
Mr. Yates

*United States :*

Mr. Jacobs  
Mr. Rothschild  
Mr. Casey  
Mr. Hawk

*Yugoslavia :*

Mr. Velimirović  
Mr. Makiedo  
Mr. Kesic  
Mr. Velkaverh

## THIRTEENTH SITTING

Monday, 12 May 1958, 3.15 p.m.

*President : Mr. Kawasaki*

### REPORT OF THE COMMITTEE ON FLAG TRANSFER<sup>1</sup>: SUBMISSION AND ADOPTION

The PRESIDENT—The first item on the agenda for this afternoon is the report of the Committee on Flag Transfer. I call upon Judge Bull, the Chairman, and Mr. Pluymers, the Reporter, to come up to the rostrum. I ask Mr. Pluymers to present his report.

*Interpretation from French : Mr. PLUYMERS (Government delegate, Belgium ; Reporter of the Committee on Flag Transfer)*—I have the honour to submit to you on behalf of the Committee on Flag Transfer the report on the fourth item on the agenda : Flag transfer in relation to social conditions and safety, the text of which has already been distributed.

You will remember that in 1956 the Preparatory Technical Maritime Conference, in spite of the fact that it began without a preliminary draft, arrived at a text which was adopted almost unanimously, and that text was in the form of a resolution.

The Committee has made very few changes to this text and has confined itself to improving it, taking into account the results of the United Nations Conference on the Law of the Sea, held last April in this building. However, the Committee considered, by an overwhelming majority of 354 votes to 15, with 63 abstentions, that this text should be given the form of a Recommendation.

The Committee was definitely conscious of the importance for seamen on board ships flying the flag of any State, without exception, of ensuring that living, working and safety conditions are in accordance with the generally accepted standards of countries up to now considered as traditionally maritime countries.

Clauses (a), (b), (d) and (g) of the draft of 1956 have been maintained without change, as contained in the proposed resolution. No fundamental change was made to the other paragraphs of the operative part of the resolution. It was, however, made clear that the Recommendation applies to ships engaged in trading and that the obligation of the State under whose flag the ship is sailing is not confined merely to efficient control and supervision but also—and this is in accordance with the Convention on the High Seas adopted in April of this year—jurisdiction of a similar

nature. Moreover, the Committee considered that in clause (c) it should expressly be stated that the agencies that have to supervise the signing on and signing off of seafarers should be established abroad as well as in the territory of the country of registration.

I am convinced that your Conference will adopt this Recommendation in the same spirit which prompted the Committee when formulating it.

The PRESIDENT—The report is now open for discussion. If there is no speaker on the report I take it that the report is adopted by the Conference.

*(The report is adopted.)*

### PROPOSED RECOMMENDATION CONCERNING SOCIAL CONDITIONS AND SAFETY OF SEAFARERS IN RELATION TO REGISTRATION OF SHIPS<sup>1</sup>: ADOPTION

The PRESIDENT—We now come to the proposed Recommendation concerning social conditions and safety of seafarers in relation to registration of ships. We will go through it clause by clause.

*(The Preamble and clauses (a) to (g) are adopted seriatim.)*

The PRESIDENT—I shall now put the proposed Recommendation as a whole to the Conference.

*(A vote is taken by show of hands. The proposed Recommendation as a whole is adopted by 121 votes to 0, with 3 abstentions.)*

The PRESIDENT—The proposed Recommendation will be referred to the Drafting Committee for the preparation of the final text.

On behalf of the Conference I take this opportunity of thanking both Judge Bull and Mr. Pluymers for the excellent work they have done in conducting the proceedings of this Committee and presenting the report.

### FIRST AND SECOND REPORTS OF THE CREDENTIALS COMMITTEE<sup>2</sup>: SUBMISSION AND NOTING

The PRESIDENT—The next item on the agenda is consideration of the first and second

<sup>1</sup> See Appendix VI, p. 237.

<sup>1</sup> See Appendix VI, p. 238.

<sup>2</sup> See Appendix II, pp. 209 and 210.

reports of the Credentials Committee. However, the Chairman of that Committee is unavoidably prevented from being present; in the circumstances I have to suspend the sitting for a short time.

*(The sitting is suspended at 3.25 p.m. and resumed at 3.45 p.m.)*

The PRESIDENT—I call upon Mr. Barboza-Carneiro, the Chairman of the Credentials Committee, to present the first and second reports.

*Interpretation from French : Mr. BARBOZA-CARNEIRO (Government delegate, Brazil ; Chairman of the Credentials Committee)*—As you know the Credentials Committee met and adopted its first and second reports, the text of which has already been circulated. I suppose all delegates have had an opportunity of reading these reports and I do not think that there is any need for me to give you any further details on the matters that were covered by the Credentials Committee.

The PRESIDENT—The first and second reports of the Credentials Committee were adopted unanimously by the Committee. Therefore no vote is called for on the reports and the Conference is merely required to take note of them.

*(The reports are noted.)*

The PRESIDENT—I would like to convey the thanks and appreciation of the Conference to Mr. Barboza-Carneiro, the Chairman of the Committee, for the great contribution he has made to the Conference.

#### FIRST REPORT OF THE RESOLUTIONS COMMITTEE<sup>1</sup>: SUBMISSION, DISCUSSION AND ADOPTION

The PRESIDENT—The next item on the agenda is the first report of the Resolutions Committee. I call upon Mr. Brentwood, the Chairman and Reporter of the Committee to present the report.

Mr. BRENTWOOD *(Government delegate, Australia ; Chairman and Reporter of the Resolutions Committee)*—I have the honour to present the first report of the Resolutions Committee, the text of which has already been circulated. The report refers to the Committee's consideration of seven of the 13 resolutions submitted in accordance with article 17 of the Standing Orders of the Conference. You will note that of these seven resolutions six are recommended for adoption by the Conference in the form set out in the report.

With that brief introduction, I should like to propose adoption of the Committee's first report.

The PRESIDENT—As the Chairman has just pointed out, there are seven resolutions

involved, and we will go through them one by one.

First there are the four introductory paragraphs in the report, which I do not think call for any comment; I therefore take it that those four paragraphs are adopted.

*(Paragraphs 1 to 4 are adopted.)*

#### *Resolution concerning Refugee Seafarers<sup>1</sup>*

The PRESIDENT—Now there are four paragraphs—namely paragraphs 5 to 8 inclusive—which relate to the first resolution concerning refugee seafarers. Is there any comment on those four paragraphs?

Mr. SCHEFFER *(Government delegate, Netherlands)*—Allow me to make a simple observation as to the proposed resolution concerning refugee seafarers, which has been submitted by Mr. de Vries, the Workers' delegate of the Netherlands.

The Netherlands Government, in consultation with the Office of the United Nations High Commissioner for Refugees, has been giving consideration for many years to the plight of the thousands of refugee seamen who are in a particularly difficult and distressing situation in that they have no country in which they may lawfully stay and frequently no travel document which will enable them to go ashore, so that many of them are virtually prisoners on board the ships on which they serve. A number of Western European governments met at The Hague to consider this question, and in November 1957 an Agreement was concluded and signed by the eight participating governments which will, it is hoped, regularise the position of many of these refugee seamen by stipulating criteria according to which they will be issued with a travel document under the 1951 Convention relating to the legal status of refugees and admitted to the territory of the State issuing the document. The Agreement also contains provisions with regard to admission for shore leave, for joining a ship and for medical treatment, and with regard to the issue of identity documents.

The Agreement, which will come into force when the eight governments have ratified it, is open for accession by any State which is a party to the 1951 Convention or which undertakes, with regard to seamen, corresponding obligations to those contained in Article 28 of the 1951 Convention. The solution of the problem of the refugee seamen will naturally depend on the number of States which become parties to the Agreement, and thus it is the hope of my Government, as well as of the High Commissioner for Refugees, that as many States as possible should accede. It is for that reason that my Government would very warmly support this resolution which is submitted for your approval—and it is hoped that it will meet with your unanimous approval. I would especially like to stress the point that one of the necessary conditions for the Agreement becoming completely effective is that it should be well known to all persons who come within its scope, so that refugee seamen

<sup>1</sup> See Appendix III, p. 215.

<sup>1</sup> See Appendices III, p. 216, and XI, p. 253.

may claim the benefit of its provisions. For this reason the resolution calls on governmental authorities as well as organisations of seafarers and shipowners to inform refugee seafarers of the possibility of regularising their position which is offered to them by this Agreement.

The PRESIDENT—Is there any other speaker on that part of the report? If not I take it that the four introductory paragraphs concerning the first resolution have been adopted.

*(Paragraphs 5 to 8 are adopted.)*

The PRESIDENT—We now come to paragraph 9, which contains the resolution concerning refugee seafarers. I will put it to the vote.

*(A vote is taken by show of hands. Paragraph 9 is adopted by 116 votes to 0, with 19 abstentions.)*

#### *Resolution concerning Welfare in Port<sup>1</sup>*

The PRESIDENT—We now come to the resolution concerning welfare in ports. If there are no observations on paragraph 10 I declare this paragraph adopted.

*(Paragraph 10 is adopted.)*

The PRESIDENT—We shall now deal with paragraph 11, which contains the text of the resolution. An amendment to the resolution has been submitted by Mr. Bakurski, Workers' delegate, Ukraine, which reads as follows: "Add to the title of the resolution the words 'and on board ship'; insert after the second paragraph of the preamble a new paragraph reading as follows: 'Noting at the same time that seafarers' welfare on board ship has not reached the required standards'; and add at the end of the resolution the following text: 'and to ask the Director-General of the International Labour Office to continue the study of seafarers' welfare on board ship'."

*Interpretation from Russian:* Mr. BAKURSKI (*Workers' delegate, Ukraine*)—Both at the group and Committee meetings I voted for the resolution concerning the welfare of seamen in ports. At the same time I wish to propose an amendment to it. The Report of the Director-General has drawn particular attention to the cultural and welfare services available to seamen and he points out that, while a great deal has been done in ports, it will still take ten years to achieve equal progress in regard to welfare on board. So, taking into account both the situation on board ship and the opinion of the Director-General as expressed in his Report I felt it necessary on behalf of the seamen of Ukraine to make an amendment to this resolution; but the Workers' group at the Committee did not feel it necessary to adopt this important document, which reflects the vital needs of the seamen. The Committee felt that the resolution of the Japanese Workers' representative was one which answered the purposes of welfare

services on board. Certain speakers, including Mr. Becu, said that welfare on board ship was a matter on which decisions had already been taken by competent bodies of the I.L.O. If we were to refer to the relevant documents, namely the Seamen's Welfare in Ports Recommendation, 1936 (No. 48), and also if we were to refer to the decisions taken by the Joint Maritime Commission at its 12th Session in 1942, the 29th Session of the International Labour Conference in 1946 and the 99th Session of the Governing Body, we would see that in none of the decisions of these bodies has the question of welfare services on board ship been reflected.

Taking account of these facts I thought it necessary to submit this amendment to the plenary sitting. The purpose of my amendment is to draw attention to this important question and at the same time to ask the Director-General to continue to study the question of the welfare of seafarers on board ship. In view of the importance of the problem and the fact that seafarers are immediately concerned in it, I hope that the Conference will accept my small amendment to the resolution.

The PRESIDENT—Before I give the floor to the next speaker, I must ask whether the amendment submitted by the Workers' delegate of Ukraine is seconded. Will those who second the amendment raise their hands.

*(Several delegates raise their hands.)*

The PRESIDENT—The amendment is seconded. Does anyone wish to speak on it?

Captain LOENNECHEN (*Employers' delegate, Norway*)—The Shipowners' group is, of course, opposed to this amendment. I need not use many arguments; most of them against the amendment were used by the previous speaker. We are certainly not noting that seafarers' welfare on board ships has not reached the required standards. We are still looking after our seafarers' welfare.

When you look at paragraphs 12 to 14 of the report you will find that a resolution was, in fact, rejected by the Committee, and this amendment is nothing but an attempt to smuggle that rejected resolution into the resolution concerning welfare in port, which was adopted unanimously. I would ask you to vote against this amendment and to vote for the resolution with which we are dealing.

Captain TENNANT (*Workers' adviser, United Kingdom*)—The mover of this amendment—as I understand it—said that it was a small amendment to this resolution. I do not think we can do other than regard it as a very substantial amendment. I would also like to place on record that many of us are just as concerned as the previous speaker with regard to welfare on board ship. I would, however, like to remind the Conference that a tripartite subcommittee has been established to consider welfare and that that committee is quite competent to arrange and agree its own business. Many of us in the Seafarers' group are desirous of obtaining maximum support for the resolu-

<sup>1</sup> See Appendices III, p. 216, and XI, p. 253.

tion as drafted, and, consequently, many of us will have to vote against the amendment which has been proposed.

*Interpretation from Russian:* Mr. KOETKIN (*Workers' delegate, U.S.S.R.*)—I support the proposal made by the Workers' representative of Ukraine for the following reasons. As you know, neither in the Director-General's Report nor in the discussion at this Conference have we heard it maintained that welfare services for seamen on board ship have reached the required standard, as has been said here by the Employers' representative who spoke before me. On the contrary, there are clear statements, in particular in the Director-General's Report, to the effect that that is an aspect of the welfare services for seamen that is lagging behind. At the same time, to speak of the significance of this and the fact that this is something that seamen very badly need seems to me quite unnecessary at this particular Conference. Consequently, if we are really concerned in seeing that the question of cultural and welfare services be served satisfactorily in both aspects—firstly by services provided in ports, and secondly by facilities provided on board ship—then I think that the resolution which we are about to vote on should contain a clear indication and express the wish of the Conference that the question of welfare services for seamen should be examined and all necessary measures taken and attention given to both aspects. That is the sole purpose of the amendment, and it is for these reasons that I support it.

*Interpretation from Japanese:* Mr. KAGEYAMA (*Workers' delegate, Japan*)—I cannot accept the Ukraine delegate's amendment. In the resolution on seafarers' welfare which is now presented by the Resolutions Committee, not only seafarers' welfare in port but their welfare problems in general are going to be dealt with by the welfare subcommittee of the Joint Maritime Commission which is to be established. Therefore, seafarers' welfare problems on board ship will naturally be included. This was understood by the members of the Resolutions Committee, so I do not see any necessity for the amendment.

Mr. SKIBA (*Workers' delegate, Poland*)—I cannot understand why the amendment proposed by the delegate of Ukraine meets so much opposition here. It is quite clear that there is a lack of welfare services on board ship, and this amendment seeks to solve the problem. I was not at the Resolutions Committee meeting, therefore I do not know what argument was used against this amendment; and listening to the speakers here, and especially the representative of the Workers' group, I cannot understand exactly what is the objection. What objection can there be? I understand perfectly well the Employers' representative, because this obliges the shipowners, to a certain extent, to take steps to deal with the problem. The third point asks the Director-General to continue the study of the problem, and I think this is in the interests of seagoing people; therefore we are going to vote for the amendment.

*Interpretation from Russian:* Mr. SLIPCHENKO (*Government delegate, Ukraine*)—I am going to be very brief. It seems to me that the problem is so clear that it is not necessary to speak in great detail about it. It seems to be not a question of the substance of the proposal but a question of who wrote it. That is quite clear to us, so do not let us delude each other, because the words in the amendment are the words of the Director-General, whose Report has been so unanimously praised here. Indeed it is a Report which does deserve that praise, so I fail to see why you should be so actively against parts of this excellent Report. Indeed no serious arguments have been brought against this amendment here because it would be difficult to invent a serious argument against such an obvious appeal as the one which it is proposed we should address to the Director-General to continue the excellent piece of work he has begun. So do not let us delude each other: it is not a question of substance; it is merely a question of the paternity of the amendment.

Sir Richard SNEDDEN (*Employers' delegate, United Kingdom*)—I entirely agree with the last speaker that we should not allow ourselves to be deluded. The proposals which he has supported are intended to restore the resolution concerning welfare services for seafarers on board ship, which was decisively rejected by the Resolutions Committee—by 110 votes to 18, with 7 abstentions. In other words, he is trying to use the usual back-door method. I hope he will find that even the back door is closed. There is ample machinery already in the tripartite Welfare Committee and in the Joint Maritime Commission itself to deal with this problem.

*Interpretation from Russian:* Mr. DOLINSKI (*Government delegate, U.S.S.R.*)—I know that at this Conference there are a number of participants who have devoted, and continue to devote, a great deal of their lives to the development of the merchant navy and to furthering its progress. I must say, being a seaman, that I fail to understand the individual statements of some delegates who say that the welfare services for seamen, whether in port or on board ship are one and the same thing. To those who have been to sea—and I repeat that many of those present here have been to sea and apparently will continue to go to sea—it is quite obvious that welfare services for seamen in ports is one problem and welfare services on board ship another, but immediately connected with it and to some extent a continuation of the first. Consequently the Director-General was quite right when, speaking of the prospects in that field of cultural and welfare services at sea, he said that it is a question which requires further attention. Consequently I fully support the proposal of the Ukraine Workers' delegate, and of the others who have spoken here. To confuse the issue and to reject it without an appeal would be wrong.

Mr. VELKAVERH (*Workers' delegate, Yugoslavia*)—I would just like to express my support for this amendment, because it is

logical and it belongs to the resolution on welfare for seamen. I do not see why there should be so much opposition, because I was a seaman and I know that time on board is very dull sometimes and better things should be provided for the leisure of seamen on board a ship while at sea.

The PRESIDENT—If there is no other speaker I put the amendment submitted by the Ukraine Workers' delegate to the vote.

*(A vote is taken by show of hands. The amendment is rejected by 32 votes to 89, with 12 abstentions.)*

The PRESIDENT—We will now vote on the resolution as contained in paragraph 11 of the report.

*(A vote is taken by show of hands. Paragraph 11 is adopted by 136 votes to 0, with 0 abstentions.)*

*Paragraphs of the Report relating to a Resolution concerning Welfare Services for Seafarers on Board Ship<sup>1</sup>*

The PRESIDENT—We go on to paragraphs 12, 13 and 14, which relate to a resolution concerning welfare services for seafarers on board ship. If there are no observations, I take it that these three paragraphs are adopted.

*(Paragraphs 12 to 14 are adopted.)*

*Resolution concerning Health and Hygiene on Board Ship<sup>2</sup>*

The PRESIDENT—We go on to the resolution concerning health and hygiene on board ship. First of all, we will take paragraphs 15 and 16 of the report; if there are no observations I declare these paragraphs adopted.

*(Paragraphs 15 and 16 are adopted.)*

The PRESIDENT—Now we come to the resolution itself, which is contained in paragraph 17. If there are no speakers I will put it to a vote.

*(A vote is taken by show of hands. Paragraph 17 is adopted by 137 votes to 0, with 0 abstentions.)*

*Resolution concerning Crew Accommodation<sup>3</sup>*

The PRESIDENT—We will first take paragraphs 18, 19 and 20 of the report, relating to

the resolution concerning crew accommodation. If there are no observations I consider these three paragraphs adopted.

*(Paragraphs 18 to 20 are adopted.)*

The PRESIDENT—We then come to the resolution, which is contained in paragraph 21. If there are no speakers on this resolution I will put it to the vote.

*(A vote is taken by show of hands. Paragraph 21 is adopted by 138 votes to 0, with 0 abstentions.)*

*Resolution concerning the Manning of Ships<sup>1</sup>*

The PRESIDENT—We now deal with the resolution concerning the manning of ships. Paragraphs 22 to 25 of the report relate to this particular resolution. If there is no observation on these four paragraphs I shall consider them adopted.

*(Paragraphs 22 to 25 are adopted.)*

The PRESIDENT—We now come to paragraph 26 of the report which contains the resolution itself. If there is no observation I will put it to the vote.

*(A vote is taken by show of hands. Paragraph 26 is adopted by 139 votes to 0, with 0 abstentions.)*

*Resolution concerning the Joint Maritime Commission<sup>2</sup>*

The PRESIDENT—We now come to the resolution concerning the Joint Maritime Commission, contained in paragraph 27 of the report. If there are no observations I shall consider the paragraph adopted.

*(Paragraph 27 is adopted.)*

The PRESIDENT—If there are no observations I will put the resolution as contained in paragraph 28 to the vote.

*(A vote is taken by show of hands. Paragraph 28 is adopted by 137 votes to 0, with 0 abstentions.)*

The PRESIDENT—Now we come to paragraph 29. If there is no observation I shall consider it adopted.

*(Paragraph 29 is adopted.)*

*(The report is adopted.)*

*(The Conference adjourned at 4.30 p.m.)*

<sup>1</sup> See Appendix III, p. 217.

<sup>2</sup> See Appendices III, p. 217, and XI, p. 253.

<sup>3</sup> See Appendices III, p. 217, and XI, p. 254.

<sup>1</sup> See Appendices III, p. 217, and XI, p. 254.

<sup>2</sup> See Appendices III, p. 218, and XI, p. 254.

## Delegates Present at the Sitting

*Argentina :*

Mr. Lescure  
Commander Noriega  
Mr. Hosking (substitute  
for Lieutenant-Com-  
mander Gómez Ortega)  
Mr. Azqueta

*Australia :*

Mr. Brentwood  
Captain Bull  
Mr. Haddy  
Captain Martin

*Austria :*

Mr. Schellenbacher  
Mr. Schlaffer  
Mr. Schlägelbauer  
Mr. Peham

*Belgium :*

Mr. De Kinder  
Mr. Pluymers  
Mr. De Bruyn (substitute  
for Mr. Dufour)  
Mr. Dekeyzer

*Brazil :*

Mr. Barboza-Carneiro  
Mr. de Faria Baptista  
Mr. Carvalho  
Mr. Teixeira

*Bulgaria :*

Mr. Belinski

*Burma :*

Mr. Thin  
Mr. Myint

*Canada :*

Captain Johnson  
Mr. Thomson  
Mr. Kane  
Mr. Sheehan

*China :*

Mr. Yü  
Mr. Lee  
Mr. Sa  
Mr. Chen

*Colombia :*

Mr. González

*Cuba :*

Mr. Camejo Argudín  
Mr. Enseñat Polit

*Denmark :*

Mr. Worm  
Mr. Lysgaard  
Mr. Garde  
Mr. From-Andersen

*Dominican Republic :*

Mr. Álvarez Aybar  
Mr. Paradas

*Finland :*

Mr. Relander  
Mr. Tikanwaara  
Mr. Hallberg  
Mr. Wälläri

*France :*

Dr. Cevaer (substitute for  
Mr. Ramadier)  
Mr. Roullier  
Mr. Peyrot (substitute for  
Mr. Marchegay)  
Mr. Gruénais

*Federal Republic of Germany :*

Mr. Schelp  
Mr. Fettback  
Mr. Schuldt  
Mr. Hildebrand

*Ghana :*

Mr. Nettey

*Greece :*

Commander Goulielmos  
Commander Antoniadis  
Mr. Lyras  
Mr. Petroulis

*India :*

Mr. Nagendra Singh  
Mr. Merani  
Mr. Kumana  
Mr. Serang

*Indonesia :*

Mr. Siregar  
Mr. Sanitioso  
Mr. Harsono  
Mr. Subianto

*Ireland :*

Mr. Ó Riordáin  
Mr. Crowley

*Israel :*

Mr. Raday  
Mr. Bar-Zeev  
Mr. Ivri  
Mr. Barash

*Italy :*

Mr. Berio  
Mr. Purpura  
Captain Cavallini  
Mr. Romagnoli

*Japan :*

Mr. Hayashi (substitute  
for Mr. Kawasaki)  
Mr. Mori  
Mr. Yamagata  
Mr. Kageyama

*Liberia :*

Mr. Wilson  
Mr. Cooper  
Mr. Simionovitch

*Luxembourg :*

Mr. Bessling

*Mexico :*

Mr. Mérida  
Miss Aguirre

*Morocco :*

Mr. Guessous  
Mr. Lakhdar (substitute  
for Mr. ben Bouazza)

*Netherlands :*

Mr. Valentgoed  
Mr. Scheffer  
Mr. van der Vorm  
Mr. de Vries

*Norway :*

Judge Bull  
Mr. Endresen  
Captain Loennechen  
Mr. Haugen

*Pakistan :*

Mr. Chaudhuri  
Mr. Ahmad  
Mr. Khatib

*Panama :*

Mr. Ortega Vieto  
Mr. Philipps

*Poland :*

Mr. Ocioszynski  
Mr. Suchorzewski  
Mr. Skiba

*Portugal :*

Mr. Pedrosa  
Commander Jorge  
Mr. de Barros  
Captain dos Santos

*Rumania :*

Mr. Lezareanu  
Mr. Gal  
Mr. Anzulato  
Mr. Radulesco

*Spain :*

Mr. Pastor Tomasetti  
Mr. García de Llera  
Mr. Arguimbau (sub-  
stitute for Mr. de  
Azqueta Urigüen)  
Mr. García Ribes

*Sweden :*

Mr. Widell  
Mr. Hartvig  
Mr. Reuterskiöld  
Mr. Thore

*Switzerland :*

Mr. Ryniker  
Mr. Messmer  
Mr. Ringier (substitute  
for Mr. Keller)  
Mr. Hofer

*Tunisia :*

Mr. Ladhari  
Mr. Ben Salem  
Mr. Sellami

*Turkey :*

Mr. Toygar  
Mr. Yenil  
Mr. Aymen

*Ukraine :*

Mr. Slipchenko  
Mr. Danchenko  
Mr. Bakurski

*U.S.S.R. :*

Mr. Dolinski  
Mr. Peretrutov (sub-  
stitute for Mr. Morozov)  
Mr. Ragimov  
Mr. Koetkin

*United Arab Republic :*

Mr. Kamel

*United Kingdom :*

Mr. Proctor  
Mr. Haselgrove  
Sir Richard Snedden  
Mr. Yates

*United States :*

Mr. Jacobs  
Mr. Rothschild  
Mr. Casey  
Mr. Hawk

*Yugoslavia :*

Mr. Velimirović  
Mr. Makiedo  
Mr. Kesic  
Mr. Velkaverh



## FOURTEENTH SITTING

Tuesday, 13 May 1958, 10.15 a.m.

*President : Mr. Kawasaki*

### SECOND REPORT OF THE RESOLUTIONS COMMITTEE<sup>1</sup>: SUBMISSION AND DISCUSSION

The PRESIDENT—The first item on the agenda this morning is the second report of the Resolutions Committee. I call upon Mr. Brentwood, the Chairman and Reporter of the Committee, to come up to the rostrum to submit the report.

Mr. BRENTWOOD (*Government delegate, Australia; Chairman and Reporter of the Resolutions Committee*)—I have the honour to present the second and final report of the Resolutions Committee, the text of which has already been circulated.

As a result of its examination of the six resolutions which were not covered in its first report the Committee decided to recommend adoption of four resolutions in the form set out in the second report. As regards the other two resolutions, the Committee's view was that their adoption by the Conference would not be expedient within the meaning of article 17, paragraph 4 (c), of the Standing Orders.

I have much pleasure in proposing the adoption of the Committee's second report.

The PRESIDENT—The report is open for discussion.

*Interpretation from French :* Mr. LICKI (*Government delegate, Poland*)—I should like from this rostrum, on behalf of the Polish Government delegation, to make a brief statement regarding the work of the Resolutions Committee of this Conference as a whole, as well as concerning the report before us.

The Polish Government delegation is happy to have taken part in the work of this very important Committee, and that the latter's work should have led to a considerable number of resolutions of undoubted value, both for seafarers and for the better organisation of the work of this Organisation. At the same time it must be noted with regret that we were not in a position to vote for the report which is now before the Conference and that we felt compelled to abstain in the vote on the report as a whole. In its existing form part of this

report does not seem to us to be balanced. It is opposed to the principle of the equality of all Members of this Organisation, their freedom of expression and their right to have their opinions adequately reflected in the documents of the Conference. In the case which we have to deal with now a majority of the Committee was even opposed to reflecting in the text some of the fundamental arguments of the author of one of the resolutions in support of that resolution. I am referring to paragraphs 33 and following of the report, which not only omit the arguments in favour of the resolution of the five Government members represented on that Committee but fail even to mention the arguments of Mr. Dolinski, the author of the resolution, which dealt with the discontinuance of tests of atomic and thermonuclear weapons, a matter now being dealt with at some length in various international and national organisations and one which obviously affects sea-going trade and the fate of thousands of seafarers. That is why the Polish Government delegation was compelled to abstain on the vote on paragraphs 33 and following of the report and on the report as a whole. It will be unable to change its attitude.

Mr. NAGENDRA SINGH (*Government delegate, India*)—We support the view that the United Nations should deal with the matter of thermonuclear tests and explosions and we understood that the underlying intention of the resolution was to that effect. If that is not so it should be categorically expressed. My Government holds very strong views on the subject which are well-known throughout the world. I would reiterate that we are opposed to such nuclear tests anywhere, whether on the high seas or on land. These tests are proving of the utmost concern to people all over the world, and we urge their complete cessation.

The PRESIDENT—Delegates will be given ample opportunity to comment on each and every resolution involved. I am now just inviting any other comments on the report as a whole. If there are no other speakers on that subject I propose to go through the report paragraph by paragraph.

Paragraph 1 is self-explanatory, I think.  
(Paragraph 1 is adopted.)

<sup>1</sup> See Appendix III, p. 218.

*Resolution concerning Atomic Power and Shipping*<sup>1</sup>

The PRESIDENT—Paragraphs 2 to 5 inclusive relate to the resolution concerning atomic power and shipping. Are there any observations on those four paragraphs?

(Paragraphs 2 to 5 are adopted.)

The PRESIDENT—Now the resolution itself, as contained in paragraph 6. I propose to put that paragraph to the vote.

(A vote is taken by show of hands. Paragraph 6 is adopted by 137 votes to 0, with 2 abstentions.)

*Paragraphs of the Report relating to a Resolution concerning the Joint Maritime Commission*<sup>2</sup>

The PRESIDENT—We now come to paragraphs 7 to 9 of the report, relating to a resolution concerning the Joint Maritime Commission. There is an amendment submitted by Mr. Gruènaïs, Workers' delegate, France; this proposes that the Conference should reject the recommendation contained in paragraph 9 of the report and should consider the resolution concerning the Joint Maritime Commission, the text of which appears with that of the other resolutions submitted in accordance with article 17 of the Standing Orders, the operative part of the text being replaced by the following:

"Requests the Governing Body of the International Labour Office to give favourable consideration at the earliest possible opportunity, to modifications to ensure that—

- (a) a tripartite maritime commission be set up in place of the Joint Maritime Commission;
- (b) the number of members of the commission, the duration of their term of office and the distribution of seats be determined in the light of the importance of the shipping industry in the different countries and taking account of the different regions of the world;
- (c) the members of the commission be appointed, in accordance with the Constitution of the International Labour Organisation, in the light of the strength of the trade union organisations."

*Interpretation from French:* Mr. GRUÈNAÏS (Workers' delegate, France)—I would like to support from this rostrum the reasons for my asking that the Joint Maritime Commission should become a tripartite body. Our opinions on this are already of long standing. After a lengthy discussion of it in the union I represent we wrote, together with the Secretary of the Officers' Federation, on 10 November 1955, to the Director-General of the International Labour Office in order that the changes proposed in my resolution might be made in the constitution of the Joint Maritime Commission.

Events at this Conference have strengthened my conviction that the change proposed would

be not only useful but essential, since the Workers' group of the Conference was informed yesterday of the list of members of the Joint Maritime Commission, which contains no delegates not belonging to the International Transportworkers' Federation. The leaders of that organisation can see only one issue at stake: that of obtaining all the posts. They regard the I.L.O. as their preserve and they feel that persons who are not members of their association should be excluded from it. They refuse to take account of the changes that have occurred and of those that are about to occur and, in fact, they deny the I.L.O.'s universal character—the universal character it must have, for this is its very *raison d'être*. Equality within the I.L.O. is envisaged by them as follows: certain countries—and not the least important, such as the Socialist countries—have, according to them, the right to pay heavy contributions, which keep the Organisation going, but they have no right to occupy posts which would normally be theirs in view of their importance in the world. That shows a sectarian spirit and ignores realities. The world is as it is and nobody can arrest the course of history. It is all the more shocking that opposition to such representation should be exercised by active trade unionists.

That is not all. The International Transportworkers' Federation has also decided that it alone is qualified to select in the various countries those who are worthy to have seats on the Joint Maritime Commission. They may reply that active trade unionists are chosen on account of their competence. Such an argument does not stand up to careful examination. Who are more qualified than seafarers to choose their own trade union representatives? Certainly not outsiders unaware of the real trade union position in the countries concerned.

Thus, in the case of France, the organisation to which I have several times referred decided that it was Mr. Philipps, the Secretary of what is by far the least representative organisation, who was to be a member of the Commission. This is a very specious way of looking at the working of democracy, of which so much mention is made in this Organisation. Throughout this Conference we have been given evidence of this attitude, first as regards our taking part in the work of the Committees. Most of the advisers of the French seafarers, and I myself, were prevented from carrying out our mandate properly.

The Workers' group did not meet. It is true that the I.T.F. leaders met every day calling themselves the Bureau of the Workers' group. Any proposal that did not come from that particular bloc was systematically rejected. Yesterday, for example, the amendment submitted by the Ukraine Workers' delegate regarding welfare facilities on board was opposed by Mr. Tennant on the pretext that there had not been time to examine the issue and that the Joint Maritime Commission should be asked to deal with it. I might remind Mr. Tennant from this rostrum that this is not a new problem, that it was dealt with at great length in the International Seafarers' Charter which we adopted in London on 28 and 29 July 1944. That Charter states, *inter alia*, "The Charter is dedicated to the

<sup>1</sup> See Appendices III, p. 218, and XI, p. 254.

<sup>2</sup> See Appendix III, p. 219.

memory of the many thousands of members of the Merchant Navies who during this war have made the supreme sacrifice in order that justice and freedom may prevail against tyranny in a peaceful world". Again in the preface of that Charter we find: "The organisations representing officers and ratings will struggle side by side for the attainment of the standards laid down in the Charter. Working independently the prospects of success would be remote. Working together, in common purpose and with a common policy, they constitute a force not lightly to be resisted." The signatories of that preamble include Mr. Becu, General Secretary of the International Transportworkers' Federation.

But I come back to the main issue. I asked yesterday in the Workers' group what would be the attitude of some of my colleagues from countries where there are several trade union organisations if the man selected, instead of being chosen from the most representative organisation, were to be chosen from the least representative organisation. That might be the case of Mr. de Vries of the Netherlands, for example. And why not? I think it would make quite a lot of trouble and that there would be an awful fuss. Yet, in the list that was imposed on us for the membership of the Joint Maritime Commission there are other persons who are no more representative than Mr. Philipps in France. Thus from the very first we make strong reservations regarding the composition of the Joint Maritime Commission as regards seafarers.

Leaving these issues aside, let us now come to the substance of my request. A reading of the I.L.O. documents shows that for many problems the Joint Maritime Commission is compelled to set up tripartite subcommittees because the presence of Government delegates is absolutely necessary. The same documents show that on all major issues the Joint Maritime Commission cannot reach a solution since it is divided equally in the voting. In the absence of Government delegates it is impossible to tip the balance one way or the other.

Defenders of the Joint Maritime Commission state that they prefer to discuss their problems apart from Government representatives. So far as the trade union organisation I represent is concerned, we share that opinion. All the issues we can settle directly with the shipowners' association we do so settle, but the fact remains that very often on major issues we do need some form of government participation.

We are told that the shipowners would refuse to sit on a tripartite committee. I can see no reason for this and in any case no such threat will make me change my opinion, this being far too important an issue. I doubt whether shipowners would, in fact, apply this threat since in an occupation as international as ours it is necessary that there should be an international body to deal with certain problems at that level. I think, therefore, that the transformation of the Joint Maritime Commission into a tripartite body, as has been done with similar bodies for other industries, is essential. Nothing would prevent certain minor questions from being dealt with by seafarers and shipowners if they so wish.

Then there is the matter of the appointment

of the members of that Commission. Suppose that we can consider that members of the Joint Maritime Commission were correctly appointed. In view of the time that elapses between Maritime Sessions of the Conference many delegates' posts become vacant; their replacements are selected by the other members of the group who are still available. Is that a normal procedure? It amounts to co-option by the other members and has all the drawbacks of such a procedure. Even if co-option is a correct procedure, the fact remains that there will be changes in the distribution of world tonnage between this Maritime Session of the Conference and the next, and it would be easier to distribute seats in accordance with such changes than with a joint commission if such were to remain in being.

Before I conclude I wish to say one more thing. It is this. We have good reason at this session of the Conference to be discontented, but we are not discouraged. We are active trade unionists, we know what our responsibilities are; we shall have done all we can to ensure that this Conference will be as fruitful as possible and will have been of the maximum benefit to the interests of seafarers. We shall continue to promote those interests. We shall also continue our struggle wherever possible, first by enlightening seamen in order that the injustice committed in the appointment of members of the Joint Maritime Commission may be corrected and that that Commission may be transformed into a tripartite one. I ask that my amendment be taken into consideration.

The PRESIDENT—Before I give the floor to the next speaker, I should like to know if the amendment submitted by Mr. Gruénais is seconded.

*(A number of delegates raise their hands.)*

The PRESIDENT—The amendment is seconded. Does anyone wish to speak?

*Interpretation from French:* Mr. BECU (*Workers' adviser, Belgium*)—I do not think that the question of the composition of the Joint Maritime Commission is on the agenda, but since the previous speaker has referred to this matter I would ask your permission to reply.

Mr. Gruénais declared from this rostrum that any delegate representing an organisation which does not belong to the International Transportworkers' Federation has been refused access to the Joint Maritime Commission as a member. That is not true, and I think that the whole of his argument now falls down. As for the decision concerning the composition of that Commission on the seafarers' side, that was taken by the Workers' group as a whole, including the previous speaker. What more am I to say?

Now I come to the question which is before us on the agenda—the proposal to change the construction of the Joint Maritime Commission, which is bipartite, into a tripartite body. The majority of the seafarers are opposed to this amendment, and for a very

simple reason, namely that the Joint Maritime Commission in its present form gives us the possibility of discussing on a tripartite basis in subcommittee any problems that we wish to discuss. We were the first to ask that the Joint Maritime Commission be tripartite. Mr. Gruénais was already born at the time; he should know. For the last 20 years—since 1936, I believe—we have been insisting that it should be so. We came to a compromise which gives us entire satisfaction, namely that when the Joint Maritime Commission finds itself in an impasse and we need a referee, its Standing Orders authorise us to request the convening of a tripartite subcommittee so that we can discuss with governments as well as with the employers. I have nothing to add to this. I think that the great majority of seafarers are satisfied with the present situation, and we shall oppose the amendment submitted.

*Interpretation from Russian : Mr. KOETKIN (Workers' delegate, U.S.S.R.)*—I reserve my right to express some of the considerations I have on the question of the composition of the Joint Maritime Commission, which will be examined at this Conference, at the time when we come to that question.

As for the question which is now under discussion, I entirely support both the arguments put forward by Mr. Gruénais and his amendment, for the reasons that experience of the work of the Joint Maritime Commission and the manner in which it is operating now show that this procedure and this order of examining questions affecting seafarers is very lengthy, not efficient enough, and that it leads to questions affecting seamen being allowed to linger too long in the limbo of this Commission without finding a solution. More and more frequent are the cases when this Commission, finding itself in an impasse, as Mr. Becu has put it, is compelled to set up or to request the setting up of various subcommittees on a tripartite basis, thus making it possible to solve the questions more rapidly and more efficiently.

In this connection it is quite natural that the question may, and does, arise: "Why wait for such cases to arise on a question after a lengthy procedure before setting up some tripartite body?" Is it not simpler and more logical from the very beginning to create such a tripartite body as would ensure a better procedure and a better order for the various questions than the one at present prevailing? It is essential also, for that reason, that such a body should be a permanently operating one, one that is destined especially to examine maritime questions. It is essential indeed because maritime sessions are convened very seldom; sometimes they are ten years apart, and questions demanding solutions are very numerous and arise every day. Consequently a standing body ready to act immediately at any time is truly essential.

Finally, I should like to point out that the development of maritime transport and the nature of the questions which are constantly arising in this field show that the solutions of many questions in maritime transport are of interest also to governments, since the very nature of maritime transport, and indeed

maritime transport itself, is of very great significance to States even when ships are privately owned. In spite of the fact that the Joint Maritime Commission has a long history and that those questions have been revised more than once already, and in spite of the fact that, as Mr. Becu has told us, a compromise was arrived at which gave satisfaction to the International Transportworkers' Federation and apparently also to the shipowners, none the less we see that life itself time and again gives rise to this question and it is put on the agenda. Therefore to wave it aside as being of no significance is, I consider, wrong.

On the strength of these arguments I support the amendment proposed by Mr. Gruénais.

*Interpretation from Russian : Mr. MOROZOV (Government delegate, U.S.S.R.)*—The U.S.S.R. Government delegation supports the amendment to this resolution submitted by the Workers' delegate of France which is before this Conference.

If we were to ponder on this matter and analyse the course of the work of this Conference it seems to me that an objective approach to this proposal would show that it is quite impossible to reject it; on the contrary it should be supported. You will remember that in all cases when some sort of problem arises it is in the last resort settled by the votes of the Government members. This is quite understandable since it is the Governments which bear the moral responsibility for the course of the work of all the organs of the I.L.O. and the Conference, and it is quite obvious that they cannot remain aloof from the work of the Joint Maritime Commission, which prepares proposals on various questions connected with the working conditions of seafarers.

As I was listening to the discussion of this question in the Resolutions Committee, and in particular when I listened to Sir Richard Snedden speaking on behalf of the shipowners, the situation became quite clear. He indicated that the existing situation as far as the position of the Commission was concerned was satisfactory to the shipowners, and we have to admit that this is a significant statement. Why? Because it is quite obvious that such a composition makes it possible for the shipowners to block any proposal which is submitted to that body. This is not the only case; from this rostrum the representative of the United Kingdom trade unions mentioned others. He cited the case of a committee, also bipartite, which dealt with civil aviation; in view of the stubborn refusal of the Employers' side to participate no decision in that bipartite body was possible at that time. Who can be sure that a similar event will not occur in the Joint Maritime Commission at some future date? Of course nobody can give us such a guarantee. The representative of the French Workers was perfectly right when he drew attention to this matter and in a desire to render the work of the Joint Maritime Commission more effective he proposed that it be a tripartite body.

At present we are not discussing the question of the composition of the Joint Maritime Commission, but what was said here, and in particular by the representative of the French Workers' delegation, seems to me to be some-

thing that it is impossible not to bear in mind. Mr. Gruénais raised the curtain to show the situation and trends that sometimes predominate in the trade union group at this Conference and if the same trends were to prevail in the future work of the Joint Maritime Commission then no good will come out of it. I think that the Government delegations, as well as all the other delegations who have at heart respect for the I.L.O. Constitution, cannot accept the situation whereby certain trade union representatives are arbitrarily excluded from the Commission. The Government group of the Conference has a responsibility for the work of the Joint Maritime Commission.

Taking all this into account the delegation of the U.S.S.R. appeals to you to support the proposal made by the French Workers' delegate.

Sir Richard SNEDDEN (*Employers' delegate, United Kingdom*)—I had not intended to speak, but after the impertinent and untrue remarks by the Government delegate of the U.S.S.R. I must. But we must not take him too seriously. After all, it is not usual for the U.S.S.R. to reply to opposition, and to crush out opposition by discussion and argument.

The success of this Conference—and it has been an enormously successful Conference—is very largely due to the work of the Joint Maritime Commission which has been black-guarded and maligned by the Communist delegates this morning. They do not know how the Joint Maritime Commission works; they are in complete ignorance of its methods and its principles. But they do know some of the results. The results are agreement between shipowners and seafarers, and, of course, they do not like that.

Well, as I say, the success of this Conference has been due in origin very largely to the work of the Joint Maritime Commission. In the first place that Commission selected the agenda and in the second place they had discussions on the sort of lines of policy and the sort of instruments which they thought it would be reasonable to submit to this Conference. And you know all these instruments have gone through or will go through virtually without any opposition at all. Can you really say in these circumstances that the Joint Maritime Commission is a bad organisation, that it

continues injustice, that it continues discrimination? These are words, of course, used by the Communist group without any real meaning at all.

Well, now, if what I am saying is true—and I believe it is—why should this arrangement be upset? On the contrary, I should have thought that governments would be pleased and relieved to know that shipowners and seafarers can get together and can reach agreement. Do not forget that the result of shipowners and seafarers being face to face in a joint commission is that both sides feel themselves in honour bound to try to reach agreement. It is complete nonsense for the U.S.S.R. Government delegate to say that what we do as shipowners in the Joint Maritime Commission is to block everything. That is completely untrue, but we need not be surprised that he is making that statement. However, the results show that it is untrue. But it is true—and this you have to bear in mind—that when we are considering matters in the Joint Maritime Commission on which we consider rightly that the help of governments is essential, then, of course, we appoint a tripartite committee. Do not let the U.S.S.R. Government representative think that this is to get out of an impasse. Not at all. It is because there are certain subjects which we do consider should be considered on a tripartite basis.

As I say, the results of the Joint Maritime Commission speak for themselves and so far as this Conference is concerned they have been a triumphant success. I therefore appeal with some confidence to this Conference to reject, firmly and flatly, the amendment which has been proposed.

#### FINAL RECORD VOTE ON THE CONVENTION CONCERNING SEAFARERS' NATIONAL IDENTITY DOCUMENTS<sup>1</sup>

The PRESIDENT—I now interrupt the debate in order to proceed to the record votes which are on our agenda.

We will now take the final record vote on the Convention concerning seafarers' national identity documents.

<sup>1</sup> See p. 110, and Appendices IX, p. 249, and XII, p. 258.

*Final Record Vote on the Convention concerning Seafarers' National Identity Documents**For (137)*

<i>Argentina :</i> Mr. Lescure (G) Captain Noriega (G) Lieutenant-Commander Gómez Ortega (E) Mr. Azqueta (W)	<i>Dominican Republic :</i> Mr. Álvarez Aybar (G) Mr. Paradás (G)	<i>Japan :</i> Mr. Mori (G) Mr. Hayashi (G) Mr. Yamagata (E) Mr. Kageyama (W)	<i>Spain :</i> Mr. Pastor Tomaseti (G) Mr. García de Llera (G) Mr. de Azqueta Urigüen (E) Mr. García Ribes (W)
<i>Australia :</i> Mr. Haddy (E) Captain Martin (W)	<i>Finland :</i> Mr. Relander (G) Mr. Tikanvaara (G) Mr. Hallberg (E) Mr. Wälläri (W)	<i>Liberia :</i> Mr. Wilson (G) Mr. Cooper (G) Mr. Simonovitch (E) Mr. Cole (W)	<i>Sweden :</i> Mr. Widell (G) Mr. Hartvig (G) Mr. Reuterskiöld (E) Mr. Thore (W)
<i>Austria :</i> Mr. Schlägelbauer (E) Mr. Peham (W)	<i>France :</i> Mr. Ramadier (G) Mr. Roullier (G) Mr. Marchegay (E) Mr. Gruënaïs (W)	<i>Luxembourg :</i> Mr. Bessling (G)	<i>Switzerland :</i> Mr. Ryniker (G) Mr. Messmer (G) Mr. Keller (E) Mr. Hofer (W)
<i>Belgium :</i> Mr. De Kinder (G) Mr. Pluymers (G) Mr. Dufour (E) Mr. Dekeyzer (W)	<i>Federal Republic of Germany :</i> Mr. Schelp (G) Mr. Fettback (G) Mr. Schuldt (E) Mr. Hildebrand (W)	<i>Morocco :</i> Mr. Guessous (G)	<i>Tunisia :</i> Mr. Ladhari (G) Mr. Ben Salem (G)
<i>Brazil :</i> Mr. Barboza-Carneiro (G) Mr. de Faria Baptista (G) Mr. Carvalho (E) Mr. Teixeira (W)	<i>Ghana :</i> Mr. Nettey (G) Mr. Mensah (W)	<i>Netherlands :</i> Mr. Valentgoed (G) Mr. Scheffer (G) Mr. van der Vorm (E) Mr. de Vries (W)	<i>Turkey :</i> Mr. Toygar (G) Mr. Yenäl (G) Mr. Aymen (E) Mr. Özkan (W)
<i>Bulgaria :</i> Mr. Belinski (G) Mr. Stoyanov (G)	<i>Greece :</i> Commander Goulielmos (G) Commander Antoniadès (G) Mr. Lyras (E) Mr. Petroulis (W)	<i>Norway :</i> Judge Bull (G) Mr. Endresen (G) Captain Loennechen (E) Mr. Haugen (W)	<i>Ukraine :</i> Mr. Slipchenko (G) Mr. Nizhnik (G) Mr. Danchenko (E) Mr. Bakurski (W)
<i>Canada :</i> Captain Johnson (G) Mr. Thomson (G) Mr. Kane (E) Mr. Sheehan (W)	<i>Indonesia :</i> Mr. Siregar (G) Mr. Sanitioso (G) Mr. Harsono (E) Mr. Subianto (W)	<i>Pakistan :</i> Mr. Chaudhuri (G) Mr. Dada (E) Mr. Khatib (W)	<i>U.S.S.R. :</i> Mr. Dolinski (G) Mr. Morozov (G) Mr. Ragimov (E) Mr. Koetkin (W)
<i>China :</i> Mr. Yü (G) Mr. Lee (G) Mr. Sa (E) Mr. Chen (W)	<i>Ireland :</i> Mr. Ó Riordáin (G) Mr. Crowley (G)	<i>Panama :</i> Mr. Phillipps (E) Mr. Escobar Bethancourt (W)	<i>United Kingdom :</i> Mr. Proctor (G) Mr. Haselgrove (G) Sir Richard Snedden (E) Mr. Yates (W)
<i>Colombia :</i> Mr. González (G)	<i>Israel :</i> Mr. Raday (G) Mr. Bar-Zeev (G) Mr. Ivri (E) Mr. Barash (W)	<i>Poland :</i> Mr. Ocioszynski (G) Mr. Licki (G) Mr. Skiba (W)	<i>United States :</i> Mr. Casey (E) Mr. Hawk (W)
<i>Cuba :</i> Mr. Camejo Argudín (G) Mr. Enseñat Polit (W)	<i>Italy :</i> Mr. Berio (G) Mr. Purpura (G) Captain Cavallini (E) Mr. Romagnoli (W)	<i>Portugal :</i> Mr. Pedrosa (G) Commander Jorge (G) Mr. de Barros (E) Captain dos Santos (W)	<i>Yugoslavia :</i> Mr. Velimirović (G) Mr. Makiedo (G) Mr. Kesić (E) Mr. Velkaverh (W)
<i>Denmark :</i> Mr. Worm (G) Mr. Lysgaard (G) Mr. Garde (E) Mr. From-Andersen (W)		<i>Rumania :</i> Mr. Lazareanu (G) Mr. Gal (G) Mr. Anzulato (E) Mr. Radulesco (W)	

*Against (6)*

<i>Burma :</i> Mr. Thin (G) Mr. Myint (G)	<i>India :</i> Mr. Nagendra Singh (G) Mr. Merani (G) Mr. Kumana (E) Mr. Serang (W)
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*Abstentions (8)*

<i>Australia :</i> Mr. Brentwood (G) Captain Bull (G)	<i>Mexico :</i> Mr. Mérito (G)	<i>United Arab Republic :</i> Mr. Kamel (G)	<i>United States :</i> Mr. Jacobs (G) Mr. Rothschild (G)
<i>Austria :</i> Mr. Schellenbacher (G) Mr. Schlaffer (G)			

The PRESIDENT—I now announce the result of the vote: 137 in favour, 6 against, with 8 abstentions. The Convention is therefore adopted.

# FINAL RECORD VOTE ON THE RECOMMENDATION CONCERNING THE CONTENTS OF MEDICINE CHESTS ON BOARD SHIP<sup>1</sup>

The PRESIDENT—Now we come to the final record vote on the Recommendation concerning the contents of medicine chests on board ship.

<sup>1</sup> See p. 111, and Appendices VII, p. 242, and XII, p. 264.

## Final Record Vote on the Recommendation concerning the Contents of Medicine Chests on Board Ship

For (149)

<i>Argentina :</i> Mr. Lescure (G) Captain Noriega (G) Lieutenant-Commander Gómez Ortega (E) Mr. Azqueta (W)	<i>Dominican Republic :</i> Mr. Álvarez Aybar (G) Mr. Paradas (G)	<i>Japan :</i> Mr. Mori (G) Mr. Hayashi (G) Mr. Yamagata (E) Mr. Kageyama (W)	<i>Spain :</i> Mr. Pastor Tomaseti (G) Mr. García de Llera (G) Mr. de Azqueta Urigüen (E) Mr. García Ribes (W)
<i>Australia :</i> Mr. Brentwood (G) Captain Bull (G) Mr. Haddy (E) Captain Martin (W)	<i>Finland :</i> Mr. Relander (G) Mr. Tikanvaara (G) Mr. Hallberg (E) Mr. Wälläri (W)	<i>Liberia :</i> Mr. Wilson (G) Mr. Cooper (G) Mr. Simonovitch (E) Mr. Cole (W)	<i>Sweden :</i> Mr. Widell (G) Mr. Hartvig (G) Mr. Reuterskiöld (E) Mr. Thore (W)
<i>Austria :</i> Mr. Schellenbacher (G) Mr. Schlaffer (G) Mr. Schlägelbauer (E) Mr. Peham (W)	<i>France :</i> Mr. Ramadier (G) Mr. Roullier (G) Mr. Marchegay (E) Mr. Gruénais (W)	<i>Luxembourg :</i> Mr. Bessling (G)	<i>Switzerland :</i> Mr. Ryniker (G) Mr. Messmer (G) Mr. Keller (E) Mr. Hofer (W)
<i>Belgium :</i> Mr. De Kinder (G) Mr. Pluymers (G) Mr. Dufour (E) Mr. Dekeyzer (W)	<i>Federal Republic of Germany :</i> Mr. Schelp (G) Mr. Fettback (G) Mr. Schuldt (E) Mr. Hildebrand (W)	<i>Mexico :</i> Mr. Mérito (G)	<i>Tunisia :</i> Mr. Ladhari (G) Mr. Ben Salem (G)
<i>Brazil :</i> Mr. Barboza-Carneiro (G) Mr. de Faria Baptista (G) Mr. Carvalho (E) Mr. Teixeira (W)	<i>Ghana :</i> Mr. Nettey (G) Mr. Mensah (W)	<i>Morocco :</i> Mr. Guessous (G) Mr. Bennani (G)	<i>Turkey :</i> Mr. Toygar (G) Mr. Yenäl (G) Mr. Aymen (E) Mr. Özkan (W)
<i>Bulgaria :</i> Mr. Belinski (G) Mr. Stoyanov (G)	<i>Greece :</i> Commander Goulielmos (G) Commander Antoniadis (G) Mr. Lyras (E) Mr. Petroulis (W)	<i>Netherlands :</i> Mr. Valentgoed (G) Mr. Scheffer (G) Mr. van der Vorst (E) Mr. de Vries (W)	<i>Ukraine :</i> Mr. Slipchenko (G) Mr. Nizhnik (G) Mr. Danchenko (E) Mr. Bakurski (W)
<i>Burma :</i> Mr. Thin (G) Mr. Myint (G)	<i>India :</i> Mr. Nagendra Singh (G) Mr. Merani (G) Mr. Kumana (E) Mr. Serang (W)	<i>Norway :</i> Judge Bull (G) Mr. Endresen (G) Captain Loennechen (E) Mr. Haugen (W)	<i>U.S.S.R. :</i> Mr. Dolinski (G) Mr. Morozov (G) Mr. Ragimov (E) Mr. Koetkin (W)
<i>Canada :</i> Captain Johnson (G) Mr. Thomson (G) Mr. Kane (E) Mr. Sheehan (W)	<i>Indonesia :</i> Mr. Siregar (G) Mr. Sanitioso (G) Mr. Harsono (E) Mr. Subianto (W)	<i>Pakistan :</i> Mr. Chaudhuri (G) Mr. Dada (E) Mr. Khatib (W)	<i>United Arab Republic :</i> Mr. Kamel (G)
<i>China :</i> Mr. Yü (G) Mr. Lee (G) Mr. Sa (E) Mr. Chen (W)	<i>Ireland :</i> Mr. Ó Ríordáin (G) Mr. Crowley (G)	<i>Panama :</i> Mr. Philipps (E) Mr. Escobar Bethancourt (W)	<i>United Kingdom :</i> Mr. Proctor (G) Mr. Haselgrove (G) Sir Richard Snedden (E) Mr. Yates (W)
<i>Colombia :</i> Mr. González (G)	<i>Israel :</i> Mr. Raday (G)	<i>Poland :</i> Mr. Ocioszynski (G) Mr. Licki (G) Mr. Skiba (W)	<i>United States :</i> Mr. Jacobs (G) Mr. Rothschild (G) Mr. Casey (E) Mr. Hawk (W)
<i>Cuba :</i> Mr. Camejo Argudín (G) Mr. Enseñat Polit (W)	<i>Italy :</i> Mr. Berio (G) Captain Purpura (G) Captain Cavallini (E) Mr. Romagnoli (W)	<i>Portugal :</i> Mr. Pedrosa (G) Commander Jorge (G) Mr. de Barros (E) Mr. dos Santos (W)	<i>Yugoslavia :</i> Mr. Velimirović (G) Mr. Makiedo (G) Mr. Kesić (E) Mr. Velkaverh (W)
<i>Denmark :</i> Mr. Worm (G) Mr. Lysgaard (G) Mr. Garde (E) Mr. From-Andersen (W)		<i>Rumania :</i> Mr. Lazareanu (G) Mr. Gal (G) Mr. Anzulato (E) Mr. Radulesco (W)	

Against (0)  
Abstentions (0)

The PRESIDENT—The result of the vote is as follows : 149 for, 0 against, and 0 abstentions. The Recommendation is therefore adopted.

FINAL RECORD VOTE ON THE  
RECOMMENDATION CONCERNING MEDICAL  
ADVICE BY RADIO TO SHIPS AT SEA <sup>1</sup>

The PRESIDENT—I now take the final record vote on the Recommendation concerning medical advice by radio to ships at sea.

<sup>1</sup> See p. 111, and Appendices VII, p. 243, and XII, p. 268.

*Final Record Vote on the Recommendation concerning Medical Advice by Radio to Ships at Sea  
For (152)*

<i>Argentina :</i> Mr. Lescure (G) Captain Noriega (G) Lieutenant-Commander Gómez Ortega (E) Mr. Azqueta (W)	<i>Dominican Republic :</i> Mr. Álvarez Aybar (G) Mr. Paradas (G)	<i>Japan :</i> Mr. Mori (G) Mr. Hayashi (G) Mr. Yamagata (E) Mr. Kageyama (W)	<i>Spain :</i> Mr. Pastor Tomasetti (G) Mr. García de Llera (G) Mr. de Azqueta Urigüen (E) Mr. García Ribes (W)
<i>Australia :</i> Mr. Brentwood (G) Captain Bull (G) Mr. Haddy (E) Captain Martin (W)	<i>Finland :</i> Mr. Relander (G) Mr. Tikanvaara (G) Mr. Hallberg (E) Mr. Walläri (W)	<i>Liberia :</i> Mr. Wilson (G) Mr. Cooper (G) Mr. Simonovitch (E) Mr. Cole (W)	<i>Sweden :</i> Mr. Widell (G) Mr. Hartvig (G) Mr. Reuterskiöld (E) Mr. Thore (W)
<i>Austria :</i> Mr. Schellenbacher (G) Mr. Schlaffer (G) Mr. Schlägelbauer (E) Mr. Peham (W)	<i>France :</i> Mr. Ramadier (G) Mr. Roullier (G) Mr. Marchegay (E) Mr. Gruénais (W)	<i>Luxembourg :</i> Mr. Bessling (G)	<i>Switzerland :</i> Mr. Ryniker (G) Mr. Messmer (G) Mr. Keller (E) Mr. Hofer (W)
<i>Belgium :</i> Mr. De Kinder (G) Mr. Pluymers (G) Mr. Dufour (E) Mr. Dekeyzer (W)	<i>Federal Republic of Germany :</i> Mr. Schelp (G) Mr. Fettback (G) Mr. Schuldt (E) Mr. Hildebrand (W)	<i>Morocco :</i> Mr. Guessous (G)	<i>Tunisia :</i> Mr. Ladhari (G) Mr. Ben Salem (G)
<i>Brazil :</i> Mr. Barboza-Carneiro (G) Mr. de Faria Baptista (G) Mr. Carvalho (E) Mr. Teixeira (W)	<i>Ghana :</i> Mr. Nettey (G) Mr. Mensah (W)	<i>Netherlands :</i> Mr. Valentgoed (G) Mr. Scheffer (G) Mr. van der Vorm (E) Mr. de Vries (W)	<i>Turkey :</i> Mr. Toygar (G) Mr. Yenäl (G) Mr. Aymen (E) Mr. Özkan (W)
<i>Bulgaria :</i> Mr. Belinski (G) Mr. Stoyanov (G)	<i>Greece :</i> Commander Goulielmos (G) Commander Antoniadis (G) Mr. Lyras (E) Mr. Petroulis (W)	<i>Norway :</i> Judge Bull (G) Mr. Endresen (G) Captain Loennechen (E) Mr. Haugen (W)	<i>Ukraine :</i> Mr. Slipchenko (G) Mr. Nizhnik (G) Mr. Danchenko (E) Mr. Bakurski (W)
<i>Burma :</i> Mr. Thin (G) Mr. Myint (G)	<i>India :</i> Mr. Nagendra Singh (G) Mr. Merani (G) Mr. Kumana (E) Mr. Serang (W)	<i>Pakistan :</i> Mr. Chaudhuri (G) Mr. Ahmad (G) Mr. Dada (E) Mr. Khatib (W)	<i>U.S.S.R. :</i> Mr. Dolinski (G) Mr. Morozov (G) Mr. Ragimov (E) Mr. Koetkin (W)
<i>Canada :</i> Captain Johnson (G) Mr. Thomson (G) Mr. Kane (E) Mr. Sheehan (W)	<i>Indonesia :</i> Mr. Siregar (G) Mr. Sanitioso (G) Mr. Harsono (E) Mr. Subianto (W)	<i>Panama :</i> Mr. Phillipps (E) Mr. Escobar Bethancourt (W)	<i>United Arab Republic :</i> Mr. Kamel (G)
<i>China :</i> Mr. Yü (G) Mr. Lee (G) Mr. Sa (E) Mr. Chen (W)	<i>Ireland :</i> Mr. Ó Riordáin (G) Mr. Crowley (G)	<i>Poland :</i> Mr. Ocioszynski (G) Mr. Licki (G) Mr. Suchorzewski (E) Mr. Skiba (W)	<i>United Kingdom :</i> Mr. Proctor (G) Mr. Haselgrove (G) Sir Richard Snedden (E) Mr. Yates (W)
<i>Colombia :</i> Mr. González (G)	<i>Israel :</i> Mr. Radaý (G) Mr. Bar-Zeev (G) Mr. Ivri (E) Mr. Barash (W)	<i>Portugal :</i> Mr. Pedrosa (G) Commander Jorge (G) Mr. de Barros (E) Mr. dos Santos (W)	<i>United States :</i> Mr. Jacobs (G) Mr. Rothschild (G) Mr. Casey (E) Mr. Hawk (W)
<i>Cuba :</i> Mr. Camejo Argudín (G) Mr. Enseñat Polit (W)	<i>Italy :</i> Mr. Berio (G) Mr. Purpura (G) Captain Cavallini (E) Mr. Romagnoli (W)	<i>Rumania :</i> Mr. Lazareanu (G) Mr. Gal (G) Mr. Anzulato (E) Mr. Radulesco (W)	<i>Yugoslavia :</i> Mr. Velimirović (G) Mr. Makiedo (G) Mr. Kesić (E) Mr. Velkaverh (W)
<i>Denmark :</i> Mr. Worm (G) Mr. Lysgaard (G) Mr. Garde (E) Mr. From-Andersen (W)			

*Against (0)*

*Abstentions (0)*



The PRESIDENT—The result of the vote is as follows: 152 for, 0 against, and 0 abstentions. The Recommendation is therefore adopted.

FINAL RECORD VOTE ON THE RECOMMENDATION  
CONCERNING THE ENGAGEMENT OF  
SEAFARERS FOR SERVICE IN VESSELS  
REGISTERED IN A FOREIGN COUNTRY<sup>1</sup>

The PRESIDENT—We will now take the final record vote on the Recommendation concerning the engagement of seafarers for service in vessels registered in a foreign country.

<sup>1</sup> See p. 113, and Appendices V, p. 236, and XII, p. 268.

*Final Record Vote on the Recommendation concerning the Engagement of Seafarers  
for Service in Vessels Registered in a Foreign Country*

*For (138)*

<b>Argentina :</b> Mr. Lescure (G) Captain Noriega (G) Lieutenant-Commander Gómez Ortega (E) Mr. Azqueta (W)	<b>Denmark :</b> Mr. Worm (G) Mr. Lysgaard (G) Mr. Garde (E) Mr. From-Andersen (W)	<b>Italy :</b> Mr. Berio (G) Mr. Purpura (G) Captain Cavallini (E) Mr. Romagnoli (W)	<b>Sweden :</b> Mr. Widell (G) Mr. Hartvig (G) Mr. Reuterskiöld (E) Mr. Thore (W)
<b>Australia :</b> Mr. Brentwood (G) Captain Bull (G) Mr. Haddy (E) Captain Martin (W)	<b>Dominican Republic :</b> Mr. Álvarez Aybar (G) Mr. Paradás (G)	<b>Japan :</b> Mr. Mori (G) Mr. Hayashi (G) Mr. Yamagata (E) Mr. Kageyama (W)	<b>Switzerland :</b> Mr. Ryniker (G) Mr. Messmer (G) Mr. Keller (E) Mr. Hofer (W)
<b>Austria :</b> Mr. Schellenbacher (G) Mr. Schlaffer (G) Mr. Schlägelbauer (E) Mr. Peham (W)	<b>Finland :</b> Mr. Relander (G) Mr. Tikanvaara (G) Mr. Hallberg (E) Mr. Walläri (W)	<b>Luxembourg :</b> Mr. Bessling (G)	<b>Tunisia :</b> Mr. Ladhari (G) Mr. Ben Salem (G)
<b>Belgium :</b> Mr. De Kinder (G) Mr. Pluymers (G) Mr. Dufour (E) Mr. Dekeyzer (W)	<b>France :</b> Mr. Ramadier (G) Mr. Roullier (G) Mr. Marchegay (E) Mr. Gruénais (W)	<b>Morocco :</b> Mr. Guessous (G)	<b>Turkey :</b> Mr. Toygar (G) Mr. Yenäl (G) Mr. Aymen (E) Mr. Özkan (W)
<b>Brazil :</b> Mr. Carvalho (E) Mr. Teixeira (W)	<b>Federal Republic of Germany :</b> Mr. Schelp (G) Mr. Fettback (G) Mr. Schuldt (E) Mr. Hildebrand (W)	<b>Netherlands :</b> Mr. Valentgoed (G) Mr. Scheffer (G) Mr. van der Vorm (E) Mr. de Vries (W)	<b>Ukraine :</b> Mr. Slipchenko (G) Mr. Nizhnik (G) Mr. Danchenko (E) Mr. Bakurski (W)
<b>Bulgaria :</b> Mr. Belinski (G) Mr. Stoyanov (G)	<b>Ghana :</b> Mr. Nettey (G) Mr. Mensah (W)	<b>Norway :</b> Judge Bull (G) Mr. Endresen (G) Captain Loennechen (E) Mr. Haugen (W)	<b>U.S.S.R. :</b> Mr. Dolinski (G) Mr. Morozov (G) Mr. Ragimov (E) Mr. Koetkin (W)
<b>Burma :</b> Mr. Thin (G) Mr. Myint (G)	<b>Greece :</b> Mr. Petroulis (W)	<b>Pakistan :</b> Mr. Chaudhuri (G) Mr. Ahmad (G) Mr. Dada (E)	<b>United Arab Republic :</b> Mr. Kamel (G)
<b>Canada :</b> Captain Johnson (G) Mr. Thomson (G) Mr. Kane (E) Mr. Sheehan (W)	<b>India :</b> Mr. Nagendra Singh (G) Mr. Merani (G) Mr. Kumana (E) Mr. Serang (W)	<b>Poland :</b> Mr. Ocioszynski (G) Mr. Licki (G) Mr. Suchorzewski (E)	<b>United Kingdom :</b> Mr. Proctor (G) Mr. Haselgrove (G) Sir Richard Snedden (E) Mr. Yates (W)
<b>China :</b> Mr. Yü (G) Mr. Lee (G) Mr. Sa (E) Mr. Chen (W)	<b>Indonesia :</b> Mr. Siregar (G) Mr. Sanitioso (G) Mr. Harsono (E) Mr. Subianto (W)	<b>Portugal :</b> Mr. Pedrosa (G) Commander Jorge (G) Mr. de Barros (E) Captain dos Santos (W)	<b>United States :</b> Mr. Jacobs (G) Mr. Rothschild (G) Mr. Hawk (W)
<b>Colombia :</b> Mr. González (G)	<b>Ireland :</b> Mr. Ó Riordáin (G) Mr. Crowley (G)	<b>Rumania :</b> Mr. Lazareanu (G) Mr. Gal (G) Mr. Anzulato (E) Mr. Radulesco (W)	<b>Yugoslavia :</b> Mr. Velimirović (G) Mr. Makiedo (G) Mr. Kesic (E) Mr. Velkaverh (W)
<b>Cuba :</b> Mr. Camejo Argudín (G) Mr. Enseñat Polit (W)	<b>Israel :</b> Mr. Raday (G) Mr. Bar-Zeev (G) Mr. Ivri (E) Mr. Barash (W)	<b>Spain :</b> Mr. Pastor Tomaseti (G) Mr. García de Llera (G) Mr. de Azqueta Urigüen (E) Mr. García Ribes (W)	

*Against (0)*

*Abstentions (11)*

<b>Greece :</b> Commander Goulielmos (G) Commander Antoniades (G) Mr. Lyras (E)	<b>Liberia :</b> Mr. Wilson (G) Mr. Cooper (G) Mr. Simonovitch (E) Mr. Cole (W)	<b>Panama :</b> Mr. Ortega Vieto (G) Mr. Phillipps (E) Mr. Escobar Bethancourt (W)	<b>United States :</b> Mr. Casey (E)
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The PRESIDENT—The result of the vote is as follows : 138 for, 0 against, with 11 abstentions. The Recommendation is therefore adopted.

#### ORDER OF WORK OF THE CONFERENCE

The PRESIDENT—There are three more final record votes to be taken. These will take place tomorrow morning at 10 a.m. I request your full attendance for that sitting.

#### REPLY OF THE DIRECTOR-GENERAL FOLLOWING THE DISCUSSION OF HIS REPORT

The PRESIDENT—The Conference will recall that during the general debate on the Director-General's Report almost all speakers paid a very high and special tribute to the Report for its excellence. It is therefore with the greatest of interest and pleasure that we will now listen to what Mr. Morse has to say in reply to the discussion on that Report.

I have great pleasure in calling upon the Director-General to take the floor.

The SECRETARY-GENERAL—In the course of the discussion of my Report there have been innumerable references to the Seattle Conference. It is clear that delegates have been thinking of the present session of the Conference as the major event in the history of the maritime work of the International Labour Organisation since 1946, and I think this is as it should be, since our immediate concern is to examine what the I.L.O. has done for seafarers since the Seattle Conference, what further progress we can make at the present session and what our future maritime programme should be.

Before commenting on the discussion on my Report I would like for a moment to consider the place of this Conference in the framework of other important developments which are at present going on in the maritime world as a whole. First of all, there is the United Nations Conference on the Law of the Sea, which immediately preceded our Maritime Session. That Conference discussed a number of problems which are of direct concern and interest to the I.L.O. Certain aspects of them are actually on our agenda, and some of the decisions taken by the Law of the Sea Conference have had an influence on the texts which have been adopted by our session in the past few days. This affords, I think, a good instance of co-ordination of effort between the United Nations and the specialised agencies.

