

1944
NEW ZEALAND

INTERNATIONAL LABOUR CONFERENCE

TWENTY-SIXTH SESSION, PHILADELPHIA, 20TH APRIL TO 12TH MAY, 1944

Presented to both Houses of the General Assembly by leave

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REPORT BY THE DELEGATES OF HIS MAJESTY'S GOVERNMENT IN NEW ZEALAND

WE have the honour to present the following report on the Twenty-sixth Session of the International Labour Conference.

INTRODUCTION

The Conference, which opened on 20th April, 1944, and closed on 12th May, 1944, was the first regular session of the Conference since 1939, and met on the invitation of the United States Government. It was held in the Mitten Hall, Temple University, Philadelphia.

Because of the unique tripartite structure of the International Labour Organization, the Philadelphia Conference was perhaps the most widely representative international gathering of recent years. In many respects it was also the most important session of the Conference in the entire twenty-six years of the I.L.O.'s existence. This was partly because of the purpose for which the meeting had been called; partly because of the circumstances under which it took place. The certainty that in the coming months and even weeks the gathering offensive against the forces of oppression in the East as well as in the West would enter its final and decisive stage was in everybody's mind when the Conference opened.

There was a keen awareness, too, of the responsibility referred to by President Roosevelt when he said in his message of welcome: "It is to the I.L.O. that we shall look as the official international organization where ideas, experience, and movements in the field of labour and social development may find practical and effective expression." Proceedings were consequently marked by a sense of extreme urgency—an impatience with any tendency to delay or postpone difficult decisions—a feeling on the part of all those assembled at Philadelphia that this Conference presented both an opportunity and a challenge to do something definite towards ensuring that the social objectives for which so many had sacrificed so much are built enduringly into the foundations of the peace.

The special session of the Conference which met in New York in October, 1941, had given the Organization a mandate to contribute to the establishment of a people's peace. In the two years that followed, however, leaders of Government, industry, and labour among the United Nations, faced with the heaviest responsibilities ever thrust upon free men and women everywhere, had little inclination or opportunity to give serious and detached thought to the principles and policies that should govern a reconstruction programme. The waging of the war and the task of organizing a total effort absorbed their undivided energies and attention.

By the end of 1943, however, this total effort had been substantially achieved; more and more the problems of the post-war period were beginning to exercise the minds of forward-looking people. Such problems could no longer be ignored, nor could consideration of them be indefinitely postponed. There was the fullest realization that a long and costly struggle still lay ahead. But at least a beginning had been made in the direction of concerted international action to deal with post-war issues, as in the Food Conference at Hot Springs, the establishment of UNRRA, the submission of detailed proposals for post-war monetary stabilization, and the Moscow Declarations, which were followed soon afterwards by the declarations from Cairo and Teheran.

In the light of this changed situation and in the belief that, by defining the steps to be taken by the United Nations in giving effect to the social principles of the Atlantic Charter, the I.L.O. had a unique opportunity of carrying out its 1941 mandate, the Governing Body decided at its Ninety-first Session, held in London in December, 1943, to call a general conference of the Organization for the following April. "The profound change in the whole war situation made it imperative," in the Governing Body's opinion, that, "on the one hand, international consideration should be given to the social problems that will arise during the last period of the war and after the close of hostilities, and on the other, that the I.L.O. should define its own future policy, its programme and its place and status."

THE AGENDA

The Agenda drawn up for the Twenty-sixth Session was therefore framed in the light of these two general considerations. Although the subjects set down for discussion covered an enormously wide field and presented many questions of a controversial and technical character, it was recommended that the Conference should "proceed immediately to a general examination of social policy and that the discussions should not be confined to generalities, but should deal courageously with the practical problems which are certain to arise and on which Governments are entitled to look to the I.L.O. for advice and guidance."

The record of the Conference proceedings suggests that this Recommendation was very much in the minds of the delegates throughout their discussion of the following seven-point Agenda:—

- I. Future policy, programme, and status of the International Labour Organization.
- II. Recommendations to the United Nations for present and post-war social policy.
- III. The organization of employment in the transition from war to peace.
- IV. Social security: principles and problems arising out of the war.
- V. Minimum standards of social policy in dependent territories.
- VI. Reports on the application of Conventions (Article 22 of the Constitution).
- VII. Director's Report.

Special importance was attached to items I and II of the Agenda, with respect to which it was not intended that the Conference should follow its normal practice of aiming at the adoption of International Conventions or formal I.L.O. "recommendations," but merely that the decisions reached should be formulated in a series of resolutions.

REPRESENTATION

Forty-one countries were represented, including Costa Rica, which was readmitted to the I.L.O. by action of the Conference. In addition, Iceland, Nicaragua, and Paraguay were represented by observers. The Danish Minister attended in his personal capacity. Twenty-six of the 41 delegations at the Conference included workers' and employers' as well as Government delegates. The 132 delegates were accompanied by 228 technical advisers, making a total assembly of 360 persons. Among those attending were 11 Ministers of Labour and 6 other members of national Cabinets or Ministries.

Representatives were also present, on the invitation of the International Labour Office, from the League of Nations, the United Nations Interim Commission for Food and Agriculture, the United Nations Relief and Rehabilitation Administration, the Inter-Governmental Committee on Refugees, the Pan-American Union, and the Pan-American Sanitary Bureau.

New Zealand was represented by a full delegation comprising—

Government Delegates—

The Hon. Walter Nash, New Zealand Minister to the United States of America.

Mr. E. B. Taylor, Assistant Secretary, Department of Labour, Registrar of Industrial Unions and Registrar of Apprentices.

Adviser and Substitute Delegate—

Mr. B. R. Turner, Second Secretary, New Zealand Legation, Washington.

Employers' Delegate—

Mr. H. F. Butland, Secretary, Canterbury Employers' Association.

Workers' Delegate—

Mr. F. C. Allerby, Secretary, New Zealand Road Transport and Motor Drivers and their Assistants' Industrial Association of Workers.

The Prime Minister of New Zealand, the Right Hon. P. Fraser, was present at the opening plenary session and addressed the Conference, expressing his confidence that the International Labour Organization was destined to play one of the most important parts in achieving the objective of the Atlantic Charter in establishing freedom from fear and freedom from want. To the delegates at the Conference he stated his belief that their work would lay soundly and well the foundations of greater security, greater happiness, permanency of employment, and freedom throughout the world.

ELECTION OF PRESIDENT AND VICE-PRESIDENTS

On the motion of Mr. Thomas (Government delegate, United States), seconded by Mr. Coulter (employers' delegate, Canada) and Mr. Velasquez (workers' delegate, Chile), the Hon. Walter Nash (New Zealand Minister at Washington) was unanimously elected President of the Conference.

The following were unanimously elected Vice-Presidents of the Conference :—

Mr. Bustos Lagos (Government delegate, Chile).

Sir John Forbes Watson (employers' delegate, Great Britain).

Mr. Robert J. Watt (workers' delegate, United States of America).

Mr. Carter Goodrich in his opening speech said that representatives were present at the Conference from forty-one States Members of the International Labour Organization, and referred as follows to the absence of the Soviet Union :—

“ There is one gap in our ranks. I wish to speak of it frankly. We had hoped that the Soviet Union, as a great member of the United Nations, would be represented here to discuss with us the problems of international, social, and economic policy. We have not ceased to hope that, as one result of the work of this meeting, the Soviet Union may see its way to return to the International Labour Organization for the purpose of co-operating on that wide range of problems common to all nations, whatever their internal organization, that are determined to raise the standard of life of the masses of the people.”

ORGANIZATION AND PROCEDURE

In accordance with normal procedure, the Conference, following a three-day general debate on items I and II of the Agenda, broke up into the following tripartite Committees, the numbers of Government, employers', and workers' representatives being shown in parentheses in the order mentioned :—

- (1) Selection Committee (16, 8, 8). Chairman, Sir Samuel Runganadhan (Government delegate, India).
- (2) Credentials Committee (1, 1, 1). Chairman, J. Van den Tempel (Government delegate, Netherlands).
- (3) Committee on items I and II of the Agenda (36, 18, 18). Chairman, Miss Frances Perkins (Government delegate, U.S.A.).
- (4) Committee on Employment (33, 22, 22). Chairman, Mr. Paul Martin, M.P. (Government delegate, Canada).
- (5) Committee on Social Security (36, 18, 18). Chairman, Dr. Padilla Castro (Government delegate, Costa Rica).
- (6) Committee on Dependent Territories (16, 8, 8). Chairman, Dr. P. Honig (Government adviser, Netherlands).
- (7) Committee on Application of Conventions (14, 14, 14). Chairman, Prof. Bertil Ohlin (Government delegate, Sweden).
- (8) Committee on Resolutions (16, 8, 8). Chairman, Mr. Trujillo Gurria (Government delegate, Mexico).

In addition to the opening debate, full plenary sessions of the Conference were held from time to time for the purpose of transacting formal business, of receiving Committee reports, and voting on resolutions and Recommendations. Two full days were also devoted to a discussion of the Director's Report.

NEW ZEALAND REPRESENTATION ON COMMITTEES

New Zealand was represented on the following Committees :—

Selection Committee (which acted as Steering Committee of the Conference): Mr. Allerby (substitute).

Committee on Items I and II (that is, the future policy, programme, and status of the I.L.O., and Recommendations to the United Nations on post-war social policy): Mr. Taylor, Mr. Turner (substitute).

Committee on Employment: Mr. Taylor, Mr. Butland, Mr. Allerby.

Committee on Social Security: Mr. Taylor, Mr. Turner (substitute).

Committee on Dependent Territories: Mr. Turner.

CREDENTIALS OF DELEGATES

The following objections to the credentials of delegates were submitted to the Credentials Committee :—

- An objection concerning the nomination of the Indian workers' delegate and advisers lodged by the All-India Trade Union Congress.
- An objection concerning the nomination of the Yugoslav workers' delegate and adviser lodged by the Yugoslav Seamen's Union.
- An objection concerning the nomination of the delegates appointed by the Government of Yugoslavia lodged by the United South Slav Committee.
- An objection concerning the nomination of the workers' delegate and advisers of the Argentine Republic lodged by the Secretary of the Workers' Group of the Conference.
- An objection concerning the nomination of the workers' delegate and adviser of Greece lodged by the representative of the Panhellenic Federation of the Maritime Trade Unions.

In the case of the Indian workers' delegate, the Credentials Committee pointed out in their report that there were two workers' organizations in India each of which claims to be the most representative, and that the Government of India recognized both organizations and had taken the view that Indian workers should be represented alternately by the Indian Federation of Labour and the All-India Trade Union Congress, and had decided that the first turn should be given to the newer organization, the Indian Federation of Labour. In these circumstances the Credentials Committee asked the Conference to regard the workers' delegate of India and his advisers as duly accredited. The report of the Credentials Committee continued as follows :—

“The Committee does not doubt that the Government of India will continue its endeavours to make provision for the representation of both organizations in an appropriate manner at future sessions of the Conference and ventures to hope that the two organizations will reach an agreement which will secure the effective participation in the International Labour Organization of representatives of all sections of the Indian trade-union movement. The Committee understands that, failing such an agreement, the Indian workers' delegate to the next session of the Conference will be appointed in agreement with the All-India Trade Union Congress.”

The objections to the credentials of the Yugoslav delegates and advisers were based on the ground that the existing Government of Yugoslavia was not entitled to represent that country. The Credentials Committee pointed out in their report that the Government which appointed the Yugoslav delegates and advisers was generally recognized as the Government of Yugoslavia by the Governments of the other members of the Organization, and in these circumstances the Credentials Committee asked the Conference to regard these delegates as duly accredited.

The objection to the credentials of the Greek workers' delegate and adviser was that they were not appointed in agreement with the legal representatives of the Greek trade-unions acting in collaboration with the underground movement of trade-unions inside Greece. The Credentials Committee in their report drew attention to the great difficulties which confronted the Greek Government in securing representation of the Greek trade-unions, and proposed that the Conference should regard the workers' delegate and adviser appointed by the Greek Government as duly accredited.

In all these cases the Conference approved the proposals of the Credentials Committee.

The objection lodged by the secretary of the workers' group to the credentials of the Argentine workers' delegation was withdrawn on 11th May—the day before the close of the Conference—in view of the fact that this delegation had not participated in the work of the Conference.

RECOMMENDATIONS AND RESOLUTIONS

The decisions which emerged from the Committees and were adopted by the Conference in its final plenary sessions comprised seven very far-reaching Recommendations in addition to a number of equally important resolutions and declarations.

The findings of the Conference under items III, IV, and V of the Agenda were adopted in the form of Recommendations to Governments, each Recommendation consisting of a series of guiding principles together with detailed proposals for their application. They deal with the following general problems :—

(A) EMPLOYMENT (ITEM III)

(1) *Employment Organization in the Transition from War to Peace.*—This recommendation sets out the general principles and procedure which the Conference considered should be taken into account by member Governments in connection with the demobilization of the Armed Forces and of assimilated Services, and the repatriation of prisoners of war, persons who have been deported, and others. Specific recommendations were made for the development by Governments of national programmes of demobilization and reconversion with the co-operation of employers' and workers' organizations; for the use of employment services facilities; for the provision of public vocational guidance facilities and of training, retraining, and rehabilitation programmes; for the formulation by Governments of positive policies in regard to the location of industry and the diversification of economic activity; and for the adoption of measures to regularize employment in those industries and occupations in which work is irregular.

(2) *The Organization of Employment Services.*—This Recommendation sets forth the responsibility which employment services and related authorities should assume in discharging their “essential duty . . . to ensure, in co-operation with other public and private bodies concerned, the best possible organization of industrial, agricultural, and other employment as an integral part of the national programme for the full use of productive resources.”

(3) *The National Planning of Public Works.*—This Recommendation outlines the general principles which should guide members of the Organization in planning public-works programmes, including the development and timing of programmes over a sufficiently long term in order to provide adequately for changing conditions.

(B) SOCIAL SECURITY (ITEM IV)

(4) *Income Security.* Under this heading the Conference adopted a very detailed and comprehensive recommendation setting out the specific objectives at which Governments should aim in formulating social-security programmes designed particularly to provide for such economic hazards as sickness, maternity, invalidity, old age, death of breadwinner, unemployment, employment injuries, and certain emergency expenses. The proposals made cover virtually the entire field of social insurance as well as certain forms of social assistance, from the standpoint of coverage, eligibility, benefit rates, contribution conditions, and administration.

(5) *Medical Care.* This was the subject of a further very comprehensive Recommendation setting forth the general principles and essential features of a medical-care service, including its form, coverage, relationship with general health services, financial supervision, and administration.

(6) *Social Security for Persons discharged from the Armed Forces and from War Employment.*—Mustering-out grants, unemployment insurance and assistance, and pensions in the case of invalidity, death and medical benefits for persons discharged from the Armed Forces, were among the matters covered by this Recommendation.

(C) DEPENDENT TERRITORIES (ITEM V)

(7) *Minimum Standards of Social Policy in Dependent Territories.*—The decisions reached by the Committee dealing with this item of the Agenda were formulated in a Recommendation comprising forty-seven articles setting forth the general economic and social objectives and principles which should guide the development of dependent territories. These articles include provisions on such subjects as slavery, forced labour, recruitment, contracts of employment, penal sanctions, employment of women and children and young persons, remuneration, health, housing and social security, discriminatory practices, inspection, freedom of organization, and co-operatives.

Each of the seven Recommendations summarized above makes provision for members of the Organization to report to the International Labour Office from time to time, as requested by the Governing Body, concerning the measures taken to give effect to the principles set forth in the Recommendations.

Other important decisions taken at Philadelphia included the adoption of declarations and resolutions dealing with the following matters :—

(A) THE AIMS AND PURPOSES OF THE INTERNATIONAL LABOUR ORGANIZATION (ITEM I)

The “ Philadelphia Charter ” (printed here as Appendix I), as this declaration has become known, was intended primarily as a restatement of the aims and purposes of the I.L.O. originally set forth in the preamble of its Constitution. In fact, however, the declaration constitutes more than a restatement of I.L.O. aims and purposes :—

- (1) It defines in simple yet forceful language the basic principles and specific objectives which should determine all national and international economic policies in the future.
- (2) It sets out in positive terms the role which the I.L.O. should play in the general task of promoting and expanding world economy which will “ secure to all human beings irrespective of race, creed, or sex 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.”
- (3) It affirms that the I.L.O. has a major responsibility to examine and to consider all international economic and financial policies and measures in the light of this fundamental objective.
- (4) It pledges the full co-operation of the I.L.O. with other international bodies of a functional character in the common task of promoting the health, education, and well-being of all peoples.
- (5) Finally, it declares that the principles and objectives subscribed to are fully applicable to all peoples everywhere.

The importance of this declaration rests not merely in what it says, but equally in the fact that it was accepted unanimously—indeed, with real enthusiasm—by the representatives of Governments, employers, and workers of forty-one nations meeting together at what may well turn out to be the most critical moment in mankind’s history.

(B) CONSTITUTIONAL QUESTIONS (ITEM I)

Many of the Constitutional changes suggested in the report which the Office had prepared for consideration by the Conference (under item I of the Agenda) were referred to the Governing Body for further study in consultation with Governments and other appropriate authorities. The Conference adopted three resolutions, however, embodying decisions affecting constitutional procedure :—

- (1) The first was a resolution dealing with (a) the procedure to be followed, supplementary to the normal procedure (which involves routing through the Secretary-General of the League) in the transmission of communications to the International Labour Office ; (b) the regional development of the Organization ; (c) the relations of the I.L.O. with other international organizations ; and (d) the appointment by the Governing Body of a Committee to report to the next regular session of the International Labour Conference on the future constitutional development of the Organization.
- (2) The second was a resolution seeking to preserve the international character of the responsibilities of the Director and staff of the International Labour Office.
- (3) The third was a resolution inviting the Governing Body to examine the possibilities of convening at an early date a regional conference of the countries of the Near and Middle East.

In addition, the Conference adopted a report of the Committee on Items I and II which included a proposal, sponsored by British Government representatives, that the International Labour Office should proceed forthwith with the setting-up of industrial sections and that the Governing Body should be invited to develop regulations governing the activities of Industrial Committees.

(C) RECOMMENDATIONS TO THE UNITED NATIONS FOR PRESENT AND POST-WAR SOCIAL POLICY (ITEM II)

Major decisions reached under this item of the Conference Agenda were embodied in three lengthy resolutions dealing respectively with—

(1) *Social Provisions in the Peace Settlement.*—The resolution on this subject sets forth certain principles which the Conference considered appropriate for inclusion in “a general or special treaty or agreement between nations desirous of giving early effect to the principles of the Atlantic Charter and Article VII of the Mutual Aid Agreement.” It was agreed that Governments should, in such a treaty or agreement, reaffirm the Declaration of the Aims and Purposes of the I.L.O., and place on the Agenda of the International Labour Conference annually the subject of the extent to which the social objectives set forth in that Declaration have been attained. It was agreed also that Governments should recognize their duty to expand production, employment, and the exchange and consumption of goods and to liberate economic activity from unreasonable restrictions; that they should acknowledge certain stated matters to be of international concern and to be among the social objectives of international as well as national policy; and that the International Labour Office should be authorized to collect uniform statistical and other economic information on listed matters which are declared to be of direct interest to the I.L.O. Governments are further required, under this resolution, to report to the International Labour Office on the status of legislation and administration, and, in so far as practicable, of practices under collective agreements between employers and workers, in respect to draft international Conventions and Recommendations.

The Conference also recommended that the Governing Body of the I.L.O. call a special conference of the Organization “when there is danger of a substantial fall in general employment levels for the purpose of recommending appropriate national or international measures to prevent the development or spread of unemployment and to establish conditions under which high levels of employment may be maintained or restored.” Another section of the Resolution, arising from the request of the Australian Government delegates for immediate international action on the problem of full employment, recommends that a Conference of representatives of the Governments of the United, associated, and other Nations be called “at an early date, in association with the Governing Body of the International Labour Office, to consider an international agreement on domestic policies of employment and unemployment”

In addition, the resolution directs the Governing Body to “correlate the activities of the I.L.O., toward the end of maintaining full employment, with those of any other international agency or agencies which may be designated by the United Nations to have primary responsibility in related economic fields.” It recommends, too, that the Governing Body should appoint a consultative committee on labour provisions in the peace settlement. Other provisions of the resolution deal with the application of the principles and objectives stated to dependent territories.

(2) *Economic Policies for the Attainment of Social Objectives.*—This resolution sets out the general and specific objectives in the light of which both national and international economic policies should be determined in the future.

In the sphere of international policy it endorses the establishment of UNRRA; urges the continuation of the existing machinery of international co-ordination and control of supplies as long as it is needed to ensure a fair allocation and to prevent excessive price movements; supports the establishment of permanent international organizations for food and agriculture, exchange stabilization, and investment; urges the adoption of those commercial policies which would contribute to the expansion of international trade; and recommends concerted action among the United Nations to ensure adequate supplies of essential raw materials and foodstuffs at reasonable and stable prices and to ensure to those engaged in the production of the commodities concerned fair wages, satisfactory working-conditions, and adequate social security protection.

As to national policies, the Resolution urges the formulation of comprehensive programmes by Governments and employers' and workers' organizations for prompt and orderly reconversion, reconstruction, and economic expansion. Detailed recommendations are made as to the policies and procedures that should be followed.

A separate Resolution requests the Governing Body to examine problems involved in labour provisions for internationally financed development works.

(3) *Measures for the Protection of Transferred Foreign Workers and of Foreign Workers' and Employers' Organizations.*—In this connection the Conference adopted a resolution recommending that in enemy countries officials identified with totalitarian regimes should be removed from administrative posts dealing with foreign labour power and should be held individually responsible for the preservation of records and documents relating to foreign labour; that the feeding, accommodation, health, safety, welfare, and general interests of foreign workers should be safeguarded pending their repatriation, and all discriminatory treatment immediately abolished; that the competent occupation authority should, in matters concerning foreign workers in Axis nations, collaborate with the Governments and trade-unions of Allied countries; and that arrangements should be made for the restitution of funds or property confiscated by Axis agents in Germany or elsewhere from international and foreign trade-union organizations, co-operatives, and employers' organizations.

(D) DECLARATION BY THE DELEGATES OF OCCUPIED COUNTRIES

The chief purpose of the representatives of the occupied countries of Europe in presenting this Declaration was to draw attention to the special problems of economic, financial, and social reconstruction with which their nations will be confronted once they have been liberated.

The Declaration states that, while the occupied peoples are “minded to undertake themselves, by their own efforts, and under their own responsibility, the great work of national reconstruction,” they are aware, nevertheless, “of the parallel need for a concerted effort in the international domain.” The hope is expressed that countries which have known neither occupation nor devastation will wish to give the occupied nations priority in the supply of the essential consumption and capital goods required for their economic and social reconstruction.

In this connection the Declaration points out that “the rapid reconstruction of the producing and consuming capacity of Europe is . . . indispensable to the return of the prosperity of other countries of the world and more especially to the prosperity of the great producers of raw materials, industrial products, and agricultural produce.”

A resolution urging that the United Nations and those associated with them should promote in every way the economic and social recovery of the occupied countries and pledging the fullest support of the International Labour Organization in this effort was carried unanimously by the Conference.

It is proposed, in the remainder of this report, to comment more fully on certain matters associated with the Conference proceedings more particularly from the point of view of New Zealand's interests, obligations, and responsibilities. The complete text of the recommendations, resolutions, and declarations adopted will be found in the Appendices attached.

OTHER DECISIONS

Decisions of some importance which were made at Philadelphia, other than those already noted, included the readmission of Costa Rica to membership of the I.L.O.; and the adoption of a Resolution expressing the hope that a free, independent, and democratic Austria will soon resume her participation in the Organization. Lastly, it was decided unanimously by the three Electoral Colleges representing the Government, the employers', and the workers' groups respectively that the duration of the mandate of those States or persons elected to the Governing Body should continue only until the next ordinary session of the International Labour Conference.

The Electoral College of the Government Group further decided to confirm for the period stated the mandate of the six States already occupying elective seats on the Governing Body—i.e., Brazil, Chile, Mexico, Norway, Poland, and Yugoslavia. Elections to fill the two vacant seats resulted in Peru and Greece receiving absolute majorities on the first ballot, Australia, who was nominated by New Zealand, being narrowly defeated. Present membership of the Governing Body, including employers' and workers' representatives, is shown in Appendix III.

The Twenty-sixth Session of the International Labour Conference differed in at least one important respect from other international gatherings which had been held during the preceding year. It was not a Conference called together to build up an entirely new organization; the I.L.O. was already a going concern, with a quarter of a century's record of solid accomplishment behind it. As the United States Secretary of Labour said in her opening address, "The experience and techniques which the I.L.O. has built up, the faith that is put in it by the people of so many lands, and above all its character as an organization in which representatives of workers and employers have established rights to participate, give it a strength which no newly created instrument could possibly equal."

It will be evident from the Agenda that the Philadelphia Conference differed substantially in scope and nature from previous International Labour Conferences. It would not have been unexpected, therefore, in view of this fact and in view also of the limited time that was available for preparation and prior consultation on the part of Governments, employers', and workers' organizations, if the Conference had found itself unable to proceed as rapidly or as smoothly as usually has been the case with I.L.O. meetings. It was very soon made evident, however, that any such fears were without foundation. On the contrary, it was the consensus of opinion that the progress made at Philadelphia between 20th April and 12th May, when the Conference concluded, more than fulfilled the most optimistic expectations. This success was due in part to the excellent arrangements made by the Office, particularly in the matter of conference documentation, and in part to the determination of delegates to face up to their responsibilities by dealing courageously with practical problems and not merely confining their decisions to vague generalities.

Evidence of this determination was to be seen in the decision of the Conference to suspend the Standing Orders so that the reports of the Committees on social security, employment, and dependent territories could be adopted as recommendations by this Conference rather than be made subject to the normal double-discussion procedure under which they would be referred to Governments for their observations and placed on the Agenda of the next Conference with a view to the eventual adoption of draft conventions. Although a strong case in favour of the latter course was presented by those who urged it upon the Conference, the overwhelming majority of delegates were strongly of the opinion that the matters which were the subject of recommendations had been thoroughly and carefully considered by the respective Committees—that failure to adopt firm recommendations at this session would be interpreted as an unnecessary and unfortunate postponement of action that could not be long delayed if it was to be effective—that only by the acceptance of positive and immediate recommendations on matters of post-war social policy with respect to which the Governments and peoples of the world were looking to the I.L.O. for a practical lead would the Conference succeed in fulfilling its essential purpose.

The 1944 Conference differed, too, in at least one other important respect from previous sessions of the I.L.O. It marked a point of departure for the Organization in the "inauguration of wider concern with social justice and of a more comprehensive approach to the problems of a lasting peace directed towards fulfilment of the social aspirations of the mass of the world's people" (1).

The necessity of the I.L.O. widening the area of its responsibility if the organization as "the social conscience of mankind" was to play a full and useful part in attaining post-war social objectives, both nationally and internationally, had long been recognized. This necessity emerged very clearly during the New York Conference of 1941, at which preliminary suggestions had been made as to how the organization might best meet the new and urgent requirements of a changed world situation. It remained to the Philadelphia Conference, however, to elaborate these suggestions in the form of a concrete programme of action.

"THE DECLARATION OF PHILADELPHIA"

The first task of the Conference, therefore, was to formulate and to place on record a restatement of the essential aims and purposes of the International Labour Organization which, while reaffirming the fundamental principles on which its work has always been based and on which it should continue to be based, would take account also of present-day social objectives and of the new and extended responsibilities that the Organization must assume in order to fulfil these aims and purposes.

The task of drafting, in the form of a solemn Declaration, this restatement of I.L.O. aims and purposes was referred by the Conference to a special drafting committee, which announced in presenting its report that it had been guided by the consideration that the final draft of the Declaration should be one

agreed upon by all elements in the Organization. The Committee emphasized also "that the first part of the text, by reaffirming the fundamental principles on which the Organization is based, underlines that the Declaration does not in any way subtract from the existing force of the provisions of the Constitution of the Organization."

In the opinion of the New Zealand Delegation (and, it might be added, of every other delegation present at Philadelphia), the Declaration of Aims and Purposes, having regard to the time and circumstances of its adoption as well as to its content, may rightly be regarded as the most significant social document ever subscribed to by a representative international gathering. It seems fitting, therefore, that its text should be reproduced in full in the body of this report. Three further points, however, merit special comment.

In Part II of the Declaration reference is made to the "responsibilities of the International Labour Organization to examine and consider all international economic and financial policies and measures." As a result of the granting of this mandate, any doubt as to the competency of the I.L.O. to interest itself in the general field of economic policy has now been definitely removed. "In the past the Organization's approach and its decisions tended to be limited by an artificial separation of social and labour policy from economic and financial policy. The Declaration of Philadelphia marks an end of this restrictive conception and a formal recognition of the truth that 'in international as in national affairs economic policy can no longer be an end in itself. It is merely a means for achieving social objectives' "(I).

Secondly, in defining (in Part III of the Declaration) the specific tasks of the Organization at the present time, priority is given to the promotion of full employment and of rising standards of living. Thus, for the first time, the Organization places "on record its positive responsibilities in this field. By doing so now, it recognizes the central importance of this task and accepts a specific obligation to direct its policies to this end"(I). Thirdly, it is pledged (in Part IV of the Declaration) that the I.L.O. will co-operate fully with other international bodies in promoting the fuller and broader use of the world's productive resources. This pledge, as the report of the Drafting Committee points out, indicates clearly that the Organization realizes the part which other international agencies will be called upon to play, and that its own part, great as it may be in the treatment of social questions and in defining the social objective, is only a share of the task to be accomplished. The full text of the Declaration is as follows:—

" DECLARATION CONCERNING THE AIMS AND PURPOSES OF THE INTERNATIONAL LABOUR ORGANIZATION

" The General Conference of the International Labour Organization, meeting in its Twenty-sixth Session in Philadelphia, hereby adopts, this tenth day of May in the year nineteen hundred and forty-four, the present Declaration of the aims and purposes of the International Labour Organization and of the principles which should inspire the policy of its Members.