Among the problems to which I refer is that of the nationality of ships. The Law of the Sea Conference decided that there must exist a genuine link between the State and the ship, and the State must effectively exercise its jurisdiction and control over ships flying its flag in administrative, technical and social matters. Now this mention of social matters may presumably be interpreted as a reference to the obligation of the flag State to exert effective control over such matters as safety regulations and labour conditions of crews. It therefore links up directly with one of the

items on our own agenda, namely flag transfer in relation to social conditions and safety. The Recommendation on this subject on which you have already taken a first vote will constitute an important complement to the decision of the Law of the Sea Conference by specifying in greater detail the measures which might be taken to ensure fuller control. We also have before us a resolution which marks our interest in the general question of safety of life at sea. This again ties in with a decision of the Law of the Sea Conference requiring every State to take the necessary measures to ensure safety at sea, and special reference is made in this connection to the manning of ships and labour conditions for crews—both matters, I submit, with which the I.L.O. is certainly closely concerned.

Finally, the Law of the Sea Conference adopted a text to the effect that, in the event of a collision or other incident of navigation on the high seas involving the penal or disciplinary responsibility of the master or of any other person in the service of the ship, no penal or disciplinary proceedings may be instituted except before the judicial or administrative authorities either of the flag State or of the State of which the incriminated person is a national. This decision is directly connected with one of the items on our agenda here, namely jurisdiction over the suspension of officers' certificates of competency. The resolution which you adopted on this subject should give added weight to the decision of the Law of the Sea Conference and, one may hope, help to ensure its widespread implementation.

Now the second important development which I have in mind is the imminent coming into existence of a new international body—the Intergovernmental Maritime Consultative Organisation, the Statute of which has now received the requisite number of ratifications to bring it into force—and I think it is important to mention this point to this Conference. I understand that the constituent conference of this organisation will probably be held in the course of the next 12 months. The purpose of the new organisation is to provide machinery for co-operation between governments in dealing with various technical problems of shipping, including the promotion of high standards of safety at sea. In view of the I.L.O.'s interest in the safety of seafarers, there will clearly be scope and need for co-operation between the two organisations in this field. Some of you may recall that the Safety of Life at Sea Conference, 1948, adopted a recommendation to the effect that the I.L.O. and the Intergovernmental Maritime Consultative Organisation, when formed, should maintain the closest liaison and should arrange for a joint examination of the question of manning in relation to safety at sea in order to ensure that the jurisdiction of each agency in regard to manning be clearly defined. A draft agreement for co-operation between the I.L.O. and I.M.C.O., as this organisation is called, on the same lines as the agreements which we already have with other specialised agencies, was approved some years ago by the Joint Maritime Commission and the Governing Body, and was provisionally accepted by the I.M.C.O. Preparatory Commission.

So much for what I call the wider framework of other current developments in the regulation of maritime problems into which I believe our work of the last two weeks must be placed.

Now as to our Maritime Sessions. It seems to me that Maritime Sessions of our Conference do have a definite flavour, and quite obviously a character of their own. There is, first of all, the question of the composition of the Conference. Many States Members which normally send delegations to the Conference are not represented on this occasion, either because they have no sea-coast or because their shipping interests are comparatively small. Again, while I see in front of me a few faces which are familiar to me from Ordinary Sessions, the great majority of you come from government departments and from organisations of employers and workers which are not usually represented at the Conference. Furthermore, an Ordinary Session of the Conference normally has on its agenda a variety of items, some of which may affect the great bulk of workers in all occupations, while others concern either workers in one major branch of activity, such as agriculture or commerce, or workers of one particular category, such as women workers or salaried employees, and so on. But Maritime Sessions deal solely with the problems of a single industry, and that fact gives them a certain homogeneity which is lacking in Ordinary Sessions.

There is a further important difference that I see between the two types of meetings. Ordinary Sessions of the Conference are annual and represent in the main a continuation of the pattern of the immediately preceding sessions.

A Maritime Session of the Conference, on the other hand, continues the work of the previous Maritime Session, which has generally taken place several years earlier—in the present instance, some 12 years ago. Some may think that is a rather long interval. Yet perhaps there was good reason for waiting. In the first place, the Seattle Conference covered so much ground and achieved such far-reaching results that it might be said that the main problems of seafarers had been dealt with for some time to come. In the second place, maritime questions have by no means been neglected in the interval, and I would like to point this out. We have had in this interval several meetings of the Joint Maritime Commission, meetings of the tripartite subcommittees and of our Joint Committee with the World Health Organisation. We also held an Asian Maritime Conference in Ceylon in 1953. In addition there was a partial revision of three of the Seattle Conventions by the General Conference in 1949. There is also the point that, by allowing several years to elapse, we have had a fuller opportunity of observing the practical results of the work done in Seattle, and this I believe has served as a useful guide to all of us at the present session.

Despite the long period since Seattle, there is nevertheless a marked degree of continuity between that session of the Conference and the present one. It is true that at the present session many States are represented which were not Members of the Organisation in 1946. But the delegations of member States which were represented at both sessions contain quite

a number of persons in all three groups who were present on both occasions. I have on previous occasions stressed the importance of a certain continuity of representation at Ordinary Sessions of the Conference, and I am therefore particularly glad to see that there is so much continuity between the Seattle session and our present one.

It seems to me that this is not an occasion on which, in my reply to the debate, I should discuss general policy questions affecting the I.L.O. as a whole, as I am sometimes called upon to do at Ordinary Sessions. I propose, therefore, to limit myself to purely maritime matters and to deal with some of the points concerning the I.L.O. programme for the improvement of seafarers' conditions which have emerged in the course of the discussion of my Report. While it will not be possible for me to deal with all the questions that have been raised, I can assure you that everything that has been said in the course of the debate will be carefully analysed after the Conference is over with a view to seeing what action can and what action should be taken by our Organisation.

I would, first of all, thank you all very warmly and very sincerely for the friendly reception you have given to this Report.

Two points mentioned by a number of speakers in the debate were particularly interesting to me. The first was that many delegates gave examples of how the various Seattle Conventions, even when not ratified, had exercised a marked influence on national legislation and on the terms of collective agreements. This confirms the view which I hold, and which I expressed in my Report, that these Conventions had played a by no means negligible part in the many improvements in seafarers' conditions which have taken place during the last 12 years all over the world. The second cause for satisfaction was the number of speakers from countries which are still in the early stages of building up a shipping industry who paid a tribute to the value of our maritime Conventions and Recommendations, and of the contacts made at the present Conference in planning their legislation and practical measures for ensuring good conditions of employment for seafarers. True, several of them stated frankly that they were not at this stage able to implement fully all of our Conventions, more especially in such fields as social security and crew accommodation. But there was general recognition that the international standards we have set up at successive Maritime Sessions represented the goal which they aimed to reach and, if possible, surpass; and I think this is important.

Several speakers re-emphasised the essentially international character of the maritime industry and pointed out the need for international agreement on conditions of employment. They also emphasised the direct link between the volume of world trade and the prosperity of the industry. And this too is important. The shipping industry is obviously one of the most sensitive to fluctuations of international trade and this has immediate consequences on the level and stability of employment in the industry. While employment in the industry has generally been at a

high level until quite recently, fears have also been expressed regarding its stability. I am now, as it happens, in the process of carefully examining the general employment and unemployment situation throughout the world, and a report on the subject is being prepared in response to a decision of the Governing Body at its last session. I expect to have this report ready for distribution to the Governing Body within the next few days.

I would now turn to the other problems mentioned by several delegates as still requiring attention and which must be borne in mind as elements in the future activities of our Organisation. I am grateful that so many speakers responded in this way to the request I made in my Report that you should give guidance for our future work.

One speaker, as I recall, made a really impassioned plea for those who have been called, as he put it "the forgotten workers"—fishermen. The Conference still has before it a resolution suggesting some procedures for handling fishermen's problems in the future, and it would therefore be premature for me to say anything on that aspect of the subject in my reply. But I would point out that three aspects of fishermen's conditions of employment constitute one item on the agenda of the Conference which meets in June, next month, and I can give an assurance to that gentleman, and to the Conference, that we will constantly bear in mind the plea that was made to this Conference and will do what we can to ensure that our work for fishermen does not lag behind that for other groups of seafarers and workers.

Two suggestions were made, as I recall, regarding Asia—one for a special study of the welfare facilities for Asian seafarers in non-Asian ports and the other for a second Asian Maritime Conference at an early stage. These proposals, too, will be given due consideration in planning our future programme of work.

Of the more general problems, training needs were frequently referred to during the course of the discussion. Apart from the need to develop general training schemes for seafarers in the countries which are now building up merchant fleets, there are special needs arising from recent technological developments. As nuclear propulsion of ships becomes a reality, specially trained engineers and other personnel will be needed to operate the machinery and to ensure that all precautions are taken to avoid the dangers inherent in the use of atomic energy and atomic power. Similarly, the growing use of radar and of various other electronic and remote-control apparatus calls for training both in the use and in the maintenance of such devices.

Closely linked with this is the general question of safety at sea, in which the I.L.O. is bound to continue to take a close interest from the point of view of the well-being of seafarers. As I mentioned just a moment ago, the question of protection against radiations escaping from nuclear power equipment on board ship is a new aspect of safety at sea. The I.L.O., I would point out, has already drawn up a revised code on the protection of workers against radiations in industry. The question has been placed on the agenda of the Conference for 1959, and other measures,

such as the organisation of training courses for factory inspectors and the staff of industrial medical services, are being planned. We are therefore already active in the field, and the special problem of the protection of seafarers will not be lost sight of.

Now I also found that the question of welfare was frequently touched upon. It is true that much has been done, both nationally and by co-operation between certain countries. But there is clearly a feeling that there may still be scope for international co-operation in the development of hotels, clubs, sports facilities and the like for seafarers of all nations. This is obviously a suggestion that must be followed up so as to determine to what extent and by what means the I.L.O. can contribute to this effort. In this connection I think I should mention that the Governing Body has approved the establishment of a tripartite subcommittee of the Joint Maritime Commission on welfare for seafarers. Welfare also includes education, and at that point we find another link with the general programme of the I.L.O., to which I would refer, in which we are now laying special emphasis on the development of workers' education.

One final and very important question which was referred to by several delegates during the debate is that of labour-management relations. It is obvious from what was said that the situation varies very much from country to country. Several of you reported that, over a long period of years, excellent labour-management relations had been built up in the shipping industry. Others frankly admitted that the position in their countries was very far from satisfactory. There are two general points which were made with which I would certainly wholeheartedly agree and which, I think, cannot be too often repeated. The first is that you can have excellent machinery for labour-management relations on paper, but it by no means necessarily follows that relations are good in practice. What is essential is that there should be strong, responsible and democratic organisations on both sides and that they should negotiate together in an atmosphere of mutual respect, good faith and confidence.

The second point which was made is that you cannot take the system of labour-management relations which works successfully in one country and expect it necessarily to lead to good relations in another. This is basically the same question I have just referred to. Good labour-management relations are not just a matter of machinery. The mechanism and the methods must depend on the historical development, the historical evolution, customs and traditions, personalities involved, etc., of each country. Certainly the example of one country can provide some guidance for others, but it must be adjusted, it must be moulded to particular requirements and it cannot be imposed. The I.L.O. has for the past few years been expanding and developing its activities in the field of labour-management relations and I would trust that some of our work may prove of value and assistance to the shipping industry as to other branches of industry.

The present session of the Conference, I think, will mark another important stage in

the maritime work of the Organisation and I am confident that in the years to come we shall be able to look back upon the action taken here as a practical forward step for the improvement of the lot of seafarers all over the world. However, it would be a mistake, it seems to me, to think that I.L.O. action in the maritime field is limited to the adoption of agreed international standards. I have referred above to the labour-management relations programme. We are also developing, as I have indicated, a programme of workers' education which can be of as much value to seafarers as to other workers. Nor must we forget our general operational activities. In the technical assistance programme of the I.L.O. the member States have an instrument at their disposal which they can use for initiating and developing action in such fields of importance to the maritime industry as recruitment, training, safety, welfare, social security, etc.

It remains only for me to thank speakers once again, briefly, for the most valuable contribution they have made to the debate and to this Conference. I have, I believe, got very useful guidance which will help us in charting our future course. I have been encouraged by the many references to the value of the I.L.O.'s maritime work in the past, and my collaborators and I, I can assure you, will endeavour, as far as lies in our power, to make it still more effective in the future. I am sure I can count on your full and continued co-operation in solving the problems that still call for international action, so that we can finally ensure

for all seafarers everywhere the best possible living and working conditions and that degree of protection against the hazards of their profession which they are certainly entitled to expect.

I hope too that delegates and advisers will carry home with them a better appreciation of their opposite numbers from other countries. It is essential today that we make every effort to understand each other—and each other's problems—and develop the will and develop the habit of international co-operation. This is one of our important and essential responsibilities. This is one of the earnest efforts in which we must persist if we are in good faith in our search and in our quest for peace. If we can make a small contribution to mutual understanding and to furthering procedures for finding and developing real and genuine trust between people we will have made a great contribution to world peace. We will have helped make it possible for men of today and their children of tomorrow to grow and to live in greater happiness—and in freedom!

The PRESIDENT—The Conference will agree with me that the speech we have just heard was very comprehensive, illuminating and instructive. I should like to convey, therefore, the sincere appreciation and thanks of the Conference to Mr. Morse for his very excellent and eloquent speech.

*(The Conference adjourned at 12.30 p.m.)*

## Delegates Present at the Sitting

<i>Argentina :</i> Mr. Lescure Commander Noriega Lieutenant-Commander Gómez Ortega Mr. Azqueta	<i>Dominican Republic :</i> Mr. Álvarez Aybar Mr. Paradas	<i>Japan :</i> Mr. Hayashi (substitute for Mr. Kawasaki) Mr. Mori Mr. Yamagata Mr. Kageyama	<i>Spain :</i> Mr. Pastor Tomaseti Mr. Amblés Pipo (sub- stitute for Mr. García de Llera) Mr. Arguimbau (sub- stitute for Mr. de Azqueta Urigüen) Mr. García Ribes
<i>Australia :</i> Mr. Brentwood Captain Bull Mr. Haddy Captain Martin	<i>Finland :</i> Mr. Relander Mr. Tikanvaara Mr. Hallberg Mr. Wälläri	<i>Liberia :</i> Mr. Wilson Mr. Cooper Mr. Simonovitch Mr. Cole	<i>Sweden :</i> Mr. Widell Mr. Hartvig Mr. Reuterskiöld Mr. Thore
<i>Austria :</i> Mr. Schellenbacher Mr. Schlaffer Mr. Schlägelbauer Mr. Peham	<i>France :</i> Dr. Cevaer (substitute for Mr. Ramadier) Mr. Roullier Mr. Peyrot (substitute for Mr. Marchegay) Mr. Gruénais	<i>Luxembourg :</i> Mr. Bessling	<i>Switzerland :</i> Mr. Ryniker Mr. Messmer Mr. Fornet (substitute for Mr. Keller) Mr. Hofer
<i>Belgium :</i> Mr. De Kinder Mr. Pluymers Mr. De Bruyn (substitute for Mr. Dufour) Mr. Dekeyzer	<i>Federal Republic of Germany :</i> Mr. Schelp Mr. Fettback Mr. Schuldt Mr. Hildebrand	<i>Mexico :</i> Mr. Mérido Miss Aguirre	<i>Tunisia :</i> Mr. Ladhari Mr. Ben Salem Mr. Sellami
<i>Brazil :</i> Mr. Barboza-Carneiro Mr. de Faria Baptista Mr. Carvalho Mr. Teixeira	<i>Ghana :</i> Mr. Nettey Mr. Mensah	<i>Morocco :</i> Mr. Guessous Mr. Lakhdar (substitute for Mr. ben Bouazza)	<i>Turkey :</i> Mr. Toygar Mr. Yenil Mr. Aymen Mr. Özkan
<i>Bulgaria :</i> Mr. Belinski Mr. Stoyanov	<i>Greece :</i> Commander Goulielmos Commander Antoniadis Mr. Lyras Mr. Petroulis	<i>Netherlands :</i> Mr. Valentgoed Mr. Scheffer Mr. van der Vorm Mr. de Vries	<i>Ukraine :</i> Mr. Slipchenko Mr. Nizhnik Mr. Danchenko Mr. Bakurski
<i>Burma :</i> Mr. Thin Mr. Myint	<i>India :</i> Mr. Nagendra Singh Mr. Merani Mr. Kumana Mr. Serang	<i>Norway :</i> Judge Bull Mr. Endresen Captain Loennechen Mr. Haugen	<i>U.S.S.R. :</i> Mr. Dolinski Mr. Morozov Mr. Ragimov Mr. Koetkin
<i>Canada :</i> Captain Johnson Mr. Thomson Mr. Kane Mr. Sheehan	<i>Indonesia :</i> Mr. Siregar Mr. Sanitioso Mr. Harsono Mr. Subianto	<i>Pakistan :</i> Mr. Chaudhuri Mr. Ahmad Mr. Dada Mr. Khatib	<i>United Arab Republic :</i> Mr. Kamel
<i>China :</i> Mr. Yü Mr. Lee Mr. Sa Mr. Chen	<i>Ireland :</i> Mr. Ó Riordáin Mr. Crowley	<i>Panama :</i> Mr. Escobar Bethancourt	<i>United Kingdom :</i> Mr. Proctor Mr. Haselgrove Sir Richard Snedden Mr. Yates
<i>Colombia :</i> Mr. González	<i>Israel :</i> Mr. Raday Mr. Bar-Zeev Mr. Ivri Mr. Barash	<i>Poland :</i> Mr. Ocioszynski Mr. Licki Mr. Suchorzewski Mr. Skiba	<i>United States :</i> Mr. Jacobs Mr. Rothschild Mr. Casey Mr. Hawk
<i>Cuba :</i> Mr. Camejo Argudin Mr. Lombera Cadalso Mr. Enseñat Polit	<i>Italy :</i> Mr. Berio Mr. Purpura Captain Cavallini Mr. Romagnoli	<i>Portugal :</i> Mr. Pedrosa Commander Jorge Mr. de Barros Captain dos Santos	<i>Yugoslavia :</i> Mr. Velimirović Mr. Makiedo Mr. Kesić Mr. Velkaverh
<i>Denmark :</i> Mr. Worm Mr. Lysgaard Mr. Garde Mr. From-Andersen		<i>Rumania :</i> Mr. Lazareanu Mr. Gal Mr. Anzulato Mr. Radulesco	

## FIFTEENTH SITTING

Tuesday, 13 May 1958, 3.15 p.m.

*President : Mr. Kawasaki*

### SECOND REPORT OF THE RESOLUTIONS COMMITTEE<sup>1</sup>: DISCUSSION (*concl.*) AND ADOPTION

#### *Paragraphs of the Report relating to a Resolution concerning the Joint Maritime Commission<sup>2</sup> (concl.)*

The PRESIDENT—We resume discussion of the second report of the Resolutions Committee. We were dealing with paragraphs 7 and 8, relating to a resolution concerning the Joint Maritime Commission. The debate is open on the amendment submitted by the Workers' delegate of France.

Mr. PROCTOR (*Government delegate, United Kingdom*)—In the discussion this morning various references were made to the responsibilities of governments in this matter of the constitution of the Joint Maritime Commission. I should like, therefore, to state very briefly the position of the United Kingdom Government in this matter.

As we see it, the question of responsibility of governments is very simple indeed. The United Kingdom Government regards the Joint Maritime Commission as a conspicuously successful organ of the International Labour Organisation. We see no reason to change its constitution whatever. It has in our view justified its existence and its present composition by results, and both sides of the shipping industry in my country—the shipowners and the seafarers—are in agreement with that view. That being so, we see no justification and no call on governments to intervene in any way to change the constitution. Therefore, we shall vote against this amendment.

The PRESIDENT—Before I give the floor to the next speaker, I wish to draw the attention of delegates to the provisions of paragraph 6 of article 14 of the Standing Orders, to the effect that no speech shall exceed 15 minutes. I hope that all delegates will observe this rule so that we can expedite the rest of our business this afternoon.

*Interpretation from French : Mr. GAL (Government delegate, Rumania)*—The amendment before us is in our opinion likely to improve the

work done by the I.L.O. in the maritime field.

As Maritime Sessions of the Conference are held very rarely, and between such sessions it is the Joint Maritime Commission which deals with all problems affecting seafarers, we consider that, in view of the importance of the Joint Maritime Commission and in order to make its work more effective, it is necessary that this Commission should be organised on a tripartite basis, that being the essential principle of all the work of our Organisation.

We do not doubt that there are cases in which seafarers and shipowners can reach appropriate decisions without the assistance of a third force consisting of Government delegates. Nevertheless, the exception does not prove the rule, and experience shows that the contribution of Government delegates is of great importance, particularly in connection with major issues. The application of the tripartite system would enable many problems to be settled more quickly and more appropriately. This is so obvious that it is hard to imagine any arguments to the contrary, since one cannot regard as arguments the violent diatribes this morning of Sir Richard Snedden, who inadmissibly departed from the normal language used at international gatherings, including the International Labour Conference. In fact, I think that if the representative of the United Kingdom Employers went so far from normal courtesy—which is supposed to be a feature of the British character—it was because he had no other argument to put forward.

Sir Richard Snedden told us that the success of this Conference would be due to the preparatory work done by the Joint Maritime Commission. Nobody wishes to deny the merits of those who have prepared the successful work of this Conference, but the Conference itself gives conclusive proof that Sir Richard Snedden's arguments are false; and the fact that he added insults addressed to the Soviet Union and the Communist Party did not make them any more convincing. The adoption of perhaps the most important instrument at this Conference—that of the revised Convention concerning wages, hours of work on board ship and manning—has not had the support of the Employers of the Western countries; it has not had the support of Sir Richard Snedden; in fact, it will be adopted against his wishes, against the formal opposition of the entire Employers' group; and with the support of a majority of the Government group.

<sup>1</sup> See p. 154, and Appendix III, p. 218.

<sup>2</sup> See p. 155, and Appendix III, p. 219.

We are convinced that Government delegates would exercise the same valuable influence in the Joint Maritime Commission, and that a tripartite structure would provide a better opportunity for effective work than a more limited basis.

That is why we support Mr. Gruënais's amendment.

Mr. NAGENDRA SINGH (*Government delegate, India*)—The Joint Maritime Commission has worked very efficiently indeed. If a tree is to be judged by the fruit it bears, the Joint Maritime Commission has furnished abundant testimony of its efficiency, since it has produced concrete results.

The Government of India holds all matters that come within the purview of the Joint Maritime Commission as exclusively those which should concern the two groups—the seafarers and the shipowners. These are matters which are essentially bipartite by nature and they should be left exclusively to these two groups for discussion and decision. It would be fatal for governments to intervene in matters which are of supreme importance to the two groups. I would therefore submit that this amendment should be opposed.

The method by which governments can intervene whenever the two groups need their assistance is provided in the Standing Orders of the Joint Maritime Commission. If there is need for tripartite discussion provision is made for this, as I have said, in the Commission's Standing Orders.

In the circumstances what useful purpose would be served by having the Commission tripartite? I submit that the amendment has no justification whatsoever.

The PRESIDENT—Is there any other speaker? If not, I put the amendment submitted by Mr. Gruënais to the vote.

*(A vote is taken by show of hands. The amendment is rejected by 28 votes to 101, with 15 abstentions.)*

The PRESIDENT—If there are no observations on paragraphs 7 and 8 of the report I declare them adopted.

*(Paragraphs 7 and 8 are adopted.)*

The PRESIDENT—Now we come to paragraph 9, containing the Committee's recommendation. I put it to the vote.

*(A vote is taken by show of hands. Paragraph 9 is adopted by 99 votes to 4, with 35 abstentions.)*

#### *Resolution concerning Fishermen's Questions<sup>1</sup>*

The PRESIDENT—We now go on to the resolution concerning fishermen's questions. First we will go through that part of the report relating to this resolution, namely paragraphs 10 to 15 inclusive. Does anyone wish to speak?

Mr. DEKEYZER (*Workers' delegate, Belgium*)—May I be allowed to say a few words

in regard to the resolution concerning fishermen's questions? Some of you will probably recall that in the discussion on the Director-General's Report I portrayed the situation prevailing in the fishing industry. Let it be understood that, speaking for the industry, I am speaking on behalf of those who are toiling on fishing vessels while at sea and thus, quite rightly speaking, of seafarers.

A first resolution, whereby we only demand that their problems be discussed by a sub-committee of the Joint Maritime Commission, was brought before the relevant Committee and encountered a certain amount of opposition not only from the shipowners but also from certain Government representatives. In view of this opposition the Workers' group of this Conference submitted, under the name of Mr. de Vries (*Workers' delegate, Netherlands*), a new resolution. This was further debated and again watered down by an amendment which, however, we accepted. I can more or less understand the position of the Employers, who have no desire in their discussions to become entangled with trawler-owners or cluttered with fishermen and therefore esteem that they are not competent to deal with problems pertaining to the fishing industry; but I do plead that Governments should not abstain from voting on this resolution but on the contrary give it their wholehearted support, so that at the International Labour Conference next month the representatives of owners and fishermen will find a definite forum where at the international level their problems can be debated and thrashed out and solutions arrived at.

Personally I would have preferred to see the social problems of seafarers in the fishing industry being debated in a tripartite—or, if esteemed preferable, a bipartite—committee of a permanent character set up under the auspices of the Joint Maritime Commission. In the Resolutions Committee, however, the consensus of opinion was in favour of referring it back to the General Conference. I sincerely hope that this last move will give the desired results and that the indispensable machinery urgently demanded by our fishermen will finally be set up. Let it not be said, gentlemen here representing Governments, that by your abstention you have once more classified the fishermen as "forgotten workers".

*Interpretation from French:* Mr. DE KINDER (*Government delegate, Belgium*)—I take the liberty, on behalf of the Government delegation of Belgium, of warmly supporting the request made by our colleague from the Workers' group, Mr. Dekeyzer.

What is the present situation in the fishing industry? The situation is that the workers' standards are at present set by joint national committees. Far be it from me to say that such joint national committees do not perform useful and necessary work, but we are forced to observe that the conditions of work and the results which are obtained in such committees are unequal and vary from country to country.

It must be admitted that at present working conditions in the fishing industry in most countries are based more on custom than on law. In other words, they are not all the same

<sup>1</sup> See Appendices III, p. 219, and XI, p. 254.



and there is a danger that arbitrary situations may arise. This is due to the fact that sea fishing in most countries is carried out by small undertakings of a craft nature, and it is true to say that the trade union organisation in this field is weak. In the fishing industry technical progress has not been followed by social progress on a commensurate scale, and a great deal still remains to be done in this field.

We were particularly happy this morning that the Director-General of the I.L.O. in his reply raised the question and said that the next session of the International Labour Conference would certainly deal with this matter. But we believe that the actual procedure is lengthy and frequently inadequate. We have before us the remarkable results achieved since before the Second World War by the International Labour Conference at its Maritime Sessions and that is the reason why our colleague, Mr. Dekeyzer, has suggested that a special procedure be set in motion in order to study fishermen's questions. This is a suggestion: it is not the substance of the matter that you are asked to study. The substance of the matter is to be dealt with by the International Labour Conference and we hope that it will examine it and find a positive solution. What we wish is to be able to raise this matter at the International Labour Conference and, as direct representative of fishermen and having myself lived several weeks aboard fishing vessels and being familiar with the life of fishermen in various countries, I feel that it is my duty to appeal to Government delegates so that the resolution before us is accepted with a large majority, in order that fishermen may see—in spite of the fact that they have not many representatives here—that international organisations still have an interest in them.

*Interpretation from Russian:* Mr. SLIPCHENKO (*Government delegate, Ukraine*)—The problem we are now discussing, and which has been expressed in the form of a resolution, is one which also gives concern to Ukraine fishermen, but taking into account that the situation of fishermen in my country is not worse in any way than that of other workers, including seamen, our attitude in the Resolutions Committee was to attempt to improve the resolution in such a manner that the situation of fishermen be made quite clear and that better conditions might be obtained as a result of this document.

In our opinion the proposed resolution was inadequate, since the standards contained in it seemed to us insufficient; therefore the Ukraine delegation refrained from voting. However, taking into account the statement made today by the Director-General, who was able in that statement to devote a good deal of attention to fishermen, and who stated that the International Labour Organisation was going to deal with that problem, and also taking into account the fact that the text of the resolution proposed to us raises the question of possible machinery to be set up for examining social questions in the fishing industry on an international plane, the Ukraine Government delegation will vote in favour of this resolution.

Sir Richard SNEDDEN (*Employers' delegate, United Kingdom*)—Our view is that we, as an Employers' group, are not competent to vote on this matter, and therefore we shall abstain.

The PRESIDENT—If there is no other observation, I take it that paragraphs 10 to 15 inclusive are adopted.

*(Paragraphs 10 to 15 are adopted.)*

The PRESIDENT—Now we come to paragraph 16, which contains the resolution. If there are no observations I put it to the vote.

*(A vote is taken by show of hands. Paragraph 16 is adopted by 105 votes to 0, with 39 abstentions.)*

The PRESIDENT—Mr. Jacobs, United States Government delegate, has asked for the floor in order to make a statement.

Mr. JACOBS (*Government delegate, United States*)—My delegation would like it to be recorded that our support here for certain resolutions which call for action by the Governing Body does not necessarily assure our support for these proposals when they reach the Governing Body. The next session of the Governing Body will have not only these proposals before it but many others emanating from previous Governing Body sessions, from the 42nd Session of the Conference and from members of the Governing Body themselves. It will be necessary for the Governing Body to evaluate the total demands and to establish priorities for them. At that time it may prove necessary for my Government, as well as for other Members, to consider again the requests set forth here and to compare them with the others then before the Governing Body.

#### *Resolution concerning Safety of Life at Sea<sup>1</sup>*

The PRESIDENT—We now go on to the next resolution, concerning safety of life at sea, which constitutes paragraphs 17 to 21 of the report.

Is there any observation? If not, I declare paragraphs 17 to 20 adopted.

*(Paragraphs 17 to 20 are adopted.)*

The PRESIDENT—Now we come to the resolution itself, contained in paragraph 21. I put it to the vote.

*(A vote is taken by show of hands. Paragraph 21 is adopted by 145 votes to 0, and 0 abstentions.)*

#### *Resolution concerning Limitation of Shipowners' Liability<sup>2</sup>*

The PRESIDENT—The next resolution concerns the limitation of shipowners' liability. Is there any comment on paragraphs 22 to 30, which relate to this resolution?

Mr. SCHEFFER (*Government delegate, Netherlands*)—The question of the limitation of shipowners' liability forms part of one of the most important subjects of private maritime

<sup>1</sup> See Appendices III, p. 219, and XI, p. 255.

<sup>2</sup> See Appendices III, p. 220, and XI, p. 255.

law and as such deals with a matter on which, in my view, this International Labour Conference could not very well express itself, because it has not studied or discussed this matter fully. The only point which might concern this Conference is the provision in the Brussels Convention which states that the Convention provides that the limitation of liability shall not apply to claims by the master, by members of the crew, by any servants of the owner on board the ship or by servants of the owner whose duties are connected with the ship, including the claims of their heirs, personal representatives or dependants, if under the law governing the contract of service between the owner and such servants the owner is not entitled to limit his liability in respect of such claims or if he is by such law only permitted to limit his liability to an amount greater than that provided for in Article 3 of the Convention.

Now I think it would have been acceptable if the resolution had suggested that member States should provide in their national law that the owner should not be entitled to limit his liability in respect of such claims or to limit his liability only to a certain amount. But this paragraph has been deleted and therefore I think that this resolution does not serve any useful purpose; for that reason I shall have to abstain from voting on it.

The PRESIDENT—Are there any other observations? If not, I take it that paragraphs 22 to 30 inclusive are adopted.

*(Paragraphs 22 to 30 are adopted.)*

The PRESIDENT—Now we come to paragraph 31, containing the resolution. I put that to the vote.

*(A vote is taken by show of hands. Paragraph 31 is adopted by 113 votes to 0, with 30 abstentions.)*

*Paragraphs of the Report relating to a Resolution concerning the Discontinuance of Tests of Atomic and Thermonuclear Weapons Endangering the Safety of Shipping and Constituting a Threat to the Lives of Seafarers<sup>1</sup>*

The PRESIDENT—We will now deal with paragraphs 32 to 39, which relate to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers. There is an amendment submitted by Mr. Dolinski, the Government delegate of the U.S.S.R. to that part of the report relating to the resolution concerning atomic tests. The Government delegate of the U.S.S.R. proposes that "the Conference should reject the recommendation contained in paragraph 39 of the report and consider the resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers", the text of which was submitted in accordance with article 17 of the Standing Orders. Is this amendment seconded?

*(A number of delegates raise their hands.)*

The PRESIDENT—The amendment is seconded.

*Interpretation from Russian: Mr. DOLINSKI (Government delegate, U.S.S.R.)*—The U.S.S.R. Government delegation cannot agree with the decision of the Resolutions Committee to refuse to examine, on grounds of inexpediency, the resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the life of seafarers. Consequently I was forced to propose an amendment to the report of the Committee.

I am firmly convinced that the consideration of this question at the Maritime Session of the International Labour Conference is essential so that we may take a definite decision aimed against the continuation by certain Members of the I.L.O. of thermonuclear experiments, in view of the fact that such experiments are carried out mainly at sea and that they subject to considerable danger seamen and fishermen engaged at sea, not only in the area of the experiments but far beyond the boundaries of such areas. The radioactive substances contained in the fall-out are carried over tremendous distances by wind and currents; they contaminate the seas and oceans and they inflict great losses on the fishing and shipping industries. The continuous explosions of nuclear weapons have dangerous consequences for all people and are particularly dangerous to the life and health of seamen on the open seas who are not protected from the effects of radioactive fall-out. That is why I consider that the States Members of the I.L.O. which, as stated in the Constitution, joined in a single international organisation "moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world", cannot and must not ignore this important question, which has a direct relationship with the aims and purposes of the I.L.O. as set out in the Constitution.

I should like to point out that none of those who opposed our resolution denied that the cessation of experiments with thermonuclear weapons is of great importance in protecting the life and health of seamen and ensuring safety for shipping. Nobody has dared to deny that the cessation of such experiments is demanded by ever wider circles in all sorts of countries—thousands of prominent scientists, parliamentarians, clergymen, workers, peasants, seamen; ordinary people of varied political outlook have all supported this appeal. This shows that the movement for the cessation of nuclear and atomic tests which is spreading throughout the world has no political tinge and is, by its nature, purely a social and humanitarian movement.

A number of delegates who spoke against the consideration of this resolution in the Committee stated that it is of a political nature and is unsuitable for consideration by this Conference. In support of this argument, the weakness of which is evident, a host of other arguments are put forward, namely that the U.S.S.R. amendment affects not only seamen but all humanity, that its acceptance could ultimately impede the work of the summit talks, and that the I.L.O. could not carry out

<sup>1</sup> See Appendix III, p. 221.

any effective control over the application of such a resolution by the United States or the United Kingdom Governments.

The lack of foundation of such "arguments" put forward by individual members of the Resolutions Committee is quite obvious and their purpose is quite clear: it is to impede the discussion by the Conference of this question, which is so vitally important to seamen. At the plenary sitting on 9 May the Government delegate of the United States indicated that the question of the cessation of thermonuclear experiments was an important one in the United States as well as for the peoples of all the world and that his Government organises strict supervision of such experiments so that the resulting radioactivity shall not cause any harm to the peoples of the world and to the resources of the world. But can any measure of control on such experiments exclude the dangers they imply for the health and life of peoples and for the resources of the sea?

I refer to an opinion expressed by prominent scientists in Japan, including Dr. Yasuyu Miyaki, the Director of the Scientific Research Laboratory of the Japanese Meteorological Institute, who declared on 8 April of this year in Tokyo that the radioactive fall-out resulting from the hydrogen-bomb experiment on the Bikini Atoll in 1954 resulted in an increase in radioactivity in the whole of the area between the Hawaiian Islands and Japan to a level ten times higher than that prevailing in the Atlantic Ocean. The Japanese scientists are not alone in their opinion; it is shared by over 9,000 specialists in America, Europe and Asia who expressed their conviction in a petition signed by them and sent to the Secretary-General of the United Nations, that experiments with nuclear weapons represent a deadly danger to the health and life of peoples and that no measure of control over these experiments can preclude that danger. It can only be eliminated by putting an end to those experiments.

That is why we call on the 41st (Maritime) Session of the International Labour Conference to give its support to the defence of the life and health of seamen and the safety of shipping, and call upon Members of the I.L.O., upon which the decision concerning this question now depends, to put an end to experiments with hydrogen and atomic weapons. The adoption of a resolution at this Conference regarding such a measure would correspond to the aims of the I.L.O. I draw the attention of all delegates to the particular importance of this question and I ask for your support for the amendment proposed by me to the report of the Resolutions Committee.

Mr. MAKIEDO (*Government delegate, Yugoslavia*)—In all circumstances and in any place where this question comes up my country is opposed to the use of nuclear weapons and seeks the prohibition of tests whether at sea, in the air or on the ground. On several occasions Yugoslavia has taken the initiative and proposed the prohibition of nuclear tests. In this we are motivated mainly by two reasons: the consequences such tests may have on people's health and life, and the adverse influence of each test as regards the continuation of the armaments race.

Today the danger these tests represent for mankind is clear to everybody. Every day we hear disturbing news about the increase of radioactivity in the air which surrounds us, and nobody knows any more where all this will lead us. Nevertheless, such tests are still being conducted and are steadily becoming more numerous, more powerful and more terrible. Nobody is able any more to foresee the serious and the immediate danger of the genetic effects such radiations represent for the whole of mankind. There is no justification for nuclear tests. Their harmful consequences are not foreseeable and cannot be limited to the frontiers of the countries in which they are conducted nor to their territorial waters. Consequently, these effects cannot be limited to the citizens of the States in which such tests are conducted either. Therefore, any statement that such tests are conducted in a specific territory or territorial waters has no value. What happened to the Japanese seamen and fishermen on the *Happy Dragon* is certainly a characteristic example. Seafarers were then really the first completely innocent and helpless victims of these tests. Moreover, since a large part of these tests are still conducted at sea or on the coast, seafarers are closest to them and potentially the most threatened by them.

I do not believe that anyone among those who are present at this Conference dealing with rights of seafarers can remain indifferent to this question and will not protest against the continuation of these tests, which are such a mortal danger for seafarers.

These are briefly the reasons why the Yugoslav delegation supports the Soviet amendment, as it has and will always support all initiatives, whoever takes them, aimed at the prohibition of nuclear tests.

Moreover, the Yugoslav delegation considers that this Maritime Session is indeed the right place to discuss this question and that the proposed resolution is fully in accordance with the humanitarian principles of the International Labour Organisation, as well as in the interests of seafarers throughout the world. Therefore, in the opinion of my delegation, paragraph 4 (c) of article 17 of the Standing Orders should not and cannot be applied in respect of this resolution.

*Interpretation from French:* Mr. LAZAREANU (*Government delegate, Rumania*)—I do not consider it necessary to bring new arguments of substance to urge the need to forbid nuclear experiments and to stress the benefit which such a prohibition would imply for seamen.

It is quite clear that this question, which is of paramount importance for seamen, goes beyond their own interests. The cessation of these experiments is demanded by all nations, by world public opinion and by the very instinct for preservation of the human race.

Every day, scientists, physicists, biologists and doctors from every country send out warning upon warning concerning the dangers to which are exposed not only the living but future generations. We have just heard the statements made by Japanese scientists. We may also refer to those made two days ago by

a great American scientist, who has studied this question and who has given a grave warning concerning the danger of continuing atomic experiments.

It is also obvious that this question is more and more urgent and that today, when only three Powers have the necessary means to carry out such experiments with atomic and thermonuclear weapons, it would be easier to bring about a cessation and general prohibition of such experiments than at a time when other countries too have such weapons, especially since one of the three countries, the Soviet Union, has already stated that, prompted by humanitarian reasons and by the wish to ensure lasting peace, it unilaterally gives up the idea of such experiments. It would only need the United States and the United Kingdom to follow this example of the Soviet Union for such a prohibition to become effective.

It has been said in the Resolutions Committee—and you will see this in its report—that the adoption of such a resolution by our Conference would not be expedient because it might prejudice the results of discussions that are carried out in other organisations on that subject, but no argument has been put forward that could hold water in support of this point of view. We must make it quite clear. How can the International Labour Conference, dealing with maritime problems, judge whether or not a resolution is expedient? If an action tends to contribute to the safety of shipping, to improve the health of seamen and to preserve their lives, is it not expedient? It is not only expedient but it is necessary. If we sincerely wish to achieve the welfare of seamen, if we have this question at heart, then, of course, we would have to take a decision in that sense. We must therefore appeal to those who have the power to stop atomic experiments. This would in no way prejudice the fact that an understanding can be achieved between the governments concerned; on the contrary, it would promote such an understanding. It would show the governments who have atomic weapons at their disposal and who carry out atomic experiments that the prohibition of such experiments is the wish of our Conference. Our Conference has followed this procedure in other cases; it has intervened in matters that were within its competence, and, in the present case, it can intervene in all matters relating to the well-being of seamen.

The step taken by the Soviet Union, which I have just mentioned, relating to the abandonment of atomic experiments, has filled with joy hundreds of millions of people throughout the world and has promoted the hope that other Powers that have atomic weapons will follow this example and will pacify anxiety by showing what can be done by international co-operation. But if the other two Powers have not up to now been able to abandon these experiments, and if these experiments were to continue—and one of them took place some two days ago—that is a fact which is of concern to the whole question of navigation and safety of shipping and safety of seamen and of their lives, and our Conference cannot remain indifferent to it. It cannot remain indifferent to a question which is one of life and death to seafarers, to their families, to the children they

now have and the children they may have after having sailed through an infected area, an area infected as a result of nuclear experiments. If a plebiscite were taken among seafarers throughout the world there would not be any doubt left that they would support our Conference, just as any other world conference. We have to take urgent measures on the subject and we feel it is the duty of our Conference to do so.

That is why the Government delegation of Rumania warmly supports the proposal of an amendment to paragraph 39 of the report of the Resolutions Committee and asks that a decision be taken in favour of the proposal of Mr. Dolinski, the Government delegate of the Soviet Union, to address an appeal to the governments of Members of the International Labour Organisation which have nuclear weapons to support the initiative taken by the Soviet Union, which answers the wishes of all the peoples, and in their turn to abandon experiments with these weapons.

Mr. NAGENDRA SINGH (*Government delegate, India*)—As I stated earlier, my Government is opposed to all nuclear test explosions, whether on land or on the high seas. If the resolution supported reference to the United Nations we would support it; if not I would be voting for the amendment.

I would ask what is the *raison d'être* of these explosions? It can only be to test their efficacy in war. My country's opposition to these tests is based both on logic and on due appreciation of international law on the subject. The accepted scientific authority of the countries that produce nuclear weapons, the atomic energy commissions, etc., acknowledge that radioactivity resulting from the use of these weapons, whether as test explosions in peace or use in war, is poisonous. I need hardly quote chapter and verse to prove that the use of poison in war is illegal. Article 23 (a) of The Hague Regulations, based on The Hague Convention of 1899, declares the use of poison in warfare illegal. The countries that produce these weapons are signatories to this Convention.

That apart, the use of poison is prohibited by the well-known customary laws of war. Ever since primitive humanity resorted to warfare for the settlement of disputes the use of poison has been considered bad in law and in practice. The Goths and Visigoths even respected this customary law. If these weapons are illegal in warfare why are they being tested in times of peace?

My country, therefore, is opposed to nuclear tests wherever they take place, on land or on the high seas, and for this reason I support the amendment.

Mr. BECU (*Workers' adviser, Belgium*)—On behalf of the great majority of the Workers' group I must say that we are not in favour of this amendment. I am going to repeat, more or less, what I have said already in the Committee.

Surely we seafarers as much as anyone are for doing everything possible to avert the risks of atomic and nuclear developments, but we do not think that this amendment can help in the slightest towards that end. In

the first place we do not think that this is a social question in the correct sense of the word, or that from a procedural point of view the I.L.O. is the right place to deal with it.

As we all know this is a question which is receiving the closest attention at the very highest levels of the United Nations, through the General Assembly, the Security Council and the Disarmament Commission. In our opinion it would be futile—and it might conceivably prejudice those high-level discussions—to make such a pronouncement at this Conference.

Also, considering this amendment on its merits we are more than doubtful whether it can serve any useful purpose or further the safety and security of the world in general and seafarers in particular. This is obviously a question which involves far more than we can see from where we stand. A pronouncement upon the discontinuance of atomic tests means, indeed, very little unless there is at the same time a practical scheme for ensuring enforcement; unless there is, among other things, a world-wide and effective system of control and inspection covering this and other aspects of the whole ghastly problem of nuclear arms and warfare. Without assurances of this kind we can see little more in this amendment than a propaganda move by certain interests.

Therefore, both on the grounds of procedure and on the grounds of merit, I repeat that we are not in favour of this amendment and that we shall vote against it.

*Interpretation from French : Mr. STOYANOV (Government delegate, Bulgaria)*—The Government delegation of the People's Republic of Bulgaria is opposed to the adoption of paragraph 39 of the second report of the Resolutions Committee and supports the amendment put forward by the U.S.S.R. Government delegate. The discussion of the question of the discontinuance of tests of atomic and thermonuclear weapons is most desirable and my delegation considers that the International Labour Organisation, one of whose main aims is the defence of the workers' living conditions and health, should come out in favour of an immediate cessation of atomic tests. The Maritime Session of the International Labour Conference, if it wishes to meet the expectations of seafarers all over the world, should be particularly sensitive on this issue of the discontinuance of atomic tests on the high seas, since seafarers have been the first to suffer from them. Atomic explosions at sea are a direct threat to the lives of seafarers and are a grave threat to the principle of freedom of navigation.

Some delegates who spoke in the Resolutions Committee and also in this plenary sitting emphasised the fact that a cessation of atomic tests was a political issue connected with disarmament and should consequently not be discussed by this Conference. We feel that this is, above all, a human question which bears directly on the life and health of the workers and that it can and should be settled without awaiting general agreement on disarmament. Over the last few months thousands of scientists have drawn the attention of governments to the danger involved for humanity if atomic tests are not immediately discontinued.

That is why the unilateral decision of the Supreme Soviet of the U.S.S.R. to stop atomic tests in that country was welcomed with satisfaction and gratitude by people all over the world. This decision was the result of a very noble sentiment to preserve world peace and save humanity from the destruction of an atomic war. In a statement issued on 8 April 1958 the Government of the People's Republic of Bulgaria welcomed this decision and expressed the hope that the initiative of the Soviet Union would be supported by all peace-loving countries and that its example would be followed by all the other atomic powers. Some days ago the World Federation of Scientific Workers issued an appeal for the cessation of such tests and welcomed again the decision of the Soviet Government to suspend such tests. It urged the governments concerned to take similar decisions to suspend test explosions.

As regards the desirability of discussing the question of the discontinuance of the use of atomic weapons, I might quote the words of the philosopher, doctor, theologian and winner of the Nobel Peace Prize, Dr. Schweitzer, in Oslo at the beginning of this month. He said that there was no time to lose; that new tests which increased the danger should not be allowed; that we should remember that even without any further nuclear tests the danger from radiation would increase over the coming years; that if in present civilisation there were still some remnants of international law, if international law was to be re-established, those responsible for atomic tests must suspend such tests without making such discontinuance dependent on the question of an agreement on disarmament. Such cessation had nothing to do with disarmament; the nations concerned would continue to possess the arms they had.

Dr. Schweitzer went on: "We cannot assume the responsibility of seeing thousands of children born with physical and mental disabilities merely because we have paid no attention to this danger. Only those who have never witnessed the birth of a deformed child, who have never witnessed the despair of a mother, could allege that this danger is one which we can accept in the present state of affairs."

Our delegation hopes that this Maritime Session of the Conference will live up to its responsibilities and come out in favour of the immediate cessation of nuclear tests.

*Mr. JACOBS (Government delegate, United States)*—It is with the greatest reluctance that I take the time of the delegates with a matter so obvious, namely that the resolution, concerning which an amendment has been offered, is totally inexpedient; but I deem it necessary to do so.

At the outset may I say my delegation strongly endorses the remarks made by Mr. Becu? Last Saturday the Resolutions Committee, after very extensive discussions on the resolution concerning the discontinuance of tests of atomic and thermonuclear weapons, decided by an overwhelming majority vote of 113 to 16, with 2 abstentions, to recommend to this plenary sitting that under article 17, paragraph 4 (c), of the Standing Orders of the International Labour Conference the adoption of such a resolution was not expedient.

In the opinion of my delegation this was indeed the proper action to be taken by the Resolutions Committee. As I have stated previously, the question of conducting nuclear tests, whether they be on land or on the high seas, is inextricably interwoven with the larger and more comprehensive programme of world disarmament which is so important to all of us here. It is readily apparent from the vote in the Resolutions Committee that the vast majority of the delegations attending this Conference agree that it is inexpedient to undertake consideration of the complicated issues inherent in the resolution presented by the U.S.S.R. Government delegate, for a number of sound reasons. First, it is inexpedient since the question of nuclear testing is under study, and has been for a long time, in the United Nations and in other related United Nations bodies. In particular, I refer to the United Nations Security Council, the Disarmament Commission and the United Nations Scientific Committee on the Effects of Radiation, where active consideration is being given to the over-all problem of disarmament and its related issues by persons far more expert than we. Furthermore, it is not expedient because, being primarily a disarmament question, it is not related to the technical matters now being considered by this, the 41st (Maritime) Session of the International Labour Conference. Again, it is not expedient because we here lack the scientific technical knowledge necessary to treat intelligently such a complicated issue. In addition, it is not expedient because not all the nations interested in the cessation of nuclear tests are represented here. Finally, it is not expedient because this issue has been disposed of recently by the International Conference on the Law of the Sea, where plenipotentiaries, in considering the same issue, recognised that the question of nuclear tests and nuclear weapons production is under review in the United Nations and properly referred the matter to the General Assembly.

It is for these reasons that the United States firmly supports the action of the Resolutions Committee and strongly urges this plenary sitting to defeat the amendment to the recommendation of that Committee.

Mr. SIREGAR (*Government delegate, Indonesia*)—On 25 January 1957 the representative of the Republic of Indonesia to the United Nations made the following statement: "As early as the spring of 1954 the Government of Indonesia joined the Governments of Burma, Ceylon, India and Pakistan in urging that no further explosions of nuclear weapons should take place, and since that time we have made repeated efforts to secure this end. Therefore we welcome the initiative taken this year by the Soviet Union in submitting its draft resolution calling for an immediate discontinuance of such experimental explosions."

On 24 October 1957 at the meeting of the First Committee of the General Assembly, when it was studying the reduction of armed forces, the Indonesian representative to the United Nations stated: "The Government and the people of Indonesia appeal to the big Powers to end immediately nuclear test explosions. We make this appeal not only in our

own interest or that of the other small or militarily weak countries but also in the interest of the well-being and security of the big Powers themselves."

In connection with those statements the amendment submitted by the Government delegation of the U.S.S.R. has the sympathy of the Government of the Republic of Indonesia. Therefore the delegates of Indonesia will support the amendment, with the consideration that its purpose must be considered as an effort to protect the lives of the seafarers as well as people on land.

Mr. KAMEL (*Government delegate, United Arab Republic*)—As my delegation did not take part in the work of the Resolutions Committee, I thought it might be useful to explain from this rostrum the position of my Government in regard to atomic tests.

Being fully aware of the very damaging effects and fatal results of atomic tests my Government holds a very strong position in respect to those tests. Its views have been expressed on different occasions and I do not think it is necessary for me to repeat them. We call on countries to prohibit atomic tests and to use the atom for peaceful purposes to help economically backward countries. Atomic tests affect humanity and it is our right to defend humanity. It is for these sound reasons that my Government is always ready to support wholeheartedly any effort aiming at the prohibition of atomic tests of any kind, wherever they are.

*Interpretation from Russian:* Mr. SLIPCHENKO (*Government delegate, Ukraine*)—The majority of the Resolutions Committee, as you know, under cover of a very convenient article of the Standing Orders of the Conference considered inexpedient the resolution concerning the cessation of nuclear experiments. The arguments of the opponents of this proposal, both in the Committee and here at the plenary sitting, are very monotonous and that, of course, is quite understandable, because they have to speak against unquestionable data, against facts that cannot be denied and some of them perhaps even against their own conscience. I would even say that it is a thankless task to speak against such obvious things. Those who have spoken against this amendment have said that it proposes a political resolution, that it is propaganda and that therefore it is not expedient for discussion by the Conference inasmuch as the I.L.O. is allegedly not competent to discuss such a question or take any decisions in that connection. That, largely, is what the arguments of the opponents of that resolution amount to.

If immediate concern for the life and health of seamen is propaganda—as Mr. Becu has said, and also Mr. Jacobs, inasmuch as he shares Mr. Becu's attitude—then I feel there should be more such propaganda. I do not think that it would impede either the summit talks or the activities of the United Nations. On the contrary, it would help them. If you so wish this could be one of the most effective forms of control—control on the part of public opinion, control on the part of international organisations. We are being told that the International Labour Organisation is not com-



petent to examine this question. But the International Labour Organisation, throughout its many years of activity, has applied, and continues to apply, a great deal of effort in order to protect persons from injury at work, including injury from atomic radiation, regardless of the source of such radiation.

I take the liberty of referring to that section of the Director-General's Report to the 42nd Session of the International Labour Conference which deals with technological change and social policy and which states that the International Labour Conference is going to deal with problems connected with atomic energy.

In 1955 the International Labour Conference adopted a resolution concerning the peaceful uses of atomic energy, in which it requested the Governing Body to authorise the Director-General to study the problems arising out of the use of atomic energy. At the same time the Conference urged the promotion of the highest possible standards of health, safety and welfare among the workers concerned.

One of the most pressing questions concerning the use of atomic energy from the point of view of the I.L.O. is one to which the Committee of Experts that sat in Geneva last year devoted attention. At that session occupational safety rules were examined to protect workers from radiation and I would like to draw attention to a most important point. I quote from the Report of the Director-General to the 42nd Session of the Conference: "The experts made recommendations for the future programme of the I.L.O. in the field of the protection of workers against radiations. They urged that the standards laid down for industrial undertakings be extended to other workers." And those other workers in the present circumstances are seafarers.

I would recall that the Governing Body of the I.L.O. at its 137th Session decided to include in the agenda of the 42nd Session of the International Labour Conference a special question concerning the protection of workers against radiations. So you see that the I.L.O. has already carried out work in the field of the protection of workers against radiations. I am not examining the source of the radiation, since for any person who is stricken by radiation the source is immaterial. Judging by the Report of the Director-General and the excellent statement made by him this morning, the I.L.O. intends in the future to deal with the questions connected with atomic energy and it is a perfectly lawful thing. Therefore a statement to the effect that the resolution proposed by the U.S.S.R. is allegedly inexpedient and that the I.L.O. is not competent to deal with the matter is merely an attempt to mislead delegates and to draw them away from a solution to the extremely burning questions which are of concern to all seamen of all countries.

We fully agree that this question affects all humanity. Nobody can say it does not affect seamen, who, I might say, make up the better part of humanity. Then why should this 41st Session of the International Labour Conference not be able to express its attitude to the dangers of radioactive poisoning?

It is said that numerous organisations already deal with thermonuclear weapons and that the question is connected with the general

problem of disarmament, and that consequently the International Labour Conference need not deal with it. Various other similar statements have been made. I have already said that this cannot be accepted by us. Our Organisation is interested in the rights of workers and it is our duty to protect seafarers and to eliminate conditions of work which, as regards thermonuclear experiments, have considerably worsened.

Yet another argument was put forward here. I refer to the Resolutions Committee. On Saturday at the meeting of that Committee the representative of Cuba said that allegedly the U.S.S.R. resolution was of such a nature that its acceptance, apart from anything else, would be an undesirable precedent because the resolution evaluates the action of a given State, which is something the I.L.O. is not entitled to do. The representative of Cuba apparently forgot that having voted for the first resolution concerning refugee seamen he has taken a most active part in setting up such a precedent. You will remember that that resolution "notes with warm satisfaction that the governments of eight Western European countries have, on the initiative of the Netherlands Government, drawn up and signed an agreement relating to refugee seamen". So you will see that the precedent exists; it has already been created and, if the absence of a precedent is the only obstacle, well then, it has been done away with and you can with a perfectly clear conscience support the unilateral action of the U.S.S.R. in advocating the cessation of experiments with atomic weapons just as you have supported the initiative of the eight Western countries. But to consider that the cessation of atomic experiments is something in which the Organisation should not dabble is wrong, and even those whose duty compels them to speak of the alleged "clean bombs"—I put those words between quotation marks—will understand the implications.

It is interesting that Admiral Strauss, the Chairman of the United States Commission on Atomic Energy, as the American Press has already reported (this is well known to Mr. Jacobs), in spite of the hygienic cleanliness of the hydrogen bombs, still prefers to test the fish caught in the sea with a Geiger counter before it reaches his table. Apparently Admiral Strauss does not have confidence even in Dr. Libby, who has declared there is a remedy against the danger of strontium 90. Now even new and silly and dangerous ideas are put forward. This same Dr. Libby has suggested setting up quotas for each country. Would you believe it?—quotas of fall-out for each country! In other words he wishes to install his own order and rationing of death-dealing infection in air and water.

In view of all this the Government delegation of Ukraine cannot agree with the decisions of the Resolutions Committee which rejects the resolution of the delegate of the U.S.S.R. It is the opinion of many who have spoken here that our Conference must of course take up a positive attitude on this question, which is of concern and anxiety to all seamen throughout the world. That is why I support the amendment of the Government representative of the U.S.S.R. and I ask you to support it.

Mr. PROCTOR (*Government delegate, United Kingdom*)—In the Resolutions Committee a vote was taken on this question, which was carried by an overwhelming majority in favour of the report which has been submitted by the Committee. Some of us gave our reasons in the Committee for voting in favour of that proposition. If any of us had any doubts about the way our vote should go in the Committee, those doubts must have been utterly dispelled by the contributions we have heard this afternoon in this meeting of the plenary sitting of the Conference.

The proposal carried in the Resolutions Committee and submitted to this plenary sitting in the Committee's report is that the adoption of this resolution is inexpedient. That is what the Committee said and that is what the Committee meant. Various interpretations have been read into the word "inexpedient". It has been described by some speakers as "unsuitable"; by others as "inopportune". I see no necessity to go into nuances of that kind. The Committee's conclusion was perfectly clear. It was their conclusion that the plenary sitting of this Conference was not called upon to deal with this matter, and they said so in the words that were available to them to use under the Standing Orders.

Now, attempts have been made and suggestions have been put forward to show that this question of nuclear tests is something that might almost be treated as a domestic matter within the field of the seafaring industry, and that therefore it is a perfectly proper subject for argument, discussion and for voting by this Conference. Anyone who may have been in a state of honest doubt on that point before this afternoon's discussion will certainly no longer be in any doubt on the matter. It has been made abundantly clear by the speeches to which we have been treated this afternoon that the intention—indeed, the avowed intention, because various speakers have made no bones about the matter—of this amendment is not to look after the welfare of seafarers. Indeed, it is difficult to see how the resolution, couched in the terms in which it was couched, could contribute anything directly to the welfare of seafarers. No, it is quite clear and it has been made abundantly and explicitly clear by various speeches that the whole object and intention of this amendment is that the I.L.O. should be used in some way as a trumpet to make some declaration, some pronouncement, some manifesto to go forth to the world. I submit that is not the proper function of our tripartite discussions in this session. It is not in any case our function to use the meetings of this Conference for such a purpose. It is doubly inappropriate and doubly wrong in the grave situation of the world in which we are today to try to twist the proceedings of this assembly and to insert some leverage in this delicate, grave situation with which the statesmen of the world are grappling at this moment.

I think that it should be absolutely clear to all right-thinking members of this assembly that that is what we are being asked to do by the movers of this amendment and that that amendment should be utterly opposed.

In my view the statement made by the delegate of the United States Government put

this matter absolutely in its right perspective. On behalf of my Government I wish to associate myself entirely with his statement and I hope that the delegates at this session of the Conference will make their voice abundantly clear by rejecting this amendment.

Mr. Ó RÍORDÁIN (*Government delegate, Ireland*)—As the Irish delegation was not represented on the Resolutions Committee, I think it desirable to put our views on this subject on record.

The continuation of nuclear explosions is a subject on which the Irish Government and people, in common with all governments and people, are deeply concerned. They are even more deeply concerned with the far more terrible plight of nuclear war itself and are prepared to support any initiative which would in practice help towards the cessation of nuclear explosions, the lessening of international tension and prospects of lasting peace. Progress to these ends depends primarily on those States who possess nuclear weapons. The force of an enlightened public opinion throughout the world should have a valuable influence on them, but in the opinion of my Government the appropriate place for public opinion to be brought to bear on this subject is the United Nations.

Unfortunately, the Disarmament Commission of the United Nations has been unable to make progress but, much as we may lament its lack of success, it would be foolish to hope that any resolutions passed at this Conference would help to end the deadlock.

We do not consider, therefore, that it would be either useful or appropriate that this subject should be the subject of resolutions at what is essentially a technical conference of a specialised agency, and a conference at which attendance amounts to only one-half of the total membership. The Irish delegation, therefore, will vote against this amendment.

*Interpretation from Spanish:* Mr. CAMEJO ARGUDÍN (*Government delegate, Cuba*)—The Ukraine Government delegate did me the honour of referring to a short statement I made some days ago in the Resolutions Committee, but he has completely falsified the meaning of that statement. I said in the Resolutions Committee that there was no precedent for mentioning a particular government and referring to its particular qualities in relation to a particular subject. That is certainly true. The Ukraine delegate says there is a contradiction in my attitude, because he knows that I am in favour of an agreement on the subject of refugees. I should like to say that an agreement open for ratification by States is not at all the same thing as a one-sided declaration.

Sir Richard SNEDDEN (*Employers' delegate, United Kingdom*)—I think I ought to explain, very briefly, the view of the Employers' group on this matter. The Employers' group refuses utterly to be dragged into a discussion on the merits or demerits of nuclear tests. Our view is—and I think it is the view of the majority of delegates here—that this is not the forum in which to discuss the merits. You will see in paragraph 37. of the report



before you that the Indian Employers' member explained in the Resolutions Committee that, while he would vote in favour of the proposal to treat the resolution as inexpedient, this should not be construed as an expression of opinion on its merits. That, in fact, expresses the view of the Employers' group as a whole. We shall therefore vote against this amendment and the resolution—should it ever be put to this session.

Mr. CHAUDHURI (*Government delegate, Pakistan*)—At this end of the day we are faced with a very difficult and delicate subject in this Conference and a number of speakers have expressed their points of view. I was not very willing to come to this rostrum but I felt that I should make the position of my Government clear on this issue.

My distinguished friend, Mr. Nagendra Singh, Indian Government delegate, while supporting the amendment quoted chapter and verse to show that the application of atomic power and nuclear energy is bad. I am not a doctor but as a layman I would say only this: yes, it is bad, I believe that all people, all nations, to whatever ideology they might hold, are of the same opinion. They also hold the opinion that atomic power and nuclear energy should be devoted to peaceful purposes, to peaceful progress and the development of humanity. We also share this view.

From the text of the resolution it appears, as was very clearly amplified by Mr. Proctor of the United Kingdom Government delegation, that in the Committee, when this matter came up for discussion, the majority opinion was that this Maritime Session of the Conference was not the forum for engaging ourselves in deliberations on such a vital matter, concerning the application of atomic energy, disarmament, and so on. It appears that there are two sections of thought. One section thinks that the matter should be deliberated upon and a resolution adopted at this Conference; another section thinks that the proper forum for this is the United Nations. So far as we are concerned, as I said before, we condemn the use of atomic energy and of thermonuclear weapons for the destruction of human existence. This we tried to clarify everywhere before the United Nations whenever any question related thereto came up, and we still hold the same view. We feel that as this matter has already been dealt with by the United Nations, its Security Council and Disarmament Commission, the best forum for expressing viewpoints on the subjects in a more deliberative atmosphere is the United Nations.

If we, just for political purposes, come to the rostrum and try to make a political issue of any insignificant matter—or any significant matter—I should say that is not serving loyally and fruitfully the purposes of this Organisation. I would be a bit more pungent and say that if even on the subject of identity cards we could not—some of us—ratify a Convention, is it not a fallacy to come and say we support a resolution on a matter concerning atomic energy? I put it to you for review and so that you may come to your own conclusions.

We fully realise, particularly the smaller

nations, that the bigger Powers should come to some sort of settlement and understanding on this vital question, on which hinges the future and the existence of humanity. So far as my Government is concerned, we believe in the method of peace, understanding and co-operation without any reservation and, guided by that consideration, we feel that this vital matter which has been raised in this resolution should rather be dealt with in the United Nations forum. That will enable all peoples to think more dispassionately and more deliberately than in the present atmosphere.

Mr. WORM (*Government delegate, Denmark*)—I shall be very brief. I should like to state, on behalf of the Scandinavian countries, that we are going to vote against the amendment. We do not think that the I.L.O. is the proper agency to deal with the question. I would like to add that that does not involve any expression of opinion as to the question itself.

*Interpretation from Russian*: Mr. MOROZOV (*Government delegate, U.S.S.R.*)—The question which is being discussed by this session is a very serious one. I have listened attentively to the course of the discussion on the amendment submitted by the U.S.S.R. Government delegate and I have tried to understand all the arguments that were put forward against its adoption. Inasmuch as I feel that these arguments are in some cases faulty and in others fail to prove anything, I have taken the liberty of asking for the floor and requesting your attention for a few minutes in order to show you how groundless are the objections levelled against the amendment now before this Conference. The arguments that have been put forward here were submitted by three delegates—Mr. Becu, Mr. Jacobs and Mr. Proctor; and these are the ones that I wish to dwell on briefly.

Mr. Becu said here that the amendment, or the proposal as a whole, made by the U.S.S.R. Government delegate, if adopted by the Conference could impede negotiations at the summit talks or at the highest level. Do you really think this is so? I think that this argument is entirely devoid of foundation. If the resolution originally put forward contained any proposal the adoption of which would heighten political tension, or would render the political situation more acute, then of course such a proposal could, to a certain extent, hamper decisions at a higher level. But the amendment now submitted by the U.S.S.R. Government delegate is aimed at easing tension, at stopping the armaments race, at strengthening and developing co-operation. How can one consider such a proposal as likely to hamper negotiations at the summit level? If we were to approach the question objectively, then there could only be one conclusion: that to adopt such a resolution would to a certain extent help to speed up the summit talks or negotiations at the highest level. So much for Mr. Becu's argument.

Now for Mr. Jacobs. He said that there is no need here to go into the question in substance since it has been debated in committee. I ask Mr. Jacobs, is that really true? I appeal to everyone who attended the Resolutions

Committee, who watched the atmosphere created around the resolution submitted by the U.S.S.R. Government delegate and the means and methods used in order to prevent the discussion of it—and if you have all this in mind, for it happened very recently and I am sure that no member of the Resolutions Committee will have forgotten it—can any of you say that the Resolutions Committee has examined that resolution in detail? A proposal was made—and accepted—that the time of speeches should be limited to three minutes. And that is called a careful examination—a thorough examination—of a proposal on such an important question.

The second argument put forward by the United States Government delegate was that this is a question with which the United Nations should deal. I think that all the delegates who have followed this question and the question of disarmament in the United Nations will remember that during the 12 years which have elapsed since 1946, when the Soviet Union put its proposal to outlaw atomic weapons, the United Nations has not moved one step forward. Then how can we now claim from this rostrum that these are matters with which the United Nations is dealing?

The Soviet delegation, when it submitted this resolution to this Conference, was convinced that if the International Labour Organisation were to adopt this resolution and were to make an appeal to countries to cease atomic weapon experiments it would be conducive to the discussion of the matter in the United Nations, and that that initiative would then have helped the United Nations themselves to break away from this deadlock in which it has been for so long. So that you see that this argument put forward by Mr. Jacobs also fails to prove anything.

Mr. Proctor spoke here, saying that the discussion that has taken place here in plenary sitting indeed showed the content and purpose of the resolution. Here I can agree with Mr. Proctor, for indeed the discussion of this question has shown that the resolution is fully concordant with the aims of the International Labour Organisation. Indeed, if you look at that part of the Constitution which sets out the tasks of the Organisation and compare it with the resolution, you will see that they have a great deal in common. Even more, the resolution aims at furthering the most important tasks of the International Labour Organisation and so it is quite clear that it would help the I.L.O. in the fulfilment of its tasks. It is quite clear also that whoever is truly guided by the interests of workers and seamen and not by any other considerations that have no connection with the tasks of the I.L.O. will, I am convinced, support the amendment proposed by the U.S.S.R. Government delegate. This is perfectly clear to me.

Mr. Proctor also stated that in the present circumstances, when the world situation is so difficult, it is extremely hard to deal with questions of this kind. To this I can only answer that the high-minded action of the U.S.S.R. in declaring a unilateral cessation of atomic weapon experiments is aimed at easing that difficult situation. It is aimed at easing political tension. It is aimed at creating more

favourable foundations for mutual understanding among nations and for the development of world co-operation. If the International Labour Organisation adopts the resolution of the Soviet delegation it will thereby be making a contribution of its own to the easing of political tension and to furthering the cause of peace.

I call upon you, before you take a final decision on this amendment, once more to weigh all these facts, because it is intended to help the I.L.O. to increase its authority.

Mr. NETTEY (*Government delegate, Ghana*)—I should not have asked for the rostrum at all because more eloquent, more educated and more experienced speakers have spoken already. After all, I am representing a very young nation with very little, if any, experience. But having listened to all the arguments for and against the amendment I feel I should come here to express my view and to help the whole Conference to close this discussion so that we can ease our minds of the tension.

I listened to the speech of the Director-General this morning, and, if I remember aright, I heard him state that the study of the question of the cessation of nuclear tests is being contemplated or is on the agenda for the Conference of the I.L.O. next year. I will ask him to confirm whether my memory is correct.

Mr. Morse, am I right in thinking that this morning you stated that the question of bringing pressure to bear on the nations to stop nuclear tests is under consideration by the Governing Body of the I.L.O. or is on the agenda for discussion at next year's session of the Conference?

The SECRETARY-GENERAL—I think there must be some misunderstanding. The item of cessation of tests is not on the agenda of next year's session of the Conference. It is not being considered at all by the Organisation. What is on the agenda is an item dealing with the protection of workers against radiation.

Mr. NETTEY—You have heard the explanation of the Director-General. The whole thing can be summed up like this. There is no delegate here at this Conference who is opposed to the cessation of nuclear tests. I think we all agree that they are dangerous to human life and that they should be stopped. We also all agree that something should be done about this to save human lives. We have also agreed and we have been told that this question is under consideration by the United Nations and its allied committees. We have also heard the Director-General state that the welfare and protection of workers against radiation is under consideration. In view of these facts, what else do we expect to do here? All we have to do in the circumstances, I think, is to bring it to the notice of the big Powers that nuclear tests are injurious to human beings. We have done that. If the matter is before the United Nations and if the I.L.O. General Conference is also going to consider another aspect of it, is there any reason why we should continue to raise points about it? I think it would be wise for us to await the discussions which will

take place at the I.L.O. Conference in respect of the protection of seafarers. I am quite sure it is allied to the one with which we are dealing at the moment. We should wait and see what the Powers and the United Nations do and if anything develops with which we do not agree then I think would be the time when we should protest.

For these reasons, therefore, I think that the question can now be put to the vote so that we can express our wishes for or against this amendment.

The PRESIDENT—If there are no other speakers I will put the Soviet amendment to the vote—the amendment which in effect tries to revive the original resolution, the text of which was submitted in accordance with article 17 of the Standing Orders.

*(A vote is taken by show of hands. The amendment is rejected by 33 votes to 104, with 6 abstentions.)*

The PRESIDENT—We shall now deal with paragraphs 32 to 38, which relate to this particular resolution. If there are no objections to or observations on these paragraphs I shall consider them adopted.

*(Paragraphs 32 to 38 are adopted.)*

The PRESIDENT—I now put paragraph 39 to the vote.

*(A vote is taken by show of hands. Paragraph 39 is adopted by 105 votes to 31, with 6 abstentions.)*

The PRESIDENT—If there are no observations I shall consider paragraph 40 adopted.

*(Paragraph 40 is adopted.)*

*(The report is adopted.)*

The PRESIDENT—I should like to convey the thanks and appreciation of the Conference to Mr. Brentwood for the very able and expeditious manner in which he has carried out this very difficult task as Chairman and Reporter of the Resolutions Committee.

#### COMMUNICATION TO THE CONFERENCE CONCERNING THE SELECTION OF MEMBERS OF THE JOINT MARITIME COMMISSION

The PRESIDENT—I shall now ask the Clerk of the Conference to read out the names of those who have been selected by the groups as members of the Joint Maritime Commission.

The CLERK OF THE CONFERENCE—The following is the text of a communication dated 12 May 1958, addressed to the President of the International Labour Conference by Sir Richard Snedden, the Chairman of the Employers' group :

"The Shipowners' delegates have this afternoon, in conformity with the Standing Orders of the Joint Maritime Commission, selected the following to be Shipowner members of the Joint Maritime Commission:

Mr. P. W. Haddy (*Australia*)  
Mr. Georges Dufour (*Belgium*)  
Mr. A. L. W. MacCallum (*Canada*)  
Mr. V. Wenzell (*Denmark*)  
Mr. H. G. H. Hallberg (*Finland*)  
Mr. Jacques Marchegay (*France*)  
Mr. H. H. Schultdt (*Federal Republic of Germany*)  
Mr. K. J. Lyras (*Greece*)  
Mr. R. E. Kumana (*India*)  
Mr. K. Yamagata (*Japan*)  
Mr. K. de Graaf (*Netherlands*)  
Captain Odd I. Loennechen (*Norway*)  
Viscount José Botelho (*Portugal*)  
Sir Richard Snedden (*United Kingdom*)  
Mr. R. E. Casey (*United States of America*).

"The Shipowners' delegates have also appointed the following to be deputy members of the Commission :

Mr. H. F. Reuterskiöld (*Sweden*)  
Captain T. Rositani (*Italy*)  
Mr. A. M. Carvalho (*Brazil*)  
Lieutenant-Commander J. C. Gómez Ortega (*Argentina*)  
Mr. Sa Yun-cheng (*China*)."

The following is the text of a communication dated 12 May 1958 addressed to the President of the Conference by Mr. Yates, the Chairman of the Workers' group :

"The Workers' group of the 41st Session of the International Labour Conference at a meeting this morning, in accordance with article 1 of the Standing Orders of the Joint Maritime Commission, selected, on a majority vote, the following titular and deputy members of the Joint Maritime Commission :

#### Titular members :

Mr. J. C. Azqueta (*Argentina*)  
Mr. H. C. Banks (*Canada*)  
Mr. O. Becu (*Belgium*)  
Mr. W. Fox (*New Zealand*)  
Mr. P. Hall (*United States*)  
Mr. I. Haugen (*Norway*)  
Mr. H. Hildebrand (*Federal Republic of Germany*)  
Mr. T. Nishimaki (*Japan*)  
Mr. M. Petroulis (*Greece*)  
Mr. J. Philipps (*France*)  
Mr. J. D. Randeri (*India*)  
Mr. U. Romagnoli (*Italy*)  
Mr. J. S. Thore (*Sweden*)  
Mr. P. de Vries (*Netherlands*)  
Mr. T. Yates (*United Kingdom*)

#### Deputy members :

Mr. N.-H. Åkesson (*Sweden*)  
Mr. Z. Barash (*Israel*)  
Mr. M. A. Khatib (*Pakistan*)  
Mr. D. S. Tennant (*United Kingdom*)  
Mr. N. Wälläri (*Finland*)."

The PRESIDENT—Mr. Wiszkielis, Workers' adviser, Poland, has asked to speak.

*Interpretation from French :* Mr. WISZKIELIS (*Workers' adviser, Poland*)—On behalf of the Seafarers' delegation of Poland I should

like to make a remark of principle concerning the composition of the Joint Maritime Commission.

I should like, in the first place, to express our disagreement with its one-sided composition as far as the seafarers are concerned. My statement would be superfluous, especially at this stage of the work of the Conference, if there had not been throughout the whole course of the work of this session certain facts which require a statement on our part. These facts refer mainly to the Workers' group of this Conference, and I am extremely sorry that circumstances have forced me to raise this question which, in principle, should be solved within the said group. Besides, we have always been used to solving problems which concern us—workers' problems—within our group without submitting them to a wider assembly.

The Conference has heard a statement concerning the composition of the Joint Maritime Commission. We have to note that, as far as the Seafarers' group is concerned, the composition does not reflect in any way the universal nature of the International Labour Organisation. In the distribution of seats no account has been taken either of the importance of the maritime transport industry in the various countries or of geographical areas which are represented at this Maritime Session. For those who lead the Workers' group and who, throughout this Conference, have faithfully been carrying out the policy of the International Transportworkers' Federation, only one factor was of importance, and that is the one which this morning the French Workers' delegate mentioned—that of membership of this international federation.

The refusal to allow the seafarers of Socialist countries to be represented in the Joint Maritime Commission and also the choice, from among the French seafarers, of the representative of the least representative trade union, shows quite glaringly that certain leaders of the Workers' group, even at the cost of a violation of the most elementary democratic rights which are mentioned here so frequently, have been maintaining a policy consciously against the seafarers of the Socialist countries and against those who do not share their opinion or are not affiliated to their federation.

In my opinion it is not possible to justify certain procedures within this group by saying merely that they are taken by a majority vote. Besides, we have to stress that from the very outset of this Conference everything has been done by certain leaders and also by the International Transportworkers' Federation to prevent us from bringing a contribution to the work of this Conference. First of all, there was our exclusion from the technical Committees and now the refusal to allow the seafarers of the Socialist countries to be represented in the Joint Maritime Commission.

As far as the Committees are concerned these attempts to prevent the normal work of the Conference have failed. However, we have to note that certain leaders of the Workers' group, blinded by their hate for Socialist countries, which, in spite of the wishes of these leaders, are a living reality which has to be taken into account, persist none the less in

their obstinacy and continue to obstruct wherever they can understanding and co-operation within this Organisation between all representatives of seafarers.

The present composition of the Seafarers' group in the Joint Maritime Commission shows that the I.T.F. wishes to retain the exclusive monopoly of the representation of seafarers in the international field. Nothing could be more mistaken. No international trade union organisation can at present claim, in the present circumstances, exclusively to represent the interests of the workers.

Coming together at this Conference, we think that the representatives of seafarers of the most varied countries—varied in their political, economic and social structure—can, recognising the principle of equality of rights of Members, really deliberate on all the problems and take decisions that are necessary. To act differently, to act as do the leaders of the I.T.F., would be to act contrary to the principles set out in the I.L.O. Constitution, to act against the very interests of the Organisation, to impede its activities and to work against the unity of the workers throughout the world in the struggle for their vital interests.

We have on many occasions shown clearly how closely attached we feel to the I.L.O. and our intention to collaborate with all Workers' representatives, whatever their political trend. We consider that such co-operation is essential in the interests of the workers of the world and in the interests of welfare and of peace, and it is all the more indispensable in this Organisation, which is working for the aims to which I have referred.

That is why, in conclusion, I should like once more to stress our profound disagreement on the choice of titular and deputy members representing the seafarers on the Joint Maritime Commission.

*Interpretation from Russian : Mr. KOETKIN (Workers' delegate, U.S.S.R.)*—It is a pity that today the attention of our Conference has again been drawn to a fact which has seriously clouded over the whole atmosphere of the work of this Conference. Once again we observe that some participants in this Conference have been and still are directing their efforts to imposing upon the Conference a policy of discrimination against the representatives of workers of a number of countries, and particularly the Socialist countries.

This policy became apparent once again on 12 May, at a meeting of the Workers' group, when the composition of the Joint Maritime Commission was decided upon. At that meeting once again the voting machine was trundled out and we had a convincing demonstration of how it is used in the so-called Western democracies. The Bureau of the Workers' group, consisting entirely of members of trade unions affiliated to the I.T.F., submitted to the Workers' group a ready-made list, previously prepared, of persons proposed for membership of the Joint Maritime Commission, which included only those who belong to the International Transportworkers' Federation, with the exception of one representative from Argentina. In spite of all protests, this list was voted on wholesale and accepted by the

majority. There was neither a secret ballot nor a record or individual vote on the proposals for either titular or deputy membership. Thus, once more, yet another incorrect decision was taken and we had yet another proof of the fact that the leaders of the International Transportworkers' Federation, inspiring this policy of discrimination, do not stop at riding roughshod, in order to achieve their aims, not only over the Standing Orders but—what is even more—over the very principles of the International Labour Organisation, thus undermining its foundations. Who derives advantages from it is something I do not wish to judge now, but obviously it is not the seafarers.

It is quite true that the Chairman of the Workers' group, Mr. Yates, attempted to explain the decision taken concerning the composition of the Seafarers' group of the Joint Maritime Commission by saying that there were not enough places and many applicants; but if that is so then why did the group not accept our proposal, and not even attempt to ask the Conference to increase the number of seats on the Joint Maritime Commission, as has been done previously, in order to take account of the growing number of countries with maritime activities and the increasing membership of the Organisation? If that is so then why does the membership list of the Joint Maritime Commission have to have two representatives each from the United Kingdom and Sweden? And if that is so, finally, why was it necessary to give preference to, for instance, Israel and not to Poland or the Soviet Union? We have no objection to participation by representatives of Israel in the Joint Maritime Commission, but we feel that it is unfair that the composition of the Commission should not include representatives from the Socialist countries, and particularly the Soviet Union, which is in actual fact a great maritime power whose merchant fleet is growing and will continue to grow, even though that may not please everybody. The existence of the Soviet Union and of other Socialist countries is an historical objective reality which it is impossible to ignore.

The real reasons for such behaviour on the part of the leaders of the Workers' group are to be found elsewhere; they may be found in the documents published by the Secretariat of our Conference. In the sixth report of the Selection Committee there is in full a statement made by Mr. Becu concerning the granting to certain of the Workers' delegates of their lawful rights to take part in the work of the Committees of the Conference. Speaking of the reasons for which this discriminatory policy against certain representatives of the workers was put into operation when they were not admitted to certain Committees, Mr. Becu said that this decision had been taken in the light of the traditional policy of the seafarers' organisations affiliated to the International Transportworkers' Federation, whose representatives constituted the great majority of the Workers' group at the Conference.

So that is it: the traditional policy of the seafarers' organisations affiliated to the International Transportworkers' Federation. But where in the Constitution of the I.L.O. or the Standing Orders of the Conference is it stated

that the General Conference in its work must be guided by the traditional policy of the International Transportworkers' Federation? On the contrary, both the Constitution and the Standing Orders of the Conference lay down principles in flat contradiction with the traditional policy of the International Transportworkers' Federation—a policy which is incompatible with the spirit and the foundations of our Organisation. I ask you who—and when, and where—vested the I.T.F. with the right of monopoly in representing the seafarers of all the world? Nobody gave them that power. None the less at this present Conference the representative of the I.T.F. has, by admitting this arbitrary state of affairs, assumed this right.

There are lots of seafarers in Asia and Latin America, in India, Italy and other countries, and also in all the Socialist countries, who are not affiliated to the International Transportworkers' Federation, and, in accordance with the principles of the I.L.O. they have the right to demand that their interests be represented by those trade unions to which they belong. I think the Conference must ensure that their elementary and lawful right is observed. The statement made by Mr. Becu to which I have already referred shows that his intention is to include the representatives of the Socialist countries in those categories of representatives who—allegedly—have not been elected by the Workers themselves. In order to avoid any misunderstanding in this connection and in order to make this matter perfectly clear I feel it necessary to inform the Conference of the fact that the trade unions in the Soviet Union, Ukraine and other Socialist countries are voluntary, social, non-party organisations of workers.

The highest organs of our trade unions are the general assemblies or conferences, the delegates to which are elected by secret ballot. All trade union committees are elected exclusively by secret ballot, and the leading organs of the trade unions and committees are regularly accountable for their activities to the members of the trade unions. To this I should add that in the Soviet trade unions (and this could be an example to certain Western countries) the office of a trade union leader is not a life office; anyone elected to a leading post in the trade union is elected at a trade union congress which is convened every two years. The role fulfilled by the Soviet trade unions in solving questions of legislation and care for the workers, and ensuring that their interests are observed, has already been mentioned at this Conference.

I ask you representatives of the International Transportworkers' Federation, is it not time to abandon this policy of hostility and hatred towards those who do not belong to your organisation but who are prepared to co-operate with you on questions of interest to workers in transport throughout the world? Transport workers, including seafarers, would undoubtedly only gain from that, because the true interests of the seafarers demand that all trade unions should strive to achieve mutual understanding and co-operation with workers and their representatives, whatever their philosophy, their religious or political views and

whatever the race to which they belong, in order more efficiently to defend the interests of seafarers.

I wish to lodge a most emphatic protest against the discrimination that has been allowed against the representatives of the workers from the Socialist countries, and I invite you to turn to the just words spoken by the Director-General this morning when he said that in the International Labour Organisation we should make every effort to understand each other and develop the will and the habit of international co-operation. I hope that the Conference will put an end to this policy of discrimination and will give seats on the Joint Maritime Commission, which is called upon to decide on important questions affecting seafarers throughout the world, to the representatives of Socialist countries which are traditionally maritime countries and have considerable merchant fleets, and who represent the workers of the U.S.S.R. and Poland.

Captain LOENNECHEN (*Employers' delegate, Norway*)—You have received two clear-cut lists of members of the Joint Maritime Commission. Since early morning we have been listening to propaganda and already we have had two speakers from the Red corner in connection with these two lists. I think it is a bit too much. You can consider me in the Blue corner, and I hope that I will be able to stop more of this propaganda.

I will ask you one favour, Mr. President. Will you do the Red corner, the so-called Socialist countries, the favour to relieve them of their obligation to speak and so relieve us of painful listening?

*Interpretation from French*: Mr. ANZULATO (*Employers' delegate, Rumania*)—I find myself compelled to take the floor to speak on a subject on which there has already been a great deal of discussion.

The Employers' group of the Conference has thought fit not to allow shipowners of the maritime region to which my country belongs to take part in our joint work. We now come to the Joint Maritime Commission. It is quite clear to all that the work of the Joint Maritime Commission is important to our Organisation and that the maritime work of the I.L.O. between two sessions of the Conference is continued precisely by that Commission. So that it is quite natural that the shipowners of maritime countries, such as Ukraine and Poland for example, should like to have representatives on that Commission.

That is why I proposed in the Employers' group that the representatives of Ukraine and Poland should be members of the Joint Maritime Commission. In my proposal I aimed at a fair distribution of seats from the geographical point of view and from the point of view of the size of the merchant navies in the various countries. In spite of the fact that my proposal was a very modest one and perfectly fair, the names put forward were rejected in a discriminatory manner.

I wish to emphasise this new violation of the spirit of the I.L.O. Constitution, against which I must make a strong protest. I consider that another decision should have been taken and

that the Employers' group should find a way of avoiding such an unfair position by amending the original proposal or by increasing the number of members of the Commission in order to enable the representatives of Ukraine and of Poland to find a seat on the Commission.

*Interpretation from Russian*: Mr. RAGIMOV (*Employers' delegate, U.S.S.R.*)—Yesterday at the meeting of the Employers' group, the representatives of the U.S.S.R. and Rumania put forward the candidacy of Mr. Danchenko, Chief of the Black Sea Shipping Company. They also suggested the candidacy of Mr. Suchorzewski, the Employers' delegate of the Polish People's Republic. What were the considerations which prompted us to do so? Since the time when the Joint Maritime Commission was set up a long period has elapsed, during which a great many changes have taken place not only in the composition of the I.L.O. itself but also in the structure of the Commission. During that period there was an increase in the membership of the I.L.O. which compelled the Governing Body on two occasions to revise the numerical composition of the Joint Maritime Commission in order, as the Director-General has pointed out in his Report, to make seats available to representatives from several countries important from the maritime point of view which had entered or had re-entered the I.L.O. since the last elections of the Commission at the Seattle Conference in 1946.

We considered that the election of directors of the shipping undertakings in Ukraine and Poland was essential in order that the employers of a number of countries with considerable merchant fleets be represented on this Commission.

That is just what prompted the decision taken by the Governing Body in 1952 when it decided to increase the membership of the Commission, but, inasmuch as this proposal was made by us and it was a question of representatives from Socialist countries, the Officers of the Employers' group, by means of the voting machinery, rejected our proposal.

The whole of the course of the International Labour Conference has shown that any proposal, however good and constructive, is rejected by a certain group of delegates in the Conference which only pays lip service to close co-operation.

This was the fate also of the proposal put forward by the Bulgarian Government delegate in connection with the 48-hour week for seamen engaged in coastal trade, and that was also the fate of the Ukraine delegate's proposal concerning welfare on board ship. And now again we have been witness to the attitude adopted towards the Soviet proposal concerning the cessation of atomic and thermonuclear experiments. In other words, in substance there is glaring discrimination against all our proposals. Mr. Gruénais, the French Workers' delegate, was quite right when he spoke of the closed group that has monopolised the Joint Maritime Commission and does not wish representatives of Socialist countries on it. But the course of history is implacable and we are convinced, knowing that our cause is just, that truth is on our side and justice will prevail.



Mr. BECU (*Workers' adviser, Belgium*)—We have listened to a series of speeches by delegates from countries which call themselves Socialist, but which we term totalitarian, appealing for co-operation at this Conference, complaining of lack of co-operation on the part of the Workers' group and entreating us to observe the spirit of the Constitution of the I.L.O. I feel it my duty to give an answer to the charges which were levelled against the Workers' group and its officers and against the International Transportworkers' Federation, of which I happen to be the General Secretary. I will give that reply, not because I feel it serves a useful purpose to use the time of this Conference to refute such charges—I am sure everyone attending the Conference knows how unfounded they are—but because it would be unfortunate if the record of the Conference made mention of the charges but not of the replies, obvious though they are.

The representatives of the seafarers are always ready to co-operate with all who have a constructive purpose in mind. The same, we know, applies to the genuine representatives of governments and employers who take part in the work of the I.L.O. though we appreciate that the representatives of employers, and to some extent also those of governments, have interests and points of view different from our own. But we can thus regard them as bona fide representatives and there is consequently a prospect of arriving, by a process of discussion, negotiation and, if necessary, compromise, at results beneficial to all concerned. The history of the I.L.O. contains ample evidence of the valuable results which can be achieved by honest tripartite co-operation. I think I am authorised to say that in this sense we seafarers are willing here and now to co-operate with the representatives of governments, irrespective of the form of government, with a view to finding a basis of agreement. But the position is entirely different when it comes to representatives who claim to speak in the name of seafarers but who, in point of fact, do nothing of the kind. It is surely a contradiction in terms to speak of free trade union organisations under a totalitarian system. How then can there be seafarers' representatives from totalitarian countries in any meaningful sense of the term? It is implicit in the totalitarian system that the so-called representatives of seafarers are in point of fact functionaries of the State.

This Conference is not, I strongly feel, the place to discuss political creeds and philosophies. I am only concerned to justify our refusal to co-operate with pseudo-representatives of seafarers. I want to repeat that we seafarers' representatives are perfectly willing to deal with Government representatives and also with Employers' representatives who present themselves in those capacities; but we see nothing in the Constitution of the I.L.O.—and it would be contrary to our most fundamental and cherished beliefs—which makes it necessary to deal with those who masquerade as seafarers' representatives when actually they are something very different. From this point of view I sincerely believe that it is only logical for us to decline to have any dealings with those whom I have termed pseudo-

representatives of seafarers beyond those imposed upon us by the Constitution of the I.L.O. We admit with the utmost candour that in the Workers' group we do not recognise the representatives of seafarers' organisations existing under totalitarian régimes as trade union representatives in the real sense of the term, and *ipso facto* we cannot recognise the Workers' delegates from totalitarian countries attending this Conference as genuine representatives of seafarers. We deny, however, with the utmost vigour, that in so doing we have transgressed the Constitution of the I.L.O. in the slightest degree. We have studied the Constitution of the I.L.O. as closely, probably, as anyone, but we see nothing in it which requires us, as seafarers' representatives, to co-operate with any other than bona fide representatives, whether of governments, of employers or of workers.

I labour the constitutional aspect of the matter, self-evident though it is, because some speakers tried so hard to make capital out of it. I do not suppose that anyone here or in the world outside was misled by their arguments. They are simply begging the question as long as they ignore our counter-charge—which we have made until we are sick of doing so—that the so-called Workers' delegates of totalitarian countries, by the very nature of their situation, lack any mandate as freely elected representatives of workers and that consequently there is just no basis for co-operation between them and us. We can only regard them as Government representatives, and it is only in that role that we could entertain any relations with them. I fail to see anything in the Constitution of the I.L.O. which would impose any other kind of position on us.

Since the speakers to whom I am referring raised the issue on a purely constitutional basis, I am of the opinion that the so-called charges have been more than met. Now we all know that there is more to it than that, but to deal with further aspects of the matter would be to enter the realm of politics. In my opinion the I.L.O. is not the place for that. If it were I could unfold the long, long story of the bitter struggle which the free trade unions have had to fight in the democratic countries against forces which are governed by the desire, not to serve the interests of the workers but to use them for their political ends. As a result of this struggle the free trade unions have been—putting it as mildly as I can—very seriously hampered in many countries in their endeavours on behalf of their people. From bitter experience we have learnt that the forces to which we allude, although at times they hold out the hand of friendship, will sooner or later stab us in the back.

I repeat it would be wasting the time of this Conference to give chapter and verse for all this. The facts, I am sure, are well known by all those attending the Conference, including the seafarers' representatives who pretend to be so surprised and pained at the attitude which we have regretfully but advisedly decided to adopt. When I think of the names they have called us in the past and which I am sure they will apply to us again irrespective of the line we follow here I can only dismiss their present attitude as hypocrisy and humbug.



Now these people cannot really expect us to co-operate with them in any shape or form; they know as well as we do that they only want such co-operation in order to avail themselves of it. This is true of the seafarers' delegates of totalitarian countries; it is true of those delegates who, although they come from democratic countries, seek to use the organisations they control to undermine democracy and regard the free trade unions as their friends in name only.

To sum up this brief refutation of the charges to which we have had to listen: I maintain that they lack all constitutional foundation and that the attitude adopted by the Workers' group at this Conference has been forced on them for many years. The real motive behind all this is to subordinate even such a great and noble organisation as the I.L.O. to aims which, at best, have nothing to do with the purpose of the I.L.O., and which at worst seek to use it as a means for furthering an ideology which to us is utterly abhorrent.

*Interpretation from Russian:* Mr. BAKUR-SKI (*Workers' delegate, Ukraine*)—I had not intended to speak here at this Conference but the statement made by Mr. Becu gives me the right to make a few clarifications.

In the first place, Mr. Becu, whether you like it or not, the Soviet Union is recognised by the whole world and the peoples living in it; whether you like it or not, the Soviet trade unions, including the Ukraine trade unions, are recognised by the whole world; and whether you like it or not, the Soviet Union is building and will go on building a Socialist society in its country. We do not wish to meddle in the affairs of other States; we want to co-operate with the other countries of the world, to avoid war in the world and to create conditions conducive to the greater happiness of mankind. Your statement is strangely illogical in that you accuse us of not being the elected representatives of the seamen. I must assure you that if you had been elected as I and my colleagues in the Soviet Union were elected then you would hardly have been elected to a leading post in the trade union organisation. I do not know where you got your schooling in insults

and offence but I feel that in any case, whatever his ideology, a man still has his modesty—and unfortunately you, Mr. Becu, have not. We came here in order to work with you, representatives of seafarers, shipowners and governments, in order to solve those questions which vitally affect the life and working conditions of seafarers. It is not our intention to indulge in propaganda; we are not trying to convert you to communism; that is something decided upon by the peoples in their countries, not here in the I.L.O. We are far beyond all those questions, and we are not concerned with meddling in your interests. I have to say to you, Mr. President, and to the Director-General, that the exclusion of countries such as the Soviet Union or Ukraine, or other Socialist countries, from membership of the Joint Maritime Commission is a discriminatory act such as has been seen throughout the whole work of the Conference. I can only say to the representatives of the International Transport-workers' Federation that when I meet your seamen—including the Belgian seamen, Mr. Becu—in our ports I shall tell them how you defend their interests and that, whether you like it or not, we shall be elected to represent the seafarers in the Joint Maritime Commission, if not at this Conference then at the next.

The PRESIDENT—In the absence of any further comment these lists are received by the Conference and the persons named in them are duly nominated to membership of the Joint Maritime Commission.

#### ORDER OF WORK OF THE CONFERENCE

The PRESIDENT—The Clerk of the Conference has an announcement to make.

The CLERK OF THE CONFERENCE—The three further final votes that must still be taken by the Conference will be taken tomorrow morning promptly at 10 a.m.

*(The Conference adjourned at 6.30 p.m.)*

## Delegates Present at the Sitting

*Argentina :*

Mr. Lescure  
Mr. Lacú (substitute for  
Commander Noriega)  
Lieutenant-Commander  
Gómez Ortega  
Mr. Azqueta

*Australia :*

Mr. Brentwood  
Captain Bull  
Mr. Haddy  
Captain Martin

*Austria :*

Mr. Schellenbacher  
Mr. Schlaffer  
Mr. Schlägelbauer  
Mr. Peham

*Belgium :*

Mr. De Kinder  
Mr. Pluymers  
Mr. De Bruyn (substitute  
for Mr. Dufour)  
Mr. Dekeyzer

*Brazil :*

Mr. Barboza-Carneiro  
Mr. de Faria Baptista  
Mr. Carvalho  
Mr. Teixeira

*Bulgaria :*

Mr. Belinski  
Mr. Stoyanov

*Burma :*

Mr. Thin  
Mr. Myint

*Canada :*

Captain Johnson  
Mr. Thomson  
Mr. Kane  
Mr. Sheehan

*China :*

Mr. Yü  
Mr. Lee  
Mr. Sa  
Mr. Chen

*Colombia :*

Mr. González

*Cuba :*

Mr. Camejo Argudín  
Mr. Lombera Cadalso  
Mr. Enseñat Polit

*Denmark :*

Mr. Worm  
Mr. Lysgaard  
Mr. Garde  
Mr. From-Andersen

*Dominican Republic :*

Mr. Álvarez Aybar  
Mr. Paradas

*Finland :*

Mr. Relander  
Mr. Tikanvaara  
Mr. Hallberg  
Mr. Wälläri

*France :*

Dr. Cevaer (substitute for  
Mr. Ramadier)  
Mr. Roullier  
Mr. Peyrot (substitute for  
Mr. Marchegay)  
Mr. Gruénais

*Federal Republic of Germany :*

Mr. Schelp  
Mr. Fettback  
Mr. Schuldt  
Mr. Hildebrand

*Ghana :*

Mr. Nettey  
Mr. Mensah

*Greece :*

Commander Goulielmos  
Commander Antoniadis  
Mr. Lyras  
Mr. Petroulis

*India :*

Mr. Nagendra Singh  
Mr. Merani  
Mr. Kumana  
Mr. Serang

*Indonesia :*

Mr. Siregar  
Mr. Sanitioso  
Mr. Harsono  
Mr. Subianto

*Ireland :*

Mr. Ó Riordáin  
Mr. Crowley

*Israel :*

Mr. Raday  
Mr. Ivri  
Mr. Barash

*Italy :*

Mr. Berio  
Mr. Purpura  
Captain Cavallini  
Mr. Romagnoli

*Japan :*

Mr. Hayashi (substitute  
for Mr. Kawasaki)  
Mr. Mori  
Mr. Yamagata  
Mr. Kageyama

*Liberia :*

Mr. Wilson  
Mr. Cooper  
Mr. Simonovitch  
Mr. Cole

*Mexico :*

Mr. Mérida  
Miss Aguirre

*Morocco :*

Mr. Guessous  
Mr. Lakhdar (substitute  
for Mr. ben Bouazza)

*Netherlands :*

Mr. Valentgoed  
Mr. Scheffer  
Mr. van der Vorm  
Mr. de Vries

*Norway :*

Judge Bull  
Mr. Endresen  
Captain Loennechen  
Mr. Haugen

*Pakistan :*

Mr. Chaudhuri  
Mr. Ahmad  
Mr. Dada  
Mr. Khatib

*Poland :*

Mr. Ocioszynski  
Mr. Licki  
Mr. Suchorzewski  
Mr. Skiba

*Portugal :*

Mr. Pedrosa  
Commander Jorge  
Mr. de Barros  
Captain dos Santos

*Rumania :*

Mr. Lazareanu  
Mr. Gal  
Mr. Anzulato  
Mr. Radulesco

*Spain :*

Mr. Pastor Tomaseti  
Mr. Amblès Pipo (sub-  
stitute for Mr. García de  
Llera)  
Mr. Arguimbau (sub-  
stitute for Mr. de  
Azqueta Urigüen)  
Mr. García Ribes

*Sweden :*

Mr. Widell  
Mr. Hartvig  
Mr. Reuterskiöld  
Mr. Thore

*Switzerland :*

Mr. Ryniker  
Mr. Messmer  
Mr. Fornet (substitute  
for Mr. Keller)  
Mr. Hofer

*Tunisia :*

Mr. Ladhari  
Mr. Ben Salem  
Mr. Sellami

*Turkey :*

Mr. Toygar  
Mr. Yenäl  
Mr. Aymen  
Mr. Özkan

*Ukraine :*

Mr. Slipchenko  
Mr. Nizhnik  
Mr. Danchenko  
Mr. Bakurski

*U.S.S.R. :*

Mr. Dolinski  
Mr. Morozov  
Mr. Ragimov  
Mr. Koetkin

*United Arab Republic :*

Mr. Kamel

*United Kingdom :*

Mr. Proctor  
Mr. Haselgrove  
Sir Richard Snedden  
Mr. Yates

*United States :*

Mr. Jacobs  
Mr. Rothschild  
Mr. Pennington (sub-  
stitute for Mr. Casey)  
Mr. Hawk

*Yugoslavia :*

Mr. Velimirović  
Mr. Makiedo  
Mr. Kesic  
Mr. Velkaverh

## SIXTEENTH SITTING

Wednesday, 14 May 1958, 10.15 a.m.

*President : Mr. Kawasaki*

### FINAL RECORD VOTE ON THE RECOMMENDATION CONCERNING SOCIAL CONDITIONS AND SAFETY OF SEAFARERS IN RELATION TO REGISTRATION OF SHIPS

The PRESIDENT—We will proceed to the final record votes. The first one is on the

Recommendation concerning social conditions and safety of seafarers in relation to registration of ships.<sup>1</sup>

<sup>1</sup> See p. 148, and Appendices VI, p. 238, and XII, p. 270.

### *Final Record Vote on the Recommendation concerning Social Conditions and Safety of Seafarers in Relation to Registration of Ships*

*For (144)*

<i>Argentina :</i> Mr. Lescure (G) Lieutenant-Commander Gómez Ortega (E) Mr. Azqueta (W)	<i>China :</i> Mr. Yü (G) Mr. Lee (G) Mr. Sa (E) Mr. Chen (W)	<i>Greece :</i> Commander Goulielmos (G) Commander Antoniadis (G) Mr. Petroulis (W)	<i>Mexico :</i> Mr. Mérito (G)
<i>Australia :</i> Mr. Bréntwood (G) Captain Bull (G) Mr. Haddy (E) Captain Martin (W)	<i>Colombia :</i> Mr. González (G)	<i>India :</i> Mr. Nagendra Singh (G) Mr. Merani (G) Mr. Kumana (E) Mr. Serang (W)	<i>Morocco :</i> Mr. Guessous (G)
<i>Austria :</i> Mr. Schellenbacher (G) Mr. Schlaffer (G) Mr. Schlägelbauer (E) Mr. Peham (W)	<i>Cuba :</i> Mr. Camejo Argudin (G)	<i>Indonesia :</i> Mr. Siregar (G) Mr. Sanitioso (G) Mr. Harsono (E) Mr. Subianto (W)	<i>Netherlands :</i> Mr. Valentgoed (G) Mr. Scheffer (G) Mr. van der Vorm (E) Mr. de Vries (W)
<i>Belgium :</i> Mr. De Kinder (G) Mr. Pluymers (G) Mr. Dufour (E) Mr. Dekeyzer (W)	<i>Denmark :</i> Mr. Worm (G) Mr. Lysgaard (G) Mr. Garde (E) Mr. From-Andersen (W)	<i>Ireland :</i> Mr. Ó Riordáin (G) Mr. Crowley (G)	<i>Norway :</i> Judge Bull (G) Mr. Endresen (G) Captain Loennechen (E) Mr. Haugen (W)
<i>Brazil :</i> Mr. Barboza-Carneiro (G) Mr. de Faria Baptista (G) Mr. Carvalho (E) Mr. Teixeira (W)	<i>Dominican Republic :</i> Mr. Álvarez Aybar (G) Mr. Paradas (G)	<i>Israel :</i> Mr. Raday (G) Mr. Bar-Zeev (G) Mr. Ivri (E) Mr. Barash (W)	<i>Pakistan :</i> Mr. Chaudhuri (G) Mr. Ahmad (G) Mr. Khatib (W)
<i>Bulgaria :</i> Mr. Belinski (G) Mr. Stoyanov (G)	<i>Finland :</i> Mr. Relander (G) Mr. Tikanvaara (G) Mr. Hallberg (E) Mr. Wälläri (W)	<i>Italy :</i> Mr. Berio (G) Mr. Purpura (G) Captain Cavallini (E) Mr. Romagnoli (W)	<i>Panama :</i> Mr. Ortega Vieto (G) Mr. Phillipps (E) Mr. Escobar Bethancourt (W)
<i>Burma :</i> Mr. Thin (G) Mr. Myint (G)	<i>France :</i> Mr. Ramadier (G) Mr. Roullier (G) Mr. Marchegay (E) Mr. Gruénais (W)	<i>Japan :</i> Mr. Mori (G) Mr. Hayashi (G) Mr. Yamagata (E) Mr. Kageyama (W)	<i>Poland :</i> Mr. Ocioszynski (G) Mr. Licki (G) Mr. Suchorzewski (E) Mr. Skiba (W)
<i>Canada :</i> Captain Johnson (G) Mr. Thomson (G) Mr. Kane (E) Mr. Sheehan (W)	<i>Federal Republic of Germany :</i> Mr. Schelp (G) Mr. Fettback (G) Mr. Schuldt (E) Mr. Hildebrand (W)	<i>Luxembourg :</i> Mr. Bessling (G)	<i>Portugal :</i> Mr. Pedrosa (G) Commander Jorge (G) Mr. de Barros (E) Captain dos Santos (W)
	<i>Ghana :</i> Mr. Nettey (G) Mr. Mensah (W)		

<i>Rumania :</i> Mr. Lazareanu (G) Mr. Gal (G) Mr. Anzulato (E) Mr. Radulesco (W)	<i>Switzerland :</i> Mr. Ryniker (G) Mr. Messmer (G) Mr. Keller (E) Mr. Hofer (W)	<i>Ukraine :</i> Mr. Slipchenko (G) Mr. Nizhnik (G) Mr. Danchenko (E) Mr. Bakurski (W)	<i>United Kingdom :</i> Mr. Proctor (G) Mr. Haselgrove (G) Sir Richard Snedden (E) Mr. Yates (W)
<i>Spain :</i> Mr. Pastor Tomaseti (G) Mr. García de Llera (G) Mr. de Azqueta Urigüen (E) Mr. García Ribes (W)	<i>Tunisia :</i> Mr. Ladhari (G) Mr. Ben Salem (G)	<i>U.S.S.R. :</i> Mr. Dolinski (G) Mr. Morozov (G) Mr. Ragimov (E) Mr. Koetkin (W)	<i>United States :</i> Mr. Casey (E) Mr. Hawk (W)
<i>Sweden :</i> Mr. Widell (G) Mr. Hartvig (G) Mr. Reuterskiöld (E) Mr. Thore (W)	<i>Turkey :</i> Mr. Toygar (G) Mr. Yenäl (G) Mr. Aymen (E) Mr. Özkan (W)	<i>United Arab Republic :</i> Mr. Kamel (G)	<i>Yugoslavia :</i> Mr. Velimirović (G) Mr. Makiedo (G) Mr. Kesić (E) Mr. Velkaverh (W)

## Against (0)

## Abstentions (3)

<i>Greece :</i> Mr. Lyras (E)	<i>United States :</i> Mr. Jacobs (G) Mr. Rothschild (G)
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The PRESIDENT—The result of the voting is as follows: 144 in favour, 0 against, with 3 abstentions.

The Recommendation concerning social conditions and safety of seafarers in relation to registration of ships is therefore adopted.

# FINAL RECORD VOTE ON THE CONVENTION CONCERNING WAGES, HOURS OF WORK ON BOARD SHIP AND MANNING (REVISED 1958)<sup>1</sup>

The PRESIDENT—The next vote is on the revised Convention concerning wages, hours of work on board ship and manning. The text submitted by the Drafting Committee has been distributed to you.

<sup>1</sup> See p. 145, and Appendices IV, p. 226, and XII, p. 272.

## Final Record Vote on the Convention concerning Wages, Hours of Work on Board Ship and Manning (Revised 1958)

## For (104)

<i>Argentina :</i> Mr. Azqueta (W)	<i>Canada :</i> Captain Johnson (G) Mr. Thomson (G) Mr. Sheehan (W)	<i>France :</i> Mr. Ramadier (G) Mr. Roullier (G) Mr. Gruénais (W)	<i>Italy :</i> Mr. Berio (G) Mr. Purpura (G) Mr. Romagnoli (W)
<i>Australia :</i> Mr. Brentwood (G) Captain Bull (G) Captain Martin (W)	<i>China :</i> Mr. Yü (G) Mr. Lee (G) Mr. Chen (W)	<i>Federal Republic of Germany :</i> Mr. Hildebrand (W)	<i>Japan :</i> Mr. Kageyama (W)
<i>Austria :</i> Mr. Schellenbacher (G) Mr. Schlaffer (G) Mr. Peham (W)	<i>Colombia :</i> Mr. González (G)	<i>Ghana :</i> Mr. Nettey (G) Mr. Mensah (W)	<i>Luxembourg :</i> Mr. Bessling (G)
<i>Belgium :</i> Mr. De Kinder (G) Mr. Pluymers (G) Mr. Dekeyzer (W)	<i>Cuba :</i> Mr. Camejo Argudín (G) Mr. Enseñat Polit (W)	<i>Greece :</i> Mr. Petroulis (W)	<i>Mexico :</i> Mr. Mérito (G) Miss Aguirre (G)
<i>Brazil :</i> Mr. Barboza-Carneiro (G) Mr. de Faria Baptista (G) Mr. Teixeira (W)	<i>Denmark :</i> Mr. Worm (G) Mr. Lysgaard (G) Mr. From-Andersen (W)	<i>India :</i> Mr. Nagendra Singh (G) Mr. Merani (G) Mr. Serang (W)	<i>Morocco :</i> Mr. Guessous (G)
<i>Bulgaria :</i> Mr. Belinski (G) Mr. Stoyanov (G)	<i>Dominican Republic :</i> Mr. Álvarez Aybar (G) Mr. Paradas (G)	<i>Indonesia :</i> Mr. Siregar (G) Mr. Sanitioso (G) Mr. Subianto (W)	<i>Netherlands :</i> Mr. Valentgoed (G) Mr. Scheffer (G) Mr. de Vries (W)
<i>Burma :</i> Mr. Thin (G) Mr. Myint (G)	<i>Finland :</i> Mr. Relander (G) Mr. Tikanvaara (G) Mr. Wälläri (W)	<i>Israel :</i> Mr. Raday (G) Mr. Bar-Zeev (G) Mr. Barash (W)	<i>Norway :</i> Mr. Endresen (G) Mr. Haugen (W)
			<i>Pakistan :</i> Mr. Chaudhuri (G) Mr. Ahmad (G) Mr. Khatib (W)

<i>Panama :</i> Mr. Escobar Bethancourt (W)	<i>Spain :</i> Mr. Pastor Tomaseti (G) Mr. García de Llera (G) Mr. de Azqueta Urigüen (E) Mr. García Ribes (W)	<i>Turkey :</i> Mr. Özkan (W)	<i>United Kingdom :</i> Mr. Yates (W)
<i>Poland :</i> Mr. Ocioszynski (G) Mr. Licki (G) Mr. Suchorzewski (E) Mr. Skiba (W)	<i>Sweden :</i> Mr. Widell (G) Mr. Hartvig (G) Mr. Thore (W)	<i>Ukraine :</i> Mr. Slipchenko (G) Mr. Nizhnik (G) Mr. Danchenko (E) Mr. Bakurski (W)	<i>United States :</i> Mr. Jacobs (G) Mr. Rothschild (G) Mr. Hawk (W)
<i>Portugal :</i> Captain dos Santos (W)	<i>Switzerland :</i> Mr. Ryniker (G) Mr. Messmer (G) Mr. Hofer (W)	<i>U.S.S.R. :</i> Mr. Dolinski (G) Mr. Morozov (G) Mr. Ragimov (E) Mr. Koetkin (W)	<i>Yugoslavia :</i> Mr. Velimirović (G) Mr. Makiedo (G) Mr. Kesić (E) Mr. Velkaverh (W)
<i>Rumania :</i> Mr. Lazareanu (G) Mr. Gal (G) Mr. Anzulato (E) Mr. Radulesco (W)		<i>United Arab Republic :</i> Mr. Kamel (G)	

*Against (22)*

<i>Argentina :</i> Lieutenant-Commander Gómez Ortega (E)	<i>Canada :</i> Mr. Kane (E)	<i>Greece :</i> Mr. Lyras (E)	<i>Norway :</i> Captain Loennechen (E)
<i>Australia :</i> Mr. Haddy (E)	<i>China :</i> Mr. Sa (E)	<i>India :</i> Mr. Kumana (E)	<i>Portugal :</i> Mr. de Barros (E)
<i>Austria :</i> Mr. Schlägelbauer (E)	<i>Denmark :</i> Mr. Garde (E)	<i>Israel :</i> Mr. Ivri (E)	<i>Sweden :</i> Mr. Reuterskiöld (E)
<i>Belgium :</i> Mr. Dufour (E)	<i>Finland :</i> Mr. Hallberg (E)	<i>Italy :</i> Captain Cavallini (E)	<i>Turkey :</i> Mr. Aymen (E)
<i>Brazil :</i> Mr. Carvalho (E)	<i>France :</i> Mr. Marchegay (E)	<i>Japan :</i> Mr. Yamagata (E)	<i>United Kingdom :</i> Sir Richard Snedden (E)
	<i>Federal Republic of Germany :</i> Mr. Schuldt (E)	<i>Netherlands :</i> Mr. van der Vorm (E)	

*Abstentions (22)*

<i>Argentina :</i> Mr. Lescure (G)	<i>Indonesia :</i> Mr. Harsono (E)	<i>Panama :</i> Mr. Ortega Vieto (G) Mr. Phillipps (E)	<i>Turkey :</i> Mr. Toygar (G) Mr. Yenil (G)
<i>Federal Republic of Germany :</i> Mr. Schelp (G) Mr. Fettback (G)	<i>Ireland :</i> Mr. Ó Riordáin (G) Mr. Crowley (G)	<i>Portugal :</i> Mr. Pedrosa (G) Commander Jorge (G)	<i>United Kingdom :</i> Mr. Proctor (G) Mr. Haselgrove (G)
<i>Greece :</i> Commander Goulielmos (G) Commander Antoniadis (G)	<i>Japan :</i> Mr. Mori (G) Mr. Hayashi (G)	<i>Switzerland :</i> Mr. Keller (E)	<i>United States :</i> Mr. Casey (E)
		<i>Tunisia :</i> Mr. Ladhari (G) Mr. Ben Salem (G)	

The PRESIDENT—The result of the vote is : 104 in favour, 22 against, with 22 abstentions. The Convention is therefore adopted.

I call upon Mr. Mérito, Government delegate, Mexico, for an explanation of vote.

*Interpretation from Spanish :* Mr. MÉRIGO (Government delegate, Mexico)—I simply wish to explain my vote. The Mexican Government delegation voted in favour of the Convention, but I nevertheless wish to place on record the position of my Government regarding the second paragraph of Article 18, which I explained to the Conference the day before yesterday.

As regards the Recommendation also I should like to draw attention to the statement I made at the 12th sitting.

FINAL RECORD VOTE ON THE  
RECOMMENDATION CONCERNING WAGES,  
HOURS OF WORK ON BOARD  
SHIP AND MANNING<sup>1</sup>

The PRESIDENT—We will now take the final record vote on the Recommendation concerning wages, hours of work on board ship and manning.

<sup>1</sup> See p. 146, and Appendices IV, p. 232, and XII, p. 292.

*Final Record Vote on the Recommendation concerning Wages, Hours of Work  
on Board Ship and Manning*

*For (127)*

<i>Argentina :</i> Mr. Azqueta (W)	<i>Denmark :</i> Mr. Worm (G) Mr. Lysgaard (G) Mr. Garde (E) Mr. From-Andersen (W)	<i>Japan :</i> Mr. Kageyama (W)	<i>Spain :</i> Mr. Pastor Tomaseti (G) Mr. García de Llera (G) Mr. de Azqueta Urigüen (E) Mr. García Ribes (W)
<i>Australia :</i> Mr. Brentwood (G) Captain Bull (G) Mr. Haddy (E) Captain Martin (W)	<i>Dominican Republic :</i> Mr. Álvarez Aybar (G) Mr. Paradas (G)	<i>Luxembourg :</i> Mr. Bessling (G)	<i>Sweden :</i> Mr. Widell (G) Mr. Hartvig (G) Mr. Thore (W)
<i>Austria :</i> Mr. Schellenbacher (G) Mr. Schlaffer (G) Mr. Schlägelbauer (E) Mr. Peham (W)	<i>Finland :</i> Mr. Relander (G) Mr. Tikanvaara (G) Mr. Wälläri (W)	<i>Mexico :</i> Mr. Mérito (G) Miss Aguirre (G)	<i>Switzerland :</i> Mr. Ryniker (G) Mr. Messmer (G) Mr. Keller (E) Mr. Hofer (W)
<i>Belgium :</i> Mr. De Kinder (G) Mr. Pluymers (G) Mr. Dufour (E) Mr. Dekeyzer (W)	<i>France :</i> Mr. Ramadier (G) Mr. Roullier (G) Mr. Marchegay (E) Mr. Gruénais (W)	<i>Morocco :</i> Mr. Guessous (G)	<i>Turkey :</i> Mr. Özkan (W)
<i>Brazil :</i> Mr. Carvalho (E) Mr. Teixeira (W)	<i>Federal Republic of Germany :</i> Mr. Schelp (G) Mr. Fettback (G) Mr. Schuldt (E) Mr. Hildebrand (W)	<i>Netherlands :</i> Mr. Valentgoed (G) Mr. Scheffer (G) Mr. van der Vorm (E) Mr. de Vries (W)	<i>Ukraine :</i> Mr. Slipchenko (G) Mr. Nizhnik (G) Mr. Danchenko (E) Mr. Bakurski (W)
<i>Bulgaria :</i> Mr. Belinski (G) Mr. Stoyanov (G)	<i>Ghana :</i> Mr. Nettey (G) Mr. Mensah (W)	<i>Norway :</i> Judge Bull (G) Mr. Endresen (G) Captain Loennechen (E) Mr. Haugen (W)	<i>U.S.S.R. :</i> Mr. Dolinski (G) Mr. Morozov (G) Mr. Ragimov (E) Mr. Koetkin (W)
<i>Burma :</i> Mr. Thin (G) Mr. Myint (G)	<i>Greece :</i> Mr. Lyras (E) Mr. Petroulis (W)	<i>Pakistan :</i> Mr. Chaudhuri (G) Mr. Ahmad (G) Mr. Dada (E) Mr. Khatib (W)	<i>United Arab Republic :</i> Mr. Kamel (G)
<i>Canada :</i> Captain Johnson (G) Mr. Thomson (G) Mr. Kane (E) Mr. Sheehan (W)	<i>India :</i> Mr. Nagendra Singh (G) Mr. Merani (G) Mr. Kumana (E) Mr. Serang (W)	<i>Panama :</i> Mr. Ortega Vieto (G) Mr. Philipps (E) Mr. Escobar Bethancourt (W)	<i>United Kingdom :</i> Mr. Proctor (G) Mr. Haselgrove (G) Sir Richard Snedden (E) Mr. Yates (W)
<i>China :</i> Mr. Yü (G) Mr. Lee (G) Mr. Sa (E) Mr. Chen (W)	<i>Indonesia :</i> Mr. Siregar (G) Mr. Sanitioso (G) Mr. Subianto (W)	<i>Poland :</i> Mr. Ocioszynski (G) Mr. Licki (G) Mr. Suchorzewski (E) Mr. Skiba (W)	<i>United States :</i> Mr. Jacobs (G) Mr. Rothschild (G) Mr. Casey (E) Mr. Hawk (W)
<i>Colombia :</i> Mr. González (G)	<i>Israel :</i> Mr. Raday (G) Mr. Bar-Zeev (G) Mr. Barash (W)	<i>Portugal :</i> Mr. de Barros (E) Captain dos Santos (W)	<i>Yugoslavia :</i> Mr. Velimirović (G) Mr. Makiedo (G) Mr. Kesić (E) Mr. Velkaverh (W)
<i>Cuba :</i> Mr. Camejo Argudín (G) Mr. Enseñat Polit (W)	<i>Italy :</i> Mr. Purpura (G) Captain Cavallini (E) Mr. Romagnoli (W)	<i>Rumania :</i> Mr. Lazareanu (G) Mr. Gal (G) Mr. Anzulato (E) Mr. Radulesco (W)	

*Against (0)*

*Abstentions (20)*

<i>Argentina :</i> Mr. Lescure (G) Lieutenant-Commander Gómez Ortega (E)	<i>Greece :</i> Commander Goulielmos (G) Commander Antoniadis (G)	<i>Japan :</i> Mr. Mori (G) Mr. Hayashi (G) Mr. Yamagata (E)	<i>Tunisia :</i> Mr. Ladhari (G)
<i>Brazil :</i> Mr. Barboza-Carneiro (G) Mr. de Faria Baptista (G)	<i>Indonesia :</i> Mr. Harsono (E)	<i>Portugal :</i> Mr. Pedrosa (G) Commander Jorge (G)	<i>Turkey :</i> Mr. Toygar (G) Mr. Yenil (G) Mr. Aymen (E)
<i>Finland :</i> Mr. Hallberg (E)	<i>Ireland :</i> Mr. Ó Riordáin (G) Mr. Crowley (G)	<i>Sweden :</i> Mr. Reuterskiöld (E)	

The PRESIDENT—The result of the vote is as follows: 127 in favour, 0 against, with 20 abstentions. The Recommendation is therefore adopted.

CLOSING SPEECHES

The PRESIDENT—We now come to the closing speeches.

Mr. OCIOŚZYŃSKI (*Government delegate, Poland; Vice-President of the Conference*)—At this closing stage of the 41st Session of the International Labour Conference, of which I had the great honour to be appointed Vice-President on behalf of the Government group, I wish to express my sincere appreciation of the results arrived at in the course of this session thanks to our common efforts.

This Conference was indeed a fruitful one. It has adopted, for the most part by an overwhelming majority, an impressive number of international instruments, in the form of Conventions and Recommendations as well as resolutions. The direct purpose of these instruments is to promote on an international scale improvements in the living and working standards of seamen throughout the world. It is to be hoped that the quickest possible implementation of these instruments by particular States will give them full practical effect. It is, of course, true that not all the interesting and valuable proposals or suggestions submitted to this Conference in the course of our deliberations have found sufficient understanding or support. None the less, in my opinion the positive effect of the Conference does represent a considerable step towards further social progress in the field of maritime transport throughout the world. That is no doubt a valuable contribution to the peaceful development of mankind.

I should like to express in this connection my deep satisfaction at the fact that these good results arrived at by the Conference are due to the spirit of conciliation which prevailed throughout our activities and to the understanding of the fundamental principles of this Organisation. In fact, we have all witnessed here that it was possible to co-ordinate effectively the principle of tripartite representation with the principles of universality and equality of the International Labour Organisation. We have indeed passed through some critical moments in the course of this Conference, when some basic principles underlying the Constitution of the I.L.O. were vigorously discussed. However, the difficulties were finally solved in a manner which preserved the integrity and universality of this Organisation. Thus, we could not only further in harmony a great deal of social progress among seafarers, but—and here, Mr. President, I am expressing my sincerest conviction—we have certainly made a valuable contribution to the further consolidation and reinforcement of the International Labour Organisation as a whole.

I am particularly glad of having this opportunity to express here my satisfaction regarding the encouraging results achieved by this Conference because I represent the Government of one of the founder States of this Organisation. My country has always and will always back strongly this international body and support it in maintaining its authority.

Now, distinguished delegates, I should like to pay my warmest tribute to Mr. Kawasaki, the very distinguished President of this Conference. It was certainly thanks to his wise, strictly impartial vigilance and tireless conduct of our debates and activities that the Conference could arrive at successful conclusions. During our work Mr. Kawasaki has not spared him-

self in trying to smooth out any difficulties which would disturb or complicate our common work. I am sure that I express the feelings of all delegates if I say that we could not have wished for a better captain of this Conference ship. I should like also to express my high appreciation and thanks to the other Vice-Presidents of the Conference, Mr. van der Vorm and Mr. Haugen, who co-operated so efficiently and ably in the conduct of the Conference.

We should not, however, forget that the progress made at this Conference has been greatly, if not mainly, facilitated by the excellent preparatory work done before the convening of our meeting here by the International Labour Office, by its experienced staff and, above all, by the Director-General, Mr. Morse. Therefore, particular thanks are due to Mr. Morse, who spared no personal effort in order to place at our disposal his valuable assistance and his great experience, knowledge and enthusiasm.

I also believe that delegates would want me to thank warmly the members of the International Labour Office staff and the Secretariat of the Conference for their hard, efficient work, which enabled us to conclude our task.

In concluding my speech I wish to express my belief that apart from the actual results of this Conference, which are contained in a number of instruments enacted here in printed form, the fundamental effect and value of our meeting here lies in the closer personal contacts and connections among participants. It is through these unwritten, unprinted, but active "instruments" that peoples in all the corners of the world, peoples of various convictions and methods of thinking, are able to seek better understanding among themselves, to compare and better estimate their respective experience, to co-operate more closely with a view to ensuring lasting peace and progress in the world.

Mr. van der VORM (*Employers' delegate, Netherlands; Vice-President of the Conference*)—It is an honour to address you at this final plenary sitting of the 41st Session of the International Labour Conference on behalf of the Employers' group, to express their views on the work which has been done.

This Conference, judged by the measure of agreement reached and the importance of the subjects under discussion, has been an outstanding success. Never before at a Maritime Session of the Conference—and, I am informed, never before at an Ordinary Session—has there been such complete unanimity on almost every international instrument and every resolution. This remarkable success is, of course, due to many things. The foundations were laid originally by the Shipowners' and Seafarers' members of the Joint Maritime Commission. The prospects of success were greatly enhanced by the Preparatory Technical Maritime Conference in London, and this Conference has crowned all the preliminary work by its endorsement.

The only important exception to this almost complete unanimity is the revised Convention on wages, hours and manning, but before we came to the Conference we knew that the opposing views on this subject were almost



certainly irreconcilable. What we have got now, however—and again largely owing to agreement between Employers and Workers—is an international Recommendation which, if sensibly applied by the maritime world with proper regard to national conditions, should enable the I.L.O. to say that it has at last achieved some solution of this important question.

Of course we must recognise that shipping is a rather special industry, for two reasons: first of all, it is truly international; and secondly the various parties interested in the shipping industry are in the habit of working together. This applies to shipowners, seafarers and governments, either working separately or together.

One more point I would like to stress. No doubt all the representatives of the maritime countries who were present in Copenhagen, Seattle and London—and particularly those who were present in Copenhagen—will agree with me when I say that continuity of representation by the same delegations, whenever possible, helps to make the procedural side of our work easier and facilitates understanding and discussion of the controversial problems which we may have to deal with. I feel, therefore, that the very great success of this Conference and the speed and ease with which it has reached its conclusions augurs very well for the future.

I would like to express sincere appreciation of the really tremendous task which the Secretariat of the Conference has fulfilled so efficiently. In particular I do not wish to leave out those members of the staff whom we have not seen but who have done a very hard job in a very short time. Last, but not least, a special word of thanks to the interpreters. We all know what it means to listen at length to speeches. How much more aggravating must it be to take care of the translations for hours in succession.

We would also like to thank all those who have made our stay here so pleasant.

In conclusion I would like to say how appreciative we are of the press for their impartial publicity.

Mr. HAUGEN (*Workers' delegate, Norway; Vice-President of the Conference*)—First of all I should like to thank you, Mr. President, for the tremendous patience you have shown in listening to all the speeches made at this Conference, some of them very long and monotonous indeed. I am therefore convinced, Mr. President, ladies and gentlemen, that you are as anxious as I am not to imitate this bad example. I shall therefore try to be as concise as possible.

The agenda of our Maritime Session of the International Labour Conference is now exhausted and in a few moments we shall all be leaving this hall. Before doing so we should perhaps take stock of what has happened here. I think you will all agree with me when I say that it was a good Conference and that we have achieved many positive results. We have been able to agree upon two Conventions and five Recommendations, all of them of vital interest to seamen all over the world, and we can certainly be proud of that.

But these positive results could never have been achieved if our work had not been so well prepared. That is why I should like to express my appreciation, as well as that of the Workers' group on whose behalf I am taking the floor, of the preparatory work done by the Joint Maritime Commission and the meeting in London. Our thanks are also due to the most efficient staff of the International Labour Office, who have so ably contributed to our common efforts. Be it the competent officials in the technical divisions, be it those who assisted us during our meetings, be it those whom we have not seen (the interpreters, translators, typists, printers and messengers, who have worked round the clock) nobody should be forgotten but, on the contrary, convinced of our deep appreciation. This also concerns my colleagues in the Workers' group and, as a matter of fact, all the delegates and representatives attending—who often assembled in the early morning and in the evenings to keep the Conference running as smoothly as was humanly possible. The simple fact that we have been able to accomplish our task before the scheduled date is the best proof that we have done a good job.

The instruments and resolutions we have adopted speak for themselves. I do not believe it would be useful to comment at length on them. Allow me, however, one observation, mainly addressed to our friends on the government benches. We of the Workers' group hope that these documents will not simply remain pieces of paper. We sincerely hope that they will be ratified and, what is even more important, that they will be applied. The life of a seaman is a hard one and deserves attention from all concerned.

A few words, too, on another subject. There was some fierce controversy both in the groups and in the plenary sittings. I do not want to dwell on the issues involved because I do not think it would be advisable and proper to do so. I should like, however, to stress the great importance the seafarers and the workers in general attach to the principle of autonomy of the groups. We have our own ideas as workers and seafarers and we do not like anybody interfering with our business. There has been a lot of talk about precedents and other things. To be quite frank, I do not think all this talk has always been appropriate, while some of the cases quoted were either irrelevant or incorrect. Situations may arise in which one is bound to go against some precedents, and so I hope that our actions will not once again be interpreted as binding precedents for others in one way or another.

When I came to this rostrum I promised not to speak too long. I intend to keep my promise. Before concluding I should like, however, to thank you once again, all of you, for your kind and efficient co-operation. I should like to thank, in particular, our President, Mr. Kawasaki, who steered our ship with such great skill through the rough waters of the Conference. The same gratitude goes to the Director-General of the I.L.O., Mr. Morse, who has acted as Secretary-General of this Maritime Session, and to all his associates. We are not less grateful for the hospitality of this beautiful city of Geneva and for the attention paid to us

by the Swiss authorities. The speakers who have preceded me have already paid the tributes which all of us in the Workers' group fully support.

The SECRETARY-GENERAL—I would like to say a few words of thanks to my colleagues, the members of the staff of the I.L.O., for the work that they have done during this Conference. They really have worked very hard, painstakingly, and with the best of good will in doing everything possible from the point of view of the Secretariat to help make this Conference a success. I am also grateful to them for the hard months of preparation that have gone into the reports which you have had to use as a basis for your decisions and I do think, judging from the reaction of the committees and of the plenary sittings, that the job that they did in the preparation of these reports was excellent and has had some influence in the positive results achieved by this important Conference.

I would also like to thank the Chairmen and the Reporters of the various Committees for the manner in which they despatched the affairs of their sittings, their expedition, their fairness in dealing with the problems before them, and in their efforts to make this Conference a constructive success. And so also to the Vice-Presidents of our Conference, who have addressed you this morning, for the co-operation, for their help and their understanding during the more critical periods of this Conference. Every conference has its critical periods in trying to find a rational basis for proceeding and going forward with the work in hand. Everyone, it seems to me, has done his best to this end—and the end is a successful Conference. I would like to congratulate everyone for that.

Some of you know that I am always concerned when each Conference starts about how it is going to end, when it is going to end and whether it is going to be a positive part of our circle of international effort. This Conference is ending two-and-a-half days before time. I think that is a very good thing indeed, despite the fact that we have earned some battle stripes. But we *have* earned battle stripes and we are still living and perhaps we have all learned something at the same time. So that is not so bad. Maybe the time will come in the world when we can live without battle stripes. That perhaps will be better yet. The process of education, the process of understanding, the influence of affairs in the world will, I hope, one day bring us to that end; and if we believe all of this in that perspective, I think we can feel that we have all of us participated in an important development.

At the same time I would like to mention one word in reference to what was said by the Workers' Vice-President of the Conference, and that is that the real job of this Conference will begin when it is over, when the Government delegates go home, when the Workers' leaders and Employers' leaders go home, and when they address themselves to what shall be done with the instruments that have been agreed upon here. It will be interesting to see that record as the years unfold, and I hope it will

show a very positive implementation of world social policy.

In conclusion, Mr. President, may I thank you for your presidency of this difficult, this important session of our Conference, for your courtesy, for your devotion to duty, for the fairness with which you have presided over these difficult sessions and for your understanding of the problems of the Secretary-General and of the Secretariat.

All of this has been a very important factor in bringing this Conference to a successful conclusion. I think that I can speak on behalf of all of the Conference when I tell you how much they appreciate your qualities as a President, and I can also speak on behalf of the entire Conference in giving you on their behalf and on behalf of all of my colleagues, members of my staff, this memento, this souvenir of this session of our Conference. I have here the gavel which you have used during the Conference inscribed in silver with your name and your title, to bear witness to your presidency of this Conference. May you put this among your treasured souvenirs and may you refer to it in the years which lie ahead with pleasure and with serene contemplation.

Thank you very much.

The PRESIDENT—Mr. Secretary-General, my Vice-Presidents, distinguished delegates, ladies and gentlemen: the Secretary-General has just presented me with this gavel. This is a very welcome gift, and I shall certainly treasure it as a souvenir of this Conference. I did not make much use of this thing during this session, thanks mainly to good behaviour on the part of the delegates. However, I think it will be extremely useful when I go home, for I can use it to subdue my unruly children and perhaps my wife also!

During this session I have imposed the 15-minute time limit on you rather strictly and I think it would be only fair for me to impose upon myself this 15-minute time rule, if only to spare you all the ordeal of listening to any more speeches. It has been my stimulating experience to have presided over this august body of the world's leading mariners, ship-owners and others who are interested in maritime affairs.

During this Conference a few speakers have stressed the international character of the maritime industry. In fact, in no other industry perhaps is international co-operation more needed than in the realm of the shipping industry. It is heartening, therefore, to see people from various parts of the world, regardless of their political ideologies, creed, race or colour, assembled under the aegis of the International Labour Organisation to discuss problems of common interest. Mr. Haugen has just sympathised with me for having had to listen to many speeches and he thought that perhaps it was tedious for me. On the contrary, I listened with the greatest of interest to each and every speech made during the debate on the Report of the Director-General. The debate was of a very high quality and, what is more, was free from bombast or propaganda. I was particularly impressed by speeches made by some of the honourable delegates from newly independent countries, all of which aspire to

build up their merchant marine and to take part in the expansion of world trade in the years to come. I wish them well and I wish them every success in their future endeavours.

When I took this Chair for the first time almost three weeks ago I likened this Conference to a huge ocean-going liner about to embark on the high seas. In looking back over the voyage, which is just about to come to a close, I must say first of all that we have been favoured with unusually fine weather during the entire course of this Conference. I say this not only meteorologically but in a figurative sense, for I know of no other international conference of this size and of this importance in which greater camaraderie and cordiality have prevailed among the delegates attending it. Soon after we set sail I found out that this ship of ours was extremely seaworthy and, moreover, was fitted with a stabiliser in the form of restraint, forbearance and a spirit of mutual accommodation on the part of the groups and delegations. These qualities are worthy of all praise—and in fact they are indispensable if the International Labour Organisation is to continue to be truly world-wide in its scope and in its activities.

I also discovered that this great liner—a very modern ocean-going liner—was fitted with radar and remote control. I refer, of course, to the expert guidance given by the Secretary-General and his staff, who conducted the proceedings of the Conference.

Thus I can say that the co-operation of both the distinguished delegates and the Secretariat has enabled me, insignificant skipper as I am, to bring this ship to its final destination two-and-a-half days ahead of schedule.

All of you will be dispersing again to different parts of the world when the Conference is over. I wish you all God-speed and *bon voyage*. Whenever I contemplate the calm waters of the Lake of Geneva in the years to come I shall always remember this historic Conference and the distinguished delegates who attended it.

Once again I thank you all for the co-operation and assistance you so kindly extended to me.

I now declare closed the 41st Session of the International Labour Conference.

*(The Conference adjourned sine die at 11.30 a.m.).*

## Delegates Present at the Sitting

<i>Argentina :</i> Mr. Lescure Lieutenant-Commander Gómez Ortega Mr. Azqueta	<i>Dominican Republic :</i> Mr. Álvarez Aybar Mr. Paradas	<i>Japan :</i> Mr. Hayashi (substitute for Mr. Kawasaki) Mr. Mori Mr. Yamagata Mr. Kageyama	<i>Spain :</i> Mr. Pastor Tomaseti Mr. Amblés Pipo (sub- stitute for Mr. García de Llera) Mr. Arguimbau (sub- stitute for Mr. de Azqueta Urigüen) Mr. García Ribes
<i>Australia :</i> Mr. Brentwood Captain Bull Mr. Haddy Captain Martin	<i>Finland :</i> Mr. Relander Mr. Tikanvaara Mr. Hallberg Mr. Walläri	<i>Liberia :</i> Mr. Wilson Mr. Cooper Mr. Simonovitch Mr. Cole	<i>Sweden :</i> Mr. Widell Mr. Hartvig Mr. Reuterskiöld Mr. Thore
<i>Austria :</i> Mr. Schellenbacher Mr. Schlaffer Mr. Schlägelbauer Mr. Peham	<i>France :</i> Dr. Cevaer (substitute for Mr. Ramadier) Mr. Roullier Mr. Marchegay Mr. Gruénais	<i>Luxembourg :</i> Mr. Bessling	<i>Switzerland :</i> Mr. Ryniker Mr. Messmer Mr. Ringier (substitute for Mr. Keller) Mr. Hofer
<i>Belgium :</i> Mr. De Kinder Mr. Pluymers Mr. De Bruyn (substitute for Mr. Dufour) Mr. Dekeyzer	<i>Federal Republic of Germany :</i> Mr. Schelp Mr. Fettback Mr. Schuldt Mr. Hildebrand	<i>Mexico :</i> Mr. Mérido Miss Aguirre	<i>Tunisia :</i> Mr. Ladhari Mr. Ben Salem Mr. Sellami
<i>Brazil :</i> Mr. Barboza-Carneiro Mr. de Faria Baptista Mr. Carvalho Mr. Teixeira	<i>Ghana :</i> Mr. Nettey Mr. Mensah	<i>Netherlands :</i> Mr. Valentgoed Mr. Scheffer Mr. van der Vorm Mr. de Vries	<i>Turkey :</i> Mr. Toygar Mr. Yenal Mr. Aymen Mr. Özkan
<i>Bulgaria :</i> Mr. Belinski Mr. Stoyanov	<i>Greece :</i> Commander Goulielmos Commander Antoniadis Mr. Lyras Mr. Petroulis	<i>Norway :</i> Mr. Storhaug (substitute for Judge Bull) Mr. Endresen Captain Loennechen Mr. Haugen	<i>Ukraine :</i> Mr. Slipchenko Mr. Nizhnik Mr. Danchenko Mr. Bakurski
<i>Burma :</i> Mr. Thin Mr. Myint	<i>India :</i> Mr. Nagendra Singh Mr. Merani Mr. Kumana Mr. Serang	<i>Pakistan :</i> Mr. Chaudhuri Mr. Ahmad Mr. Dada Mr. Khatib	<i>U.S.S.R. :</i> Mr. Yefimov (substitute for Mr. Dolinski) Mr. Peretrutov (sub- stitute for Mr. Morozov) Mr. Ragimov Mr. Koetkin
<i>Canada :</i> Captain Johnson Mr. Thomson Mr. Kane Mr. Sheehan	<i>Indonesia :</i> Mr. Siregar Mr. Sanitioso Mr. Harsono Mr. Subianto	<i>Panama :</i> Mr. Ortega Vieto Mr. Philipps Mr. Escobar Bethancourt	<i>United Arab Republic :</i> Mr. Kamel
<i>China :</i> Mr. Yü. Mr. Lee Mr. Sa Mr. Chen	<i>Ireland :</i> Mr. Ó Ríordáin Mr. Crowley	<i>Poland :</i> Mr. Ocioszynski Mr. Licki Mr. Suchorzewski Mr. Skiba	<i>United Kingdom :</i> Mr. Proctor Mr. Haselgrove Sir Richard Snedden Mr. Yates
<i>Colombia :</i> Mr. González	<i>Israel :</i> Mr. Raday Mr. Bar-Zeev Mr. Ivri Mr. Barash	<i>Portugal :</i> Mr. Pedrosa Commander Jorge Mr. de Barros Captain dos Santos	<i>United States :</i> Mr. Jacobs Mr. Rothschild Mr. Casey Mr. Hawk
<i>Cuba :</i> Mr. Camejo Argudín Mr. Lombera Cadalso Mr. Enseñat Polit	<i>Italy :</i> Mr. Berio Mr. Purpura Captain Cavallini Mr. Romagnoli	<i>Rumania :</i> Mr. Lazareanu Mr. Gal Mr. Anzulato Mr. Radulesco	<i>Yugoslavia :</i> Mr. Velimirović Mr. Makiedo Mr. Kesić Mr. Velkaverh
<i>Denmark :</i> Mr. Worm Mr. Lysgaard Mr. Garde Mr. From-Andersen			



**THIRD PART**  
**APPENDICES**





## APPENDICES

### APPENDIX I

#### Reports of the Selection Committee

##### (1) First Report.<sup>1</sup>

###### *Election of Officers.*

The Selection Committee has elected the following officers :

*Chairman* : Mr. Merani (*Government member, India*).

*Employers' Vice-Chairman* : Mr. Casey (*United States*).

*Workers' Vice-Chairman* : Mr. Yates (*United Kingdom*).

###### *Discussion of the Director-General's Report.*

The Selection Committee recommends that the discussion of the Director-General's Report should open on Thursday, 1 May 1958.

In order to ensure the smooth working of the Conference the Selection Committee recommends that delegates who wish to take part in the discussion on the Director-General's Report should hand in their names to the Clerk of the Conference without delay. It also recommends that they should make every effort to be on the spot and ready to speak at the sitting at which they are to be called upon. Speakers will be informed in advance by the Clerk of the Conference of the sitting and the time at which the President is likely to call upon them to speak.

The Selection Committee proposes that the list of speakers should be closed on Tuesday, 6 May 1958, at 6 p.m., it being understood that it will be for the President to decide whether any member of the Conference should be authorised to speak if he has not put his name down or has already spoken.