" I

" The Conference reaffirms the fundamental principles on which the Organization is based and, in particular, that—

- " (a) Labour is not a commodity ;
- " (b) Freedom of expression and of association are essential to sustained progress ;
- " (c) Poverty anywhere constitutes a danger to prosperity everywhere ;
- " (d) The war against want requires to be carried on with unrelenting vigour within each nation, and by continuous and concerted international effort in which the representatives of workers and employers enjoying equal status with those of Governments, join with them in free discussion and democratic decision with a view to the promotion of the common welfare.

" II

" Believing that experience has fully demonstrated the truth of the statement in the Constitution of the International Labour Organization 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 Organization to examine and consider all international economic and financial policies and measures in the light of this fundamental objective ;
- " (e) In discharging the tasks entrusted to it the International Labour Organization, having considered all relevant economic and financial factors, may include in its decisions and recommendations any provisions which it considers appropriate.

" III

" The Conference recognizes the solemn obligation of the International Labour Organization to further among the nations of the world programmes which will achieve—

- " (a) Full employment and the raising of standards of living ;
- " (b) The employment of workers in the occupations in which they can have the satisfaction of giving the fullest measure of their skill and attainments and make their greatest contribution to the common well-being ;

- “(c) The provision, as a means to the attainment of this end and under adequate guarantees for all concerned, of facilities for training and the transfer of labour, including migration for employment and settlement ;
- “(d) Policies in regard to wages and earnings, hours, and other conditions of work calculated to ensure a just share of the fruits of progress to all, and a minimum living wage to all employed and in need of such protection ;
- “(e) The effective recognition of the right of collective bargaining, the co-operation of management and labour in the continuous improvement of productive efficiency, and the collaboration of workers and employers in the preparation and application of social and economic measures ;
- “(f) The extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care ;
- “(g) Adequate protection for the life and health of workers in all occupations ;
- “(h) Provision for child welfare and maternity protection ;
- “(i) The provision of adequate nutrition, housing, and facilities for recreation and culture ;
- “(j) The assurance of equality of educational and vocational opportunity.

“ IV

“ Confident that the fuller and broader utilization 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, and to promote a high and steady volume of international trade, the Conference pledges the full co-operation of the International Labour Organization with such international bodies as may be entrusted with a share of the responsibility for this great task and for the promotion of the health, education, and well-being of all peoples.

“ V

“ The Conference affirms that the principles set forth in this Declaration are fully applicable to all peoples everywhere and that, while the manner of their application must be determined with due regard to the stage of social and economic development reached by each people, their progressive application to peoples who are still dependent, as well as to those who have already achieved self-government, is a matter of concern to the whole civilized world.”

From the remarks made at Philadelphia by Government, employers’, and workers’ representatives as to the significance of this Declaration, two lines of thought were clearly discernible. Its adoption was generally regarded as in itself a substantial and important achievement. As the Acting-Director of the I.L.O. said at the time, it is “ a result which goes far beyond indicating some general principles on which this Organization is to work. It sets a North Star by which national and international authorities may steer their course with greater certainty than heretofore towards the promotion of the common welfare of mankind, and it sets the common welfare of mankind as the destination which must be reached whatever economic storms may be encountered or whatever reefs must be avoided.” There was an equally general awareness, however, that it represented a first step only—that its principles would need to be implemented in a practical manner, and implemented as rapidly as possible, if the high purposes and promises held out to the world’s people are to be realized in their fullness. Typical of this attitude was the view expressed by the Indian workers’ delegate, who said : “ Your task is not merely to assent passively to this solemn Declaration, but to go home and impress on your Government, impress on your employers, impress on the workers’ organizations, that they must enforce the voice of this meeting in a practical manner, that men, women, and children have a right to exist in conditions of decency and economic stability.”

Most of the remaining work of the Conference was devoted to a detailed and thorough consideration of specific means whereby these principles can most quickly and effectively be translated into action.

There follows a brief review of this work as undertaken by the six Agenda Committees, whose task it was to reach agreed recommendations on the subjects assigned to them for consideration and approval by the full Conference in its concluding sessions.

COMMITTEE ON ITEMS I AND II OF THE AGENDA

At the outset of the Conference the opinion was widely shared that the first two items of the Agenda, dealing respectively with the future policy, constitution, and status of the International Labour Organization and recommendations to the United Nations for present and post-war social policy, equally raised matters of the highest importance. For this reason and since the two items were felt to be so closely related, it was decided to consider them jointly by the Conference as a whole rather than to follow the normal procedure of referring them, in the first instance, to *ad hoc* Committees of the Conference. The first three days were consequently devoted to a formal debate in plenary session on the whole range of questions covered in the reports submitted by the Office on each of these items of the Agenda.

Special significance was attached to item II (Recommendations to the United Nations on Present and Post-war Social Policy), in so far as the decision of the Governing Body to include it on the Agenda manifested a willingness on the part of the United Nations represented to submit future international policies in the social field to free discussion and decision by all the members of the International Labour Organization, including those countries which are not members of the United Nations. As the Acting-Director emphasized at the time, the inclusion of this item represented “ a public and official manifestation of the determination of those members of the United Nations who

participated in the decision to settle post-war international policies in a democratic way." It was felt, too, that in being asked to make recommendations to the United Nations for present and post-war social policy the Conference was, in effect, made a definite part of the machinery of the peace settlement.

Following the initial general debate, the Conference decided that items I and II should be considered in greater detail by one joint Committee consisting of thirty-six Government, eighteen employer, and eighteen workers' representatives under the chairmanship of Miss Francis Perkins, United States Secretary of Labour. After a general discussion of its terms of reference the full Committee appointed four sub-committees as follows :—

- (1) Sub-committee on Constitutional Questions.
- (2) Sub-committee on Industrial Committees.
- (3) Sub-committee on Economic Questions.
- (4) Sub-committee on Axis Territories.

The major topic with which the Committee had to concern itself—Social Provisions of the Peace Settlement—was considered by the Committee as a whole.

CONSTITUTIONAL QUESTIONS

Although detailed proposals relating to the constitutional practices of the International Labour Organization had been submitted in draft form by the Office, the general feeling of the Conference was that the Governments and other parties concerned had not had sufficient time or opportunity to give such proposals the consideration they required before final decisions could properly be taken.

A Resolution was accordingly submitted by the Canadian and United States Government members, the chief effect of which was to refer back to the Governing Body the responsibility of considering more fully, having regard to views expressed at the Conference and to suggestions which might be communicated subsequently to the Office by Governments, the whole problem of the future constitutional development of the Organization, with reference particularly to the relationship of the I.L.O. to other international bodies; the clarification and codification of its constitutional practices; the status, immunities, and other facilities to be accorded to the Organization; and finance. A sub-committee, however, did make certain specific recommendations on several of the questions before it which were incorporated in the terms of a resolution accepted by the Committee and by the full Conference.

The main points in this resolution were a recommendation to the effect that greater attention should be paid in future to the further regionalization of the Office; that, pending the development of an overall pattern of international institutions, effective steps should be taken to ensure close collaboration and full exchange of information between the I.L.O. and any other public organization which now exists or may be established in the future; and finally, that the Governing Body should appoint representatives with power to negotiate with international authorities on behalf of the Organization concerning any constitutional questions that at any time require immediate action.

It was made clear during the discussions of the sub-committee that the questions referred back to the Governing Body would include the report submitted by the Office on item I of the Agenda with the draft resolutions contained in that report; the resolutions submitted to the twenty-sixth (Philadelphia) Session of the Conference; and the views expressed in the course of the Conference, together with any suggestions which might be made subsequently by Governments or others.

The sub-committee took note of a request that Governments be given adequate opportunity to consider the proposals which the Committee had under examination and to communicate their observations thereon to the Governing Body before any final decisions are taken.

INDUSTRIAL COMMITTEES

This sub-committee had before it important proposals made by the British Government for strengthening the structure of the I.L.O. by the establishment of industrial committees for the main world industries. It was felt that the experience of the Organization hitherto had revealed the need for permanent machinery for the consideration of problems peculiar to particular industries. This need, it was stated, had been partially met during the inter-war period by the holding from time to time of special conferences for such industries as textiles, coal-mining, chemicals, rail transport, &c. Such arrangements, however, were no longer considered adequate in face of the greater need for and possibilities of industrial (as well as regional) approaches to economic and social problems. Opinions exchanged at Philadelphia consequently reflected the unanimous desire of members that action should be taken as rapidly as possible with a view to defining a policy for the constitution of industrial committees and for translating that policy into action.

No decision was reached as to whether the constitution of these committees should be bi-partite or tri-partite, since it was felt that this question would need further examination by the Governing Body. Nor was any attempt made to reach conclusions concerning the possible scope of the activities of such committees. Note was taken, however, of the opinion that each committee so constituted should confine its attention to problems peculiar to its own particular industry and that, in so far as economic issues came up for consideration, the committees should concern themselves primarily with the social aspects of these issues. As a method of procedure, it was suggested that the Governing Body might appoint a sub-committee to work out plans for the constitution of industrial committees on the understanding that such a committee might include representatives of the organizations of employers and workers concerned.

SOCIAL POLICY IN OCCUPIED AXIS TERRITORIES

This sub-committee had under consideration two draft Resolutions submitted by the Office. The first of these was a Resolution concerning general measures of social policy which might be put into effect in Axis territories during their occupation by Forces of the United Nations. Following a general discussion, it was agreed that the proposals submitted by the Office, together with the minutes of the sub-committee's discussion, should be referred back to the Governing Body, to whom should be left discretion as to what further initiative, if any, should be taken in this connection.

The second Resolution was one concerning measures for the protection of transferred foreign workers and of foreign workers' and employers' organizations. After discussing this draft resolution clause by clause, the sub-committee proceeded to consider the terms in which it should be referred to the full Committee. The British Government member suggested that the present Conference was not the proper place at which a Resolution concerning action to be taken by the United Nations in respect of a problem that would arise when our military Forces occupied German territory should be formally adopted, and also pointed out that one of the most important United Nations (the U.S.S.R.) was not represented at Philadelphia. He accordingly proposed that the text as amended by the sub-committee should be referred to the Governing Body along with the minutes of the discussion in the same manner as the proposed resolution concerning the government and administration by the United Nations of Germany and other totalitarian countries in Europe. On a vote being taken, it was decided, however, to submit the text of the proposed Resolution to the full Committee with a view to its adoption by the Conference. The Resolution was finally so adopted.

Among other things, it recommends that precautions should be taken to ensure the preservation of administrative machinery set up by enemy occupying Powers for handling questions connected with the utilization of foreign labour, together with all relevant reports and documents. It recommends also that the repatriation of foreign workers should be carried out with the greatest possible speed, the competent occupation authorities of the United Nations taking appropriate action to ensure that such workers are adequately fed and housed, that necessary medical care is made available, and that their safety and welfare is protected. Proposals submitted by the Office for the appointment of a United Nations Labour Commissioner were not accepted by the sub-committee. The view held was that any suggestions which the Conference might wish to formulate concerning the provision to be made for foreign workers, pending their repatriation, should be phrased in the widest and most generous manner possible. The relevant clauses of the Office text were accordingly redrafted to take account of these arguments. Other major points of the Resolution in question related to the abolition of all discriminatory treatment and to the restitution of funds or property confiscated in Germany or elsewhere from international and foreign trade-unions, co-operatives, and employers' organizations.

ECONOMIC POLICIES

The sub-committee appointed to make recommendations concerning economic policy for the attainment of social objectives had one of the most important tasks of all the sub-committees concerned with item II of the Agenda (Recommendations to the United Nations for Present and Post-war Social Policy). Its decisions were embodied in two Resolutions; the first, setting out the major objectives of national as well as international economic policy which in the opinion of the Committee and of the Conference should be kept consistently in view if the United Nations are to give effect to the promises proclaimed in the Atlantic Charter; the second, requesting the Governing Body to examine problems involved in the incorporation of provisions concerning welfare and working conditions in the terms under which any international developmental works are to be carried out.

It seems desirable, in view of the far-reaching implications of the recommendations made by the Economic Sub-committee, that they should be considered against the background of the Committee discussions. These discussions are usefully summarized in the sub-committee's report, which, after stating that time and again the dependence of international economic policies upon political arrangements was pointed out, observed that in reaching their conclusions it was generally assumed by members of the Committee that adequate political arrangements will be worked out whereby the world's resources may be devoted primarily to raising living standards. Subject, however, to this assumption, it was felt that the particular measures advocated would in themselves tremendously facilitate the major task of ensuring world peace.

"Finally, to picture the background against which these resolutions were adopted, we must visualize the diversity of the problems that will be faced by the nations of the world when victory over the Axis has been achieved. In the first place, there are countries whose economy rests fundamentally upon export trade—countries, in other words, whose prosperity depends upon the prosperity of other nations and the policies they adopt. The need of such countries for co-ordination of national and international programmes to achieve full employment is referred to in the Resolution. In contrast to these countries are those which are more nearly able within their own national framework to develop rising standards of living. The essential conclusions to be drawn from the discussion of the problems of these contrasting groups are two: (1) there is a general desire at this period in the world's history, when we are preparing the peace, to develop co-ordinated international and national programmes that will ensure full employment and rising standards of living throughout the world; (2) the international measures necessary to achieve the greatest volume of production and the highest standard of living can certainly be taken in conjunction with appropriate national measures which in combination assure full employment, but it should not be assumed that such international arrangements would survive a serious failure to maintain full employment.

"The second pair of contrasting situations was even more apparent. At one extreme are those countries whose productive resources, the heritage of generations of labour, have been laid waste as a result of Axis aggression. At the other are countries whose physical resources have been developed to a higher level than at any time in history, albeit certain parts of the equipment are useful only for the production of munitions of war . . .

"While the recommendations for national action have not dealt with many of the specific problems of countries whose resources have been destroyed, the problems of reconversion to peacetime production will be a significant one in every country. An international interest attaches to the accomplishment of this task in those countries in which this problem is of paramount importance, for the use of their productive resources is necessary not only to maintaining the standard of living of their people but also to the rebuilding of productive plant and equipment in other countries."

The Committee in presenting the Resolution on economic policies proceeded from the basis that the fundamental objective for present and post-war social policy was the achievement of full employment, social security, and rising standards of living. In considering more specifically the measures

required to be taken internationally and nationally in pursuance of this objective, it noted the fact that the initiative with regard to international policy lies with the United Nations at the present time, and that the achievement of freedom from want after the war can be realized only through the adoption by Governments, industry, and labour policies and measures which will effectively encourage the creation of an economic and social environment conducive to a progressive and expanding economy.

It is not proposed in this report to review fully the numerous policy recommendations made. Comment will be confined to those points which are of more immediate and general interest from the point of view of present international arrangements or of direct and special interest from the point of view of New Zealand policies and problems.

In the first place, the resolution urges the continued operation by the Governments of the United Nations, for as long as any serious shortages may exist, of the existing machinery of international co-ordination and control, subject to such modifications as may contribute to its efficient operation in the transition from war to peace. More specifically, all States concerned are urged to co-operate actively with the United Nations Relief and Rehabilitation Administration and to give their full support to the early establishment of a permanent organization as recommended by the Conference on Food and Agriculture held in May, 1943. The establishment at the earliest possible moment of effective international machinery for settling balances arising out of international trade and other transactions, for maintaining stability in rates of exchange, and for promoting the international movement of capital is similarly endorsed.

In the sphere of international commercial policy it is urged that the United Nations should examine wartime changes in industrial capacity, arrange for exchange of information on post-war industrial programmes, and take vigorous action to promote the extension of international trade by appropriate commercial policies. Such policies, it is suggested, should be adopted by creditor as well as debtor countries in a manner that will enable them to settle all obligations arising out of international transactions. The final text of this portion of the resolution was accepted by the Committee in preference to that submitted by the Office, which urged vigorous action to promote the expansion of international trade by the elimination of all forms of discriminatory treatment and the reduction of tariffs and other trade barriers. With reference to the recommendation that the United Nations should initiate measures to facilitate the co-ordination through appropriate international machinery of the commercial policies of all countries for the purpose of promoting a steady expansion of world trade on a multilateral basis, it was understood by the Committee that, since the objective of promoting multilateral trade can be facilitated by appropriate types of bilateral agreements, the endorsement of the multilateral principle was not intended to imply any condemnation of bilateral arrangements.

A point of some significance for New Zealand is the suggestion that any such arrangements should take special account of the necessity, with which countries highly dependent on returns from exports are faced, of taking measures to ensure a high degree of stability in the level of their economic activity, and that, furthermore, special account should be taken also of the dislocation and the accumulated needs resulting from the devastation caused by war operations and from the prolonged diversion from peacetime production in countries which have been engaged for a long period in a sustained and total war effort.

Among the specific recommendations put forward under the heading of international policy, two further points call for comment. First, stress is laid on the necessity of ensuring more stable and adequate incomes to those primary producers whose services are needed for the production of essential war materials and foodstuffs. To this end it is recommended that the United Nations should initiate concerted action to ensure the constant availability to all purchasers of adequate supplies of such commodities at prices which give a reasonable return to the efficient producer and are kept sufficiently stable to afford protection against major short-term fluctuations in supply or demand. The significance of this recommendation for a country such as New Zealand does not require stressing.

Secondly, and this is likewise very directly related to problems with which New Zealand is likely to be confronted acutely in the post-war years, it is recommended that the United Nations should encourage the orderly migration of workers and of settlers in accordance with the economic needs and social conditions prevailing in the various countries and with adequate safeguards for all concerned. In this connection the Governing Body was instructed "to bring before an early session of the Conference a report of a representative commission on the means necessary to protect the interests of labour, on the one hand, against barriers which prevent migration from areas of limited resources, and, on the other hand, against the lowering of labour standards that might result from immigration at a rate exceeding the capacity of the receiving countries to absorb immigrants."

Under the heading of national policy, three points are deserving of special notice. In the first place it was agreed that, so long as shortages exist, such war-created economic controls as are necessary to prevent inflation should be retained and relaxed as rapidly thereafter as is consistent with the public welfare. Secondly, it was recommended that national tax systems should be adjusted "to encourage rapid reconversion, reconstruction, and economic expansion, whilst maintaining an equitable distribution of tax burdens and avoiding financial measures which tend to increase the dangers of inflation or deflation." Thirdly, it was urged that economic reconstruction programmes should provide for fiscal, monetary, and other measures, including useful public works, designed to sustain the volume of demand for goods and services at a high level while avoiding the dangers of an inflationary spiral of prices and wages.

Both in the Committee discussions and in the terms of the resolution finally adopted it was fully recognized that national post-war programmes must be adapted to meet the needs of a particular country and that the economic situation among the various United Nations at the war's end will differ markedly, varying particularly with the degree and type of industrial development, the extent to which the peacetime economy has been disrupted, and whether the country's territory has been occupied by the enemy. The recommendations made, therefore, so far as economic policies are concerned, are expressed in very general terms and confined to the most part to broad principles and general objectives that take account of these important differences.

The sub-committee in its report noted the fact that, despite the excellence of the documentation furnished by the Office, more intensive preparatory work in the social implications of economic policy will be necessary in the future to enable the Organization to discharge its responsibilities under the Declaration of Philadelphia.

SOCIAL PROVISIONS OF THE PEACE SETTLEMENT

It will be readily appreciated that the very aims and purposes of the resolution adopted under this portion of the Agenda warrant its being regarded as one of the more important actions taken by the Conference. Its main purpose, briefly, is to ensure that appropriate social principles and provisions are inserted in each part of the peace settlement—the assumption being that the settlement “will consist of a number of different agreements rather than a single treaty, and that these agreements will be reached at different stages of the period during and after hostilities”(1).

The Committee began by considering the text as drafted by the Office—this text, in the course of the Committee's deliberations, being substantially modified by series of amendments and alternative resolutions on the subject presented by Committee members. At the outset far-reaching amendments were offered by the Australian and United States Government members affecting paragraphs 1 and 2 of the Office text. The latter was submitted in substitution for the Office text, but the proposals made by the Australian Government member, it was subsequently indicated, were not intended to replace the Office resolution, but to constitute an addition to it.

The gist of the Australian proposal was that an international conference should be called to consider “an international agreement on domestic policies of employment and unemployment.” In view of the divergence between the Australian and United States views as expressed in their respective texts, the Committee had at one of its earlier sessions decided to postpone consideration of either amendment in the hope that the representatives of the two Governments concerned might reach agreement on a single draft. It was found, however, after lengthy negotiations that no basis for full agreement existed. The Australian Government indicated that it wished to arrive at a text providing at this time for formal undertakings and international obligations with regard to the maintenance of high levels of employment, in advance of other international agreements in related economic fields. The United States Government, however, was not prepared at this Conference and in advance of other conferences being prepared under other auspices to enter into international undertakings concerning domestic policies of employment. The view was accepted unreservedly by the United States Government representative that nations must acknowledge themselves as willing and as having the duty to maintain high levels of employment by domestic policies in co-ordination with international economic policies. The majority of other Government representatives present, including particularly the British, shared the views of the United States that it was inappropriate “at this moment, at this Conference” to undertake any binding obligations concerning employment policies, on the grounds that other aspects of international collaboration must be settled before countries can undertake a full employment obligation. This point of view was vigorously protested against by the Australian Government member, who indicated that countries as greatly dependent as Australia is on world conditions, must hesitate before entering into discussions on other aspects of international co-operation unless such countries as the United States are willing to undertake the obligations to which Australia attached the greatest importance.

The original text of the Australian amendment provided for consultation between Governments and “with appropriate international authorities”; for Governments to submit statistics “through an appropriate international organization”; for Governments to report for the purpose of “an annual conference” on the state of employment, &c., and for representatives of Governments and international authorities to meet at a special conference called by “the appropriate organization” if a serious decline in employment should develop in any of the signatory countries.

It was subsequently agreed by the Australian Government member to provide that in each case “the appropriate international authority” should be the International Labour Organization. On being put to the vote, the Australian proposal was rejected by 22 to 17. Three Governments, including New Zealand, one employer, and six workers' representatives voted in favour; twelve Government and five employers' representatives voted against it.

Following the vote on the Australian proposal, the amendment submitted by the United States Government member as a substitute for the Office draft concerning social provisions in the peace settlement was adopted by the Committee. The Australian Government member then moved a resolution in the following terms which was accepted without dissent:—

“This Conference recommends to Governments that a conference of representatives of the Governments of the United, associated, and other Nations willing to attend be called at an early date, in association with the Governing Body of International Labour Office, to consider an international agreement on domestic policies of employment and unemployment; and this Conference pledges the full co-operation and the assistance of the I.L.O. in calling such a conference on employment and in helping to carry into effect appropriate decisions it might make.”

This proposal was subsequently incorporated in the resolution relating to social provisions in the peace settlement adopted by the full Conference.

The resolution as submitted by the United States Government representative affirms the Declaration of the Aims and Purposes of the I.L.O. (the Philadelphia Charter), and recognizes that all arrangements by and among the signatory and like-minded Governments for international economic co-operation should be framed and administered to serve the objectives of that Declaration. Major provisions of the resolution include an undertaking on the part of signatory Governments to—

- (1) Develop through appropriate international agencies, standards and statistical measures and to maintain uniform statistics and other information with respect to matters which are specified as of being of international concern.
- (2) Interchange among themselves and to make available to the I.L.O. such information and reports as may be required for the purpose of developing recommendations with respect to the above matters.
- (3) Take appropriate steps to assure close collaboration and full exchange of information between the I.L.O. and any other international bodies which now exist or may be established, for the promotion of economic advancement and social well-being.
- (4) Take appropriate steps to have placed on the Agenda of the International Labour Conference annually the subject of the extent to which the social objectives set forth in the Declaration have been attained and the measures taken during the year towards their attainment.

The resolution further provides for a number of definite undertakings relating to dependent territories in respect of which the United Nations have accepted or may accept a measure of international accountability. These undertakings involve the application to such territories of the principle that all policies shall be primarily directed to the well-being and the development of the populations concerned, and the obligation on the part of each Government to make a periodic report to the I.L.O. indicating the extent to which effect has been given to the provisions of the Social Policy (Dependent Territories) Recommendation, 1944.

Finally, the resolution recommends that the United Nations accept an obligation to request the I.L.O. to appoint a representative on any committee which may be entrusted with the task of watching over the application of the principle of accountability, and to ensure that any facilities which may be afforded in the form of inspection and otherwise shall include appropriate measures for examining the application of I.L.O. conventions and recommendations.

Clause IV of Article VI of the resolution expresses the belief that the peace settlement will afford an exceptional opportunity to secure a concerted advance in the acceptance of binding obligations concerning conditions of labour. To this end it is recommended that throughout the peace settlement the United Nations should, wherever appropriate, include provisions for labour standards and that the Governing Body should appoint a consultative committee for this purpose.

COMMITTEE ON ITEM III OF THE AGENDA (THE ORGANIZATION OF EMPLOYMENT)

The recommendation adopted on the subject of employment organization in the transition period was regarded by many as perhaps the major accomplishment of the Conference, and certainly by all as a problem equalled in importance only by those dealt with under items I and II of the Agenda. In addition to affirming certain guiding principles which should govern employment policy, the Conference also endorsed a series of detailed proposals in the form of recommendations to Governments indicating appropriate methods whereby these principles might be applied, having regard to national conditions.

In presenting its conclusions the Committee called attention in its report to the following two general considerations which it deemed of great importance and to which it hoped that proper emphasis would be given in action taken by the Conference. First and foremost, it expressed the conviction "that policies to assure full employment constitute an indispensable condition for the successful solution of the problems with which this Conference is faced. Access to employment in the production of useful goods or services is essential for the preservation of human dignity as well as for the proper support of physical existence. Organizational arrangements and, above all, a strong employment service to bring together available workers and available jobs in an orderly manner, with which the deliberations of the Committee have been concerned, are broad in scope and of great potential significance for the post-war era. Nevertheless, they leave unanswered the question of how assurance is to be given that sufficient jobs will be available. This assurance must depend upon the willingness of nations to adopt whatever measures may be necessary and appropriate to promote employment opportunity for as many men and women as may seek employment."

In the second place, it felt obliged to point out that the application of the organization of employment "presents problems that are different and far more difficult for liberated areas than for other countries", and that consequently, while with the principles themselves all nations can agree, the attainment of full employment and an adequate standard of living must await the reconstruction of all the means of production. The Committee expressed itself as confident, however, "that the more fortunate nations will lend assistance in this task of reconstruction in liberated areas, so that all nations may go forward together."

The first general principle enunciated relates to the collection of information regarding persons seeking or likely to be seeking work and regarding prospective employment opportunities. It is suggested that this should be done by a series of factual studies covering such information as the number, education and occupational background and wishes, past and present skills, location, industrial and sex distribution of various categories of job-seekers, the extent and timing of the demand for workers from each major industry, and the probable area-by-area balance of labour supply and demand in the transition period.

Secondly, the recommendation urges the planning of national programmes for demobilizing and re-employing those at present in the Armed Forces and assimilated Services with a view to affording such individuals the maximum opportunities for re-establishment in civil life, together with the simultaneous planning of industrial demobilization and reconversion in co-operation with employers and workers' organizations and in a manner calculated to facilitate the rapid attainment of full employment for the production of useful goods and service.

It is suggested that in the process of demobilization, which should be as rapid as military necessity and transportation facilities permit, consideration should be given to the desirability of arranging, where necessary, for an early release of those whose qualifications make them indispensable for urgent reconstruction work. Stress is laid also on the need for making provision, wherever justified by prospective opportunities to make a living, for adequate financial and other assistance to enable qualified persons to settle on the land, to enter or re-enter a profession, or to take up other independent work.

Two specific recommendations with reference to industrial reconversion deserve comment. With a view to ensuring that in the disposition of surplus plant, equipment, and materials human needs receive first consideration, it is recommended that such property should not be destroyed or held out of use so long as these needs are unsatisfied or so long as no excess production would exist at reasonable prices under conditions of demand associated with full employment. A further specific recommendation refers to the desirability of procurement agencies giving contractors both at home and abroad as long advance notice as possible of cut-backs in war production, and to the need for employers also arranging to give not less than two weeks' notice to the employment service in the event of proposed dismissals affecting more than a specified number of workers.

Thirdly, it is urged that during the transition period and thereafter the widest possible use of employment-service facilities by employers and workers should be encouraged. In this connection it is suggested that consideration be given to the advisability of requiring employers in specified industries or areas to engage their workers through the employment service.

Fourthly, it is recommended that each Government should, to the maximum extent possible, provide vocational guidance facilities, develop training and retraining programmes for adults as well as juvenile workers, and take positive steps, in co-operation with employers' and workers' organizations, to plan the location of industry in relation to employment, promote the diversification of economic activity, and facilitate any necessary mobility of labour both occupational and geographical. Particular methods of applying these general principles enumerated in the recommendation include the following proposals:—

- (a) That, in cases of prolonged unemployment, use of vocational guidance facilities should be made a condition for the continued receipt of unemployment benefit or allowance.
- (b) That persons undertaking training should be paid, where necessary, remuneration or allowances which provide an inducement to undergo and continue training and are sufficient to maintain a reasonable standard of life. (It was urged by workers' representatives particularly that the principle of ensuring an adequate income to all persons undergoing training was a most important one.)
- (c) That where a worker is transferred from one area to another on the initiative or with the consent of the employment service, he should be granted travelling-expenses and assisted in meeting initial expenses in the new place of work by a grant or an advance of a specific amount fixed according to the circumstances.

Fifthly, the principle is laid down that employment readjustment during the transition period should take special account of the needs of particular groups of workers, more especially of young persons, women, and those who are disabled. With reference to young persons, it is recommended that efforts should be made to provide the widest possible opportunities for acquiring skill on the part of those who were unable, because of the war, to undertake or to complete their education and training. The Conference also endorsed the principle of complete equality of opportunity for men and women on the basis of individual skill and experience, and urged that steps should be taken to encourage the establishment of wage-rates based on job content without regard to sex. For disabled workers a number of suggestions are put forward with a view to providing them, whatever the origin of their disabilities, with full opportunities for rehabilitation, specialist vocational guidance, training and retraining, and employment on useful work.