The Selection Committee, bearing in mind the suggestion to this effect made by the Governing Body of the International Labour Office at its 130th Session (Geneva, November 1955), proposes that the Conference should appeal to speakers in the discussion of the Director-General's Report to concentrate their remarks as far as possible on the Director-General's Report and on the activities of the International Labour Organisation.

##### (2) Second Report.

*The second report was submitted orally to the Conference (see Second Part, p. 10).*

###### ANNEX TO THE SECOND REPORT : COMPOSITION OF COMMITTEES

###### Resolutions Committee

###### *Government members :*

*Australia  
Bulgaria  
Canada  
China  
Cuba  
Denmark  
Dominican Republic  
France  
Federal Republic of Germany  
India  
Italy  
Japan  
Liberia  
Netherlands  
Norway  
Poland  
Rumania  
Spain  
Sweden  
Ukraine  
U.S.S.R  
United Kingdom  
United States  
Yugoslavia*

###### *Employers' members :*

*Mr. Casey ; substitute : Mr. Pennington  
(United States)  
Captain Cavallini ; substitute : Mr. Imbruglia  
(Italy)  
Mr. Dufour ; substitutes : Mr. De Bruyn,  
Mr. Poll, Mr. Baek, Dr. Paynjon (Belgium)  
Mr. Kane (Canada)  
Mr. Kumana ; substitute : Mr. Sanghavi  
(India)  
Captain Loennechen ; substitutes : Mr.  
Hirsch, Captain Hiestand, Mr. Sverdrup  
(Norway)*

<sup>1</sup> See Second Part, p. 10.

Mr. Lyras ; substitute : Mr. Hadjipateras  
(*Greece*)  
Mr. Marchegay ; substitutes : Mr. Peyrot,  
Mr. Laé, Mr. Le Grand (*France*)  
Mr. Reuterskiöld ; substitute : Captain  
Forssblad (*Sweden*)  
Mr. Schuldt ; substitutes : Mr. Schildknecht,  
Captain Breuer, Mr. Röhrig, Mr. Stöcker  
(*Federal Republic of Germany*)  
Sir Richard Snedden ; substitutes : Mr. Carter,  
Mr. Cowper, Mr. Dalglish, Captain  
Forsyth, Mr. Laird, Captain Merrick,  
Mr. Robertson, Mr. Swayne (*United King-  
dom*)  
Mr. van der Vorm ; substitutes : Mr. de  
Graaf, Mr. Beck, Mr. Rombouts, Mr.  
Vermeulen, Mr. Vas Dias (*Netherlands*)

*Deputy members :*

Lieutenant-Commander Gómez Ortega  
(*Argentina*)  
Captain Linnemann (*Denmark*)  
Mr. Ivri ; substitute : Mr. Adler (*Israel*)  
Mr. Yamagata (*Japan*)  
Mr. Simonovitch (*Liberia*)  
Mr. de Barros (*Portugal*)  
Mr. Ringier (*Switzerland*)

*Workers' members :*

Mr. Azqueta (*Argentina*)  
Mr. Barash (*Israel*)  
Mr. Becu (*Belgium*)  
Mr. ben Bouazza (*Morocco*)  
Mr. Haugen (*Norway*)  
Mr. Henle (*United States*)  
Mr. Hildebrand (*Federal Republic of Ger-  
many*)  
Mr. Khatib (*Pakistan*)  
Mr. Sheehan (*Canada*)  
Mr. de Vries (*Netherlands*)  
Mr. Wälläri (*Finland*)  
Mr. Yates (*United Kingdom*)

*Deputy members :*

Mr. Agez (*France*)  
Mr. Bjønness (*Norway*)  
Mr. Bradley (*United Kingdom*)  
Mr. Dekeyzer (*Belgium*)  
Mr. van Driel (*Netherlands*)  
Mr. Hawk (*United States*)  
Mr. Mensah (*Ghana*)  
Mr. Peham (*Austria*)  
Mr. Teixeira (*Brazil*)  
Captain Tennant (*United Kingdom*)  
Mr. Thore (*Sweden*)  
Mr. Wiemers (*Federal Republic of Ger-  
many*)

**Committee on Wages, Hours and Manning**

*Government members :*

*Argentina*  
*Belgium*  
*Brazil*  
*Bulgaria*  
*Burma*  
*Canada*  
*China*

*Colombia*  
*Cuba*  
*Denmark*  
*Finland*  
*France*  
*Federal Republic of Germany*  
*Ghana*  
*Greece*  
*India*  
*Indonesia*  
*Italy*  
*Japan*  
*Liberia*  
*Netherlands*  
*Norway*  
*Pakistan*  
*Poland*  
*Portugal*  
*Rumania*  
*Spain*  
*Sweden*  
*Tunisia*  
*Turkey*  
*Ukraine*  
*U.S.S.R.*  
*United Kingdom*  
*United States*  
*Yugoslavia*

*Employers' members :*

Mr. de Azqueta Urigüen ; substitute : Mr.  
Arguimbau (*Spain*)  
Mr. Casey ; substitute : Mr. Pennington  
(*United States*)  
Captain Cavallini ; substitute : Mr. Imbruglia  
(*Italy*)  
Mr. Garde ; substitute : Captain Linnemann  
(*Denmark*)  
Mr. Haddy ; substitute : Mr. Cross (*Austra-  
lia*)  
Mr. Hallberg (*Finland*)  
Mr. Kane (*Canada*)  
Mr. Kumana ; substitute : Mr. Sanghavi  
(*India*)  
Captain Loennechen ; substitutes : Mr.  
Hirsch, Captain Hiestand (*Norway*)  
Mr. Lyras ; substitute : Mr. Hadjipateras  
(*Greece*)  
Mr. Marchegay ; substitutes : Mr. Peyrot  
Mr. Laé, Mr. Le Grand (*France*)  
Mr. Schuldt ; substitutes : Mr. Schildknecht,  
Captain Breuer, Mr. Röhrig, Mr. Stöcker  
(*Federal Republic of Germany*)  
Sir Richard Snedden ; substitutes : Mr.  
Carter, Mr. Cowper, Mr. Dalglish, Captain  
Forsyth, Mr. Laird, Captain Merrick, Mr.  
Robertson, Mr. Swayne (*United Kingdom*)  
Mr. van der Vorm ; substitutes : Mr. de  
Graaf, Mr. Beck, Mr. Rombouts, Mr.  
Vermeulen, Mr. Vas Dias (*Netherlands*)  
Mr. Yamagata ; substitute : Mr. Obara  
(*Japan*)

*Deputy members :*

Lieutenant-Commander Gómez Ortega  
(*Argentina*)  
Mr. Dufour (*Belgium*)  
Mr. Sa (*China*)  
Mr. Halm (*Ghana*)

Mr. Harsono (*Indonesia*)  
 Mr. Ivri; substitute: Mr. Adler (*Israel*)  
 Mr. Simonovitch (*Liberia*)  
 Mr. Dada (*Pakistan*)  
 Mr. de Barros (*Portugal*)  
 Mr. Reuterskiöld; substitutes: Captain  
 Forssblad, Mr. Granberg (*Sweden*)  
 Mr. Luessi (*Switzerland*)  
 Mr. Aymen (*Turkey*)

#### Workers' members :

Mr. Azqueta (*Argentina*)  
 Mr. Becu (*Belgium*)  
 Mr. Benetatos (*Greece*)  
 Mr. Haugen (*Norway*)  
 Mr. Hawk (*United States*)  
 Mr. Hildebrand (*Federal Republic of  
 Germany*)  
 Mr. Kageyama (*Japan*)  
 Mr. Khatib (*Pakistan*)  
 Captain Martin (*Australia*)  
 Mr. Mensah (*Ghana*)  
 Mr. Romagnoli (*Italy*)  
 Mr. Thore (*Sweden*)  
 Mr. de Vries (*Netherlands*)  
 Mr. Wälläri (*Finland*)  
 Mr. Yates (*United Kingdom*)

#### Deputy members :

Mr. Cassiers (*Belgium*)  
 Captain Dallmann (*Israel*)  
 Mr. van Driel (*Netherlands*)  
 Mr. Fox (*United States*)  
 Mr. From-Andersen (*Denmark*)  
 Mr. Hauge (*Norway*)  
 Mr. Henle (*United States*)  
 Mr. Lycke (*Sweden*)  
 Mr. Majumder (*India*)  
 Mr. Mangiapane (*Italy*)  
 Mr. Matthies (*Federal Republic of Ger-  
 many*)  
 Mr. Nabasama (*Japan*)  
 Mr. Sheehan (*Canada*)  
 Mr. Sinclair (*United Kingdom*)  
 Captain Tennant (*United Kingdom*)

#### Committee on the Engagement of Seafarers

#### Government members :

*Argentina*  
*Australia*  
*Austria*  
*Belgium*  
*Brazil*  
*Bulgaria*  
*Canada*  
*Denmark*  
*Federal Republic of Germany*  
*Ghana*  
*Greece*  
*India*  
*Israel*  
*Italy*  
*Japan*  
*Liberia*  
*Netherlands*  
*Norway*  
*Pakistan*  
*Poland*  
*Portugal*  
*Rumania*

*Spain*  
*Sweden*  
*Tunisia*  
*Turkey*  
*U.S.S.R.*  
*United Kingdom*  
*United States*  
*Yugoslavia*

#### Deputy members :

*Burma*  
*Colombia*

#### Employers' members .

Mr. Aymen (*Turkey*)  
 Captain Cavallini; substitute: Mr. Bria  
 (*Italy*)  
 Mr. Casey; substitute: Mr. Benson (*United  
 States*)  
 Mr. Garde; substitute: Captain Linnemann  
 (*Denmark*)  
 Mr. Kumana; substitute: Mr. Sanghavi  
 (*India*)  
 Mr. Lyras; substitute: Mr. Hadjipateras  
 (*Greece*)  
 Mr. Marchegay; substitutes: Mr. Peyrot,  
 Mr. Laé, Mr. Le Grand (*France*)  
 Mr. Simonovitch; substitutes: Mr. Yancy;  
 Mr. Konsberg (*Liberia*)  
 Sir Richard Snedden; substitutes: Mr.  
 Carter, Mr. Cowper, Mr. Dalglish, Captain  
 Forsyth, Mr. Laird, Captain Merrick,  
 Mr. Robertson, Mr. Swayne (*United King-  
 dom*)  
 Mr. van der Vorm; substitutes: Mr. de  
 Graaf, Mr. Beck, Mr. Rombouts, Mr.  
 Vermeulen, Mr. Vas Dias (*Netherlands*)

#### Deputy members :

Lieutenant-Commander Gómez Ortega  
 (*Argentina*)  
 Mr. Haddy (*Australia*)  
 Mr. Dufour; substitutes: Mr. De Bruyn,  
 Dr. Paynjon, Mr. Baek, Mr. Poll  
 (*Belgium*)  
 Mr. Schudt; substitutes: Mr. Schild-  
 knecht, Captain Breuer, Mr. Röhrig,  
 Mr. Stöcker (*Federal Republic of Ger-  
 many*)  
 Captain Loennechen; substitutes: Mr.  
 Hirsch, Mr. Kraft (*Norway*)  
 Mr. Philipps (*Panama*)  
 Mr. de Barros (*Portugal*)  
 Mr. Reuterskiöld; substitutes: Captain  
 Forssblad, Mr. Granberg (*Sweden*)  
 Mr. Sellami (*Tunisia*)

#### Workers' members :

Mr. Barash (*Israel*)  
 Mr. Bund (*Federal Republic of Germany*)  
 Mr. Cassiers (*Belgium*)  
 Mr. van Driel (*Netherlands*)  
 Mr. From-Andersen (*Denmark*)  
 Mr. Hauge (*Norway*)  
 Mr. Mensah (*Ghana*)  
 Mr. Nishimaki (*Japan*)  
 Mr. Petroulis (*Greece*)  
 Mr. Scott (*United Kingdom*)

*Deputy members :*

Mr. Åkesson (*Sweden*)  
 Mr. Bradley (*United Kingdom*)  
 Mr. Bullock (*Canada*)  
 Mr. Grubba (*Federal Republic of Germany*)  
 Mr. Kirkland (*United States*)  
 Mr. Pronk (*Netherlands*)  
 Mr. Majumder (*India*)  
 Mr. Nilsen (*Norway*)  
 Mr. Romagnoli (*Italy*)  
 Mr. Wilson (*United Kingdom*)

**Committee on Flag Transfer***Government members :*

*Australia*  
*Belgium*  
*Brazil*  
*Burma*  
*Canada*  
*Cuba*  
*Denmark*  
*Finland*  
*France*  
*Federal Republic of Germany*  
*Greece*  
*Ireland*  
*Israel*  
*Italy*  
*Japan*  
*Liberia*  
*Netherlands*  
*Norway*  
*Panama*  
*Poland*  
*Spain*  
*Sweden*  
*U.S.S.R.*  
*United Kingdom*  
*United States*

*Employers' members :*

Mr. Casey ; substitute : Mr. Bischoff (*United States*)  
 Mr. Fornet (*Switzerland*)  
 Captain Loennechen ; substitutes : Mr. Kraft, Mr. Lodding (*Norway*)  
 Mr. Lyras ; substitute : Mr. Hadjipateras (*Greece*)  
 Mr. Philipps (*Panama*)  
 Mr. Reuterskiöld ; substitute : Captain Forssblad (*Sweden*)  
 Mr. Schuldt ; substitutes : Mr. Schildknecht, Captain Breuer, Mr. Röhrig, Mr. Stöcker (*Federal Republic of Germany*)  
 Mr. Simonovitch ; substitutes : Mr. Yancy, Mr. Kongsberg (*Liberia*)  
 Sir Richard Snedden ; substitutes : Mr. Carter, Mr. Cowper, Mr. Dalglish, Captain Forsyth, Mr. Laird, Captain Merrick, Mr. Robertson, Mr. Swayne (*United Kingdom*)  
 Mr. van der Vorm ; substitutes : Mr. de Graaf, Mr. Beck, Mr. Rombouts, Mr. Vermeulen, Mr. Vas Dias (*Netherlands*)

*Deputy members :*

Lieutenant-Commander Gómez Ortega (*Argentina*)

Mr. Dufour (*Belgium*)  
 Mr. Kane (*Canada*)  
 Mr. Garde (*Denmark*)  
 Captain Cavallini (*Italy*)  
 Mr. Yamagata (*Japan*)  
 Mr. de Barros (*Portugal*)  
 Mr. Sellami (*Tunisia*)

*Workers' members :*

Mr. Åkesson (*Sweden*)  
 Mr. Becu (*Belgium*)  
 Mr. Beliard (*France*)  
 Mr. Ferron (*United States*)  
 Mr. Haugen (*Norway*)  
 Mr. Nishimaki (*Japan*)  
 Mr. Petroulis (*Greece*)  
 Mr. de Vries (*Netherlands*)  
 Mr. Wiemers (*Federal Republic of Germany*)  
 Mr. Yates (*United Kingdom*)

*Deputy members :*

Mr. ben Bouazza (*Morocco*)  
 Mr. Bjønness (*Norway*)  
 Mr. Dekeyzer (*Belgium*)  
 Mr. Enseñat Polit (*Cuba*)  
 Mr. Harms (*Netherlands*)  
 Mr. Hildebrand (*Federal Republic of Germany*)  
 Mr. Larsen (*Denmark*)  
 Mr. Serang (*India*)  
 Captain Tennant (*United Kingdom*)  
 Mr. Walläri (*Finland*)

**Committee on Medical Questions***Government members :*

*Argentina*  
*Brazil*  
*Denmark*  
*Finland*  
*France*  
*Federal Republic of Germany*  
*Italy*  
*Netherlands*  
*Norway*  
*Rumania*  
*Sweden*  
*Switzerland*  
*U.S.S.R.*  
*United Kingdom*  
*United States*  
 1 vacant seat

*Deputy members :*

*China*  
*Liberia*  
*Spain*

*Employers' members :*

Mr. Casey ; substitute : Captain Murphy (*United States*)  
 Captain Cavallini ; substitute : Mr. Bria (*Italy*)  
 Mr. Dufour ; substitute : Dr. Paynjon (*Belgium*)  
 Captain Loennechen ; substitutes : Mr. Lodding, Mr. Sverdrup (*Norway*)  
 Mr. Reuterskiöld ; substitute : Mr. Granberg (*Sweden*)

Sir Richard Snedden ; substitutes : Dr. Corbett, Mr. Carter, Mr. Cowper, Mr. Dalglish, Captain Forsyth, Mr. Laird, Captain Merrick, Mr. Robertson, Mr. Swayne (*United Kingdom*)

Mr. van der Vorm ; substitutes : Mr. de Graaf, Mr. Beck, Mr. Rombouts, Mr. Vermeulen, Mr. Vas Dias (*Netherlands*)

Mr. Yamagata ; substitute : Mr. Doi (*Japan*)

*Deputy members :*

Mr. Haddy ; substitute : Mr. Cross (*Australia*)

Mr. Garde (*Denmark*)

Mr. Laé (*France*)

Mr. Lyras (*Greece*)

Mr. Kumana (*India*)

*Workers' members :*

Mr. Åkesson (*Sweden*)

Mr. Annerl (*Federal Republic of Germany*)

Mr. Eggers (*Belgium*)

Mr. Highfield (*United Kingdom*)

Mr. Kuling (*Netherlands*)

Mr. Nabasama (*Japan*)

Mr. Nilsen (*Norway*)

Mr. Teixeira (*Brazil*)

*Deputy members :*

Mr. Becker (*Federal Republic of Germany*)

Mr. Begg (*United Kingdom*)

Mr. Cole (*Liberia*)

Mr. Lerstad (*Norway*)

Mr. Pronk (*Netherlands*)

Captain Martin (*Australia*)

Mr. Nygaard (*Denmark*)

Mr. dos Santos (*Portugal*)

**Committee on Competency Certificates**

*Government members :*

*Australia*

*Belgium*

*Brazil*

*Burma*

*Canada*

*Denmark*

*France*

*Federal Republic of Germany*

*Ghana*

*Indonesia*

*Ireland*

*Italy*

*Netherlands*

*Norway*

*Poland*

*Portugal*

*Spain*

*Sweden*

*Switzerland*

*Turkey*

*Ukraine*

*U.S.S.R.*

*United Kingdom*

*United States*

*Deputy members :*

*Japan*

*Liberia*

*Employers' members :*

Mr. Casey ; substitute : Rear-Admiral Shephard (*United States*)

Mr. Dufour ; substitutes : Mr. Poll, Mr. De Bruyn, Mr. Baek, Dr. Paynjon (*Belgium*)

Mr. Kumana ; substitute : Mr. Sanghavi (*India*)

Captain Loennechen ; substitutes : Captain Hiestand, Mr. Kraft (*Norway*)

Mr. Marchegay ; substitutes : Mr. Peyrot, Mr. Laé, Mr. Le Grand (*France*)

Mr. Schuldt ; substitutes : Mr. Schildknecht, Captain Breuer, Mr. Röhrig, Mr. Stöcker (*Federal Republic of Germany*)

Sir Richard Snedden ; substitutes : Mr. Carter, Mr. Cowper, Mr. Dalglish, Captain Forsyth, Mr. Laird, Captain Merrick, Mr. Robertson, Mr. Swayne (*United Kingdom*)

Mr. van der Vorm ; substitutes : Mr. de Graaf, Mr. Beck, Mr. Rombouts, Mr. Vermeulen, Mr. Vas Dias (*Netherlands*)

*Deputy members :*

Lieutenant-Commander Gómez Ortega (*Argentina*)

Mr. Haddy ; substitute : Mr. Cross (*Australia*)

Captain Cavallini (*Italy*)

Mr. de Barros (*Portugal*)

Mr. Reuterskiöld (*Sweden*)

*Workers' members :*

Mr. Bjønness (*Norway*)

Mr. Cassiers (*Belgium*)

Mr. Harms (*Netherlands*)

Captain Lurvey (*United States*)

Mr. Majumder (*India*)

Captain Martin (*Australia*)

Mr. Meletis (*Greece*)

Captain Tennant (*United Kingdom*)

*Deputy members :*

Mr. Begg (*United Kingdom*)

Mr. Bullock (*Canada*)

Mr. van Driel (*Netherlands*)

Captain Fyhrquist (*Finland*)

Mr. Keil (*Federal Republic of Germany*)

Mr. Larsen (*Denmark*)

Mr. Lerstad (*Norway*)

Mr. Romagnoli (*Italy*)

**Committee on Identity Cards**

*Government members :*

*Australia*

*Belgium*

*Brazil*

*Canada*

*Denmark*

*Federal Republic of Germany*

*Ghana*

*India*

*Italy*

*Japan*

*Liberia*

*Netherlands*

Norway  
Pakistan  
Poland  
Spain  
Sweden  
Tunisia  
Turkey  
Ukraine  
U.S.S.R.  
United Kingdom  
United States  
Yugoslavia

*Deputy members :*

Austria  
China  
Rumania

*Employers' members :*

Mr. Casey ; substitute : Vice-Admiral Spencer  
(United States)  
Mr. Dada (Pakistan)  
Mr. Kumana ; substitute : Mr. Sanghavi  
(India)  
Captain Loennechen ; substitutes : Mr.  
Lodding, Mr. Sverdrup (Norway)  
Mr. Lyras ; substitute : Mr. Hadjipateras  
(Greece)  
Mr. Sa (China)  
Sir Richard Snedden ; substitutes : Mr.  
Carter, Mr. Cowper, Mr. Dalglish, Captain  
Forsyth, Mr. Laird, Captain Merrick,  
Mr. Robertson, Mr. Swayne (United  
Kingdom)  
Mr. Yamagata ; substitute : Mr. Doi (Japan)

*Deputy members :*

Mr. Dufour ; substitutes : Mr. Poll, Mr. De  
Bruyn, Mr. Baek, Dr. Paynjon  
(Belgium)  
Mr. Marchegay (France)  
Mr. Schuldt (Federal Republic of Ger-  
many)  
Mr. Ivri ; substitute : Mr. Adler (Israel)  
Captain Cavallini (Italy)  
Mr. van der Vorm (Netherlands)  
Mr. Reuterskiöld ; substitute : Captain  
Forssblad (Sweden)

*Workers' members :*

Mr. Bjonness (Norway)  
Mr. Chen (China)  
Mr. Dekeyzer (Belgium)  
Mr. van Driel (Netherlands)  
Mr. Grubba (Federal Republic of Germany)  
Mr. Kirkland (United States)  
Mr. Larsen (Denmark)  
Mr. Wilson (United Kingdom)

*Deputy members :*

Mr. Becker (Federal Republic of Germany)  
Mr. ben Bouazza (Morocco)  
Mr. Butcher (United Kingdom)  
Mr. Haugen (Norway)  
Mr. Hawk (United States)  
Mr. Kuling (Netherlands)  
Mr. Nabasama (Japan)  
Mr. Serang (India)

**(3) Third Report.<sup>1</sup>**

*Composition of the Credentials Committee.*

The Selection Committee proposes that the Credentials Committee should be composed of three members, as provided in the Standing Orders of the Conference, as follows :

*Government member :* Mr. Barboza-Carneiro  
(Brazil).

*Employers' member :* Mr. Hirsch (Norway).

*Workers' member :* Mr. Dekeyzer (Belgium).

*Composition of Committees : Changes Proposed by the Groups.*

The Selection Committee recommends that the following changes be made in the composition of the committees :

*Resolutions Committee.* Employers' deputy members : Add Mr. Hallberg (Finland). Add Viscount Botelho and Commander de Oliveira as substitutes for Mr. de Barros (Portugal). Add Mr. Kokubo and Mr. Doi as substitutes for Mr. Yamagata (Japan).

*Committee on Wages, Hours and Manning.* Employers' deputy members : Add Mr. Carvalho (Brazil) and Mr. Albán Liévano (Colombia). Add Viscount Botelho and Commander de Oliveira as substitutes for Mr. de Barros (Portugal). Add Mr. Poll, Mr. De Bruyn, Mr. Baek and Dr. Paynjon as substitutes for Mr. Dufour (Belgium). Add Mr. Konsberg as substitute for Mr. Simonovitch (Liberia).

*Committee on the Engagement of Seafarers.* Employers' members : Add Mr. Bischoff as substitute for Mr. Casey (United States). Employers' deputy members : Add Viscount Botelho and Commander de Oliveira as substitutes for Mr. de Barros (Portugal).

*Committee on Flag Transfer.* Employers' members : Add Mr. Benson as substitute for Mr. Casey (United States). Employers' deputy members : Add Mr. Albán Liévano (Colombia). Add Viscount Botelho and Commander de Oliveira as substitutes for Mr. de Barros (Portugal). Add Mr. Kokubo and Mr. Doi as substitutes for Mr. Yamagata (Japan). Add Mr. Imbruglia as substitute for Captain Cavallini (Italy).

*Committee on Medical Questions.* Employers' members : Add Mr. Baek, Mr. De Bruyn and Mr. Poll as substitutes for Mr. Dufour (Belgium). Employers' deputy members : Delete Mr. Laé (France). Add Mr. Marchegay ; substitutes : Mr. Laé, Mr. Le Grand and Mr. Peyrot (France).

*Committee on Competency Certificates.* Employers' deputy members : Add Viscount Botelho and Commander de Oliveira as substitutes for Mr. de Barros (Portugal). Add Mr. Bria as substitute for Captain Cavallini (Italy). Add Captain Forssblad and Mr. Granberg as substitutes for Mr. Reuterskiöld (Sweden).

*Committee on Identity Cards.* Employers' deputy members : Add Mr. de Graaf, Mr. Beck, Mr. Rombouts, Mr. Vermeulen and Mr. Vas

<sup>1</sup> See Second Part, p. 29.

Dias as substitutes for Mr. van der Vorm (*Netherlands*). Add Mr. Imbruglia as substitute for Captain Cavallini (*Italy*). Add Mr. Laé, Mr. Peyrot and Mr. Le Grand as substitutes for Mr. Marchegay (*France*). Add Mr. Schildknecht, Captain Breuer, Mr. Röhrig, Mr. Stöcker and Captain Ketels as substitutes for Mr. Schuldt (*Federal Republic of Germany*).

#### (4) Fourth Report.<sup>1</sup>

##### *Appointment of the Drafting Committee of the Conference.*

The Selection Committee recommends that, in accordance with the provisions of paragraph 1 of article 6 of the Standing Orders, the Drafting Committee of the Conference be composed as follows:

Mr. Kawasaki, President of the Conference;  
Mr. Morse, Secretary-General of the Conference;  
Mr. Jenks, Assistant Secretary-General of the Conference;  
Mr. Wolf, Legal Adviser of the Conference;  
Mr. Valticos.

The Selection Committee thinks it desirable to remind the Conference that the special drafting committees appointed by committees under the Standing Orders and consisting of one Government delegate, one Employers' delegate, and one Workers' delegate, together with the Reporter or Reporters of the committee and the legal advisers of the Conference, form part of the Drafting Committee of the Conference when proposals submitted to the Conference by the committee concerned are under consideration.

##### *Composition of Committees.*

The Selection Committee recommends that the following changes be made in the composition of the committees:

*Resolutions Committee.* Workers' deputy members: Add Mr. Philipps (*France*).

*Committee on Wages, Hours and Manning.* Government deputy members: Add *Morocco*. Employers' members: Add Mr. Kokubo as substitute for Mr. Yamagata (*Japan*). Employers' deputy members: Add Captain Kahn as substitute for Mr. Sa (*China*). Workers' members: Replace Captain Martin (*Australia*) by Mr. Gruénais (*France*). Workers' deputy members: Replace Mr. Mangiapane (*Italy*) by Mr. Proto (*Italy*); Add Mr. Beliard (*France*).

*Committee on the Engagement of Seafarers.* Government deputy members: Add *Panama*. Workers' deputy members: Replace Mr. Romagnoli (*Italy*) by Mr. Proto (*Italy*); Add Mr. Miniou (*France*).

*Committee on Flag Transfer.* Government deputy members: Add *Morocco* and *United Arab Republic*.

*Committee on Medical Questions.* Government members: Add *United Arab Republic*. Employers' deputy members: Add Mr. Sanghavi as substitute for Mr. Kumana (*India*). Workers' deputy members: Add Mr. Agez (*France*).

*Committee on Competency Certificates.* Workers' deputy members: Replace Mr. Romagnoli (*Italy*) by Mr. Proto (*Italy*); Add Commander Lemoine (*France*).

*Committee on Identity Cards.* Employers' members: Add Captain Kahn as substitute for Mr. Sa (*China*). Workers' members: Replace Mr. van Driel (*Netherlands*) by Mr. Philipps (*France*).

#### (5) Fifth Report.<sup>1</sup>

##### *Composition of Committees.*

The Selection Committee recommends that the following changes be made in the composition of the committees:

*Committee on Wages, Hours and Manning.* Workers' deputy members: Replace Mr. Proto by Mr. Mangiapane (*Italy*).

*Committee on the Engagement of Seafarers.* Workers' deputy members: Replace Mr. Proto by Mr. Romagnoli (*Italy*); Add Mr. Escobar Bethancourt (*Panama*) and Mr. Subianto (*Indonesia*).

*Committee on Medical Questions.* Workers' deputy members: Add Mr. Escobar Bethancourt (*Panama*) and Mr. Subianto (*Indonesia*).

*Committee on Identity Cards.* Government deputy members: Add *Ireland*.

#### (6) Sixth Report.<sup>2</sup>

##### *Composition of Committees*

##### *Request Submitted by Certain Workers' Delegates.*

Mr. Becu, on behalf of the Workers' group, stated that at a previous meeting of the Selection Committee the Chairman of the Workers' group had briefly indicated the reasons why the group had decided, by a majority, not to seat the Workers' representatives from certain States Members of the Organisation on the technical committees of the Conference. On that occasion it had been explained that this decision was reached because the Workers' representatives, being freely elected, felt that they could accept as associates at the Conference only those with whom they could co-operate effectively for the accomplishment of the work of the Conference.

This decision had been taken in the light of the traditional policy of the seafarers' organisations affiliated to the International Transportworkers' Federation, whose representatives constituted the great majority of the Workers' group at the Conference. These organisations held the deep conviction that only freely and democratically elected

<sup>1</sup> See Second Part, p. 50.

<sup>2</sup> See Second Part, p. 88.

<sup>1</sup> See Second Part, p. 34.

representatives could authentically negotiate in the best interests of those for whom they spoke. They were implacably opposed to the totalitarian system in all its forms, under which those who were supposed to represent the workers were not chosen by the workers themselves and consequently were not the freely elected spokesmen of the workers but representatives of the State concerned.

The I.T.F. had solidly supported the I.L.O. throughout its existence in its noble mission of furthering the social advancement of the workers in general and the seafarers in particular. In all circumstances the I.T.F. was desirous of pursuing a policy calculated to strengthen the I.L.O. as an international organisation. The Workers' group felt it to be its duty to demonstrate its adherence to the principle of freely and democratically elected workers' representatives and its condemnation of the totalitarian system. On the other hand, it was anxious to avoid any action which might have adverse effects on the future of the I.L.O. as a universal organisation. In the circumstances, having demonstrated its position on the fundamental principle and wishing to avoid prejudicing the work of the machinery already established by the Governing Body to consider the working of the International Labour Conference, the Bureau of the Workers' group had, without prejudice to the aforementioned traditional policy of the I.T.F., given further consideration to the composition of the technical committees of the present session of the Conference. In order to solve the problem the group was now agreeable to increasing the number of titular seats on the technical committees so as to be able to grant the requests of Workers' delegates who, owing to the limited size of the committees, had so far not been seated, including those from totalitarian countries.

This action would be taken solely in order to avoid possible injury to the I.L.O. and as an indication of the I.T.F.'s concern for the future activities of the Organisation.

The Workers' group accordingly proposed that the following changes be made in the composition of committees :

*Committee on Wages, Hours and Manning.* Workers' members : Add Mr. Bakurski (Ukraine); Mr. ben Bouazza (Morocco); Mr. From-Andersen (Denmark); Mr. Koetkin (U.S.S.R.); Mr. Majumder (India); Captain Martin (Australia); Mr. Radulesco (Rumania); Mr. Skiba (Poland); Captain Tennant (United Kingdom); Mr. Velkaverh (Yugoslavia). Workers' deputy members : Delete Mr. From-Andersen (Denmark); Mr. Majumder (India); Captain Tennant (United Kingdom); Add Mr. Zelenin (U.S.S.R.).

*Committee on the Engagement of Seafarers.* Workers' members : Add Mr. Enseñat Polit (Cuba); Mr. García Ribes (Spain); Mr. Koetkin (U.S.S.R.); Mr. Teixeira (Brazil); Mr. Wälläri (Finland). Workers' deputy members : Add Mr. Zelenin (U.S.S.R.).

*Committee on Flag Transfer.* Workers' members : Add Mr. From-Andersen (Denmark); Mr. Koetkin (U.S.S.R.); Captain Martin (Australia); Mr. Romagnoli (Italy); Mr. Wälläri (Finland). Workers' deputy members : Delete Mr. Wälläri (Finland), Mr. ben Bouazza (Morocco); Add Mr. Zelenin (U.S.S.R.) and Mr. Lakhdar (Morocco).

*Committee on Identity Cards.* Workers' members : Add Mr. Lycke (Sweden); Mr. Majumder (India); Mr. Wälläri (Finland); Mr. Wiszkieles (Poland).

*Resolutions Committee.* Workers' members : Add Mr. Bakurski (Ukraine); Mr. Koetkin (U.S.S.R.); Mr. Romagnoli (Italy); Captain Tennant (United Kingdom). Workers' deputy members : Delete Captain Tennant (United Kingdom); Add Mr. Zelenin (U.S.S.R.).

The Selection Committee recommends the approval by the Conference of these changes proposed by the Workers' group.

#### *Requests Submitted by Certain Employers' Delegates.*

The Selection Committee had before it requests from the following Employers' delegates, under article 9 of the Standing Orders of the Conference, to be placed on committees as titular members :

*Committee on Wages, Hours and Manning.* Mr. Danchenko, Employers' delegate, Ukraine; Mr. Ragimov, Employers' delegate, U.S.S.R.; Mr. Suchorzewski, Employers' delegate, Poland.

*Committee on Identity Cards.* Mr. Kesić, Employers' delegate, Yugoslavia; Mr. Yefimov, Employers' adviser, U.S.S.R.

*Committee on Medical Questions.* Mr. Anzulato, Employers' delegate, Rumania.

After rejecting by 3 votes in favour to 13 against, with 14 abstentions, a proposal by the Polish Government member to place these delegates on the committees as titular members, the Committee, on the proposal of the French Government member, decided by 13 votes to 11, with 15 abstentions, to recommend that these delegates be placed on the committees in question as deputy members.

### (7) Seventh Report.<sup>1</sup>

#### *Composition of Committees.*

The Selection Committee recommends that the following changes be made in the composition of the committees :

*Selection Committee.* Employers' deputy members : Add Mr. Garay as substitute for Mr. de Azqueta Urigüen (Spain).

*Committee on Wages, Hours and Manning.* Employers' members : Add Mr. Garay as substitute for Mr. de Azqueta Urigüen (Spain).

<sup>1</sup> See Second Part, p. 98.



## APPENDIX II

### Credentials

**(1) Brief Report by Mr. Calderón Puig, Chairman of the Governing Body of the International Labour Office, on the Credentials of Delegates and Advisers Appointed to the 41st Session of the International Labour Conference, Geneva, 29 April 1958.**

The Chairman of the Governing Body of the International Labour Office has the honour to present the customary report on the credentials of delegates and advisers as prescribed by article 26 of the Standing Orders of the International Labour Conference.

The composition of each delegation and the method of appointment of delegates and advisers to the sessions of the International Labour Conference are governed by paragraphs 8 and 9 of article 3 of the Constitution of the International Labour Organisation; these paragraphs are as follows:

8. The names of the delegates and their advisers will be communicated to the International Labour Office by the government of each of the Members.

9. The credentials of delegates and their advisers shall be subject to scrutiny by the Conference, which may, by two-thirds of the votes cast by the delegates present, refuse to admit any delegate or adviser whom it deems not to have been nominated in accordance with this article.

Thus, it is for the governments to communicate to the International Labour Office the nominations made. The Conference decides, especially in the case of dispute, whether delegates and advisers have been nominated in accordance with article 3 of the Constitution.

In order to facilitate the verification of credentials, the International Labour Conference has included certain provisions in article 26 of its Standing Orders; this article is as follows:

1. The credentials of delegates and their advisers shall be deposited with the International Labour Office at least 15 days before the date fixed for the opening of the session of the Conference.

2. A brief report upon these credentials, drawn up by the Chairman of the Governing Body, shall, with the credentials, be open to inspection by the delegates on the day before the opening of the session of the Conference and shall be published as an appendix to the record of the first sitting.

3. The Credentials Committee appointed by the Conference in pursuance of article 5 of the Standing Orders of the Conference shall consider any objection concerning the nomination of any delegate or adviser which may have been lodged with the Secretary-General.

4. An objection shall not be receivable in the following cases:

(a) if the objection is not lodged with the Secretary-General within 72 hours from 10 o'clock a.m. of the date of the publication in the *Provisional Record* of

the name and function of the person to whose nomination objection is taken: Provided that the above time limit may be extended by the Credentials Committee in the case of objections to the nomination of a delegate or adviser from a distant country;

(b) if the authors of the objection remain anonymous;

(c) if the objection is based upon facts or allegations which the Conference, by a debate and a decision referring to identical facts or allegations, has already discussed and recognised to be irrelevant or devoid of substance.

5. The procedure for the determination of whether an objection is receivable shall be as follows:

(a) the Credentials Committee shall consider in respect of each objection whether on any of the grounds set forth in paragraph 4 the objection is irreceivable;

(b) if the Committee reaches a unanimous conclusion concerning the receivability of the objection, its decision shall be final;

(c) if the Credentials Committee does not reach a unanimous conclusion concerning the receivability of the objection, it shall refer the matter to the Conference which shall, on being furnished with a record of the Committee's discussions and with a report setting forth the opinion of the majority and minority of its members, decide without further discussion whether the objection is receivable.

6. In every case in which the objection is not declared irreceivable the Credentials Committee shall consider whether the objection is well founded and shall as a matter of urgency submit a report thereon to the Conference.

7. If the Credentials Committee or any member thereof submits a report advising that the Conference should refuse to admit any delegate or adviser, the President shall submit this proposal to the Conference for decision, and the Conference, if it deems that the delegate or adviser has not been nominated in conformity with the requirements of the Constitution, may, in accordance with paragraph 9 of article 3 thereof, refuse by two-thirds of the votes cast by the delegates present to admit the delegate or adviser. Delegates who are in favour of refusing to admit the delegate or adviser shall vote "Yes"; delegates who are opposed to refusing to admit the delegate or adviser shall vote "No".

8. Pending final decision of the question of his admission, any delegate or adviser to whose nomination objection has been taken shall have the same rights as other delegates and advisers.

The following is the text of article 5 of the Standing Orders referred to above:

1. The Conference shall, on the nomination of the Selection Committee, appoint a Credentials Committee, consisting of one Government delegate, one Employers' delegate and one Workers' delegate.

2. The Credentials Committee shall examine the credentials of delegates and their advisers, and any objection relating thereto, in accordance with the provisions of Section B of Part II.<sup>1</sup>

<sup>1</sup> Article 26 cited above constitutes Section B of Part II of the Standing Orders of the Conference.

The present report is submitted in compliance with the provisions quoted above. The list was closed on Monday, 28 April 1958, at 10 a.m., in order that it might be available for inspection by the members of the delegations on the day before the opening of the Conference.

It should be pointed out, as has been done in previous years, that the provisions of article 26 of the Standing Orders are especially intended to facilitate the work of verifying the credentials. They do not have the binding character of the provisions of the Constitution of the Organisation.

Any credentials sent in after the signature of the present report will be communicated to the Conference by the Secretary-General and will be referred by the Conference to the Credentials Committee. This Committee will examine them, together with any objections received by the Officers of the Conference within the time limits laid down in paragraphs 4 and 5 of article 26 of the Standing Orders of the Conference.

The present report serves for fixing provisionally the quorum necessary to give validity to the votes taken. The last paragraph of article 17 of the Constitution provides that—

The voting is void unless the total number of votes cast is equal to half the number of the delegates attending the Conference.

And article 20, paragraph 1 (2), of the Standing Orders of the Conference adds—

This number shall be provisionally fixed after the presentation of the brief report referred to in paragraph 2 of the rules of procedure concerning credentials set forth in article 26. It shall then be determined by the Credentials Committee.

The table opposite, based on the files containing the names of the delegates and advisers and the credentials with which they have been provided, or the official communications transmitted to the International Labour Office, shows the numerical composition of the Conference.

The following observations may be made as regards the nominations of the delegates and advisers. Up to date 39 States have notified the nominations of the members of their delegations. Most of them have already communicated credentials (official instruments) or official letters to the International Labour Office; others have forwarded official telegrams. Although nomination by official letter or telegram is not in accordance with customary diplomatic procedure, the Conference has always considered this method of nomination as satisfactory.

It may be pointed out that five States have so far nominated Government delegates only. One of these States, as well as three other States, has appointed only one Government delegate. One State has so far nominated an Employers' delegate but no Workers' delegate. One State has so far nominated a Workers' delegate but no Employers' delegate.

The Conference and the Credentials Committee have already emphasised on previous occasions that article 3 of the Constitution lays an obligation on each government to send a complete delegation to the Conference.

State	Government delegates	Government advisers	Employers' delegates	Employers' advisers	Workers' delegates	Workers' advisers
Australia . . . . .	1	3	1	1	1	—
Austria . . . . .	2	—	1	—	1	—
Belgium . . . . .	2	2	1	4	1	3
Bulgaria . . . . .	2	—	—	—	—	—
Burma . . . . .	2	—	1	—	—	—
Canada . . . . .	2	2	1	—	1	1
China . . . . .	2	—	1	—	1	—
Colombia . . . . .	1	—	1	—	1	—
Denmark . . . . .	2	1	1	2	1	2
Dominican Republic . . . . .	2	—	—	—	—	—
Finland . . . . .	2	—	1	—	1	1
France . . . . .	2	4	1	3	1	5
Federal Republic of Germany . . . . .	2	3	1	3	1	9
Ghana . . . . .	2	—	1	—	1	—
Greece . . . . .	2	—	1	2	1	2
India . . . . .	2	—	1	1	1	1
Indonesia . . . . .	2	—	1	—	1	—
Ireland . . . . .	2	—	—	—	—	—
Israel . . . . .	2	1	1	1	1	1
Japan . . . . .	2	5	1	3	1	2
Liberia . . . . .	2	—	1	1	1	—
Luxembourg . . . . .	1	—	—	—	—	—
Morocco . . . . .	2	1	—	—	1	1
Netherlands . . . . .	2	4	1	5	1	4
Norway . . . . .	2	2	1	5	1	4
Pakistan . . . . .	1	1	1	—	1	—
Panama . . . . .	2	—	1	—	1	1
Poland . . . . .	2	3	1	—	1	1
Rumania . . . . .	2	—	1	—	1	—
Spain . . . . .	2	3	1	1	1	1
Sweden . . . . .	2	2	1	2	1	2
Switzerland . . . . .	2	—	1	4	1	—
Tunisia . . . . .	2	—	1	—	—	—
Turkey . . . . .	2	—	1	—	1	—
Ukraine . . . . .	2	2	1	—	1	1
U.S.S.R. . . . .	2	8	1	1	1	2
United Kingdom . . . . .	2	9	1	9	1	9
United States . . . . .	2	9	1	6	1	4
Yugoslavia . . . . .	2	2	1	—	1	—
Total . . . . .	74	67	33	54	33	57

It should be noted that in the letters or telegrams communicating their nominations various governments have mentioned the employers' and workers' organisations which they had consulted and with which they have come to an agreement in appointing employers' and workers' delegates in accordance with paragraph 5 of article 3 of the Constitution of the Organisation.

Composition of the Conference, and Quorum.

At present the Conference is composed of 74 Government delegates, 33 Employers' delegates and 33 Workers' delegates—a total of 140 delegates.

There are in addition 67 Government advisers, 54 Employers' advisers and 57 Workers' advisers—a total of 178 advisers.

In the letters communicating the nominations some persons have been nominated both as substitute delegates and as advisers. For the purpose of the above total they have been included among the advisers.

The total number of delegates and advisers who have been nominated in conformity with the provisions of the Constitution of the Organisation to take part in the work of the Conference is 318.

Since one State has nominated an Employers' delegate but no Workers' delegate, and one State has nominated a Workers' delegate but no Employers' delegate, two non-Government delegates are left out of account in the calculation of the quorum.

In conformity with article 17 of the Constitution of the Organisation and with article 20 of the Standing Orders of the Conference, the necessary quorum to give a vote validity will provisionally be 69.

*Representatives of the United Nations, Specialised Agencies, and Other Official International Organisations.*

In accordance with paragraph 1 of article II—relating to reciprocal representation—of the Agreement between the United Nations and the International Labour Organisation, which came into force on 14 December 1946, representatives of the United Nations are attending the Conference.

Up to date the following official international organisations have also accepted the invitation to attend the Conference which was addressed to them in accordance with the decisions taken by the Governing Body :

Office of the High Commissioner for Refugees.  
World Health Organisation.  
Organisation for European Economic Co-operation.  
Intergovernmental Committee for European Migration.  
International Telecommunication Union.

*Representatives of Non-Governmental International Organisations with Which Consultative Relationships Have Been Established.*

Of the non-governmental international organisations with which consultative relationships have been established, the following have already accepted the invitation to attend the Conference which was addressed to them in accordance with the arrangements in force between these organisations and the International Labour Organisation :

International Confederation of Free Trade Unions.  
International Federation of Christian Trade Unions.  
International Organisation of Employers.  
World Federation of Trade Unions.

*Representatives of Non-Governmental International Organisations Which Have Been Invited by the Governing Body to Be Represented at the Conference.*

The following organisation has accepted the invitation to attend the Conference which was addressed to it in pursuance of a decision of the Governing Body :

International Transportworkers' Federation.

**(2) First Report of the Credentials Committee.<sup>1</sup>**

*Composition of the Conference, and Quorum.*

Since the brief report made by the Chairman of the Governing Body of the International Labour Office<sup>2</sup>, the following modifications in the composition of the Conference have occurred :

*Argentina :*

The composition of the Argentine delegation is as follows : two Government delegates, one Government adviser, one Employers' delegate, one Employers' adviser and one Workers' delegate.

*Australia :*

A member of the Australian delegation heretofore designated as a Government adviser has now been appointed the second Government delegate.

*Brazil :*

The composition of the Brazilian delegation is as follows : two Government delegates, three Government advisers, one Employers' delegate and one Workers' delegate.

*China :*

One Employers' adviser has been appointed.

*Cuba :*

The composition of the Cuban delegation is as follows : two Government delegates, one Employers' delegate and one Workers' delegate.

*Federal Republic of Germany :*

Two Employers' advisers have been appointed.

*Italy :*

The composition of the Italian delegation is as follows : two Government delegates, three Government advisers, one Employers' delegate, two Employers' advisers, one Workers' delegate and three Workers' advisers.

*Liberia :*

Two Government advisers and one Employers' adviser have been appointed.

*Pakistan :*

A member of the Pakistan delegation heretofore designated as a Government adviser has now been appointed the second Government delegate. One Government adviser has been appointed.

*Portugal :*

The composition of the Portuguese delegation is as follows : two Government delegates, one Government adviser, one Employers' delegate, two Employers' advisers, one Workers' delegate and one Workers' adviser.

*United Arab Republic :*

One Government delegate has been appointed.

*United Kingdom :*

A Government delegate has been replaced by a member of the delegation heretofore designated as a Government adviser.

<sup>1</sup> See Second Part, p. 148.

<sup>2</sup> See above, p. 207.

*United States :*

One Workers' adviser has been appointed.

*Yugoslavia :*

One Government adviser has been appointed.

The number of Members of the International Labour Organisation represented at the Conference is now 45.

The total number of delegates is 163, comprising 87 Government delegates, 38 Employers' delegates and 38 Workers' delegates.

There are 201 advisers, comprising 76 Government advisers, 63 Employers' advisers and 62 Workers' advisers.

The total number of delegates and advisers is 364.

Since one State has nominated an Employers' delegate but no Workers' delegate, and one State has nominated a Workers' delegate but no Employers' delegate, two non-Government delegates are left out of account in the calculation of the quorum.

The quorum required to give a vote validity is now 81.

The Committee found that all delegates and advisers possessed the necessary documents attesting their nomination.

*Objections concerning the Nomination of the Chinese Delegation to the 41st Session of the International Labour Conference.<sup>1</sup>*

1. Objections to the nomination of the Chinese delegation to the 41st Session of the International Labour Conference have been made by the delegations of Ukraine and the U.S.S.R.

2. The Chinese delegation to the 41st Session of the Conference has been appointed by the Government of the Chinese Republic. Those who have submitted objections consider that China is today lawfully represented only by the Government of the People's Republic of China.

3. Similar objections were presented at the 33rd, 34th, 35th, 36th, 37th, 38th, 39th and 40th Sessions of the International Labour Conference, and similar arguments were put forward by the authors of these objections.

4. On the previous occasions when this question arose the Credentials Committee noted that the General Assembly of the United Nations, by a resolution adopted on 14 December 1950, has recommended that the attitude adopted by the General Assembly should be taken into account in other organs of the United Nations and in the specialised agencies.

5. The Credentials Committee has consistently taken the view that the United Nations and the specialised agencies, including the I.L.O., should if possible adopt a uniform attitude.

6. On all previous occasions the Credentials Committee found that the question was being

examined by the United Nations, that the representatives of the Government of the Republic of China were to be seated in the General Assembly of the United Nations pending a decision of the General Assembly on proposals for their exclusion, and that no decision on such proposals had yet been made. Accordingly, the Committee reported that it was not in a position to accept the objection concerning the nomination of the Chinese delegation.

7. Since the last session of the Conference the question of the representation of China has again been raised before the General Assembly of the United Nations.

8. At its 12th Regular Session, as at previous sessions, the General Assembly of the United Nations adopted a resolution on 24 September 1957 rejecting a request for the inclusion in the agenda of an item entitled "The representation of China in the United Nations", and declining to consider, at the 12th Regular Session, any proposal to exclude the representatives of the Government of the Republic of China or to seat representatives of the Central People's Government of the People's Republic of China.

9. The Credentials Committee considers that no new element has arisen since last year which would cause it to adopt a different position. Accordingly, the Committee unanimously finds that it is not in a position to accept the objection before it, and submits the present report to the Conference in order that the Conference may take note of it.

Geneva, 2 May 1958.

(Signed) J. A. BARBOZA-CARNEIRO,  
Chairman.

H. J. DARRE HIRSCH.

R. DEKEYZER.

**(3) Second Report of the Credentials Committee.<sup>1</sup>**

*Composition of the Conference, and Quorum.*

Since the signature of the first report of the Credentials Committee, the following modifications in the composition of the Conference have occurred :

*Brazil :*

One more Government adviser, one Employers' adviser and one Workers' adviser have been appointed.

*Mexico :*

The delegation of Mexico is composed of two Government delegates.

*Panama :*

There is one Government adviser more and one Workers' adviser less than previously stated.

<sup>1</sup> See Second Part, p. 148.

<sup>1</sup> In accordance with the usual practice the texts of the objections which the Credentials Committee had before it, together with the replies of the delegates concerned, can be consulted in the office of the Secretariat of the Credentials Committee.

*Spain :*

One Employers' adviser has been appointed.

The number of Members of the International Labour Organisation represented at the Conference is now 46.

The total number of delegates is 165, comprising 89 Government delegates, 38 Employers' delegates and 38 Workers' delegates.

There are 205 advisers, comprising 78 Government advisers, 65 Employers' advisers and 62 Workers' advisers.

The total number of delegates and advisers is 370.

The quorum required to give a vote validity has now risen to 82.

*Objection to the Nomination of the Workers' Delegation of India to the 41st Session of the International Labour Conference.*

1. By letter dated 28 April 1958 the United Seafarers' Federation, Bombay, submitted an objection to the credentials of the Indian Workers' delegate and adviser to the 41st Session of the International Labour Conference.

2. Both the Indian Workers' delegate and adviser are members of the National Union of Seamen of India. The delegate is General Secretary, and the adviser Section Secretary.

3. The objection challenges the very existence of the National Union of Seamen of India and asserts that it is a fictitious amalgamation of the National Seamen's Union and the Seamen's Union, Bombay. The two latter organisations are said in fact to continue as two separate entities. The objection accordingly challenges the representative character of the delegate and adviser concerned. In addition the objection refers to Advisory Opinion No. 1 of the Permanent Court of International Justice handed down on 31 July 1922 according to which "Numbers are not the only test of the representative character of the organisations . . ." although they are an "important factor".

4. The Credentials Committee found that the objection had been lodged within the prescribed time limit and that it was therefore receivable.

5. As has been done in prior years, the Credentials Committee decided to submit the objection to the Indian Government delegation and to the Indian Workers' delegation for such observations as they might deem appropriate. Both the Indian Government delegation and the Indian Workers' delegation have replied to the request and have submitted their written observations to the Credentials Committee.

6. In substance these replies state that the delegate and adviser whose credentials are challenged have been chosen in agreement with the Indian National Trade Union Congress. The representatives of the latter have been attending the annual sessions of the Conference as Workers' delegates and advisers for

the last several years, and it appears to be the most representative all-India organisation of workers. It is further stated that the nominations of the Indian Workers' delegate and adviser were sponsored by the National Union of Seamen of India, asserted to be the largest and most representative Indian seafarers' organisation, and thereafter endorsed by the Indian National Trade Union Congress. The replies therefore conclude that the Indian Workers' delegate and adviser have been selected in accordance with the requirements of the Constitution of the International Labour Organisation.

7. The Credentials Committee has also received a copy of a letter dated 17 April 1958 from the Seamen's Association, Bombay, to the Indian Minister for Shipping, as well as a letter dated 25 April 1958 from the Maritime Union of India alleging that certain members of the Indian delegation have not had the requisite experience to properly discharge their duties.

8. In the light of the documents thus before it and taking into account the difficulty it faces in obtaining other factors of assessment, the Credentials Committee found it difficult to pass judgment on the factual aspects of the objection. However, in view of the explanations given to the Committee, it did not find itself in a position to conclude that the Indian Government had acted in violation of the provisions of the Constitution of the International Labour Organisation in appointing the Indian Workers' delegate and adviser.

9. The objection also challenges the credentials of the Indian Workers' delegate and adviser on the ground that they were not deposited with the International Labour Office at least 15 days prior to the opening of the Conference. The Credentials Committee would like to emphasise that the Standing Orders of the Conference (article 26, paragraph 1) do in fact provide that the credentials of delegates and their advisers must be so deposited. The Credentials Committee feels strongly that governments should endeavour to comply with this requirement so as to facilitate the organisation of the Conference. However, the Credentials Committee does not feel that this is a point going to the validity of credentials and therefore cannot on this ground declare the credentials void.

10. Accordingly the Credentials Committee unanimously decided to reject the objection to the credentials of the Indian Workers' delegate and adviser to the 41st Session of the International Labour Conference.

Geneva, 7 May 1958.

(Signed) J. A. BARBOZA-CARNEIRO,  
Chairman.

H. J. DARRE HIRSCH.  
R. DEKEYZER.

## APPENDIX III

### Resolutions

#### (1) Resolutions Submitted in Accordance with Article 17 of the Standing Orders of the Conference.

##### RESOLUTION CONCERNING REFUGEE SEAFARERS, SUBMITTED BY MR. DE VRIES, WORKERS' DELEGATE, NETHERLANDS

The General Conference of the International Labour Organisation,

Considering that the plight of the thousands of refugee seafarers sailing under the flags of foreign nations is in many cases a sad and desperate one, and

Recalling that the problem has been a subject of discussion at various sessions of the Joint Maritime Commission, resulting in recommendations to governmental authorities, as well as to organisations of shipowners and seafarers, to make what contribution they could to the solution of the problem;

Notes with warm satisfaction that the governments of eight Western European countries have, at the initiative of the Netherlands Government, entered into an Agreement which goes a long way towards solving the problem of the refugee seafarers as far as these countries are concerned, and expresses the earnest hope that other countries will, by adding their signatures to the Agreement, play their part in making the solution as complete as possible.

##### RESOLUTION CONCERNING WELFARE IN PORT, SUBMITTED BY MR. KAGEYAMA, WORKERS' DELEGATE, JAPAN

The General Conference of the International Labour Organisation,

Considering that there is a growing and urgent need to deal with the question of seafarers' welfare in port on a world scale,

Whereas resolutions have been adopted over the years by the Joint Maritime Commission and the International Labour Conference stressing the role to be played by governments in the sphere of seafarers' welfare and calling upon them to devote attention to the matter, in consultation with organisations of shipowners and seafarers,

Whereas the Asian Regional Maritime Conference (Nuwara Eliya, 1953) considered the problem from the special point of view of the large numbers of Asian seafarers serving in foreign ships and visiting foreign ports and stressed the need for organised efforts to deal with this aspect of welfare in port;

Warmly welcomes the setting up of a Tripartite Subcommittee of the Joint Maritime Commission with the special task of dealing with seafarers' welfare in port; and

Requests the Governing Body of the International Labour Office—

- (a) to convene the Subcommittee as soon as possible in order that it may make proposals for giving effect to the resolutions which have been adopted on the subject of seafarers' welfare over the years, and
- (b) to carry out the study of welfare facilities for Asian seamen in non-Asian ports on the lines envisaged at the above-mentioned Asian Regional Maritime Conference.

##### RESOLUTION CONCERNING WELFARE SERVICES FOR SEAFARERS ON BOARD SHIP, SUBMITTED BY MR. BAKURSKI, WORKERS' DELEGATE, UKRAINE

The General Conference of the International Labour Organisation,

Noting the substantial progress achieved in the last ten years in seafarers' welfare in the ports of the various States Members of the International Labour Organisation,

Noting nevertheless that welfare services for seafarers on board ship still fail to reach the necessary standard,

Taking into account the fact that the introduction of mechanisation in loading and unloading operations results in a reduction of the time spent in port and limits the possibility of using seafarers' welfare services in ports,

Taking account also of the fact that, as a consequence of the reduction of hours of work of seafarers in certain cases, problems arise in connection with the use of their additional leisure time which call for the introduction of further improvements in the welfare services for seafarers on board ship,

Considering likewise that there are at present no international standards governing the organisation and methods of work of welfare services for seafarers on board ship;

Asks the Director-General of the International Labour Office to prepare a report on the present state of welfare services for seafarers on board the ships of States Members of the International Labour Organisation; and

Requests the Governing Body of the International Labour Office, after consulting the

Joint Maritime Commission, to place the question of welfare services for seafarers on board ship on the agenda of an Ordinary Session of the General Conference of the International Labour Organisation with a view to the drafting and adoption of an appropriate Recommendation.

RESOLUTION CONCERNING HEALTH AND HYGIENE ON BOARD SHIP, SUBMITTED BY MR. YATES, WORKERS' DELEGATE, UNITED KINGDOM

The General Conference of the International Labour Organisation,

Considering the great importance of measures to protect health and to provide medical facilities on board ship,

Considering the valuable contribution made in this field, especially in its socio-medical aspects, by the I.L.O.-W.H.O. Joint Committee on the Hygiene of Seafarers,

Considering the desirability of this work being carried on with the utmost speed and vigour ;

Expresses its deep appreciation of the substantial progress achieved in this sphere and requests the Governing Body of the International Labour Office to take steps to ensure that the I.L.O.-W.H.O. Joint Committee meets as frequently as possible.

RESOLUTION CONCERNING CREW ACCOMMODATION, SUBMITTED BY MR. YATES, WORKERS' DELEGATE, UNITED KINGDOM, AND CAPTAIN TENNANT, WORKERS' ADVISER, UNITED KINGDOM

The General Conference of the International Labour Organisation,

Considering that the Convention concerning crew accommodation on board ship which was adopted by the International Labour Conference at its 28th Session (Seattle, 1946) and revised at its 32nd Session (Geneva, 1949) has contributed greatly to the improvement of the standards of accommodation on board ship,

Whereas the developments which have taken place in the intervening years in the design and construction of ships make it desirable to examine the question of crew accommodation once more from an international point of view, and

Whereas certain of these developments, such as the application of the principles of air conditioning on board ship, should be taken advantage of also in relation to crews' quarters ;

Requests the Governing Body of the International Labour Office to undertake a study of the question of crew accommodation, with special reference to the possibilities of air conditioning, and to refer the question to an early session of the Joint Maritime Commission for further consideration.

RESOLUTION CONCERNING ATOMIC POWER AND SHIPPING, SUBMITTED BY MR. YATES, WORKERS' DELEGATE, UNITED KINGDOM, AND CAPTAIN TENNANT, WORKERS' ADVISER UNITED KINGDOM

The General Conference of the International Labour Organisation,

Noting present trends towards the utilisation of atomic power for propulsion and other purposes on board ship and the use made of ships for carrying raw materials for atomic fuel or cargoes with radioactive contents, and

Recalling the risks of radioactivity which are inherent in developments of this kind not only to the crews and others on board the ships concerned but also to shipping in the vicinity and to port and other areas which are visited by ships carrying radioactive materials ;

Requests the Governing Body of the International Labour Office to make a study of the problems created by the application of atomic power to shipping and to prepare for the early consideration of the Joint Maritime Commission draft instruments designed to provide seafarers with protection against the risks in question.

RESOLUTION CONCERNING LIMITATION OF SHIPOWNERS' LIABILITY, SUBMITTED BY MR. YATES, WORKERS' DELEGATE, UNITED KINGDOM, AND CAPTAIN TENNANT, WORKERS' ADVISER, UNITED KINGDOM

The General Conference of the International Labour Organisation,

Noting the adoption by an Intergovernmental Diplomatic Conference held in Brussels in October 1957 of an International Convention relating to the Limitation of the Liability of Owners of Sea-going Ships,

Considering that that Convention is of interest to the I.L.O. in view of the fact that it both limits the liability of seafarers and protects their claims against the shipowner,

Noting with regard to the first point that the Brussels Convention provides that its provisions shall apply "to the master, members of the crew and other servants of the owner, charterer, manager or operator acting in the course of their employment", and that "such persons may limit their liability even if the occurrence which gives rise to the claims resulted from the actual fault or privity of one or more of such persons",

Noting with regard to the second point that the Brussels Convention raises the limit of liability of the shipowner in respect of personal claims to 3,100 gold francs for each ton of the ship's tonnage,

Noting further that the Convention provides that the limitation of liability shall not apply "to claims by the master, by members of the crew, by any servants of the owner on board the ship or by servants of the owner whose duties are connected with the ship, including the claims of their heirs, personal representatives or dependants, if under the law governing



the contract of service between the owner and such servants the owner is not entitled to limit his liability in respect of such claims or if he is by such law only permitted to limit his liability to an amount greater than that provided for in Article 3 of this Convention",

Noting however that the fund, consisting in the total sum representing the limits of liability, which may be constituted when the aggregate of claims on any occasion exceeds the limits of liability, is available only for the payment of claims in respect of which limitation of liability can be invoked ;

(1) Expresses its satisfaction, first, that the Convention fixes limits for the liability of owners of sea-going ships which improve the protection of injured parties, and, secondly, that the Convention admits the principle of the limitation of the liability of master and crew ;

(2) Recommends that each Member of the International Labour Organisation should ratify or accede to the International Convention relating to the Limitation of the Liability of Owners of Sea-going Ships, signed at Brussels on 10 October 1957 ;

(3) Urges States to provide in their national laws and regulations that the owners of sea-going ships are not entitled to limit their liability in respect of claims by the master, members of the crew and other servants of the owner employed on board the ship or in connection with the ship, including claims of their heirs, personal representatives or dependants ;

(4) Expresses the wish that owners of sea-going ships will take measures to ensure, in particular by means of insurance, that funds are available in all circumstances to meet in their entirety the claims of master, crew and other persons employed by them on board or in connection with the vessel ;

Considering that those aspects of shipowners' liability which affect seafarers and other categories of workers in their capacities of persons in the employment of shipowners are of a character which brings them within the competence of the International Labour Office ;

Requests the Governing Body of the International Labour Office—

(1) To bring it about that in future the question of shipowners' liability towards seafarers and other persons in their employment should be dealt with through the International Labour Office ;

(2) To refer this aspect of the matter to the Joint Maritime Commission for consideration ;

Finally, requests the Director-General of the International Labour Office to transmit a copy of this resolution to each Member of the International Labour Organisation, as well as to the International Maritime Committee.

RESOLUTION CONCERNING THE MANNING OF SHIPS, SUBMITTED BY MR. HAUGEN, WORKERS' DELEGATE, NORWAY, MR. DEKEYZER, WORKERS' DELEGATE, BELGIUM, AND MR. BECU, WORKERS' ADVISER, BELGIUM

The General Conference of the International Labour Organisation,

Noting that the maritime legislation of many countries dates from a period when shipping, both as regards the volume and density of traffic and the size and complexity of individual ships, was far less developed than today,

Whereas in consequence the statutory provisions concerning the manning standards of ships are in many respects completely obsolete and bear no relation to present-day requirements from the point of view either of navigational safety or efficient operation,

Whereas the lack of adequate provisions on manning encourages tendencies to man ships in a manner which sometimes endangers the safety of shipping and imposes hardship upon crews, and

Whereas the International Conference on the Safety of Life at Sea (London, 1948) adopted a Recommendation which suggested that the International Labour Organisation, and also the Intergovernmental Maritime Consultative Organisation, when formed, should give consideration to the question of minimum standards of manning on board ship ;

Requests the Governing Body of the International Labour Office to undertake a study of the standards of manning prescribed by law or collective agreements and of those actually obtaining in different countries, and to refer the question to the Joint Maritime Commission for further consideration.

RESOLUTION CONCERNING FISHERMEN'S QUESTIONS, SUBMITTED BY MR. DEKEYZER, WORKERS' DELEGATE, BELGIUM

The General Conference of the International Labour Organisation,

Considering that it is not practicable to deal with fishermen's questions through Maritime Sessions of the International Labour Conference, firstly because of the long intervals between such sessions, and secondly because under existing arrangements Maritime Conferences are not competent to legislate for the fishing industry,

Considering, further, that it is equally difficult to refer fishermen's questions to Ordinary Sessions of the International Labour Conference, owing to the many other industries competing for the time of the Conference, and

Regretting the virtual impossibility, consequently, of devoting adequate attention to fishermen's questions through the International Labour Organisation ;

Requests the Governing Body of the International Labour Office to consider, in consultation with the interests concerned, the possibility of establishing a Tripartite Subcommittee of the Joint Maritime Commission to deal with fishermen's questions.

RESOLUTION CONCERNING SAFETY OF LIFE AT SEA, SUBMITTED BY MR. THORE, WORKERS' DELEGATE, SWEDEN, AND MR. ÅKESSON, WORKERS' ADVISER, SWEDEN

The General Conference of the International Labour Organisation,

Considering the desirability of bringing up to date the Convention concerning the Safety



of Life at Sea, 1948, with a view, on the one hand, to taking the fullest possible advantage of the latest developments in the techniques and devices for promoting safety and rescuing life at sea, such as radar and other modern navigational aids and inflatable life-rafts and, on the other hand, to discouraging certain tendencies which are not in the interests of safety at sea, such as the elimination or reduction of the role of the human factor in radio communications at sea ;

Welcomes the prospect of another Diplomatic Conference on Safety of Life at Sea being held in the near future, and requests the Governing Body of the International Labour Office—

- (a) to suggest the participation not only of shipowners' and seafarers' representatives in the national delegations of countries but also of representatives from the Joint Maritime Commission in a consultative capacity ;
- (b) to refer the question of safety of life at sea to an early session of the Joint Maritime Commission in order that it may formulate any proposals which it may wish to sponsor on the subject.

**RESOLUTION CONCERNING THE JOINT MARITIME COMMISSION, SUBMITTED BY MR. HILDEBRAND, WORKERS' DELEGATE, FEDERAL REPUBLIC OF GERMANY**

The General Conference of the International Labour Organisation,

Having regard to the fact that there are a number of important social questions affecting seafarers concerning which resolutions have been adopted by the 41st Session of the International Labour Conference and concerning which the International Labour Office has been requested to carry out studies,

Considering that these questions should be further pursued with as little delay as possible ;

Requests the Governing Body of the International Labour Office to convene a session of the Joint Maritime Commission at an early date in consultation with the parties concerned.

**RESOLUTION CONCERNING THE JOINT MARITIME COMMISSION, SUBMITTED BY MR. GRUENAI, WORKERS' DELEGATE, FRANCE**

The General Conference of the International Labour Organisation,

Recalling that the members of the Joint Maritime Commission are nominated by the International Labour Conference at sessions dealing with maritime questions, and that there are very long intervals between such sessions, during which changes of all kinds may occur, and

Noting the trade union situation in many States Members of the International Labour Organisation, and

Considering that, although the system of joint negotiation proves satisfactory in many countries, the experience of the Joint Maritime Commission shows that it is not the best system internationally ;

Requests that—

- (a) a tripartite maritime commission be set up in place of the Joint Maritime Commission ;
- (b) the number of members of the commission, the duration of their term of office and the distribution of seats be determined in the light of the importance of the shipping industry in the different countries and taking account of the different regions of the world ;
- (c) the members of the commission be appointed, in accordance with the Constitution of the International Labour Organisation, in the light of the strength of the trade union organisations.

**RESOLUTION CONCERNING THE DISCONTINUANCE OF TESTS OF ATOMIC AND THERMONUCLEAR WEAPONS ENDANGERING THE SAFETY OF SHIPPING AND CONSTITUTING A THREAT TO THE LIVES OF SEAFARERS, SUBMITTED BY MR. DOLINSKI, GOVERNMENT DELEGATE, U.S.S.R.**

The General Conference of the International Labour Organisation,

Expressing its deep anxiety at the continuance of tests of nuclear weapons which poison the atmosphere and the earth, have a damaging effect on the health of present and future generations of mankind, and contaminate the seas and oceans,

Taking account of the deep anxiety felt by seafarers as a result of the tests of atomic and thermonuclear weapons which continue to be undertaken at sea and which endanger shipping and threaten seafarers' lives,

Recalling that workers engaged in their peaceful pursuits at sea were the first to suffer the fatal results of tests of nuclear weapons,

Considering that the discontinuance of tests of nuclear weapons would remove this threat, would ensure the safety of shipping, would satisfy the desires of the peoples of the world, and would conform to the humanitarian aims of the International Labour Organisation,

Noting with satisfaction the decision of the Supreme Soviet of the U.S.S.R. concerning the unilateral discontinuance by the Soviet Union of tests of atomic and thermonuclear weapons, a decision inspired by feelings of equity and humanity and by the desire to ensure lasting world peace ;

Appeals to the governments of States Members of the International Labour Organisation possessing nuclear weapons to support this initiative, which meets with the aspirations of all peoples, and, in the interests of humanity as a whole, to discontinue their tests of these weapons.

**(2) First Report of the Resolutions Committee.<sup>1</sup>**

1. The Resolutions Committee, which was set up by the Conference at its third sitting on 30 April 1958, consisted of 52 members

<sup>1</sup> See Second Part, p. 149.

(24 Government members, 12 Employers' members and 16 Workers' members). Each Government member had two votes, each Employers' member four votes and each Workers' member three votes.

2. At its first sitting the Committee elected its Officers as follows :

*Chairman and Reporter* : Mr. Brentwood, Government member, Australia.

*Vice-Chairmen* : Mr. Kumana, Employers' member, India, and Mr. Yates, Workers' member, United Kingdom.

3. Thirteen resolutions were submitted in accordance with article 17 of the Standing Orders of the Conference.<sup>1</sup>

4. At its second, third and fourth sittings the Committee reached the following conclusions :

RESOLUTION CONCERNING REFUGEE  
SEAFARERS, SUBMITTED BY MR. DE VRIES,  
WORKERS' DELEGATE, NETHERLANDS

5. The Committee first examined the text of the resolution submitted by Mr. de Vries, Workers' delegate, Netherlands. The Netherlands Government member submitted an amendment the purpose of which was to encourage the accession of member States of the I.L.O. to The Hague Agreement relating to Refugee Seamen as well as to request their assistance in informing refugee seafarers of the possibility of regularising their position under this Agreement. Mr. de Vries associated himself with the text of the amendment.

6. In order to avoid objections raised by the Government members of the United States and Australia to the inclusion of paragraph 5 of the amendment, it was decided that the word "accede" which originally appeared in the amendment should be replaced by the words "give consideration to the possibility of acceding".

7. The Italian Government member stated that while his Government appreciated the human and social problems covered in the resolution, he would have to abstain from voting owing to the unemployment situation in his country.

8. The Committee proceeded to vote on the text submitted by the Netherlands Government member, as amended, which was adopted by 117 votes to 0, with 18 abstentions.

9. Consequently the Committee decided to recommend to the Conference the adoption of the resolution, which reads as follows :

"The General Conference of the International Labour Organisation,

"Considering the plight of the refugee seafarers who are not entitled to admission to stay lawfully in the territory of any State,

"Recalling that the problem has been a subject of discussion at various sessions of the Joint Maritime Commission, resulting in recommendations to governmental author-

ities, as well as to the organisations of ship-owners and seafarers, to make all possible contribution to the solution of the problem ;

"Notes with warm satisfaction that the governments of eight Western European countries have, on the initiative of the Netherlands Government, drawn up and signed an Agreement relating to Refugee Seamen, concluded at The Hague on 23 November 1957, which contributes considerably to the solution of this problem ;

"Expresses the hope that governments of States which are Members of the International Labour Organisation will give consideration to the possibility of acceding to that Agreement ;

"Calls upon governmental authorities, as well as organisations of shipowners and seafarers, to inform refugee seafarers of the possibilities of regularising their position offered to them by this Agreement ;

"Requests the Director-General of the International Labour Office to co-operate with the United Nations High Commissioner for Refugees with a view to the implementation and application of the Agreement and in further efforts for a complete solution of this serious human problem."

RESOLUTION CONCERNING WELFARE IN  
PORT, SUBMITTED BY MR. KAGEYAMA,  
WORKERS' DELEGATE, JAPAN

10. The Committee examined the text of the resolution submitted by Mr. Kageyama, Workers' delegate, Japan. An amendment to the last paragraph of the resolution was submitted by the United Kingdom Employers' member. This amendment was adopted subject to minor changes in drafting. The resolution as a whole, as amended, was adopted unanimously.

11. Consequently the Committee decided to recommend to the Conference the adoption of the resolution, which reads as follows :

"The General Conference of the International Labour Organisation,

"Considering that there is a growing and urgent need to deal with the question of seafarers' welfare in port on a world scale,

"Whereas resolutions have been adopted over the years by the Joint Maritime Commission and the International Labour Conference stressing the role to be played by governments in the sphere of seafarers' welfare and calling upon them to devote attention to the matter, in consultation with organisations of ship-owners and seafarers,

"Whereas the Asian Maritime Conference (Nuwara Eliya, 1953) considered the problem from the special point of view of the large numbers of Asian seafarers serving in foreign ships and visiting foreign ports and stressed the need for organised efforts to deal with this aspect of welfare in port ;

"Warmly welcomes the setting up of a Tripartite Subcommittee of the Joint Maritime Commission with the special task of dealing with seafarers' welfare ; and

<sup>1</sup> See above, p. 212.

"Requests the Governing Body of the International Labour Office to convene the Subcommittee as soon as possible in order that it may make proposals for giving effect to the resolutions which have been adopted on the subject of seafarers' welfare over the years, including the study of welfare facilities for Asian seamen in non-Asian ports."

RESOLUTION CONCERNING WELFARE SERVICES  
FOR SEAFARERS ON BOARD SHIP, SUBMITTED  
BY MR. BAKURSKI,  
WORKERS' DELEGATE, UKRAINE

12. The Committee examined the text of the resolution submitted by Mr. Bakurski, Workers' delegate, Ukraine. The majority of the Workers' members considered that the content of this resolution was more effectively covered by the resolution concerning welfare referred to above.

13. A vote was then taken on the question whether the adoption of the resolution was expedient within the meaning of article 17, paragraph 4 (c), of the Standing Orders of the Conference. By 110 votes to 18, with 7 abstentions, the Committee decided that the adoption of the resolution was not expedient.

14. The Committee decided to recommend to the Conference that this resolution should not be taken into consideration.

RESOLUTION CONCERNING HEALTH AND  
HYGIENE ON BOARD SHIP, SUBMITTED BY  
MR. YATES, WORKERS' DELEGATE,  
UNITED KINGDOM

15. The Committee examined the text of the resolution submitted by Mr. Yates, Workers' delegate, United Kingdom. An amendment to the final paragraph was submitted by the United Kingdom Government member and was unanimously adopted.

16. The Committee then adopted unanimously the text as amended.

17. Consequently the Committee decided to recommend to the Conference the adoption of the resolution, which reads as follows :

"The General Conference of the International Labour Organisation,

"Considering the great importance of measures to protect health and to provide medical facilities on board ship,

"Considering the valuable contribution made in this field, especially in its socio-medical aspects, by the I.L.O.-W.H.O. Joint Committee on Hygiene of Seafarers,

"Considering the desirability of this work being carried on with the utmost speed and vigour ;

"Expresses its deep appreciation of the substantial progress achieved in this sphere and requests the Governing Body of the International Labour Office to consider the possibility of arranging an early meeting of the Joint Committee."

RESOLUTION CONCERNING CREW  
ACCOMMODATION, SUBMITTED BY MR. YATES,  
WORKERS' DELEGATE, UNITED KINGDOM, AND  
CAPTAIN TENNANT, WORKERS' ADVISER,  
UNITED KINGDOM

18. The Committee examined the text of the resolution submitted by Mr. Yates, Workers' delegate, United Kingdom, and Captain Tennant, Workers' adviser, United Kingdom.

19. An amendment was submitted by the Employers' members of the Committee to replace the last three paragraphs of the resolution by two new paragraphs. This amendment was adopted unanimously after minor drafting changes.

20. The Committee adopted unanimously the text thus amended.

21. Consequently the Committee decided to recommend to the Conference the adoption of the resolution, which reads as follows :

"The General Conference of the International Labour Organisation,

"Considering that the Convention concerning crew accommodation on board ship which was adopted by the International Labour Conference at its 28th Session (Seattle, 1946) and revised at its 32nd Session (Geneva, 1949) has contributed greatly to the improvement of the standards of accommodation on board ship, and

"Considering further that the principles of air conditioning on board ship should be investigated with a view to their application to crews' quarters ;

"Requests the Governing Body of the International Labour Office to initiate a study of the question of air conditioning in relation to crew accommodation and to refer the question to an early session of the Joint Maritime Commission for further consideration."

RESOLUTION CONCERNING THE MANNING  
OF SHIPS, SUBMITTED BY  
MR. HAUGEN, WORKERS' DELEGATE, NORWAY,  
MR. DEKEYZER, WORKERS' DELEGATE,  
BELGIUM, AND MR. BECU,  
WORKERS' ADVISER, BELGIUM

22. The Committee examined the text of the resolution submitted by Mr. Haugen, Workers' delegate, Norway, Mr. Dekeyzer, Workers' delegate, Belgium, and Mr. Becu, Workers' adviser, Belgium.

23. An amendment was submitted by the Netherlands Government member with a view to inserting in the preamble of the resolution a reference to the relevant provisions in the Convention on the High Seas, signed at Geneva in April 1958. This amendment was unanimously adopted.

24. The United States Government member submitted an amendment with a view to deleting the second, third and fourth paragraphs of the original text and replacing the word "Whereas" in the fifth paragraph by the words "Noting that". A similar amendment was submitted by the Employers' members of the Committee. These amendments were also adopted unanimously.

25. The Committee unanimously adopted the text as amended with a minor drafting change in the last paragraph.

26. Consequently the Committee decided to recommend to the Conference the adoption of the resolution, which reads as follows :

“The General Conference of the International Labour Organisation,

“Noting that the Convention on the High Seas (Geneva, 1958) provides that every State shall take such measures for ships under its flags as are necessary to ensure safety at sea with regard, *inter alia*, to the manning of ships,

“Noting that the International Conference on the Safety of Life at Sea (London, 1948) adopted a Recommendation which suggested that the International Labour Organisation, and also the Intergovernmental Maritime Consultative Organisation, when formed, should give consideration to the question of minimum standards of manning on board ship ;

“Requests the Governing Body of the International Labour Office to initiate a study of the standards of manning prescribed by law or collective agreements and of those actually obtaining in different countries and to refer the question to the Joint Maritime Commission for further consideration.”

RESOLUTION CONCERNING THE JOINT MARITIME COMMISSION, SUBMITTED BY MR. HILDEBRAND, WORKERS' DELEGATE,  
FEDERAL REPUBLIC OF GERMANY

27. The Committee adopted unanimously the text of the resolution submitted by Mr. Hildebrand, Workers' delegate, Federal Republic of Germany, subject to one drafting change in the last paragraph.

28. Consequently the Committee decided to recommend to the Conference the adoption of the resolution, which reads as follows :

“The General Conference of the International Labour Organisation,

“Having regard to the fact that there are a number of important social questions affecting seafarers concerning which resolutions have been adopted by the 41st Session of the International Labour Conference and concerning which the International Labour Office has been requested to carry out studies,

“Considering that these questions should be further pursued with as little delay as possible ;

“Requests the Governing Body of the International Labour Office to consider the convening of a session of the Joint Maritime Commission at an early date in consultation with the parties concerned.”

29. The present report was adopted unanimously by the Resolutions Committee at its fifth sitting.

Geneva, 10 May 1958.

(Signed) A. L. BRENTWOOD,  
Chairman and Reporter.

### (3) Second Report of the Resolutions Committee.<sup>1</sup>

1. At its fifth sitting the Committee examined the six resolutions which were not covered by its first report.

RESOLUTION CONCERNING ATOMIC POWER AND SHIPPING, SUBMITTED BY MR. YATES, WORKERS' DELEGATE, UNITED KINGDOM, AND CAPTAIN TENNANT, WORKERS' ADVISER, UNITED KINGDOM

2. At its previous sitting the Committee had made a preliminary examination of the text of the resolution submitted by Mr. Yates, Workers' delegate, United Kingdom, and Captain Tennant, Workers' adviser, United Kingdom. An amendment designed to combine this resolution with the resolution concerning safety of life at sea (see paragraphs 17 to 21 below) was submitted by the Employers' members of the Committee. This proposal was rejected by 50 votes to 74, with 8 abstentions.

3. An amendment was submitted by the United States Government member suggesting in substance that, rather than requesting the Governing Body to initiate the preparation of draft instruments for early consideration by the Joint Maritime Commission, it would be preferable to provide for the submission of a report on the subject.

4. After some discussion it was decided to set up a Drafting Subcommittee, composed of the Chairman; Mr. Scheffer, Netherlands Government member; Mr. Pennington, United States Employers' member; and Captain Tennant, United Kingdom Workers' member, to draft a text which would take into consideration the different points of view which had been expressed.

5. The agreed text as submitted by the Drafting Subcommittee was unanimously adopted by the Committee.

6. Consequently the Committee decided to recommend to the Conference the adoption of the resolution, which reads as follows :

“The General Conference of the International Labour Organisation,

“Noting present trends towards the utilisation of atomic power for propulsion and other purposes on board ship, and

“Recalling the risks of radioactivity which are inherent in developments of this sort, not only to the crews but to others, and

“Recognising the needs for appropriate safeguards ;

“Requests the Governing Body of the International Labour Office, in co-operation with other appropriate international agencies, to study the problems created by the application of atomic power to shipping in so far as the protection of the crew is concerned, and to report thereon to an early session of the Joint Maritime Commission.”

<sup>1</sup> See Second Part, p. 154.

RESOLUTION CONCERNING THE  
JOINT MARITIME COMMISSION, SUBMITTED BY  
MR. GRUËNAIS, WORKERS' DELEGATE, FRANCE

7. The Committee examined the text of the resolution submitted by Mr. Gruënaïs, Workers' delegate, France. An amendment was submitted by the Workers' member of the U.S.S.R., suggesting several changes in the original text of the resolution. The Polish Government member supported the resolution. The Belgian Workers' member, together with other members of the Committee, opposed the resolution on the ground that the present composition of the Joint Maritime Commission had up to the present given full satisfaction. The Employers' members and the United Kingdom Government member supported that view.

8. A motion submitted by the Belgian Workers' member, and supported by the Employers' members, that the resolution was not expedient within the meaning of article 17, paragraph 4 (c), of the Standing Orders of the Conference was adopted by 109 votes to 19, with 6 abstentions.

9. The Committee therefore decided to recommend to the Conference that this resolution should not be taken into consideration.

RESOLUTION CONCERNING FISHERMEN'S  
QUESTIONS, SUBMITTED BY MR. DEKEYZER,  
WORKERS' DELEGATE, BELGIUM

10. At its previous sitting the Committee had made a preliminary examination of the text of the resolution submitted by Mr. Dekeyzer, Workers' delegate, Belgium.

11. At the invitation of the Chairman, the Representative of the Secretary-General briefly recalled the activities of the International Labour Organisation concerning fishermen's questions. He further pointed out that the question relating to conditions of work of fishermen had been placed on the agenda of the next session of the International Labour Conference.

12. At its fifth sitting the Committee had before it an amended text of the resolution, submitted by the Netherlands Workers' member, which reads as follows :

"The General Conference of the International Labour Organisation,

"Noting that under existing arrangements fishermen's questions are from time to time dealt with at Maritime Sessions of the International Labour Conference,

"Considering that these arrangements are unsatisfactory and that it is not always practicable to deal adequately with fishermen's questions through Maritime Sessions of the Conference,

"Considering, further, that it is not always convenient to refer fishermen's questions to Ordinary Sessions of the International Labour Conference, and

"Regretting the consequent difficulty and delay in dealing with fishermen's questions through the existing machinery of the I.L.O. ;

"Submits for consideration by the Governing Body of the I.L.O. and the representatives of

the employers and workers of the fishing industry who will be taking part in the 42nd Session of the International Labour Conference, the possibility of setting up, under the auspices of the Joint Maritime Commission, joint machinery for dealing with the social questions of the fishing industry."

13. The United Kingdom Employers' member submitted a subamendment to the last paragraph of the above text, which was generally accepted with minor drafting changes. At the same time he explained that, as far as the Employers' members were concerned, they would have to abstain in the vote on the resolution as a whole, as they did not consider themselves technically competent to deal with fishermen's questions.

14. The Ukraine Government member explained that he would abstain from voting because the resolution did not sufficiently take into account the interests of fishermen. The Polish Government member proposed the replacement, in the last paragraph of the resolution, of the words "joint machinery" by the words "a tripartite body". This proposal, which was seconded by the U.S.S.R. Government member, was not accepted by the Committee.

15. A vote was taken on the amended resolution as a whole, which was adopted by 64 votes to 2, with 63 abstentions.

16. Consequently the Committee decided to recommend to the Conference the adoption of the resolution, which reads as follows :

"The General Conference of the International Labour Organisation,

"Noting that under existing arrangements fishermen's questions are from time to time dealt with at Maritime Sessions of the International Labour Conference,

"Considering that these arrangements are unsatisfactory and that it is not always practicable to deal adequately with fishermen's questions through Maritime Sessions of the Conference,

"Considering, further, that it is not always convenient to refer fishermen's questions to Ordinary Sessions of the International Labour Conference, and

"Regretting the consequent difficulty and delay in dealing with fishermen's questions through the existing machinery of the I.L.O. ;

"Suggests that the 42nd Session of the International Labour Conference, at which representatives of the employers and workers of the fishing industry will be present, should consider whether machinery for dealing internationally with the social questions of the fishing industry should be set up under the auspices of the I.L.O."

RESOLUTION CONCERNING SAFETY  
OF LIFE AT SEA, SUBMITTED BY MR. THORE,  
WORKERS' DELEGATE, SWEDEN, AND  
MR. ÅKESSON, WORKERS' ADVISER, SWEDEN

17. The Committee examined the text of the resolution submitted by Mr. Thore, Workers' delegate, Sweden, and Mr. Åkesson, Workers' adviser, Sweden.

18. An amendment was submitted by the United Kingdom Government member to delete in the second paragraph the words following "life-rafts" down to the end of the paragraph. The Employers' members also submitted an amendment the effect of which was to delete in that paragraph everything following the words "Safety of Life at Sea, 1948". The United Kingdom Government member and the Workers' members agreed to the deletion as proposed by the Employers' members.

19. Another amendment, also submitted by the United Kingdom Government member, suggested deleting from subparagraph (b) of the resolution the words "any proposals which it may wish to sponsor" and substituting the words "its views". However, the amendment submitted by the Employers' members, already referred to above, contained a proposal to delete entirely the said subparagraph (b). This proposal was acceptable to the Workers' members.

20. The amended resolution as a whole, with some minor drafting changes, was unanimously adopted.

21. Consequently, the Committee decided to recommend to the Conference the adoption of the resolution, which reads as follows :

"The General Conference of the International Labour Organisation,

"Considering the desirability of bringing up to date the Convention concerning the Safety of Life at Sea, 1948 ;

"Welcomes the prospect of another Diplomatic Conference on Safety of Life at Sea being held in the near future, and requests the Governing Body of the International Labour Office to suggest the participation not only of shipowners' and seafarers' representatives in the delegations of governments attending the Conference but also of representatives from the Joint Maritime Commission in a consultative capacity."

RESOLUTION CONCERNING LIMITATION OF SHIPOWNERS' LIABILITY, SUBMITTED BY MR. YATES, WORKERS' DELEGATE, UNITED KINGDOM, AND CAPTAIN TENNANT, WORKERS' ADVISER, UNITED KINGDOM

22. The Committee examined the text of the resolution submitted by Mr. Yates, Workers' delegate, United Kingdom, and Captain Tennant, Workers' adviser, United Kingdom.

23. The United Kingdom Workers' member declared that the main purpose of this resolution was to ensure that in future seafarers would be consulted on questions concerning shipowners' liability.

24. After an exchange of views it was decided to consider the resolution paragraph by paragraph.

25. The United States Government member suggested the deletion of the paragraph numbered (2) in the first part of the resolution which reads as follows :

(2) Recommends that each Member of the International Labour Organisation should ratify or accede to the international Convention relating to the Limitation of the Liability of Owners of Sea-going Ships, signed at Brussels on 10 October 1957 ;

He stated that it was for each government to decide whether it wished to ratify international Conventions, and that his Government could not agree to have such a recommendation in the resolution. His proposal was supported by the French Government member.

26. The Canadian Government member suggested that the words "should ratify or accede" should be replaced by the words "should consider the possibility of ratifying or acceding". The paragraph in question, as amended by the proposal of the Canadian Government member, was adopted by 106 votes to 4, with 22 abstentions.

27. On the proposal of the United Kingdom Government member it was generally agreed to delete paragraphs numbered (3) and (4). As a consequence of the deletion of these paragraphs, the paragraph contained in the preamble and worded as follows was also deleted :

Noting however that the fund, consisting in the total sum representing the limits of liability, which may be constituted when the aggregate of claims on any occasion exceeds the limits of liability, is available only for the payment of claims in respect of which limitation of liability can be invoked ;

28. The Netherlands Government member expressed some doubts about these decisions, as he thought that the paragraphs numbered (3) and (4) were really the operative parts of the resolution and fell directly within the competence of the I.L.O. ; he would have rather favoured the deletion of the two preceding paragraphs numbered (1) and (2). He thought it would be better to leave the handling of this problem, which concerned private maritime law and which he believed had nothing to do with labour conditions or labour protection, to the most appropriate body.

29. An amendment by the United Kingdom Government member was submitted with a view to the deletion of the three last paragraphs and the substitution of the following text :

Requests the Governing Body of the International Labour Office to consult with the Diplomatic Conference on Maritime Law with a view to associating the International Labour Organisation in future with the consideration of the question of shipowners' liability towards seafarers.

This amendment was generally agreed upon.

30. After some minor drafting changes the Committee voted on the amended text as a whole, which was adopted by 120 votes to 0, with 14 abstentions.

31. Consequently the Committee decided to recommend to the Conference the adoption of the resolution, which reads as follows :

"The General Conference of the International Labour Organisation,

"Noting the adoption by an Intergovernmental Diplomatic Conference held in Brussels in October 1957 of an International Convention relating to the Limitation of the Liability of Owners of Sea-going Ships,

"Considering that that Convention is of interest to the I.L.O. in view of the fact that it both limits the liability of seafarers and protects their claims against the shipowner,

"Noting with regard to the first point that the Brussels Convention provides that its provisions shall apply 'to the master, members

of the crew and other servants of the owner, charterer, manager or operator acting in the course of their employment', and that 'such persons may limit their liability even if the occurrence which gives rise to the claims resulted from the actual fault or privity of one or more of such persons',

"Noting with regard to the second point that the Brussels Convention raises the limit of liability of the shipowner in respect of personal claims to 3,100 gold francs for each ton of the ship's tonnage,

"Noting further that the Convention provides that the limitation of liability shall not apply 'to claims by the master, by members of the crew, by any servants of the owner on board the ship or by servants of the owner whose duties are connected with the ship, including the claims of their heirs, personal representatives or dependants, if under the law governing the contract of service between the owner and such servants the owner is not entitled to limit his liability in respect of such claims or if he is by such law only permitted to limit his liability to an amount greater than that provided for in Article 3 of this Convention';

"Considering that those aspects of shipowners' liability which affect seafarers and other categories of workers in their capacities of persons in the employment of shipowners are of a character which brings them within the competence of the International Labour Office;

"(1) Expresses its satisfaction, first, that the Convention fixes limits for the liability of owners of sea-going ships which improve the protection of injured parties and, secondly, that the Convention admits the principle of the limitation of the liability of master and crew;

"(2) Recommends that each Member of the International Labour Organisation should consider the possibility of ratifying or acceding to the International Convention relating to the Limitation of the Liability of Owners of Sea-going Ships, signed at Brussels on 10 October 1957;

"(3) Requests the Governing Body of the International Labour Office to consult with the Diplomatic Conference on Maritime Law with a view to associating the International Labour Organisation in future with the consideration of the question of shipowners' liability towards seafarers."

RESOLUTION CONCERNING THE DISCONTINUANCE OF TESTS OF ATOMIC AND THERMONUCLEAR WEAPONS ENDANGERING THE SAFETY OF SHIPPING AND CONSTITUTING A THREAT TO THE LIVES OF SEAFARERS, SUBMITTED BY MR. DOLINSKI, GOVERNMENT DELEGATE, U.S.S.R.

32. The Committee examined the text of the resolution submitted by Mr. Dolinski, Government delegate, U.S.S.R.

33. Statements in favour of this resolution were made by the Government member of the U.S.S.R., the Government member of Poland, the Government member of Yugoslavia, the Government member of Bulgaria, the Workers' member of the U.S.S.R., and the Government member of Ukraine.

34. The United Kingdom and Belgian Workers' members opposed the resolution on the ground that the matter was under discussion in the United Nations and that any consideration of the matter might conceivably prejudice these discussions. They considered that the adoption of the resolution was not expedient within the meaning of article 17, paragraph 4 (c), of the Standing Orders of the Conference.

35. These views were fully supported by the Employers' members.

36. Several other members expressed a similar opinion. The United States Government member explained that in the opinion of his Government the adoption of this resolution was not expedient, in view of the fact that the question of nuclear tests was under study in the United Nations where active consideration was being given by experts in the field to the over-all problem of disarmament. The United Kingdom Government member supported this point of view.

37. The Indian Employers' member explained that, while he would vote in favour of the proposal to treat the resolution as inexpedient, this should not be construed as an expression of opinion on its merits.

38. A vote was then taken on the question whether the adoption of the resolution was expedient within the meaning of article 17, paragraph 4 (c), of the Standing Orders of the Conference. By 113 votes to 16, with 2 abstentions, the Committee decided that the adoption of the resolution was not expedient.

39. The Committee decided to recommend to the Conference that this resolution should not be taken into consideration.

40. The present report was adopted by the Resolutions Committee at its sixth sitting by 90 votes to 0, with 8 abstentions.

Geneva, 12 May 1958.

(Signed) A. L. BRENTWOOD,  
Chairman and Reporter.



## APPENDIX IV

### Second Item on the Agenda: General Revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93)

(1) **Proposed Text of the Revised Convention concerning Wages, Hours of Work on Board Ship and Manning, Prepared by the International Labour Office.**

(2) **Text of the Draft Recommendation concerning Wages, Hours of Work on Board Ship and Manning, Prepared by the International Labour Office.**

*(These texts are given in Report II prepared by the International Labour Office for the 41st Session of the Conference.)*

(3) **Report of the Committee on Wages, Hours and Manning.<sup>1</sup>**

1. The Committee on Wages, Hours and Manning, set up by the Conference at its third sitting on 30 April 1958, was composed of 65 members (35 Government members, 15 Employers' members and 15 Workers' members). To achieve equality of voting among the three groups each Government member had three votes and each Employers' member and each Workers' member had seven votes.

2. Ten additional titular Workers' members were subsequently included in the Committee and were present at the seventh sitting which considered the present report.

3. The Committee elected its Officers as follows:

*Chairman:* Mr. Valentgoed, Government member, Netherlands.

*Vice-Chairmen:* Mr. van der Vorm, Employers' member, Netherlands, and Mr. Yates, Workers' member, United Kingdom.

*Reporter:* Mr. Endresen, Government member, Norway.

4. The Committee had before it Report II, prepared by the Office on the second item of the agenda of the present session of the Conference.

5. The Committee held seven sittings.

#### Proposed Revision of Convention No. 93

#### GENERAL DISCUSSION

6. The Committee began its deliberations with a general discussion in which the Government members of Poland, Tunisia and the U.S.S.R. and the Employers' and Workers' members of the United Kingdom took part.

7. The Polish Government member of the Committee stated that, although the Decree of 1953 and collective agreements and practices in Poland gave full guarantee for all benefits required under Convention No. 93, and seafarers' conditions were better in some cases, the desire to ratify the Convention encountered certain formal obstacles. Ratification might be possible if Part II dealing with wages took the form of a Recommendation. A further difficulty arose in connection with Article 14, paragraph 3, clause (b), dealing with hours of work while the vessel was in port. In any revised text of the Convention it would be desirable to add a provision that a regular report describing the law and practice with respect to earnings and hours on board ship be submitted to the I.L.O. by those countries which excluded Part II from their ratification, or accepted it only in the form of a Recommendation.

8. The U.S.S.R. Government member emphasised that a great deal of useful work had been done by the International Labour Organisation in connection with wages, hours of work and manning, and it was to be hoped that the Committee's discussion of the proposed Convention and proposed Recommendation would yield positive results. There were admittedly a number of divergencies between the views of Government, Workers' and Employers' representatives but the Conference provided an opportunity for co-operation in reaching final agreement on some very important proposals which affected the interests of seafarers.

9. The Government member of Tunisia made some brief observations on Article 10, which he thought tended to over-simplify the problem of providing a satisfactory procedure for recovery of wages due but not paid. It was usual in such matters to provide for some maximum period beyond which a process could not be initiated.

10. The Employers' members recalled their statements of policy made at the Preparatory Technical Maritime Conference (London, 1956). It was still their view that wages, hours and manning could be satisfactorily dealt with only as an indivisible whole and therefore they were opposed to Article 5 in the proposed text of a revised Convention as submitted in Report II. The proposed Convention could become a workable instrument only if the causes of conflict were removed.

<sup>1</sup> See Second Part, p. 136.



11. The United Kingdom Workers' member stated that in the opinion of the Workers the greatest obstacle to ratification of Convention No. 93 was the problem of regulating wages ; they were therefore in favour of retaining Article 5, thus enabling the separate parts of the Convention to be ratified.

#### DISCUSSION ON THE PROPOSED TEXT

##### *Article 1*

12. Since no amendments were put forward, the Committee agreed that the existing text should stand.

##### *Article 2*

13. The proposed text was retained. The Committee rejected by 77 votes to 180, with 10 abstentions, and 105 votes to 153, with 33 abstentions, respectively, amendments submitted by the Employers' members proposing to exclude from the application of the Convention first, vessels of less than 2,500 tons, and second, all vessels engaged in whaling. The problem of fixing a suitable tonnage limit had already been discussed at great length in previous conferences and meetings. Opinions differed as to whether the present limit of 500 tons was a real obstacle to ratification, but the majority of the Government members were opposed to the change suggested, as were the Workers' members. With regard to the second proposal, it was pointed out that under Article 3, clause (k), of the proposed text, provision had already been made for the exclusion of persons employed on whaling vessels, whose hours of work and other conditions of service were regulated by legislation or under collective agreements.

##### *Article 3*

14. The Committee adopted two amendments to this Article proposed by the Employers' members specifying additional categories of persons employed on board ship to whom the Convention would not apply. It was agreed, without a vote, to specify "chaplain"; it was agreed by 135 votes to 129, with 24 abstentions, to specify also "persons engaged exclusively on educational duties". The Committee rejected by 105 votes to 111, with 75 abstentions, an amendment proposing to change clause (g) specifying "persons... remunerated exclusively by a share of profits or earnings" to read: "persons... remunerated mainly...".

##### *Article 4*

15. The text of this Article was adopted without change.

##### *Article 5*

16. The deletion of this Article was proposed by the Employers' members. The most vital issue for the Committee to decide was, in their view, whether it would adopt an instrument maintaining the principle of indivisibility of the component parts relating to wages, hours and manning. They could not accept any

Convention which professed to regulate all of these matters but at the same time enabled governments to ratify it while leaving aside the part relating to wages (i.e. Part II). Any attempt to regulate hours internationally without concurrent regulation of wages would not eliminate unfair competition by way of labour conditions but would aggravate it.

17. The Workers' members argued that few ratifications were likely to be registered so long as governments were unable to exclude the provisions relating to minimum wages. So far only four countries had ratified the Convention. There appeared to be definite possibilities of international regulation of hours of work on board ship, and subsequently progress would follow as regards regulation of wages and manning. It was not essential that the three subjects be regulated simultaneously. Although there was an evident connection between wages and hours, there were different factors to consider in relation to each of these. In view of the differences between countries as regards standards of living it was a difficult matter to set international minimum wages.

18. A record vote was taken on the proposal of the Employers' members to delete Article 5 of the proposed text of the Convention, which gave the following result :

Government members : for, 0 ; against, 60 ; abstentions, 36 (3 members were absent).

Employers' members : for, 98 ; against, 7 ; abstentions, 0.

Workers' members : for, 0 ; against, 98 ; abstentions, 7.

Totals : for, 98 ; against, 165 ; abstentions, 43.

19. Following the adoption of Article 5 the Employers' members announced that, in accordance with the views they had expressed earlier, they would abstain from voting on amendments proposed to individual Articles of the Convention. They would take part in the debate but could accept no responsibility for a Convention, whatever its details, which provided for divisibility of its main parts.

20. An amendment proposed by the Government member of Canada and adopted without opposition was for the purpose of requiring a Member, which by declaration in terms of Article 5 excluded Part II of the Convention from its ratification, to supply to the International Labour Office information showing the basic pay or wages of an able seaman in a vessel of a type to which the Convention applies. This provision became a new paragraph in Article 5. Originally it had been proposed as an addition to Article 22.

##### *Article 6*

21. Article 6 needed to be amended as a result of the devaluation in 1949 of the pound sterling in terms of the United States dollar. A formal amendment, adopted without opposition, provides for automatic adjustment in the event of any changes in the parity values of the specified currencies notified to the International Monetary Fund since 29 June 1946.

*Articles 7 to 12*

22. These Articles were adopted without discussion.

*Article 13*

23. An amendment submitted by the Government member of Bulgaria aimed to improve the standards provided by the Convention regarding hours of work by providing for a standard work-week of 48 hours and a general eight-hour day for all seafarers, irrespective of the type of vessel or the department in which a seafarer was employed. The amendment involved replacing Articles 13, 14 and 15 by a new Article. As the proposed text of the Convention stood, Article 13 applied to near trade ships, Article 14 applied to distant trade ships and Article 15 dealt with persons employed in the catering department of any vessel. The proposed new Article would provide for a normal day of eight hours for crew on near trade ships and for catering department personnel whose hours were permitted to be somewhat longer under the existing provisions.

24. This amendment was strongly supported by the Government member of the U.S.S.R. Observance of the standard 48-hour week was already widespread in other spheres. Discrimination against crews of near trade ships and catering department personnel was untenable. All seafarers were exposed to the same rigours of the environment in which they worked and, moreover, crews of the smaller ships had worse accommodation.

25. The Workers' members as a group considered that the time was not propitious to raise the standards beyond those in the proposed Convention. They agreed that there had been much social progress since the adoption of Convention No. 76 in 1946, and that in the more advanced countries its provisions were frequently surpassed; but it was unquestionable that to protect seafarers in countries where working conditions were as yet inferior to the standards laid down in its ratification of the present Convention should be encouraged.

26. From the Employers' point of view the proposed new Article was not desirable because it would replace provisions for precise obligations, which were the essence of a Convention, by very general provisions to be applied as each Member ratifying the Convention saw fit.

27. The proposed amendment to Articles 13, 14 and 15 was rejected by 15 votes to 156, with 126 abstentions, and the existing text of Article 13 was retained.

*Articles 14 to 20*

28. After the rejection of the foregoing amendment Articles 14 to 20 were adopted without discussion.

*Article 21*

29. The Employers' members of the Scandinavian countries submitted, but subsequently withdrew as a consequence of the policy of the Employers' group after the adoption of

Article 5, an amendment proposing that under certain specified circumstances vessels existing at the time of the coming into force of the Convention could be exempted from its application. The existing text was retained.

*Articles 22 to 26*

30. Since no amendments were put forward the Committee agreed that the existing text of these Articles should stand.

*Article 27*

31. The Committee first considered a proposal to delete the list of 23 countries given in paragraph 2, clause (a), while retaining the provision in this clause for not less than nine ratifications to be registered before the Convention could come into force. In support of his proposal it was argued by the Government member of Ukraine that the list of countries did not include any of the large number of new Members which had joined the Organisation after 1946; on the other hand, it was not essential to retain the list since the provisions of clauses (b) and (c) of this paragraph ensured that some of the principal maritime countries would have had to lodge ratifications before the Convention could come into force.

32. The Workers' members held the view that it would not be satisfactory if the required nine ratifications could include land-locked countries. It was preferable to consider adding bona fide maritime countries to the existing list.

33. The Committee rejected this amendment by 24 votes to 156, with 126 abstentions.

34. Some additions to the list of countries, as proposed in two other amendments, were then adopted by the Committee as follows: Federal Republic of Germany and Japan: 186 votes to 0, with 114 abstentions; U.S.S.R.: 147 votes to 3, with 147 abstentions. The Committee accepted, as a subamendment, a proposal by the Government member of Spain to add his country to the list and this was adopted by 162 votes to 0, with 144 abstentions.

*Articles 28 to 33*

35. No amendments were proposed in respect of these Articles and they were adopted without discussion.

36. The Government member of the United States stated for the record that in regard to Article 2, paragraph 1, clause (d), the words "engage in a voyage by sea" should, so far as the United States was concerned, be interpreted as applying "to ships which in the course of their normal employment proceeded outside of the line dividing the inland waters from the open sea". Also for the record in respect of Article 14, paragraph 4, of the proposed Convention, it was the understanding of the United States Government that the practice used in maritime collective agreements in the United States of basing overtime rates on the monthly earnings of seafarers was not in contravention of the Article.

37. On a record vote the Committee adopted the proposed text revising Convention No. 93, as amended in the manner described above in respect of Articles 3, 5, 6 and 27. The result of the vote was as follows :

Government members: for, 51; against, 0; abstentions, 42 (4 members were absent).

Employers members: for, 0; against, 105; abstentions, 0.

Workers' members: for, 105; against, 0; abstentions, 0.

Totals: for, 156; against, 105; abstentions, 42.

38. Details of the foregoing vote, in respect of Government members, were as follows :

For: 17 (Belgium, Bulgaria, Canada, Denmark, Finland, France, Indonesia, Italy, Netherlands, Norway, Poland, Rumania, Sweden, Ukraine, U.S.S.R., United States, Yugoslavia).

Against: 0.

Abstentions: 14 (Argentina, Brazil, Burma, China, Federal Republic of Germany, Greece, Japan, Liberia, Pakistan, Portugal, Spain, Tunisia, Turkey, United Kingdom).

Absent: 4 (Colombia, Cuba, Ghana, India).

#### Proposed Recommendation

39. No amendments to the provisions of the proposed text were moved.

40. The Employers explained that, while they were not proposing any amendments to the proposed Recommendation, they wanted to make it quite clear that in taking that decision the instrument under discussion was regarded as a Recommendation and not a Convention. Those Employers who were prepared to vote for the Recommendation and those who would abstain were completely reserving their rights nationally, and wanted to make it quite clear, to prevent subsequent misunderstanding, that they reserved their rights—as they were perfectly entitled to do—to decide which parts of the Recommendation were acceptable nationally, which parts could be adapted to suit national circumstances and which parts were acceptable with reservations. Their comments on certain sections therefore did not imply that no reservations were made concerning the remainder. Paragraph 1 was a very general statement of scope and it was clear that each country would make some limitation of scope by tonnage or otherwise in the same manner as in the Convention where certain classes of persons and of ships are excluded. The general principles recommended in Paragraphs 4 to 9 for the regulation of hours of work would, in actual practice, be applied with considerable variations from country to country. There were quite a number of countries in which it was felt that there should be a difference between the hours of work in the catering department and other departments. Paragraph 6 appeared more restrictive in wording than it was intended to be; this Paragraph should read as allowing for compensation in lieu where the hours in smaller vessels and on short voyages exceeded an average of eight per day.

41. The Employers' member of the United Kingdom added that he was in favour of the adoption of the Recommendation which, he felt, provided at long last the possibility of widespread international agreement on seafarers' wages, hours of work on board ship and manning.

42. The Government member of Argentina reiterated reservations made on previous occasions by his Government concerning the provision for minimum wages of seafarers expressed in terms of the pound sterling and the United States dollar. The local cost of living had to be taken into consideration in determining wages in a particular country; changes in seafarers' wages could not be made solely on the basis of variations in exchange rates arising from extraneous factors. Regarding Paragraph 4, as the Employers' members had pointed out, it was not realistic to fix the same hours of work for workers in the catering department as for those in other departments. Despite these difficulties in accepting the Recommendation, it was likely that the same objectives could be achieved through legislation and collective agreements.

43. The Workers' member of Argentina recognised the difficulties outlined by the Government member. However, the Argentine Government was the main shipowner in the country and hence was a party to negotiations regarding collective agreements. The seafarers were in favour of the principle of the eight-hour day and in some agreements this had already been achieved.

44. On behalf of the seafarers a hope was expressed that governments as well as the shipowners would take the Recommendation seriously. If complete unanimity was not possible Workers' members wished to see it adopted by the largest possible majority. They hoped that governments would treat this international instrument just as seriously as a Convention and that the seafarers would soon see some practical results follow from its application.

45. On a record vote the Committee adopted the text of the proposed Recommendation without amendment. The result of the vote was as follows:

Government members: For, 78; against, 0; abstentions, 15 (4 members were absent).

Employers' members: For, 84; against, 0; abstentions, 21.

Workers' members: For, 105; against, 0; abstentions, 0.

Totals: For, 267; against, 0; abstentions, 36.

#### Proposed Resolution

46. The U.S.S.R. Government member submitted a proposed resolution concerning the application of the principle of a 40-hour working week on board ship. The demand of seafarers for a reduction in hours of work to 40 per week was in keeping with the present stage of technical progress in ships, and the principle was enshrined in Convention No. 47. As the Maritime Sessions of the International

Labour Conference were held at infrequent intervals, it was appropriate on the present occasion to look forward and to suggest measures designed to promote progress in the matter of reduced hours for seamen. The resolution therefore requested the Governing Body to give early consideration to measures for ensuring the speediest implementation of the principle of a 40-hour week for seafarers.

47. The Government member of the United Kingdom felt that the proposed resolution tended to prejudice the question as to whether a 40-hour week for seafarers should be implemented.

48. The Workers' members proposed an amendment to the resolution, substituting new texts for the last two paragraphs.

49. The Employers' members were not in favour of the proposed resolution or the Workers' amendment. As regards the latter they assumed that any information would in the first instance be submitted to the Joint Maritime Commission. It seemed to the Employers' group premature, to say the least, that within 24 hours of adopting a Convention and a Recommendation a new programme on hours on board ship should be proposed.

50. The amendment was first voted on and was adopted by 132 votes to 117, with 54 abstentions.

51. The proposed resolution as amended by the foregoing decision was adopted by 141 votes to 129, with 30 abstentions.

52. The texts of the proposed Convention, Recommendation and resolution are appended to the present report and are submitted to the Conference for approval.

53. The Committee adopted the present report unanimously.

Geneva, 8 May 1958.

(Signed) P. H. VALENTGOED,  
Chairman.

M. ENDRESEN,  
Reporter.

**(4) Proposed Text of a Revised Convention concerning Wages, Hours of Work on Board Ship and Manning, Submitted by the Committee on Wages, Hours and Manning.<sup>1</sup>**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-first Session on 29 April 1958, and

Having decided upon the adoption of certain proposals with regard to the general revision of the Wages, Hours of Work and

Manning (Sea) Convention (Revised), 1949, which is the second item on the agenda of the session, and

Considering that these proposals must take the form of an international Convention,

adopts this                      day of May of the year one thousand nine hundred and fifty-eight the following Convention, which may be cited as the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958 :

**PART I. GENERAL PROVISIONS**

*Article 1*

Nothing in this Convention shall be deemed to prejudice any provision concerning wages, hours of work on board ship, or manning, by law, award, custom or agreement between shipowners and seafarers, which ensures the seafarers conditions more favourable than those provided for by this Convention.

*Article 2*

1. This Convention applies to every vessel, whether publicly or privately owned, which is—

- (a) mechanically propelled ;
- (b) registered in a territory for which the Convention is in force ;
- (c) engaged in the transport of cargo or passengers for the purpose of trade ; and
- (d) engaged in a voyage by sea.

2. This Convention does not apply to—

- (a) vessels of less than 500 gross register tons ;
- (b) wooden vessels of primitive build such as dhows and junks ;
- (c) vessels engaged in fishing or in operations directly connected therewith ;
- (d) estuarial craft.

*Article 3*

This Convention applies to every person who is engaged in any capacity on board a vessel except—

- (a) a master ;
- (b) a pilot not a member of the crew ;
- (c) a doctor ;
- (d) nursing staff engaged exclusively on nursing duties and hospital staff ;
- (e) a chaplain ;
- (f) persons engaged exclusively on educational duties ;
- (g) a musician ;
- (h) persons whose duties are connected solely with the cargo on board ;
- (i) persons working exclusively on their own account or remunerated exclusively by a share of profits or earnings ;
- (j) persons not remunerated for their services or remunerated only by a nominal salary or wage ;
- (k) persons, excluding those in the service of a wireless telegraphy company, who are employed on board by an employer other than the shipowner ;

<sup>1</sup> See Second Part, p. 145.

- (l) travelling dockers (longshoremen) not members of the crew ;
- (m) persons employed in whale-catching, floating factory or transport vessels or otherwise for the purpose of whaling or similar operations under conditions regulated by legislation or by the provisions of a special collective whaling or similar agreement determining hours of work and other conditions of service concluded by an organisation of seafarers ;
- (n) persons who are not members of the crew (whether working on or off articles) but are employed while the vessel is in port on repairing, cleaning, loading or unloading the vessel or similar work or on port relief, maintenance, watch or caretaking duties.

#### Article 4

In this Convention—

- (a) the term "officer" means a person other than a master who is described in the ship's articles as an officer or who is serving in a capacity which by law, collective agreement or custom is recognised as that of an officer ;
- (b) the term "rating" means a member of the crew other than a master or officer and includes a certificated seaman ;
- (c) the term "able seaman" means any person who by national laws or regulations, or in the absence of such laws or regulations by collective agreement, is deemed to be competent to perform any duty which may be required of a rating serving in the deck department other than the duties of a leading or specialist rating ;
- (d) the term "basic pay or wages" means the remuneration of an officer or rating in cash exclusive of the cost of food, overtime, premiums or any other allowances either in cash or in kind.

#### Article 5

1. Each Member ratifying this Convention may, by a declaration appended to its ratification, exclude from its ratification Part II of the Convention.

2. Subject to the terms of any such declaration, the provisions of Part II of the Convention shall have the same effect as the other provisions of the Convention.

3. Any Member which makes such a declaration shall also supply information showing the basic pay or wages for a calendar month of service of an able seaman in a vessel of a type to which the Convention applies.

4. Any Member which makes such a declaration may subsequently, by a new declaration, notify the Director-General that it accepts Part II ; as from the date of the registration of such notification by the Director-General the provisions of Part II shall be applicable to the Member in question.

5. While a declaration made under paragraph 1 of this Article remains in force in respect of Part II, the Member may declare its willingness to accept Part II as having the force of a Recommendation.

## PART II. WAGES

### Article 6

1. The basic pay or wages for a calendar month of service of an able seaman employed in a vessel to which this Convention applies shall not be less than sixteen pounds in currency of the United Kingdom of Great Britain and Northern Ireland or sixty-four dollars in currency of the United States of America or the equivalent thereof in other currency.

2. In respect of any change in the par value of the pound or the dollar notified to the International Monetary Fund since 29 June 1946, or in the event of any further such change being notified subsequent to the adoption of this Convention—

- (a) the minimum basic wage prescribed in paragraph 1 of this Article in terms of the currency in respect of which such notification has been made shall be adjusted so as to maintain equivalence with the other currency ;
- (b) the adjustment shall be notified by the Director-General of the International Labour Office to the Members of the International Labour Organisation ; and
- (c) the minimum basic wage so adjusted shall be binding upon Members which have ratified the Convention in the same manner as the wage prescribed in paragraph 1 of this Article, and shall take effect for each such Member not later than the beginning of the second calendar month following that in which the Director-General communicates the change to Members.

### Article 7

1. In the case of ships in which are employed such groups of ratings as necessitate the employment of larger groups of ratings than would otherwise be employed the minimum basic pay or wages of an able seaman shall be an amount fixed as the adjusted equivalent of the minimum basic pay or wages stipulated in the preceding Article.

2. The adjusted equivalent shall be fixed in accordance with the principle of equal pay for equal work and due allowance shall be made for—

- (a) the extra number of ratings of such groups who are employed ; and
- (b) any increase or decrease in cost to the shipowner consequent on the employment of such groups of ratings.

3. The adjusted equivalent shall be determined by collective agreement between the organisations of shipowners and seafarers concerned or, failing such agreement and subject to both countries concerned having ratified the Convention, by the competent authority of the territory of the group of seafarers concerned.

### Article 8

If meals are not provided free of charge the minimum basic pay or wages shall be increased by an amount to be determined by collective agreement between the organisations of shipowners and seafarers concerned or, failing such agreement, by the competent authority.

*Article 9*

1. The rate to be used for determining the equivalent in other currency of the minimum basic pay or wages prescribed in Article 6 shall be the ratio between the par value of that currency and the par value of the pound of the United Kingdom of Great Britain and Northern Ireland or of the dollar of the United States of America.

2. In the case of the currency of a Member of the International Labour Organisation which is a Member of the International Monetary Fund, the par value shall be that currently in effect under the Articles of Agreement of the International Monetary Fund.

3. In the case of the currency of a Member of the International Labour Organisation which is not a Member of the International Monetary Fund, the par value shall be the official rate of exchange, in terms of gold or of the dollar of the United States of America of the weight and fineness in effect on 1 July 1944, currently in effect for payments and transfers for current international transactions.

4. In the case of any currency which cannot be dealt with under the provisions of either of the two preceding paragraphs—

- (a) the rate to be adopted for the purpose of this Article shall be determined by the Member of the International Labour Organisation concerned ;
- (b) the Member concerned shall notify its decision to the Director-General of the International Labour Office, who shall forthwith inform the other Members which have ratified this Convention ;
- (c) within a period of six months from the date on which the information is communicated by the Director-General, any other Member which has ratified the Convention may inform the Director-General of the International Labour Office that it objects to the decision, and the Director-General shall thereupon inform the Member concerned and the other Members which have ratified the Convention and shall report the matter to the Committee provided for in Article 22 ;
- (d) the foregoing provisions shall apply in the event of any change in the decision of the Member concerned.

5. A change in basic pay or wages as a result of a change in the rate for determining the equivalent in other currency shall take effect not later than the beginning of the second calendar month following that in which the change in the relative par values of the currencies concerned becomes effective.

*Article 10*

Each Member shall take the necessary measures—

- (a) to ensure, by way of a system of supervision and sanctions, that remuneration is paid at not less than the rate required by this Convention ; and
- (b) to ensure that any person who has been paid at a rate less than that required by this Convention is enabled to recover, by

an inexpensive and expeditious judicial or other procedure, the amount by which he has been underpaid.

## PART III. HOURS OF WORK ON BOARD SHIP

*Article 11*

This Part of this Convention does not apply to—

- (a) a chief officer or chief engineer ;
- (b) a purser ;
- (c) any other officer in charge of a department who does not keep watch ;
- (d) a person employed in the clerical or catering department of a vessel who is—
  - (i) serving in a superior grade as defined by a collective agreement between the organisations of shipowners and seafarers concerned ; or
  - (ii) working chiefly on his own account ; or
  - (iii) remunerated solely on a commission basis or chiefly by a share of profits or earnings.

*Article 12*

In this Part of this Convention—

- (a) the term “near trade ship” means a vessel exclusively engaged in voyages upon which it does not proceed farther from the country from which it trades than the near-by ports of neighbouring countries within geographical limits which—
  - (i) are clearly specified by national laws, regulations or by collective agreement between organisations of shipowners and seafarers ;
  - (ii) are uniform in respect of the application of all the provisions of this Part of the Convention ;
  - (iii) have been notified by the Member when registering its ratification by a declaration annexed thereto ; and
  - (iv) have been fixed after consultation with the other Members concerned ;
- (b) the term “distant trade ship” means a vessel other than a near trade ship ;
- (c) the term “passenger ship” means a vessel licensed to carry more than twelve passengers ;
- (d) the term “hours of work” means time during which a person is required by the orders of a superior to do work on account of the vessel or the owner.

*Article 13*

1. This Article applies to officers and ratings employed in the deck, engine-room and radio departments of near trade ships.

2. The normal hours of work of an officer or rating shall not exceed—

- (a) when the vessel is at sea, twenty-four hours in any period of two consecutive days ;
- (b) when the vessel is in port—

- (i) on the weekly day of rest, such time not exceeding two hours as is necessary for ordinary routine and sanitary duties ;
- (ii) on other days, eight hours except where a collective agreement provides for less on any day ;
- (c) one hundred and twelve hours in a period of two consecutive weeks.

3. Time worked in excess of the limits prescribed in subparagraphs (a) and (b) of paragraph 2 shall be regarded as overtime for which the officer or rating concerned shall be entitled to compensation in accordance with the provisions of Article 18 of this Convention.

4. When the total number of hours worked in a period of two consecutive weeks, excluding hours regarded as overtime, exceeds one hundred and twelve, the officer or rating concerned shall be compensated by time off in port or otherwise as may be determined by collective agreement between the organisations of shipowners and seafarers concerned.

5. National laws or regulations or collective agreements shall determine when a ship is to be regarded as being at sea and when it is to be regarded as being in port for the purposes of this Article.

#### Article 14

1. This Article applies to officers and ratings employed in the deck, engine-room and radio departments of distant trade ships.

2. When the vessel is at sea and on days of sailing and arrival, the normal hours of work of an officer or rating shall not exceed eight hours in any one day.

3. When the vessel is in port, the normal hours of work of an officer or rating shall not exceed—

- (a) on the weekly day of rest, such time not exceeding two hours as is necessary for ordinary routine and sanitary duties ;
- (b) on other days, eight hours except where a collective agreement provides for less on any day.

4. Time worked in excess of the daily limits prescribed in the preceding paragraphs shall be regarded as overtime for which the officer or rating shall be entitled to compensation in accordance with the provisions of Article 18 of this Convention.

5. When the total number of hours worked in a period of one week, excluding hours regarded as overtime, exceeds forty-eight, the officer or rating shall be compensated by time off in port or otherwise as may be determined by collective agreement between the organisations of shipowners and seafarers concerned.

6. National laws or regulations or collective agreements shall determine when a ship is to be regarded as being at sea and when it is to be regarded as being in port for the purposes of this Article.

#### Article 15

1. This Article applies to persons employed in the catering department of a vessel.

2. In the case of a passenger ship normal hours of work shall not exceed—

- (a) when the vessel is at sea and on days of sailing and arrival, ten hours in any consecutive period of fourteen hours ;
- (b) when the vessel is in port—
  - (i) when passengers are on board, ten hours in any period of fourteen hours ;
  - (ii) in other cases—
    - on the day preceding the weekly day of rest, five hours ;
    - on the weekly day of rest, five hours for persons engaged in messing duties and such time not exceeding two hours as is necessary for ordinary routine and sanitary duties in the case of other persons ;
    - on any other day, eight hours.

3. In the case of a vessel not a passenger ship, normal hours of work shall not exceed—

- (a) when the vessel is at sea and on days of sailing and arrival, nine hours in any period of thirteen hours ;
- (b) when the vessel is in port—
  - on the weekly day of rest, five hours ;
  - on the day preceding the weekly day of rest, six hours ;
  - on any other days, eight hours in any period of twelve hours.

4. When the total number of hours worked in a period of two consecutive weeks exceeds one hundred and twelve the person concerned shall be compensated by time off in port or otherwise as may be determined by collective agreement between the organisations of shipowners and seafarers concerned.

5. National laws or regulations or collective agreements between the organisations of shipowners and seafarers concerned may make special arrangements for the regulation of the hours of work of night watchmen.

#### Article 16

1. This Article applies to officers and ratings employed in near and distant trade ships.

2. Time off in port should be the subject of negotiations between the organisations of shipowners and seafarers concerned on the basis that officers and ratings should receive the maximum time off in port that is practicable and that such time off should not count as leave.

#### Article 17

1. The competent authority may exempt from the application of this Part of this Convention officers not already excluded therefrom by virtue of Article 11, subject to the following conditions :

- (a) the officers must be entitled in virtue of a collective agreement to conditions of employment which the competent authority certifies constitute full compensation for the non-application of this Part of the Convention ;
- (b) the collective agreement must have been originally concluded before 30 June 1946 and the agreement or a renewal thereof must be still in force.

2. A Member having recourse to the provisions of paragraph 1 shall supply to the Director-General of the International Labour



Office full particulars of any such collective agreement and the Director-General shall lay a summary of the information received by him before the Committee referred to in Article 22.

3. The said Committee shall consider whether the collective agreements reported to it provide for conditions of employment which constitute full compensation for the non-application of this Part of this Convention. Each Member ratifying the Convention undertakes to give consideration to any observations or suggestions made by the Committee concerning such agreements and further undertakes to bring any such observations or suggestions to the notice of the organisations of shipowners and officers who are parties to such agreements.

#### Article 18

1. The rate or rates of compensation for overtime shall be prescribed by national laws or regulations or be fixed by collective agreement, but in no case shall the hourly rate of payment for overtime be less than one-and-a-quarter times the basic pay or wages per hour.

2. Collective agreements may provide for compensation by equivalent time off duty and off the vessel in lieu of cash payment or for any other method of compensation.

#### Article 19

1. The consistent working of overtime shall be avoided, whenever possible.

2. Time spent in the following work shall not be included in normal hours of work or be regarded as overtime for the purpose of this Part of this Convention :

- (a) work that the master deems to be necessary and urgent for the safety of the vessel, cargo or persons on board ;
- (b) work required by the master for the purpose of giving assistance to other vessels or persons in distress ;
- (c) musters, fire, lifeboat and similar drills of the kind prescribed by the International Convention for the Safety of Life at Sea for the time being in force ;
- (d) extra work for the purposes of customs or quarantine or other health formalities ;
- (e) normal and necessary work by officers for the determination of the position of the ship and for making meteorological observations ;
- (f) extra time required for the normal relieving of watches.

3. Nothing in this Convention shall be deemed to impair the right and duty of the master of a vessel to require, or the duty of an officer or rating to perform, any work deemed by the master to be necessary for the safe and efficient operation of the vessel.

#### Article 20

1. No person under the age of sixteen years shall work at night.

2. For the purpose of this Article, " night " means a period of at least nine consecutive hours between times before and after midnight to be prescribed by national laws or regulations or collective agreements.

### PART IV. MANNING

#### Article 21

1. Every vessel to which this Convention applies shall be sufficiently and efficiently manned for the purposes of—

- (a) ensuring the safety of life at sea ;
- (b) giving effect to the provisions of Part III of this Convention ; and
- (c) preventing excessive strain upon the crew and avoiding or minimising as far as practicable the working of overtime.

2. Each Member undertakes to maintain, or to satisfy itself that there is maintained, efficient machinery for the investigation and settlement of any complaint or dispute concerning the manning of a vessel.

3. Representatives of the organisations of shipowners and seafarers shall participate, with or without other persons or authorities, in the operation of such machinery.

### PART V. APPLICATION OF THE CONVENTION

#### Article 22

1. Effect may be given to this Convention by (a) laws or regulations ; (b) collective agreements between shipowners and seafarers (except as regards paragraph 2 of Article 21) ; or (c) a combination of laws or regulations and collective agreements between shipowners and seafarers. Except as may be otherwise provided herein, the provisions of this Convention shall be made applicable to every vessel registered in the territory of the ratifying Member and to every person engaged on any such vessel.

2. Where effect has been given to any provision of this Convention by a collective agreement in pursuance of paragraph 1 of this Article, then notwithstanding anything contained in Article 10 of this Convention the Member shall not be required to take any measures in pursuance of Article 10 of this Convention in respect of the provisions of the Convention to which effect has been so given by collective agreement.

3. Each Member ratifying this Convention shall supply to the Director-General of the International Labour Office information on the measures by which the Convention is applied, including particulars of any collective agreements in force which give effect to any of its provisions.

4. Each Member ratifying this Convention undertakes to take part, by means of a tripartite delegation, in any Committee representative of governments and shipowners' and seafarers' organisations, and including, in an advisory capacity, representatives of the Joint Maritime Commission of the International Labour Office, which may be set up for the purpose of examining the measures taken to give effect to the Convention.

5. The Director-General shall lay before the said Committee a summary of the information received by him under paragraph 3 above.

6. The Committee shall consider whether the collective agreements reported to it give full effect to the provisions of the Convention.



Each Member ratifying the Convention undertakes to give consideration to any observations or suggestions concerning the application of the Convention made by the Committee, and further undertakes to bring to the notice of the organisations of shipowners and of seafarers who are parties to any of the collective agreements mentioned in paragraph 1 any observations or suggestions of the aforesaid Committee concerning the degree to which such agreements give effect to the provisions of the Convention.

#### *Article 23*

1. Each Member which ratifies this Convention shall be responsible for the application of its provisions to vessels registered in its territory and shall, except where effect is given to the Convention by collective agreements, maintain in force laws or regulations which—

- (a) determine the respective responsibilities of the shipowner and the master for ensuring compliance therewith ;
- (b) prescribe adequate penalties for any violation thereof ;
- (c) provide for adequate public supervision of compliance with Part IV of the Convention ;
- (d) require the keeping of the records of hours worked necessary for the purposes of Part III of the Convention and of the compensation granted in respect of overtime and of excess hours of work ;
- (e) ensure to seafarers the same remedies for recovering payments due to them in respect of compensation for overtime and for excess hours of work as they have for recovering other arrears of pay.

2. The organisations of shipowners and seafarers concerned shall, so far as is reasonable and practicable, be consulted in the framing of all laws or regulations for giving effect to the provisions of this Convention.

#### *Article 24*

For the purpose of giving mutual assistance in the enforcement of this Convention, every Member which ratifies the Convention undertakes to require the competent authority in every port in its territory to inform the consular or other appropriate authority of any other such Member of any case in which it comes to the notice of such authority that the requirements of the Convention are not being complied with in a vessel registered in the territory of that other Member.

### PART VI. FINAL PROVISIONS

#### *Article 25*

For the purpose of Article 28 of the Hours of Work and Manning (Sea) Convention, 1936, the present Convention shall be regarded as a Convention revising that Convention.

#### *Article 26*

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

#### *Article 27*

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall first come into force six months after the date at which the following conditions have been fulfilled :

- (a) the ratifications of nine of the following Members have been registered : Argentina, Australia, Belgium, Brazil, Canada, Chile, China, Denmark, Finland, France, Federal Republic of Germany, Greece, India, Ireland, Italy, Japan, Netherlands, Norway, Poland, Portugal, Spain, Sweden, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia ;
- (b) at least five of the Members whose ratifications have been registered have at the date of registration each not less than 1 million gross register tons of shipping ;
- (c) the aggregate tonnage of shipping possessed at the time of registration by the Members whose ratifications have been registered is not less than 15 million gross register tons.

3. The provisions of the preceding paragraph are included for the purpose of facilitating and encouraging early ratification of the Convention by member States.

4. After the Convention has first come into force, it shall come into force for any Member six months after the date on which its ratification has been registered.

#### *Article 28*

1. A Member which has ratified this Convention may denounce it after the expiration of five years from the date on which the Convention comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not within the year following the expiration of the period of five years mentioned in the preceding paragraph exercise the right of denunciation provided for in this Article will be bound for another period of five years and, thereafter, may denounce this Convention at the expiration of each period of five years under the terms provided for in this Article.

#### *Article 29*

1. The Director-General of the International Labour Office shall notify all the Members of the International Labour Organisation of the registration of all ratifications, declarations and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the last of the ratifications required to bring the Convention into force, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

*Article 30*

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications, declarations and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

*Article 31*

At the expiration of each period of ten years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

*Article 32*

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides—

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 28 above, if and when the new revising Convention shall have come into force ;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

*Article 33*

The English and French versions of the text of this Convention are equally authoritative.

**(5) Text of the Proposed Recommendation concerning Wages, Hours of Work on Board Ship and Manning, Submitted by the Committee on Wages, Hours and Manning.<sup>1</sup>**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-first Session on 29 April 1958, and

Having decided upon the adoption of certain proposals with regard to the general revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949, which is the second item on the agenda of the session, and

Having adopted the Wages, Hours of Work on Board Ship and Manning (Sea) Convention (Revised), 1958, and

Recognising the need for a further instrument which will likewise encourage Mem-

bers to improve the conditions of employment of seafarers,

adopts this day of May of the year one thousand nine hundred and fifty-eight the following Recommendation, which may be cited as the Wages, Hours of Work and Manning (Sea) Recommendation, 1958.

## SCOPE

1. This Recommendation applies to seafarers other than Masters, employed in mechanically propelled sea-going ships engaged in trade but excluding estuarial craft, fishing vessels and primitive vessels.

## WAGES

2. The basic pay or wages for a calendar month of service of an able seaman employed in a vessel to which this Recommendation applies should not be less than the equivalent of twenty-five pounds in currency of the United Kingdom of Great Britain and Northern Ireland or seventy dollars in currency of the United States of America, whichever of these amounts may from time to time be the greater. Provided that, in determining the minimum pay or wages in the case of ships in which are employed such groups of ratings as necessitate the employment of larger groups of ratings than would otherwise be employed, and having regard to the principle of equal pay for equal work, special factors may be taken into account, such as the extra numbers employed and any differences in crew costs incurred by the shipowner consequent upon the employment of such ratings.

3. Except where effect is given to the preceding paragraph by collective agreement between bona fide organisations representing shipowners and seafarers, each Member should—

- (a) ensure, by way of a system of supervision and sanctions, that remuneration is paid at not less than the rate required by the preceding paragraph ; and
- (b) ensure that any person who has been paid at a rate less than that required by the preceding paragraph is enabled to recover, by an inexpensive and expeditious judicial or other procedure, the amount by which he has been underpaid.

## HOURS OF WORK

4. At sea and in port the normal hours of work should be eight per day for all departments. As regards hours in port on the weekly day of rest and the day preceding it, special provisions should be laid down by national laws or regulations or collective agreements.

5. When the vessel is at sea on the weekly day of rest seafarers should be compensated as may be determined by collective agreements or national laws or regulations.

6. In the case of smaller vessels and of vessels engaged on short voyages, collective agreements or national laws or regulations may provide for the averaging of the eight-hour day.

7. The rate or rates of compensation for overtime should be prescribed by national laws or regulations or be fixed by collective

<sup>1</sup> See Second Part, p. 146.

agreement, but in no case should the hourly rate of payment for overtime be less than one-and-a-quarter times the basic pay or wages per hour. National laws or regulations or collective agreements may provide for compensation by equivalent time off duty and off the vessel in lieu of cash payment or for any other method of compensation.

8. National laws or regulations or collective agreements should determine the duties the time spent on which should not be included in normal hours of work or be regarded as overtime for the purpose of this Recommendation.

9. Collective agreements may for special reasons provide for special arrangements as adequate compensation in lieu of direct payment of overtime.

#### MANNING

10. A sufficient number of officers and men should be engaged so as to ensure the avoidance of excessive overtime and to satisfy the dictates of safety of life at sea.

11. Each Member should maintain, or satisfy itself that there is maintained, efficient machinery for the investigation and settlement of any complaint or dispute concerning the manning of a vessel.

12. Representatives of the bona fide organisations of shipowners and seafarers should participate, with or without other persons or authorities, in the operation of such machinery.

#### GENERAL

13. Nothing in this Recommendation shall be deemed to prejudice any provision concerning wages, hours of work on board ship, or manning, by law, award, custom or agreement between shipowners and seafarers, which ensures the seafarers conditions more favourable than those provided for by this Recommendation.

(6) Text of the Resolution concerning the Application of the Principle of a 40-Hour Working Week on Board Ship, Submitted by the Committee on Wages, Hours and Manning.<sup>1</sup>

The General Conference of the International Labour Organisation,

Considering that the arduous and specific working and living conditions of seafarers, which are related to the special nature of their work in conditions of prolonged service at sea, call for a greater expenditure of physical and moral effort on the part of seafarers and have a detrimental influence on their health,

Considering that the demand of seafarers for a reduction of their working hours to 40 per week is in keeping with the present stage of technical progress in ships,

Noting that the principle of a 40-hour working week was adopted by the General Conference of the I.L.O. at its 19th Session and was stated in Convention No. 47,

Noting further the revised text of Convention No. 93 concerning wages, hours of work on board ship and manning and the Recommendation additional thereto, adopted at the 41st Session of the International Labour Conference in 1958,

Considering that the question of hours of work in industry generally is to be discussed at the 42nd (Ordinary) Session of the International Labour Conference;

Requests the Governing Body of the International Labour Office to include the seafarers in any measures or investigations decided on arising out of the forthcoming discussion concerning a general reduction of working hours.

(7) Text of the Convention concerning Wages, Hours of Work on Board Ship and Manning (Revised 1958), Submitted by the Drafting Committee.

(8) Text of the Recommendation concerning Wages, Hours of Work on Board Ship and Manning, Submitted by the Drafting Committee.

*(The texts of the Convention and of the Recommendation, as submitted by the Drafting Committee, were adopted unchanged by the Conference.<sup>1</sup> For the authentic texts see Appendix XII, pp. 272 and 292).*

<sup>1</sup> See Second Part, p. 146, and Appendix XI, p. 255.

<sup>1</sup> See Second Part, pp. 188 and 189.

## APPENDIX V

### Third Item on the Agenda: Engagement of Seafarers through Regularly Established Employment Offices

#### (1) Text of the Proposed Recommendation concerning the Engagement of Seafarers for Service in Vessels Registered in a Foreign Country, Prepared by the International Labour Office.

*(The text of this proposed Recommendation is given in Report III prepared by the International Labour Office for the 41st Session of the Conference.)*

#### (2) Report of the Committee on the Engagement of Seafarers.<sup>1</sup>

1. The Committee on the Engagement of Seafarers, set up by the Conference at its third sitting on 30 April 1958, consisted of 50 members (30 Government members, 10 Employers' members and 10 Workers' members). To achieve equality of voting each Government member had one vote and each Employers' member and each Workers' member had three votes.

2. The Committee elected its Officers as follows:

*Chairman:* Mr. Rothschild, Government member, United States.

*Vice-Chairmen:* Mr. Laird, Employers' member, United Kingdom, and Mr. Hauge, Workers' member, Norway.

*Reporter:* Mr. Berio, Government member, Italy.

3. The Committee had before it Report III, prepared by the Office on the third item of the agenda of the Conference.

4. In conformity with the provisions of the Standing Orders of the Conference the Committee constituted its Drafting Committee as follows: Mr. Berio, Reporter; Mr. Curiel, Government member, Spain; Mr. Casey, Employers' member, United States; and Mr. Cassiers, Workers' member, Belgium.

#### GENERAL DISCUSSION

5. Before examining the proposed Recommendation in detail, the Committee had a brief general discussion in which several Government members and the Workers' members expressed general support for the proposed text, while reserving the possibility of submitting amendments at a later stage. The Employers' members of Denmark and the United States had serious reservations con-

cerning the preamble as well as some of the substantive provisions of the proposed instrument.

#### DISCUSSION ON THE PROPOSED RECOMMENDATION

##### *Preamble*

6. An amendment was submitted by the United Kingdom Government member to replace the words "applicable to" in the third paragraph of the preamble by the words "afforded by those of", which had been the wording adopted by the Preparatory Technical Maritime Conference. After a brief discussion, during which the United Kingdom Employers' member suggested a subamendment to delete the words "those of" in the proposed amendment but which was opposed by the Workers' members, the Committee decided to refer this matter to the Drafting Committee.

7. A proposal was made by the United States Employers' member to delete the words "through regularly established employment offices" in the second line of the fourth paragraph of the preamble, and to replace them by the words "for service in vessels registered in a foreign country", which had also been the text adopted at the Preparatory Technical Maritime Conference. After it had been explained that this paragraph was of a purely formal nature, which reproduced the title of the item on the agenda as decided by the Governing Body, the proposer agreed to amend his proposal so as to delete the words objected to without adding any words in their place; this was agreed to by the Committee.

8. A proposal was submitted by the Liberian Government member to delete the third paragraph of the preamble and to replace it by two new paragraphs to indicate that, as a result of the system of free enterprise, many nationals of various maritime countries are employed on vessels of other countries and that the main objective of the I.L.O. is to promote social justice in all countries of the world whereby universal and lasting peace can be established. This amendment was not seconded and was therefore not considered further by the Committee.

##### *Paragraph 1*

9. Four amendments were submitted concerning this Paragraph. The first of these, proposed by the Employers' member of Greece,

<sup>1</sup> See Second Part, p. 112.

was to replace the Paragraph by a new text so as to limit the scope of the Recommendation to the engagement of national seafarers; to replace the words "equal to" by the words "in accordance with"; and to add the standards provided for in the legislation and regulations to those which might be contained in collective agreements. The purpose of the proposal was to eliminate from the text any inference concerning the closed shop, and to bring it more into line with the intentions of the Joint Maritime Commission when it recommended the inclusion of this item on the agenda of the Conference. This proposal was supported by the Government member of Greece. It was opposed by several Government members and by the Workers' members. The amendment was finally rejected by the Committee by 17 votes to 53, with 15 abstentions.

10. The second amendment, submitted by the Workers' members, to insert the words "and under its jurisdiction" after the word "territory" in the second line of the Paragraph, was withdrawn.

11. The third and fourth amendments concerned the words "equal to". The first of these, proposed by the United Kingdom Government member, was to replace these words by the words "in accordance with", which had been adopted by the Preparatory Technical Maritime Conference, and which, in the opinion of this member, provided a larger measure of flexibility. This interpretation was agreed to by the Workers' members and by some Government and Employers' members, whereas the United States Employers' member and some other members disagreed. A number of alternative suggestions were made, but as the Committee was unable to find an acceptable formula it referred this matter, together with the second of these amendments (which was the proposal of the Workers' members to add the words "at least" before the word "equal") to the Drafting Committee, which recommended using the words "generally equivalent to".