More specific measures for the application of these guiding principles on which general agreement was reached included a recommendation in favour of the upward revision of the school leaving age and of the age for admission to employment, with maintenance allowances to parents during the additional period of compulsory education. During the discussion in Committee, attention was drawn to the fact that the revised Minimum Age (Industry) Convention, 1937, fixed the general age standard for admission to employment at fifteen years. Accordingly, no specific age-limit was mentioned in the final (1944) Recommendation, although it was the consensus of opinion that in all countries the school leaving age should be progressively lifted. Other proposals of special interest relating to the employment of young workers were those involving the provision of free pre-employment medical examination, the granting of State aid to enable a person whose apprenticeship has been resumed to be assured of a reasonable income, having regard to his age and to the remuneration he would have been receiving in the absence of any interruption of apprenticeship, and the revision, with a view to encouraging the resumption of interrupted apprenticeships, of apprenticeship contracts, having regard to training, skill, or experience acquired during war service.

In connection with the principle of employment equality for women, the view expressed by the overwhelming majority of Government and workers' representatives was that, since most women workers are dependent upon employment for a livelihood, their remuneration on a lower scale than that paid to men for the same job would tend to undermine the wage scale of male workers. It was felt, moreover, that the contribution which women had made to the winning of the war entitled them, on grounds of equity and justice alone, to an equal opportunity with men for the jobs available in time of peace.

Similarly, it was generally felt that the criterion for training and employment of disabled workers should be the employability of the worker, whatever the origin of the disability. In those occupations, particularly suitable for the employment of seriously disabled workers, it is recommended they be given preference over all others, while in the case of those who cannot be made fit for normal work it is suggested that employment on useful work in special centres under non-competitive conditions should be made available.

Sixthly, since steady employment is an essential feature of full employment, it is recommended that measures should be taken to regularize employment within industries and occupations in which work is normally irregular—the maintenance or adaptation to peacetime conditions of schemes introduced or extended during the war with this end in view being strongly urged.

Realizing that “the mere formulation of principles of employment policy does not go very far towards achieving results, and that in bringing policy into practice the employment service has a role of basic importance” (1), the Conference adopted a special Recommendation on this subject in the Employment Service Recommendation, 1944. The recommendation defines the essential duty of the employment service as being to promote “the best possible organization of industrial, agricultural, and other employment as an integral part of the national programme for the full use of productive resources.” The responsibilities which the service must assume if it is to fulfil this duty are specifically enumerated.

In adopting this recommendation the Conference “emphasized its conviction that the broader conception of the employment service engendered by war needs must continue to prevail; that the idea of a passive employment service, pre-occupied with routine matters connected with unemployment, must give way once and for all to that of an active service preoccupied above all with the promotion of full employment” (1).

The third recommendation drafted by Committee III and adopted by the Conference related to the national planning of public works. In its preamble this Recommendation drew attention to the Public Works (National Planning) Recommendation, 1937, which urged that special consideration should be given to the financing by loan, in periods of depression, of works likely to stimulate

(1) *International Labour Review*, July, 1944.

economic recovery, and to the application of a monetary policy which will make possible the expansion of credit required for the speeding-up of such works and which will ensure the lowest possible rate of interest on the loans.

The 1944 Recommendation on the subject urges that every member Government should prepare a long-term development programme which can be accelerated or slowed down in accordance with the employment situation in different parts of the country. It suggests, too, that local and other authorities responsible for framing employment schemes should be assured by the Central Government at the earliest possible moment what financial support will be forthcoming so that preparation of plans may be proceeded with expeditiously with a view to the absorption of large numbers of demobilized soldiers as soon as they are available.

In addition to the subjects covered in the three Recommendations reviewed above, two further matters considered by Committee III were embodied in draft resolutions which were duly approved and adopted by the Conference. The first of these resolutions draws attention to the bearing upon the problem of the organization of employment in the transition from war to peace of the following I.L.O. conventions and recommendations :—

- The Unemployment Convention, 1919.
- The Fee-charging Employment Agencies Convention, 1933.
- The Employment Agencies Recommendation, 1933.
- The Unemployment Provision Convention, 1934.
- The Unemployment Provision Recommendation, 1934.
- The Unemployment (Young Persons) Recommendation, 1935.
- The Vocational Training Recommendation, 1939.
- The Apprenticeship Recommendation, 1939.
- The Vocational Education (Building) Recommendation, 1937.
- The Minimum Age (Industry) Convention (Revised), 1937.
- The Minimum Age (Family Undertakings) Recommendation, 1937.
- The Minimum Age (Non-industrial Employment) Convention (Revised), 1937.
- The Minimum Age (Agriculture) Convention, 1921.
- The Public Works (National Planning) Recommendation, 1937.
- The Public Works (International Co-operation) Recommendation, 1937.

This recommendation urges I.L.O. members who have not already done so to give consideration to their ratification and, wherever possible, to making effective their provisions pending ratification.

The second—a resolution concerning co-operation in regard to the preparation for plans for public works in countries at present in enemy occupation—invites members of the International Labour Organization to make available to the Governments, universities, and research institutions of the liberated countries the results of experience gained and research undertaken in recent years with reference to the planning, organization, and maintenance of development works and public utilities and the education of technical experts. With this purpose in mind, the Conference proposed that the Governing Body call a meeting of the International Public Works Committee at the earliest practicable moment and include in the Agenda of the meeting the study and exchange of such information.

Under the able chairmanship of Mr. Paul Martin (Canada), Committee III was a particularly hard-working Committee, the success of whose work is reflected in the fact that each of the three recommendations submitted to the full Conference met with unanimous approval.

COMMITTEE ON ITEM IV OF THE AGENDA (SOCIAL SECURITY)

The first three sittings of this Committee were devoted to a general discussion on social security, in the course of which interesting descriptions were given of developments in different countries.

The draft recommendations proposed by the Office were in principle, subject only to reservations on certain points, approved by the Government representatives of a large number of countries, including (among others) Argentina, Australia, Brazil, Chile, Czechoslovakia, Greece, Mexico, Netherlands, New Zealand, and the United States. However, the difficulties of applying immediately such far-reaching principles as those proposed in countries that have not yet reached a relatively advanced stage of economic development were pointed out by a number of Committee members, particularly by Latin-American representatives. Attention was also drawn to the fact that in countries at present occupied by the Axis some time would have to elapse before the principles recommended could be fully applied.

Following the general discussion the Committee set up two sub-committees, one to examine the proposed recommendation concerning medical care, and the other, the draft recommendation concerning social insurance and related questions in the peace settlement. The remaining proposals contained in the report submitted by the Office—*i.e.*, those relating to income security to persons discharged from the Armed Forces and assimilated Services, and to international administrative co-operation for the promotion of social security—were left to be examined by the full Committee. The two main Recommendations adopted (on income security and medical care, respectively) reviewed between them the whole series of conventions and recommendations which the Conference had previously adopted. The former “assembles and reformulates in a coherent manner provisions relating to cash benefits and supplements them in order to constitute the outline of an income security code.”

The latter, which for the most part breaks new ground so far as the International Labour Conference is concerned, incorporates what was considered to be “the most modern view of the exigencies of a comprehensive medical-care service which can well be administered at all levels except the highest, independently of the income security system”(1).

The recommendation on income security comprises some thirty general guiding principles which member Governments, in developing their social security systems, are urged progressively to apply with a view to the implementation of the fifth principle of the Atlantic Charter. These general principles are accompanied in the form of an Annex by detailed suggestions for their application.

(1) *International Labour Review*, July, 1944,

Generally speaking, the particular proposals made in the income security recommendation have reference to the organization of a social insurance system in the traditional European pattern rather than to the kind of social security scheme operative in New Zealand. Thus, while the detailed suggestions as to the manner in which the basic principles and objectives of income security should be given effect to are not, for the most part, either applicable or appropriate to New Zealand conditions, these principles and objectives are, in fact, for all practical purposes fully met by the New Zealand Social Security Act—albeit, as a result of somewhat different legislative and administrative provisions from those contemplated in the recommendation. It was with some satisfaction, therefore, that the New Zealand delegation was able to state, with reference to practically every proposal considered, that the provision which had already been made under the New Zealand scheme was at least as comprehensive in scope and as adequate in response to the actual or presumed needs of beneficiaries. From the point of view of both scope and liberality, indeed, the New Zealand scheme in most respects is clearly considerably in advance of the Conference recommendations, far-reaching and forwardlooking though these undoubtedly are.

Somewhat the same considerations apply to the recommendation concerning medical care, although in this case provision is made for rather greater flexibility, in that alternative methods of organization are offered, the specific suggestions set forth being based on the assumption that countries desiring to develop medical-care schemes will select as a guide either one of two distinct types of service according to the degree of development that has already taken place and the varying nature of the problems to be solved.

Thus the Conference recommendations have reference either to a social insurance medical-care service with supplementary provision by way of social assistance to meet the requirements of needy persons not yet covered by social insurance or, alternatively, to a public medical-care service.

In either case the principle is affirmed that all members of the community, whether or not they are gainfully occupied, should be covered. Similarly, it is urged that complete preventive and curative care should be available at any time or place to everybody on the same conditions, without any discrimination of an administrative, financial, or political nature. It is further recommended that either form of service should furnish all varieties of care that can appropriately be given by the medical and allied professions and by hospitals, including both general-practitioner and specialist care, dental and nursing care, maternity services, maintenance in hospitals, convalescent homes, sanatoria, or other medical institutions, and, so far as possible necessary dental, pharmaceutical, or other medical or surgical supplies. The principle is laid down that the optimum of medical care should be made available through an organization that ensures the greatest possible economy and efficiency by the pooling of knowledge, staff, equipment, and other resources. To achieve these aims it is suggested that medical care should preferably be furnished by group practice at centres working in effective relation with hospitals. Stress is placed on the importance of the doctor-patient relationship and on the necessity of affording beneficiaries the right to choose their doctor among the general practitioners working for the service, subject to reasonable conditions. The importance also of securing the whole-hearted support and participation of the medical and allied professions, of adequately remunerating their members, and of securing the highest standard of service is similarly stressed.

Finally, the recommendation proposes that the administration of the service should be unified with appropriate health areas, which should be sufficiently large for a self-contained and well-balanced service and which should be centrally supervised.

In addition to these two basic recommendations, the Conference adopted a third recommendation relating specifically to social security for persons demobilized from the Armed Forces and from war industry, and two resolutions—one aimed at the safeguarding of the social insurance rights of displaced persons, including particularly foreign workers recruited to work in German war industry, and the other at the promotion of international administrative co-operation on social insurance problems.

On the first question, the recommendation advocates unemployment allowances for persons discharged from war industry who are not covered by unemployment insurance (a contingency that would not arise under New Zealand conditions), mustering-out grants to demobilized service men and women; and the grant to Service personnel on discharge of social security rights similar to those which they would have possessed had they remained in civil employment during the war.

On the second question, the resolution is drafted in the form of unilateral obligations to be imposed on Germany and her satellites by the peace settlement. The following(1) is a convenient summary of the proposals contained in this resolution:—

“The basic feature of the proposals is the repayment to the country of origin of the contributions paid by the recruited workers under the social insurance system of the recruiting country. The Conference invited the Governing Body to set up a technical committee to draft the precise clauses for insertion in the peace settlement.

“The Conference also approved in principle proposals on two other related matters. First, Germany and its satellites should be required to pay indemnities for losses caused by them to the social insurance institutions and to insured individuals of the occupied countries. Secondly, the provisions of the peace settlement relating to any transfer of territory should include the obligation of the ceding country to pay over to the successor country the reserves corresponding to the accumulated social insurance rights of the population of the territory. These proposals are also to be worked out in detail by the technical committee.”

On the third question, the resolution requests the International Labour Office to continue and extend, along a variety of lines, its past successful efforts in developing the active co-operation of all interested Governments in social security matters—e.g., through the exchange of technicians, the standardization of statistics; the organization of courses of technical training and the examination of the possibility “of international or multilateral agreements which would establish bodies responsible for performing common functions in the field either of finances or of administration.”

(1) *International Labour Review*, July 1944.

COMMITTEE ON ITEM V OF THE AGENDA (MINIMUM STANDARDS OF SOCIAL POLICY IN DEPENDENT TERRITORIES)

The seventh and last of the Recommendations adopted by the Conference was appropriately described as "a charter of colonial policy affecting all dependent territories everywhere and covering all matters with which the I.L.O. is concerned." Every country which has responsibilities towards any dependent territory is invited by this Recommendation to take whatever steps are within its competence to secure the application in such territories of agreed minimum standards of social policy. The Recommendation further requests member countries to communicate to the Director of the I.L.O. at the earliest possible date particulars of the action taken to make these minimum standards effective, and thereafter to report from time to time as requested by the Governing Body.

The Committee's deliberations commenced with a general discussion "in which statements were made and opinions expressed on the nature of policies of social development in dependent territories, on the importance of an international agreement on the subject-matter before the Committee, and on means of giving effect to the Conference's instructions. There was no disagreement on the importance and the responsibility of the task entrusted to the Committee. On the other hand, while some members stressed the urgency of reaching concrete results at the present session of the International Labour Conference, other members held that the questions were so complex and that the preparatory work of the Conference had been so rapid that the Conference should take final decisions only after there had been an opportunity for consultation of the interests concerned."

The British Government representative, for example, stated that British colonial policy was directed towards the development of economic and social institutions as part of a progressive policy guiding dependent territories along the road to self-government within the British Empire. The progress made during the war showed how seriously this policy was taken. It showed, too, that the British Government was not in favour of delay in practical measures for the betterment of conditions in dependent territories. He considered, however, there were various considerations of practical expediency and constitutional propriety raised in the text of the Office proposals. A Recommendation, moreover, was a solemn international obligation. The Committee's instructions were to place before the Conference general guiding principles, and this seemed to indicate that it was for the Conference alone to decide in what form the proposals of the Committee should be incorporated.

The British workers' representative, on the other hand, with the support of the American, Australian, New Zealand, and Mexican Government members, felt that delegates had come to the Conference with a great sense of responsibility and in the belief that the questions on the Agenda were of supreme importance in helping to shape the post-war world. The term "guiding principles," it was therefore argued, should be interpreted in the light of these circumstances. Expectations had been aroused and there was a sense of urgency in the realization of concrete results, particularly since the sacrifices of dependent peoples during the war would seem incomprehensible to them if no benefits were to be afforded as a result of victory. A second discussion method, it was maintained, would postpone to an uncertain date important and urgent decisions which should be reached and presented in a reasonably strong form then and there at the Conference. The opinion was expressed, moreover, that the texts approved by the Committee contained sufficient qualifying phrases to permit flexibility in application. It was finally ruled by the Chairman that the Committee was fully entitled to suggest to the Conference that the principles it approved should be incorporated in a formal Recommendation, and this procedure was accepted by a majority of Committee members.

In the course of the Committee's deliberations, however, it became apparent that time would not permit the necessary attention being given to all the draft articles contained in the Office's text. Attention was therefore concentrated during the later stages on those articles which appeared to state the most general guiding principles—the Committee agreeing that the remaining questions should be placed on the Agenda of the next general session of the International Labour Conference. With reference to such questions, the Committee's report is careful to stress the fact that they "were in no sense regarded as of subsidiary importance or of minor urgency. They included some provisions which were recognized to be of fundamental importance. They included many questions of detail on which the issue of guiding principles by the International Labour Conference would be of high value. On the other hand, they also included some questions of detail which might not be appropriate to include in the guiding principles asked of the Committee. Lastly, there were some articles which the Committee might have adopted readily but which, being closely connected with more difficult points, seemed to require deferment in the interests of establishing a later text of a coherent character."

The subjects, however, on which the Committee was able to reach agreement and to embody in the Recommendation submitted to and adopted by the Conference embrace a wide field of social and economic policy. In the first place, certain generally accepted standards of policy such as suppression of slavery and opium-smoking are reaffirmed. Attention is next drawn to past decisions of the International Labour Conference primarily affecting dependent territories, such, for example, as those concerning the prohibition of forced or compulsory labour, the regulation of recruiting and of certain special types of contracts of employment, and the suppression of penal sanctions for labour offences.

Succeeding provisions of the Recommendation include questions relating to the employment of children and young persons, provisions designed to improve the status of women, and general guiding principles affecting remuneration, health, housing, and social security. A succeeding section aims at the prohibition of colour and religious bars and other discriminatory practices, followed by a general statement on the principles of labour inspection. Lastly, minimum standards are laid down for the protection and development of industrial and co-operative organizations.

In addition to the resolution requesting supplementary questions of minimum standards of social policy in dependent territories being placed on the Agenda of the next Conference (including certain resolutions arising out of the Committee's discussions), it was decided also to ask the Governing Body to set up an advisory committee. The opinion was expressed that the Committee of Experts on Native Labour had rendered valuable service in the past by considering the principles on which were based later decisions of the Conference in regard to such questions as forced labour, recruiting, and employment contracts. The Conference accordingly felt that the re-establishment of some such committee was essential and that this new committee would need to bear in mind broad issues of social policy in dependent territories as well as detailed questions of labour regulation.

It seems appropriate to conclude this brief review of the work of Committee V with the following quotation from the report it presented to the Conference :—

“ On several occasions during the discussions, and in particular in connection with a discussion on the preamble to the proposed Recommendation, it was emphasized that for many years a principal purpose of colonial government had been to further the social and economic progress of the peoples of dependent territories, and that in this work important contributions had been made by the employers and by the peoples in dependent territories. The efforts made and the progress achieved were not underestimated by the Committee. The texts adopted should not be interpreted in any sense as an apology for the past. They were an effective recognition of the value of emphasizing and encouraging through international agreement the continuation of programmes of social welfare based on full and loyal co-operation between colonial Governments and dependent peoples. They were supported by the endorsement of the independent countries which are not responsible for the administration of dependent territories but which have a legitimate stake in world social justice.”

COMMITTEE ON ITEM VI OF THE AGENDA (THE APPLICATION OF CONVENTIONS)

The Committee reported that, like the Conference itself, it had met after an interval of four years (1939–43), during which the full operation of the normal procedure for the supply and examination of annual reports on the application of Conventions required by Article 22 of the Constitution was rendered impracticable by the preoccupations and difficulties caused by the war.

Article 22 imposes three distinct obligations :—

- (1) An obligation on Governments to make annual reports to the Office on the measures which have been taken to give effect to the provisions of the Conventions which their respective countries have ratified and to which they are parties ;
- (2) An obligation on the Governing Body to prescribe the form of such reports and the particulars which they should contain ;
- (3) An obligation on the Director of the Office to lay a summary of the reports before the next meeting of the Conference.

Under the established procedure, these reports used to be first examined by a Committee of Experts appointed by the Governing Body, who forwarded to the Conference their report, together with the replies of the Governments concerned in response to the Experts' comments, and a summary of the annual reports prepared by the Office.

In spite of the obstacles which made the full operation of the normal procedure impossible, the Committee found that obligations (1) and (2) referred to above have been substantially fulfilled. The Office requested Governments to supply reports wherever possible in as complete a form as in previous years ; but, in cases where a full report was impracticable, to adopt a simplified form of reports. Whereas in 1940 the Committee of Experts had before them six hundred reports, the Office had received so far this year some three hundred reports. The response of the Governments has therefore been gratifying. The Committee nevertheless found it impossible to undertake at this session of the Conference an adequate examination of the application of Conventions.

It was considered important, however, that the normal procedure should be re-established as early as possible, and to this end it was recommended that—

- (a) The Committee of Experts be reappointed at the earliest possible date ; and
- (b) The Office itself be sufficiently reinforced in personnel to enable it to undertake the statutory duty imposed upon the Director by Article 22 of the Constitution to compile a summary of the annual reports for submission to the Conference. The Committee considered that the summary to be submitted to the next ordinary session of the Conference should be as complete as possible, covering the whole period from 1939 ; should also include as complete information as possible upon the application of the ratified Conventions with or without modifications in colonies, possessions, and protectorates ; should deal specifically with improvements that may or may not have taken place in respect of countries whose implementation of ratifications had been found defective by previous Committees ; and should include a chart of ratifications.

The Committee found that it had not been possible to do much to implement the recommendations made by the Committee on the application of Conventions in their report to the Conference in 1939, and therefore wished to reiterate the recommendations made in the following respects :—

- (a) The importance “ of Governments supplying their annual reports in time for examination by the Committee of Experts, because in the opinion of the Committee it is the double examination of these reports, first by the Committee of Experts and then by the Conference Committee, that places State members of the Organization on a footing of equality in respect of the supervision of the application of the ratified Conventions.”
- (b) The importance of a realization that “ there is no legal basis for delay on the part of a State in giving effect to a Convention which it has ratified,” and “ that the international labour Conventions must be regarded as imposing specific obligations, and not mere programmes of future reform, on the contracting parties. The contrary view is, in its opinion, calculated to shake confidence in international agreements in general, and in particular to discourage collaboration in the work of the International Labour Organization on the part of countries which interpret their international obligations with the greatest strictness.”
- (c) “ That in securing the proper enforcement of the national legislative and other measures implementing the ratified Conventions, labour inspection, operated by a staff adequate in number, training, and organizations, plays a fundamental role,” and that “ a comprehensive Convention on labour inspection, widely ratified and properly enforced, could only strengthen confidence in the legislative work of the International Labour Organization.”

The Committee regarded these recommendations as being of importance, and hoped in particular that the Governing Body would regard the question of inspection as of urgency and would place the question of labour inspection on the Agenda of an early session of the Conference with a view to the adoption of a draft Convention. The adoption by all countries of an adequate standard of inspection was a matter which should lead not only to a better implementation of ratified Conventions, but also to the establishment of conditions which would lead to an earlier ratification of unratified Conventions than would otherwise be possible.

Certain suggestions for improving the position as regards the ratification and application of Conventions were made in the course of a general discussion in the Committee. The suggestions were :—

- (1) Establishment of a procedure that would enable a Government, after application to the International Labour Organization, to ratify a Convention, even if its legislation did not conform to that embodied in the Convention, on condition that this legislation has been found to be of an equally high level from a social point of view by an appropriate organ of the International Labour Organization :
- (2) The practicability of framing regional Conventions :
- (3) The possibility of allowing of ratification of a Convention by stages :
- (4) That, before a country is permitted to ratify a Convention, its national law should be brought into conformity with it :
- (5) That these and other similar suggestions might suitably be considered by a special tripartite committee, or that they might be specifically considered by the Committee of Experts.

The report of the Committee was adopted by the Conference.

VOTING RECORD OF NEW ZEALAND DELEGATES

The record of voting on matters adopted by the Conference by New Zealand delegates is as follows :—

- (1) Recommendations concerning income security—

For	..	..	92 (including Messrs. Taylor and Allerby)
Against	..	..	4 (including Mr. Butland)
Abstentions	..	..	6
- (2) Recommendations concerning income security and medical care for persons discharged from the Armed Forces and assimilated Services and from unemployment—

For	..	..	100 (including Messrs. Taylor, Turner, Butland, and Allerby)
Against	..	..	0
Abstentions	..	..	4
- (3) Recommendations concerning medical care—

For	..	..	76 (including Messrs. Taylor, Turner, Butland, and Allerby)
Against	..	..	6
Abstentions	..	..	23
- (4) Recommendations concerning minimum standards of social policy in dependent territories—

For	..	..	88 (including Messrs. Taylor, Butland, and Allerby)
Against	..	..	0
Abstentions	..	..	15
- (5) Resolution concerning the placing on the Agenda of the next session of the Conference of the question of dependent territories (supplementary provisions) —

For	..	..	100 (including Messrs. Taylor, Butland, and Allerby)
Against	..	..	0
Abstentions	..	..	3
- (6) Recommendations concerning employment in the transition from war to peace—

For	..	..	102 (including Messrs. Taylor, Butland, and Allerby)
Against	..	..	0
Abstentions	..	..	0
- (7) Recommendations concerning the employment service —

For	..	..	100 (including Messrs. Taylor, Butland, and Allerby)
Against	..	..	0
Abstentions	..	..	0
- (8) Recommendations concerning the national planning of public works—

For	..	..	102 (including Messrs. Taylor, Turner, Butland, and Allerby)
Against	..	..	0
Abstentions	..	..	0

In addition, record votes were taken on the following matters :—

- (a) On an amendment by Mr. Tomlinson (Government delegate, British Empire) to the first report of the Social Security Committee—

For	..	..	14 (including Mr. Butland)
Against	..	..	68 (including Messrs. Taylor and Turner)
Abstentions	..	..	0
- (b) On report of Committee on Social Policy in Dependent Territories—

For	..	..	81 (including Messrs. Taylor, Butland, and Allerby)
Against	..	..	0
Abstentions	..	..	0
- (c) On report of Employment Committee —

For	..	..	88 (including Messrs. Taylor, Butland, and Allerby)
Against	..	..	0
Abstentions	..	..	0

DIRECTOR'S REPORT

As mentioned previously, discussion on the Director's report, which is usually the first item on the Agenda, was the last item on the Agenda of the Conference. Thirty-two delegates spoke, discussion centring round existing and proposed social legislation in the countries represented by the various speakers, and round the difficulties of some of those countries in endeavouring to apply the principles laid down in the draft conventions and recommendations adopted by the International Labour Organization. Mr. Taylor, Government delegate, dealt with developments which had taken place in New Zealand on—

- (a) Rehabilitation of returned servicemen.
- (b) The appointment of a Commission to investigate apprenticeship matters.
- (c) The Annual Holidays Act, 1944.

PRESIDENT'S CLOSING SPEECH

It seems appropriate to include here the published text of the President's closing speech, which summed up in general terms the work and ideals of the Conference :—

" The Twenty-sixth session of the International Labour Conference is very nearly concluded. The past three weeks since the Conference convened have been strenuous weeks indeed. I feel as President of this historic gathering a deep and sincere appreciation of the way in which the delegates and their advisers, the officers of the Conference, and members of the Secretariat have faced up to their hard and exacting responsibilities.

" The Agenda has been a formidable one. The strain imposed by long and continuous meetings has been severe. It would have been clearly impossible to accomplish what has been accomplished if everybody who attended this session, no matter in what capacity, had not come to Philadelphia imbued with a spirit of high resolve and strong determination to ensure that the purposes for which this Conference was convened were fulfilled to the fullest extent practicable.

" As usually is the case with large and formal international gatherings of this kind, we were perhaps a little slow in getting under way, but we have been gathering momentum steadily, and now as we approach the final stage it is possible to look back on three weeks of solid and most encouraging achievement. I think the majority of those present feel as I do that virtually everything that this Conference could reasonably be expected to do has been done. I think, too, that all those who are present will share my feeling that the experience of the past three weeks has been unique. Men and women from forty-three nations have met together to try and find a way through the clouds that have overhung the world for so many years and for the past four years with unprecedented blackness.

" We can take heart, however, from the fact that at long last we can perceive the sunlight filtering through, with a vision of a different post-war world unfolding truly amazing possibilities of a better life for all of us.

" The unfolding of these possibilities is going to be a long and slow and a rather painful process, but if we face up to our post-war responsibilities with the same resolution and the same courage and will to win as so many men and women have displayed during the past four frightful years, it will at least be possible to avoid much of the suffering and chaos that previously characterized the transition from war to peace.

" The proceedings of this Conference and particularly the conclusions to which we have arrived convince me, as I am sure they convince you and the world, that this high and solemn responsibility is fully and widely accepted. Let us not deceive ourselves as to the difficulties which lie ahead. Serious men and women will see these difficulties, will determine to overcome them, will devote to this task all the good will, the energy, the skill, imagination, and inventive genius at their command.

" There will be times when the problems seem insoluble, when the difficulties are such that it seems as though we won't be able to overcome them. There were times during this Conference when the prospects of reaching general agreement on the road that should be followed seemed most remote. Yet, there is scarcely a major issue that has been discussed in Committees, in plenary session, in group meetings on which we have not in due course reached an accepted basis of agreement. Differences there may have been as to procedure, but as to basic principles, I know of no issue on which this Conference has found itself impossibly divided.

" May I say this, that I personally, with all the feeling that I might have from a political point of view, with regard to any ideology, believe that the employers and the workers and the Government representatives that have come here have come with the same heart and the same vision with regard to the possibility of doing the job that has to be done. The differences have been differences on the basis of how are you going to get there, and is the goal that you are driving towards a practicable one ?

" From that fact, more than from any other that has emerged during these three weeks of intensive discussion, I find great hope and tremendous encouragement.

" If I judged the feeling correctly at the opening of the Conference, it seemed that we hardly knew one another. Many old friends, it is true, met in Philadelphia again. But as the days passed and the work of the Committees continued, understanding between the delegates grew more and more. This growing understanding, I believe, has been reflected in the spirit in which the work of the Committees has been carried out, especially during the last two weeks. This contributed tremendously to the completeness with which the Committees have reported on the matters referred to them and to the surprising unanimity with which their recommendations have been accepted.

" These Recommendations and Reports will, I believe, have greater significance in relation to post-war economic and social policy than the decisions of any previous international conference of a similar kind.

" It is difficult to single out one particular achievement of this Conference for special mention. It seems not too rash to predict, however, that the Declaration which we adopted on Tuesday will go down in history as one of the most significant documents of our time. It is, in my opinion, the greatest social charter that has yet been published. It does much more than merely restate the aims and purposes of the International Labour Organization. It emphasizes some of the things that have still to be done, some of the conditions that have still to be fulfilled, some of the aspirations that have still to be realized before the ideals and objectives for which this war is being fought will have been safely and enduringly achieved. But the Declaration—and it is impossible to overemphasize this fact—will not be worth the paper it is printed on unless there is action, positive action, vigorous action, courageous action, to give effect to its principles.

"The Declaration and the recommendations that we have adopted lay the foundation for the kind of post-war world we have undertaken to bring into being. But the constructive task of building upon this foundation is one to which we must still dedicate our efforts and our resolve. The major objective I see and suggest to you is freedom—freedom for everybody, for all men and all women everywhere; freedom in its fullest and widest possible meaning.