#### *Paragraph 2*

12. The United Kingdom Government member proposed that clause (ii) of subparagraph (a) of this Paragraph be deleted, as its provisions were not in the interests of the seafarers concerned nor did they agree with the legislation of most maritime countries. This amendment was supported by the Government member of the U.S.S.R., by the Employers' member of the United Kingdom and by the Workers' members. It was adopted by the Committee.

13. A further amendment was proposed by the United Kingdom Government member to delete the words "subject to appropriate safeguards" in clause (iv) of subparagraph (a), on the grounds that they were vague and meaningless. This proposal was opposed by the Government members of Belgium, Italy and the U.S.S.R. among others, and by some Employers' members and Workers' members. The Government member of the Netherlands agreed with the views expressed by

some other members that the words were vague, and suggested that the Drafting Committee be requested to define more precisely what was intended. This was agreed by the Committee, and the Drafting Committee recommended that clause (iv) (now clause (iii)) be reworded as follows: "(iii) another port agreed upon between the seafarer concerned and the master or shipowner, with the approval of the competent authority or under appropriate safeguards;".

14. The Employers' member of Denmark reserved his position regarding the whole of subparagraph (a) of Paragraph 2, as the provisions of this subparagraph differed from those contained in the legislation of his country.

#### *Proposed Third Paragraph*

15. A proposal of the French Workers' delegate to add a third paragraph to the text to provide for the establishment of joint employment offices for the engagement of seafarers on all vessels was not seconded and was therefore not considered further. Another proposal submitted by this delegate to amend the title of the Recommendation to conform to the proposed third paragraph was also not considered for lack of support.

16. The Workers' members of the Committee also suggested adding a new paragraph in order to ensure that seafarers are engaged for service on foreign-flag vessels only through regularly established employment offices, and that engagements carried out by other means would be considered a punishable offence. In the opinion of the Workers' members the provisions of this amendment would in no way interfere with accepted recruiting practices in traditional maritime countries, including those carried out by consular offices. This proposal was given qualified support by several Government members, including those of Canada and Ghana. However, some of these members expressed dissatisfaction with the punitive clause. The Netherlands Government member considered that this question might well be covered by the provisions of the Placing of Seamen Convention, 1920. The Government member of the United States could not support the proposal unless a revised text were submitted to ensure that the role of consular offices was clarified. The Government members of Belgium and the United Kingdom and the Employers' members opposed the proposal. The Committee rejected the amendment by 38 votes to 41, with 6 abstentions.

17. The Workers' members proposed that an additional paragraph be added to the instrument to ensure that the word "seafarer" included all officers. This amendment was withdrawn, however, when the Representative of the Secretary-General explained that in I.L.O. terminology the term "seafarer" was generally interpreted to include both officers and ratings.

18. Finally, the Employers' member of the United Kingdom referred to the report of the Preparatory Conference and stated that it was the sense of the Employers' members that the proposed Recommendation should in no way

be inserted so that the text would provide for the exercise of "effective jurisdiction and control". It was agreed that this did not imply that States would have to assume direct responsibility for welfare services of seafarers. On this understanding the amendment was adopted by 408 votes to 12, with 12 abstentions.

12. An amendment by the United States Government member, and subamended by the United States Employers' member, that the term "ships" be qualified by the insertion of the words "sea-going merchant" was adopted unanimously.

13. A suggestion was made by the United States Employers' member that a tonnage limitation, formally proposed for clause (b), be inserted instead at the beginning of the operative part. It was objected that in this way the tonnage limitation would apply to all the clauses of the operative part and that it was not appropriate to all of them. The suggestion was accordingly withdrawn.

#### *Clause (a)*

14. This clause was adopted without discussion.

#### *Clause (b)*

15. An amendment was proposed by the Government member of the United States that the provision for regular inspection be restricted to ships of 1,000 gross tons and over. Several members pointed out that the Safety of Life at Sea Convention of 1948 fixed the tonnage limitation at 500 gross tons. The amendment was rejected by 18 votes to 321, with 81 abstentions.

#### *Clause (c)*

16. An amendment proposed by the Government members of Belgium and the Netherlands to make it clear that government-controlled agencies to supervise the signing on and signing off of seafarers should be established abroad as well as in the territory of the country of registration was adopted by 198 votes to 156, with 66 abstentions.

17. An amendment proposed by the United States Government member that the clause be amended to provide for the establishment of government-controlled procedures to supervise the signing on and signing off of seafarers as required by national laws or regulations was rejected by 162 votes to 252, with 6 abstentions. An amendment proposed by the United States Employers' member that the word "procedures" be substituted for the word "agencies" in the clause was rejected by 150 votes to 164, with 102 abstentions.

#### *Clauses (d) to (g)*

18. Clauses (d) to (g) were adopted without discussion.

19. The entire text of the proposed Recommendation, as amended, was adopted by 369 votes to 0, with 57 abstentions.

20. The Drafting Committee examined the proposed text. It made the formal changes appropriate to the decision that the text should take the form of a Recommendation. In addition, it slightly changed the drafting of clause (e) with reference to the view that that clause, like the succeeding clause, was intended to refer to seafarers on board the ships of the country of registration, and not to seafarers nationals of the country of registration.

21. The text of the proposed Recommendation is appended to this report and is submitted to the Conference for approval.

22. The Committee adopted the present report unanimously.

Geneva, 9 May 1958.

(Signed) BRYNJULF BULL,  
*Chairman.*

J. PLUYMERS,  
*Reporter.*

### **(3) Text of the Proposed Recommendation concerning Social Conditions and Safety of Seafarers in Relation to Registration of Ships, Submitted by the Committee on Flag Transfer.<sup>1</sup>**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-first Session on 29 April 1958, and

Having decided upon the adoption of certain proposals concerning flag transfer in relation to social conditions and safety, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation, adopts this

day of May of the year one thousand nine hundred and fifty-eight the following Recommendation, which may be cited as the Social Conditions and Safety (Seafarers) Recommendation, 1958:

Considering that labour conditions have a substantial bearing on safety of life at sea,

Considering that the problems involved have been brought into special prominence by the large volume of tonnage registered in countries not hitherto regarded as being traditionally maritime,

Considering that the Convention on the High Seas adopted by the United Nations Conference on the Law of the Sea and opened for signature on 29 April 1958 contains a set of provisions regarding—

- (a) the right of every State to sail ships under its flag;
- (b) the condition relating to the nationality of the ship that there must exist a genuine

<sup>1</sup> See Second Part, p. 148.

link between the State and the ship ; that in particular the State must effectively exercise its jurisdiction and control in administrative, technical and social matters over ships flying its flag ;

- (c) the obligation that every State shall take such measures for ships under its flag as are necessary to ensure safety at sea with regard, *inter alia*, to the manning of ships and labour conditions for crews taking into account the applicable international labour instruments ;

Considering the Seafarers' Engagement (Foreign Vessels) Recommendation, 1958, and

Considering the provisions of the Social Security (Seafarers) Convention, 1946 ;

The Conference recommends that the following provisions should be applied :

The country of registration should accept the full obligations implied by registration and exercise effective jurisdiction and control for the purpose of the safety and welfare of seafarers in its sea-going merchant ships and in particular should—

- (a) make and adopt regulations designed to ensure that all ships on its register observe internationally accepted safety standards ;
- (b) make arrangements for a proper ship inspection service adequate to the requirements of the tonnage on its register and ensure that all ships on its register are regularly inspected to ensure conformity with regulations issued under (a) above ;

- (c) establish both in its territory and abroad the requisite government-controlled agencies to supervise the signing on and signing off of seafarers ;
- (d) ensure or satisfy itself that the conditions under which the seafarers serve are in accordance with the standards generally accepted by the traditional maritime countries ;
- (e) by regulations or legislation if not already otherwise provided for, ensure freedom of association for the seafarers serving on board its ships ;
- (f) ensure by regulation or legislation that proper repatriation for the seafarers serving on board its ships is provided in accordance with the practice followed in traditional maritime countries ;
- (g) ensure that proper and satisfactory arrangements are made for the examination of candidates for certificates of competency and for the issuing of such certificates.

**(4) Text of the Recommendation concerning Social Conditions and Safety of Seafarers in Relation to Registration of Ships, Submitted by the Drafting Committee.**

*(The text of the Recommendation, as submitted by the Drafting Committee, was adopted unchanged by the Conference.<sup>1</sup> For the authentic text see Appendix XII, p. 270.)*

<sup>1</sup> See Second Part, p. 187.

## APPENDIX VII

### Fifth Item on the Agenda : Contents of Ships' Medicine Chests and Medical Advice by Radio to Ships at Sea

(1) Text of the Proposed Recommendation concerning the Contents of Medicine Chests on Board Ship, Prepared by the International Labour Office.

(2) Text of the Proposed Recommendation concerning Medical Advice by Radio to Ships at Sea, Prepared by the International Labour Office.

*(The texts of these proposed Recommendations are given in Report V, prepared by the International Labour Office for the 41st Session of the Conference.)*

#### (3) Report of the Committee on Medical Questions.<sup>1</sup>

1. The Committee on Medical Questions, set up by the Conference at its third sitting on 30 April 1958, was composed of 32 members (16 Government members, 8 Employers' members and 8 Workers' members). To achieve equality of voting among the three groups each Government member had one vote and each Employers' member and each Workers' member had two votes.

2. The Committee elected its Officers as follows :

*Chairman* : Mr. Lazareanu, Government member, Rumania.

*Vice-Chairmen* : Dr. Corbett, Employers' member, United Kingdom, and Mr. Highfield, Workers' member, United Kingdom.

*Reporter* : Dr. Cevaer, Government member, France.

3. The Committee held six sittings.

4. The Committee had before it Report V prepared by the Office on the fifth item of the agenda of the present session of the Conference. The discussions took place on the basis of the proposed Conclusions set out in that report.

#### General Discussion

5. Before examining the proposed Conclusions in detail the Committee had a brief general discussion. It decided to proceed, in the first instance, with an examination of the different paragraphs of the proposed Conclusions and then to consider the question whether these should take the form of a Convention or a Recommendation.

6. The Chinese Government member recalled the proposal already made at the Preparatory Technical Maritime Conference in 1956 that the Joint I.L.O.-W.H.O. Committee on the Hygiene of Seafarers should consider the preparation of a model ships' medical guide. Such a guide would be especially helpful to States Members, in particular to the under-developed countries, in formulating their own medical guides. The Chinese Government member expressed the hope that the resolution concerning this question, already adopted by the Preparatory Technical Maritime Conference, should be taken into consideration and that the Directors-General of the I.L.O. and the W.H.O. should have consultations on this question as soon as possible.

#### Contents of Medicine Chests on Board Ship

#### FORM OF THE INTERNATIONAL INSTRUMENT

7. The Workers' members stressed the importance of the proposed text and declared strong support for a Convention which, in their view, would be a much more effective instrument than a Recommendation to ensure indispensable medical protection for seafarers. They hoped that a Convention would be adopted with unanimity. The Government members of Italy, Rumania and the U.S.S.R. vigorously supported this proposal and emphasised the importance which a more effective instrument would have in protecting the health of seafarers. The French Government member observed that the adoption of a Convention would necessitate an important modification of the proposed text necessarily limiting the scope of its application. The United Kingdom Government member said that application of the proposed text to national practices made it necessary for the instrument to be a Recommendation. The Swedish Government member agreed with this view. The United States Government member thought that a very rigid instrument would be of less value. The Belgian Employers' member considered that a Recommendation would be a flexible instrument permitting wider application. The United Kingdom Employers' member emphasised the national and special character of medical techniques which might render a rigid instrument practically inapplicable in a number of countries. The Workers' members, in view of the lack of unanimity in favour of a Convention, withdrew their proposal. The Committee

<sup>1</sup> See Second Part, p. 110.



then unanimously, and without a vote, decided that the proposed text should take the form of a Recommendation.

### *Paragraph 1*

8. The United States Government member proposed that the last sentence of subparagraph (1) of this Paragraph should be replaced by the following text: "Special provisions should be made for safekeeping, by the master or other responsible officer, of medicaments the use of which is restricted." The Swedish Workers' member suggested that it should be provided that these restricted medicaments should be kept in the medicine chest on board. A brief discussion of the point followed. The United States Government member explained that his amendment visualised the keeping of certain medicaments like narcotics in a safe place, which normally was the medicine chest on board. However, on vessels of small tonnage the medicine chests might often be portable and for that reason it would be preferable not to specify the place where the restricted medicaments should be kept. The Workers' members agreed with this point of view. The whole of Paragraph 1, as amended, was adopted unanimously.

### *Paragraph 2*

9. After an exchange of views on the question whether it would be desirable to specify the intervals at which revision of the rules and regulations concerning the contents of the various types of medicine chests should take place (subparagraph (2)), the whole of Paragraph 2 was adopted without modification.

### *Paragraph 3*

10. Paragraph 3 was adopted without discussion.

### *Paragraph 4*

11. The U.S.S.R. Government member proposed a new text which stated that the rules and regulations should provide for the proper maintenance and care of medicine chests by a responsible person on board who could ensure, first, that all the medicaments shown in the minimum list were present in the medicine chest and, secondly, that these medicaments were regularly replenished. During a wide exchange of views the discussion was confined to the question whether or not to provide for certain details, in particular concerning the person to be charged with the responsibility for the medicine chest on board ship and the frequency of the inspection of the contents of medicine chests. The Workers' members pointed out that it was always the master of the ship who was responsible on board and that it would be dangerous to specify in the text of the Recommendation that another person could be designated by national regulations to undertake this particular responsibility. Such a decision would run counter to the rules usually applicable in certain countries. Furthermore, the Workers' members said that they would adhere to the Office text, which seemed to cover all the points on which agreement had been reached. This

view was supported by the French Government member and the Employers' members. The Committee rejected the amendment by 9 votes to 34, with 2 abstentions.

### LIST OF MINIMUM MEDICAMENTS AND MEDICAL EQUIPMENT

12. On a proposal made by the United Kingdom Employers' member a working party, consisting of the members of the Committee belonging to the medical profession, was constituted for studying the list of medicaments and medical equipment contained in the annex to the proposed Recommendation. The working party proposed certain modifications of detail having a bearing on the obligatory or optional character of some of the medicines to be included in medicine chests, on the examples of medicaments included in the list and on the quantity in which dosages of certain injectible medicaments should be supplied. Antibiotics for oral use, which have recently become available in commercial form, was the only item added to the list. The whole of the annex, as modified, was adopted without discussion.

13. The entire text of the proposed Recommendation concerning the contents of medicine chests on board ship, as amended, was adopted by 44 votes to 0, with 0 abstentions.

### Medical Advice by Radio to Ships at Sea

#### FORM OF THE INTERNATIONAL INSTRUMENT

14. The Workers' members were of the opinion that the proposed text concerning medical advice by radio to ships at sea, in view of the existing situation in regard to the matter, could take the form of a Recommendation. This view was supported by the Government members and Employers' members. The Committee therefore decided, without a vote, that this part of the proposed Conclusions should take the form of a Recommendation.

15. After a brief exchange of views the text of the proposed Recommendation was adopted without modification.

16. The entire text of the proposed Recommendation concerning medical advice by radio to ships at sea was adopted by 44 votes to 0, with 0 abstentions.

17. The Committee adopted the present report by 45 votes to 0, with 0 abstentions.

Geneva, 7 May 1958.

(Signed) A. LAZAREANU,  
Chairman.

R. CEVAER,  
Reporter.

**(4) Text of the Proposed Recommendation concerning the Contents of Medicine Chests on Board Ship, Submitted by the Committee on Medical Questions.<sup>1</sup>**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-first Session on 29 April 1958, and

Having decided upon the adoption of certain proposals with regard to the contents of medicine chests on board ship, which are included in the fifth item on the agenda of the session, and

Having decided that these proposals shall take the form of a Recommendation,

adopts this day of May of the year one thousand nine hundred and fifty-eight the following Recommendation, which may be cited as the Ships' Medicine Chests Recommendation, 1958 :

The Conference recommends that each Member should apply the following provisions :

1. (1) Every vessel engaged in maritime navigation should be required to carry a medicine chest, the contents of which should be prescribed by the competent authority, taking into account such factors as the number of persons on board, and the nature and the duration of the voyage. Special provisions should be made for the custody, by the master or other responsible officer, of medicaments the use of which is restricted.

(2) The rules and regulations concerning the minimum contents of the medicine chests should apply whether there is a ship's doctor on board or not.

2. (1) In establishing or reviewing rules or regulations concerning the contents of the various types of medicine chests, the competent authority should take into consideration the list of minimum contents appended to this Recommendation.

(2) Such rules or regulations should be subject to periodical revision in the light of new medical discoveries, advances and approved methods of treatment, in accordance with any proposals for such revision which may be adopted in a manner agreed between the International Labour Organisation and the World Health Organisation.

3. All medicine chests should contain a medical guide approved by the competent authority, which explains fully how the contents of the medicine chest are to be used. The guide should be sufficiently detailed to enable persons other than a ship's doctor to administer to the needs of sick or injured persons on board both with and without supplementary medical advice by radio.

4. The rules and regulations should provide for the proper maintenance and care of medicine chests and their contents and their regular

inspection at intervals not normally exceeding 12 months by persons authorised by the competent authority.

## ANNEX

### *Minimum List of Medicaments and Medical Equipment<sup>1</sup>*

#### A. Medicaments Corresponding to the Following Preparations Described in the *International Pharmacopoeia*

##### (a) In Volume I :

- \* Antidiphtheria serum.
- \* Antitetanus serum (small quantities).  
Ethanol solution of iodine.
- Tincture of opium (and/or equivalent).

##### (b) In Volume II :

- \* Injection of adrenalin.
- \* Injection of atropine sulfate.
- Injection of morphine.
- \* Injection of nikethamide.
- \* Injection of procaine hydrochloride.
- Tablets of acetylsalicylic acid.
- \* Tablets of ascorbic acid.
- \* Tablets of amphetamine sulfate.
- Tablets of codeine phosphate (and/or equivalent).
- Tablets of ephedrine hydrochloride.
- \* Tablets of glyceryl trinitrate.
- \* Tablets of mercurous chloride (calomel).
- Tablets of proguanil hydrochloride (and/or other anti-malarial drug).
- Tablets of succinylsulfathiazole (or equivalent).
- Tablets of sulfadiazine (or equivalent).
- \* Tincture of belladonna.
- Water for injection.

#### B. Other Medicaments

##### (a) Preparations for external application :

- An antiseptic for use in wounds.
- A disinfectant.
- An insecticide.
- A liniment.
- A lotion for acute dermatitis.
- An ointment for haemorrhoids.
- A preparation for ringworm, such as compound of benzoic and salicylic acid.
- A preparation for chronic skin inflammations, e.g. compound zinc oxide paste.
- A preparation for burns.
- An application of benzyl benzoate for scabies.
- \* A venereal-disease prophylactic package.

##### (b) Preparations for use in the eye :

- An anaesthetic.
- An antiseptic.
- \* Yellow mercury oxide eye-ointment.

##### (c) A preparation for toothache.

##### (d) Preparations for internal use :

- Tablets of barbituric acid derivatives : (i) short-acting and hypnotic ; (ii) long-acting and sedative.
- Tablets of hyoscine hydrobromide (scopolamine hydrobromide) or equivalent sea-sickness remedy.
- Tablets of sodium chloride (for heat cramp).
- An injection of a repository form of penicillin, e.g. procaine penicillin G fortified (procaine penicillin G with crystalline penicillin), or PAM (procaine penicillin G in oil with aluminium monostearate), or benzathine penicillin G.
- \* An antibiotic for oral use, e.g. : oxytetracycline hydrochloride or penicillin V.
- \* An antihistamine preparation.
- Medicine to control gastric acidity.
- Laxatives.

##### (e) Others :

- Olive oil (or equivalent).
- A copy of the *International List of Venereal-Disease Treatment Centres at Ports*, published by the World Health Organisation.
- Personal booklets for venereal-disease treatment in the form appended to the above publication.

Of the above list, the tablets of barbituric acid derivatives and of codeine phosphate, the injection of morphine

<sup>1</sup> It is recommended that medicaments given by injection and included in this list, such as adrenalin, should whenever possible be supplied in single-dose containers.

\* Optional.

<sup>1</sup> See Second Part, p. 111.

and the tinctures of opium and of belladonna should be kept under lock and key by the master of the vessel or other responsible officer, who should also be responsible for the procaine and penicillin.

#### C. Surgical Instruments, Appliances and Equipment

Thermometer.

Hypodermic syringe and needles (suitable both for serums and for other injections).

Sutures and ligatures (catgut, silk, worm gut).

Suture needles (and possibly a needle holder).

Haemostatic forceps.

Splinter forceps.

Dissecting forceps.

Scalpel (stainless).

Surgical scissors.

Tourniquet.

Eye spud.

Eye cup.

Droppers.

Soft-rubber catheters of various sizes.

Splints (wooden or wire).

Bedpan.

Urine bottle.

Kidney dish.

Feeding cup.

Hot-water bottle.

Stretcher (a type suitable for transferring patients from one part of the ship to another, such as the Neil-Robertson stretcher or equivalent).

Bandage scissors.

Wooden applicators.

Bandages.

Gauze.

Cotton wool.

Adhesive tape.

Elastic adhesive bandages.

\* Plaster of Paris bandages.

\* Optional.

#### (5) Text of the Proposed Recommendation concerning Medical Advice by Radio to Ships at Sea, Submitted by the Committee on Medical Questions.<sup>1</sup>

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-first Session on 29 April 1958, and

Having decided upon the adoption of certain proposals with regard to medical advice by radio to ships at sea, which are included in the fifth item on the agenda of the session, and

Having decided that these proposals shall take the form of a Recommendation,

adopts this day of May of the year one thousand nine hundred and fifty-eight the following Recommendation, which may be cited as the Medical Advice at Sea Recommendation, 1958:

The Conference recommends that each Member should apply the following provisions:

Members should ensure by a pre-arranged system that—

- (a) medical advice by radio to ships at sea is available free of charge at any hour of the day or night;
- (b) the medical advice available includes, where necessary and practicable, specialist advice;
- (c) adequate use is made of the radio advice facilities available, *inter alia*, by instruction of sea-going personnel and by medical guides which indicate clearly and concisely the type of information which will help the doctor in giving his advice, so that the person on board ship who seeks advice understands what sort of information is required by the advising doctor;
- (d) an up-to-date and complete list of radio stations from which medical advice can be obtained is carried on each ship equipped with radio installations, and kept in the custody of the radio officer or, in the case of smaller vessels, of the person responsible for radio duties.

#### (6) Text of the Recommendation concerning the Contents of Medicine Chests on Board Ship, Submitted by the Drafting Committee.

#### (7) Text of the Recommendation concerning Medical Advice by Radio to Ships at Sea, Submitted by the Drafting Committee.

*(The texts of these two Recommendations, submitted by the Drafting Committee, were adopted unchanged by the Conference.<sup>1</sup> For the authentic texts see Appendix XII, pp. 264 and 268.)*

<sup>1</sup> See Second Part, p. 111.

<sup>1</sup> See Second Part, pp. 160 and 161.

## APPENDIX VIII

### Sixth Item on the Agenda : Jurisdiction over the Suspension of Officers' Certificates of Competency

**(1) Text of the Resolution concerning the Jurisdiction Competent to Suspend or Cancel Officers' Competency Certificates, Submitted by the International Labour Office.**

*(The text of this resolution is given in Report VI prepared by the International Labour Office for the 41st Session of the Conference.)*

**(2) Report of the Committee on Competency Certificates.<sup>1</sup>**

1. The Committee on Competency Certificates, set up by the Conference at its third sitting on 30 April 1958, was composed of 40 members (24 Government members, 8 Employers' members and 8 Workers' members). To achieve equality of voting among the three groups, each Government member had one vote and each Employers' member and each Workers' member had three votes.

2. The Committee elected its Officers as follows :

*Chairman* : Mr. Pedrosa, Government member, Portugal.

*Vice-Chairmen* : Captain Hiestand, Employers' member, Norway, and Captain Lurvey, Workers' member, United States.

*Reporter* : Captain Graves (Government member, Canada).

3. The Committee held four sittings.

#### DISCUSSION OF THE RESOLUTION

4. The Committee took as a basis for its discussions the resolution adopted by the Preparatory Technical Maritime Conference and set forth in Report VI prepared for the present session of the Conference.

#### *Preamble*

5. The Committee adopted without discussion the first six paragraphs of the preamble.

6. On the proposal of the Workers' member of the United Kingdom and of the Government member of Belgium the Committee unanimously agreed that the seventh and eighth paragraphs of the preamble should be amended to take account of the fact that the Provisional Articles concerning the Régime of the High Seas, proposed by the International Law Commission, as well as the commentary on these Articles, had been superseded by the adoption on 29 April 1958 of a Convention on the

High Seas by the United Nations Conference on the Law of the Sea. Article 11 of that Convention relates to the subject dealt with in the resolution. It was accordingly decided to include in the preamble a paragraph referring to that Article in place of the original seventh and eighth paragraphs.

7. This change entailed a minor consequential amendment in the final paragraph of the preamble, which the Committee agreed to unanimously and which takes account of the fact that reference is now made in the preamble to a Convention which was only adopted on 29 April 1958 and is for that reason not as yet binding on any State.

#### *Paragraph 1*

8. The Committee adopted paragraph 1 of the resolution without discussion.

#### *Paragraph 2*

9. A proposal was submitted by the French Government member that this paragraph, or at least the words "as far as possible without reservation", be deleted. The proposal to delete the entire paragraph was supported by the Government members of Poland and the U.S.S.R. It was argued by the members concerned that it would be difficult for countries which have not ratified the 1952 Brussels Convention, or have ratified it with a reservation concerning territorial waters, to recommend in the resolution that other countries should ratify the Convention as far as possible without reservation. Moreover, it was pointed out that the Brussels Convention deals essentially with penal jurisdiction, while the resolution related exclusively to jurisdiction over certificates of competency. The maintenance of the text adopted by the Preparatory Technical Maritime Conference was proposed by the Government members of the United States, Belgium and Italy, as well as by the Employers' and Workers' members.

10. Paragraph 2 of the resolution was adopted by 57 votes to 1, with 6 abstentions.

#### *Paragraphs 3 to 5*

11. Paragraphs 3 to 5 were adopted without discussion.

12. The Committee adopted the resolution as a whole by 63 votes to 0, with 2 abstentions. The text of the resolution as adopted by the Committee is appended to this report and is submitted to the Conference for approval.

<sup>1</sup> See Second Part, p. 70.

13. The Committee adopted this report by 61 votes to 0, with 0 abstentions.

Geneva, 5 May 1958.

(Signed) A. FERREIRA PEDROSA,  
*Chairman.*

G. W. R. GRAVES,  
*Reporter.*

**(3) Text of the Resolution concerning the Jurisdiction Competent to Suspend or Cancel Officers' Competency Certificates, Submitted by the Committee on Competency Certificates.<sup>1</sup>**

The General Conference of the International Labour Organisation—

Considering that the Officers' Competency Certificates Convention, 1936, adopted by the International Labour Conference at its 21st Session, provides in Article 3 that "no person shall be engaged to perform or shall perform on board any vessel to which this Convention applies the duties of master or skipper, navigating officer in charge of a watch, chief engineer, or engineer officer in charge of a watch, unless he holds a certificate of competency to perform such duties, issued or approved by the public authority of the territory where the vessel is registered",

Considering that the Convention provides in paragraph 3 of Article 5 that "where the authorities of a Member which has ratified this Convention find a breach of its provisions on a vessel registered in the territory of another Member which has also ratified the Convention, the said authorities shall communicate with the consul of the Member in the territory of which the vessel is registered",

Considering that the Governing Body of the International Labour Office at its 45th Session referred to the International Maritime Committee the question of the penal consequences of collisions at sea,

Considering that the International Convention for the Unification of Certain Rules relating to Penal Jurisdiction in Matters of Collision or Other Incidents of Navigation, signed at Brussels on 10 May 1952, provides that "in the event of a collision or any other incident of navigation concerning a sea-going ship and involving the penal or disciplinary responsibility of the master or of any other person in the service of the ship, criminal or disciplinary proceedings may be instituted only before the judicial or administrative authorities of the State of which the ship was flying the flag at the time of the collision or other incident of navigation",

Noting that the Brussels Convention nevertheless adds that "nothing contained in this Convention shall prevent any State from permitting its own authorities, in cases of collision or other incidents of navigation, to take any action in respect of certificates of competence or licences issued by that State or to prosecute its own nationals for offences committed while on board a ship flying the flag of another State",

Noting further that the Brussels Convention does not apply to collisions or other incidents of navigation occurring within the limits of a port or in inland waters, and that

the High Contracting Parties "shall be at liberty, at the time of signature, ratification or accession to the Convention, to reserve to themselves the right to take proceedings in respect of offences committed within their own territorial waters",

Considering that the Convention on the High Seas, signed at Geneva on 29 April 1958, provides that "in the event of a collision or of any other incident of navigation concerning a ship on the high seas, involving the penal or disciplinary responsibility of the master or of any other person in the service of the ship, no penal or disciplinary proceedings may be instituted against such persons except before the judicial or administrative authorities either of the flag State or of the State of which such person is a national", and that "in disciplinary matters, the State which has issued a master's certificate or a certificate of competence or licence shall alone be competent, after due legal process, to pronounce the withdrawal of such certificates, even if the holder is not a national of the State which issued them",

Noting that the foregoing provisions are as yet binding only in part, or not at all, on some of the Members of the International Labour Organisation;

1. Affirms the general principle that the authorities of the State which has issued a competency certificate are alone competent to suspend or cancel it, and that a State ought not to exercise the right to interfere with or suspend the validity of a foreign certificate within its own jurisdiction, that is to say in its own inland waters and territorial sea and on board ships flying its own flag, unless the State which has issued the certificate and all other States having the power to suspend or cancel the certificate in pursuance of reciprocal arrangements with that State have failed to inquire into the necessity for taking action in that regard;

2. Recommends that each Member of the International Labour Organisation should accede, as far as possible without reservation, to the International Convention for the Unification of Certain Rules relating to Penal Jurisdiction in Matters of Collision or Other Incidents of Navigation, signed at Brussels on 10 May 1952;

3. Expresses the wish that when a State has jurisdiction over an incident of navigation and in the exercise of that jurisdiction considers that action should be taken in respect of the use of a certificate issued by another State, it will notify the State which issued the certificate so that that State may take any measure which it considers necessary;

4. Recognises that the foregoing principles may be derogated from by special reciprocal arrangements for the acceptance of certificates which may be made between States or groups of States;

5. Requests the Director-General of the International Labour Office to transmit a copy of this resolution to each Member of the International Labour Organisation, to the Secretary-General of the United Nations and to the International Maritime Committee.

<sup>1</sup> See Second Part, p. 71, and Appendix XI, p. 256.

## APPENDIX IX

### Seventh Item on the Agenda : Reciprocal or International Recognition of Seafarers' National Identity Cards

#### (1) Text of the Proposed Convention concerning Seafarers' National Identity Documents, Prepared by the International Labour Office.

*(The text of this proposed Convention is given in Report VII prepared by the International Labour Office for the 41st Session of the Conference.)*

#### (2) Report of the Committee on Identity Cards.<sup>1</sup>

1. The Committee on Identity Cards, set up by the Conference at its third sitting on 30 April 1958, consisted of 40 members (24 Government members, 8 Employers' members and 8 Workers' members). To achieve equality of voting each Government member had one vote and each Employers' member and each Workers' member had three votes.

2. The Committee elected its Officers as follows :

*Chairman :* Captain Johnson, Government member, Canada.

*Vice-Chairmen :* Vice-Admiral Spencer, Employers' member, United States, and Mr. Dekeyzer, Workers' member, Belgium.

*Reporter :* Mr. Carlier, Government member, Belgium.

The Drafting Committee consisted of the Reporter ; Mr. Beale, Government member, United Kingdom ; Mr. Baek, Employers' member, Belgium ; and Mr. Dekeyzer, Workers' member, Belgium.

3. The Committee took as a basis of discussion the text of a proposed Convention concerning seafarers' national identity documents, as contained in Report VII prepared for the present session of the Conference.

#### GENERAL DISCUSSION

4. The Committee first held a brief exchange of views on the text of the proposed Convention, which was found to be generally satisfactory subject to the insertion of minor drafting changes in the course of discussion. Support for the proposed Convention was expressed, in particular, by the Government members of Belgium, Pakistan, Poland, the Union of Soviet Socialist Republics, the United Kingdom and Yugoslavia, as well as the Employers' and Workers' members. It was

emphasised that the establishment of international standards concerning the form and content of national identity cards for seafarers, and their reciprocal recognition, would do much to alleviate the difficulties and inconveniences which arose when seafarers took shore leave in foreign ports or in connection with their travel in transit or in the course of repatriation. Such standards would also eliminate the need for bilateral agreements which had been adopted by some countries to overcome these difficulties.

5. The Indian Government member, while concurring in the general expression of support for the objectives of the proposed Convention, stated that any obligation to readmit holders of seafarers' identity cards into the country of issue must be subject to certain overriding conditions. In one of the two major Indian ports of enrolment, for example, a peculiar situation had existed since 1947 whereby considerable numbers of foreign seafarers were registered and engaged on the same terms as Indian seafarers. An unqualified undertaking to readmit foreign seafarers might prejudice the interests of national seafarers, and it was largely for this reason that the Indian Government could not accept the proposed text in its entirety. The United States Government member indicated that under the existing immigration laws and regulations his country could not contemplate ratification of the proposed Convention unless certain of its provisions could be subordinated to the requirements of national laws and regulations.

#### DISCUSSION ON THE PROPOSED CONVENTION

##### Article 1

6. Paragraphs 1 and 2 of this Article were adopted unanimously on the understanding that the phrase "every seafarer who is engaged in any capacity on board a vessel" referred not only to crew members actually employed on board ship at any given time but also to all persons who might be regarded as genuine seafarers within the definition laid down by the competent authority in accordance with the provisions of paragraph 2 of this Article.

##### Article 2

7. Paragraph 1 of this Article was adopted without discussion.

8. An amendment to paragraph 2 was proposed by the Polish Government member to

<sup>1</sup> See Second Part, p. 107.

the effect that the optional issue of identity cards to non-national seafarers either serving on board vessels of the country concerned or registered at an employment office within its territory should be restricted to persons living in its territory. It was explained that this amendment was designed to prevent abuses which might arise if, for example, a seafarer were able to register by postal correspondence with an employment office in another country, secure an identity card, and thereby gain admittance to that country without meeting his obligations to his previous country of residence. If a seafarer's identity card were to be regarded as a substitute for a national passport giving unrestricted freedom to travel from one country to another without approval of the local authorities, even where the holder might be a national of the country concerned, a complicated and undesirable situation would arise. Although some speakers supported the amendment in the interests of greater precision and with a view to clarifying administrative procedure, the majority of the Government members as well as the Employers' and Workers' members felt that it would be unduly restrictive in scope, and injurious not only to the interests of refugee seafarers but also to large numbers of other seafarers not possessing a fixed domicile. The effect of the amendment, it was argued, might be to create unnecessary loopholes in the substantive provisions relating to the readmission of holders of valid identity cards (Article 5). Appropriate safeguards against possible abuses of the type mentioned could, moreover, be found under other provisions of the proposed Convention. In the light of these considerations the mover withdrew her amendment and paragraph 2 was adopted without alteration.

### *Article 3*

9. This Article was adopted without discussion.

### *Article 4*

10. Paragraphs 1 and 2 were adopted without discussion.

11. On paragraph 3 some discussion arose concerning the particulars to be entered relating to the holder of a seafarer's identity card. One point related to possible difficulties in ascertaining the correct date and place of birth; it appeared that in some countries proper records were not available and that doubt arose as to the exact details required under this provision. The Committee as a whole felt, however, that this was a minor point not likely to create any practical difficulties, since the particulars entered in analogous documents such as seafarers' continuous discharge books could normally be used even if they were approximate.

12. An amendment was submitted by the Netherlands Government member seeking the inclusion, under the particulars required to be entered in the identity card under this Article, of specific mention concerning the period of validity. It was recalled that this point had been discussed at the Preparatory Technical Maritime Conference in London, when it had been decided that the "further particulars" mentioned in paragraph 6 of this Article could

cover a notation of the period of validity, if so prescribed by national laws or regulations. The mover of the present amendment urged that, where a period of validity was laid down for seafarers' identity cards, the document itself should contain the relevant particulars so as to obviate unnecessary inquiries in the country of origin: the object was to facilitate readmission or repatriation as the case may be. It was agreed that the period of validity should be left to the country concerned in view of the wide variations in national practice, and due account should be taken of the fact that these particulars might be optional or unnecessary in some countries. On the proposal of the United Kingdom Government member the Committee agreed to add a new paragraph to Article 4 on the following lines: "The period of validity of the document, if any, shall be stated clearly on the document."

13. Paragraphs 4, 5 and 6 of this Article were adopted without discussion. When the final text of this Article was reviewed by the Drafting Committee, the new paragraph was numbered 5 and redrafted as it appears in the final text; the old paragraphs 5 and 6 were renumbered 6 and 7 accordingly.

### *Article 5*

14. The Committee agreed that the substance of this Article was most important from the viewpoint of securing effective application of the Convention as a whole, and accordingly paid careful attention to its drafting.

15. Four amendments were proposed. The first of these, submitted by the United Kingdom Government member, sought to improve the clarity of the original draft; it was referred to the Drafting Committee for consideration in preparing the final text of this Article.

16. The second amendment, submitted by the Government member of Japan, proposed that a new paragraph be added allowing Members discretionary powers to refuse the readmission of alien seafarers holding identity cards issued by their authorities. In particular, the Japanese Government considered it necessary to provide in the Convention that Members should not be compelled to receive back individual seafarers in cases involving risks to national security or public health. The majority of the members of the Committee, felt, however, that circumscribing the Convention in this manner was undesirable, and the amendment was rejected by 8 votes to 54, with 7 abstentions.

17. A third amendment, submitted by the United States Government member, proposed that the application of Article 5 should only extend as far as national laws or regulations permitted; it was stated that the issue of seafarers' documents should not be regarded as conferring irrevocable rights in respect of readmission to the territory of the issuing country. In all such cases the provisions of national laws and regulations in force for the time being must retain priority. It was also argued by supporters of the amendment that such a proviso would enable a far larger number of countries to ratify the Convention. On the other hand, a large majority of members



felt strongly that the introduction of such a proviso would destroy the effectiveness of the proposed Convention altogether, and the amendment was accordingly withdrawn.

18. Finally, a fourth amendment, submitted by the Belgian Government member, proposed a drafting change to the existing text of Article 5 and the addition of a new paragraph providing that the holder of a seafarer's identity card should be entitled to readmission within one year of its date of expiry. The object of the suggested additional paragraph was to cover cases where a seafarer's identity card might become invalid after he had been landed ashore for medical treatment or other reasons. This suggestion was generally approved as constituting a useful widening of the scope of the Article, and the amendment was adopted by 32 votes to 24, with 13 abstentions.

#### *Article 6*

19. The provisions of this Article were also generally recognised as being of a fundamental character, and the Committee had to consider several amendments to the various paragraphs.

20. The United States Government member had submitted amendments to paragraphs 1 and 2 corresponding to the earlier amendment on Article 5 which had been withdrawn. In the light of the previous discussion these amendments were also withdrawn.

21. The Government member of Yugoslavia felt that paragraph 1 as drafted in the Office text was illogical, since crew members automatically entered national territory once their ships were in harbour. The purpose of this paragraph, which was simply to ensure facilities for shore leave during the ship's stay in port, could be stated in simpler terms by deleting the phrases "the entry into its territory of" and "when entry is requested for". The Workers' members, on the other hand, felt that the original text was preferable since it was flexible enough to cover cases where the ship might be in port in one country and a crew member might desire to take shore leave in a neighbouring country. The Committee agreed to refer the final wording of this paragraph to its Drafting Committee, which decided in favour of the original text.

22. On paragraph 2 of Article 6 an amendment submitted by the Government members of India and the United States referred to the question of national laws and regulations of general application which must, in their view, prevail. The Indian Government member urged that the proposed Convention should take account of the fact that national laws and regulations could not be changed arbitrarily to suit the requirements of special occupational groups. Proper safeguards were, in particular, required to deal with the issue of identity cards to alien seafarers; without such provisions the number of countries likely to ratify an effective international Convention would inevitably diminish. These views were supported by the Government members of Japan and the United States. However, other members, particularly the Workers' members and the Government members of Pakistan and the

United Kingdom, repeated their earlier objections to circumscribing the scope of the Convention in a manner which would be likely to damage its effectiveness, and considered that conditions of a local and possibly ephemeral character could not apply to the provisions of an international instrument of this kind. The amendment was rejected by 6 votes to 53, with 4 abstentions.

23. The U.S.S.R. Government member put forward an amendment to clause (b) of paragraph 2 of Article 6. This amendment, in his view, clarified the text and was supported by the Government members of Ukraine, Yugoslavia and Poland. After it became clear that the amendment did not meet with general support the U.S.S.R. Government member did not insist on its further discussion.

24. An amendment by the Yugoslav Government member to paragraph 2 of Article 6 proposed the deletion of the earlier text of clause (c) and its replacement by a new text providing for a seafarer to be allowed into the territory of a foreign State for the purpose of obtaining indispensable medical help. This amendment was supported by the Government members of the U.S.S.R. and Ukraine, who emphasised the need for an amendment in this sense. It was pointed out in this connection that the right to land a seafarer for essential medical treatment had always been governed by humanitarian considerations, and it would be undesirable to introduce provisions limiting the right of entry in such cases to the holders of valid seafarers' identity documents. The amendment was rejected by 4 votes to 58, with 5 abstentions.

25. An amendment to paragraph 3, also submitted by the Government member of Yugoslavia, proposed that permissive provisions be included in connection with the issue of consular visas on seafarers' identity documents. This was intended to facilitate the movement of seafarers, particularly in transit or during repatriation. Several members, however, felt that the proposed text already contained adequate safeguards in this respect, while other members considered that provision for consular visas would result in inordinate delays and unnecessary expense to shipowners and seafarers alike. The proposed amendment was rejected by 4 votes to 61, with 4 abstentions.

26. Finally, the Committee considered an amendment submitted by the Government member of Poland to the effect that paragraph 4 of Article 6 be turned into a separate Article and that its provisions be applicable to the Convention as a whole. It was argued in support of the amendment that this would constitute an essential safeguard in respect of national sovereignty and public security, but other members of the Committee were inclined to associate its meaning with the amendment to Article 5 submitted earlier by the Japanese Government member, which had been rejected. In particular, some members felt that the proper stage for the exercise of safeguards occurred at the time of issuing a document, and sweeping provisions of the kind proposed in the amendment would tend to nullify the



effectiveness of the Convention. The amendment was rejected by 7 votes to 53, with 8 abstentions.

27. The Drafting Committee examined the text of the proposed Convention, together with the amendments adopted during the discussion and those which had been referred to it by the Committee, and introduced certain drafting changes designed to improve the style. The Indian Government member stated that he could not take part in the voting but that he would like his Government's opposition to the proposed Convention to be recorded. The text of the proposed Convention, as amended in the course of discussion and arranged by the Drafting Committee, was adopted by 62 votes to 3, with 2 abstentions. The text is appended to this report and is submitted to the Conference for approval.

28. The Committee unanimously adopted the present report.

Geneva, 7 May 1958.

(Signed) G. L. C. JOHNSON,  
*Chairman.*

E. CARLIER,  
*Reporter.*

**(3) Text of the Proposed Convention concerning Seafarers' National Identity Documents, Submitted by the Committee on Identity Cards.<sup>1</sup>**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-first Session on 29 April 1958, and

Having decided upon the adoption of certain proposals with regard to the reciprocal or international recognition of seafarers' national identity cards, which is the seventh item on the agenda of the session, and

Having decided that these proposals shall take the form of an international Convention,

adopts this                    day of May of the year one thousand nine hundred and fifty-eight the following Convention, which may be cited as the Seafarers' Identity Documents Convention, 1958 :

*Article 1*

1. This Convention applies to every seafarer who is engaged in any capacity on board a vessel, other than a ship of war, registered in a territory for which the Convention is in force and ordinarily engaged in maritime navigation.

2. In the event of any doubt whether any categories of persons are to be regarded as seafarers for the purposes of this Convention, the question shall be determined by the competent authority in each country after consultation with the shipowners' and seafarers' organisations concerned.

*Article 2*

1. Each Member for which this Convention is in force shall issue to each of its nationals who is a seafarer on application by him a seafarer's identity document conforming with the provisions of Article 4 of this Convention : Provided that, if it is impracticable to issue such a document to special classes of its seafarers, the Member may issue instead a passport indicating that the holder is a seafarer and such passport shall have the same effect as a seafarer's identity document for the purpose of this Convention.

2. Each Member for which this Convention is in force may issue a seafarer's identity document to any other seafarer either serving on board a vessel registered in its territory or registered at an employment office within its territory who applies for such a document.

*Article 3*

The seafarer's identity document shall remain in the seafarer's possession at all times.

*Article 4*

1. The seafarer's identity document shall be designed in a simple manner, be made of durable material, and so fashioned that any alterations are easily detectable.

2. The seafarer's identity document shall contain the name and title of the issuing authority, the date and place of issue, and a statement that the document is a seafarer's identity document for the purposes of this Convention.

3. The seafarer's identity document shall include the following particulars concerning the bearer :

- (a) full name (first and last names where applicable) ;
- (b) date and place of birth ;
- (c) nationality ;
- (d) physical characteristics ;
- (e) photograph ; and
- (f) signature or, if bearer is unable to sign, a thumbprint.

4. If a Member issues a seafarer's identity document to a foreign seafarer it shall not be necessary to include any statement as to his nationality, nor shall any such statement be conclusive proof of his nationality.

5. Any limitation of the period of validity of a seafarer's identity document shall be clearly indicated therein.

6. Subject to the provisions of the preceding paragraphs the precise form and content of the seafarer's identity document shall be decided by the Member issuing it, after consultation with the shipowners' and seafarers' organisations concerned.

7. National laws or regulations may prescribe further particulars to be included in the seafarer's identity document.

*Article 5*

1. Any seafarer who holds a valid seafarer's identity document issued by the competent

<sup>1</sup> See Second Part, p. 110.

authority of a territory for which this Convention is in force shall be readmitted to that territory.

2. The seafarer shall be so readmitted during a period of at least one year after any date of expiry indicated in the said document.

#### *Article 6*

1. Each Member for which this Convention is in force shall permit the entry into its territory of a seafarer holding a valid seafarer's identity document, when entry is requested for temporary shore leave while the ship is in port.

2. If the seafarer's identity document contains space for appropriate entries, each Member for which this Convention is in force shall also permit the entry into its territory of a seafarer holding a valid seafarer's identity document when entry is requested for the purpose of—

- (a) joining his ship or transferring to another ship ;
- (b) passing in transit to join his ship in another country or for repatriation ; or
- (c) any other purpose approved by the authorities of the Member concerned.

3. Any such Member may, before permitting entry into its territory for one of the purposes specified in the preceding paragraph, require satisfactory evidence, including documentary evidence, from the seafarer, the owner or agent concerned, or from the appropriate consul, of a seafarer's intention and of his ability to carry out that intention. The Member may also limit the seafarer's stay to a period considered reasonable for the purpose in question.

4. Nothing in this Article shall be construed as restricting the right of a Member to prevent any particular individual from entering or remaining in its territory.

#### **(4) Text of the Convention concerning Seafarers' National Identity Documents, Submitted by the Drafting Committee.**

*(The text of the Convention, submitted by the Drafting Committee, was adopted unchanged by the Conference.<sup>1</sup> For the authentic text see Appendix XII, p. 258.)*

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<sup>1</sup> See Second Part, p. 158.

## APPENDIX X

### Communications to the Conference

**(1) Statement of Arrears of Contributions Due on 28 April 1958, Communicated to the Conference by the Director-General (Article 30 of the Standing Orders).**

State (French alphabetical order)	Period	Arrears due	Total arrears due	Contributions 1956-1957 <sup>1</sup>
		U.S. dollars		
Albania . . . . .	1957	—	4,141.25	18,016.12
Bolivia <sup>2</sup> . . . . .	1952-1956	25,916.32		
	1957	9,141.25	35,057.57	17,379.87
Chile . . . . .	1957	—	25,939.31	49,102.07
China <sup>3</sup> . . . . .	1951-1953	—	436,663.44	456,408.48
Colombia . . . . .	1957	—	7,302.76	55,752.20
Cuba . . . . .	1957	—	19,476.46	43,142.80
Ecuador . . . . .	1956	611.38		
	1957	7,593.81	8,205.19	16,226.50
Spain <sup>4</sup> . . . . .	1937-1941	—	175,000.—	—
United States . . . . .	1957	—	42,116.59	3,430,976.74
Ethiopia . . . . .	1945-1946	5,135.10		
	1947-1956	71,623.01		
	1957	9,141.25	85,899.36	18,016.12
Hungary <sup>5</sup> . . . . .	1952-1953	—	65,792.12	65,998.82
Israel . . . . .	1957	—	5,000.—	17,007.77
Lebanon . . . . .	1957	—	27.44	16,468.68
Paraguay <sup>6</sup> . . . . .	1920-1937	23,186.—		
	1956	2,861.30		
	1957	9,141.25	35,188.55	—
Peru . . . . .	1957	—	10,000.—	29,427.50
Rumania <sup>7</sup> . . . . .	1957	—	11,081.66	—
Uruguay . . . . .	1956	9,925.61		
	1957	13,440.39	23,366.—	25,559.62
			990,257.70	

<sup>1</sup> The figures in the last column are included in this table in pursuance of article 13, paragraph 4, of the Constitution of the International Labour Organisation, the text of which is as follows:

"A Member of the Organisation which is in arrears in the payment of its financial contribution to the Organisation shall have no vote in the Conference, in the Governing Body, in any committee, or in the elections of members of the Governing Body, if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years: Provided that the Conference may by a two-thirds majority of the votes cast by the delegates present permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member."

<sup>2</sup> Bolivia: Contributions due for the period ending 31 December 1957 (\$35,057.57) payable in eight equal annual instalments of \$4,382.20 commencing in 1959, in accordance with the arrangement approved by the International Labour Conference at its 40th Session (1957).

<sup>3</sup> China: Contributions due for the period ending 31 December 1953 (\$883,871.80) payable by annual instalments of \$30,000 in

accordance with the arrangement approved by the International Labour Conference at its 37th Session (1954). Instalments for 1954-58, and an amount of \$297,208.36, have been paid.

<sup>4</sup> Spain: Date of readmission, 28 May 1956. Total arrears due were reduced by arrangement approved by the International Labour Conference at its 39th Session (1956) to \$195,000. This amount was payable, commencing in 1956, by four annual instalments of \$10,000 followed by four annual instalments of \$38,750. The 1956 and 1957 instalments have been paid.

<sup>5</sup> Hungary: Contributions due for the period ending 31 December 1953 (\$145,740.92) payable in eight equal annual instalments of \$18,217.62, commencing in 1955, in accordance with the arrangement approved by the International Labour Conference at its 37th Session (1954). Instalments for 1955-58 inclusive, and part of the instalment for 1959, have been paid.

<sup>6</sup> Paraguay: Date of readmission, 5 September 1956.

<sup>7</sup> Rumania: Date of readmission, 11 May 1956.

## (2) Selection of the Members of the Joint Maritime Commission : Information Submitted to the Conference by the International Labour Office.

As was stated in the letter convening the 41st (Maritime) Session of the International Labour Conference<sup>1</sup> the Conference will be called upon to fill the Shipowners' and Seafarers' seats on the Joint Maritime Commission.

The relevant provisions of the Standing Orders of the Joint Maritime Commission, as adopted by the Governing Body on 11 December 1948 and amended on 4 March 1953, are as follows :

### ARTICLE 1

#### *Composition of the Commission*

1. The Joint Maritime Commission set up by the Governing Body of the International Labour Office shall consist of two members appointed by the Governing Body of the International Labour Office, representing respectively the Employers' group and the Workers' group of the Governing Body, and of thirty members nominated by the International Labour Conference at a session dealing with maritime questions, fifteen of whom shall be selected by the shipowners' delegates and fifteen by the seafarers' delegates at the Conference.

2. It shall also include five deputy shipowner members and five deputy seafarer members appointed respectively by the shipowners' delegates and the seafarers' delegates at the Conference.

The composition of the Commission was last determined at the 28th (Maritime) Session of the International Labour Conference (Seattle, 1946). A number of vacancies arising since that time as the result of the death or resignation of members or the termination of their membership (e.g. upon ceasing to be actively connected with the shipping industry or with a seafarers' union) have been filled in accordance with the procedure laid down in article 8 of the Standing Orders of the Commission.

The present composition of the Shipowners' and Seafarers' groups of the Commission is as follows :

#### *Shipowners' group :*

##### *Regular members :*

Viscount Botelho (*Portugal*)  
Mr. G. Dufour (*Belgium*)

<sup>1</sup> See First Part, p. viii.

Mr. P. W. Haddy (*Australia*)  
Mr. H. G. H. Hallberg (*Finland*)  
Captain O. I. Loennechen, O.B.E. (*Norway*)  
Mr. C. T. Lyras (*Greece*)  
Mr. A. L. W. MacCallum (*Canada*)  
Mr. J. Marchegay (*France*)  
Mr. M. A. Master, B.A., LL.B. (*India*)  
Mr. M. S. Pennington (*United States*)  
Mr. Jenaro Prieto (*Chile*)  
Sir Richard Snedden, C.B.E. (*United Kingdom*)  
Mr. W. N. H. van der Vorm (*Netherlands*)  
Dr. Wei Wen-han (*China*)  
Mr. V. Wenzell (*Denmark*)

##### *Deputy members :*

Mr. H. F. Reuterskiöld (*Sweden*)  
Captain P. S. Saglietto (*Italy*)  
Mr. H. H. Schultdt (*Federal Republic of Germany*)  
Two vacant seats.

#### *Seafarers' group :*

##### *Regular members :*

Mr. Aftab Ali (*Pakistan*)  
Mr. H. C. Banks (*Canada*)  
Mr. O. Becu (*Belgium*)  
Mr. I. Haugen (*Norway*)  
Mr. H. Hildebrand (*Federal Republic of Germany*)  
Mr. T. Nishimaki (*Japan*)  
Mr. A. Petrouris (*Greece*)  
Mr. J. Philipps (*France*)  
Mr. U. Romagnoli (*Italy*)  
Mr. J. A. Tudehope (*Australia*)  
Mr. P. de Vries (*Netherlands*)  
Mr. L. L. Villanueva (*Chile*)  
Mr. T. Yates (*United Kingdom*)  
Two vacant seats.

##### *Deputy members :*

Mr. S. From-Andersen (*Denmark*)  
Mr. D. Desai (*India*)  
Mr. J. Mason (*Argentina*)  
Captain D. S. Tennant (*United Kingdom*)  
Mr. N. Wälläri (*Finland*).

## (3) Results of the Selection of the Members of the Joint Maritime Commission.

(The results of the selection of the members of the Joint Maritime Commission were communicated to the Conference at its 15th Sitting on 13 May 1958. See Second Part, p. 180.)

## APPENDIX XI

### Resolutions Adopted by the Conference

#### **(1) Resolution concerning Refugee Seafarers, Submitted by the Resolutions Committee.<sup>1</sup>**

*(Adopted on 12 May 1958)*

The General Conference of the International Labour Organisation,

Considering the plight of the refugee seafarers who are not entitled to admission to stay lawfully in the territory of any State,

Recalling that the problem has been a subject of discussion at various sessions of the Joint Maritime Commission, resulting in recommendations to governmental authorities, as well as to the organisations of shipowners and seafarers, to make all possible contribution to the solution of the problem;

Notes with warm satisfaction that the governments of eight Western European countries have, on the initiative of the Netherlands Government, drawn up and signed an Agreement relating to Refugee Seamen, concluded at The Hague on 23 November 1957, which contributes considerably to the solution of this problem;

Expresses the hope that governments of States which are Members of the International Labour Organisation will give consideration to the possibility of acceding to that Agreement;

Calls upon governmental authorities, as well as organisations of shipowners and seafarers, to inform refugee seafarers of the possibilities of regularising their position offered to them by this Agreement;

Requests the Director-General of the International Labour Office to co-operate with the United Nations High Commissioner for Refugees with a view to the implementation and application of the Agreement and in further efforts for a complete solution of this serious human problem.

#### **(2) Resolution concerning Welfare in Port, Submitted by the Resolutions Committee.<sup>2</sup>**

*(Adopted on 12 May 1958)*

The General Conference of the International Labour Organisation,

Considering that there is a growing and urgent need to deal with the question of seafarers' welfare in port on a world scale,

Whereas resolutions have been adopted over the years by the Joint Maritime Commission and the International Labour Conference stressing the role to be played by governments in the sphere of seafarers' welfare and calling upon them to devote attention to the matter, in consultation with organisations of shipowners and seafarers,

Whereas the Asian Maritime Conference (Nuwara, Eliya, 1953) considered the problem from the special point of view of the large numbers of Asian seafarers serving in foreign ships and visiting foreign ports and stressed the need for organised efforts to deal with this aspect of welfare in port;

Warmly welcomes the setting up of a Tripartite Subcommittee of the Joint Maritime Commission with the special task of dealing with seafarers' welfare; and

Requests the Governing Body of the International Labour Office to convene the Subcommittee as soon as possible in order that it may make proposals for giving effect to the resolutions which have been adopted on the subject of seafarers' welfare over the years, including the study of welfare facilities for Asian seamen in non-Asian ports.

#### **(3) Resolution concerning Health and Hygiene on Board Ship, Submitted by the Resolutions Committee.<sup>1</sup>**

*(Adopted on 12 May 1958)*

The General Conference of the International Labour Organisation,

Considering the great importance of measures to protect health and to provide medical facilities on board ship,

Considering the valuable contribution made in this field, especially in its socio-medical aspects, by the I.L.O.-W.H.O. Joint Committee on Hygiene of Seafarers,

Considering the desirability of this work being carried on with the utmost speed and vigour;

Expresses its deep appreciation of the substantial progress achieved in this sphere and requests the Governing Body of the International Labour Office to consider the possibility of arranging an early meeting of the Joint Committee.

<sup>1</sup> See Second Part, p. 149, and Appendix III, p. 216.

<sup>2</sup> See Second Part, p. 150, and Appendix III, p. 216.

<sup>1</sup> See Second Part, p. 152, and Appendix III, p. 217.

**(4) Resolution concerning Crew Accommodation, Submitted by the Resolutions Committee.<sup>1</sup>**

*(Adopted on 12 May 1958)*

The General Conference of the International Labour Organisation,

Considering that the Convention concerning crew accommodation on board ship which was adopted by the International Labour Conference at its 28th Session (Seattle, 1946) and revised at its 32nd Session (Geneva, 1949) has contributed greatly to the improvement of the standards of accommodation on board ship, and

Considering further that the principles of air conditioning on board ship should be investigated with a view to their application to crews' quarters ;

Requests the Governing Body of the International Labour Office to initiate a study of the question of air conditioning in relation to crew accommodation and to refer the question to an early session of the Joint Maritime Commission for further consideration.

**(5) Resolution concerning the Manning of Ships, Submitted by the Resolutions Committee.<sup>1</sup>**

*(Adopted on 12 May 1958)*

The General Conference of the International Labour Organisation,

Noting that the Convention on the High Seas (Geneva, 1958) provides that every State shall take such measures for ships under its flags as are necessary to ensure safety at sea with regard, *inter alia*, to the manning of ships,

Noting that the International Conference on the Safety of Life at Sea (London, 1948) adopted a Recommendation which suggested that the International Labour Organisation, and also the Intergovernmental Maritime Consultative Organisation, when formed, should give consideration to the question of minimum standards of manning on board ship ;

Requests the Governing Body of the International Labour Office to initiate a study of the standards of manning prescribed by law or collective agreements and of those actually obtaining in different countries and to refer the question to the Joint Maritime Commission for further consideration.

**(6) Resolution concerning the Convening of the Joint Maritime Commission, Submitted by the Resolutions Committee.<sup>2</sup>**

*(Adopted on 12 May 1958)*

The General Conference of the International Labour Organisation,

Having regard to the fact that there are a number of important social questions affecting seafarers concerning which resolutions have been adopted by the 41st Session of the International Labour Conference and concerning

which the International Labour Office has been requested to carry out studies,

Considering that these questions should be further pursued with as little delay as possible ;

Requests the Governing Body of the International Labour Office to consider the convening of a session of the Joint Maritime Commission at an early date in consultation with the parties concerned.

**(7) Resolution concerning Atomic Power and Shipping, Submitted by the Resolutions Committee.<sup>1</sup>**

*(Adopted on 13 May 1958)*

The General Conference of the International Labour Organisation,

Noting present trends towards the utilisation of atomic power for propulsion and other purposes on board ship, and

Recalling the risks of radioactivity which are inherent in developments of this sort, not only to the crews but to others, and

Recognising the needs for appropriate safeguards ;

Requests the Governing Body of the International Labour Office, in co-operation with other appropriate international agencies, to study the problems created by the application of atomic power to shipping in so far as the protection of the crew is concerned, and to report thereon to an early session of the Joint Maritime Commission.

**(8) Resolution concerning Fishermen's Questions, Submitted by the Resolutions Committee.<sup>2</sup>**

*(Adopted on 13 May 1958)*

The General Conference of the International Labour Organisation,

Noting that under existing arrangements fishermen's questions are from time to time dealt with at Maritime Sessions of the International Labour Conference,

Considering that these arrangements are unsatisfactory and that it is not always practicable to deal adequately with fishermen's questions through Maritime Sessions of the Conference,

Considering, further, that it is not always convenient to refer fishermen's questions to Ordinary Sessions of the International Labour Conference, and

Regretting the consequent difficulty and delay in dealing with fishermen's questions through the existing machinery of the I.L.O. ;

Suggests that the 42nd Session of the International Labour Conference, at which representatives of the employers and workers of the fishing industry will be present, should consider whether machinery for dealing internationally with the social questions of the fishing industry should be set up under the auspices of the I.L.O.

<sup>1</sup> See Second Part, p. 152, and Appendix III, p. 217.

<sup>2</sup> See Second Part, p. 152, and Appendix III, p. 218.

<sup>1</sup> See Second Part, p. 155, and Appendix III, p. 218.

<sup>2</sup> See Second Part, p. 169, and Appendix III, p. 219.

**(9) Resolution concerning Safety of Life at Sea, Submitted by the Resolutions Committee.<sup>1</sup>***(Adopted on 13 May 1958)*

The General Conference of the International Labour Organisation,

Considering the desirability of bringing up to date the Convention concerning the Safety of Life at Sea, 1948 ;

Welcomes the prospect of another Diplomatic Conference on Safety of Life at Sea being held in the near future, and requests the Governing Body of the International Labour Office to suggest the participation not only of shipowners' and seafarers' representatives in the delegations of governments attending the Conference but also of representatives from the Joint Maritime Commission in a consultative capacity.

**(10) Resolution concerning Limitation of Shipowners' Liability, Submitted by the Resolutions Committee.<sup>2</sup>***(Adopted on 13 May 1958)*

The General Conference of the International Labour Organisation,

Noting the adoption by an Intergovernmental Diplomatic Conference held in Brussels in October 1957 of an International Convention relating to the Limitation of the Liability of Owners of Sea-going Ships,

Considering that that Convention is of interest to the I.L.O. in view of the fact that it both limits the liability of seafarers and protects their claims against the shipowner,

Noting with regard to the first point that the Brussels Convention provides that its provisions shall apply "to the master, members of the crew and other servants of the owner, charterer, manager or operator acting in the course of their employment", and that "such persons may limit their liability even if the occurrence which gives rise to the claims resulted from the actual fault or privity of one or more of such persons",

Noting with regard to the second point that the Brussels Convention raises the limit of liability of the shipowner in respect of personal claims to 3,100 gold francs for each ton of the ship's tonnage,

Noting further that the Convention provides that the limitation of liability shall not apply "to claims by the master, by members of the crew, by any servants of the owner on board the ship or by servants of the owner whose duties are connected with the ship, including the claims of their heirs, personal representatives or dependants, if under the law governing the contract of service between the owner and such servants the owner is not entitled to limit his liability in respect of such claims or if he is by such law only permitted to limit his liability to an amount greater than that provided for in Article 3 of this Convention",

Considering that those aspects of shipowners' liability which affect seafarers and other categories of workers in their capacities of persons in the employment of shipowners are of a character which brings them within the competence of the International Labour Office ;

(1) Expresses its satisfaction, first, that the Convention fixes limits for the liability of owners of sea-going ships which improve the protection of injured parties and, secondly, that the Convention admits the principle of the limitation of the liability of master and crew ;

(2) Recommends that each Member of the International Labour Organisation should consider the possibility of ratifying or acceding to the International Convention relating to the Limitation of the Liability of Owners of Sea-going Ships, signed at Brussels on 10 October 1957 ;

(3) Requests the Governing Body of the International Labour Office to consult with the Diplomatic Conference on Maritime Law with a view to associating the International Labour Organisation in future with the consideration of the question of shipowners' liability towards seafarers.

**(11) Resolution concerning the Application of the Principle of a 40-Hour Working Week on Board Ship, Submitted by the Committee on Wages, Hours and Manning.<sup>1</sup>***(Adopted on 12 May 1958)*

The General Conference of the International Labour Organisation,

Considering that the arduous and specific working and living conditions of seafarers, which are related to the special nature of their work in conditions of prolonged service at sea, call for a greater expenditure of physical and moral effort on the part of seafarers and have a detrimental influence on their health,

Considering that the demand of seafarers for a reduction of their working hours to 40 per week is in keeping with the present stage of technical progress in ships,

Noting that the principle of a 40-hour working week was adopted by the General Conference of the International Labour Organisation at its 19th Session and was stated in Convention No. 47,

Noting further the revised text of Convention No. 93 concerning wages, hours of work on board ship and manning and the Recommendation additional thereto, adopted at the 41st Session of the International Labour Conference in 1958,

Considering that the question of hours of work in industry generally is to be discussed at the 42nd (Ordinary) Session of the International Labour Conference ;

Requests the Governing Body of the International Labour Office to include the seafarers in any measures or investigations decided on arising out of the forthcoming discussion concerning a general reduction of working hours.

<sup>1</sup> See Second Part, p. 170, and Appendix III, p. 219.

<sup>2</sup> See Second Part, p. 170, and Appendix III, p. 220.

<sup>1</sup> See Second Part, p. 146, and Appendix IV, p. 233

**(12) Resolution concerning the Jurisdiction Competent to Suspend or Cancel Officers' Competency Certificates, Submitted by the Committee on Competency Certificates.<sup>1</sup>**

*(Adopted on 7 May 1958)*

The General Conference of the International Labour Organisation,

Considering that the Officers' Competency Certificates Convention, 1936, adopted by the International Labour Conference at its 21st Session, provides in Article 3 that "no person shall be engaged to perform or shall perform on board any vessel to which this Convention applies the duties of master or skipper, navigating officer in charge of a watch, chief engineer, or engineer officer in charge of a watch, unless he holds a certificate of competency to perform such duties, issued or approved by the public authority of the territory where the vessel is registered",

Considering that the Convention provides in paragraph 3 of Article 5 that "where the authorities of a Member which has ratified this Convention find a breach of its provisions on a vessel registered in the territory of another Member which has also ratified the Convention, the said authorities shall communicate with the consul of the Member in the territory of which the vessel is registered",

Considering that the Governing Body of the International Labour Office at its 45th Session referred to the International Maritime Committee the question of the penal consequences of collisions at sea,

Considering that the International Convention for the Unification of Certain Rules relating to Penal Jurisdiction in Matters of Collision or Other Incidents of Navigation, signed at Brussels on 10 May 1952, provides that "in the event of a collision or any other incident of navigation concerning a sea-going ship and involving the penal or disciplinary responsibility of the master or of any other person in the service of the ship, criminal or disciplinary proceedings may be instituted only before the judicial or administrative authorities of the State of which the ship was flying the flag at the time of the collision or other incident of navigation",

Noting that the Brussels Convention nevertheless adds that "nothing contained in this Convention shall prevent any State from permitting its own authorities, in cases of collision or other incidents of navigation, to take any action in respect of certificates of competence or licences issued by that State or to prosecute its own nationals for offences committed while on board a ship flying the flag of another State",

Noting further that the Brussels Convention does not apply to collisions or other incidents of navigation occurring within the limits of a port or in inland waters, and that the High Contracting Parties "shall be at liberty, at the

time of signature, ratification or accession to the Convention, to reserve to themselves the right to take proceedings in respect of offences committed within their own territorial waters",

Considering that the Convention on the High Seas, signed at Geneva on 29 April 1958, provides that "in the event of a collision or of any other incident of navigation concerning a ship on the high seas, involving the penal or disciplinary responsibility of the master or of any other person in the service of the ship, no penal or disciplinary proceedings may be instituted against such persons except before the judicial or administrative authorities either of the flag State or of the State of which such person is a national", and that "in disciplinary matters, the State which has issued a master's certificate or a certificate of competence or licence shall alone be competent, after due legal process, to pronounce the withdrawal of such certificates, even if the holder is not a national of the State which issued them",

Noting that the foregoing provisions are as yet binding only in part, or not at all, on some of the Members of the International Labour Organisation;

1. Affirms the general principle that the authorities of the State which has issued a competency certificate are alone competent to suspend or cancel it, and that a State ought not to exercise the right to interfere with or suspend the validity of a foreign certificate within its own jurisdiction, that is to say in its own inland waters and territorial sea and on board ships flying its own flag, unless the State which has issued the certificate and all other States having the power to suspend or cancel the certificate in pursuance of reciprocal arrangements with that State have failed to inquire into the necessity for taking action in that regard;

2. Recommends that each Member of the International Labour Organisation should accede, as far as possible without reservation, to the International Convention for the Unification of Certain Rules relating to Penal Jurisdiction in Matters of Collision or Other Incidents of Navigation, signed at Brussels on 10 May 1952;

3. Expresses the wish that, when a State has jurisdiction over an incident of navigation and in the exercise of that jurisdiction considers that action should be taken in respect of the use of a certificate issued by another State, it will notify the State which issued the certificate so that that State may take any measure which it considers necessary;

4. Recognises that the foregoing principles may be derogated from by special reciprocal arrangements for the acceptance of certificates which may be made between States or groups of States;

5. Requests the Director-General of the International Labour Office to transmit a copy of this resolution to each Member of the International Labour Organisation, to the Secretary-General of the United Nations and to the International Maritime Committee.

<sup>1</sup> See Second Part, p. 71, and Appendix VIII, p. 245.



# **AUTHENTIC TEXTS**

Convention 108**(1) Convention concerning Seafarers' National Identity Documents.**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-first Session on 29 April 1958, and

Having decided upon the adoption of certain proposals with regard to the reciprocal or international recognition of seafarers' national identity cards, which is the seventh item on the agenda of the session, and

Having decided that these proposals shall take the form of an international Convention,

adopts this thirteenth day of May of the year one thousand nine hundred and fifty-eight the following Convention, which may be cited as the Seafarers' Identity Documents Convention, 1958 :

*Article 1*

1. This Convention applies to every seafarer who is engaged in any capacity on board a vessel, other than a ship of war, registered in a territory for which the Convention is in force and ordinarily engaged in maritime navigation.

2. In the event of any doubt whether any categories of persons are to be regarded as seafarers for the purpose of this Convention, the question shall be determined by the competent authority in each country after consultation with the shipowners' and seafarers' organisations concerned.

*Article 2*

1. Each Member for which this Convention is in force shall issue to each of its nationals who is a seafarer on application by him a seafarer's identity document conforming with the provisions of Article 4 of this Convention : Provided that, if it is impracticable to issue such a document to special classes of its seafarers, the Member may issue instead a passport indicating that the holder is a seafarer and such passport shall have the same effect as a seafarer's identity document for the purpose of this Convention.

2. Each Member for which this Convention is in force may issue a seafarer's identity document to any other seafarer either serving on board a vessel registered in its territory or registered at an employment office within its territory who applies for such a document.

*Article 3*

The seafarer's identity document shall remain in the seafarer's possession at all times.

Adopted by the Conference:

Texts

Convention 108

**1) Convention concernant les pièces d'identité nationales des gens de mer.**

La Conférence générale de l'Organisation internationale du Travail, Convoquée à Genève par le Conseil d'administration du Bureau international du Travail, et s'y étant réunie le 29 avril 1958, en sa quarante et unième session ;

Après avoir décidé d'adopter diverses propositions relatives à la reconnaissance réciproque ou internationale d'une carte d'identité nationale pour les gens de mer, question qui constitue le septième point à l'ordre du jour de la session ;

Après avoir décidé que ces propositions prendraient la forme d'une convention internationale,

adopte, ce treizième jour de mai mil neuf cent cinquante-huit, la convention ci-après, qui sera dénommée Convention sur les pièces d'identité des gens de mer, 1958 :

*Article 1*

1. La présente convention s'applique à tout marin employé, à quelque titre que ce soit, à bord de tout navire autre qu'un navire de guerre, qui est immatriculé dans un territoire pour lequel cette convention est en vigueur, et qui est normalement affecté à la navigation maritime.

2. En cas de doute quant à la question de savoir si certaines catégories de personnes doivent être considérées comme gens de mer aux fins de la présente convention, cette question sera tranchée, dans chaque pays, par l'autorité compétente, après consultation des organisations d'armateurs et de gens de mer intéressées.

*Article 2*

1. Tout Membre pour lequel la présente convention est en vigueur délivrera, à chacun de ses ressortissants exerçant la profession de marin, sur sa demande, une « pièce d'identité des gens de mer » conforme aux dispositions prévues à l'article 4 ci-dessous. Toutefois, au cas où il ne serait pas possible de délivrer un tel document à certaines catégories de gens de mer, ledit Membre pourra délivrer, en lieu et place dudit document, un passeport spécifiant que le titulaire est un marin et ayant, aux fins de la présente convention, les mêmes effets que la pièce d'identité des gens de mer.

2. Tout Membre pour lequel la présente convention est en vigueur pourra délivrer une pièce d'identité des gens de mer à tout autre marin employé à bord d'un navire immatriculé sur son territoire ou inscrit dans un bureau de placement de son territoire, si l'intéressé en fait la demande.

*Article 3*

La pièce d'identité des gens de mer sera conservée en tout temps par le marin.

*Article 4*

1. The seafarer's identity document shall be designed in a simple manner, be made of durable material, and be so fashioned that any alterations are easily detectable.

2. The seafarer's identity document shall contain the name and title of the issuing authority, the date and place of issue, and a statement that the document is a seafarer's identity document for the purpose of this Convention.

3. The seafarer's identity document shall include the following particulars concerning the bearer :

- (a) full name (first and last names where applicable) ;
- (b) date and place of birth ;
- (c) nationality ;
- (d) physical characteristics ;
- (e) photograph ; and
- (f) signature or, if bearer is unable to sign, a thumbprint.

4. If a Member issues a seafarer's identity document to a foreign seafarer it shall not be necessary to include any statement as to his nationality, nor shall any such statement be conclusive proof of his nationality.

5. Any limit to the period of validity of a seafarer's identity document shall be clearly indicated therein.

6. Subject to the provisions of the preceding paragraphs the precise form and content of the seafarer's identity document shall be decided by the Member issuing it, after consultation with the shipowners' and seafarers' organisations concerned.

7. National laws or regulations may prescribe further particulars to be included in the seafarer's identity document.

*Article 5*

1. Any seafarer who holds a valid seafarer's identity document issued by the competent authority of a territory for which this Convention is in force shall be readmitted to that territory.

2. The seafarer shall be so readmitted during a period of at least one year after any date of expiry indicated in the said document.

*Article 6*

1. Each Member shall permit the entry into a territory for which this Convention is in force of a seafarer holding a valid seafarer's identity document, when entry is requested for temporary shore leave while the ship is in port.

2. If the seafarer's identity document contains space for appropriate entries, each Member shall also permit the entry into a territory for which this Convention is in force of a seafarer holding a valid seafarer's identity document when entry is requested for the purpose of—

- (a) joining his ship or transferring to another ship ;
- (b) passing in transit to join his ship in another country or for repatriation ; or
- (c) any other purpose approved by the authorities of the Member concerned.

3. Any Member may, before permitting entry into its territory for one of the purposes specified in the preceding paragraph, require satisfactory evidence, including documentary evidence, from the seafarer, the owner or agent concerned, or from the appropriate consul, of a seafarer's intention and of his ability to carry out that intention. The Member may also limit the seafarer's stay to a period considered reasonable for the purpose in question.

4. Nothing in this Article shall be construed as restricting the right of a Member to prevent any particular individual from entering or remaining in its territory.

*Article 4*

1. La pièce d'identité des gens de mer sera d'un modèle simple ; elle sera établie dans une matière résistante et présentée de telle manière que toute modification soit aisément discernable.

2. La pièce d'identité des gens de mer indiquera le nom et le titre de l'autorité qui l'a délivrée, la date et le lieu de délivrance et contiendra une déclaration établissant que ce document est une pièce d'identité des gens de mer aux fins de la présente convention.

3. La pièce d'identité des gens de mer contiendra les renseignements ci-après ayant trait au titulaire :

- a) nom en entier (prénoms et nom de famille s'il y a lieu) ;
- b) date et lieu de naissance ;
- c) nationalité ;
- d) signalement ;
- e) photographie ;
- f) signature du titulaire ou, si ce dernier est incapable de signer, une empreinte du pouce.

4. Si un Membre délivre une pièce d'identité des gens de mer à un marin étranger, il ne sera pas tenu d'y faire figurer une déclaration quelconque concernant la nationalité dudit marin. Par ailleurs, une telle déclaration ne constituera pas une preuve concluante de sa nationalité.

5. Toute limitation de la durée de la validité d'une pièce d'identité des gens de mer sera clairement indiquée sur le document.

6. Sous réserve des dispositions contenues aux paragraphes précédents, la forme et la teneur exactes de la pièce d'identité des gens de mer seront arrêtées par le Membre qui la délivre, après consultation des organisations d'armateurs et de gens de mer intéressées.

7. La législation nationale pourra prescrire l'inscription de renseignements complémentaires dans la pièce d'identité des gens de mer.

*Article 5*

1. Tout marin qui est porteur d'une pièce d'identité des gens de mer valable délivrée par l'autorité compétente d'un territoire pour lequel la présente convention est en vigueur, sera réadmis dans ledit territoire.

2. L'intéressé devra également être réadmis dans le territoire visé au paragraphe précédent durant une période d'une année au moins après la date d'expiration éventuelle de la validité de la pièce d'identité des gens de mer dont il est titulaire.

*Article 6*

1. Tout Membre autorisera l'entrée d'un territoire pour lequel la présente convention est en vigueur, à tout marin en possession d'une pièce d'identité des gens de mer valable, lorsque cette entrée est sollicitée pour une permission à terre de durée temporaire pendant l'escale du navire.

2. Si la pièce d'identité des gens de mer contient des espaces libres pour les inscriptions appropriées, tout Membre devra également permettre l'entrée d'un territoire pour lequel la présente convention est en vigueur, à tout marin en possession d'une pièce d'identité des gens de mer valable, lorsque l'entrée est sollicitée par l'intéressé :

- a) pour embarquer à bord de son navire ou être transféré sur un autre navire ;
- b) pour passer en transit afin de rejoindre son navire dans un autre pays ou afin d'être rapatrié ;
- c) pour toute autre fin approuvée par les autorités du Membre intéressé.

3. Avant d'autoriser l'entrée sur son territoire pour l'un des motifs énumérés au paragraphe précédent, tout Membre pourra exiger une preuve satisfaisante, y compris une pièce écrite, de la part du marin, de l'armateur ou de l'agent intéressé, ou du consul intéressé, de l'intention du marin et du fait qu'il sera à même de mettre son projet à exécution. Le Membre pourra également limiter la durée du séjour du marin à une période considérée comme raisonnable eu égard au but du séjour.

4. Le présent article ne devrait en rien être interprété comme restreignant le droit d'un Membre d'empêcher un individu quelconque d'entrer ou de séjourner sur son territoire.

### Article 7

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

### Article 8

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

### Article 9

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years, and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

### Article 10

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

### Article 11

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

### Article 12

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

### Article 13

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides—

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 9 above, if and when the new revising Convention shall have come into force ;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

*Article 7*

Les ratifications formelles de la présente convention seront communiquées au Directeur général du Bureau international du Travail et par lui enregistrées.

*Article 8*

1. La présente convention ne liera que les Membres de l'Organisation internationale du Travail dont la ratification aura été enregistrée par le Directeur général.

2. Elle entrera en vigueur douze mois après que les ratifications de deux Membres auront été enregistrées par le Directeur général.

3. Par la suite, cette convention entrera en vigueur pour chaque Membre douze mois après la date où sa ratification aura été enregistrée.

*Article 9*

1. Tout Membre ayant ratifié la présente convention peut la dénoncer à l'expiration d'une période de dix années après la date de la mise en vigueur initiale de la convention, par un acte communiqué au Directeur général du Bureau international du Travail et par lui enregistré. La dénonciation ne prendra effet qu'une année après avoir été enregistrée.

2. Tout Membre ayant ratifié la présente convention qui, dans le délai d'une année après l'expiration de la période de dix années mentionnée au paragraphe précédent, ne fera pas usage de la faculté de dénonciation prévue par le présent article sera lié pour une nouvelle période de dix années et, par la suite, pourra dénoncer la présente convention à l'expiration de chaque période de dix années dans les conditions prévues au présent article.

*Article 10*

1. Le Directeur général du Bureau international du Travail notifiera à tous les Membres de l'Organisation internationale du Travail l'enregistrement de toutes les ratifications et dénonciations qui lui seront communiquées par les Membres de l'Organisation.

2. En notifiant aux Membres de l'Organisation l'enregistrement de la deuxième ratification qui lui aura été communiquée, le Directeur général appellera l'attention des Membres de l'Organisation sur la date à laquelle la présente convention entrera en vigueur.

*Article 11*

Le Directeur général du Bureau international du Travail communiquera au Secrétaire général des Nations Unies, aux fins d'enregistrement, conformément à l'article 102 de la Charte des Nations Unies, des renseignements complets au sujet de toutes ratifications et de tous actes de dénonciation qu'il aura enregistrés conformément aux articles précédents.

*Article 12*

Chaque fois qu'il le jugera nécessaire, le Conseil d'administration du Bureau international du Travail présentera à la Conférence générale un rapport sur l'application de la présente convention et examinera s'il y a lieu d'inscrire à l'ordre du jour de la Conférence la question de sa revision totale ou partielle.

*Article 13*

1. Au cas où la Conférence adopterait une nouvelle convention portant revision totale ou partielle de la présente convention, et à moins que la nouvelle convention ne dispose autrement :

- a) la ratification par un Membre de la nouvelle convention portant revision entraînerait de plein droit, nonobstant l'article 9 ci-dessus, dénonciation immédiate de la présente convention, sous réserve que la nouvelle convention portant revision soit entrée en vigueur ;
- b) à partir de la date de l'entrée en vigueur de la nouvelle convention portant revision, la présente convention cesserait d'être ouverte à la ratification des Membres.

2. La présente convention demeurerait en tout cas en vigueur dans sa forme et teneur pour les Membres qui l'auraient ratifiée et qui ne ratifieraient pas la convention portant revision.

## Article 14

The English and French versions of the text of this Convention are equally authoritative.

Recommendation 105**(2) Recommendation concerning the Contents of Medicine Chests on Board Ship.**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-first Session on 29 April 1958, and

Having decided upon the adoption of certain proposals with regard to the contents of medicine chests on board ship, which are included in the fifth item on the agenda of the session, and

Having decided that these proposals shall take the form of a Recommendation,

adopts this thirteenth day of May of the year one thousand nine hundred and fifty-eight the following Recommendation, which may be cited as the Ships' Medicine Chests Recommendation, 1958 :

The Conference recommends that each Member should apply the following provisions :

1. (1) Every vessel engaged in maritime navigation should be required to carry a medicine chest, the contents of which should be prescribed by the competent authority, taking into account such factors as the number of persons on board, and the nature and the duration of the voyage. Special provision should be made for the custody, by the master or other responsible officer, of medicaments the use of which is restricted.

(2) The rules and regulations concerning the minimum contents of the medicine chests should apply whether there is a ship's doctor on board or not.

2. (1) In establishing or reviewing rules or regulations concerning the contents of the various types of medicine chests, the competent authority should take into consideration the list of minimum contents appended to this Recommendation.

(2) Such rules or regulations should be subject to periodical revision in the light of new medical discoveries, advances and approved methods of treatment, in accordance with any proposals for such revision which may be adopted in a manner agreed between the International Labour Organisation and the World Health Organisation.

3. All medicine chests should contain a medical guide approved by the competent authority, which explains fully how the contents of the medicine chest are to be used. The guide should be sufficiently detailed to enable persons other than a ship's doctor to administer to the needs of sick or injured persons on board both with and without supplementary medical advice by radio.

4. The rules and regulations should provide for the proper maintenance and care of medicine chests and their contents and their regular inspection at intervals not normally exceeding 12 months by persons authorised by the competent authority.

## ANNEX

*Minimum List of Medicaments and Medical Equipment*<sup>1</sup>A. Medicaments Corresponding to the Following Preparations Described in the *International Pharmacopoeia*

## (a) In Volume I :

- \* Antidiphtheria serum.
- \* Antitetanus serum (small quantities).
- Ethanollic solution of iodine.
- Tincture of opium (and/or equivalent).

<sup>1</sup> It is recommended that medicaments given by injection and included in this list, such as adrenalin, should whenever possible be supplied in single-dose containers.

\* Optional.



*Article 14*

Les versions française et anglaise du texte de la présente convention font également foi.

Recommandation 105**2) Recommandation concernant le contenu des pharmacies de bord des navires.**

La Conférence générale de l'Organisation internationale du Travail, Convoquée à Genève par le Conseil d'administration du Bureau international du Travail, et s'y étant réunie le 29 avril 1958, en sa quarante et unième session ;

Après avoir décidé d'adopter diverses propositions concernant les pharmacies à bord des navires, question qui est comprise dans le cinquième point à l'ordre du jour de la session ;

Après avoir décidé que ces propositions prendraient la forme d'une recommandation,

adopte, ce treizième jour de mai mil neuf cent cinquante-huit, la recommandation ci-après, qui sera dénommée Recommandation sur les pharmacies de bord, 1958 :

La Conférence recommande aux Membres d'appliquer les dispositions suivantes :

1. (1) Tout navire affecté à la navigation maritime devrait être tenu d'avoir une pharmacie de bord, dont le contenu serait précisé par l'autorité compétente, compte tenu de facteurs tels que le nombre des personnes à bord, ainsi que la nature et la durée du voyage. Des dispositions spéciales devraient être prises pour assurer la garde par le capitaine, ou par tout autre officier responsable, des médicaments dont l'usage est réglementé.

(2) Les règlements concernant le contenu minimum des pharmacies de bord devraient s'appliquer indépendamment de la présence d'un médecin de bord.

2. (1) En établissant ou en revisant les règlements concernant le contenu des divers types de pharmacie de bord, l'autorité compétente devrait prendre en considération la liste minimum de médicaments et de matériel médical annexée à la présente recommandation.

(2) Ces règlements devraient être soumis à une révision périodique à la lumière des nouvelles découvertes médicales, des progrès et des traitements approuvés, conformément à toute proposition en vue d'une telle révision sur laquelle l'Organisation internationale du Travail et l'Organisation mondiale de la santé se seraient mises d'accord.

3. Toutes les pharmacies de bord devraient contenir un livret d'instructions médicales approuvé par l'autorité compétente et donnant toutes explications sur l'usage du contenu de la pharmacie de bord. Le livret d'instructions devrait être assez détaillé pour permettre à d'autres personnes qu'un médecin de bord de donner des soins aux malades ou blessés se trouvant à bord, avec ou sans consultation médicale supplémentaire par radio.

4. Les règlements devraient prévoir les mesures nécessaires au maintien et à l'entretien des pharmacies de bord et de leur contenu, ainsi que des inspections régulières de ces pharmacies, à des intervalles n'excédant normalement pas douze mois, par des personnes agréées par l'autorité compétente.

## ANNEXE

*Liste minimum de médicaments et de matériel médical<sup>1</sup>*

A. Médicaments correspondant aux préparations suivantes décrites dans la *Pharmacopée internationale*

a) Dans le volume I :

- \* Sérum antidiphtérique.
- \* Sérum antitétanique (petites quantités).
- Soluté éthanolique d'iode.
- Teinture d'opium (et/ou un équivalent).

<sup>1</sup> Il est recommandé que les médicaments injectables figurant dans la liste, tels que l'adrénaline, soient fournis si possible dans des récipients contenant une seule unité de prise.

\* Facultatif.

## (b) In Volume II :

- \* Injection of adrenalin.
- \* Injection of atropine sulfate.
- Injection of morphine.
- \* Injection of nikethamide.
- \* Injection of procaine hydrochloride.
- Tablets of acetylsalicylic acid.
- \* Tablets of ascorbic acid.
- \* Tablets of amphetamine sulfate.
- Tablets of codeine phosphate (and/or equivalent).
- Tablets of ephedrine hydrochloride.
- \* Tablets of glyceryl trinitrate.
- \* Tablets of mercurous chloride (calomel).
- Tablets of proguanil hydrochloride (and/or other anti-malarial drug).
- Tablets of succinylsulfathiazole (or equivalent).
- Tablets of sulfadiazine (or equivalent).
- \* Tincture of belladonna.
- Water for injection.

## B. Other Medicaments

## (a) Preparations for external application :

- An antiseptic for use in wounds.
- A disinfectant.
- An insecticide.
- A liniment.
- A lotion for acute dermatitis.
- An ointment for haemorrhoids.
- A preparation for ringworm, such as compound of benzoic and salicylic acid.

A preparation for chronic skin inflammations, e.g. compound zinc oxide paste.

- A preparation for burns.
- An application of benzyl benzoate for scabies.
- \* A venereal-disease prophylactic package.

## (b) Preparations for use in the eye :

- An anaesthetic.
- An antiseptic.
- \* Yellow mercury oxide eye-ointment.

## (c) A preparation for toothache.

## (d) Preparations for internal use :

- Tablets of barbituric acid derivatives : (i) short-acting and hypnotic ; (ii) long-acting and sedative.
- Tablets of hyoscine hydrobromide (scopolamine hydrobromide) or equivalent sea-sickness remedy.
- Tablets of sodium chloride (for heat cramp).

An injection of repository form of penicillin, e.g. procaine penicillin G fortified (procaine penicillin G with crystalline penicillin), or PAM (procaine penicillin G in oil with aluminium monostearate), or benzathine penicillin G.

- \* An antibiotic for oral use, e.g. oxytetracycline hydrochloride or penicillin V.
- \* An antihistamine preparation.
- Medicine to control gastric acidity.
- Laxatives.

## (e) Others :

- Olive oil (or equivalent).
- A copy of the *International List of Venereal-Disease Treatment Centres at Ports*, published by the World Health Organisation.
- Personal booklets for venereal-disease treatment in the form appended to the above publication.

Of the above list, the tablets of barbituric acid derivatives and of codeine phosphate, the injection of morphine and the tinctures of opium and of belladonna should be kept under lock and key by the master of the vessel or other responsible officer, who should also be responsible for the procaine and penicillin.

## C. Surgical Instruments, Appliances and Equipment

- Thermometer.
- Hypodermic syringe and needles (suitable both for serums and for other injections).
- Suture and ligatures (catgut, silkworm gut).
- Suture needles (and possibly a needle holder).
- Haemostatic forceps.
- Splinter forceps.
- Dissecting forceps.
- Scalpel (stainless).
- Surgical scissors.
- Tourniquet.
- Eye spud.
- Eye cup.
- Droppers.

\* Optional.

## b) Dans le volume II :

- \* Soluté injectable d'adrénaline.
- \* Soluté injectable de sulfate d'atropine.
- Soluté injectable de morphine.
- \* Soluté injectable de nicéthamide.
- \* Soluté injectable de chlorhydrate de procaine.
- Comprimés d'acide acétylsalicylique.
- \* Comprimés d'acide ascorbique.
- \* Comprimés de sulfate d'amphétamine.
- Comprimés de phosphate de codéine (et/ou un équivalent).
- Comprimés de chlorhydrate d'éphédrine.
- \* Comprimés de trinitroglycérine (trinitrine).
- \* Comprimés de chlorure mercureux (calomel).
- Comprimés de chlorhydrate de proguanil (et/ou un autre antipaludique).
- Comprimés de succinylsulfathiazol (ou un équivalent).
- Comprimés de sulfadiazine (ou un équivalent).
- \* Teinture de belladone.
- Eau distillée pour soluté injectable.

## B. Autres médicaments

## a) Préparations pour l'usage externe :

- Un antiseptique pour les blessures.
- Un désinfectant.
- Un insecticide.
- Un liniment.
- Une lotion pour les dermatoses aiguës.
- Une pommade pour les hémorroïdes.
- Une préparation pour épidermophyties, par exemple, à base d'acide benzoïque et d'acide salicylique.
- Une préparation pour les inflammations chroniques de la peau, par exemple, une pommade à base d'oxyde de zinc.
- Une préparation pour les brûlures.
- Une solution de benzoate de benzyle pour la gale.
- \* Une boîte de préservatifs antivénériens.

## b) Préparations ophtalmiques :

- Un anesthésique.
- Un antiseptique.
- \* Pommade à l'oxyde jaune de mercure.

## c) Une préparation contre les maux de dents.

## d) Préparations pour l'usage interne :

- Comprimés de dérivés de l'acide barbiturique : i) à effet rapide, comme hypnotiques ; ii) à effet prolongé, comme sédatifs.
- Comprimés de bromhydrate d'hyoscine (bromhydrate de scopolamine) ou un médicament équivalent contre le mal de mer.
- Comprimés de chlorure de sodium (contre les spasmes musculaires du coup de chaleur).
- Un soluté injectable de pénicilline-retard, par exemple : pénicilline G procaine renforcée (pénicilline G procaine avec adjonction de pénicilline cristallisée) ou PAM (pénicilline G procaine en solution huileuse avec addition de monostéarate d'aluminium) ou pénicilline G benzathine.
- \* Un antibiotique par voie orale, par exemple : chlorhydrate d'oxytétracycline ou pénicilline V.
- \* Une préparation antihistaminique.
- Un médicament contre l'acidité gastrique.
- Des laxatifs.

## e) Autres préparations ou articles :

- Huile d'olive (ou un équivalent).
- Un exemplaire de la *Liste internationale des centres de traitement pour maladies vénériennes dans les ports* publiée par l'Organisation mondiale de la santé.
- Des carnets individuels de traitement (maladies vénériennes) selon le modèle annexé à la susdite publication.

Parmi les médicaments énumérés ci-dessus, les comprimés de dérivés de l'acide barbiturique, les comprimés de phosphate de codéine, le soluté injectable de morphine et les teintures d'opium et de belladone devraient être tenus sous clé par le capitaine du navire, ou par tout autre officier responsable, à qui devrait également être confiée la garde de la procaine et de la pénicilline.

## C. Instruments de chirurgie, matériel et équipement

- Thermomètre.
- Seringue hypodermique et aiguilles (pour injections de sérum et autres injections).
- Fils pour sutures et ligatures (catgut, crin de Florence).
- Aiguilles à sutures (éventuellement un porte-aiguilles).
- Pincés hémostatiques.
- Pincés à échardes.
- Pincés à disséquer.
- Bistouri (inoxydable).
- Ciseaux chirurgicaux.
- Garrot.
- Spatule oculaire.
- Œillère.
- Compte-gouttes.

Soft-rubber catheters of various sizes.  
 Splints (wooden or wire).  
 Bedpan.  
 Urine bottle.  
 Kidney dish.  
 Feeding cup.  
 Hot-water bottle.  
 Stretcher (a type suitable for transferring patients from one part of the ship to another, such as the Neil-Robertson stretcher or equivalent).  
 Bandage scissors.  
 Wooden applicators.  
 Bandages.  
 Gauze.  
 Cotton wool.  
 Adhesive tape.  
 Elastic adhesive bandages.  
 \* Plaster of Paris bandages.

#### Recommendation 106

#### **(3) Recommendation concerning Medical Advice by Radio to Ships at Sea.**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-first Session on 29 April 1958, and

Having decided upon the adoption of certain proposals with regard to medical advice by radio to ships at sea, which are included in the fifth item on the agenda of the session, and

Having decided that these proposals shall take the form of a Recommendation,

adopts this thirteenth day of May of the year one thousand nine hundred and fifty-eight the following Recommendation, which may be cited as the Medical Advice at Sea Recommendation, 1958 :

The Conference recommends that each Member should apply the following provisions :

Members should ensure by a pre-arranged system that—

- (a) medical advice by radio to ships at sea is available free of charge at any hour of the day or night ;
- (b) the medical advice available includes, where necessary and practicable, specialist advice ;
- (c) adequate use is made of the radio advice facilities available, *inter alia*, by instruction of seagoing personnel and by medical guides which indicate clearly and concisely the type of information which will help the doctor in giving his advice, so that the person on board ship who seeks advice understands what sort of information is required by the advising doctor ;
- (d) an up-to-date and complete list of radio stations from which medical advice can be obtained is carried on each ship equipped with radio installations, and kept in the custody of the radio officer or, in the case of smaller vessels, of the person responsible for radio duties.

#### Recommendation 107

#### **(4) Recommendation concerning the Engagement of Seafarers for Service in Vessels Registered in a Foreign Country.**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-first Session on 29 April 1958, and

Expressing its serious concern at the tendency of nationals of certain maritime countries to serve in vessels of other countries without properly negotiated collective agreements ensuring them the protection and standards applicable to vessels of their own countries, and

\* Optional.

Sondes en caoutchouc souple de calibres divers.  
 Attelles (en bois ou en métal).  
 Bassin de lit.  
 Urinal.  
 Cuvette haricot.  
 Tasse pour malade (« canard »).  
 Bouillotte.  
 Brancard (d'un modèle permettant de transporter les malades d'une partie du navire à une autre, par exemple, brancard de Neil-Robertson ou équivalent).  
 Ciseaux à pansements.  
 Porte-coton en bois.  
 Bandes.  
 Gaze.  
 Coton hydrophile.  
 Sparadrap adhésif.  
 Bandes adhésives élastiques.  
 \* Bandes plâtrées.

#### Recommandation 106

### **3) Recommandation concernant les consultations médicales par radio aux navires en mer.**

La Conférence générale de l'Organisation internationale du Travail, Convoquée à Genève par le Conseil d'administration du Bureau international du Travail, et s'y étant réunie le 29 avril 1958, en sa quarante et unième session ;

Après avoir décidé d'adopter diverses propositions concernant les consultations médicales par radio aux navires en mer, question qui est comprise dans le cinquième point à l'ordre du jour de la session ;

Après avoir décidé que ces propositions prendraient la forme d'une recommandation,

adopte, ce treizième jour de mai mil neuf cent cinquante-huit, la recommandation ci-après, qui sera dénommée Recommandation sur les consultations médicales en mer, 1958 :

La Conférence recommande aux Membres d'appliquer les dispositions suivantes :

Les Membres devraient prendre toutes dispositions pour garantir au moyen d'arrangements préalables :

- a) que le service des consultations médicales par radio aux navires en mer soit assuré gratuitement à toute heure du jour et de la nuit ;
- b) que les consultations médicales comportent, en cas de besoin et lorsque cela est possible, des conseils de spécialistes ;
- c) qu'une bonne utilisation soit faite des possibilités de consultations radiomédicales, notamment en donnant des instructions au personnel navigant et en publiant des manuels ou livrets médicaux qui indiquent avec clarté et concision le genre de renseignements pouvant aider le médecin à formuler son avis, de sorte qu'une personne se trouvant à bord d'un navire et qui demanderait un avis médical par radio comprenne quels renseignements sont nécessaires au médecin ainsi consulté ;
- d) qu'il y ait à bord des navires pourvus d'installations de radio une liste complète et à jour des stations de radio par l'intermédiaire desquelles des consultations médicales peuvent être obtenues, liste qui serait sous la garde de l'officier radiotélégraphiste ou, dans le cas des navires de faible tonnage, de la personne responsable de la radio.

#### Recommandation 107

### **4) Recommandation concernant l'engagement des gens de mer appelés à servir à bord de navires immatriculés dans des pays étrangers.**

La Conférence générale de l'Organisation internationale du Travail, Convoquée à Genève par le Conseil d'administration du Bureau international du Travail, et s'y étant réunie le 29 avril 1958, en sa quarante et unième session ;

Soulignant l'inquiétude sérieuse qu'elle éprouve à constater la tendance qu'ont les ressortissants de certains pays maritimes à servir sur des navires d'autres pays sans que des conventions collectives normalement négociées leur assurent la protection et les conditions de travail accordées sur les navires de leur propre pays ;

\* Facultatif.

Having decided upon the adoption of certain proposals concerning the engagement of seafarers, which is the third item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation,

adopts this thirteenth day of May of the year one thousand nine hundred and fifty-eight the following Recommendation, which may be cited as the Seafarers' Engagement (Foreign Vessels) Recommendation, 1958 :

1. Each Member should do everything in its power to discourage seafarers within its territory from joining or agreeing to join vessels registered in a foreign country unless the conditions under which such seafarers are to be engaged are generally equivalent to those applicable under collective agreements and social standards accepted by bona fide organisations of shipowners and seafarers of maritime countries where such agreements and standards are traditionally observed.

2. In particular, each Member should have regard to whether proper provision is made—

- (a) for the return of a seafarer employed on a vessel registered in a foreign country who is put ashore in a foreign port for reasons for which he is not responsible to—
  - (i) the port at which he was engaged ; or
  - (ii) a port in his own country or the country to which he belongs ; or
  - (iii) another port agreed upon between the seafarer concerned and the master or shipowner, with the approval of the competent authority or under other appropriate safeguards ;
- (b) for medical care and maintenance of a seafarer employed on a vessel registered in a foreign country who is put ashore in a foreign port in consequence of sickness or injury incurred in the service of the vessel and not due to his own wilful misconduct.

#### Recommendation 108

#### **(5) Recommendation concerning Social Conditions and Safety of Seafarers in Relation to Registration of Ships.**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-first Session on 29 April 1958, and

Having decided upon the adoption of certain proposals concerning flag transfer in relation to social conditions and safety, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation,

adopts this fourteenth day of May of the year one thousand nine hundred and fifty-eight the following Recommendation, which may be cited as the Social Conditions and Safety (Seafarers) Recommendation, 1958 :

Considering that labour conditions have a substantial bearing on safety of life at sea,

Considering that the problems involved have been brought into special prominence by the large volume of tonnage registered in countries not hitherto regarded as being traditionally maritime,

Considering that the Convention on the High Seas adopted by the United Nations Conference on the Law of the Sea and opened for signature on 29 April 1958 contains a set of provisions regarding—

- (i) the right of every State to sail ships under its flag ;
- (ii) the condition relating to the nationality of the ship that “ there must exist a genuine link between the State and the ship ; in particular, the State must effectively exercise its jurisdiction and control in administrative, technical and social matters over ships flying its flag ” ;
- (iii) the obligation that every State shall take such measures for ships under its flag as are necessary to ensure safety at sea with regard, *inter alia*, to the manning of ships and labour conditions for crews taking into account the applicable international labour instruments,

Après avoir décidé d'adopter diverses propositions concernant l'engagement des gens de mer, question qui constitue le troisième point à l'ordre du jour de la session ;

Après avoir décidé que ces propositions prendraient la forme d'une recommandation,

adopte, ce treizième jour de mai mil neuf cent cinquante-huit, la recommandation ci-après, qui sera dénommée Recommandation sur l'engagement des gens de mer (navires étrangers), 1958 :

1. Chaque Membre devrait faire tout ce qui est en son pouvoir en vue de décourager les gens de mer qui se trouvent sur son territoire de s'engager ou d'accepter de s'engager sur un navire immatriculé à l'étranger, si les conditions dans lesquelles ils doivent être engagés ne sont pas, d'une façon générale, conformes à celles prévues par les conventions collectives et les normes sociales acceptées par les organisations reconnues d'armateurs et de gens de mer dans les pays maritimes où ces conventions et ces normes sont traditionnellement observées.

2. Chaque Membre devrait, en particulier, s'assurer du fait que des arrangements satisfaisants existent pour que tout marin employé sur un navire immatriculé à l'étranger :

a) soit rapatrié, lorsqu'il est débarqué dans un port étranger pour une cause dont il n'est pas responsable :

i) soit au port d'engagement ;

ii) soit à un port de son pays ou du pays dont il relève ;

iii) soit à tout autre port fixé par accord entre l'intéressé et le capitaine ou l'armateur, avec l'approbation de l'autorité compétente ou sous réserve d'autres garanties appropriées ;

b) reçoive des soins médicaux et des prestations d'entretien, lorsqu'il est débarqué dans un port étranger en raison d'une maladie ou d'un accident survenus, sans faute intentionnelle de sa part, au service du navire.

#### Recommandation 108

#### **5) Recommandation concernant les conditions de vie, de travail et de sécurité des gens de mer en rapport avec l'immatriculation des navires.**

La Conférence générale de l'Organisation internationale du Travail,

Convoquée à Genève par le Conseil d'administration du Bureau international du Travail, et s'y étant réunie le 29 avril 1958, en sa quarante et unième session ;

Après avoir décidé d'adopter diverses propositions concernant les transferts de pavillon en rapport avec les conditions de vie, de travail et de sécurité, question qui constitue le quatrième point à l'ordre du jour de la session ;

Après avoir décidé que ces propositions prendraient la forme d'une recommandation,

adopte, ce quatorzième jour de mai mil neuf cent cinquante-huit, la recommandation ci-après, qui sera dénommée Recommandation sur les conditions de vie, de travail et de sécurité des gens de mer, 1958 :

Considérant que les conditions de travail ont une grande influence sur la sécurité de la vie en mer ;

Considérant que les problèmes en cause ont été mis spécialement en évidence par l'importance du tonnage immatriculé dans les pays qui n'étaient pas considérés, jusqu'à présent, comme traditionnellement maritimes ;

Considérant que la convention sur la haute mer adoptée par la Conférence des Nations Unies sur le droit de la mer et ouverte à la signature des Etats le 29 avril 1958 contient un ensemble de dispositions concernant :

i) le droit de tout Etat de faire naviguer des navires arborant son pavillon ;

ii) la condition, en ce qui concerne la nationalité des navires, selon laquelle « il doit exister un lien substantiel entre l'Etat et le navire », l'Etat devant « notamment exercer effectivement sa juridiction et son contrôle dans les domaines technique, administratif et social sur les navires battant son pavillon » ;

iii) l'obligation faite à tout Etat de prendre à l'égard des navires arborant son pavillon les mesures nécessaires pour assurer la sécurité en mer notamment en ce qui concerne la composition et les conditions de travail des équipages, en tenant compte des instruments internationaux applicables en matière de travail ;

Considering the provisions of the Seafarers' Engagement (Foreign Vessels) Recommendation, 1958, and

Considering the provisions of the Social Security (Seafarers) Convention, 1946 ;

The Conference recommends that the following provisions should be applied :

The country of registration should accept the full obligations implied by registration and exercise effective jurisdiction and control for the purpose of the safety and welfare of seafarers in its sea-going merchant ships and in particular should—

- (a) make and adopt regulations designed to ensure that all ships on its register observe internationally accepted safety standards ;
- (b) make arrangements for a proper ship-inspection service adequate to the requirements of the tonnage on its register and ensure that all ships on its register are regularly inspected to ensure conformity with regulations issued under (a) above ;
- (c) establish both in its territory and abroad the requisite government-controlled agencies to supervise the signing on and signing off of seafarers ;
- (d) ensure or satisfy itself that the conditions under which the seafarers serve are in accordance with the standards generally accepted by the traditional maritime countries ;
- (e) by regulations or legislation if not already otherwise provided for, ensure freedom of association for the seafarers serving on board its ships ;
- (f) ensure by regulations or legislation that proper repatriation for the seafarers serving on board its ships is provided in accordance with the practice followed in traditional maritime countries ;
- (g) ensure that proper and satisfactory arrangements are made for the examination of candidates for certificates of competency and for the issuing of such certificates.

#### Convention 109

#### **(6) Convention concerning Wages, Hours of Work on Board Ship and Manning (Revised 1958).**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-first Session on 29 April 1958, and

Having decided upon the adoption of certain proposals with regard to the general revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949, which is the second item on the agenda of the session, and

Considering that these proposals must take the form of an international Convention,

adopts this fourteenth day of May of the year one thousand nine hundred and fifty-eight the following Convention, which may be cited as the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958 :

#### **PART I. GENERAL PROVISIONS**

##### *Article 1*

Nothing in this Convention shall be deemed to prejudice any provision concerning wages, hours of work on board ship, or manning, by law, award, custom or agreement between shipowners and seafarers, which ensures the seafarers conditions more favourable than those provided for by this Convention.



Considérant les dispositions de la recommandation sur l'engagement des gens de mer (navires étrangers), 1958 ;

Considérant les dispositions de la convention sur la sécurité sociale des gens de mer, 1946,

La Conférence recommande d'appliquer les dispositions suivantes :

Le pays d'immatriculation devrait accepter toutes les obligations que comporte l'immatriculation d'un navire et exercer effectivement une juridiction et un contrôle en ce qui concerne la sécurité et les conditions de vie des marins à bord de ses navires de mer affectés au commerce ; il devrait en particulier :

- a) élaborer et mettre en vigueur des règlements prévoyant que tous les navires inscrits sur son registre doivent se conformer à des normes de sécurité acceptées sur le plan international ;
- b) prendre des dispositions en vue du fonctionnement d'un service approprié d'inspection des navires, répondant à l'importance du tonnage inscrit sur son registre, et faire en sorte que tous les navires inscrits sur ce registre soient inspectés régulièrement pour donner effet aux règlements promulgués en vertu de l'alinéa a) ci-dessus ;
- c) créer, tant dans son territoire qu'à l'étranger, les organismes nécessaires, contrôlés par le gouvernement et chargés de surveiller l'inscription au rôle d'équipage et le licenciement des gens de mer ;
- d) assurer que les conditions de service des gens de mer soient conformes aux normes acceptées généralement par les pays traditionnellement maritimes ou veiller à ce qu'il en soit ainsi ;
- e) assurer, par voie de réglementation ou de législation, à moins que des dispositions n'existent déjà à cet effet, la liberté syndicale des gens de mer embarqués sur ses navires ;
- f) prendre, par voie de réglementation ou de législation, des mesures adéquates pour assurer, conformément aux pratiques suivies dans les pays traditionnellement maritimes, le rapatriement des gens de mer embarqués sur ses navires ;
- g) veiller à ce que des dispositions adéquates et satisfaisantes soient prises pour l'examen des candidats aux certificats de capacité et pour la délivrance de ces certificats.

#### Convention 109

#### **6) Convention concernant les salaires, la durée du travail à bord et les effectifs (révisée en 1958).**

La Conférence générale de l'Organisation internationale du Travail,

Convoquée à Genève par le Conseil d'administration du Bureau international du Travail, et s'y étant réunie le 29 avril 1958, en sa quarante et unième session ;

Après avoir décidé d'adopter diverses propositions relatives à la revision générale de la convention sur les salaires, la durée du travail à bord et les effectifs (révisée), 1949, question qui constitue le deuxième point à l'ordre du jour de la session ;

Considérant que ces propositions devraient prendre la forme d'une convention internationale,

adopte, ce quatorzième jour de mai mil neuf cent cinquante-huit, la convention ci-après, qui sera dénommée Convention sur les salaires, la durée du travail à bord et les effectifs (révisée), 1958 :

### PARTIE I. DISPOSITIONS GÉNÉRALES

#### *Article 1*

Rien dans la présente convention ne porte atteinte aux dispositions concernant les salaires, la durée du travail à bord des navires ou les effectifs prévues par loi, sentence, coutume ou accord passé entre armateurs et gens de mer, qui assurent aux gens de mer des conditions plus favorables que celles prévues par ladite convention.

*Article 2*

1. This Convention applies to every vessel, whether publicly or privately owned, which is—

- (a) mechanically propelled ;
- (b) registered in a territory for which the Convention is in force ;
- (c) engaged in the transport of cargo or passengers for the purpose of trade ; and
- (d) engaged in a voyage by sea.

2. This Convention does not apply to—

- (a) vessels of less than 500 gross register tons ;
- (b) wooden vessels of primitive build such as dhows and junks ;
- (c) vessels engaged in fishing or in operations directly connected therewith ;
- (d) estuarial craft.

*Article 3*

This Convention applies to every person who is engaged in any capacity on board a vessel except—

- (a) a master ;
- (b) a pilot not a member of the crew ;
- (c) a doctor ;
- (d) nursing staff engaged exclusively on nursing duties and hospital staff ;
- (e) a chaplain ;
- (f) persons engaged exclusively on educational duties ;
- (g) a musician ;
- (h) persons whose duties are connected solely with the cargo on board ;
- (i) persons working exclusively on their own account or remunerated exclusively by a share of profits or earnings ;
- (j) persons not remunerated for their services or remunerated only by a nominal salary or wage ;
- (k) persons, excluding those in the service of a wireless telegraphy company, who are employed on board by an employer other than the shipowner ;
- (l) travelling dockers (longshoremen) not members of the crew ;
- (m) persons employed in whale-catching, floating factory or transport vessels or otherwise for the purpose of whaling or similar operations under conditions regulated by legislation or by the provisions of a special collective whaling or similar agreement determining hours of work and other conditions of service concluded by an organisation of seafarers ;
- (n) persons who are not members of the crew (whether working on or off articles) but are employed while the vessel is in port on repairing, cleaning, loading or unloading the vessel or similar work or on port relief, maintenance, watch or caretaking duties.

*Article 4*

In this Convention—

- (a) the term “officer” means a person other than a master who is described in the ship's articles as an officer or who is serving in a capacity which by law, collective agreement or custom is recognised as that of an officer ;
- (b) the term “rating” means a member of the crew other than a master or officer and includes a certificated seaman ;
- (c) the term “able seaman” means any person who by national laws or regulations, or in the absence of such laws or regulations by collective agreement, is deemed to be competent to perform any duty which may be required of a rating serving in the deck department other than the duties of a leading or specialist rating ;

*Article 2*

1. La présente convention s'applique à tout navire, de propriété publique ou privée, qui est :

- a) à propulsion mécanique ;
- b) immatriculé dans un territoire pour lequel la présente convention est en vigueur ;
- c) affecté pour des fins commerciales au transport de marchandises ou de passagers ;
- d) affecté à un voyage en mer.

2. La présente convention ne s'applique pas :

- a) aux bateaux d'une jauge brute enregistrée inférieure à 500 tonneaux ;
- b) aux bateaux en bois de construction primitive, tels que des dhows ou des jonques ;
- c) aux navires affectés à la pêche ou à des opérations qui s'y rattachent directement ;
- d) aux embarcations naviguant dans les eaux d'un estuaire.

*Article 3*

La présente convention s'applique à toutes les personnes qui sont employées dans une fonction quelconque à bord d'un navire, à l'exception :

- a) du capitaine ;
- b) du pilote qui n'est pas membre de l'équipage ;
- c) du médecin ;
- d) du personnel infirmier ou hospitalier exclusivement employé à des travaux d'infirmerie ;
- e) de l'aumônier ;
- f) des personnes remplissant exclusivement des fonctions éducatives ;
- g) des musiciens ;
- h) des personnes dont le service concerne la cargaison à bord ;
- i) des personnes travaillant exclusivement pour leur propre compte ou rémunérées exclusivement à la part ;
- j) des personnes non rémunérées pour leurs services ou rémunérées uniquement par un salaire ou traitement nominal ;
- k) des personnes employées à bord par un employeur autre que l'armateur, à l'exception de celles au service d'une entreprise de radiotélégraphie ;
- l) des dockers itinérants qui ne sont pas membres de l'équipage ;
- m) des personnes à bord, soit de navires affectés à la chasse à la baleine, soit d'usines flottantes, soit de navires affectés aux transports y relatifs, ou employées à un autre titre pour les fins de la chasse à la baleine ou d'opérations similaires, dans les conditions régies par la législation nationale ou les dispositions d'une convention collective spéciale pour baleiniers ou d'une convention analogue conclue par une organisation de gens de mer et déterminant la durée du travail ainsi que les autres conditions de service ;
- n) des personnes qui ne sont pas membres de l'équipage (qu'elles soient ou non sur le rôle) mais qui sont employées pendant que le navire est au port à des travaux de réparation, nettoyage, chargement ou déchargement de navires ou à des travaux similaires ou à des fonctions de relève, d'entretien, de surveillance ou de garde.

*Article 4*

Dans la présente convention :

- a) le terme « officier » désigne toute personne, à l'exception des capitaines, qui est portée comme officier sur le rôle de l'équipage ou qui remplit une fonction que la législation nationale, une convention collective ou la coutume reconnaissent comme étant de la compétence d'un officier ;
- b) le terme « personnel subalterne » désigne tous les membres de l'équipage autres que les capitaines et les officiers et comprend les matelots munis d'un certificat ;
- c) le terme « matelot qualifié » désigne toute personne qui, en conformité de la législation nationale, ou, en l'absence d'une telle législation, par convention collective, est censée posséder la compétence professionnelle nécessaire pour remplir toute tâche dont l'exécution peut être exigée d'un membre du personnel subalterne affecté au service du pont autre que celle d'un membre du personnel subalterne dirigeant ou spécialisé ;

- (d) the term "basic pay or wages" means the remuneration of an officer or rating in cash exclusive of the cost of food, overtime, premiums or any other allowances either in cash or in kind.

#### *Article 5*

1. Each Member ratifying this Convention may, by a declaration appended to its ratification, exclude from its ratification Part II of the Convention.

2. Subject to the terms of any such declaration, the provisions of Part II of the Convention shall have the same effect as the other provisions of the Convention.

3. Any Member which makes such a declaration shall also supply information showing the basic pay or wages for a calendar month of service of an able seaman employed in a vessel to which the Convention applies.

4. Any Member which makes such a declaration may subsequently, by a new declaration, notify the Director-General that it accepts Part II; as from the date of the registration of such notification by the Director-General the provisions of Part II shall be applicable to the Member in question.

5. While a declaration made under paragraph 1 of this Article remains in force in respect of Part II, the Member may declare its willingness to accept Part II as having the force of a Recommendation.

### PART II. WAGES

#### *Article 6*

1. The basic pay or wages for a calendar month of service of an able seaman employed in a vessel to which this Convention applies shall not be less than sixteen pounds in currency of the United Kingdom of Great Britain and Northern Ireland or sixty-four dollars in currency of the United States of America or the equivalent thereof in other currency.

2. In respect of any change in the par value of the pound or the dollar notified to the International Monetary Fund since 29 June 1946, or in the event of any further such change being notified subsequent to the adoption of this Convention—

- (a) the minimum basic wage prescribed in paragraph 1 of this Article in terms of the currency in respect of which such notification has been made shall be adjusted so as to maintain equivalence with the other currency;
- (b) the adjustment shall be notified by the Director-General of the International Labour Office to the Members of the International Labour Organisation; and
- (c) the minimum basic wage so adjusted shall be binding upon Members which have ratified the Convention in the same manner as the wage prescribed in paragraph 1 of this Article, and shall take effect for each such Member not later than the beginning of the second calendar month following that in which the Director-General communicates the change to Members.

#### *Article 7*

1. In the case of ships in which are employed such groups of ratings as necessitate the employment of larger groups of ratings than would otherwise be employed the minimum basic pay or wages of an able seaman shall be an amount fixed as the adjusted equivalent of the minimum basic pay or wages stipulated in the preceding Article.

2. The adjusted equivalent shall be fixed in accordance with the principle of equal pay for equal work and due allowance shall be made for—

- (a) the extra number of ratings of such groups who are employed; and
- (b) any increase or decrease in cost to the shipowner consequent on the employment of such groups of ratings.

- d) le terme « salaire ou solde de base » désigne la rémunération en espèces d'un officier ou d'un membre du personnel subalterne, à l'exclusion du coût de la nourriture, de la rémunération du travail supplémentaire, des primes ou autres allocations en espèces ou en nature.

#### Article 5

1. Tout Membre qui ratifie la présente convention peut, par une déclaration annexée à sa ratification, exclure de celle-ci la partie II de la convention.

2. Sous réserve des termes d'une telle déclaration, les dispositions de la partie II de la convention auront le même effet que les autres dispositions de la convention.

3. Tout Membre qui fait une telle déclaration fournira également des informations indiquant le salaire ou la solde de base, pour un mois civil de service, d'un matelot qualifié employé à bord d'un navire auquel la convention s'applique.

4. Tout Membre qui fait une telle déclaration peut ultérieurement, par une nouvelle déclaration, notifier au Directeur général qu'il accepte la partie II ; à partir de la date d'enregistrement par le Directeur général d'une telle notification, les dispositions de la partie II deviendront applicables au Membre en question.

5. Tant qu'une déclaration faite conformément aux termes du paragraphe 1 du présent article demeure en vigueur en ce qui concerne la partie II, le Membre peut déclarer qu'il a l'intention d'accepter cette partie comme ayant la valeur d'une recommandation.

### PARTIE II. SALAIRES

#### Article 6

1. Le salaire ou la solde de base, pour un mois civil de service, d'un matelot qualifié employé à bord d'un navire auquel s'applique la présente convention ne pourront pas être inférieurs à seize livres, en monnaie du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, ou à soixante-quatre dollars, en monnaie des Etats-Unis d'Amérique, ou à une somme équivalente, en monnaie d'un autre pays.

2. En ce qui concerne tout changement de la valeur au pair de la livre ou du dollar qui a été notifié au Fonds monétaire international depuis le 29 juin 1946, ou dans le cas de tout changement ultérieur de cette nature qui serait notifié après l'adoption de la présente convention :

- a) le salaire minimum de base prescrit dans le paragraphe 1 du présent article en fonction de la monnaie pour laquelle une telle notification a été faite sera ajusté de manière à maintenir l'équivalence avec l'autre monnaie ;
- b) l'ajustement sera notifié par le Directeur général du Bureau international du Travail aux Membres de l'Organisation internationale du Travail ;
- c) le salaire minimum de base ainsi ajusté sera obligatoire pour les Membres qui ont ratifié la convention de la même manière que le salaire prescrit dans le paragraphe 1 du présent article, et prendra effet pour chacun de ces Membres au plus tard au début du deuxième mois civil suivant le mois au cours duquel le Directeur général communique le changement aux Membres.

#### Article 7

1. Dans le cas de navires où sont employés des groupes de personnel subalterne nécessitant l'embarquement d'un effectif plus important que celui qui eût été utilisé autrement, le salaire ou la solde de base minimum d'un matelot qualifié seront ajustés de façon qu'ils correspondent au salaire ou à la solde de base minimum tels qu'ils sont fixés à l'article précédent.

2. Cette équivalence sera établie conformément au principe « à travail égal, salaire égal » et il sera tenu dûment compte :

- a) du nombre supplémentaire de membres du personnel subalterne de ces groupes qui sont employés ;
- b) de l'augmentation ou de la diminution des charges de l'armateur du fait de l'emploi de ces groupes de personnes.

3. The adjusted equivalent shall be determined by collective agreement between the organisations of shipowners and seafarers concerned or, failing such agreement and subject to both countries concerned having ratified the Convention, by the competent authority of the territory of the group of seafarers concerned.

#### *Article 8*

If meals are not provided free of charge, the minimum basic pay or wages shall be increased by an amount to be determined by collective agreement between the organisations of shipowners and seafarers concerned or, failing such agreement, by the competent authority.

#### *Article 9*

1. The rate to be used for determining the equivalent in other currency of the minimum basic pay or wages prescribed in Article 6 shall be the ratio between the par value of that currency and the par value of the pound of the United Kingdom of Great Britain and Northern Ireland or of the dollar of the United States of America.

2. In the case of the currency of a Member of the International Labour Organisation which is a Member of the International Monetary Fund, the par value shall be that currently in effect under the Articles of Agreement of the International Monetary Fund.

3. In the case of the currency of a Member of the International Labour Organisation which is not a Member of the International Monetary Fund, the par value shall be the official rate of exchange, in terms of gold or of the dollar of the United States of America of the weight and fineness in effect on 1 July 1944, currently in effect for payments and transfers for current international transactions.

4. In the case of any currency which cannot be dealt with under the provisions of either of the two preceding paragraphs—

- (a) the rate to be adopted for the purpose of this Article shall be determined by the Member of the International Labour Organisation concerned ;
- (b) the Member concerned shall notify its decision to the Director-General of the International Labour Office, who shall forthwith inform the other Members which have ratified this Convention ;
- (c) within a period of six months from the date on which the information is communicated by the Director-General, any other Member which has ratified the Convention may inform the Director-General of the International Labour Office that it objects to the decision, and the Director-General shall thereupon inform the Member concerned and the other Members which have ratified the Convention and shall report the matter to the Committee provided for in Article 22 ;
- (d) the foregoing provisions shall apply in the event of any change in the decision of the Member concerned.

5. A change in basic pay or wages as a result of a change in the rate for determining the equivalent in other currency shall take effect not later than the beginning of the second calendar month following that in which the change in the relative par values of the currencies concerned becomes effective.

#### *Article 10*

Each Member shall take the necessary measures—

- (a) to ensure, by way of a system of supervision and sanctions, that remuneration is paid at not less than the rate required by this Convention ; and
- (b) to ensure that any person who has been paid at a rate less than that required by this Convention is enabled to recover, by an inexpensive and expeditious judicial or other procedure, the amount by which he has been underpaid.

### PART III. HOURS OF WORK ON BOARD SHIP

#### *Article 11*

This Part of this Convention does not apply to—

- (a) a chief officer or chief engineer ;

3. Le salaire correspondant sera fixé par la voie de conventions collectives passées entre les organisations d'armateurs et de gens de mer intéressées ou, en l'absence de telles conventions collectives et sous réserve de la ratification de la présente convention par les deux pays intéressés, par l'autorité compétente du territoire du groupe des gens de mer dont il s'agit.

#### *Article 8*

Au cas où la nourriture ne serait pas fournie gratuitement, le salaire ou la solde de base minimum seront majorés d'une somme qui sera fixée par convention collective passée entre les organisations d'armateurs et de gens de mer intéressées ou, à défaut, par l'autorité compétente.

#### *Article 9*

1. Le taux à utiliser pour déterminer l'équivalent, en une autre monnaie, du salaire ou de la solde de base prévus à l'article 6 sera le rapport entre la valeur au pair de cette monnaie et la valeur au pair de la livre du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord ou du dollar des Etats-Unis d'Amérique.

2. Dans le cas de la monnaie d'un Membre de l'Organisation internationale du Travail qui est membre du Fonds monétaire international, la valeur au pair sera la valeur couramment en vigueur en vertu du statut du Fonds monétaire international.

3. Dans le cas de la monnaie d'un Membre de l'Organisation internationale du Travail qui n'est pas membre du Fonds monétaire international, la valeur au pair sera le taux officiel de change, en fonction de l'or ou du dollar des Etats-Unis d'Amérique ayant le poids et le titre en vigueur au 1<sup>er</sup> juillet 1944, et couramment utilisé pour les paiements et transferts dans les transactions internationales courantes.

4. Dans le cas d'une monnaie à laquelle ne sont pas applicables les dispositions de l'un ou l'autre des deux paragraphes précédents :

- a) le taux à adopter aux fins du présent article sera fixé par le Membre de l'Organisation internationale du Travail intéressé ;
- b) le Membre intéressé communiquera sa décision au Directeur général du Bureau international du Travail, qui en informera immédiatement les autres Membres ayant ratifié la présente convention ;
- c) au cours d'une période de six mois à partir de la date à laquelle cette information sera communiquée par le Directeur général, tout autre Membre ayant ratifié la convention pourra informer le Directeur général du Bureau international du Travail qu'il formule des objections contre cette décision ; dans ce cas, le Directeur général en informera le Membre intéressé et les autres Membres ayant ratifié la convention et il soumettra la question au comité prévu à l'article 22 ;
- d) les présentes dispositions s'appliqueront dans l'éventualité d'un changement de la décision du Membre intéressé.

5. Toute modification au salaire ou à la solde de base résultant d'un changement du taux utilisé pour déterminer l'équivalent dans une autre monnaie prendra effet, au plus tard, au début du deuxième mois civil suivant le mois au cours duquel est entré en vigueur le changement apporté au rapport entre les valeurs au pair des monnaies en question.

#### *Article 10*

Tout Membre devra prendre les mesures nécessaires :

- a) pour assurer, au moyen d'un système de contrôle et de sanctions, que les rémunérations versées ne sont pas inférieures aux taux fixés par la présente convention ;
- b) pour assurer que toute personne qui a été rémunérée à un taux inférieur au taux conforme aux dispositions de la présente convention puisse recouvrer, par une procédure expéditive et peu onéreuse, soit par voie judiciaire, soit par toute autre voie légale, le montant de la somme qui lui reste due.

### **PARTIE III. DURÉE DU TRAVAIL A BORD DES NAVIRES**

#### *Article 11*

Cette partie de la présente convention ne s'applique pas :

- a) au second capitaine ou au chef mécanicien ;

- (b) a purser ;
- (c) any other officer in charge of a department who does not keep watch ;
- (d) a person employed in the clerical or catering department of a vessel who is—
  - (i) serving in a superior grade as defined by a collective agreement between the organisations of shipowners and seafarers concerned ; or
  - (ii) working chiefly on his own account ; or
  - (iii) remunerated solely on a commission basis or chiefly by a share of profits or earnings.

#### *Article 12*

In this Part of this Convention—

- (a) the term “near trade ship” means a vessel exclusively engaged in voyages upon which it does not proceed farther from the country from which it trades than the near-by ports of neighbouring countries within geographical limits which—
  - (i) are clearly specified by national laws, regulations or by collective agreement between organisations of shipowners and seafarers ;
  - (ii) are uniform in respect of the application of all the provisions of this Part of the Convention ;
  - (iii) have been notified by the Member when registering its ratification by a declaration annexed thereto ; and
  - (iv) have been fixed after consultation with the other Members concerned ;
- (b) the term “distant trade ship” means a vessel other than a near trade ship ;
- (c) the term “passenger ship” means a vessel licensed to carry more than twelve passengers ;
- (d) the term “hours of work” means time during which a person is required by the orders of a superior to do work on account of the vessel or the owner.

#### *Article 13*

1. This Article applies to officers and ratings employed in the deck, engine-room and radio departments of near trade ships.

2. The normal hours of work of an officer or rating shall not exceed—

- (a) when the vessel is at sea, twenty-four hours in any period of two consecutive days ;
- (b) when the vessel is in port—
  - (i) on the weekly day of rest, such time not exceeding two hours as is necessary for ordinary routine and sanitary duties ;
  - (ii) on other days, eight hours except where a collective agreement provides for less on any day ;
- (c) one hundred and twelve hours in a period of two consecutive weeks.

3. Time worked in excess of the limits prescribed in subparagraphs (a) and (b) of paragraph 2 shall be regarded as overtime for which the officer or rating concerned shall be entitled to compensation in accordance with the provisions of Article 18 of this Convention.

4. When the total number of hours worked in a period of two consecutive weeks, excluding hours regarded as overtime, exceeds one hundred and twelve, the officer or rating concerned shall be compensated by time off in port or otherwise as may be determined by collective agreement between the organisations of shipowners and seafarers concerned.

5. National laws or regulations or collective agreements shall determine when a ship is to be regarded as being at sea and when it is to be regarded as being in port for the purposes of this Article.



- b) au commissaire ;
- c) à tout autre officier chef de service qui ne prend pas le quart ;
- d) à toute personne employée aux écritures ou appartenant au service général qui :
  - i) soit sert dans un grade supérieur défini par une convention collective passée entre les organisations d'armateurs et de gens de mer intéressées ;
  - ii) soit travaille principalement pour son propre compte ;
  - iii) soit est rémunérée uniquement à la commission ou principalement à la part.

#### *Article 12*

Dans cette partie de la présente convention :

- a) le terme « navire affecté à la petite navigation » désigne tout navire exclusivement affecté à des voyages au cours desquels il n'est pas plus éloigné des pays d'où il part que les ports rapprochés des pays avoisinants, dans des limites géographiques qui :
  - i) sont nettement définies par la législation nationale ou par une convention collective passée entre les organisations d'armateurs et de gens de mer ;
  - ii) sont uniformes, en ce qui concerne l'application de toutes les dispositions de cette partie de la présente convention ;
  - iii) ont été notifiées par le Membre intéressé, au moment de l'enregistrement de sa ratification, par une déclaration annexée à ladite ratification ;
  - iv) ont été fixées après consultation avec les autres Membres intéressés ;
- b) le terme « navire affecté à la grande navigation » désigne tout navire autre qu'un navire affecté à la petite navigation ;
- c) le terme « navire à passagers » désigne tout navire ayant une licence lui permettant de transporter plus de douze passagers ;
- d) le terme « durée du travail » désigne le temps pendant lequel un membre de l'équipage est tenu, en vertu de l'ordre d'un supérieur, d'effectuer un travail pour le navire ou pour l'armateur.

#### *Article 13*

1. Le présent article s'applique aux officiers et aux membres du personnel subalterne employés aux services du pont, de la machine et de la radiotélégraphie à bord d'un navire affecté à la petite navigation.

2. La durée normale du travail d'un officier ou d'un membre du personnel subalterne ne doit pas excéder :

- a) lorsque le navire est en mer, vingt-quatre heures pour toute période de deux jours consécutifs ;
- b) lorsque le navire est au port :
  - i) le jour de repos hebdomadaire : le temps nécessaire à l'exécution des travaux courants ou de propreté, à concurrence de deux heures ;
  - ii) les autres jours : huit heures, à moins qu'une convention collective ne prévoie une durée de travail inférieure ;
- c) cent douze heures pour toute période de deux semaines consécutives.

3. Toute heure de travail effectuée en dépassement des limites prévues aux alinéas a) et b) du paragraphe 2 sera considérée comme heure supplémentaire, pour laquelle l'intéressé aura droit à une compensation conformément aux dispositions de l'article 18 de la présente convention.

4. Si le nombre total d'heures de travail effectuées dans une période de deux semaines consécutives, à l'exclusion des heures considérées comme heures supplémentaires, dépasse cent douze, l'officier ou le marin intéressé aura droit à une compensation sous forme d'une exemption de service et de présence accordée dans un port, ou sous toute autre forme selon ce qui sera déterminé par convention collective passée entre les organisations d'armateurs et de gens de mer intéressés.

5. La législation nationale ou les conventions collectives détermineront les cas dans lesquels un navire doit être considéré comme étant en mer et les cas dans lesquels il doit être considéré comme étant au port aux fins du présent article.

*Article 14*

1. This Article applies to officers and ratings employed in the deck, engine-room and radio departments of distant trade ships.

2. When the vessel is at sea and on days of sailing and arrival, the normal hours of work of an officer or rating shall not exceed eight hours in any one day.

3. When the vessel is in port, the normal hours of work of an officer or rating shall not exceed—

- (a) on the weekly day of rest, such time not exceeding two hours as is necessary for ordinary routine and sanitary duties ;
- (b) on other days, eight hours except where a collective agreement provides for less on any day.

4. Time worked in excess of the daily limits prescribed in the preceding paragraphs shall be regarded as overtime for which the officer or rating shall be entitled to compensation in accordance with the provisions of Article 18 of this Convention.

5. When the total number of hours worked in a period of one week, excluding hours regarded as overtime, exceeds forty-eight, the officer or rating shall be compensated by time off in port or otherwise as may be determined by collective agreement between the organisations of ship-owners and seafarers concerned.

6. National laws or regulations or collective agreements shall determine when a ship is to be regarded as being at sea and when it is to be regarded as being in port for the purposes of this Article.

*Article 15*

1. This Article applies to persons employed in the catering department of a vessel.

2. In the case of a passenger ship, normal hours of work shall not exceed—

- (a) when the vessel is at sea and on days of sailing and arrival, ten hours in any consecutive period of fourteen hours ;
- (b) when the vessel is in port—
  - (i) when passengers are on board, ten hours in any period of fourteen hours ;
  - (ii) in other cases—
    - on the day preceding the weekly day of rest, five hours ;
    - on the weekly day of rest, five hours for persons engaged in messing duties and such time not exceeding two hours as is necessary for ordinary routine and sanitary duties in the case of other persons ;
    - on any other day, eight hours.

3. In the case of a vessel not a passenger ship, normal hours of work shall not exceed—

- (a) when the vessel is at sea and on days of sailing and arrival, nine hours in any period of thirteen hours ;
- (b) when the vessel is in port—
  - on the weekly day of rest, five hours ;
  - on the day preceding the weekly day of rest, six hours ;
  - on any other days, eight hours in any period of twelve hours.

4. When the total number of hours worked in a period of two consecutive weeks exceeds one hundred and twelve the person concerned shall be compensated by time off in port or otherwise as may be determined by collective agreement between the organisations of shipowners and seafarers concerned.

5. National laws or regulations or collective agreements between the organisations of shipowners and seafarers concerned may make special arrangements for the regulation of the hours of work of night watchmen.

*Article 14*

1. Le présent article s'applique aux officiers et aux membres du personnel subalterne employés aux services du pont, de la machine et de la radiotélégraphie à bord d'un navire affecté à la grande navigation.

2. Lorsque le navire est en mer et les jours d'arrivée et de départ, la durée normale du travail d'un officier ou d'un membre du personnel subalterne ne doit pas excéder huit heures par jour.

3. Lorsque le navire est au port, la durée normale du travail d'un officier ou d'un membre du personnel subalterne ne doit pas excéder :

- a) le jour du repos hebdomadaire : le temps nécessaire à l'exécution des travaux courants ou de propreté, à concurrence de deux heures ;
- b) les autres jours : huit heures, à moins qu'une convention collective ne prévoise une durée de travail inférieure.

4. Toute heure de travail effectuée en dépassement des limites journalières prévues aux paragraphes précédents sera considérée comme heure supplémentaire, pour laquelle l'intéressé aura droit à une compensation conformément aux dispositions de l'article 18 de la présente convention.

5. Si le nombre total d'heures de travail effectuées, à l'exclusion des heures considérées comme heures supplémentaires, dépasse quarante-huit au cours d'une période d'une semaine, l'intéressé aura droit à une compensation sous forme de périodes d'exemption de service et de présence accordée dans un port, ou sous toute autre forme, selon ce qui sera déterminé par convention collective passée entre les organisations d'armateurs et de gens de mer intéressées.

6. La législation nationale et les conventions collectives détermineront les cas dans lesquels un navire doit être considéré comme étant en mer et les cas dans lesquels il doit être considéré comme étant au port aux fins du présent article.

*Article 15*

1. Le présent article s'applique aux agents du service général.

2. Dans le cas d'un navire à passagers, la durée normale du travail ne doit pas excéder :

- a) lorsque le navire est en mer, et les jours d'arrivée et de départ : dix heures au cours d'une période de quatorze heures ;
- b) lorsque le navire est au port :
  - i) lorsque des passagers sont à bord : dix heures au cours d'une période de quatorze heures ;
  - ii) dans les autres cas :
    - le jour précédant le jour du repos hebdomadaire : cinq heures ;
    - le jour du repos hebdomadaire : cinq heures pour les personnes employées à la cuisine et au service de table, et, pour les autres personnes, le temps nécessaire à l'exécution des travaux courants ou de propreté, à concurrence de deux heures au maximum ;
    - les autres jours : huit heures.

3. Dans le cas d'un navire autre qu'un navire à passagers, la durée normale du travail ne doit pas excéder :

- a) lorsque le navire est en mer et les jours d'arrivée et de départ : neuf heures au cours d'une période de treize heures ;
- b) lorsque le navire est au port :
  - le jour du repos hebdomadaire : cinq heures ;
  - le jour précédant le jour du repos hebdomadaire : six heures ;
  - les autres jours : huit heures au cours d'une période de douze heures.

4. Si le nombre total d'heures de travail effectuées dépasse cent douze au cours d'une période de deux semaines consécutives, l'intéressé aura droit à une compensation sous forme de périodes d'exemption de service et de présence accordée dans un port, ou sous toute autre forme, selon ce qui sera déterminé par convention collective passée entre les organisations d'armateurs et de gens de mer intéressées.

5. La législation nationale ou les conventions collectives passées entre les organisations d'armateurs et de gens de mer intéressées pourront prévoir des modalités particulières pour la réglementation de la durée du travail des veilleurs de nuit.

*Article 16*

1. This Article applies to officers and ratings employed in near and distant trade ships.

2. Time off in port should be the subject of negotiations between the organisations of shipowners and seafarers concerned on the basis that officers and ratings should receive the maximum time off in port that is practicable and that such time off should not count as leave.

*Article 17*

1. The competent authority may exempt from the application of this Part of this Convention officers not already excluded therefrom by virtue of Article 11, subject to the following conditions :

- (a) the officers must be entitled in virtue of a collective agreement to conditions of employment which the competent authority certifies constitute full compensation for the non-application of this Part of the Convention ;
- (b) the collective agreement must have been originally concluded before 30 June 1946 and the agreement or a renewal thereof must be still in force.

2. A Member having recourse to the provisions of paragraph 1 shall supply to the Director-General of the International Labour Office full particulars of any such collective agreement and the Director-General shall lay a summary of the information received by him before the Committee referred to in Article 22.

3. The said Committee shall consider whether the collective agreements reported to it provide for conditions of employment which constitute full compensation for the non-application of this Part of this Convention. Each Member ratifying the Convention undertakes to give consideration to any observations or suggestions made by the Committee concerning such agreements and further undertakes to bring any such observations or suggestions to the notice of the organisations of shipowners and officers who are parties to such agreements.

*Article 18*

1. The rate or rates of compensation for overtime shall be prescribed by national laws or regulations or be fixed by collective agreement, but in no case shall the hourly rate of payment for overtime be less than one-and-a-quarter times the basic pay or wages per hour.

2. Collective agreements may provide for compensation by equivalent time off duty and off the vessel in lieu of cash payment or for any other method of compensation.

*Article 19*

1. The consistent working of overtime shall be avoided whenever possible.

2. Time spent in the following work shall not be included in normal hours of work or be regarded as overtime for the purpose of this Part of this Convention :

- (a) work that the master deems to be necessary and urgent for the safety of the vessel, cargo or persons on board ;
- (b) work required by the master for the purpose of giving assistance to other vessels or persons in distress ;
- (c) musters, fire, lifeboat and similar drills of the kind prescribed by the International Convention for the Safety of Life at Sea for the time being in force ;
- (d) extra work for the purposes of customs or quarantine or other health formalities ;
- (e) normal and necessary work by officers for the determination of the position of the ship and for making meteorological observations ;
- (f) extra time required for the normal relieving of watches.

*Article 16*

1. Le présent article s'applique aux officiers et membres du personnel subalterne employés à bord de navires de commerce affectés à la petite ou à la grande navigation.

2. L'exemption de service et de présence accordée dans un port doit faire l'objet de négociations entre les organisations d'armateurs et de gens de mer intéressées, étant entendu que les officiers et le personnel subalterne bénéficieront au port de l'exemption la plus large qui soit réalisable et que cette exemption ne sera pas comptée comme congé.

*Article 17*

1. L'autorité compétente peut exempter de l'application de la présente partie de la convention tous officiers qui n'en sont pas déjà exclus en vertu de l'article 11, sous réserve des conditions suivantes :

- a) les officiers doivent avoir droit en vertu de conventions collectives à des conditions d'emploi dont l'autorité compétente certifie qu'elles constituent une pleine compensation pour la non-application de cette partie de la convention ;
- b) la convention collective doit avoir été conclue à l'origine avant le 30 juin 1946 et la convention être encore en vigueur, soit directement, soit par voie de renouvellement.