" 'Freedom,' unfortunately, is a word which has been so much used and so loosely used during the last decade or so that it has lost its force; but its value still remains. Freedom in the best and, in fact, the only sense in which the word can be used necessarily implies conditions in which it can be experienced and enjoyed to the full. There can be no freedom where there is hunger. There can be no freedom where there is ill health. Only very rarely is there a St. Francis of Assisi who can experience freedom fully in poverty and hunger.

"Poverty can be abolished. It has not been ordained by God. Poverty can be abolished. Its abolition depends on one thing and one thing only—on the will and the determination of those people who believe that it can and must be abolished.

"The Declaration we have adopted here will, if we allow its principles to guide our future conduct, sound the death knell of poverty and want, and fear of poverty and want throughout the world.

"Because of this, I regard the Declaration as a statement of social principles that will ring in the ears of all those who are to-day denied the material well-being and the spiritual comfort which only true freedom can guarantee them. Only, as the Hot Springs Conference brought out, one-half of the people of the world have enough to eat. One-half have never had enough to eat.

"Our meetings have, however, taken place on the eve of what I believe to be the greatest military offensive of all times, to make that which I have talked about and we have talked about possible. The victory of the United Nations in this war is now only a matter of time. It may be near, it may perhaps be two or even three years before the enemy in the east and in the west is finally overwhelmed. Of the outcome there is no longer any doubt, but we should not dismiss too lightly the effort that still lies ahead.

"If the war is over soon, things may be less hard for Germany in the years that follow. Retribution will be severe in any case, but it is possible to be firm without being vindictive. Hate will destroy the hater. If we hate long, it will destroy our soul and not the object of our hate, and we have got to remember that, too. If the war is not over soon, then the hatred that has been pent up in the hearts and minds of those who have suffered the cruelties and hardships of the past four years may be even greater than anything yet known. Hatred, however, cannot solve our problems. Unless we find some constructive means of avoiding a similar occurrence, we will have failed in our greatest purpose, and this war will have been fought in vain.

"It is not for me to express the feelings of men and women who have lost their families, who have seen their homes razed to the ground, who have suffered the horrors and brutality of concentration camps. I cannot conceive how human beings react under these conditions and those experiences. But I do know that unless we find a way of living with one another when this conflict is over, then war will come again. We have a responsibility to the many who have sacrificed so much to see that this does not happen.

"We have during this Conference adopted a Declaration as to what we feel should be done in connection with the occupied countries.

"Our job, the job of those in the so-called free countries, is to help the occupied countries to help themselves. France and Belgium and Norway and Holland and Denmark and Greece and Poland and Yugoslavia and the others can regain their full freedom only by their own nationals and through their own efforts. By full freedom, I mean more than liberation. They alone can save themselves. We can help by giving them the materials for the rehabilitation and reconstruction of their countries, but it must be Frenchmen that save France, Belgians that save Belgium, Dutchmen that save Holland, Norwegians that save Norway, and the nationals of the other countries that I have mentioned who must save themselves. Those with the resources at their command can help by making the materials, the equipment, and other things available in the early stages. But the occupied countries alone can do what must be done, though we can help. We owe much to their resistance under unprecedented conditions of hardships and torture and tension. It is a debt that we gladly acknowledge.

"We will, however, have to look to the world of the future and to assure those men who have fought—those men and women who have suffered during the past four years—that we are not going back to the old conditions, we are not going to betray everything for which they have given their lives. What is immediately required is to lay down for future guidance general principles of social policy. We have done that, but they must be rapidly translated into conditions that will make freedom from want an accomplished fact within the next few years.

"War ought to maximize production. But if we want to maximize production, we have to determine production of what and where and when, and also what we are going to do with the resources and the produced commodities when they have been brought into being. Why do we want to maximize production? The answer is that without maximized production the world cannot be free. As I said before, one-half of the people have never had enough to eat.

"Just a word or two with regard to the men who have gone away. It is easy to put into words the urges of our hearts and minds—not always so easy to put them into practice. Yet, I cannot emphasize too strongly that inside the possibility of its achievement, no man or woman who fought for their country should be worse off because they did so fight, and no man or woman should be better off because they did not so fight.

"We were all moved the other day by the eloquence of Mr. Tomlinson in referring to the disabled man and rehabilitation. I have seen some of it in our own organization, in our country of New Zealand. I have seen joy come to that man, not in receiving a pension, not in being told that he was not wanted, not in being told that he was not able to work, but in being able to put a foot to the ground in place of the foot he had lost. I have seen joy come to the man—I was in London a short time ago and saw a man who had lost both his legs. I saw him six months later, and he walked along the room that I was in with legs fastened to him. He said, 'See, I can walk, Mr. Nash.' And then he strode across the room and threw his sticks away. To-day he is flying a plane across the Pacific once more.

"That is the joy. It is not pensions—it is the joy of being wanted, in being able to use hands when the originals have been shot away, in being able to see and to feel and to do things without eyes. It is that which we have to do—to help the men and women who have been marred and scarred by this terrible conflict to come back and live a full and useful life again.

"One other point. For some time I have been studying statistics, particularly with regard to the expectation of life, and—whilst statistics do not always prove the case that they are supposed to prove—they are often very revealing. The expectation of sixty-seven years of life in one little country in the South Pacific alongside an expectation of less than twenty-seven years in a thickly populated country in Asia cannot be permanently maintained. If that goes on for long, the seeds of another war have been sown. I say there is no need for it. The responsibility of the countries where the resources are is to see not only that their standards of living are raised—or that they are at least maintained to ensure full health—but that what can be brought into being in excess of what was previously necessary shall go to other countries to enable them to lift their standards too. There is no other way of avoiding war and bringing peace with prosperity.

"Then, again, the idea of a superior people in the sense of their being inherently superior is wrong. There are no inherently superior people. There are superior peoples, collectively and individually, but not inherently so. Give any human being created by the same God the same conditions and opportunity which you and I may have enjoyed, then whatever their status may have been through the ages, it is probable that in due course he or she will achieve the same level of material and cultural advancement.

"We have set out objectives so far as social security is concerned. The objective you passed to-day in connection with social security reminds me of another conference—a conference in Geneva in 1920. It was called the Second International—not the International Labour Organization Conference—but the Second International Conference. There, delegates from most of the countries of the world immediately after the last war, were debating this resolution. I place it before you because I affirm it has to be given effect to if we are to have permanent peace. The resolution was that the first charge on all the wealth created shall be the care of the aged, the care of the young, the care of the ailing, and those engaged in the production of essential utilities. The aged—why? Because that which we enjoy to-day we could not so enjoy had it not been for that which they had done. The young—because if they are not looked after now, there is no future for us. The ailing—because unless we do that simple, ordinary, Christian duty, then we won't have the soul to justify our living in the better world that may come later. But more than that: if you don't look after the ailing, the diseases and the troubles they have, they will come to you. So there is a lot of sense also in doing that right thing.

"We have set all this out in our Declaration. I have never attended a Conference where representatives of three groups, employers, employees, and Governments, have been so united in the objectives towards which they desire to travel. Our differences have come only when we have been reasoning out how—how is it to be done—and whether it is practicable to bring about the conditions we desire.

"I believe the goal that we have set ourselves is an objective which can be reached, I believe that poverty anywhere, as is stated in the Declaration, endangers prosperity everywhere. I don't want to get rid of poverty just to ensure that prosperity is maintained; I want to get rid of poverty because it is bad, it is wrong, it is immoral, it is unethical, it is unfair, and it is unjust, and it is everything that is bad. I mean involuntary poverty—where a man is told that his hands are not wanted, and that his wife and his youngsters will be deprived of the necessary things for health.

"I believe we were meant in this world to live a long time, and I believe the contribution made by this Conference has been great towards that end. But that contribution will not have been complete unless we go from here determined that each in our own country we will work and strive and fight to bring into being the conditions that we have talked of here, to help to write the legislation, and to see that it is properly administered, so that what we have talked of will be given effect to.

"I am hoping that when the next Conference comes around we will not find ourselves engaged in discussions on *how*, but will be considering reports on *what* has been done, and on *what* are to be the next steps in our march to freedom.

"So much I have to say with regard to the general principles. One special thing in connection with this Conference calls forth the admiration of every delegate, and that is the way in which the Secretariat, with some help that should be recorded from outside, led by Mr. Phelan, have performed a task under extraordinary difficulties.

"Perhaps I know as well as any other person the load that has been carried by Mr. Phelan both prior to and during this Conference. Inside my own memory, I know of no person who has carried that load in a more even and serene way than it has been carried by our Secretary-General. There have been at times voluble and strong representations of certain delegates and even officials and even officers of the Conference, who feel that things ought to be done in a certain way. But this has been met by a quietude unexampled. Mr. Phelan has made a contribution that far exceeds that which could have been made by a normal man. We owe a lot to Mr. Phelan. It will be a long time before the world can fully pay to him the debt due.

"What I have said about Mr. Phelan applies also to the members of his staff: Mr. Lindsay Rogers, Mr. Waelbroeck, Mr. Jenks, the legal adviser, with Mr. Lafrance, and particularly my personal assistant, Mr. Little. It applies also to other members of the staff. May I specially mention the interpreters and translators. I know not how they perform their task, but they have done it well. All the staff have done fine work to enable the delegates to carry on the work for which they came to Philadelphia.

"The delegates in the Hall never know what an extraordinary amount of detailed work has to be accomplished to enable them to do the work that they have to do. We owe a lot to the Secretariat of this Conference for the work that they have done.

“ It is not usual for the press to be nice and sweet and kind. They sometimes say things that have to be said, and sometimes say the nice things when they ought to be said. But I have never seen or read a letter that gives a better appreciation of service from the International Labour Organization than the one that I propose to read now. It is addressed to myself and to Mr. Phelan. It says :—

“ ‘ Gentlemen,—

“ ‘ We, the undersigned newspaper, magazine, and radio correspondents, who have covered the Twenty-sixth Conference of the International Labour Organization, desire to express our appreciation of the fine co-operation and assistance given to us all by Mr. Campbell Ballantyne, Information Officer of the I.L.O. Without his help it would have been impossible to have presented as adequate a picture of the Conference to the public as has been done. Mr. Ballantyne is also to be congratulated on his staff—Messrs. W. H. Ferry, Philip Rodgers, Ralph Bell, Russell Bauer, and Herbert Little, Mrs. Allen Raymond, and Miss Joan Holliday.

“ ‘ With expressions of deepest respect, we are . . . ’ and then appear the names of twenty-three press correspondents of all the important press agencies and newspapers of the United States and Great Britain. That is a great tribute to us.

“ There is one further subject I would like to emphasize, which I mentioned before, that I want to bring in at the end of my remarks. I have already stated something in regard to my opinion that there are no superior people in the world. I believe that. There are no inherently superior people in the world. Related to this declaration is one like unto it. There can be no justification for discrimination against people because of the womb from which they came. Such discrimination as has been referred to by Mr. Stanczyk is one of the worst negations of all the principles for which this Organization stands and for which we have been working in this Conference.

“ Men and women of all races, of all creeds, and of all nationalities, and of all classes should be accepted at their work, and our treatment of them should be in accord with the contribution that they have made, can make, and are willing to make towards the general well-being.

“ Discrimination of the type that has been in existence on the European continent in particular during the past decade is abhorrent to everything that we have thought out here. If we have a knowledge of the road that we ought to travel and the principles to which we are pledged, then we will accept men and women because of what they are, and not from where they came, and from whom they came, and to what race they belong, or to the colour of their skin, or the religion they profess.

“ There is much more to be done in this world than to discriminate against persons. The job, as I see it, is to find a way of working with the people of all countries that want to travel along the road that we desire to travel—the road of peace and prosperity and progress—neither one possible without the other two. We desire to travel along that road, and we desire that every one shall have a right to reach that objective, and to have the abundant life that the Creator intended for us all to enjoy.”

RECEPTION OF DELEGATES BY THE PRESIDENT OF THE UNITED STATES

The President of the United States received the delegates at the White House on 17th May and congratulated them on the success of the Conference. This address is printed herewith as Appendix. Speeches of reply were made by the Hon. Walter Nash (President of the Conference), Sir John Forbes Watson (employers' delegate, Great Britain), and Mr. Rens (workers' delegate, Belgium).

TEXTS OF THE DECLARATION, RECOMMENDATIONS, AND RESOLUTIONS

The authentic texts of the Declaration and the Recommendations adopted by the Conference are given in Appendix I to this report, and the texts of the Resolutions adopted by the Conference in Appendix II.

(Signed) W. NASH.
E. B. TAYLOR.
B. R. TURNER

APPENDIX I.—AUTHENTIC TEXTS OF THE DECLARATION AND RECOMMENDATIONS ADOPTED BY THE INTERNATIONAL LABOUR CONFERENCE AT ITS 26th SESSION

The Declaration concerning the aims and purposes of the International Labour Organization, here reprinted, was unanimously adopted by the International Labour Conference at its Twenty-sixth Session, held at Philadelphia, from 20 April to 12 May 1944.

The text of the Declaration as here presented is a true copy of the text authenticated by the signatures of the President of the International Labour Conference and of the Acting Director of the International Labour Office.

For the Director of the International Labour Office.

C. W. JENKS,

Legal Adviser of the International Labour Office.

INTERNATIONAL LABOUR CONFERENCE

DECLARATION CONCERNING THE AIMS AND PURPOSES OF THE INTERNATIONAL LABOUR ORGANIZATION

The General Conference of the International Labour Organization, meeting in its Twenty-sixth Session in Philadelphia, hereby adopts, this tenth day of May in the year nineteen hundred and forty-four, the present Declaration of the aims and purposes of the International Labour Organization and of the principles which should inspire the policy of its Members.

I

The Conference reaffirms the fundamental principles on which the Organization is based and, in particular, that—

- (a) Labour is not a commodity ;
- (b) Freedom of expression and of association are essential to sustained progress ;
- (c) Poverty anywhere constitutes a danger to prosperity everywhere ;
- (d) The war against want requires to be carried on with unrelenting vigour within each nation, and by continuous and concerted international effort in which the representatives of workers and employers, enjoying equal status with those of Governments, join with them in free discussion and democratic decision with a view to the promotion of the common welfare.

II

Believing that experience has fully demonstrated the truth of the statement in the Constitution of the International Labour Organization 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 Organization to examine and consider all international economic and financial policies and measures in the light of this fundamental objective ;
- (e) In discharging the tasks entrusted to it the International Labour Organization, having considered all relevant economic and financial factors, may include in its decisions and recommendations any provisions which it considers appropriate.

III

The Conference recognizes the solemn obligation of the International Labour Organization to further among the nations of the world programmes which will achieve—

- (a) Full employment and the raising of standards of living ;
- (b) The employment of workers in the occupations in which they can have the satisfaction of giving the fullest measure of their skill and attainments and make their greatest contribution to the common well-being ;
- (c) The provision, as a means to the attainment of this end and under adequate guarantees for all concerned, of facilities for training and the transfer of labour, including migration for employment and settlement ;
- (d) Policies in regard to wages and earnings, hours and other conditions of work calculated to ensure a just share of the fruits of progress to all, and a minimum living wage to all employed and in need of such protection ;
- (e) The effective recognition of the right of collective bargaining, the co-operation of management and labour in the continuous improvement of productive efficiency, and the collaboration of workers and employers in the preparation and application of social and economic measures ;
- (f) The extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care ;
- (g) Adequate protection for the life and health of workers in all occupations ;
- (h) Provision for child welfare and maternity protection ;
- (i) The provision of adequate nutrition, housing and facilities for recreation and culture ;
- (j) The assurance of equality of educational and vocational opportunity.

IV

Confident that the fuller and broader utilization 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, and to promote a high and steady volume of international trade, the Conference pledges the full co-operation of the International Labour Organization with such international bodies as may be entrusted with a share of the responsibility for this great task and for the promotion of the health, education and well-being of all peoples.

V

The Conference affirms that the principles set forth in this Declaration are fully applicable to all peoples everywhere and that, while the manner of their application must be determined with due regard to the stage of social and economic development, reached by each people, their progressive application to peoples who are still dependent, as well as to those who have already achieved self-government, is a matter of concern to the whole civilized world.

The foregoing is the authentic text of the Declaration concerning the aims and purposes of the International Labour Organization unanimously adopted by the General Conference of the International Labour Organization at Philadelphia during its Twenty-sixth Session, on 10 May 1944.

IN FAITH WHEREOF we have appended our signatures, this seventeenth day of May, 1944.

The President of the Conference.

W. NASH.

The Acting Director of the International Labour Office.

EDWARD J. PHELAN.

The Recommendation (No. 67) concerning income security, the Recommendation (No. 68) concerning income security and medical care for persons discharged from the armed forces and assimilated services and from war employment, the Recommendation (No. 69) concerning medical care, the Recommendation (No. 70) concerning minimum standards of social policy in dependent territories, the Recommendation (No. 71) concerning employment organization in the transition from war to peace, the Recommendation (No. 72) concerning the employment service and the Recommendation (No. 73) concerning the national planning of public works, here reprinted, were adopted by the International Labour Conference at its Twenty-sixth Session, held at Philadelphia, from 20 April to 12 May 1944.

The texts of the Recommendations as here presented are true copies of the texts authenticated by the signatures of the President of the International Labour Conference and of the Acting Director of the International Labour Office, in accordance with the provisions of Article 19, paragraph 4, of the Constitution of the International Labour Organization.

For the Director of the International Labour Office :

C. W. JENKS,

Legal Adviser of the International Labour Office.

INTERNATIONAL LABOUR CONFERENCE

RECOMMENDATION [No. 67] CONCERNING INCOME SECURITY

The General Conference of the International Labour Organization—

Having been convened at Philadelphia by the Governing Body of the International Labour Office, and having met in its Twenty-sixth Session on 20 April 1944, and

Having decided upon the adoption of certain proposals with regard to income security, which is included in the fourth item on the agenda of the Session, and

Having determined that these proposals shall take the form of a Recommendation, adopts, this twelfth day of May of the year one thousand nine hundred and forty-four, the following Recommendation which may be cited as the Income Security Recommendation, 1944 :—

Whereas the Atlantic Charter contemplates “ the fullest collaboration between all nations in the economic field with the object of securing for all improved labour standards, economic advancement and social security ” ; and

Whereas the Conference of the International Labour Organization, by a resolution adopted on 5 November 1941, endorsed this principle of the Atlantic Charter and pledged the full co-operation of the International Labour Organization in its implementation ; and

Whereas income security is an essential element in social security ; and

Whereas the International Labour Organization has promoted the development of income security—

By the adoption by the International Labour Conference of Conventions and Recommendations relating to workmen's compensation for accidents and occupational diseases, sickness insurance, provision for maternity, old-age, invalidity, and widows' and orphans' pensions, and provision for unemployment,

By the adoption by the First and Second Labour Conferences of American States of the resolutions constituting the Inter-American Social Insurance Code, by the participation of a delegation of the Governing Body in the First Inter-American Conference on Social Security which adopted the Declaration of Santiago de Chile, and by the approval by the Governing Body of the Statute of the Inter-American Conference on Social Security established as a permanent agency of co-operation between social security administrations and institutions acting in concert with the International Labour Office, and

By the participation of the International Labour Office in an advisory capacity in the framing of social insurance schemes in a number of countries and by other measures ; and

Whereas some Members have not taken such steps as are within their competence to promote the well-being and development of their people although their need for improved labour standards, economic advancement and social security is greatest ; and

Whereas it is now highly desirable that such Members take all necessary steps as soon as possible to reach the accepted international minimum standards and develop those standards ; and

Whereas it is now desirable to take further steps towards the attainment of income security by the unification or co-ordination of social insurance schemes, the extension of such schemes to all workers and their families, including rural populations and the self-employed, and the elimination of inequitable anomalies ; and

Whereas the formulation of certain general principles which should be followed by Members of the Organization in developing their income security schemes along these lines on the foundation of the existing Conventions and Recommendations, pending the unification and amplification of the provisions of the said Conventions and Recommendations, will contribute to this end ;

The Conference—

- (a) Recommends the Members of the Organization to apply progressively the following general guiding principles, as rapidly as national conditions allow, in developing their income security schemes with a view to the implementation of the fifth principle of the Atlantic Charter, and to report to the International Labour Office from time to time as requested by the Governing Body, concerning the measures taken to give effect to the said general guiding principles ;
- (b) Calls the attention of the Members of the Organization to the suggestions for the application of these general guiding principles submitted to the Conference and contained in the Annex to this Recommendation.

GUIDING PRINCIPLES

General

1. Income security schemes should relieve want and prevent destitution by restoring, up to a reasonable level, income which is lost by reason of inability to work (including old age) or to obtain remunerative work or by reason of the death of a breadwinner.

2. Income security should be organized as far as possible on the basis of compulsory social insurance, whereby insured persons fulfilling prescribed qualifying conditions are entitled, in consideration of the contributions they have paid to an insurance institution, to benefits payable at rates, and in contingencies, defined by law.

3. Provision for needs not covered by compulsory social insurance should be made by social assistance ; certain categories of persons, particularly dependent children and needy invalids, aged persons and widows, should be entitled to allowances at reasonable rates according to a prescribed scale.

4. Social assistance appropriate to the needs of the case should be provided for other persons in want.

Social Insurance

5. The range of contingencies to be covered by compulsory social insurance should embrace all contingencies in which an insured person is prevented from earning his living, whether by inability to work or inability to obtain remunerative work, or in which he dies leaving a dependent family, and should include certain associated emergencies, generally experienced, which involved extraordinary strain on limited incomes, in so far as they are not otherwise covered.

6. Compensation should be provided in cases of incapacity for work and of death resulting from employment.

7. In order that the benefits provided by social insurance may be closely adapted to the variety of needs, the contingencies covered should be classified as follows :—

- (a) Sickness ;
- (b) Maternity ;
- (c) Invalidity ;
- (d) Old age ;
- (e) Death of breadwinner ;
- (f) Unemployment ;
- (g) Emergency expenses ; and
- (h) Employment injuries.

Provided that benefits should not be payable at the same time for more than one of the following contingencies : invalidity, old age and unemployment.

8. Supplements for each of the first two children should be added to all benefits payable for loss of earnings, provision for further children being left to be made by means of children's allowances payable out of public funds or under contributory schemes.

9. The contingency for which sickness benefit should be paid is loss of earnings due to abstention from work necessitated on medical grounds by an acute condition, due to disease or injury, requiring medical treatment or supervision.

10. The contingency for which maternity benefit should be paid is loss of earnings due to abstention from work during prescribed periods before and after childbirth.

11. The contingency for which invalidity benefit should be paid is inability to engage in any substantially gainful work by reason of a chronic condition, due to disease or injury, or by reason of the loss of a member or function.

12. The contingency for which old-age benefit should be paid is the attainment of a prescribed age, which should be that at which persons commonly become incapable of efficient work, the incidence of sickness and invalidity becomes heavy, and unemployment, if present, is likely to be permanent.

13. The contingency for which survivors' benefits should be paid is the loss of support presumably suffered by the dependants as the result of the death of the head of the family.

14. The contingency for which unemployment benefits should be paid is loss of earnings due to the unemployment of an insured person who is ordinarily employed, capable of regular employment in some occupation, and seeking suitable employment, or due to part-time unemployment.

15. Benefits should be provided in respect of extraordinary expenses, not otherwise covered, incurred in cases of sickness, maternity, invalidity and death.

16. The contingency for which compensation for an employment injury should be paid is traumatic injury or disease resulting from employment and not brought about deliberately or by the serious and wilful misconduct of the victim, which results in temporary or permanent incapacity or death.

17. Social insurance should afford protection, in the contingencies to which they are exposed, to all employed and self-employed persons, together with their dependants, in respect of whom it is practicable—

(a) To collect contributions without incurring disproportionate administrative expenditure; and

(b) To pay benefits with the necessary co-operation of medical and employment services and with due precautions against abuse.

18. The employer should be made responsible for collecting contributions in respect of all persons employed by him, and should be entitled to deduct the sums due by them from their remuneration at the time when it is paid.

19. In order to facilitate the efficient administration of benefits, arrangements should be made for the keeping of records of contributions, for ready means of verifying the presence of the contingencies which give rise to benefits, and for a parallel organization of medical and employment services with preventive and remedial functions.

20. Persons employed for remuneration should be insured against the whole range of contingencies covered by social insurance as soon as the collection of contributions in respect of them can be organized and the necessary arrangements can be made for the administration of benefit.

21. Self-employed persons should be insured against the contingencies of invalidity, old age and death, under the same conditions as employed persons as soon as the collection of their contributions can be organized. Consideration should be given to the possibility of insuring them also against sickness and maternity necessitating hospitalization, sickness which has lasted for several months, and extraordinary expenses incurred in cases of sickness, maternity, invalidity and death.

22. Benefits should replace lost earnings, with due regard to family responsibilities, up to as high a level as is practicable without impairing the will to resume work where resumption is a possibility, and without levying charges on the productive groups so heavy that output and employment are checked.

23. Benefits should be related to the previous earnings of the insured person on the basis of which he has contributed: Provided that any excess of earnings over those prevalent among skilled workers may be ignored for the purpose of determining the rate of benefits, or portions thereof, financed from sources other than the contributions of the insured person.

24. Benefits at flat rates may be appropriate for countries where adequate and economical facilities exist for the population to procure additional protection by voluntary insurance. Such benefits should be commensurate with the earnings of unskilled workers.

25. The right to benefits other than compensation for employment injuries should be subject to contribution conditions designed to prove that the normal status of the claimant is that of an employed or self-employed person and to maintain reasonable regularity in the payment of contributions: Provided that a person should not be disqualified for benefits by reason of the failure of his employer duly to collect the contributions payable in respect of him.

26. The cost of benefits, including the cost of administration, should be distributed among insured persons, employers and taxpayers in such a way as to be equitable to insured persons and to avoid hardship to insured persons of small means or any disturbance to production.

27. The administration of social insurance should be unified or co-ordinated within a general system of social security services, and contributors should, through their organizations, be represented on the bodies which determine or advise upon administrative policy and propose legislation or frame regulations.

Social Assistance

28. Society should normally co-operate with parents through general measures of assistance designed to secure the well-being of dependent children.

29. Invalids, aged persons and widows who are not receiving social insurance benefits because they or their husbands, as the case may be, were not compulsorily insured, and whose incomes do not exceed a prescribed level, should be entitled to special maintenance allowances at prescribed rates.

30. Appropriate allowances in cash or partly in cash and partly in kind should be provided for all persons who are in want and do not require internment for corrective care.

ANNEX

GUIDING PRINCIPLES ACCOMPANIED BY SUGGESTIONS FOR APPLICATION

(The paragraphs in bold type are the general guiding principles and the subparagraphs are the suggestions for application)⁽¹⁾

GENERAL

1. Income security schemes should relieve want and prevent destitution by restoring, up to a reasonable level, income which is lost by reason of inability to work (including old age) or to obtain remunerative work or by reason of the death of a breadwinner.

⁽¹⁾ In this reprint of the authentic texts, the same type has been used for the general guiding principles and the suggestions for application. The main paragraphs are the general guiding principles, and the subparagraphs are the suggestions for application.

2. Income security should be organized as far as possible on the basis of compulsory social insurance, whereby insured persons fulfilling prescribed qualifying conditions are entitled, in consideration of the contributions they have paid to an insurance institution, to benefits payable at rates, and in contingencies, defined by law.

3. Provision for needs not covered by compulsory social insurance should be made by social assistance; certain categories of persons, particularly dependent children and needy invalids, aged persons and widows, should be entitled to allowances at reasonable rates according to a prescribed scale.

4. Social assistance appropriate to the needs of the case should be provided for other persons in want.

1. SOCIAL INSURANCE

A. CONTINGENCIES COVERED

Range of Contingencies to be covered

5. The range of contingencies to be covered by compulsory social insurance should embrace all contingencies in which an insured person is prevented from earning his living, whether by inability to work or inability to obtain remunerative work, or in which he dies leaving a dependent family, and should include certain associated emergencies, generally experienced, which involve extraordinary strain on limited incomes, in so far as they are not otherwise covered.

6. Compensation should be provided in cases of incapacity for work and of death resulting from employment.

7. In order that the benefits provided by social insurance may be closely adapted to the variety of needs, the contingencies covered should be classified as follows:—

- (a) *Sickness*;
- (b) *Maternity*;
- (c) *Invalidity*;
- (d) *Old age*;
- (e) *Death of breadwinner*;
- (f) *Unemployment*;
- (g) *Emergency expenses*; and
- (h) *Employment injuries*.

Provided that benefits should not be payable at the same time for more than one of the following contingencies: invalidity, old age and unemployment.

8. Supplements for each of the first two children should be added to all benefits payable for loss of earnings, provision for further children being left to be made by means of children's allowances payable out of public funds or under contributory schemes.

Sickness

9. The contingency for which sickness benefit should be paid is loss of earnings due to abstention from work necessitated on medical grounds by an acute condition, due to disease or injury, requiring medical treatment or supervision.

(1) The necessity for abstention from work should be judged, as a rule, with reference to the previous occupation of the insured person, which he may be expected to resume.

(2) Benefit need not be paid for the first few days of a period of sickness, but if sickness recurs within a few months, a fresh waiting period should not be imposed.

(3) Benefit should preferably be continued until the beneficiary is fit to return to work, dies or becomes an invalid. If, however, it is considered necessary to limit the duration of benefit, the maximum period should not be less than 26 weeks for a single case, and provision should be made for extending the duration of benefit in the case of specified diseases, such as tuberculosis, which often involve lengthy, though curable, sickness: Provided that at the outset of the operation of an insurance scheme it may be necessary to provide for a shorter period than 26 weeks.

Maternity

10. The contingency for which maternity benefit should be paid is loss of earnings due to abstention from work during prescribed periods before and after childbirth.

(1) A woman should have the right to leave her work if she produces a medical certificate stating that her confinement will probably take place within six weeks, and no woman should be permitted to work during the six weeks following her confinement.

(2) During these periods maternity benefit should be payable.