2. Tout Membre qui invoque les dispositions du paragraphe 1 soumettra au Directeur général du Bureau international du Travail des renseignements complets sur toute convention collective de cet ordre et le Directeur général soumettra un résumé des informations qu'il aura reçues au comité mentionné à l'article 22.

3. Ledit comité examinera si les conventions collectives au sujet desquelles il sera saisi d'un rapport prévoient des conditions d'emploi qui constituent une pleine compensation pour la non-application de cette partie de la convention. Tout Membre qui aura ratifié la convention s'engage à tenir compte de toute observation ou suggestion faite par le comité concernant de telles conventions collectives ; il s'engage, en outre, à porter ces observations ou suggestions à la connaissance des organisations d'armateurs ou d'officiers parties à de telles conventions collectives.

*Article 18*

1. Le taux ou les taux de compensation pour les heures supplémentaires seront prescrits par la législation nationale ou déterminés par convention collective, mais dans tous les cas le taux horaire de paiement des heures supplémentaires comportera une majoration d'au moins vingt-cinq pour cent par rapport au taux horaire du salaire ou de la solde de base.

2. Les conventions collectives pourront prévoir au lieu d'un paiement en espèces une compensation qui consistera en une exemption correspondante de service et de présence à bord ou en une compensation de toute autre forme.

*Article 19*

1. Le recours continu aux heures supplémentaires sera évité dans toute la mesure du possible.

2. Le temps nécessaire à l'exécution des travaux suivants ne sera pas compris dans la durée normale du travail ni considéré comme heures supplémentaires, aux fins de cette partie de la présente convention :

- a) les travaux que le capitaine estime nécessaires et urgents en vue de sauvegarder la sécurité du navire, de la cargaison ou des personnes embarquées ;
- b) les travaux requis par le capitaine en vue de porter secours à d'autres navires ou à d'autres personnes en détresse ;
- c) les appels, exercices d'incendie ou d'embarcations et exercices similaires du genre de ceux que prescrira la convention internationale pour la sauvegarde de la vie humaine en mer en vigueur à l'époque ;
- d) les travaux supplémentaires requis par des formalités douanières, la quarantaine ou d'autres formalités sanitaires ;
- e) les travaux normaux et indispensables auxquels doivent procéder les officiers pour la détermination de la position du navire et pour les observations météorologiques ;
- f) le temps supplémentaire qu'exige la relève normale des quarts.

3. Nothing in this Convention shall be deemed to impair the right and duty of the master of a vessel to require, or the duty of an officer or rating to perform, any work deemed by the master to be necessary for the safe and efficient operation of the vessel.

#### *Article 20*

1. No person under the age of sixteen years shall work at night.

2. For the purpose of this Article, "night" means a period of at least nine consecutive hours between times before and after midnight to be prescribed by national laws or regulations or collective agreements.

### PART IV. MANNING

#### *Article 21*

1. Every vessel to which this Convention applies shall be sufficiently and efficiently manned for the purposes of—

- (a) ensuring the safety of life at sea ;
- (b) giving effect to the provisions of Part III of this Convention ; and
- (c) preventing excessive strain upon the crew and avoiding or minimising as far as practicable the working of overtime.

2. Each Member undertakes to maintain, or to satisfy itself that there is maintained, efficient machinery for the investigation and settlement of any complaint or dispute concerning the manning of a vessel.

3. Representatives of the organisations of shipowners and seafarers shall participate, with or without other persons or authorities, in the operation of such machinery.

### PART V. APPLICATION OF THE CONVENTION

#### *Article 22*

1. Effect may be given to this Convention by (a) laws or regulations ; (b) collective agreements between shipowners and seafarers (except as regards paragraph 2 of Article 21) ; or (c) a combination of laws or regulations and collective agreements between shipowners and seafarers. Except as may be otherwise provided herein, the provisions of this Convention shall be made applicable to every vessel registered in the territory of the ratifying Member and to every person engaged on any such vessel.

2. Where effect has been given to any provision of this Convention by a collective agreement in pursuance of paragraph 1 of this Article, then notwithstanding anything contained in Article 10 of this Convention the Member shall not be required to take any measures in pursuance of Article 10 of this Convention in respect of the provisions of the Convention to which effect has been so given by collective agreement.

3. Each Member ratifying this Convention shall supply to the Director-General of the International Labour Office information on the measures by which the Convention is applied, including particulars of any collective agreements in force which give effect to any of its provisions.

4. Each Member ratifying this Convention undertakes to take part, by means of a tripartite delegation, in any Committee representative of governments and shipowners' and seafarers' organisations, and including, in an advisory capacity, representatives of the Joint Maritime Commission of the International Labour Office, which may be set up for the purpose of examining the measures taken to give effect to the Convention.

5. The Director-General shall lay before the said Committee a summary of the information received by him under paragraph 3 above.

6. The Committee shall consider whether the collective agreements reported to it give full effect to the provisions of the Convention. Each Member ratifying the Convention undertakes to give consideration to any observations or suggestions concerning the application of the Convention

3. Rien dans la présente convention ne sera interprété comme affaiblissant le droit et l'obligation du capitaine d'un navire d'exiger des travaux qui lui paraissent nécessaires à la sécurité et à la bonne marche du navire, ni l'obligation d'un officier ou d'un membre du personnel de procéder à de tels travaux.

#### *Article 20*

1. Aucun membre du personnel âgé de moins de seize ans ne peut travailler de nuit.

2. Aux fins du présent article, le terme « nuit » signifie au moins neuf heures consécutives comprises dans une période commençant avant minuit et finissant après minuit et qui sera déterminée par la législation nationale ou par conventions collectives.

### PARTIE IV. EFFECTIFS

#### *Article 21*

1. Tout navire auquel s'applique la présente convention doit avoir à bord un équipage suffisant en nombre et qualité pour :

- a) assurer la sécurité de la vie humaine en mer ;
- b) donner effet aux dispositions de la partie III de la présente convention ;
- c) éviter tout surmenage de l'équipage et supprimer ou restreindre autant que possible les heures supplémentaires.

2. Tout Membre s'engage à instituer, ou à s'assurer qu'il existe dans son territoire un mécanisme efficace pour instruire ou régler toute plainte ou tout conflit relatif aux effectifs d'un navire.

3. Des représentants des organisations d'armateurs et de gens de mer participeront, avec ou sans le concours d'autres personnes ou autorités, au fonctionnement de ce mécanisme.

### PARTIE V. APPLICATION DE LA CONVENTION

#### *Article 22*

1. Effet peut être donné à la présente convention au moyen : a) de la législation ; b) de conventions collectives passées entre armateurs et gens de mer (sauf en ce qui concerne le paragraphe 2 de l'article 21) ; c) d'une combinaison de la législation et des conventions collectives passées entre armateurs et gens de mer. Sauf disposition contraire de la présente convention, celle-ci s'appliquera à tout navire immatriculé dans le territoire d'un Membre qui aura ratifié la convention et à toute personne employée à bord du navire.

2. Lorsqu'il sera donné effet à toute disposition de la présente convention au moyen d'une convention collective, conformément au paragraphe 1 du présent article, le Membre, nonobstant les dispositions prévues à l'article 10 de la présente convention, ne sera pas tenu de prendre des mesures conformément à l'article 10 de la présente convention en ce qui concerne les dispositions de la convention qui auront été mises en vigueur par convention collective.

3. Tout Membre qui aura ratifié la convention fournira au Directeur général du Bureau international du Travail des informations sur les mesures en vertu desquelles la convention est appliquée, et notamment des précisions sur toutes conventions collectives en vigueur qui font porter effet à telle ou telle disposition de la convention.

4. Tout Membre qui aura ratifié la convention s'engage à participer, au moyen d'une délégation tripartite, à tout comité représentant les gouvernements, les organisations d'armateurs et de gens de mer, et auquel des représentants de la Commission paritaire maritime du Bureau international du Travail assistent à titre consultatif, qui serait institué aux fins d'examiner les mesures prises pour donner effet à la convention.

5. Le Directeur général soumettra audit comité un résumé des informations qu'il aura reçues en exécution du paragraphe 3 ci-dessus.

6. Le comité examinera si les conventions collectives, au sujet desquelles il sera saisi d'un rapport, font porter pleinement effet aux dispositions de la convention. Tout Membre qui aura ratifié la présente convention s'engage à tenir compte de toute observation ou suggestion concernant l'application

made by the Committee, and further undertakes to bring to the notice of the organisations of shipowners and of seafarers who are parties to any of the collective agreements mentioned in paragraph 1 any observations or suggestions of the aforesaid Committee concerning the degree to which such agreements give effect to the provisions of the Convention.

#### *Article 23*

1. Each Member which ratifies this Convention shall be responsible for the application of its provisions to vessels registered in its territory and shall, except where effect is given to the Convention by collective agreements, maintain in force laws or regulations which—

- (a) determine the respective responsibilities of the shipowner and the master for ensuring compliance therewith ;
- (b) prescribe adequate penalties for any violation thereof ;
- (c) provide for adequate public supervision of compliance with Part IV of the Convention ;
- (d) require the keeping of the records of hours worked necessary for the purposes of Part III of the Convention and of the compensation granted in respect of overtime and of excess hours of work ;
- (e) ensure to seafarers the same remedies for recovering payments due to them in respect of compensation for overtime and for excess hours of work as they have for recovering other arrears of pay.

2. The organisations of shipowners and seafarers concerned shall, so far as is reasonable and practicable, be consulted in the framing of all laws or regulations for giving effect to the provisions of this Convention.

#### *Article 24*

For the purpose of giving mutual assistance in the enforcement of this Convention, every Member which ratifies the Convention undertakes to require the competent authority in every port in its territory to inform the consular or other appropriate authority of any other such Member of any case in which it comes to the notice of such authority that the requirements of the Convention are not being complied with in a vessel registered in the territory of that other Member.

### PART VI. FINAL PROVISIONS

#### *Article 25*

1. This Convention revises the Wages, Hours of Work and Manning (Sea) Conventions, 1946 and 1949.

2. For the purpose of Article 28 of the Hours of Work and Manning (Sea) Convention, 1936, this Convention shall also be regarded as a Convention revising that Convention.

#### *Article 26*

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

#### *Article 27*

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall first come into force six months after the date at which the following conditions have been fulfilled :

- (a) the ratifications of nine of the following Members have been registered : Argentina, Australia, Belgium, Brazil, Canada, Chile, China, Denmark, Finland, France, Federal Republic of Germany, Greece, India, Ireland, Italy, Japan, Netherlands, Norway, Poland, Portugal, Spain, Sweden, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia ;



de la convention faite par le comité ; il s'engage, en outre, à porter à la connaissance des organisations d'armateurs et de gens de mer parties à une convention collective visée au paragraphe 1 toute observation ou suggestion du comité susmentionné quant à l'efficacité de cette convention collective pour donner effet aux dispositions de la convention.

#### *Article 23*

1. Tout Membre qui ratifie la présente convention s'engage à en appliquer les dispositions aux navires immatriculés dans son territoire et, sauf dans les cas de mise à exécution au moyen de conventions collectives, à instituer une législation qui :

- a) déterminera les responsabilités respectives de l'armateur et du capitaine à l'égard de la convention ;
- b) prescrira des sanctions appropriées pour toute violation des dispositions de la convention ;
- c) établira en vue de l'application de la partie IV de la présente convention un système de contrôle officiel approprié ;
- d) exigera, pour l'application de la partie III de la présente convention, le relevé, d'une part, des heures de travail effectuées, d'autre part, des compensations accordées pour les heures supplémentaires et de dépassement ;
- e) assurera aux gens de mer les mêmes moyens de recouvrement des rémunérations qui leur sont dues en compensation des heures supplémentaires et de dépassement que ceux dont ils disposent déjà pour le recouvrement des autres arrérages de salaires.

2. Les organisations d'armateurs et de gens de mer intéressées seront, dans toute la mesure du possible, consultées pour l'élaboration de toute mesure d'ordre législatif ou réglementaire tendant à faire porter effet aux dispositions de la présente convention.

#### *Article 24*

En vue d'établir une assistance réciproque pour l'application de la présente convention, chacun des Membres qui l'aura ratifiée s'engage à prescrire à l'autorité compétente dans tout port situé sur son territoire de signaler à l'autorité consulaire, ou à toute autre autorité qualifiée d'un autre Membre ayant ratifié, tout cas, venu à sa connaissance, de non-observation des dispositions de ladite convention à bord d'un navire immatriculé dans le territoire de cet autre Membre.

### PARTIE VI. DISPOSITIONS FINALES

#### *Article 25*

1. La présente convention revise les conventions de 1946 et de 1949 sur les salaires, la durée du travail à bord et les effectifs.

2. Aux fins de l'article 28 de la convention sur la durée du travail à bord et les effectifs, 1936, la présente convention doit également être considérée comme une convention revisant la susdite convention.

#### *Article 26*

Les ratifications formelles de la présente convention seront communiquées au Directeur général du Bureau international du Travail et par lui enregistrées.

#### *Article 27*

1. La présente convention ne liera que les Membres de l'Organisation internationale du Travail dont les ratifications auront été enregistrées par le Directeur général.

2. Son entrée en vigueur initiale aura lieu six mois après la date à laquelle les conditions suivantes auront été remplies :

- a) les ratifications de neuf des Membres suivants ont été enregistrées : République fédérale d'Allemagne, Argentine, Australie, Belgique, Brésil, Canada, Chili, Chine, Danemark, Espagne, Etats-Unis d'Amérique, Finlande, France, Grèce, Inde, Irlande, Italie, Japon, Norvège, Pays-Bas, Pologne, Portugal, Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, Suède, Turquie, Union des républiques soviétiques socialistes, Yougoslavie ;

- (b) at least five of the Members whose ratifications have been registered have at the date of registration each not less than 1 million gross register tons of shipping ;
- (c) the aggregate tonnage of shipping possessed at the time of registration by the Members whose ratifications have been registered is not less than 15 million gross register tons.

3. The provisions of the preceding paragraph are included for the purpose of facilitating and encouraging early ratification of the Convention by member States.

4. After the Convention has first come into force, it shall come into force for any Member six months after the date on which its ratification has been registered.

#### Article 28

1. A Member which has ratified this Convention may denounce it after the expiration of five years from the date on which the Convention comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not within the year following the expiration of the period of five years mentioned in the preceding paragraph exercise the right of denunciation provided for in this Article will be bound for another period of five years and, thereafter, may denounce this Convention at the expiration of each period of five years under the terms provided for in this Article.

#### Article 29

1. The Director-General of the International Labour Office shall notify all the Members of the International Labour Organisation of the registration of all ratifications, declarations and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the last of the ratifications required to bring the Convention into force, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

#### Article 30

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with article 102 of the Charter of the United Nations full particulars of all ratifications, declarations and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

#### Article 31

At the expiration of each period of ten years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

#### Article 32

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides—

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 28 above, if and when the new revising Convention shall have come into force ;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

- b) au moins cinq des Membres dont les ratifications ont été enregistrées possèdent chacun, à la date de leur enregistrement, une flotte marchande dont le tonnage brut sera égal ou supérieur à un million de tonnes enregistrés ;
- c) l'ensemble du tonnage de la flotte marchande que posséderont, au moment de l'enregistrement, les Membres dont les ratifications ont été enregistrées est égal ou supérieur à quinze millions de tonnes de jauge brute enregistrés.

3. Les dispositions qui précèdent ont été adoptées en vue de faciliter, encourager et hâter la ratification de la présente convention par les Etats Membres.

4. Après son entrée en vigueur initiale, la présente convention entrera en vigueur pour chaque Membre six mois après la date à laquelle sa ratification aura été enregistrée.

#### *Article 28*

1. Tout Membre ayant ratifié la présente convention peut la dénoncer à l'expiration d'une période de cinq années après la date de la mise en vigueur initiale de la convention, par un acte communiqué au Directeur général du Bureau international du Travail et par lui enregistré. La dénonciation ne prendra effet qu'une année après avoir été enregistrée.

2. Tout Membre ayant ratifié la présente convention qui, dans le délai d'une année après l'expiration de la période de cinq années mentionnée au paragraphe précédent, ne fera pas usage de la faculté de dénonciation prévue par le présent article sera lié pour une nouvelle période de cinq années et, par la suite, pourra dénoncer la présente convention à l'expiration de chaque période de cinq années dans les conditions prévues au présent article.

#### *Article 29*

1. Le Directeur général du Bureau international du Travail notifiera à tous les Membres de l'Organisation internationale du Travail l'enregistrement de toutes les ratifications, déclarations et dénonciations qui lui seront communiquées par les Membres de l'Organisation.

2. En notifiant aux Membres de l'Organisation l'enregistrement de la dernière ratification nécessaire à l'entrée en vigueur de la convention, le Directeur général appellera l'attention des Membres de l'Organisation sur la date à laquelle la présente convention entrera en vigueur.

#### *Article 30*

Le Directeur général du Bureau international du Travail communiquera au Secrétaire général des Nations Unies aux fins d'enregistrement, conformément à l'article 102 de la Charte des Nations Unies, des renseignements complets au sujet de toutes les ratifications, déclarations et dénonciations qu'il aura enregistrées conformément aux articles précédents.

#### *Article 31*

A l'expiration de chaque période de dix années à compter de l'entrée en vigueur de la présente convention, le Conseil d'administration du Bureau international du Travail devra présenter à la Conférence générale un rapport sur l'application de la présente convention et décidera s'il y a lieu d'inscrire à l'ordre du jour de la Conférence la question de sa révision totale ou partielle.

#### *Article 32*

1. Au cas où la Conférence adopterait une nouvelle convention portant révision totale ou partielle de la présente convention, et à moins que la nouvelle convention ne dispose autrement :

- a) la ratification par un Membre de la nouvelle convention portant révision entraînerait de plein droit, nonobstant l'article 28 ci-dessus, dénonciation immédiate de la présente convention, sous réserve que la nouvelle convention portant révision soit entrée en vigueur ;
- b) à partir de la date de l'entrée en vigueur de la nouvelle convention portant révision, la présente convention cesserait d'être ouverte à la ratification des Membres.

2. La présente convention demeurerait en tout cas en vigueur dans sa forme et teneur pour les Membres qui l'auraient ratifiée et qui ne ratifieraient pas la convention portant révision.

*Article 33*

The English and French versions of the text of this Convention are equally authoritative.

**Recommendation 109****(7) Recommendation concerning Wages, Hours of Work on Board Ship and Manning.**

The General Conference of the International Labour Organisation,  
Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-first Session on 29 April 1958, and

Having decided upon the adoption of certain proposals with regard to the general revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949, which is the second item on the agenda of the session, and

Having adopted the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958, and

Recognising the need for a further instrument which will likewise encourage Members to improve the conditions of employment of seafarers ;

adopts this fourteenth day of May of the year one thousand nine hundred and fifty-eight the following Recommendation, which may be cited as the Wages, Hours of Work and Manning (Sea) Recommendation, 1958.

**SCOPE**

1. This Recommendation applies to seafarers, other than masters, employed in mechanically propelled seagoing ships engaged in trade but excluding estuarial craft, fishing vessels and primitive vessels.

**WAGES**

2. The basic pay or wages for a calendar month of service of an able seaman employed in a vessel to which this Recommendation applies should not be less than the equivalent of twenty-five pounds in currency of the United Kingdom of Great Britain and Northern Ireland or seventy dollars in currency of the United States of America, whichever of these amounts may from time to time be the greater : Provided that, in determining the minimum pay or wages in the case of ships in which are employed such groups of ratings as necessitate the employment of larger groups of ratings than would otherwise be employed, and having regard to the principle of equal pay for equal work, special factors may be taken into account, such as the extra numbers employed and any differences in crew costs incurred by the shipowner consequent upon the employment of such ratings.

3. Except where effect is given to the preceding paragraph by collective agreement between bona fide organisations representing shipowners and seafarers, each Member should—

- (a) ensure, by way of a system of supervision and sanctions, that remuneration is paid at not less than the rate required by the preceding paragraph ; and
- (b) ensure that any person who has been paid at a rate less than that required by the preceding paragraph is enabled to recover, by an inexpensive and expeditious judicial or other procedure, the amount by which he has been underpaid.

**HOURS OF WORK**

4. At sea and in port the normal hours of work should be eight per day for all departments. As regards hours in port on the weekly day of rest and the day preceding it, special provisions should be laid down by national laws or regulations or collective agreements.

*Article 33*

Les versions française et anglaise du texte de la présente convention font également foi.

Recommandation 109**7) Recommandation concernant les salaires, la durée du travail à bord et les effectifs.**

La Conférence générale de l'Organisation internationale du Travail, Convoquée à Genève par le Conseil d'administration du Bureau international du Travail, et s'y étant réunie le 29 avril 1958, en sa quarante et unième session ;

Après avoir décidé d'adopter diverses propositions relatives à la revision générale de la convention sur les salaires, la durée du travail à bord et les effectifs (révisée), 1949, question qui constitue le deuxième point à l'ordre du jour de la session ;

Ayant adopté la convention sur les salaires, la durée du travail à bord et les effectifs (révisée), 1958 ;

Reconnaissant la nécessité d'un autre instrument également destiné à encourager les Membres à améliorer les conditions d'emploi des gens de mer,

adopte, ce quatorzième jour de mai mil neuf cent cinquante-huit, la recommandation ci-après, qui sera dénommée Recommandation sur les salaires, la durée du travail à bord et les effectifs, 1958.

**CHAMP D'APPLICATION**

1. La présente recommandation s'applique aux gens de mer, à l'exception des capitaines, embarqués à bord des navires de mer à propulsion mécanique naviguant à des fins commerciales, mais à l'exclusion des embarcations naviguant dans les eaux d'un estuaire, des bateaux de pêche et des bateaux de construction primitive.

**SALAIRES**

2. Le salaire ou la solde de base, pour un mois civil de service, d'un matelot qualifié employé à bord d'un navire auquel s'applique la présente recommandation ne devrait pas être inférieur à l'équivalent, soit de vingt-cinq livres en monnaie du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, soit de soixante-dix dollars en monnaie des Etats-Unis d'Amérique, le montant à retenir étant celui qui, suivant le moment, sera le plus élevé. Toutefois, lors de la fixation des salaires minima dans le cas des navires où sont employés des groupes de personnel subalterne nécessitant l'embarquement d'un effectif plus important que celui qui eût été utilisé autrement et compte tenu du principe « à travail égal, salaire égal », des facteurs particuliers tels que le personnel employé en surnombre et les différences de charges d'équipage supportées par l'armateur du fait de l'embarquement dudit personnel, peuvent être pris en considération.

3. A l'exception du cas où il est donné effet au paragraphe précédent par voie de conventions collectives entre les organisations représentatives d'armateurs ou de gens de mer, chaque Membre devrait :

- a) assurer, au moyen d'un système de contrôle et de sanctions, que les rémunérations versées ne soient pas inférieures aux taux fixés au paragraphe précédent ;
- b) assurer que toute personne qui a été rémunérée à un taux inférieur au taux prévu au paragraphe précédent puisse recouvrer, par une procédure expéditive et peu onéreuse, soit par voie judiciaire, soit par toute autre voie légale, le montant de la somme qui lui reste due.

**DURÉE DU TRAVAIL**

4. A la mer et au port, la durée normale du travail devrait être de huit heures par jour pour tous les services. En ce qui concerne la durée du travail au port le jour du repos hebdomadaire et le jour qui précède, des dispositions particulières devraient être prévues par la législation nationale ou par voie de convention collective.

5. When the vessel is at sea on the weekly day of rest seafarers should be compensated as may be determined by collective agreements or national laws or regulations.

6. In the case of smaller vessels and of vessels engaged on short voyages, collective agreements or national laws or regulations may provide for the averaging of the eight-hour day.

7. The rate or rates of compensation for overtime should be prescribed by national laws or regulations or be fixed by collective agreement, but in no case should the hourly rate of payment for overtime be less than one-and-a-quarter times the basic pay or wages per hour. National laws or regulations or collective agreements may provide for compensation by equivalent time off duty and off the vessel in lieu of cash payment or for any other method of compensation.

8. National laws or regulations or collective agreements should determine the duties the time spent on which should not be included in normal hours of work or be regarded as overtime for the purpose of this Recommendation.

9. Collective agreements may for special reasons provide for special arrangements as adequate compensation in lieu of direct payment of overtime.

#### MANNING

10. A sufficient number of officers and men should be engaged so as to ensure the avoidance of excessive overtime and to satisfy the dictates of safety of life at sea.

11. Each Member should maintain, or satisfy itself that there is maintained, efficient machinery for the investigation and settlement of any complaint or dispute concerning the manning of a vessel.

12. Representatives of the bona fide organisations of shipowners and seafarers should participate, with or without other persons or authorities, in the operation of such machinery.

#### GENERAL

13. Nothing in this Recommendation shall be deemed to prejudice any provision concerning wages, hours of work on board ship or manning, by law, award, custom or agreement between shipowners and seafarers, which ensures the seafarers conditions more favourable than those provided for by this Recommendation.

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5. Lorsque le navire est en mer le jour du repos hebdomadaire, les gens de mer devraient recevoir une compensation déterminée par voie de convention collective ou par la législation nationale.

6. Dans le cas des navires de faible tonnage et des navires affectés à la petite navigation, des conventions collectives ou la législation nationale pourront prévoir une moyenne de huit heures de travail par jour.

7. Le taux ou les taux de rémunération pour les heures supplémentaires devraient être fixés par la législation nationale ou par convention collective, mais dans tous les cas, le taux horaire de paiement des heures supplémentaires devrait comporter une majoration d'au moins vingt-cinq pour cent par rapport au taux horaire du salaire ou de la solde de base. La législation nationale ou les conventions collectives peuvent prévoir, au lieu d'un paiement en espèces, une compensation consistant en une exemption correspondante de service et de présence à bord ou en une compensation de toute autre forme.

8. La législation nationale ou les conventions collectives devraient déterminer les travaux qui ne devraient être considérés comme effectués ni en heures normales ni en heures supplémentaires aux fins de la présente recommandation.

9. Les conventions collectives peuvent prévoir, en raison de situations particulières, des régimes spéciaux comportant une compensation adéquate au lieu d'un paiement direct des heures supplémentaires.

#### EFFECTIFS

10. L'équipage devrait comprendre un nombre d'officiers et de marins suffisant pour éviter un recours excessif aux heures supplémentaires et satisfaire aux exigences de la sauvegarde de la vie humaine en mer.

11. Chaque Membre devrait instituer ou s'assurer qu'il existe un mécanisme efficace pour instruire ou régler toute plainte ou tout conflit relatif à l'effectif d'un navire.

12. Des représentants des organisations représentatives d'armateurs et de gens de mer devraient participer, avec ou sans le concours d'autres personnes ou autorités, au fonctionnement de ce mécanisme.

#### DISPOSITION GÉNÉRALE

13. Rien dans la présente recommandation ne porte atteinte aux dispositions concernant les salaires, la durée du travail à bord des navires ou les effectifs prévus par loi, sentence, coutume, ou accord passé entre armateurs et gens de mer, qui assurent aux gens de mer des conditions plus favorables que celles prévues par ladite recommandation.





# **INDEX**

**TO SECOND AND THIRD PARTS**



# INDEX TO SECOND AND THIRD PARTS

## A

	Page
ADDRESS TO THE CONFERENCE :	
Address by Mr. Holzer, Director of the Swiss Federal Office of Industry, Arts and Crafts, and Labour	44
ÅKESSON, Mr., <i>Workers' adviser, Sweden :</i>	
Report of the Committee on Medical Questions . . . . .	111
ALBÁN LIÉVANO, Mr., <i>Employers' delegate, Colombia :</i>	
Report of the Director-General . . . . .	52
ANZULATO, Mr., <i>Employers' delegate, Rumania :</i>	
Report of the Director-General . . . . .	72
Sixth report of the Selection Committee . . . . .	90
Communication to the Conference concerning the selection of members of the Joint Maritime Commission . . . . .	183
APPLICATION OF THE PRINCIPLE OF A 40-HOUR WORKING WEEK ON BOARD SHIP :	
See <i>General revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93) : Resolution concerning the application of the principle, etc.</i>	
ATOMIC AND THERMONUCLEAR WEAPONS :	
See <i>Resolutions : Discontinuance of tests of atomic and thermonuclear weapons, etc.</i>	
ATOMIC POWER AND SHIPPING :	
See <i>Resolutions.</i>	
AZQUETA, Mr., <i>Workers' delegate, Argentina :</i>	
Report of the Committee on Wages, Hours and Manning . . . . .	143

## B

BAKURSKI, Mr., <i>Workers' delegate, Ukraine :</i>	
Report of the Director-General . . . . .	80
First report of the Resolutions Committee :	
Resolution concerning welfare in port . . . . .	150
Communication to the Conference concerning the selection of members of the Joint Maritime Commission . . . . .	185
BARBOZA-CARNEIRO, Mr., <i>Government delegate, Brazil :</i>	
Election of the President . . . . .	4
Report of the Committee on Wages, Hours and Manning . . . . .	139
Submitting the first and second reports of the Credentials Committee . . . . .	149
BECU, Mr., <i>Workers' adviser, Belgium :</i>	
Report of the Committee on Wages, Hours and Manning . . . . .	137
Second report of the Resolutions Committee :	
Paragraphs of the report relating to a resolution concerning the Joint Maritime Commission . . . . .	156
Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .	173
Communication to the Conference concerning the selection of members of the Joint Maritime Commission . . . . .	184
BELINSKI, Mr., <i>Government delegate, Bulgaria :</i>	
Second report of the Selection Committee . . . . .	14
Report of the Director-General . . . . .	77
Report of the Committee on Wages, Hours and Manning . . . . .	139
Proposed revised Convention concerning wages, hours of work on board ship and manning . . . . .	145
BERIO, Mr., <i>Government delegate, Italy :</i>	
Election of the President . . . . .	5
Submitting the report of the Committee on the Engagement of Seafarers . . . . .	112

	Page
BRENTWOOD, Mr., <i>Government delegate, Australia :</i>	
Submitting the first report of the Resolutions Committee . . . . .	149
Submitting the second report of the Resolutions Committee . . . . .	154
BULL, Captain, <i>Government delegate, Australia :</i>	
Report of the Committee on Identity Cards . . . . .	108
<b>C</b>	
CALDERÓN PUIG, Mr., <i>Chairman of the Governing Body of the International Labour Office :</i>	
Opening of the Conference . . . . .	3
Election of the President . . . . .	4, 5
CAMEJO ARGUDÍN, Mr., <i>Government delegate, Cuba :</i>	
Second report of the Resolutions Committee :	
Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .	177
CARLIER, Mr., <i>Government adviser, Belgium :</i>	
Submitting the report of the Committee on Identity Cards . . . . .	107
CARVALHO, Mr., <i>Employers' delegate, Brazil :</i>	
Report of the Director-General . . . . .	123
CAVALLINI, Captain, <i>Employers' delegate, Italy :</i>	
Report of the Committee on Wages, Hours and Manning . . . . .	144
CERTIFICATES OF COMPETENCY :	
See <i>Jurisdiction over the suspension of officers' certificates of competency.</i>	
CEVAER, Dr., <i>Government adviser, France :</i>	
Submitting the report of the Committee on Medical Questions . . . . .	110
CHAUDHURI, Mr., <i>Government delegate, Pakistan :</i>	
Report of the Director-General . . . . .	82
Report of the Committee on Identity Cards . . . . .	109
Report of the Committee on Wages, Hours and Manning . . . . .	143
Proposed revised Convention concerning wages, hours of work on board ship and manning . . . . .	145
Second report of the Resolutions Committee :	
Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .	178
CHEN, Mr., <i>Workers' delegate, China :</i>	
Report of the Director-General . . . . .	133
CLOSING SPEECHES . . . . .	190
CLOSURE OF THE CONFERENCE . . . . .	194
COMMITTEES OF THE CONFERENCE :	
See <i>Contents of ships' medicine chests and medical advice by radio to ships at sea ; Credentials ; Drafting Committee of the Conference ; Engagement of seafarers through regularly established employment offices ; Flag transfer in relation to social conditions and safety ; General revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93) ; Jurisdiction over the suspension of officers' certificates of competency ; Reciprocal or international recognition of seafarers' national identity cards ; Resolutions ; Selection Committee.</i>	
COMMUNICATIONS TO THE CONFERENCE :	
Statement of arrears of contributions due on 28 April 1958, communicated to the Conference by the Director-General (article 30 of the Standing Orders) . . . . .	251
Selection of the members of the Joint Maritime Commission : Information submitted to the Conference by the International Labour Office . . . . .	252
Communication concerning the selection of members of the Joint Maritime Commission . . . . .	180
Discussion . . . . .	180
CONTENTS OF SHIPS' MEDICINE CHESTS AND MEDICAL ADVICE BY RADIO TO SHIPS AT SEA (FIFTH ITEM ON THE AGENDA) :	
Committee on Medical Questions :	
Appointment . . . . .	10
Composition . . . . .	10, 202, 204, 205, 206

	Page
Report . . . . .	240
Submission and discussion . . . . .	110
Adoption . . . . .	111
<i>Recommendation concerning the contents of medicine chests on board ship :</i>	
Text submitted by the Committee on Medical Questions . . . . .	242
Adoption of the Preamble, Paragraphs 1 to 4 and the Annex . . . . .	111
Adoption of the text as a whole (vote by show of hands) . . . . .	111
Final text (submitted by the Drafting Committee) . . . . .	243
Adoption (by final record vote) . . . . .	160
Authentic text . . . . .	264
<i>Recommendation concerning medical advice by radio to ships at sea :</i>	
Text submitted by the Committee on Medical Questions . . . . .	243
Adoption of the Preamble and clauses (a) to (d) . . . . .	111
Adoption of the text as a whole (vote by show of hands) . . . . .	112
Final text (submitted by the Drafting Committee) . . . . .	243
Adoption (by final record vote) . . . . .	161
Authentic text . . . . .	268
CONTRIBUTIONS, ARREARS OF	
<i>See Communications to the Conference.</i>	
CONVENTIONS :	
<i>See General revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93):     Revised Convention concerning wages, hours of work on board ship and manning ; Reciprocal or inter-     national recognition of seafarers' national cards : Convention concerning seafarers' national identity     documents.</i>	
CREDENTIALS :	
Brief report by Mr. Calderón Puig, Chairman of the Governing Body . . . . .	207
<i>Credentials Committee :</i>	
Appointment and composition . . . . .	204
First report . . . . .	209
Submission and noting . . . . .	148
Second report . . . . .	210
Submission and noting . . . . .	148
CREW ACCOMMODATION :	
<i>See Resolutions.</i>	
<b>D</b>	
DADA, Mr., <i>Employers' delegate, Pakistan :</i>	
Report of the Director-General . . . . .	104
DANCHENKO, Mr., <i>Employers' delegate, Ukraine :</i>	
Second report of the Selection Committee . . . . .	12
Report of the Director-General . . . . .	30
Sixth report of the Selection Committee . . . . .	89
DEKEYZER, Mr., <i>Workers' delegate, Belgium :</i>	
Report of the Director-General . . . . .	55
Report of the Committee on Identity Cards . . . . .	107
Second report of the Resolutions Committee :	
Resolution concerning fishermen's questions . . . . .	169
DE KINDER, Mr., <i>Government delegate, Belgium :</i>	
Second report of the Resolutions Committee :	
Resolution concerning fishermen's questions . . . . .	169
DIRECTOR-GENERAL OF THE INTERNATIONAL LABOUR OFFICE :	
<i>See Report of the Director-General ; and Secretary-General of the Conference.</i>	
DISCONTINUANCE OF TESTS OF ATOMIC AND THERMONUCLEAR WEAPONS ENDANGERING THE SAFETY OF SHIPPING AND CONSTITUTING A THREAT TO THE LIVES OF SEAFARERS :	
<i>See Resolutions.</i>	
DOLINSKI, Mr., <i>Government delegate, U.S.S.R. :</i>	
Second report of the Selection Committee . . . . .	10
Report of the Director-General . . . . .	25

	Page
Sixth report of the Selection Committee . . . . .	92
First report of the Resolutions Committee :	
Resolution concerning welfare in port . . . . .	151
Second report of the Resolutions Committee :	
Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .	171
DOWUONA-HAMMOND, Mr., <i>Government delegate, Ghana</i> :	
Report of the Director-General . . . . .	29
DRAFTING COMMITTEE OF THE CONFERENCE :	
Appointment and composition . . . . .	205
DZHAVAD, Mr., <i>Government adviser, U.S.S.R.</i> :	
Report of the Committee on Competency Certificates . . . . .	71
<b>E</b>	
ENDRESEN, Mr., <i>Government delegate, Norway</i> :	
Submitting the report of the Committee on Wages, Hours and Manning . . . . .	136
ENGAGEMENT OF SEAFARERS THROUGH REGULARLY ESTABLISHED EMPLOYMENT OFFICES (THIRD ITEM ON THE AGENDA) :	
<i>Committee on the Engagement of Seafarers</i> :	
Appointment . . . . .	10
Composition . . . . .	10, 201, 204, 205, 206
Report . . . . .	234
Submission and discussion . . . . .	112
Adoption . . . . .	113
<i>Recommendation concerning the engagement of seafarers for service in vessels registered in a foreign country</i> :	
Text submitted by the Committee on the Engagement of Seafarers . . . . .	236
Adoption of the Preamble and Paragraphs 1 and 2 . . . . .	114
Adoption of the text as a whole (vote by show of hands) . . . . .	114
Final text (submitted by the Drafting Committee) . . . . .	236
Adoption (by final record vote) . . . . .	162
Authentic text . . . . .	268
ENSEÑAT, Mr., <i>Workers' delegate, Cuba</i> :	
Report of the Director-General . . . . .	20
<b>F</b>	
FARIA BAPTISTA, de, Mr., <i>Government delegate, Brazil</i> :	
Report of the Director-General . . . . .	74
Proposed revised Convention concerning wages, hours of work on board ship and manning . . . . .	145
FISHERMEN'S QUESTIONS :	
See <i>Resolutions</i> .	
FLAG TRANSFER IN RELATION TO SOCIAL CONDITIONS AND SAFETY (FOURTH ITEM ON THE AGENDA) :	
<i>Committee on Flag Transfer</i> :	
Appointment . . . . .	10
Composition . . . . .	10, 202, 204, 205, 206
Report . . . . .	237
Submission . . . . .	148
Adoption . . . . .	148
<i>Recommendation concerning social conditions and safety of seafarers in relation to registration of ships</i> :	
Text submitted by the Committee on Flag Transfer . . . . .	238
Adoption of the Preamble and subparagraphs (a) to (g) . . . . .	148
Adoption of the text as a whole (vote by show of hands) . . . . .	148
Final text (submitted by the Drafting Committee) . . . . .	239
Adoption (by final record vote) . . . . .	187
Authentic text . . . . .	270
FORTY-HOUR WORKING WEEK ON BOARD SHIP :	
See <i>General revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93) : Resolution concerning the application of the principle of a 40-hour working week on board ship.</i>	

## G

GAL, Mr., *Government delegate, Rumania* :

## Second report of the Resolutions Committee :

Paragraphs of the report relating to a resolution concerning the Joint Maritime Commission . . . 168

GARCÍA RIBES, Mr., *Workers' delegate, Spain* :

Report of the Director-General . . . 120

GARDE, Mr., *Employers' delegate, Denmark* :

Report of the Director-General . . . 21

GENERAL REVISION OF THE WAGES, HOURS OF WORK AND MANNING (SEA) CONVENTION  
(REVISED), 1949 (No. 93) (SECOND ITEM ON THE AGENDA) :*Committee on Wages, Hours and Manning* :

Appointment . . . 10  
Composition . . . 10, 200, 204, 205, 206  
Report . . . 222  
    Submission and discussion . . . 136  
    Adoption . . . 144

*Revised Convention concerning wages, hours of work on board ship and manning* :

Text submitted by the Committee on Wages, Hours and Manning . . . 226  
    Discussion . . . 145  
        Adoption of the Preamble and Article 1 . . . 145  
        Adoption of Article 2 . . . 145  
        Adoption of Articles 3 and 4 . . . 145  
        Adoption of Article 5 (vote by show of hands) . . . 145  
        Adoption of Article 6 . . . 145  
        Adoption of Article 7 (vote by show of hands) . . . 145  
        Adoption of Article 8 (vote by show of hands) . . . 145  
        Adoption of Article 9 (vote by show of hands) . . . 145  
        Adoption of Article 10 (vote by show of hands) . . . 145  
        Adoption of Articles 11 and 12 . . . 145  
        Adoption of Article 13 (vote by show of hands) . . . 145  
        Adoption of Article 14 . . . 145  
        Adoption of Article 15 (vote by show of hands) . . . 145  
        Adoption of Articles 16 and 17 . . . 145  
        Adoption of Article 18 (vote by show of hands) . . . 146  
        Adoption of Articles 19 to 33 . . . 146  
    Adoption of the text as a whole (vote by show of hands) . . . 146  
Final text (submitted by the Drafting Committee) . . . 233  
    Adoption (by final record vote) . . . 188  
Authentic text . . . 272

*Recommendation concerning wages, hours of work on board ship and manning* :

Text submitted by the Committee on Wages, Hours and Manning . . . 232  
    Adoption of the Preamble and Paragraphs 1 to 8 . . . 146  
    Adoption of Paragraph 9 (vote by show of hands) . . . 146  
    Adoption of Paragraphs 10 to 13 . . . 146  
    Adoption of the text as a whole (vote by show of hands) . . . 146  
Final text (submitted by the Drafting Committee) . . . 233  
    Adoption (by final record vote) . . . 189  
Authentic text . . . 292

*Resolution concerning the application of the principle of a 40-hour working week on board ship* :

Text submitted by the Committee on Wages, Hours and Manning . . . 233  
    Adoption (vote by show of hands) . . . 146  
Final text . . . 255

GONZÁLEZ, Mr., *Government delegate, Colombia* :

Report of the Director-General . . . 104

GOULIELMOS, Commander, *Government delegate, Greece* :

Report of the Committee on the Engagement of Seafarers . . . 112

GRAVES, Captain, *Government adviser, Canada* :

Submitting the report of the Committee on Competency Certificates . . . 70

GRUËNAIS, Mr., *Workers' delegate, France* :

Second report of the Selection Committee . . . 13

Report of the Director-General . . . 126

	Page
Second report of the Resolutions Committee :	
Paragraphs of the report relating to a resolution concerning the Joint Maritime Commission . . .	155
GUESSOUS, Mr., <i>Government delegate, Morocco</i> :	
Report of the Director-General . . . . .	79
H	
HADDY, Mr., <i>Employers' delegate, Australia</i> :	
Report of the Director-General . . . . .	57
HAUGEN, Mr., <i>Workers' delegate, Norway ; Vice-President of the Conference</i> :	
Closing speeches . . . . .	192
HAYASHI, Mr., <i>Government adviser, Japan</i> :	
Report of the Director-General . . . . .	31
HEALTH AND HYGIENE ON BOARD SHIP :	
See <i>Resolutions</i> .	
HILDEBRAND, Mr., <i>Workers' delegate, Federal Republic of Germany</i> :	
Report of the Committee on Wages, Hours and Manning . . . . .	142
HOLZER, Mr., <i>Director of the Swiss Federal Office of Industry, Arts and Crafts, and Labour</i> :	
Address to the Conference . . . . .	44
HOURS OF WORK :	
See <i>General revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93)</i> .	

I

IDENTITY CARDS :	
See <i>Reciprocal or international recognition of seafarers' national identity cards</i> .	

J

JACOBS, Mr., <i>Government delegate, United States</i> :	
Proposed Convention concerning seafarers' national identity documents . . . . .	110
Report of the Director-General . . . . .	124
Report of the Committee on Wages, Hours and Manning . . . . .	143
Second report of the Resolutions Committee :	
Resolution concerning fishermen's questions . . . . .	170
Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .	174
JOHNSON, Captain, <i>Government delegate, Canada</i> :	
Report of the Director-General . . . . .	45
JOINT MARITIME COMMISSION :	
See <i>Communications to the Conference : Selection of the members of the Joint Maritime Commission : Information submitted to the Conference by the International Labour Office and Communication concerning the selection of members of the Joint Maritime Commission ; and Resolutions : Convening of the Joint Maritime Commission and Joint Maritime Commission</i> .	
JURISDICTION COMPETENT TO SUSPEND OR CANCEL OFFICERS' COMPETENCY CERTIFICATES :	
See <i>Jurisdiction over the suspension of officers' certificates of competency : Resolution concerning the jurisdiction, etc.</i>	
JURISDICTION OVER THE SUSPENSION OF OFFICERS' CERTIFICATES OF COMPETENCY (SIXTH ITEM ON THE AGENDA) :	
Committee on Competency Certificates :	
Appointment . . . . .	10
Composition . . . . .	10, 203, 204, 205
Report . . . . .	244
Submission and discussion . . . . .	70
Adoption . . . . .	71



*Resolution concerning the jurisdiction competent to suspend or cancel officers' competency certificates :*

Text submitted by the Committee on Competency Certificates . . . . .	245
Adoption of the Preamble . . . . .	71
Adoption of paragraph 1 . . . . .	71
Adoption of paragraph 2 (vote by show of hands) . . . . .	71
Adoption of paragraphs 3, 4 and 5 . . . . .	71
Adoption of the text as a whole (vote by show of hands) . . . . .	71
Final text . . . . .	256

## K

KAGEYAMA, Mr., *Workers' delegate, Japan :*

Report of the Director-General . . . . .	41
First report of the Resolutions Committee :	
Resolution concerning welfare in port . . . . .	151

KAMEL, Mr., *Government delegate, United Arab Republic :*

Second report of the Resolutions Committee :	
Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .	175

KAWASAKI, Mr., *Government delegate, Japan ; President of the Conference :*

See *Presidency of the Conference*.

KESIĆ, Mr., *Employers' delegate, Yugoslavia :*

Sixth report of the Selection Committee . . . . .	90
---	----

KHATIB, Mr., *Workers' delegate, Pakistan :*

Report of the Director-General . . . . .	65
--	----

KOETKIN, Mr., *Workers' delegate, U.S.S.R. :*

Second report of the Selection Committee . . . . .	11
Report of the Director-General . . . . .	46
First report of the Resolutions Committee :	
Resolution concerning welfare in port . . . . .	151
Second report of the Resolutions Committee :	
Paragraphs of the report relating to a resolution concerning the Joint Maritime Commission . .	157
Communication to the Conference concerning the selection of members of the Joint Maritime Commission	181

KUMANA, Mr., *Employers' delegate, India :*

Report of the Director-General . . . . .	98
--	----

## L

LADHARI, Mr., *Government delegate, Tunisia :*

Report of the Director-General . . . . .	64
--	----

LAZAREANU, Mr., *Government delegate, Rumania :*

Second report of the Selection Committee . . . . .	15
Report of the Director-General . . . . .	131
Second report of the Resolutions Committee :	
Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .	172

LESCURE, Mr., *Government delegate, Argentina :*

Report of the Committee on Wages, Hours and Manning . . . . .	142
---	-----

LICKI, Mr., *Government delegate, Poland :*

Second report of the Resolutions Committee . . . . .	154
--	-----

## LIMITATION OF SHIPOWNERS' LIABILITY:

See *Resolutions*.

LOENNECHEN, Captain, *Employers' delegate, Norway :*

First report of the Resolutions Committee :	
Resolution concerning welfare in port . . . . .	150
Communication to the Conference concerning the selection of members of the Joint Maritime Commission	183

	Page
LYRAS, Mr., <i>Employers' delegate, Greece :</i>	
Report of the Committee on the Engagement of Seafarers . . . . .	113
Report of the Committee on Wages, Hours and Manning . . . . .	142
 <b>M</b> 	
MAKIEDO, Mr., <i>Government delegate, Yugoslavia :</i>	
Second report of the Resolutions Committee :	
Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .	172
MANNING :	
See <i>General revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93).</i>	
MANNING OF SHIPS :	
See <i>Resolutions.</i>	
MARTIN, Captain, <i>Workers' delegate, Australia :</i>	
Report of the Director-General . . . . .	76
MEDICAL QUESTIONS :	
See <i>Contents of ships' medicine chests and medical advice by radio to ships at sea.</i>	
MENSAH, Mr., <i>Workers' delegate, Ghana :</i>	
Report of the Director-General . . . . .	38
MERANI, Mr., <i>Government delegate, India :</i>	
Submitting the first report of the Selection Committee . . . . .	10
Submitting the second report of the Selection Committee . . . . .	10
Submitting the third report of the Selection Committee . . . . .	29
Submitting the fourth report of the Selection Committee . . . . .	34
Submitting the fifth report of the Selection Committee . . . . .	50
Submitting the sixth report of the Selection Committee . . . . .	88
Submitting the seventh report of the Selection Committee . . . . .	98
MÉRIGO, Mr., <i>Government delegate, Mexico :</i>	
Proposed Convention concerning seafarers' national identity documents . . . . .	110
Report of the Committee on Wages, Hours and Manning . . . . .	141
Proposed revised Convention concerning wages, hours of work on board ship and manning . . . . .	146
Proposed Recommendation concerning wages, hours of work on board ship and manning . . . . .	146
Final record vote on the Convention concerning wages, hours of work on board ship and manning (revised 1958) . . . . .	189
MOROZOV, Mr., <i>Government delegate, U.S.S.R. :</i>	
Second report of the Resolutions Committee :	
Paragraphs of the report relating to a resolution concerning the Joint Maritime Commission . . . . .	157
Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .	178
MORSE, Mr., <i>Director-General of the International Labour Office :</i>	
See <i>Report of the Director-General; and Secretary-General of the Conference.</i>	

## N

NAGENDRA SINGH, Mr., <i>Government delegate, India :</i>	
Report of the Director-General . . . . .	50
Sixth report of the Selection Committee . . . . .	97
Report of the Committee on Identity Cards . . . . .	108
Proposed Convention concerning seafarers' national identity documents . . . . .	110
Report of the Committee on Wages, Hours and Manning . . . . .	144
Second report of the Resolutions Committee . . . . .	154
Paragraphs of the report relating to a resolution concerning the Joint Maritime Commission . . . . .	169
Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .	173

NETTEY, Mr., *Government delegate, Ghana* :

## Second report of the Resolutions Committee :

Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .

179

NIZHNIK, Mr., *Government delegate, Ukraine* :

## Report of the Director-General . . . . .

62

## O

OCIOSZYNSKI, Mr., *Government delegate, Poland ; Vice-President of the Conference* :

## Second report of the Selection Committee . . . . .

11

## Report of the Director-General . . . . .

36

## Sixth report of the Selection Committee . . . . .

88

## Closing speeches . . . . .

191

## OFFICERS OF THE CONFERENCE :

See *Presidency of the Conference : Election of the President, and Election of the Vice-Presidents.*

## OFFICERS OF THE GROUPS :

## Nomination . . . . .

8

## OPENING OF THE CONFERENCE . . . . .

3

## ORDER OF WORK OF THE CONFERENCE . . . . .

5, 163, 185

Ó RÍORDÁIN, Mr., *Government delegate, Ireland* :

## Second report of the Resolutions Committee :

Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .

177

ORTEGA VIETO, Mr., *Government delegate, Panama* :

## Report of the Director-General . . . . .

115

## P

PASTOR TOMASETI, Mr., *Government delegate, Spain* :

## Report of the Director-General . . . . .

102

PERETRUTOV, Mr., *Government adviser, U.S.S.R.* :

## Report of the Director-General . . . . .

128

PEYROT, Mr., *Employers' adviser, France* :

## Report of the Committee on Wages, Hours and Manning . . . . .

143

PLUYMERS, Mr., *Government delegate, Belgium* :

## Submitting the report of the Committee on Flag Transfer . . . . .

148

## PRESIDENCY OF THE CONFERENCE :

Election of the President (Mr. Kawasaki, *Government delegate, Japan*) . . . . .

4

## Presidential address . . . . .

5

## Order of work of the Conference . . . . .

5, 163, 185

Election of the Vice-Presidents (Mr. Ocioszynski, *Government delegate, Poland* ; Mr. van der Vorm, *Employers' delegate, Netherlands* ; Mr. Haugen, *Workers' delegate, Norway*) . . . . .

7

## Tribute to the memory of Professor William Rappard . . . . .

10

## Closing speeches . . . . .

193

PROCTOR, Mr., *Government delegate, United Kingdom* :

## Election of the President . . . . .

4

## Report of the Director-General . . . . .

101

## Second report of the Resolutions Committee :

Paragraphs of the report relating to a resolution concerning the Joint Maritime Commission . . . . .

168

Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .

177

PURPURA, Mr., *Government delegate, Italy* :

## Report of the Director-General . . . . .

118

## R

RADAY, Mr., <i>Government delegate, Israel</i> :	
Report of the Director-General . . . . .	43
RADULESCO, Mr., <i>Workers' delegate, Rumania</i> :	
Report of the Director-General . . . . .	85
RAGIMOV, Mr., <i>Employers' delegate, U.S.S.R.</i> :	
Report of the Director-General . . . . .	54
Sixth report of the Selection Committee . . . . .	93
Communication to the Conference concerning the selection of members of the Joint Maritime Commission . . . . .	183
RAPPARD, Professor William :	
Tribute to his memory . . . . .	10
RATIFICATION OF CONVENTIONS :	
By Yugoslavia . . . . .	71
RECIPROCAL OR INTERNATIONAL RECOGNITION OF SEAFARERS' NATIONAL IDENTITY CARDS (SEVENTH ITEM ON THE AGENDA) :	
<i>Committee on Identity Cards</i> :	
Appointment . . . . .	10
Composition . . . . .	10, 203, 204, 205, 206
Report . . . . .	246
Submission and discussion . . . . .	107
Adoption . . . . .	110
<i>Convention concerning seafarers' national identity documents</i> :	
Text submitted by the Committee on Identity Cards . . . . .	249
Adoption of the Preamble and Articles 1 to 4 . . . . .	110
Adoption of Article 5 . . . . .	110
Adoption of Article 6 . . . . .	110
Adoption of the text as a whole (vote by show of hands) . . . . .	110
Final text (submitted by the Drafting Committee) . . . . .	250
Adoption (by final record vote) . . . . .	158
Authentic text . . . . .	258
RECOMMENDATIONS :	
See <i>Contents of ships' medicine chests and medical advice by radio to ships at sea</i> : <i>Recommendation concerning the contents of medicine chests on board ship and Recommendation concerning medical advice by radio to ships at sea</i> ; <i>Engagement of seafarers through regularly established employment offices</i> : <i>Recommendation concerning the engagement of seafarers for service in vessels registered in a foreign country</i> ; <i>Flag transfer in relation to social conditions and safety</i> : <i>Recommendation concerning social conditions and safety of seafarers in relation to registration of ships</i> ; <i>General revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93)</i> : <i>Recommendation concerning wages, hours of work on board ship and manning</i> .	
RECORD VOTES :	
<i>Contents of ships' medicine chests and medical advice by radio to ships at sea</i> :	
Final vote on the Recommendation concerning the contents of medicine chests on board ship . . . . .	160
Final vote on the Recommendation concerning medical advice by radio to ships at sea . . . . .	161
<i>Engagement of seafarers through regularly established employment offices</i> :	
Final vote on the Recommendation concerning the engagement of seafarers for service in vessels registered in a foreign country . . . . .	162
<i>Flag transfer in relation to social conditions and safety</i> :	
Final vote on the Recommendation concerning social conditions and safety of seafarers in relation to registration of ships . . . . .	187
<i>General revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93)</i> :	
Final vote on the revised Convention concerning wages, hours of work on board ship and manning (revised 1958) . . . . .	188
Final vote on the Recommendation concerning wages, hours of work on board ship and manning . . . . .	189
<i>Reciprocal or international recognition of seafarers' national identity cards</i> :	
Final vote on the Convention concerning seafarers' national identity documents . . . . .	158
REFUGEE SEAFARERS :	
See <i>Resolutions</i> .	
REPORT OF THE DIRECTOR-GENERAL (FIRST ITEM ON THE AGENDA) :	
Discussion . . . . .	20, 29, 34, 45, 50, 72, 98, 114, 123
Director-General's reply . . . . .	163

## RESOLUTIONS :

Page

Resolutions submitted in accordance with article 17 of the Standing Orders of the Conference . . .	212
<i>Resolutions Committee :</i>	
Appointment . . . . .	10
Composition . . . . .	10, 199, 204, 205, 206
First report . . . . .	215
Submission and discussion . . . . .	149
Adoption of paragraphs 1 to 4 . . . . .	149
Adoption of paragraphs 5 to 8 . . . . .	150
Adoption of paragraph 9 (resolution concerning refugee seafarers) (vote by show of hands)	150
Adoption of paragraph 10 . . . . .	150
Discussion of paragraph 11 (resolution concerning welfare in port) . . . . .	150
Rejection of an amendment to the resolution (vote by show of hands) . . . . .	152
Adoption of paragraph 11 (vote by show of hands) . . . . .	152
Adoption of paragraphs 12 to 14 (concerning welfare services for seafarers on board ship)	152
Adoption of paragraphs 15 and 16 . . . . .	152
Adoption of paragraph 17 (resolution concerning health and hygiene on board ship) (vote by show of hands) . . . . .	152
Adoption of paragraphs 18 to 20 . . . . .	152
Adoption of paragraph 21 (resolution concerning crew accommodation) (vote by show of hands) . . . . .	152
Adoption of paragraphs 22 to 25 . . . . .	152
Adoption of paragraph 26 (resolution concerning the manning of ships) (vote by show of hands) . . . . .	152
Adoption of paragraph 27 . . . . .	152
Adoption of paragraph 28 (resolution concerning the convening of the Joint Maritime Commission) (vote by show of hands) . . . . .	152
Adoption of paragraph 29 . . . . .	152
Adoption of the report as a whole . . . . .	152
Second report . . . . .	218
Submission . . . . .	154
Discussion . . . . .	154, 168
Adoption of paragraph 1 . . . . .	154
Adoption of paragraphs 2 to 5 . . . . .	155
Adoption of paragraph 6 (resolution concerning atomic power and shipping) (vote by show of hands) . . . . .	155
Discussion of paragraphs 7 to 9 . . . . .	155, 168
Rejection of an amendment to paragraph 9 (concerning the composition of the Joint Maritime Commission) (vote by show of hands) . . . . .	169
Adoption of paragraphs 7 and 8 . . . . .	169
Adoption of paragraph 9 (vote by show of hands) . . . . .	169
Adoption of paragraphs 10 to 15 . . . . .	170
Adoption of paragraph 16 (resolution concerning fishermen's questions) (vote by show of hands) . . . . .	170
Adoption of paragraphs 17 to 20 . . . . .	170
Adoption of paragraph 21 (resolution concerning safety of life at sea) (vote by show of hands) . . . . .	170
Adoption of paragraphs 22 to 30 . . . . .	171
Adoption of paragraph 31 (resolution concerning limitation of shipowners' liability) (vote by show of hands) . . . . .	171
Discussion of paragraphs 32 to 39 (concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers) . . . . .	171
Rejection of an amendment to paragraph 39 (vote by show of hands) . . . . .	180
Adoption of paragraphs 32 to 38 . . . . .	180
Adoption of paragraph 39 (vote by show of hands) . . . . .	180
Adoption of paragraph 40 . . . . .	180
Adoption of the report as a whole . . . . .	180
<i>Application of the principle of a 40-hour working week on board ship :</i>	
See <i>General revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93) : Resolution concerning the application of the principle of a 40-hour working week on board ship.</i>	
<i>Atomic power and shipping :</i>	
Text of the resolution submitted by Mr. Yates, Workers' delegate, United Kingdom, and Captain Tennant, Workers' adviser, United Kingdom . . . . .	213
Text of the resolution submitted by the Resolutions Committee (second report) . . . . .	218
Adoption (vote by show of hands) . . . . .	155
Final text . . . . .	254
<i>Convening of the Joint Maritime Commission :</i>	
Text of the resolution submitted by Mr. Hildebrand, Workers' delegate, Federal Republic of Germany . . . . .	215

Text of the resolution submitted by the Resolutions Committee (first report) . . . . .	218
Adoption (vote by show of hands) . . . . .	152
Final text . . . . .	254
<i>Crew accommodation :</i>	
Text of the resolution submitted by Mr. Yates, Workers' delegate, United Kingdom, and Captain Tennant, Workers' adviser, United Kingdom . . . . .	213
Text of the resolution submitted by the Resolutions Committee (first report) . . . . .	217
Adoption (vote by show of hands) . . . . .	152
Final text . . . . .	254
<i>Discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers :</i>	
Text of the resolution submitted by Mr. Dolinski, Government delegate, U.S.S.R. . . . .	215
Decision of the Resolutions Committee to recommend to the Conference that the resolution should not be taken into consideration (paragraph 39 of the second report) . . . . .	221
Discussion . . . . .	171
Adoption by the Conference of paragraph 39 of the second report of the Resolutions Committee (vote by show of hands) . . . . .	180
<i>Fishermen's questions :</i>	
Text of the resolution submitted by Mr. Dekeyzer, Workers' delegate, Belgium . . . . .	214
Text of the resolution submitted by the Resolutions Committee (second report) . . . . .	219
Discussion . . . . .	169
Adoption (vote by show of hands) . . . . .	170
Final text . . . . .	254
<i>Health and hygiene on board ship :</i>	
Text of the resolution submitted by Mr. Yates, Workers' delegate, United Kingdom . . . . .	213
Text of the resolution submitted by the Resolutions Committee (first report) . . . . .	217
Adoption (vote by show of hands) . . . . .	152
Final text . . . . .	253
<i>Joint Maritime Commission :</i>	
Text of the resolution submitted by Mr. Gruénais, Workers' delegate, France . . . . .	215
Decision of the Resolutions Committee to recommend to the Conference that the resolution should not be taken into consideration (paragraph 9 of the second report) . . . . .	219
Discussion . . . . .	155, 168
Adoption by the Conference of paragraph 9 of the second report of the Resolutions Committee (vote by show of hands) . . . . .	169
<i>Jurisdiction competent to suspend or cancel officers' competency certificates :</i>	
See <i>Jurisdiction over the suspension of officers' certificates of competency : Resolution concerning the jurisdiction, etc.</i>	
<i>Limitation of shipowners' liability :</i>	
Text of the resolution submitted by Mr. Yates, Workers' delegate, United Kingdom, and Captain Tennant, Workers' adviser, United Kingdom . . . . .	213
Text of the resolution submitted by the Resolutions Committee (second report) . . . . .	220
Discussion . . . . .	170
Adoption (vote by show of hands) . . . . .	171
Final text . . . . .	255
<i>Manning of ships :</i>	
Text of the resolution submitted by Mr. Haugen, Workers' delegate, Norway, Mr. Dekeyzer, Workers' delegate, Belgium, and Mr. Becu, Workers' adviser, Belgium . . . . .	214
Text of the resolution submitted by the Resolutions Committee (first report) . . . . .	217
Adoption (vote by show of hands) . . . . .	152
Final text . . . . .	254
<i>Refugee seafarers :</i>	
Text of the resolution submitted by Mr. de Vries, Workers' delegate, Netherlands . . . . .	212
Text of the resolution submitted by the Resolutions Committee (first report) . . . . .	216
Discussion . . . . .	149
Adoption (vote by show of hands) . . . . .	150
Final text . . . . .	253
<i>Safety of life at sea :</i>	
Text of the resolution submitted by Mr. Thore, Workers' delegate, Sweden, and Mr. Åkesson, Workers' adviser, Sweden . . . . .	214
Text of the resolution submitted by the Resolutions Committee (second report) . . . . .	219
Adoption (vote by show of hands) . . . . .	170
Final text . . . . .	255

*Welfare in port :*

Text of the resolution submitted by Mr. Kageyama, Workers' delegate, Japan . . . . .	212
Text of the resolution submitted by the Resolutions Committee (first report) . . . . .	216
Discussion . . . . .	150
Adoption (vote by show of hands) . . . . .	152
Final text . . . . .	253

*Welfare services for seafarers on board ship :*

Text of the resolution submitted by Mr. Bakurski, Workers' delegate, Ukraine . . . . .	212
Decision of the Resolutions Committee to recommend to the Conference that the resolution should not be taken into consideration (paragraph 14 of the first report) . . . . .	217
Adoption by the Conference of paragraph 14 of the first report . . . . .	152

ROTHSCHILD, Mr., *Government delegate, United States :*

Report of the Committee on the Engagement of Seafarers . . . . .	112
--	-----

ROULLIER, Mr., *Government delegate, France :*

Second report of the Selection Committee . . . . .	14
Report of the Director-General . . . . .	38
Report of the Committee on Wages, Hours and Manning . . . . .	143

## S

SA, Mr., *Employers' delegate, China :*

Report of the Director-General . . . . .	125
--	-----

## SAFETY OF LIFE AT SEA :

See *Resolutions*.SCHEFFER, Mr., *Government delegate, Netherlands :*

First report of the Resolutions Committee :	
Resolution concerning refugee seafarers . . . . .	149
Second report of the Resolutions Committee :	
Resolution concerning limitation of shipowners' liability . . . . .	170

SCHELP, Mr., *Government delegate, Federal Republic of Germany :*

Report of the Director-General . . . . .	75
--	----

SCHILDKNECHT, Mr., *Employers' adviser, Federal Republic of Germany :*

Sixth report of the Selection Committee . . . . .	93
---	----

## SECRETARY-GENERAL OF THE CONFERENCE :

Report of the Director-General : Director-General's reply . . . . .	163
Second report of the Resolutions Committee :	
Paragraphs 32 to 39 of the resolution concerning the discontinuance of atomic tests, etc. . . . .	179
Closing speeches . . . . .	193

## SELECTION COMMITTEE :

Appointment . . . . .	7
Composition . . . . .	7, 206
First report . . . . .	199
Submission and adoption . . . . .	10
Second report (oral) . . . . .	10
Submission and discussion . . . . .	10
Adoption (vote by show of hands) . . . . .	18
Annex . . . . .	199
Third report . . . . .	204
Submission and adoption . . . . .	29
Fourth report . . . . .	205
Submission and adoption . . . . .	34
Fifth report . . . . .	205
Submission and adoption . . . . .	50
Sixth report . . . . .	205
Submission . . . . .	88
Discussion . . . . .	88
Adoption of the recommendation contained in the first part of the report . . . . .	88
Rejection of an amendment to the recommendation contained in the second part of the report (vote by show of hands) . . . . .	98
Adoption of the recommendation contained in the second part of the report (vote by show of hands) . . . . .	98
Adoption . . . . .	98
Seventh report . . . . .	206
Submission and adoption . . . . .	98

	Page
SERANG, Mr., <i>Workers' delegate, India</i> :	
Report of the Director-General . . . . .	66
SHIPOWNERS' LIABILITY :	
See <i>Resolutions : Limitation of shipowners' liability.</i>	
SIREGAR, Mr., <i>Government delegate, Indonesia</i> :	
Report of the Director-General . . . . .	34
Second report of the Resolutions Committee :	
Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .	175
SKIBA, Mr., <i>Workers' delegate, Poland</i> :	
Second report of the Selection Committee . . . . .	17
Report of the Director-General . . . . .	59
First report of the Resolutions Committee :	
Resolution concerning welfare in port . . . . .	151
SLIPCHENKO, Mr., <i>Government delegate, Ukraine</i> :	
Second report of the Selection Committee . . . . .	15, 18
Sixth report of the Selection Committee . . . . .	96
Report of the Director-General . . . . .	116
Proposed revised Convention concerning wages, hours of work on board ship and manning . . . . .	145
First report of the Resolutions Committee :	
Resolution concerning welfare in port . . . . .	151
Second report of the Resolutions Committee :	
Resolution concerning fishermen's questions . . . . .	170
Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .	175
SNEDDEN, Sir Richard, <i>Employers' delegate, United Kingdom</i> :	
Election of the President . . . . .	4
Second report of the Selection Committee . . . . .	12
Sixth report of the Selection Committee . . . . .	95
Report of the Committee on Wages, Hours and Manning . . . . .	138
Proposed revised Convention concerning wages, hours of work on board ship and manning . . . . .	145
First report of the Resolutions Committee :	
Resolution concerning welfare in port . . . . .	151
Second report of the Resolutions Committee :	
Paragraphs of the report relating to a resolution concerning the Joint Maritime Commission . . . . .	158
Resolution concerning fishermen's questions . . . . .	170
Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .	177
STOYANOV, Mr., <i>Government delegate, Bulgaria</i> :	
Second report of the Resolutions Committee :	
Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .	174
SUBIANTO, Mr., <i>Workers' delegate, Indonesia</i> :	
Report of the Director-General . . . . .	100
SUCHORZEWSKI, Mr., <i>Employers' delegate, Poland</i> :	
Second report of the Selection Committee . . . . .	18
Report of the Director-General . . . . .	66
Sixth report of the Selection Committee . . . . .	94
<b>T</b>	
TEIXEIRA, Mr., <i>Workers' delegate, Brazil</i> :	
Report of the Director-General . . . . .	99
TENNANT, Captain, <i>Workers' adviser, United Kingdom</i> :	
Report of the Director-General . . . . .	23
Report of the Committee on Competency Certificates . . . . .	71
First report of the Resolutions Committee :	
Resolution concerning welfare in port . . . . .	150
TESTS OF ATOMIC AND THERMONUCLEAR WEAPONS :	
See <i>Resolutions : Discontinuance of tests of atomic and thermonuclear weapons, etc.</i>	



	Page
THOMSON, Mr., <i>Government delegate, Canada</i> :	
Report of the Committee on Wages, Hours and Manning . . . . .	144
TOYGAR, Mr., <i>Government delegate, Turkey</i> :	
Report of the Director-General . . . . .	35
V	
VALENTGOED, Mr., <i>Government delegate, Netherlands</i> :	
Report of the Director-General . . . . .	119
VELIMIROVIĆ, Mr., <i>Government delegate, Yugoslavia</i> :	
Second report of the Selection Committee . . . . .	13
Report of the Director-General . . . . .	39
VELKAVERH, Mr., <i>Workers' delegate, Yugoslavia</i> :	
Report of the Director-General . . . . .	61
First report of the Resolutions Committee :	
Resolution concerning welfare in port . . . . .	151
VICE-PRESIDENTS OF THE CONFERENCE :	
See <i>Presidency of the Conference</i> .	
VORM, van der, Mr., <i>Employers' delegate, Netherlands ; Vice-President of the Conference</i> :	
Sixth report of the Selection Committee . . . . .	88, 90
Closing speeches . . . . .	191
VRIES, de, Mr., <i>Workers' delegate, Netherlands</i> :	
Election of the President . . . . .	4
W	
WAGES :	
See <i>General revision of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93)</i> .	
WÄLLÄRI, Mr., <i>Workers' delegate, Finland</i> :	
Report of the Director-General . . . . .	114
WELFARE IN PORT :	
See <i>Resolutions</i> .	
WELFARE SERVICES FOR SEAFARERS ON BOARD SHIP :	
See <i>Resolutions</i> .	
WIDELL, Mr., <i>Government delegate, Sweden</i> :	
Report of the Committee on Wages, Hours and Manning . . . . .	140
WILSON, Mr., <i>Government delegate, Liberia</i> :	
Report of the Director-General . . . . .	73
WISZKIELIS, Mr., <i>Workers' adviser, Poland</i> :	
Communication to the Conference concerning the selection of members of the Joint Maritime Commission . . . . .	180
WORM, Mr., <i>Government delegate, Denmark</i> :	
Report of the Director-General . . . . .	40
Second report of the Resolutions Committee :	
Paragraphs of the report relating to a resolution concerning the discontinuance of tests of atomic and thermonuclear weapons endangering the safety of shipping and constituting a threat to the lives of seafarers . . . . .	178
Y	
YAMAGATA, Mr., <i>Employers' delegate, Japan</i> :	
Report of the Director-General . . . . .	22
Report of the Committee on Wages, Hours and Manning . . . . .	137
YATES, Mr., <i>Workers' delegate, United Kingdom</i> :	
Second report of the Selection Committee . . . . .	12
Report of the Committee on Wages, Hours and Manning . . . . .	142
YEFIMOV, Mr., <i>Government adviser, U.S.S.R.</i> :	
Report of the Committee on Wages, Hours and Manning . . . . .	141
YÜ, Mr., <i>Government delegate, China</i> :	
Report of the Director-General . . . . .	129