(3) Absence from work for longer periods or on other occasions may be desirable on medical grounds having regard to the physical condition of the beneficiary and the exigencies of her work; during any such periods sickness benefits should be payable.

(4) The payment of maternity benefit may be made conditional on the utilization by the beneficiary of health services provided for her and her child.

Invalidity

11. The contingency for which invalidity benefit should be paid is inability to engage in any substantially gainful work by reason of a chronic condition, due to disease or injury, or by reason of the loss of a member or function.

(1) A handicapped person should be expected to engage in any occupation which may reasonably be indicated for him, having regard for his remaining strength and ability, his previous experience, and any facilities for training available to him.

(2) A person for whom such an occupation can be indicated but is not yet available, and a person following a training course, should receive provisional invalidity benefit, training benefit or unemployment benefit, if he is otherwise qualified for it.

(3) A person for whom no such occupation can be indicated should receive invalidity benefit.

(4) Beneficiaries whose permanent inability to engage regularly in any gainful occupation has been confirmed should be allowed to supplement their invalidity benefit by casual earnings of small amount.

(5) Where the rate of invalidity benefit is related to the rate of the previous earnings of the insured person, the right to benefit should be admitted if the handicapped person is not able to earn by ordinary effort as much as one third of the normal earnings in his previous occupation of able-bodied persons having the same training.

(6) Invalidity benefit should be paid, from the date when sickness benefit ceases, for the whole duration of invalidity, provided that when the beneficiary reaches the age at which old-age benefit may be claimed the latter may be substituted for invalidity benefit.

Old Age

12. The contingency for which old-age benefit should be paid is the attainment of a prescribed age, which should be that at which persons commonly become incapable of efficient work, the incidence of sickness and invalidity becomes heavy, and unemployment, if present, is likely to be permanent.

(1) The minimum age at which old-age benefit may be claimed should be fixed at not more than 65 in the case of men and 60 in the case of women : Provided that a lower age may be fixed for persons who have worked for many years in arduous or unhealthy occupations.

(2) Payment of old-age benefit may, if the basic benefit can be considered sufficient for subsistence, be made conditional on retirement from regular work in any gainful occupation ; where such retirement is required, the receipt of casual earnings of relatively small amount should not disqualify for old-age benefit.

Death of Breadwinner

13. The contingency for which survivors' benefits should be paid is the loss of support presumably suffered by the dependants as the result of the death of the head of the family.

(1) Survivors' benefits should be paid : (a) to the widow of an insured man ; (b) for the children, stepchildren, adopted children and, subject to their previous registration as dependants, illegitimate children of an insured man or of an insured woman who supported the children ; and, (c) under conditions to be defined by national laws, to an unmarried woman with whom the deceased cohabited.

(2) Widow's benefit should be paid to a widow who has in her care a child for whom child's benefit is payable or who, at her husband's death or later, is an invalid or has attained the minimum age at which old-age benefit may be claimed ; a widow who does not fulfil one of these conditions should be paid widow's benefit for a minimum period of several months, and thereafter if she is unemployed until suitable employment can be offered to her, after training if necessary.

(3) Child's benefit should be paid for a child who is under the school-leaving age, or who is under the age of 18 and is continuing his general or vocational education.

Unemployment

14. The contingency for which unemployment benefit should be paid is loss of earnings due to the unemployment of an insured person who is ordinarily employed, capable of regular employment in some occupation, and seeking suitable employment, or due to part-time unemployment.

(1) Benefit need not be paid for the first few days of a period of unemployment reckoned from the date on which the claim is registered, but if unemployment recurs within a few months, a fresh waiting period should not be imposed.

(2) Benefit should continue to be paid until suitable employment is offered to the insured person.

(3) During an initial period reasonable in the circumstances of the case, only the following should be deemed to be suitable employment :—

(a) Employment in the usual occupation of the insured person in a place not involving a change of residence and at the current rate of wages, as fixed by collective agreements where applicable ; or

(b) Another employment acceptable to the insured person.

(4) After the expiration of the initial period :—

(a) Employment involving a change of occupation may be deemed to be suitable if the employment offered is one which may reasonably be offered to the insured person, having regard to his strength, ability, previous experience and any facilities for training available to him ;

(b) Employment involving a change of residence may be deemed to be suitable if suitable accommodation is available in the new place of residence ;

(c) Employment under conditions less favourable than the insured person habitually obtained in his usual occupation and district may be deemed to be suitable if the conditions offered conform to the standard generally observed in the occupation and district in which the employment is offered.

Emergency Expenses

15. Benefits should be provided in respect of extraordinary expenses not otherwise covered, incurred in cases of sickness, maternity, invalidity and death.

(1) Necessary domestic help should be provided, or benefit paid for hiring it, during the hospitalization of the mother of dependent children, if she is an insured woman or the wife of an insured man and is not receiving any benefit in lieu of earnings.

(2) A lump sum should be paid at childbirth to insured women and the wives of insured men towards the cost of a layette and similar expenses.

(3) A special supplement should be paid to recipients of invalidity or old-age benefit who need constant attendance.

(4) A lump sum should be paid on the death of an insured person, or of the wife, husband or dependent child of an insured person, towards the cost of burial.

Employment Injuries

16. The contingency for which compensation for an employment injury should be paid is traumatic injury or disease resulting from employment and not brought about deliberately or by the serious and wilful misconduct of the victim which results in temporary or permanent incapacity or death.

(1) Injuries resulting from employment should be deemed to include accidents occurring on the way to or from the place of employment.

(2) Where compensation for an employment injury is payable, the foregoing provisions should be subject to appropriate modifications as indicated in the following paragraphs.

(3) Any disease which occurs frequently only to persons employed in certain occupations or is a poisoning caused by a substance used in certain occupations, should, if the person suffering from such a disease was engaged in such an occupation, be presumed to be of occupational origin and give rise to compensation.

(4) A list of diseases presumed to be of occupational origin should be established and should be revised from time to time by a simple procedure.

(5) In fixing any minimum period of employment in the occupation required to establish the presumption of occupational origin and any maximum period during which the presumption of occupational origin will remain valid after leaving the employment, regard should be had to the length of time required for the contraction and manifestation of the disease.

(6) Temporary incapacity compensation should be payable under conditions similar to those applicable to the payment of sickness benefit.

(7) Consideration should be given to the possibility of paying compensation from the first day of temporary incapacity if the incapacity lasts longer than the waiting period.

(8) Permanent incapacity compensation should be payable in respect of the loss or reduction of earning capacity by reason of the loss of a member or function or by reason of a chronic condition due to injury or disease.

(9) A person who becomes permanently incapacitated should be expected to resume employment in any occupation which may reasonably be indicated for him, having regard to his remaining strength and ability, his previous experience, and any facilities for training available to him.

(10) If no such employment can be offered, the person should receive compensation for total incapacity on a definitive or provisional basis.

(11) If such employment can be offered, but the sum which the person is able to earn by ordinary effort in the employment is significantly less than that which he would probably have earned had he not suffered the injury or disease, he should receive compensation for partial incapacity proportionate to the difference in earning capacity.

(12) Consideration should be given to the possibility of paying suitable compensation in every case of loss of a member or function or disfigurement, even where no reduction of capacity can be proved.

(13) Persons exposed to the risk of an occupational disease of gradual development should be examined periodically, and those for whom a change of occupation is indicated, should be eligible for compensation.

(14) Compensation for permanent incapacity, total or partial, should be paid from the time when temporary incapacity compensation ceases for the whole duration of permanent incapacity.

(15) Persons receiving compensation for permanent partial incapacity should be able to qualify for other benefits under the same conditions as able-bodied persons, where the rates of such benefits are related to the previous earnings of the insured person.

(16) Where the rates of such benefits are not related to the previous earnings of the insured person, a maximum may be fixed for the combined rate of compensation and other benefit.

(17) Survivors' compensation should, subject to the provisions of the following subparagraphs, be paid to the same dependants as could otherwise qualify for survivors' benefits.

(18) A widow should receive compensation for the whole duration of her widowhood.

(19) A child should receive compensation until the age of 18, or 21 if he is continuing his general or vocational education.

(20) Provision should be made for compensating other members of the family of the deceased who were dependent upon him, without prejudice to the claims of the widow and children.

(21) The survivors of a person permanently incapacitated in the degree of two thirds or more who dies otherwise than from the effects of an employment injury should be entitled to basic survivors' benefits, whether or not the deceased fulfilled the contribution conditions for such benefit at the time of his death.

B. PERSONS COVERED

Range of Persons to be covered

17. Social insurance should afford protection, in the contingencies to which they are exposed, to all employed and self-employed persons, together with their dependants, in respect of whom it is practicable —

(a) To collect contributions without incurring disproportionate administrative expenditure ;
and

(b) To pay benefits with the necessary co-operation of medical and employment services and with due precautions against abuse.

(1) Dependent wives (that is to say, wives who are not employed or self-employed) and dependent children (that is to say, persons who are under the school-leaving age, or who are under the age of 18 and are continuing their general or vocational education) should be protected in virtue of the insurance of their bread-winners.

Collection of Contributions

18. The employer should be made responsible for collecting contributions in respect of all persons employed by him, and should be entitled to deduct the sums due by them from their remuneration at the time when it is paid.

(1) Where membership of an occupational association or the possession of a license is compulsory for any class of self-employed persons, the association or the licensing authority may be made responsible for collecting contributions from the persons concerned.

(2) The national or local authority may be made responsible for collecting contributions from self-employed persons registered for the purpose of taxation.

(3) Pending the development of agencies to enforce payment of contributions, provision should be made for enabling self-employed persons to contribute voluntarily, either as individuals or as members of associations.

Administration of Benefits

19. In order to facilitate the efficient administration of benefits, arrangements should be made for the keeping of records of contributions, for ready means of verifying the presence of the contingencies which give rise to benefits, and for a parallel organization of medical and employment services with preventive and remedial functions.

Employed Persons

20. Persons employed for remuneration should be insured against the whole range of contingencies covered by social insurance as soon as the collection of contributions in respect of them can be organized and the necessary arrangements can be made for the administration of benefit.

(1) Persons whose employment is so irregular, or likely to be so short in its total duration, that they are unlikely to qualify for benefit confined to employed persons, may be excluded from insurance for such benefits. Special provision should be made on behalf of persons who ordinarily work for a very short period for the same employer.

(2) Apprentices who receive no remuneration should be insured against employment injuries, and, as from the date at which they would have completed their apprenticeship for their trade, compensation based on the wages current for workers in that trade should become payable.

Self-employed Persons

21. Self-employed persons should be insured against the contingencies of invalidity, old age and death under the same conditions as employed persons as soon as the collection of their contributions can be organized. Consideration should be given to the possibility of insuring them also against sickness and maternity necessitating hospitalization, sickness which has lasted for several months, and extraordinary expenses incurred in cases of sickness, maternity, invalidity, and death.

(1) Members of the employer's family living in his house, other than his dependent wife or dependent children, should be insured against the said contingencies on the basis of either their actual wages or, if these cannot be ascertained, the market value of their services; the employer should be responsible for the payment of contributions in respect of such persons.

(2) Self-employed persons whose earnings are ordinarily so low that they can be presumed to be a merely subsidiary or casual source of income, or that payment of the minimum contribution would be a hardship for them, should be excluded provisionally from insurance and referred for counsel to the employment service or to any special service that may exist for promoting the welfare of the occupational group to which they may belong.

(3) Persons who, after completing the contribution period prescribed as a qualification for invalidity and survivors' benefits, cease to be compulsorily insured, either as employed or as self-employed persons, should be given the option, to be exercised within a limited period, of continuing their insurance under the same conditions as self-employed persons, subject to such modifications as may be prescribed.

C. BENEFIT RATES AND CONTRIBUTION CONDITIONS

Benefit Rates

22. Benefits should replace lost earnings, with due regard to family responsibilities, up to as high a level as is practicable without impairing the will to resume work where resumption is a possibility, and without levying charges on the productive groups so heavy that output and employment are checked.

23. Benefits should be related to the previous earnings of the insured person on the basis of which he has contributed: Provided that any excess of earnings over those prevalent among skilled workers may be ignored for the purpose of determining the rate of benefits, or portions thereof, financed from sources other than the contributions of the insured person.

24. Benefits at flat rates may be appropriate for countries where adequate and economical facilities exist for the population to procure additional protection by voluntary insurance. Such benefits should be commensurate with the earnings of unskilled workers.

(1) Sickness and unemployment benefits should, in the case of unskilled workers, be not less than 40 per cent. of the previous net earnings of the insured person if he has no dependants, or 60 per cent. thereof if he has a dependent wife or housekeeper for his children; for each of not more than two dependent children, an additional 10 per cent. of such earnings, less the amount of any children's allowances for these children, should be payable.

(2) In the case of workers with high earnings, the foregoing proportions of benefit to previous earnings may be somewhat reduced.

(3) Maternity benefit should in all cases be sufficient for the full and healthy maintenance of the mother and her child; it should be not less than 100 per cent. of the current net wage for female unskilled workers or 75 per cent. of the previous net earnings of the beneficiary, whichever is the greater, but may be reduced by the amount of any child's allowance payable in respect of the child.

(4) Basic invalidity and old-age benefits should be not less than 30 per cent. of the current wage commonly recognized for male unskilled workers in the district in which the beneficiary resides, if the beneficiary has no dependants, or 45 per cent. thereof if he has a dependent wife who would be qualified for widow's benefit or a housekeeper for his children; for each of not more than two dependent children, an additional 10 per cent. of such wage, less the amount of any children's allowances for these children, should be payable.

(5) Basic widow's benefit should be not less than 30 per cent. of the current minimum wage commonly recognized for male unskilled workers in the district in which the beneficiary resides; for each of not more than three dependent children, child's benefit at the rate of 10 per cent. of such wage, less the amount of any children's allowances for these children, should be payable.

(6) In the case of an orphan, basic child's benefit should be not less than 20 per cent. of the current minimum wage commonly recognized for male unskilled workers, less the amount of any child's allowance payable in respect of the orphan.

(7) A portion of every contribution additional to those paid as a qualification for basic invalidity, old-age and survivors' benefits may be credited to the insured person for the purpose of increasing the benefits provided for in subparagraphs (4), (5), and (6).

(8) In every case in which retirement is deferred beyond the minimum age at which old-age benefit could have been claimed, basic old-age benefit should be equitably increased.

(9) Compensation for employment injuries should not be less than two thirds of the wages lost, or estimated to have been lost, as the result of the injury.

(10) Such compensation should take the form of periodical payments, except in cases in which the competent authority is satisfied that the payment of a lump sum will be more advantageous to the beneficiary.

(11) Periodical payments in respect of permanent incapacity and death should be adjusted currently to significant changes in the wage level in the insured person's previous occupation.

Contribution Conditions

25. The right to benefits other than compensation for employment injuries should be subject to contribution conditions designed to prove that the normal status of the claimant is that of an employed or self-employed person and to maintain reasonable regularity in the payment of contributions: Provided that a person shall not be disqualified for benefits by reason of the failure of his employer duly to collect the contributions payable in respect of him.

(1) The contribution conditions for sickness, maternity and unemployment benefits may include the requirement that contributions shall have been paid in respect of at least a quarter of a prescribed period, such as two years, completed before the contingency occurs.

(2) The contribution conditions for maternity benefit may include the requirement that the first contribution shall have been paid at least ten months before the expected date of confinement, but even though the contribution conditions are not fulfilled, maternity benefit at the minimum rate should be paid during the period of compulsory abstention from work after confinement, if the claimant's normal status appears, after consideration of the case, to be that of an employed person.

(3) The contribution conditions for basic invalidity, old-age and survivors' benefits may include the requirement that contributions shall have been paid in respect of at least two-fifths of a prescribed period, such as five years, completed before the contingency occurs; payment of contributions in respect of not less than three-quarters of a prescribed period, such as ten years, or of any longer period which has elapsed since entry into insurance, should be recognized as an alternative qualification for benefit.

(4) The contribution conditions for old-age benefit may include the requirement that the first contribution shall have been paid at least five years before the claim for benefit is made.

(5) The right to benefit may be suspended where an insured person wilfully fails to pay any contribution due by him in respect of any period of self-employment or to pay any penalty imposed for late payment of contributions.

(6) The insurance status of an insured person at the date when he becomes entitled to invalidity or old-age benefit should be maintained during the currency of such benefit for the purposes of ensuring him, in the event of recovery from invalidity, as full protection under the scheme as he was entitled to on the occurrence of the invalidity, and of entitling his survivors to survivors' benefits.

D. DISTRIBUTION OF COST

26. The cost of benefits, including the cost of administration, should be distributed among insured persons, employers and taxpayers, in such a way as to be equitable to insured persons and to avoid hardship to insured persons of small means or any disturbance to production.

(1) The contribution of an insured person should not exceed such proportion of his earnings taken into account for reckoning benefits as, applied to the estimated average earnings of all persons insured against the same contingencies, would yield a contribution income the probable present value of which would equal the probable present value of the benefits to which they may become entitled (excluding compensation for employment injuries).

(2) In accordance with this principle the contributions of employed persons and self-employed persons for the same benefits may, as a rule, represent the same proportion of their respective earnings.

(3) A minimum absolute rate, based on the minimum rate of earnings which may be deemed to be indicative of substantial gainful work, may be prescribed for the insured person's contribution with respect to benefits the whole or part of which does not vary with the rate of previous earnings.

(4) Employers should be required to contribute, particularly by subsidizing the insurance of low-wage earners, not less than half the total cost of benefits confined to employed persons, excluding compensation for employment injuries.

(5) The entire cost of compensation for employment injuries should be contributed by employers.

(6) Consideration should be given to the possibility of applying some method of merit rating in the calculation of contributions in respect of compensation for employment injuries.

- (7) The rates of contribution of insured persons and employers should be kept as stable as possible, and for this purpose a stabilization fund should be constituted.
- (8) The cost of benefits which cannot properly be met by contributions should be covered by the community.
- (9) Among the elements of cost which may be charged to the community may be mentioned—
- (a) The contribution deficit resulting from bringing persons into insurance when already elderly ;
 - (b) The contingent liability involved in guaranteeing the payment of basic invalidity, old-age, and survivors' benefits and the payment of adequate maternity benefit ;
 - (c) The liability resulting from the continued payment of unemployment benefit when unemployment persists at an excessive level ; and
 - (d) Subsidies to the insurance of self-employed persons of small means.

E. ADMINISTRATION

27. The administration of social insurance should be unified or co-ordinated within a general system of social security services, and contributors should, through their organizations, be represented on the bodies which determine or advise upon administrative policy and propose legislation or frame regulations.

(1) Social insurance should be administered under the direction of a single authority, subject, in federal countries, to the distribution of legislative competence ; this authority should be associated with the authorities administering social assistance, medical care services and employment services in a co-ordinating body for matters of common interest, such as the certification of inability to work or to obtain work.

(2) The unified administration of social insurance should be compatible with the operation of separate insurance schemes, compulsory or voluntary in character, providing supplementary, but not alternative, benefits for certain occupational groups, such as miners and seamen, public officials, the staffs of individual undertakings and members of mutual benefit societies.

(3) The law and regulations relating to social insurance should be drafted in such a way that beneficiaries and contributors can easily understand their rights and duties.

(4) In devising procedures to be followed by beneficiaries and contributors, simplicity should be a primary consideration.

(5) Central and regional advisory councils, representing such bodies as trade unions, employers' associations, chambers of commerce, farmers' associations, women's associations and child protection societies, should be established for the purpose of making recommendations for the amendment of the law and administrative methods, and generally of maintaining contact between the administration of social insurance and groups of contributors and beneficiaries.

(6) Employers and workers should be closely associated with the administration of compensation for employment injuries, particularly in connection with the prevention of accidents and occupational diseases and with merit rating.

(7) Claimants should have a right of appeal in case of dispute with the administrative authority concerning such questions as the right to benefit and the rate thereof.

(8) Appeals should preferably be referred to special tribunals, which should include referees who are experts in social insurance law, assisted by assessors, representative of the group to which the claimant belongs, and, where employed persons are concerned, by representatives of employers also.

(9) In any dispute concerning liability to insurance or the rate of contribution, for an employed or self-employed person, and where an employer's contribution is in question, an employer should have a right of appeal.

(10) Provision for uniformity of interpretation should be assured by a superior appeal tribunal.

II. SOCIAL ASSISTANCE

A. MAINTENANCE OF CHILDREN

28. Society should normally co-operate with parents through general measures of assistance designed to secure the well-being of dependent children.

(1) Public subsidies in kind or in cash or in both should be established in order to assure the healthy nurture of children, help to maintain large families, and complete the provision made for children through social insurance.

(2) Where the purpose in view is to assure the healthy nurture of children, subsidies should take the form of such advantages as free or below-cost infants' food and school meals and below-cost dwellings for families with several children.

(3) Where the purpose in view is to help to maintain large families or to complete the provision made for children by subsidies in kind and through social insurance, subsidies should take the form of children's allowances.

(4) Such allowances should be payable, irrespective of the parents' income, according to a prescribed scale, which should represent a substantial contribution to the cost of maintaining a child, should allow for the higher cost of maintaining older children, and should, as a minimum, be granted to all children for whom no provision is made through social insurance.

(5) Society as a whole should accept responsibility for the maintenance of dependent children in so far as parental responsibility for maintaining them cannot be enforced.

B. MAINTENANCE OF NEEDY INVALIDS, AGED PERSONS AND WIDOWS

29. Invalids, aged persons and widows who are not receiving social insurance benefits because they or their husbands, as the case may be, were not compulsorily insured, and whose incomes do not exceed a prescribed level, should be entitled to special maintenance allowances at prescribed rates.

- (1) The persons who should be entitled to maintenance allowances should include—
 - (a) Persons belonging to occupational groups, or residing in districts to which social insurance does not yet apply, or has not yet applied for as long as the qualifying period for basic invalidity, old age or survivors' benefits, as the case may be, and the widows and dependent children of such persons; and
 - (b) Persons who are already invalids at the time when they would normally enter insurance.
- (2) Maintenance allowances should be sufficient for full, long-term maintenance; they should vary with the current cost of living, and may vary as between urban and rural areas.
- (3) Maintenance allowances should be paid at the full rate to persons whose other income does not exceed a prescribed level and at reduced rates in other cases.
- (4) The provisions of the present Recommendation defining the contingencies in which invalidity, old-age and survivors' benefits should be paid should be applied, in so far as they are relevant, to maintenance allowances.

C. GENERAL ASSISTANCE

30. Appropriate allowances in cash or partly in cash and partly in kind should be provided for all persons who are in want and do not require internment for corrective care.

(1) The range of cases in which the amount of the allowance is entirely discretionary should be gradually narrowed as the result of the improved classification of cases of want, and the establishment of budgets corresponding to the cost of maintenance in short-term and long-term indigency.

(2) The grant of allowance may be subject to compliance by the recipient with directions given by the authorities administering medical or employment services in order that the assistance may yield its greatest constructive effect.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organization during its Twenty-sixth Session which was held at Philadelphia and declared closed the 12th day of May 1944.

IN FAITH WHEREOF we have appended our signatures, this seventeenth day of May 1944.

The President of the Conference.

W. NASH.

The Acting Director of the International Labour Office.

EDWARD J. PHILAN.

INTERNATIONAL LABOUR CONFERENCE

RECOMMENDATION [No. 68] CONCERNING INCOME SECURITY AND MEDICAL CARE FOR PERSONS DISCHARGED FROM THE ARMED FORCES AND ASSIMILATED SERVICES AND FROM WAR EMPLOYMENT

The General Conference of the International Labour Organization—

Having been convened at Philadelphia by the Governing Body of the International Labour Office, and having met in its Twenty-sixth Session on 20 April 1944, and

Having decided upon the adoption of certain proposals with regard to income security and medical care for persons discharged from the armed forces and assimilated services and from war employment, which is included in the third item on the agenda of the Session, and

Having determined that these proposals shall take the form of a Recommendation, adopts, this twelfth day of May, of the year one thousand nine hundred and forty-four, the following Recommendation which may be cited as the Social Security (Armed Forces) Recommendation, 1944 :—

Whereas persons discharged from the armed forces and assimilated services have been obliged to interrupt their careers and will be faced with initial expenditure in re-establishing themselves in civil life; and

Whereas persons discharged from the armed forces or assimilated services or from war employment may in certain cases remain unemployed for a time before obtaining suitable employment; and

Whereas it is undesirable that persons discharged from the armed forces and assimilated services should find themselves at a disadvantage in respect of pension insurance as compared with persons who have remained in civil employment, and the Invalidity, Old-Age and Survivors' Insurance Recommendation, 1933, while providing for the maintenance of the rights under pension insurance schemes of persons engaged in military service who were insured before beginning such service, does not provide for the attribution of any rights under such schemes to persons not insured before entering military service; and

Whereas it is desirable that persons discharged from the armed forces and assimilated services should be protected by insurance in respect of sickness occurring between their discharge and their re-establishment in civil life by entry into insurable employment or otherwise; and

Whereas it is necessary to make equitable provision in regard to these matters, without prejudice to the satisfaction of other essential needs, such as those of military and civilian war victims, which must also be a charge on the national income :

The Conference recommends the Members of the Organization to apply the following principles and to communicate information to the International Labour Office, as requested by the Governing Body, concerning the measures taken to give effect to these principles :

I. MUSTERING-OUT GRANT

1. Persons discharged from the armed forces and assimilated services should, except in cases in which they have, in virtue of national laws or regulations, continued to receive a substantial part of their remuneration, receive on their discharge a special grant, which may be related to their length of service and should be paid in the form of a lump sum, in the form of periodical payments, or partly in the form of a lump sum and partly in the form of periodical payments.

II. UNEMPLOYMENT INSURANCE AND ASSISTANCE

2. Persons discharged from the armed forces and assimilated services should, so far as is administratively practicable, be treated under unemployment insurance schemes as insured contributors in respect of whom contributions have been paid for a period equal to their period of service. The resulting financial liability should be borne by the State.

3. Where persons discharged from the armed forces and assimilated services or from war employment, as defined by national laws or regulations, exhaust their right to benefit before suitable employment is offered to them, or are not covered by an unemployment insurance scheme, an allowance financed wholly from State funds should be paid until suitable employment is available; the allowance should, if possible, be paid irrespective of need.

III. PENSION AND SICKNESS INSURANCE

4. (1) Where a compulsory insurance scheme providing pensions in case of invalidity, old age or death and covering a substantial part of the working population is in force, periods of service in the armed forces and assimilated services should be reckoned as contribution periods for the purpose of determining whether any requirement in regard to a minimum qualifying period has been fulfilled.

(2) Where the rate of pension varies with the number of contributions credited to the insured person the period of service should be taken into account for the purpose of increasing the rate of pension.

(3) Where contributions are graduated according to remuneration, contributions should be credited in respect of periods of service on the basis of a uniform hypothetical remuneration of reasonable amount: Provided that contributions credited to persons insured immediately before beginning their service may be based on the remuneration which they were receiving at the time if such remuneration was higher than the hypothetical remuneration.

(4) Persons discharged from the armed forces and assimilated services should retain, during the period between their discharge and the time at which they can be considered to be re-established in civil life, their rights in respect of the contributions credited to their account; these rights should be maintained for a period of not less than twelve months.

5. (1) Where a compulsory insurance scheme providing sickness, maternity and medical benefits and covering a substantial part of the working population is in force, persons discharged from the armed forces and assimilated services should be entitled to such benefits in respect of sickness or childbirth occurring during the period between their discharge and the time at which they can be considered to be re-established in civil life; these rights should be maintained for a period of not less than twelve months.

(2) Where the compulsory insurance scheme provides maternity and medical benefits for the dependants of insured persons, discharged persons protected by the scheme should be entitled to such benefits for their dependants.

(3) Where the rate of sickness benefits is proportional to the remuneration of the insured person, the rate of benefit payable to discharged persons should be based on a uniform hypothetical remuneration of reasonable amount.

6. (1) The State should bear the liability created by crediting persons serving in the armed forces or assimilated services with pension insurance contributions and insuring them against sickness pending their re-establishment in civil life: Provided that, where the pay of any class of such persons may, having regard to the value of their subsistence and of dependants' allowances, be considered at least equivalent on the whole to the wages prevailing in industry, a portion of the pension insurance contribution may be deducted from their service pay.

(2) The provisions of subparagraph (1) shall not apply in cases where, in virtue of national laws or regulations, such persons continue to receive, during their service, a substantial part of their remuneration, and the normal contributions required by law continue to be payable in respect of them.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organization during its Twenty-sixth Session which was held at Philadelphia and declared closed the 12th day of May 1944.

IN FAITH WHEREOF we have appended our signatures, this seventeenth day of May 1944.

The President of the Conference.

The Acting Director of the International Labour Office.

W. NASH.

EDWARD J. PHELAN.

INTERNATIONAL LABOUR CONFERENCE

RECOMMENDATION [No. 69] CONCERNING MEDICAL CARE

The General Conference of the International Labour Organization—

Having been convened at Philadelphia by the Governing Body of the International Labour Office, and having met in its Twenty-sixth Session on 20 April 1944, and

Having decided upon the adoption of certain proposals with regard to the question of medical care services which is included in the fourth item on the agenda of the Session, and

Having determined that these proposals shall take the form of a Recommendation, adopts, this twelfth day of May of the year one thousand nine hundred and forty-four, the following Recommendation which may be cited as the Medical Care Recommendation, 1944 :—

Whereas the Atlantic Charter contemplates “ the fullest collaboration between all nations in the economic field with the object of securing for all improved labour standards, economic advancement and social security ”; and

Whereas the Conference of the International Labour Organization, by a resolution adopted on 5 November 1941, endorsed this principle of the Atlantic Charter and pledged the full co-operation of the International Labour Organization in its implementation; and

Whereas the availability of adequate medical care is an essential element in social security ; and
Whereas the International Labour Organization has promoted the development of medical care services—

- By the inclusion of requirements relating to medical care in the Workmen's Compensation (Accidents) Convention, 1925, and the Sickness Insurance (Industry, etc.) and (Agriculture) Conventions, 1927,
- By the communication to the Members of the Organization by the Governing Body of the conclusions of meetings of experts relating to public health and health insurance in periods of economic depression, the economical administration of medical and pharmaceutical benefits under sickness insurance schemes, and guiding principles for curative and preventive action by invalidity, old-age and widows' and orphans' insurance,
- By the adoption by the First and Second Labour Conferences of American States of the resolutions constituting the Inter-American Social Insurance Code, by the participation of a delegation of the Governing Body in the First Inter-American Conference on Social Security which adopted the Declaration of Santiago de Chile, and by the approval by the Governing Body of the Statute of the Inter-American Conference on Social Security, established as a permanent agency of co-operation between social security administrations and institutions acting in concert with the International Labour Office, and
- By the participation of the International Labour Office in an advisory capacity in the framing of social insurance schemes in a number of countries and by other measures ; and

Whereas some Members have not taken such steps as are within their competence to improve the health of the people by the extension of medical facilities, the development of public health programmes, the spread of health education, and the improvement of nutrition and housing, although their need in that respect is greatest, and it is highly desirable that such Members take all steps as soon as possible to reach the international minimum standards and to develop these standards ; and

Whereas it is now desirable to take further steps for the improvement and unification of medical care services, the extension of such services to all workers and their families, including rural populations and the self-employed, and the elimination of inequitable anomalies, without prejudice to the right of any beneficiary of the medical care service who so desires to arrange privately at his own expense for medical care ; and

Whereas the formulation of certain general principles which should be followed by Members of the Organization in developing their medical care services along these lines will contribute to this end :

The Conference recommends the Members of the Organization to apply the following principles, as rapidly as national conditions allow, in developing their medical care services with a view to the implementation of the fifth principle of the Atlantic Charter, and to report to the International Labour Office, as requested by the Governing Body, concerning the measures taken to give effect to these principles.

I. GENERAL

Essential Features of a Medical Care Service

1. A medical care service should meet the need of the individual for care by members of the medical and allied professions and for such other facilities as are provided at medical institutions—
 - (a) With a view to restoring the individual's health, preventing the further development of disease and alleviating suffering, when he is afflicted by ill health (curative care) ; and
 - (b) With a view to protecting and improving his health (preventive care).
2. The nature and extent of the care provided by the service should be defined by law.
3. The authorities or bodies responsible for the administration of the service should provide medical care for its beneficiaries by securing the services of members of the medical and allied professions and by arranging for hospital and other institutional services.
4. The cost of the service should be met collectively by regular periodical payments which may take the form of social insurance contributions or of taxes, or of both.

Forms of Medical Care Service

5. Medical care should be provided either through a social insurance medical care service with supplementary provision by way of social assistance to meet the requirements of needy persons not yet covered by social insurance, or through a public medical care service.
6. Where medical care is provided through a social insurance medical care service—
 - (a) Every insured contributor, the dependent wife or husband and dependent children of every such contributor, such other dependants as may be prescribed by national laws or regulations, and every other person insured by virtue of contributions paid on his behalf, should be entitled to all care provided by the service ;
 - (b) Care for persons not yet insured should be provided by way of social assistance if they are unable to obtain it at their own expense ; and
 - (c) The service should be financed by contributions from insured persons, from their employers, and by subsidies from public funds.
7. Where medical care is provided through a public medical care service—
 - (a) Every member of the community should be entitled to all care provided by the service ;
 - (b) The service should be financed out of funds raised either by a progressive tax specifically imposed for the purpose of financing the medical care service or of financing all health services, or from general revenue.

II. PERSONS COVERED

Complete Coverage

8. The medical care service should cover all members of the community, whether or not they are gainfully occupied.

9. Where the service is limited to a section of the population or to a specified area, or where the contributory mechanism already exists for other branches of social insurance and it is possible ultimately to bring under the insurance scheme the whole or the majority of the population, social insurance may be appropriate.

10. Where the whole of the population is to be covered by the service and it is desired to integrate medical care with general health services, a public service may be appropriate.

Coverage through a Social Insurance Medical Care Service

11. Where medical care is provided through a social insurance medical care service, all members of the community should have the right to care as insured persons or, pending their inclusion in the scope of insurance, should have the right to receive care at the expense of the competent authority when unable to provide it for themselves.

12. All adult members of the community (that is to say, all persons other than children as defined in paragraph 15) should be required to pay insurance contributions if their income is not below the subsistence level. The dependent wife or husband of a contributor should be insured in virtue of the contribution of her or his breadwinner, without any addition on that account.

13. Other adults who prove that their incomes is below the subsistence level, including indigents, should be entitled to care as insured persons, the contribution being paid on their behalf by the competent authority. Rules defining the subsistence level in each country should be laid down by the competent authority.

14. If and so long as adults unable to pay a contribution are not insured as provided for in paragraph 13, they should receive care at the expense of the competent authority.

15. All children (that is to say, all persons who are under the age of 16 years, or such higher age as may be prescribed, or who are dependent on others for regular support while continuing their general or vocational education) should be insured in virtue of the contributions paid by or on behalf of adult insured persons in general, and no additional contribution should be payable on their behalf by their parents or guardians.

16. If and so long as children are not insured as provided for in paragraph 15, because the service does not yet extend to the whole population, they should be insured in virtue of the contribution paid by or on behalf of their father or mother without any additional contribution being payable on their behalf. Children for whom medical care is not so provided should, in case of need, receive it at the expense of the competent authority.

17. Where any person is insured under a scheme of social insurance for cash benefits or is receiving benefit under such a scheme, he and his qualified dependants as defined in paragraph 6, should also be insured under the medical care service.

Coverage through a Public Medical Care Service

18. Where medical care is provided through a public medical care service, the provision of care should not depend on any qualifying conditions, such as payment of taxes or compliance with a means test and all beneficiaries should have an equal right to the care provided.

III. THE PROVISION OF MEDICAL CARE AND ITS CO-ORDINATION WITH GENERAL HEALTH SERVICES

Range of Service

19. Complete preventive and curative care should be constantly available, rationally organized and, so far as possible, co-ordinated with general health services.

Constant Availability of Complete Care

20. Complete preventive and curative care should be available at any time and place to all members of the community covered by the service, on the same conditions, without any hindrance or barrier of an administrative, financial or political nature, or otherwise unrelated to their health.

21. The care afforded should comprise both general-practitioner and specialist out- and in-patient care, including domiciliary visiting; dental care; nursing care at home or in hospital or other medical institutions; the care given by qualified midwives and other maternity services at home or in hospital; maintenance in hospitals, convalescent homes, sanatoria or other medical institutions; so far as possible, the requisite dental, pharmaceutical and other medical or surgical supplies, including artificial limbs; and the care furnished by such other professions as may at any time be legally recognized as belonging to the allied professions.

22. All care and supplies should be available at any time and without time limit when and as long as they are needed, subject only to the doctor's judgment and to such reasonable limitations as may be imposed by the technical organization of the service.

23. Beneficiaries should be able to obtain care at the centres or offices provided, wherever they happen to be when the need arises, whether at their place of residence or elsewhere within the total area in which the service is available, irrespective of their membership in any particular insurance institution, arrears in contributions or of other factors unrelated to health.

24. The administration of the medical care service should be unified for appropriate health areas sufficiently large for a self-contained and well-balanced service, and should be centrally supervised.

25. Where the medical care service covers only a section of the population or is at present administered by different types of insurance institutions and authorities, the institutions and authorities concerned should provide care for their beneficiaries by securing collectively the services of members

of the medical and allied professions, and by the joint establishment or maintenance of health centres and other medical institutions, pending the regional and national unification of the services.

26. Arrangements should be made by the administration of the services for securing adequate hospital and other residential accommodation and care, either by contracts with existing public and approved private institutions, or by the establishment and maintenance of appropriate institutions.

Rational Organization of Medical Care Service

27. The optimum of medical care should be made readily available through an organization that ensures the greatest possible economy and efficiency by the pooling of knowledge, staff, equipment and other resources and by close contact and collaboration among all participating members of the medical and allied professions and agencies.

28. The wholehearted participation of the greatest possible number of members of the medical and allied professions is essential for the success of any national medical care service. The numbers of general practitioners, specialists, dentists, nurses and members of other professions within the service should be adapted to the distribution and the needs of the beneficiaries.

29. Complete diagnostic and treatment facilities, including laboratory and x-ray services, should be available to the general practitioner, and all specialist advice and care, as well as nursing, maternity, pharmaceutical and other auxiliary services, and residential accommodation, should be at the disposal of the general practitioner for the use of his patients.

30. Complete and up-to-date technical equipment for all branches of specialist treatment, including dental care, should be available, and specialists should have at their disposal all necessary hospital and research facilities, and auxiliary out-patient services such as nursing, through the agency of the general practitioner.

31. To achieve these aims, care should preferably be furnished by group practice at centres of various kinds working in effective relation with hospitals.

32. Pending the establishment of, and experiments with, group practice at medical or health centres, it would be appropriate to obtain care for beneficiaries from members of the medical and allied professions practising at their own offices.

33. Where the medical care service covers the majority of the population, medical or health centres may appropriately be built, equipped and operated by the authority administering the service in the health area, in one of the forms indicated in paragraphs 34, 35 and 36.

34. Where no adequate facilities exist or where a system of hospitals with out-patient departments for general-practitioner and specialist treatment already obtains in the health area at the time when the medical care service is introduced, hospitals may appropriately be established as, or developed into, centres providing all kinds of in- and out-patient care and complemented by local outposts for general-practitioner care and for auxiliary services.

35. Where general practice is well developed outside the hospital system while specialists are mainly consultants and working at hospitals, it may be appropriate to establish medical or health centres for non-residential general-practitioner care and auxiliary services, and to centralize specialist in-patient and out-patient care at hospitals.

36. Where general and specialist practice are well developed outside the hospital system, it may be appropriate to establish medical or health centres for all non-residential treatment, general-practitioner and specialist, and all auxiliary services, while cases needing residential care are directed from the centres to the hospitals.

37. Where the medical care service does not cover the majority of the population but has a substantial number of beneficiaries, and existing hospital and other medical facilities are inadequate, the insurance institution, or insurance institutions jointly, should establish a system of medical or health centres which affords all care, including hospital accommodation at the main centres, and, so far as possible, transport arrangements; such centres may be required more particularly in sparsely settled areas with a scattered insured population.

38. Where the medical care service covers too small a section for complete health centres to be an economical means of serving its beneficiaries, and existing facilities for specialist treatment in the area are inadequate, it may be appropriate for the insurance institution, or the institutions jointly, to maintain posts at which specialists attend beneficiaries as required.

39. Where the medical care service covers a relatively small section of the population concentrated in an area with extensive private practice, it may be appropriate for the members of the medical and allied professions participating in the service to collaborate at centres rented, equipped and administered by the members, at which both beneficiaries of the service and private patients receive care.

40. Where the medical care service covers only a small number of beneficiaries who are scattered over a populated area with adequate existing facilities, and voluntary group practice as provided for in paragraph 39 is not feasible, beneficiaries may appropriately receive care from members of the medical and allied professions practising at their own offices, and at public and approved private hospitals and other medical institutions.

41. Travelling clinics in motor vans or aircraft, equipped for first-aid, dental treatment, general examination and possibly other health services such as maternal and infant health services, should be provided for serving areas with a scattered population and remote from towns or cities, and arrangements should be made for the free conveyance of patients to centres and hospitals.

Collaboration with General Health Services

42. There should be available to the beneficiaries of the medical care service all general health services, being services providing means for the whole community and/or groups of individuals to promote and protect their health while it is not yet threatened or known to be threatened, whether such services be given by members of the medical and allied professions or otherwise.

43. The medical care service should be provided in close co-ordination with general health services, either by means of close collaboration of the social insurance institutions providing medical care and the authorities administering the general health services, or by combining medical care and general health services in one public service.

44. Local co-ordination of medical care and general health services should be aimed at either by establishing medical care centres in proximity to the headquarters for general health services, or by establishing common centres as headquarters for all or most health services.

45. The members of the medical and allied professions participating in the medical care service and working at health centres may appropriately undertake such general health care as can with advantage be given by the same staff, including immunization, examination of school children and other groups, advice to expectant mothers and mothers with infants, and other care of a like nature.

IV. THE QUALITY OF SERVICE

Optimum Standard

46. The medical care service should aim at providing the highest possible standard of care, due regard being paid to the importance of the doctor-patient relationship and the professional and personal responsibility of the doctor, while safeguarding both the interests of the beneficiaries and those of the professions participating.

Choice of Doctor and Continuity of Care

47. The beneficiary should have the right to make an initial choice, among the general practitioners at the disposal of the service within a reasonable distance from his home, of the doctor by whom he wishes to be attended in a permanent capacity (family doctor); he should have the same right of choice for his children. These principles should also apply to the choice of a dentist as family dentist.

48. Where care is provided at or from health centres, the beneficiary should have the right to choose his centre within a reasonable distance from his home and to select for himself or his children a doctor and a dentist among the general practitioners and dentists working at this centre.

49. Where there is no centre, the beneficiary should have the right to select his family doctor and dentist among the participating general practitioners and dentists whose office is within a reasonable distance from his home.

50. The beneficiary should have the right subsequently to change his family doctor or dentist, subject to giving notice within a prescribed time, for good reasons, such as lack of personal contact and confidence.

51. The general practitioner or the dentist participating in the service should have the right to accept or refuse a client, but may not accept a number in excess of a prescribed maximum nor refuse such clients as have not made their own choice and are assigned to him by the service through impartial methods.

52. The care given by specialists and members of allied professions, such as nurses, midwives, masseurs and others, should be available on the recommendation, and through the agency, of the beneficiary's family doctor who should take reasonable account of the patient's wishes if several members of the speciality or other profession are available at the centre or within a reasonable distance of the patient's home. Special provision should be made for the availability of the specialist when requested by the patient though not recommended by the family doctor.

53. Residential care should be made available on the recommendation of the beneficiary's family doctor, or on the advice of the specialist, if any, who has been consulted.

54. If residential care is provided at the centre to which the family doctor or specialist is attached, the patient should preferably be attended in the hospital by his own family doctor or the specialist to whom he was referred.

55. Arrangements for the general practitioners or dentists at a centre to be consulted by appointment should be made whenever practicable.

Working Conditions and Status of Doctors and Members of Allied Professions

56. The working conditions of doctors and members of allied professions participating in the service should be designed to relieve the doctor or member from financial anxiety by providing adequate income during work, leave and illness and in retirement, and pensions to his survivors, without restricting his professional discretion otherwise than by professional supervision, and should not be such as to distract his attention from the maintenance and improvement of the health of the beneficiaries.

57. General practitioners, specialists and dentists, working for a medical care service covering the whole or a large majority of the population, may appropriately be employed whole time for a salary, with adequate provision for leave, sickness, old age and death, if the medical profession is adequately represented on the body employing them.

58. Where general practitioners or dentists, engaged in private practice, undertake part-time work for a medical care service with a sufficient number of beneficiaries, it may be appropriate to pay them a fixed basic amount per year, including provision for leave, sickness, old age and death, and increased if desired by a capitation fee for each person or family in the doctor's or dentist's charge.

59. Specialists engaged in private practice who work part time for a medical care service with a considerable number of beneficiaries may appropriately be paid an amount proportionate to the time devoted to such service (part-time salary).

60. Doctors and dentists engaged in private practice who work part time for a medical care service with few beneficiaries only may appropriately be paid fees for services rendered.

61. Among the members of allied professions participating in the service, those rendering personal care may appropriately be employed whole time for salary, with adequate provision for leave, sickness, old age and death, while members furnishing supplies should be paid in accordance with adequate tariffs.

62. Working conditions for members of the medical and allied professions participating in the service should be uniform throughout the country or for all sections covered by the service, and agreed on with the representative bodies of the profession, subject only to such variations as may be necessitated by differences in the exigencies of the service.

63. Provision should be made for the submission of complaints by beneficiaries, concerning the care received and by members of the medical or allied professions concerning their relations with the administration of the service, to appropriate arbitration bodies under conditions affording adequate guarantees to all parties concerned.

64. The professional supervision of the members of the medical and allied professions working for the service should be entrusted to bodies predominantly composed of representatives of the professions participating with adequate provision for disciplinary measures.

65. Where, in the proceedings referred to in paragraph 63, a member of the medical or allied professions working for the service is deemed to have neglected his professional duties, the arbitration body should refer the matter to the supervisory body referred to in paragraph 64.

Standard of Professional Skill and Knowledge

66. The highest possible standard of skill and knowledge should be achieved and maintained for the professions participating both by requiring high standards of education, training and licensing and by keeping up to date and developing the skill and knowledge of those engaged in the service.

67. Doctors participating in the service should be required to have an adequate training in social medicine.

68. Students of the medical and dental professions should, before being admitted as fully qualified doctors or dentists to the service, be required to work as assistants at health centres or offices, especially in rural areas under the supervision and direction of more experienced practitioners.

69. A minimum period as hospital assistant should be prescribed among the qualifications for every doctor entering the service.

70. Doctors wishing to furnish specialist service should be required to have certificates of competence for their speciality.

71. Doctors and dentists participating should be required periodically to attend post-graduate courses organized or approved for this purpose.

72. Adequate periods of apprenticeship at hospitals or health centres should be prescribed for members of allied professions, and post-graduate courses should be organized and attendance periodically required for those participating in the service.

73. Adequate facilities for teaching and research should be made available at the hospitals administered by or working with the medical care service.

74. Professional education and research should be promoted with the financial and legal support of the State.

V. FINANCING OF MEDICAL CARE SERVICE

Raising of Funds under Social Insurance Service

75. The maximum contribution that may be charged to an insured person should not exceed such proportion of his income as, applied to the income of all insured persons, would yield an income equal to the probable total cost of the medical care service, including the cost of care given to qualified dependants as defined in paragraph 6.

76. The contribution paid by an insured person should be such part of the maximum contribution as can be borne without hardship.

77. Employers should be required to pay part of the maximum contribution on behalf of persons employed by them.

78. Persons whose income does not exceed the subsistence level should not be required to pay an insurance contribution. Equitable contributions should be paid by the public authority on their behalf: Provided that in the case of employed persons, such contributions may be paid wholly or partly by their employers.

79. The cost of the medical care service not covered by contributions should be borne by taxpayers.

80. Contributions in respect of employed persons may appropriately be collected by their employers.

81. Where membership of an occupational association or the possession of a license is compulsory for any class of self-employed persons, the association or the licensing authority may be made responsible for collecting contributions from the persons concerned.

82. The national or local authority may be made responsible for collecting contributions from self-employed persons registered for the purpose of taxation.

83. Where a scheme of social insurance for cash benefits is in operation, contributions both under such scheme and under the medical care service may appropriately be collected together.

Raising of Funds under Public Medical Care Service

84. The cost of the medical care service should be met out of public funds.

85. Where the whole population is covered by the medical care service and all health services are under unified central and area administration, the medical care service may appropriately be financed out of general revenue.

86. Where the administration of the medical care service is separate from that of general health services, it may be appropriate to finance the medical care service by a special tax.

87. The special tax should be paid into a separate fund reserved for the purpose of financing the medical care service.

88. The special tax should be progressively graded and should be designed to yield a return sufficient for financing the medical care service.

89. Persons whose income does not exceed the subsistence level should not be required to pay the tax.

90. The special tax may appropriately be collected by the national income tax authorities or, where there is no national income tax, by authorities responsible for collecting local taxes.

Raising of Capital Funds

91. In addition to providing the normal resources for financing the medical care service, measures should be taken to utilize the assets of social insurance institutions, or funds raised by other means, for financing the extraordinary expenditure necessitated by the extension and improvement of the service, more particularly by the building or equipment of hospitals and medical centres.

VI. SUPERVISION AND ADMINISTRATION OF MEDICAL CARE SERVICE

Unity of Health Services and Democratic Control

92. All medical care and general health services should be centrally supervised and should be administered by health areas as defined in paragraph 24, and the beneficiaries of the medical care service, as well as the medical and allied professions concerned, should have a voice in the administration of the service.

Unification of Central Administration

93. A central authority, representative of the community, should be responsible for formulating the health policy or policies and for supervising all medical care and general health services, subject to consultation of, and collaboration with, the medical and allied professions on all professional matters, and to consultation of the beneficiaries on matters of policy and administration affecting the medical care service.

94. Where the medical care service covers the whole or the majority of the population and a central government agency supervises or administers all medical care and general health services, beneficiaries may appropriately be deemed to be represented by the head of the agency.

95. The central government agency should keep in touch with the beneficiaries through advisory bodies comprising representatives of organizations of the different sections of the population, such as trade unions, employers' associations, chambers of commerce, farmers' associations, women's associations and child protection societies.

96. Where the medical care service covers only a section of the population, and a central government agency supervises all medical care and general health services, representatives of the insured persons should participate in the supervision, preferably through advisory committees, as regards all matters of policy affecting the medical care service.

97. The central government agency should consult the representatives of the medical and allied professions, preferably through advisory committees, on all questions relating to the working conditions of the members of the professions participating, and on all other matters primarily of a professional nature, more particularly on the preparation of laws and regulations concerning the nature, extent and provision of the care furnished under the service.

98. Where the medical care service covers the whole or the majority of the population and a representative body supervises or administers all medical care and general health services, beneficiaries should be represented on such body, either directly or indirectly.

99. In this event, the medical and allied professions should be represented on the representative body, preferably in numbers equal to those of the beneficiaries or the government as the case may be; the professional members should be elected by the profession concerned, or nominated by their representatives and appointed by the central government.

100. Where the medical care service covers the whole or the majority of the population and a corporate body of experts established by legislation or by charter supervises or administers all medical care and general health services, such body may appropriately consist of an equal number of members of the medical and allied professions and of qualified laymen.

101. The professional members of the expert body should be appointed by the central government from among candidates nominated by the representatives of the medical and allied professions.

102. The representative executive body or the expert body supervising or administering medical care and general health services should be responsible to the government for its general policy.

103. In the case of a federal state, the central authority referred to in the preceding paragraphs may be either a federal or a state authority.

Local Administration

104. Local administration of medical care and general health services should be unified or co-ordinated within areas formed for the purpose as provided for in paragraph 24, and the medical care service in the area should be administered by or with the advice of bodies representative of the beneficiaries and partly composed of, or assisted by, representatives of the medical and allied professions, so as to safeguard the interests of the beneficiaries and the professions, and secure the technical efficiency of the service and the professional freedom of the participating doctors.

105. Where the medical care service covers the whole or the majority of the population in the health area, all medical care and general health services may appropriately be administered by one area authority.

106. Where, in this event, the area government administers the health services on behalf of the beneficiaries, the medical and allied professions should participate in the administration of the medical care service, preferably through technical committees elected by the professions or appointed by the area or central government from among nominees of the professions concerned.

107. Where a medical care service covering the whole or the majority of the population in the health area is administered by a representative body, the area government, on behalf of the beneficiaries, and the medical and allied professions in the area, should be represented on such body preferably in equal numbers.

108. Where the medical service is administered by area offices or officers of the central authority, the medical and allied professions in the area should participate in the administration, preferably through executive technical committees, elected or appointed in the manner provided for in paragraph 106.

109. Whatever the form of the area administration, the authority administering the medical care service should keep in constant touch with the beneficiaries in the area through advisory bodies, elected by representative organizations of the different sections of the population, in the manner provided for in paragraph 95.

110. Where the social insurance medical care service covers only a section of the population, administration of that service may appropriately be entrusted to a representative executive body responsible to the government, and comprising representatives of the beneficiaries, of the medical and allied professions participating in the service and of the employers.

Administration of Health Units

111. Health units owned and operated by the medical care service, such as medical or health centres or hospitals, should be administered under democratic control with adequate provisions for the participation of the medical profession, or wholly or predominantly by doctors elected by, or appointed after consultation of, the members of the medical and allied professions participating in the medical care service, in co-operation with all the doctors working at the unit.

Right of Appeal

112. Beneficiaries or members of the medical or allied professions who have submitted complaints to the arbitration body referred to in paragraph 63 should have a right of appeal from the decisions of such body to an independent tribunal.

113. Members of the medical and allied professions against whom disciplinary measures have been taken by the supervisory body referred to in paragraph 64 should have a right of appeal from the decisions of such body to an independent tribunal.

114. Where the supervisory body referred to in paragraph 64 takes no disciplinary action on a matter referred to it by the arbitration body, in accordance with paragraph 65, the interested parties should have a right of appeal to an independent tribunal.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organization during its Twenty-sixth Session which was held at Philadelphia and declared closed the 12th day of May, 1944.

IN FAITH WHEREOF we have appended our signatures, this seventeenth day of May 1944.

The President of the Conference.

W. NASH.

The Acting Director of the International Labour Office.

EDWARD J. PHELAN.

INTERNATIONAL LABOUR CONFERENCE

RECOMMENDATION [No. 70] CONCERNING MINIMUM STANDARDS OF SOCIAL POLICY IN DEPENDENT TERRITORIES

The General Conference of the International Labour Organization—

Having been convened at Philadelphia by the Governing Body of the International Labour Office, and having met in its Twenty-sixth Session on 20 April 1944, and

Having decided upon the adoption of certain proposals with regard to minimum standards of social policy in dependent territories, which is the fifth item on the agenda of the Session, and

Having determined that these proposals shall take the form of a Recommendation,

adopts, this twelfth day of May of the year one thousand nine hundred and forty-four, the following Recommendation, which may be cited as the Social Policy in Dependent Territories Recommendation, 1944 :—

Whereas the economic advancement and social progress of the peoples of dependent territories have become increasingly a matter of close and urgent concern to the States responsible for their administration ; and

Whereas the International Labour Organization has from its inception endeavoured to assist the efforts towards this end of governments, employers and workers ; and

Whereas the Atlantic Charter has expressed the desire of the signatories “ to bring about the fullest collaboration between all nations in the economic field with the object of securing, for all, improved labour standards, economic advancement and social security ” ; and

Whereas the Conference of the International Labour Organization, by a Resolution adopted on 5 November 1941, endorsed the principles of the Atlantic Charter and pledged the full co-operation of the International Labour Organization in their implementation ; and

Whereas the International Labour Organization has from time to time adopted Conventions and Recommendations dealing with special aspects of the conditions of life and labour in dependent territories and has promoted the application to such territories, in accordance with Article 35 of the Constitution of the Organization, of Conventions and Recommendations of general application ; and

Whereas the progress of the well-being and development of dependent peoples is influenced by the economic relations between the dependent territories and the rest of the world, as well as by measures taken within the dependent territories ; and

Whereas it is desirable to state the fundamental principles of social policy in dependent territories, and to provide for the extension of the application to such territories of accepted international minimum standards and for the improvement of these standards, in order to promote the attainment of the aforesaid objects ;

The Conference makes the following recommendations :—

1. Each Member of the International Labour Organization should take or continue to take such steps as are within its competence to promote the well-being and development of the peoples of dependent territories through the effective application of the general principles set forth in Part I of the Annex to this Recommendation.

2. Each Member of the Organization which is responsible for any dependent territory should take all steps within its competence to secure the effective application in each such territory of the minimum standards set forth in Part II of the Annex to this Recommendation, and in particular should bring this Recommendation before the authority or authorities competent to make effective in each such territory the minimum standards set forth in Part II of the Annex.

3. Each Member of the Organization should, if it approves this Recommendation, notify the Director of the International Labour Office of its acceptance of the general principles set forth in Part I of the Annex; should communicate to the Director at the earliest possible date particulars of the action taken to make effective the minimum standards set forth in Part II of the Annex in respect of each dependent territory for which the Member in question is responsible; and thereafter should report to the International Labour Office from time to time, as requested by the Governing Body, concerning the action taken to give effect to the Recommendation.

4. The standards set forth in Part II of the Annex to this Recommendation should be regarded as minimum standards, which do not qualify or impair any obligation to apply higher standards incumbent upon any Member of the Organization under the Constitution of the Organization or under any International Labour Convention which the Member may have ratified, and should in no case be so interpreted or applied as to lessen the protection afforded by existing legislation to the workers concerned.

ANNEX

PART I.—GENERAL PRINCIPLES

Article 1

1. All policies designed to apply to dependent territories shall be primarily directed to the well-being and development of the peoples of such territories and to the promotion of the desire on their part for social progress.

2. Policies of more general application shall be formulated with due regard to their effect upon the well-being of dependent peoples.

Article 2

1. In order to promote economic advancement and thus to lay the foundations of social progress, every effort shall be made to secure, on an international, regional, national or territorial basis, financial and technical assistance in the economic development of dependent territories under the control of the local administrations, in such a way as to safeguard the interests of the peoples of dependent territories.

2. It shall be an aim of policy for all government authorities to ensure that adequate funds are made available to provide capital for development purposes on terms which secure to the peoples of the dependent territories the full benefits of such development.

3. In appropriate cases international, regional or national action shall be taken with a view to establishing conditions of trade sufficient for the maintenance of reasonable standards of living for producers efficiently producing the essential export products of dependent territories.

Article 3

All possible steps shall be taken by appropriate international, regional, national and territorial measures to promote improvement in such fields as public health, housing, nutrition, education, the welfare of children, the status of women, conditions of employment, the remuneration of wage earners and independent producers, migratory labour, social security, standards of public services and general production. These steps shall include the adoption of appropriate commercial and trading policies by countries on which dependent territories depend.

Article 4

All possible steps shall be taken effectively to associate the peoples of the dependent territories in the framing and execution of measures of social progress, preferably through their own elected representatives where appropriate and possible.

PART II.—MINIMUM STANDARDS

SECTION 1.—SLAVERY

Article 5

In pursuance of the objective of free labour in a free world, the principle is affirmed that the slave trade and slavery in all its forms shall be prohibited and effectively suppressed in all dependent territories.

SECTION 2.—OPIUM

Article 6

1. In recognition of the menace which the use of opium may represent to the health, productivity and general welfare of the peoples of dependent territories, the principle is affirmed that the traffic in opium and other dangerous drugs shall be strictly regulated in such manner as to protect fully the interests of the workers.

2. Consideration shall be given to the prohibition of opium smoking and the abolition of government opium monopolies in all dependent territories where opium smoking is still authorized.

SECTION 3.—FORCED OR COMPULSORY LABOUR

Article 7

1. The use of forced or compulsory labour in dependent territories, which may have been inaugurated during the present war emergency, shall be eliminated entirely within the shortest possible period. In the meantime measures shall be adopted in dependent territories to increase the spontaneous offer of labour.

2. The use of forced or compulsory labour in all its forms shall be suppressed within the shortest possible period.

3. Where forced or compulsory labour is used in dependent territories as a temporary and exceptional measure the conditions and guarantees provided for in the Forced Labour Convention, 1930, shall be respected. In no case shall the use of forced or compulsory labour by private employers be permitted, irrespective of whether or not the State contracts with the employers.

4. Consideration shall be given to the possibility of eliminating or withdrawing any exceptions to the application in dependent territories of all the provisions of the Forced Labour Convention, 1930.

5. Consideration shall be given to the application of the Forced Labour Convention, 1930, to those dependent territories where forced or compulsory labour may occur in respect of which the Convention is not already in force.

6. Consideration shall be given to the desirability of ratifying the Forced Labour Convention, 1930, by such states responsible for dependent territories where forced or compulsory labour may occur as have not already done so.

Article 8

With a view to avoiding the development of indirect compulsion to labour, consideration shall be given to the application of the principles set forth in the Forced Labour (Indirect Compulsion) Recommendation, 1930.

SECTION 4.—RECRUITING OF WORKERS

Article 9

1. It shall be an aim of policy to eliminate the recruiting of workers and to replace such recruiting by arrangements which, though based upon the spontaneous offer of labour through free agencies controlled by government, provide for medical inspection, transport, food and shelter and all other benefits accruing to workers under existing systems.

2. Pending the formulation of any new proposals concerning the methods of obtaining labour and with a view to the more rapid promotion of a change over to the new methods contemplated, consideration shall be given to the application of the principles contained in the Elimination of Recruiting Recommendation, 1936.

Article 10

1. Consideration shall be given to the application of the Recruiting of Indigenous Workers Convention, 1936, to those dependent territories where recruiting may occur in respect of which the Convention is not already in force.

2. Consideration shall be given to the desirability of ratifying the Recruiting of Indigenous Workers Convention, 1936, by such states responsible for dependent territories where recruiting may occur as have not already done so.

SECTION 5.—SPECIAL TYPES OF CONTRACT OF EMPLOYMENT

Article 11

1. It shall be an aim of policy to regulate long-term employment by a system of written contracts in the cases required by and in accordance with the provisions of the Contracts of Employment (Indigenous Workers) Convention, 1939.

2. Consideration shall be given to the application of the Contracts of Employment (Indigenous Workers) Convention, 1939, to those dependent territories where employment under long-term contract may occur in respect of which the Convention is not already in force.

3. Consideration shall be given to the desirability of ratifying the Contracts of Employment (Indigenous Workers) Convention, 1939, by such states responsible for dependent territories where employment under long-term contract may occur as have not already done so.

Article 12

With a view to the definite limitation of periods of service under contract, consideration shall be given to the application of the principles set forth in the Contracts of Employment (Indigenous Workers) Recommendation, 1939.

Article 13

1. All practicable steps shall be taken to equate supply and demand in areas where some casual employment is inevitable and to guard against undesirable attraction of casual labour to centres of potential employment.

2. Measures, such as short-term labour agreements, shall be considered in order to secure the maximum employment for labour normally available at such centres.

Article 14

1. The practice of entering statements of a subjective nature on the worker's conduct or ability in work-cards or work-books required by law to be carried on the person of the worker shall be eliminated.

2. The use of work-cards or work-books shall be regulated to prevent their use as a device of intimidation or compulsion in employment.

Article 15

Where a married man is employed on contract within his own country but at a considerable distance from his home, the competent authority shall take all practical steps in appropriate cases to afford him full opportunity to be accompanied if he so desires by his wife and family.

SECTION 6.—PENAL SANCTIONS

Article 16

1. It shall be an aim of policy to abolish penal sanctions for breach of contract of employment as defined in Article 1 of the Penal Sanctions (Indigenous Workers) Convention, 1939.

2. Consideration shall be given to the application of the Penal Sanctions (Indigenous Workers) Convention, 1939, to those dependent territories where the imposition of penal sanctions may occur in respect of which the Convention is not already in force.

3. Consideration shall be given to the desirability of ratifying the Penal Sanctions (Indigenous Workers) Convention, 1939, by such states responsible for dependent territories where the imposition of penal sanctions may occur as have not already done so.

SECTION 7.—EMPLOYMENT OF CHILDREN AND YOUNG PERSONS

Article 17

1. Adequate provision shall be made in dependent territories, to the maximum extent possible under local conditions, for the progressive development of broad systems of education, vocational training and apprenticeship, with a view to the elimination of illiteracy among children and young persons and to their effective preparation for a useful occupation.

2. In order that the child population may be able to profit by existing facilities for education and in order that the extension of these facilities may not be hindered by a demand for child labour, the employment of persons below the school-leaving age shall be prohibited in any area where educational facilities are provided on a scale adequate for the majority of the children of school age.

Article 18

1. Children under the age of twelve years shall not be employed in any employment, except on light work of an agricultural or domestic character in which only members of the employer's family are employed or except on agricultural light work carried on collectively by the local community. This age shall be progressively raised along with the school-leaving age.

2. Where the transfer of children to the family of an employer is permitted by custom the conditions of transfer and of employment shall be closely regulated and supervised, whether the children are above or below twelve years of age. The progressive abolition of all such transfers shall be an aim of policy for all dependent territories.

Article 19

Children under the age of fifteen years shall not be employed or work in any industrial undertaking or in any branch thereof.

Article 20

Children under the age of fifteen years shall not be employed or work on vessels.

Article 21

1. Young persons under the age of sixteen years shall not be employed underground in mines.

2. The employment underground in mines of young persons who have attained the age of sixteen years but not that of eighteen years shall be conditional on the production of a medical certificate attesting fitness for such work, signed by a doctor who shall be approved by the competent authority.

Article 22

1. Young persons under the age of eighteen years shall not be employed or work on vessels as trimmers or stokers.

2. When a trimmer or stoker is required in a port where young persons of less than eighteen years of age only are available, such young persons may be employed and in that case it shall be necessary to engage two young persons in place of the trimmer or stoker required. Such young persons shall be at least sixteen years of age.

3. Provided that the provisions of this Article do not apply—

- (a) To the employment of young persons on vessels mainly propelled by other means than steam;
- (b) To young persons of not less than sixteen years of age who, if found physically fit after medical examination, may be employed as trimmers or stokers on vessels exclusively engaged on coastal trade.

Article 23

The provisions of Articles 18(1), 19 and 20 do not apply to work, approved and supervised by the competent authority, done by children or young persons in *bona fide* state or private technical schools or school ships or training ships having prescribed courses of study and reasonable limits on the length of time in which students may remain in training or apprenticeship.

Article 24

1. In the case of unhealthy, dangerous or onerous work, minimum ages higher than those required in virtue of Articles 18 (1) and 19 shall be fixed, or the hours of work of children between the minimum age of employment and an appropriate higher age shall be subject to special limitations, or other special protection shall be afforded.

2. Special protection shall be provided for children who are permitted to undertake employment away from their homes.

Article 25

1. Young persons under eighteen years of age shall not be employed during the night in any industrial undertaking, or in any branch thereof.

2. Provided that young persons over the age of sixteen years may be employed during the night in exceptional circumstances defined by the competent authority.

Article 26

1. The employment of any young person under eighteen years of age on any vessel shall be conditional on the production of a medical certificate attesting fitness for such work, signed by a doctor who shall be approved by the competent authority.

2. In urgent cases the competent authority may allow a young person below the age of eighteen years to embark without having undergone medical examination, always provided that such an examination shall be undergone, at the expense of the employer, at the first port at which the vessel calls, and that failing satisfactory medical attestation the young person shall be returned as a passenger to the port or place where he was engaged or to his home, whichever is the nearer, at the expense of the employer.

Article 27

In developing systems of education suited to the economic and social interests of the communities, consideration shall be given to the application of the principles set forth in the Vocational Training Recommendation, 1939, so far as this is practicable and appropriate to local circumstances.

Article 28

To assist in the application of the provisions of this Section, administrative bodies or officers shall be appointed. The appointment and establishment of these administrative bodies or officers shall be made in accordance with practices successfully adopted in metropolitan or independent countries.

SECTION 8.—EMPLOYMENT OF WOMEN

Article 29

It shall be an aim of policy for all competent authorities to take such measures as, having due regard to local conditions, are appropriate and practicable to secure for women : adequate opportunities of general education, vocational training and employment ; safeguards against physically harmful conditions of employment and economic exploitation including safeguards for motherhood ; protection against any special forms of exploitation, and fair and equal treatment between men and women as regards remuneration and other conditions of employment.

Article 30

All practicable steps shall be taken to improve the social and economic status of women in any dependent territory where, whether by law or custom, arrangements survive which in effect maintain women in, or reduce women to, a condition of servitude.

Article 31

1. Provision shall be made as rapidly as possible for maternity protection for women employed in industrial and commercial undertakings.

2. In so doing the aim shall be to give effect, subject to such modifications as may be necessary in the light of local conditions, to the provisions of the Childbirth Convention, 1919, and in particular to the following principles :—

- (a) The right to be absent from employment before and after childbirth ;
- (b) The right to medical assistance and benefits during such absence.

Article 32

1. Women shall not be employed during the night in any industrial undertaking, or in any branch thereof.

2. Provided that women may be employed during the night—

- (a) In cases where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration ; and
- (b) When in any undertaking an emergency occurs which it was impossible to foresee and which is not of a recurring character.

3. Provided also that the prohibition of night work may be suspended, when in case of serious emergency the public interest demands it.

4. The provisions of this Article do not apply to women holding responsible positions of management who are not ordinarily engaged in manual work.

Article 33

1. Women shall not be employed on underground work in any mine.
2. Provided that the competent authority may grant exemptions from the above prohibition in respect of—
 - (a) Women holding positions of management who do not perform manual work ;
 - (b) Women employed in health and welfare services ;
 - (c) Women who, in the course of their studies, spend a period of training in the underground parts of a mine ; and
 - (d) Any other woman who may occasionally have to enter the underground parts of a mine for the purpose of a non-manual occupation.

Article 34

In order to promote the application of measures relating to the employment and economic status of women and their welfare, use shall be made of women advisers where questions especially affecting women are to be considered. The women advisers shall, whenever possible, be drawn from the local population.

SECTION 9.—REMUNERATION

Article 35

1. The improvement of standards of living shall be regarded as the principal objective in the planning of economic development.
2. All practicable measures appropriate to local conditions shall be taken to secure for independent producers and wage earners conditions which will ensure the maintenance of minimum standards of living as ascertained by means of official enquiries into living conditions and will give scope to independent producers and wage earners to improve those standards by their own efforts.
3. Forms of economic enterprise which require the labour of workers living away from their homes shall take account of the normal family needs of the workers.
4. Where the labour resources of other areas are used on a temporary basis for the benefit of one area, measures shall be taken to encourage the transfer of part of the workers' wages and savings from the area of labour utilization to the areas of labour supply.
5. Where workers and their families move from low-cost to higher cost areas, account shall be taken of the increased cost of living resulting from the change.
6. The substitution of alcohol or other spirituous beverages for all or any part of wages for services performed by the workers shall be prohibited.

Article 36

All public works, whether undertaken directly by a public authority or through a contract entered into between a public authority and an employer, shall be subject to the requirement that the rate of wages and the general conditions of employment shall be not less than the prevailing rates and conditions, and shall where practicable be fixed after consultation with any employers' and workers organizations concerned.

SECTION 10.—HEALTH, HOUSING AND SOCIAL SECURITY

Article 37

1. All practicable measures shall be taken to improve the health of the people by the extension of medical facilities, by the development of public health programmes, by surveys of epidemic and endemic diseases prevalent in tropical dependent territories and by the introduction of appropriate measures of combating them, by the spread of health education and the improvement of nutrition and housing.
2. All practicable measures shall be taken to ascertain by nutritional surveys the food requirements of the people and the ways of improving nutrition and to give effect to the food policies which such surveys indicate. National nutritional organizations shall be set up and shall be provided with adequate funds, facilities and authority.
3. The competent authority shall be responsible for ensuring the establishment of satisfactory housing conditions. The general aim of policy shall be to provide workers normally dependent on wage earning with the opportunity of securing satisfactory housing accommodation on premises not the property of the employer.
4. Where an undertaking employing labour is situated in an area where satisfactory housing accommodation is not available, the provision of housing may be made an obligation on the undertaking on an equitable basis. In such cases the competent authority shall define the minimum standards of accommodation and shall exercise strict control over the enforcement of these standards. The competent authority shall also define the rights of the worker who may be required to vacate his house on leaving employment and shall take all necessary steps to secure the enforcement of these rights.

Article 38

Such arrangements as are practicable, having due regard to local conditions, shall be made for the maintenance and treatment of the sick and for the care of the aged, of the incapacitated and of the dependent survivors of deceased persons

Article 39

1. Provision shall be made by law for the payment of compensation to employed persons in case of incapacity for work caused by accidents arising out of and in the course of their employment, and to their dependent survivors in case of death caused by such accidents, and for the medical care of persons injured by such accidents.

2. The laws and regulations concerning workmen's compensation shall apply to all workers, employees and apprentices employed on vessels and by industrial, commercial, and agricultural undertakings.

3. Provided that exceptions may be made in respect of—

- (a) Persons whose employment is of a casual nature and who are employed otherwise than for the purpose of the employer's trade or business;
- (b) Out-workers;
- (c) Members of the employer's family who work exclusively on his behalf and who live with him;
- (d) Non-manual workers whose remuneration exceeds a limit to be determined by laws or regulations.

Article 40

1. Compensation shall be payable to workers incapacitated by occupational diseases, or, in case of death from any such disease to their dependants, in accordance with the general principles of workmen's compensation.

2. Provided that such compensation may be limited to the occupational diseases of chief importance in the territory concerned.

SECTION. 11.—PROHIBITION OF COLOUR AND RELIGIOUS BARS AND OTHER DISCRIMINATORY PRACTICES

Article 41

1. The standards set by law in each territory with respect to conditions of labour shall have due regard to the equitable economic treatment of all workers lawfully resident or working therein.

2. Discrimination directed against workers for reason of race, colour, confession or tribal association, as regards their admission to public or private employment shall be prohibited.

3. All measures practicable under local conditions shall be taken to promote effective equality of treatment in employment by the provision of facilities for training, by the discouragement of discrimination in the negotiation of collective agreements or on grounds of trade union membership, and by other appropriate means.

SECTION 12.—INSPECTION

Article 42

1. Labour inspection services shall be established in territories where such services do not already exist. Inspectors shall be required to inspect conditions of employment at frequent intervals.

2. The inspectors shall have no direct or indirect interest in undertakings subject to their supervision.

3. Workers and their representatives shall be afforded every facility for communicating freely with the inspectors.

SECTION 13.—INDUSTRIAL ORGANIZATION

Article 43

1. The rights of employers and employed alike to associate for all lawful purposes shall be guaranteed by appropriate measures.

2. All practicable measures shall be taken to consult and associate the representatives of organizations of employers and workers in the establishment and working of machinery for conciliation, arbitration, minimum wage fixing and labour inspection. Where representative organizations of workers have not developed, the competent authority shall appoint persons specially qualified to act on behalf of the workers and by advice and guidance to assist in the early development of workers' organizations.

3. All practicable measures shall be taken to assure to trade unions which are representative of the workers concerned the right to conclude collective agreements with employers or employers' organizations.

Article 44

1. As rapidly as possible, machinery shall be created for the settlement of collective disputes between employers and workers.

2. Representatives of the employers and workers concerned, including representatives of their respective organizations, where such exist, shall where practicable, be associated in the operation of the machinery, in such manner and to such extent, but in any case in equal numbers and on equal terms, as may be determined by the competent authority.

SECTION 14.—CO-OPERATIVE ORGANIZATIONS

Article 45

1. The assistance and development of co-operative societies, including co-operative organizations of workers for the promotion of health, housing and education, shall be accepted as part of the economic programme of competent authorities in dependent territories, and the measures to be taken shall include financial assistance wherever this is appropriate.

2. To this end consideration shall be given to—

- (a) The adoption of adequate legislation, simple and inexpensive in application, covering all forms of co-operative organizations;
- (b) The creation of special services to promote and supervise the development of co-operative organizations and to encourage education in co-operation.

3. In appropriate cases co-operative organizations shall be effectively represented on public boards and agencies affecting their interests.

SECTION 15.—DEFINITIONS AND SCOPE

Article 46

For the purposes of this Part of the present Annex—

- (a) The term “agricultural undertaking” may be defined so as to include processes conducted on the undertaking for the preservation and despatch of the agricultural products of the undertaking, unless it is desired to classify these processes as parts of an industrial undertaking;
- (b) The term “commercial undertaking” includes—
 - (i) Commercial establishments and offices, including establishments engaging wholly or mainly in the sale, purchase, distribution, insurance, negotiation, loan, or administration of goods or services of any kind;
 - (ii) Establishments for the treatment or care particularly of the aged, infirm, sick, destitute, or mentally unfit;
 - (iii) Hotels, restaurants, boarding houses, clubs, cafés and other refreshment houses;
 - (iv) Theatres and places of public amusements; and
 - (v) Any establishment similar in character to those enumerated in subparagraphs (i), (ii), (iii), and (iv) above;
- (c) The term “industrial undertaking” includes—
 - (i) Undertakings in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including undertakings engaged in shipbuilding, in the generation, transformation, or transmission of electricity, in the production or distribution of gas or motive power of any kind, in the purification or distribution of water, or in heating;
 - (ii) Undertakings engaged in the construction, reconstruction, maintenance, repair, alteration, or demolition of any one or more of the following: buildings, railways, tramways, airports, harbours, docks, piers, works of protection against floods or coast erosion, canals, works for the purpose of inland, maritime or aerial navigation, roads, tunnels, bridges, viaducts, sewers, drains, wells, irrigation or drainage works, telecommunication installations, works for the production or distribution of electricity or gas, pipelines, waterworks, and undertakings engaged in other similar work or in the preparation for or laying the foundations of any such work or structure;
 - (iii) Mines, quarries or other works for the extraction of minerals from the earth; and
 - (iv) Undertakings engaged in the transport of passengers or goods, excluding transport by hand, unless such undertakings are regarded as parts of the operation of an agricultural or commercial undertaking;
- (d) The terms “agricultural undertaking”, “commercial undertaking” and “industrial undertaking” include both public and private undertakings;
- (e) The term “vessel” includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned, excluding ships of war; it may be interpreted as excluding vessels of less than a specified tonnage and carrying a crew of less than a specified number;
- (f) The term “night” signifies a period of at least eleven consecutive hours: Provided that in those tropical countries in which work is suspended during the middle of the day, the night period may be shorter if compensatory rest is accorded during the day;
- (g) Provisions prescribing a minimum age may be interpreted as relating to an apparent minimum age where records of birth are inadequate.

Article 47

The competent authority may exclude from the application of the provisions of this Part of the present Annex undertakings or vessels in respect of which, from their nature and size, adequate supervision may be impracticable.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organization during its Twenty-sixth Session which was held at Philadelphia and declared closed the 12th day of May 1944.

IN FAITH WHEREOF we have appended our signatures, this seventeenth day of May 1944.

The President of the Conference.

W. NASH.

The Acting Director of the International Labour Office.

EDWARD J. PHELAN.

INTERNATIONAL LABOUR CONFERENCE

RECOMMENDATION [No. 71] CONCERNING EMPLOYMENT ORGANIZATION IN
THE TRANSITION FROM WAR TO PEACE

The General Conference of the International Labour Organization—

Having been convened at Philadelphia by the Governing Body of the International Labour Office, and having met in its Twenty-sixth Session on 20 April 1944, and

Having decided upon the adoption of certain proposals with regard to the organization of employment in the transition from war to peace 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 twelfth day of May, of the year one thousand nine hundred and forty-four, the following Recommendation which may be cited as the Employment (Transition from War to Peace) Recommendation, 1944 :—

Whereas the promotion of full employment with a view to satisfying the vital needs of the population and raising the standard of living throughout the world is a primary objective of the International Labour Organization ;

Whereas in order to achieve full employment economic measures providing employment opportunities must be supplemented by effective organization to help employers to secure the most suitable workers, to help workers to find the most suitable employment, and generally to ensure that, at any given moment, the necessary skills are available and are distributed satisfactorily among the various branches of production and the various areas ; and

Whereas the character and magnitude of the employment adjustments required during the transition from war to peace will necessitate special action, more particularly for the purpose of facilitating the re-employment of demobilized members of the armed forces, discharged war workers, and all persons whose usual employment has been interrupted as a result of the war, enemy action, or resistance to the enemy or enemy-dominated authorities, by assisting the persons concerned to find without delay the most suitable employment ;

The Conference recommends the Members of the Organization to apply the following general principles, and in so doing to take into account, according to national conditions, the suggested methods of application, and to communicate information to the International Labour Office, as requested by the Governing Body, concerning the measures taken to give effect to these principles.

GENERAL PRINCIPLES

I. Each Government should collect whatever information is necessary regarding workers seeking or likely to be seeking employment and regarding prospective employment opportunities, with a view to ensuring the most rapid reabsorption or redistribution in suitable employment of all persons who desire to work.

II. The demobilization of the armed forces and of assimilated services and the repatriation of prisoners of war, persons who have been deported, and others, should be planned with the objective of maximum fairness to individuals and maximum opportunities for satisfactory re-establishment in civil life.

III. National programmes for industrial demobilization and reconversion should be planned, in co-operation with employers' and workers' organizations, and other adequate measures taken, in such manner as to facilitate the most rapid attainment of full employment for the production of needed goods and services.

IV. In the organization of full employment in the transition period and thereafter, the widest possible use of employment service facilities by employers seeking workers and by workers seeking employment should be encouraged by the competent authorities and by employers' and workers' organizations.

V. Each Government should, to the maximum extent possible, provide public vocational guidance facilities, available to persons seeking work, with a view to assisting them to find the most suitable employment.

VI. Training and retraining programmes should be developed to the fullest possible extent in order to meet the needs of the workers who will have to be re-established in employment or provided with new employment.

VII. With a view to avoiding the need for excessive movements of workers from one area to another and preventing localized unemployment in particular areas, each Government should, in co-operation with employers' and workers' organizations, formulate a positive policy in regard to the location of industry and the diversification of economic activity. Governments should also take steps to facilitate any necessary mobility of labour, both occupational and geographical.

VIII. Efforts should be made during the transition period to provide the widest possible opportunities for acquiring skill for juveniles and young workers who were unable, because of the war, to undertake or to complete their training and efforts should also be made to improve the education and health supervision of young persons.

IX. The redistribution of women workers in each national economy should be carried out on the principle of complete equality of opportunity for men and women in respect of admission to employment on the basis of their individual merit, skill and experience, and steps should be taken to encourage the establishment of wage rates on the basis of job content, without regard to sex.

X. Disabled workers, whatever the origin of their disability, should be provided with full opportunities for rehabilitation, specialized vocational guidance, training and retraining, and employment on useful work.

XI. Measures should be taken to regularize employment within the industries and occupations in which work is irregular, in order to achieve full use of the capacities of the workers.

METHODS OF APPLICATION

I. ADVANCE COLLECTION OF INFORMATION

1. Each Government should arrange for the co-ordinated collection and utilization of as complete and up-to-date information as possible on

- (a) The number, educational and occupational backgrounds, past and present skills, and occupational wishes of members of the armed forces and of assimilated services, and as far as possible of all persons whose usual employment has been interrupted as the result of enemy action or resistance to the enemy or enemy-dominated authorities ;

- (b) The number, location, industrial distribution, sex distribution, skills and occupational wishes of workers who will have to change their employment during the transition from war to peace; and
 - (c) The number and distribution of older workers, women and juveniles who are likely to withdraw from gainful employment after the war emergency and the number of juveniles who are likely to be seeking employment on leaving school.
2. (1) Comprehensive material on prospective labour requirements, showing the probable extent and timing of the demand for workers from each major industry, both in total and by major skills, should be collected and analysed before the end of the war.
- (2) Where such information is in the possession of any administrative authority, it should be made available to the authorities primarily responsible for the collection or utilization of advance information on labour supply and requirements.
- (3) The material on labour requirements should cover more particularly—
- (a) The probable contraction of labour requirements resulting from the closing of certain munitions undertakings;
 - (b) The probable rate of contraction of the armed forces and of assimilated services upon the termination of hostilities;
 - (c) Probable fluctuations and changes by areas in the labour force of industries or undertakings which will, with or without a period of conversion, continue in operation to meet peacetime needs;
 - (d) Probable labour requirements in industries which will be expanding to meet peacetime needs, in particular in industries the output of which is most urgently needed to improve the standard of living of the workers, and in public works, including works of a normal character and works held in reserve for the provision of supplementary employment in periods of declining economic activity; and
 - (e) The probable demand for workers in the main industries and occupations under conditions of full employment.
3. Prospective labour supply and demand in the various areas should be kept under constant review by the appropriate authorities, in order to show the effect of the war and the probable effect of the termination of hostilities on the employment situation in each of these areas.
4. Members should co-operate in collecting the information referred to in subparagraphs (a), (b) and (c) of paragraph 1 in respect of persons transferred out of their own countries as a result of Axis aggression. Each Government should supply such information in respect of nationals of other Members living in its territory, in Axis territories, or in territory occupied by the Axis, who are awaiting repatriation, even where the information available is merely of a general character.

II. DEMOBILIZATION OF THE ARMED FORCES

5. Close contact should be organized and maintained between the employment service and the authorities responsible for the demobilization of the armed forces and assimilated services and for the repatriation of prisoners of war and persons who have been deported, in order to ensure the speediest re-employment of the men and women concerned.
6. (1) The rate and order of demobilization should be controlled according to clearly expressed principles which should be given wide publicity in order that they may be clearly understood.
- (2) In the process of demobilization, which should in general be as rapid as military necessity and transportation facilities permit, consideration should be given to—
- (a) The desirability of regulating the rate and distributing the flow of demobilization so as to avoid local concentrations of ex-service men and women disproportionate to the capacity of their community to provide opportunity for employment or training; and
 - (b) The desirability of arranging, where necessary, for an early release of workers whose qualifications make them indispensable for urgent reconstruction work.
7. (1) Schemes for reinstating in their former employment persons whose usual employment has been interrupted by military mobilization, enemy action, or resistance to the enemy or enemy-dominated authorities, should be adopted and carried out so far as changed post-war circumstances allow.
- (2) The fullest possible employment and advancement opportunities for these men and women, on the basis of their qualifications, should be assured through Government action and collective agreements.
- (3) Immediate alternative employment should be secured for the workers displaced by the operation of these schemes.
8. In addition to schemes for re-employment, immediate consideration should be given to the provision, wherever justified by prospective opportunities to make a living, of adequate financial and other assistance to enable qualified demobilized persons to settle or resettle on the land, to enter or re-enter a profession, or to take up other independent work.

III. INDUSTRIAL DEMOBILIZATION AND CONVERSION

9. (1) Each Government should, in co-operation with employers' and workers' organizations, formulate a national industrial demobilization and reconversion programme to facilitate the rapid and orderly conversion of the economy from wartime to peacetime requirements during the period of reconstruction, account being taken of the urgent need of countries devastated by the war, with a view to attaining full employment with the least possible delay. All information in regard to the demobilization and reconversion programme should be made available to the authorities responsible for collecting advance information on labour supply and requirements.

(2) The co-operation of employers' and workers' organizations should be invited with a view to working out comprehensive industry and area demobilization and reconversion programmes to facilitate the change-over from war to peace production in a manner that will minimize transitional unemployment.

10. (1) Each Government should, so far as possible before the end of the war, determine its policy in regard to the peacetime use of Government-owned war production capacity and equipment and in regard to the disposition of surplus materials.

(2) Special consideration should be given to the early release of factories and equipment urgently needed for peacetime production or training.

(3) In general, factories, equipment or materials should not be destroyed or kept out of use where human needs are unsatisfied or where no excess production would exist at reasonable prices under conditions of demand associated with full employment.

11. Each Government should, in formulating its policy and procedure for the termination or adjustment of war contracts, give special consideration to the possibilities of continued employment or rapid re-employment of the workers affected or of favourable opportunities for employment in other areas. Governments should also arrange for the prompt settlement of claims under terminated contracts, so that employment will not be held back by needless financial difficulties of contractors. Contractors in countries at present occupied who have worked voluntarily in the interest of the enemy should not be granted the benefit of such arrangements.

12. (1) Arrangements should be made to ensure that administrative authorities give information at the earliest possible moment to the employment service and contractors regarding any circumstances likely to cause dismissals or lay-offs.

(2) Procurement agencies should give contractors both at home and abroad and the employment service as long advance notice as possible of cut-backs in war orders. In no case should the notice given be less than two weeks.

(3) Employers should give the employment service at least two weeks' advance notice of proposed dismissals affecting more than a specified number of workers, in order to enable the employment service to make plans for alternative employment for the workers concerned.

(4) Employers should give the employment service at least two weeks' advance notice of proposed temporary lay-offs affecting more than a specified number of workers, together with information to show the probable duration of such lay-offs, in order to enable the employment service to find temporary public or private employment or training for the laid-off workers. Employers should so far as possible inform the laid-off workers of the expected duration of such lay-offs.

IV. APPLICATIONS FOR WORK AND FOR WORKERS

13. (1) Vacancies on public works and in undertakings working on public orders to the extent of 75 per cent. or more of their operations should be filled through the employment service.

(2) Consideration should be given to the advisability of requiring employers in specified industries or areas to engage their workers through the employment service in order to facilitate the readjustment of employment.

(3) Employers should be encouraged to give advance notice of their labour requirements to the employment service.

14. Persons applying for employment on Government-sponsored projects, as well as persons applying for publicly supported training programmes of transfer assistance, or claiming unemployment benefit or allowance, should be required to register with the employment service.

15. Special efforts should be made to assist demobilized members of the forces and war workers to find the most suitable work of which they are capable, making use wherever possible of the skills acquired by them during the war.

16. Every effort should be made, by the authorities, and in particular by the employment service, in co-operation with employers' and workers' organizations, to encourage as wide a use as possible of the employment service by employers and workers.

V. VOCATIONAL GUIDANCE

17. Special and immediate attention should be given to the development of suitable methods and techniques of vocational guidance for adult workers.

18. In cases of prolonged unemployment, the use of vocational guidance facilities should be made a condition for the continued receipt of unemployment benefit or allowance.

19. The competent authorities should, in co-operation with the private bodies concerned, develop and maintain adequate training facilities for vocational guidance officers.

VI. TRAINING AND RETRAINING PROGRAMMES

20. On the basis of information concerning labour supply and demand in the post-war period, each Government should, in close co-operation with employers' and workers' organizations, formulate a national training and retraining programme, geared to the post-war needs of the economy and taking into account changes in the different skill requirements of each industry.

21. Every possible step should be taken to facilitate the occupational mobility necessary to adjust the supply of workers to present and prospective labour requirements.

22. Training and retraining programmes should be extended and adapted to meet the needs of demobilized persons, discharged war workers, and all persons whose usual employment has been interrupted as the result of enemy action or resistance to the enemy or enemy-dominated authorities. Special emphasis should be placed on courses of training designed to fit the persons concerned for employment which offers a permanent career.

23. In addition to apprenticeship schemes, systematic methods of training, retraining and upgrading workers should be developed to meet post-war needs for the reconstitution and expansion of the skilled labour force.

24. Persons undertaking training should be paid, where necessary, remuneration or allowances which provide an inducement to undergo and continue training and are sufficient to maintain a reasonable standard of life.

25. Men and women whose higher training and education has been prevented or interrupted by war service, whether in a military or civilian capacity, or by enemy action, or by resistance to the enemy or enemy dominated authorities, should be enabled to enter upon or resume and complete their training and education, subject to continued proof of merit and promise, and should be paid allowances during their training and education.

26. (1) Qualified vocational teachers and instructors who have been engaged in other work during the war should be encouraged to resume their previous occupation at the earliest possible moment.

(2) Refresher courses should be organized in case of need—

- (a) For vocational instructors returning to their work after a lengthy absence; and
- (b) For teaching new methods and techniques.

(3) Additional vocational teachers and instructors should be trained in the numbers required to meet the needs of the training and retraining programme.

(4) Members should co-operate, where necessary, in reconstituting and expanding vocational training and retraining, by such methods as—

- (a) The provision in one country of training as instructors for persons from another country to enable them to acquire broader skill or training not available in their own country;
- (b) The loan of experienced vocational instructors and teachers from one country to help meet shortages of vocational training staff or new industrial needs in another country;
- (c) Facilitating the return to the territories of member countries of subjects thereof living in the territory of another member country who are qualified for teaching and instructing in their home country; and
- (d) The provision of training handbooks and other equipment to assist instructors and persons in training.

27. Training and retraining services should be co-ordinated on a national, regional and local basis, and should be closely associated at all levels of operation with guidance work, with the placement work of the employment service, and with the training activities of employers' and workers' organizations.

VII. GEOGRAPHICAL MOBILITY

28. With a view to facilitating the necessary mobility of labour, the employment service should take action to overcome the obstacles to transfers from one area to another and to assist the movement of workers to areas needing labour, thereby helping to bring together available skills and available employment opportunities and thus preventing unemployment.

29. (1) Where a worker is transferred from one area to another on the initiative or with the consent of the employment service, arrangements should be made to grant travelling expenses and to assist the worker to meet initial expenses in the new place of work by granting or advancing him a specified amount, fixed according to the circumstances.

2. Where a temporary transfer made through the employment service involves the separation of the head of the household from his family, arrangements should be made to grant an appropriate separation allowance to cover the added costs of maintaining double living quarters.

VIII. EMPLOYMENT OF YOUNG WORKERS

30. (1) The policy of revising upward the school-leaving age and the age for admission to employment should be considered by all countries as a primary factor in planning employment policy for the transition period.

(2) Maintenance allowances should be granted to parents by the competent authorities during the additional period of compulsory education referred to above.

31. Student-aid programmes should be developed to enable young persons above the school-leaving age to continue their education in secondary schools or high schools, and for those beyond the secondary school level, subject to continued proof of merit, in technical or higher education schools or courses on a full-time basis.

32. (1) Vocational guidance services adapted to their needs should be available for all young persons, both prior to and at the time of leaving school, through the school or the employment service.

(2) Free pre-employment medical examination should be provided for all young persons. The results of this examination should be incorporated in a certificate to serve as a basis for periodical re-examinations during a period to be prescribed by national laws or regulations.

(3) In countries in which war conditions and enemy occupation have undermined the health of young persons, particular attention should be given to the health supervision of such persons from the time of their admission to employment through the period of adjustment to working life, and, where necessary, measures of physical rehabilitation should be adopted.

(4) Members should co-operate, when requested, in providing for the training of medical and nursing staff, and the loan of experienced doctors, surgeons, nursing personnel and appropriate equipment, in order to facilitate the physical rehabilitation of the young persons referred to in subparagraph (3) above.

33. (1) Young persons whose contracts of apprenticeship have been interrupted owing to the war should be entitled to resume apprenticeship on the termination of their war service.

(2) State aid should be made available to enable a person whose apprenticeship has been resumed in accordance with subparagraph (1) above to be assured of an income which is reasonable, having regard to his age and to the remuneration he would have been receiving had his apprenticeship not been interrupted.

(3) In all cases in which military service, raw material shortages, enemy action, or other war circumstances, have prevented young persons from entering or continuing apprenticeship, arrangements should be made to encourage them, as soon as circumstances permit, to resume their apprenticeship or to learn a skilled trade.

(4) With a view to encouraging the resumption of interrupted apprenticeships, arrangements should be made to review the provisions of apprenticeship contracts and to vary them where this seems equitable to take account of training, skill or experience acquired during war service.

(5) Existing apprenticeship programmes should be re-examined, in co-operation with employers' and workers' organizations, with a view to giving wider opportunities to learn a skilled trade to the younger workers who have not been able, owing to the war, to enter apprenticeship. More particularly, consideration should be given to making arrangements for varying existing restrictions on admission to apprenticeship and for taking into account any training, skill or experience acquired during the war.

34. Employers should be encouraged to introduce programmes of systematic in-plant training to enable all the young workers employed in the undertaking to acquire training or to improve their skill and broaden their knowledge of the operations of the undertaking as a whole. Such programmes should be developed in co-operation with workers' organizations and should be adequately supervised.

35. In countries which have been invaded during the war, and in which there are young persons who have been compelled to abstain from work, or, without regard to their aptitudes or desires, to work for the enemy, special attention should be devoted to the readjustment of such young persons to work habits and to supplementing their vocational training.

IX. EMPLOYMENT OF WOMEN

36. The redistribution of women workers in the economy should be organized on the principle of complete equality of opportunity for men and women on the basis of their individual merit, skill and experience, without prejudice to the provisions of the International Labour Conventions and Recommendations concerning the employment of women.

37. (1) In order to place women on a basis of equality with men in the employment market, and thus to prevent competition among the available workers prejudicial to the interests of both men and women workers, steps should be taken to encourage the establishment of wage rates based on job content, without regard to sex.

(2) Investigations should be conducted, in co-operation with employers' and workers' organizations, for the purpose of establishing precise and objective standards for determining job content, irrespective of the sex of the worker, as a basis for determining wage rates.

38. The employment of women in industries and occupations in which large numbers of women have traditionally been employed should be facilitated by action to raise the relative status of these industries and occupations and to improve conditions of work and methods of placement therein.

X. EMPLOYMENT OF DISABLED WORKERS

39. The criterion for the training and employment of disabled workers should be the employability of the worker, whatever the origin of the disability.

40. There should be the closest collaboration between medical services for the disabled and vocational rehabilitation and placement services.

41. Specialized vocational guidance for the disabled should be developed in order to make it possible to assess each disabled worker's capacity and to select the most appropriate form of employment for him.

42. (1) Wherever possible, disabled workers should receive training in company with able-bodied workers, under the same conditions and with the same pay.

(2) Training should be continued to the point where the disabled person is able to enter employment as an efficient worker in the trade or occupation for which he has been trained.

(3) Wherever practicable, efforts should be made to retrain disabled workers in their former occupations or in related occupations where their previous qualifications would be useful.

(4) Employers with suitable training facilities should be induced to train a reasonable proportion of disabled workers.

(5) Specialized training centres, with appropriate medical supervision, should be provided for those disabled persons who require such special training.

43. (1) Special measures should be taken to ensure equality of employment opportunity for disabled workers on the basis of their working capacity. Employers should be induced by wide publicity and other means, and where necessary compelled, to employ a reasonable quota of disabled workers.

(2) In certain occupations particularly suitable for the employment of seriously disabled workers, such workers should be given preference over all other workers.

(3) Efforts should be made, in close co-operation with employers' and workers' organizations, to overcome employment discriminations against disabled workers which are not related to their ability and job performance, and to overcome the obstacles to their employment including the possibility of increased liability in respect of workmen's compensation.

(4) Employment on useful work in special centres under non-competitive conditions should be made available for all disabled workers who cannot be made fit for normal employment.

44. Information should be assembled by the employment service in regard to the occupations particularly suited to different disabilities and the size, location and employability of the disabled population.

XI. REGULARIZATION OF EMPLOYMENT IN PARTICULAR INDUSTRIES

45. In industries in which operations are irregular, such as construction and port transport, the schemes for the regularization of employment adopted or extended during the war by Member States should be maintained and adapted to peacetime conditions in consultation with the employers' and workers' organizations concerned.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organization during its Twenty-sixth Session which was held at Philadelphia and declared closed the 12th day of May 1944.

IN FAITH WHEREOF we have appended our signatures, this seventeenth day of May 1944.

The President of the Conference.

W. NASH.

The Acting Director of the International Labour Office.

EDWARD J. PHELAN.

INTERNATIONAL LABOUR CONFERENCE

RECOMMENDATION [No. 72] CONCERNING THE EMPLOYMENT SERVICE

The General Conference of the International Labour Organization—

Having been convened at Philadelphia by the Governing Body of the International Labour Office, and having met in its Twenty-sixth Session on 20 April 1944, and

Having decided upon the adoption of certain proposals with regard to the employment service, which is included in the third item on the agenda of the Session, and

Having determined that these proposals shall take the form of a Recommendation,

adopts, this twelfth day of May, of the year one thousand nine hundred and forty-four, the following Recommendation which may be cited as the Employment Service Recommendation, 1944 :—

Whereas the application of the Employment (Transition from War to Peace) Recommendation, 1944, requires the existence and development of an efficient employment service; and

Whereas the Unemployment Convention, 1919, provides for the establishment of a "system of free public employment agencies under the control of a central authority"; and

Whereas the fulfilment of the tasks enumerated in the Employment (Transition from war to Peace) Recommendation, 1944, involves a new and broader definition of the responsibilities, functions and methods of operation of the employment service; and

Whereas this broader conception is of importance in the formulation and application of a long-term full employment policy;

The Conference recommends the Members of the Organization to apply the following general principles, and to report to the International Labour Office from time to time, as requested by the Governing Body, concerning the measures taken to give effect to these principles :—

1. The essential duty of the employment service should be to ensure, in co-operation with other public and private bodies concerned, the best possible organization of industrial, agricultural and other employment as an integral part of the national programme for the full use of productive resources.

2. (1) To fulfil this duty, steps should be taken to strengthen the employment service and related authorities.

(2) These services should be responsible for—

(a) Collecting and making available information concerning labour supply, employment opportunities, the skills required to do particular jobs, changes in skill requirements within the different industries, employment and unemployment trends, the regularization of employment, and the causes of unemployment, and other information of value in promoting full employment;

(b) Assisting workers to find suitable employment and employers to find suitable workers;

(c) Assisting in developing and in determining the content of training and retraining courses;

(d) Developing methods of facilitating the transference, where necessary, of workers from one occupation or area to another;

(e) Helping to achieve the best possible distribution of manpower within each industry and area;

(f) Co-operating as may be required in the administration of unemployment insurance and assistance;

(g) Assisting other public and private bodies in planning the location of industry, public works, housing projects, social amenities, and other social and economic measures.

3. The closest co-operation between the employment service and other authorities whose activities affect the employment situation, including authorities charged with responsibility for accelerating or slowing down public works in accordance with the current state of employment and unemployment, should be established at the national, regional and local levels.

4. (1) In addition to the joint advisory bodies provided for in Article 2 of the Unemployment Convention, 1919, the employment service should co-operate closely with employers' and workers' organizations. Appropriate machinery should be devised to enable these organizations to assist in the formulation and carrying out of employment policy.

(2) The employment service should co-operate with any joint industry committees which may be set up to facilitate the solution of the special problems of the industries concerned.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organization during its Twenty-sixth Session which was held at Philadelphia and declared closed the 12th day of May 1944.

IN FAITH WHEREOF we have appended our signatures, this seventeenth day of May 1944.

The President of the Conference.

W. NASH.

The Acting Director of the International Labour Office.

EDWARD J. PHELAN.

INTERNATIONAL LABOUR CONFERENCE

RECOMMENDATION [No. 73] CONCERNING THE NATIONAL PLANNING OF PUBLIC WORKS

The General Conference of the International Labour Organization—

Having been convened at Philadelphia by the Governing Body of the International Labour Office, and having met in its Twenty-sixth Session on 20 April 1944, and

Having decided upon the adoption of certain proposals with regard to the national planning of public works, which is included in the third item on the agenda of the Session, and

Having determined that these proposals shall take the form of a Recommendation,

adopts, this twelfth day of May, of the year one thousand nine hundred and forty-four, the following Recommendation which may be cited as the Public Works (National Planning) Recommendation, 1944 :

Whereas the Public Works (National Planning) Recommendation, 1937, recommends that all works undertaken or financed by public authorities should be timed in such a way as to reduce industrial fluctuations as far as possible, and that special consideration should be given to the financing by loan in periods of depression of works likely to stimulate economic recovery and to the application of a monetary policy which will make possible the expansion of credit required for the speeding up of such works and ensure the lowest possible rate of interest on the loans ; and

Whereas at the end of the war public authorities will be faced with the great need to repair the damage caused by the war, to restore and replace existing public works, and to provide new public works and services ; and

Whereas public works constitute a large element in the economic life of all nations, and public works programmes are an important method by which levels of productivity can be increased, and by which levels of living of all peoples can be raised ; and

Whereas it is important in the transition from war to peace that public and private enterprise should be co-ordinated to assure the prompt and orderly use of human and material resources, avoiding on the one hand rush demands for materials which would leave contractors temporarily in short supply and on the other hand inadequate development of demand ;

The Conference recommends the Members of the Organization to apply the following general principles, and to communicate information to the International Labour Office, as requested by the Governing Body, concerning the measures taken to give effect to these principles :—

1. Each Member should prepare a long-term development programme which can be accelerated or slowed down in accordance with the employment situation in different parts of the country.

2. Special attention should be paid to the importance of timing the execution of the works and the ordering of supplies, so as to limit the demand for labour at a time when there is already full employment and to increase it at a time when there is unemployment.

3. In applying this policy, consideration should be given not only to the employment situation in the country as a whole but also to the situation in each area and to the particular types of skill available in the area concerned.

4. Local authorities and others responsible for framing schemes for employment should be informed by their central authorities at the earliest possible moment what financial support will be forthcoming, so that the local authorities and technical services may proceed without further delay to prepare plans and to make such practical preparation as would enable large numbers of demobilized soldiers to be absorbed as soon as they are available.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organization during its Twenty-sixth Session which was held at Philadelphia and declared closed the 12th day of May 1944.

IN FAITH WHEREOF we have appended our signatures, this seventeenth day of May 1944.

The President of the Conference.

W. NASH.

The Acting Director of the International Labour Office.

EDWARD J. PHELAN.

APPENDIX II.—TEXTS OF THE RESOLUTIONS ADOPTED BY THE INTERNATIONAL LABOUR CONFERENCE AT ITS 26th SESSION

I

RESOLUTION CONCERNING SOCIAL PROVISIONS IN THE PEACE SETTLEMENT

Whereas the Conference is called upon to make recommendations to the United Nations for present and post-war social policy, and more particularly concerning the social provisions to be inscribed in the various general or special treaties or agreements to which the United Nations will jointly or severally become parties ;

Whereas the prospect of a complete victory of the United Nations makes it possible to prepare a better world order directed towards the achievement of the social objectives which these nations proclaimed in the Atlantic Charter in expressing their desire to bring about the fullest collaboration between all nations in the economic field with the object of securing for all improved labour standards, economic advancement and social security ;

I

The Conference considers that the principles stated in the following draft are appropriate for inclusion in a general or special treaty or agreement between nations desirous of giving early effect to the principles of the Atlantic Charter and Article VII of the Mutual Aid agreement :—

The signatory Governments—

Having pledged themselves to provide conditions which will ensure an increasing measure of freedom from want to their own peoples and to all peoples ;

Recognizing, therefore, their common obligation to foster expanding production and employment on a sound basis, free from disruptive fluctuations, and to ensure that workers and productive resources shall not be allowed to be idle while the needs of large parts of the world remain unsatisfied ;

Realizing that the economic life and conditions in each nation are increasingly dependent upon the economic life and conditions of other nations, and that hence the attainment of the above-stated objectives requires increasing collaboration among nations ;

Article I

Have agreed that—

The Declaration concerning the aims and purposes of the International Labour Organization adopted by the International Labour Conference at Philadelphia in 1944, the text of which is annexed, is hereby reaffirmed.

Article II

Each Government recognizes its duty to maintain a high level of employment. Accordingly, all arrangements by and among the signatory and other likeminded Governments for international economic co-operation should be framed and administered to serve the objectives set forth in Article I. They should be directed to the expansion of production, employment and the exchange and consumption of goods and to the liberation of economic activity from unreasonable restrictions. Particular consideration should be given to measures for promoting the reconstruction of economic life in countries whose economic and social life has been disrupted as the result of Axis aggression.

Article III

The following matters are of international concern and should be among the social objectives of international as well as national policy :—

- (1) Opportunity for useful and regular employment to all persons who want work, at fair wages or returns and under reasonable conditions, with provision for protection of health and against injury in all occupations ;*
- (2) Raising standards of living to provide adequate nutrition, housing, medical care and education ;*
- (3) Establishment of minimum standards of employment to prevent exploitation of workers, whether employed or self-employed, whose opportunities for high-wage employment are limited ;*
- (4) Provision for child welfare ;*
- (5) Provision for a regular flow of income to all those whose employment is interrupted by sickness or injury, by old age or by lack of employment opportunity ;*
- (6) The effective recognition of the right of freedom of association and of collective bargaining ;*
- (7) Provision of facilities for training and transfer of labour.*

Article IV

The International Labour Office may, under standards constitutionally determined by the International Labour Conference, as occasion requires, collect from, and interchange with, the signatory Governments, uniform statistical and other economic information on the following matters which are among those of direct interest to the International Labour Organization and are of international concern :—

- (1) Employment, wages and conditions of work ;*
- (2) Standards of living and the distribution of income, with particular reference to wage and salaried workers ;*
- (3) Technical education and training for employment ;*
- (4) Industrial health, safety and welfare ;*
- (5) Industrial relations ;*
- (6) Social security ; and*
- (7) Administration of labour and social security legislation.*

Article V

With respect to the matters set forth in Article III :—

- (1) The Governments, through appropriate international agencies, shall develop standards and statistical measures, and shall maintain uniform statistics and other information ;*
- (2) The Governments shall interchange among themselves and make available to the International Labour Organization such information and reports as may be required to assist them and the Organization to develop Recommendations with respect to such matters ;*
- (3) The Governments shall take appropriate steps to assure close collaboration and full exchange of information between the International Labour Organization and any other international bodies which now exist or may be established for the promotion of economic advancement and social well-being ;*
- (4) The Governments shall take appropriate steps to have placed on the agenda of the International Labour Conference annually the subject of the extent to which the social objectives set forth in Article I have been attained and on the measures taken during the year towards the attainment of the objectives.*

Article VI

With respect to draft international Conventions and Recommendations adopted by the Conference in accordance with Article 19 of the Constitution of the International Labour Organization, the signatory Governments undertake to report to the International Labour Office as requested by the Governing Body on the status of legislation and administration and, in so far as practicable, of practices under collective agreements between employers and workers.

Declaration concerning the Aims and Purposes of the International Labour Organization

The General Conference of the International Labour Organization, meeting in its Twenty-sixth Session in Philadelphia, hereby adopts, this tenth day of May in the year nineteen hundred and forty-four, the present Declaration of the aims and purposes of the International Labour Organization and of the principles which should inspire the policy of its Members.

I

The Conference reaffirms the fundamental principles on which the Organization is based and, in particular, that—

- (a) Labour is not a commodity ;*
- (b) Freedom of expression and of association are essential to sustained progress ;*
- (c) Poverty anywhere constitutes a danger to prosperity everywhere ;*
- (d) The war against want requires to be carried on with unrelenting vigour within each nation, and by continuous and concerted international effort in which the representatives of workers and employers, enjoying equal status with those of Governments, join with them in free discussion and democratic decision with a view to the promotion of the common welfare.*

II

Believing that experience has fully demonstrated the truth of the statement in the Constitution of the International Labour Organization 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 Organization to examine and consider all international economic and financial policies and measures in the light of this fundamental objective ;*
- (e) In discharging the tasks entrusted to it the International Labour Organization, having considered all relevant economic and financial factors, may include in its decisions and recommendations any provisions which it considers appropriate.*

III

The Conference recognizes the solemn obligation of the International Labour Organization to further among the nations of the world programmes which will achieve—

- (a) Full employment and the raising of standards of living ;*
- (b) The employment of workers in the occupations in which they can have the satisfaction of giving the fullest measure of their skill and attainments and make their greatest contribution to the common well-being ;*
- (c) The provision, as a means to the attainment of this end and under adequate guarantees for all concerned, of facilities for training and the transfer of labour, including migration for employment and settlement ;*
- (d) Policies in regard to wages and earnings, hours and other conditions of work calculated to ensure a just share of the fruits of progress to all, and a minimum living wage to all employed and in need of such protection ;*
- (e) The effective recognition of the right of collective bargaining, the co-operation of management and labour in the continuous improvement of productive efficiency, and the collaboration of workers and employers in the preparation and application of social and economic measures ;*
- (f) The extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care ;*
- (g) Adequate protection for the life and health of workers in all occupations ;*
- (h) Provision for child welfare and maternity protection ;*
- (i) The provision of adequate nutrition, housing and facilities for recreation and culture ;*
- (j) The assurance of equality of educational and vocational opportunity.*

IV

Confident that the fuller and broader utilization 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, and to promote a high and steady volume of international trade, the Conference pledges the full co-operation of the International Labour Organization with such international bodies as may be entrusted with a share of the responsibility for this great task and for the promotion of the health, education and well-being of all peoples.

V

The Conference affirms that the principles set forth in this Declaration are fully applicable to all peoples everywhere and that, while the manner of their application must be determined with due regard to the stage of social and economic development reached by each people, their progressive application to peoples who are still dependent, as well as to those who have already achieved self-government, is a matter of concern to the whole civilized world.

II

The Conference recommends that the Governing Body of the International Labour Office—

- (1) Call a special conference of the Organization, when in its opinion there is a danger of a substantial fall in general employment levels, for the purpose of recommending appropriate national or international measures to prevent the development or spread of unemployment and to establish conditions under which high levels of employment may be maintained or restored ;
- (2) Correlate the activities of the International Labour Organization towards the end of maintaining full employment with those of any other international agency or agencies which may be designated by the United Nations to have primary responsibility in related economic fields.

III

The Conference recommends that—

1. The United Nations should undertake—

- (a) To apply to any independent territories, in respect of which they have accepted or may accept a measure of international accountability through any international or regional commission or other body, the principle that all policies designed to apply to dependent territories shall be primarily directed to the well-being and development of the peoples of such territories, and to the promotion of the desire on their part for social progress ;
- (b) To apply to such territories the provisions of the Forced Labour Convention, 1930 ; the Recruiting of Indigenous Workers Convention, 1936 ; the Contracts of Employment (Indigenous Workers) Convention, 1939 ; and the Penal Sanctions (Indigenous Workers) Convention, 1939 ;
- (c) To make a periodical report to the International Labour Office in respect of each such territory indicating the extent to which effect has been given to the provisions of the Social Policy (Dependent Territories) Recommendation, 1944 ;
- (d) To ask the International Labour Office to appoint, in continuation of the collaboration established in the case of the Permanent Mandates Commission, a representative on any committee which may be entrusted with the task of watching over the application of the principle of international accountability, and further to ensure that any facilities which may be afforded, in the form of inspection or otherwise, for the better implementation of this principle, shall include appropriate measures for examining the application of the above-mentioned Conventions and Recommendation.

2. When determining the future status of dependent territories which on 1 September 1939 were controlled by Axis Powers, the United Nations should specifically require the application thereto of the arrangements provided for in the preceeding paragraph.

3. In any negotiations regarding the organization, control and operation of merchant shipping, and in particular in making international arrangements for the disposal of merchant shipping tonnage, the United Nations concerned should consult the competent bodies of the International Labour Organization, such as the Joint Maritime Commission, in regard to the possibility of including stipulations concerning the standard of accommodation to be provided for crews and stipulations embodying the provisions of Conventions already adopted by the maritime sessions of the Conference, or of any further such Conventions that may be adopted before the negotiation of such agreement.

4. In making international arrangements concerning transport by air, land, and inland waterway, the United Nations should have due regard to the repercussions of such arrangements on the working and living conditions of persons employed in transport, and should consult the International Labour Organization in regard to such repercussions and more particularly in regard to the working and living conditions of persons who, in operating such transport systems, work in or under the jurisdiction of more than one country.

5. The International Labour Organization should make available to the United Nations any information or assistance calculated to facilitate the implementation of the proposals contained in the resolution concerning economic policies for the attainment of social objectives and the present resolution and should be prepared to participate in any international conference which may be considering such proposals.

IV

Believing that the exceptional opportunity of the negotiations of the peace settlement should be taken to secure a concerted advance in the acceptance of binding obligations concerning conditions of labour ;

The Conference, reaffirming the principle of the association of management and labour in the framing of such standards—

Recommends—

- (1) That throughout the peace settlement the United Nations should wherever appropriate include provisions for labour standards. In a number of cases such provisions might properly be taken from Conventions or Recommendations that have been or may be adopted by the International Labour Conference ;
- (2) That the Governing Body should appoint a consultative committee on labour provisions in the peace settlement. This committee should hold itself in readiness, together with the Director of the International Labour Office, to give advice with reference to such provisions on the request of the United Nations or of particular groups of the United Nations. This committee should have the right to co-opt additional members of special competence with respect to the particular sets of provisions under consideration ;
- (3) That the United Nations should make full use of this committee in any way in which they consider it appropriate to include labour provisions in the peace settlement.

V

The Conference recommends to Governments that a Conference of representatives of the Governments of the United, associated, and other Nations, willing to attend, be called at an early date, in association with the Governing Body of the International Labour Office, to consider an international agreement on domestic policies of employment and unemployment; and this Conference pledges the full co-operation and the assistance of the International Labour Organization in calling such a conference on employment, and in helping to carry into effect appropriate decisions it might make.

II

RESOLUTION CONCERNING THE DECLARATION MADE TO THE CONFERENCE BY THE DELEGATIONS OF THE OCCUPIED COUNTRIES OF EUROPE

The Conference having taken note of the declaration made on behalf of the occupied countries—

- (1) Expresses the conviction that the heroic resistance of the occupied countries is one of the essential factors in the struggle of the United Nations against the common enemy;
- (2) Shares the preoccupations, anxieties and wishes expressed by the representatives of the occupied countries concerning the special difficulties with which they are confronted in their economic and social reconstruction;
- (3) Welcomes the decisions already taken by the United Nations to heal the wounds caused by the war;
- (4) Expresses the hope that the United Nations and the other members of the Conference will unite their efforts to promote in every way the economic and social recovery of all the countries sorely tried by enemy occupation and by the devastation due to the war;
- (5) Asserts the determination of the International Labour Organization to associate its endeavours with the concerted will of the oppressed nations for the purpose of rebuilding their social life according to principles of international solidarity and respect for the fundamental spiritual and human values.

ANNEX.—DECLARATION MADE TO THE CONFERENCE BY THE DELEGATIONS OF THE OCCUPIED COUNTRIES OF EUROPE

The delegates of the occupied countries of Europe represented at the Philadelphia Conference—that is, Belgium, Czechoslovakia, France, Greece, Luxemburg, the Netherlands, Norway, Poland, and Yugoslavia,

Having taken note of the declaration concerning the aims and purposes of the International Labour Organization, the resolution concerning social provisions in the peace settlement, and the resolution concerning economic policies for the attainment of social objectives,

Consider it to be their duty to state their views on the special problems of the economic, financial and social reconstruction of the occupied countries of Europe, once they have been liberated.

I

They desire to stress their complete agreement with the principles and social objectives that should prevail in the reorganization of the world after the war, as set forth in the draft of the fundamental declaration and in the resolutions before the Conference. In particular, they express their complete conviction that their respective countries will keep these principles and objectives closely in view in their economic policy, and will set as their essential aims the achievement of full employment, rising standards of living for the peoples, and social security. The social ideal that is their goal is thus the same as that which inspires all the members of the Conference, and they will devote all their efforts to its speedy realization.

II

Unfortunately, by reason of the loss and destruction caused by the war, and of the systematic persecution, devastation and pillage resulting directly from the actions of the invader, the situation of the occupied countries at the actual moment of liberation will be one bristling with difficulties.

The problem will not merely be how to transform a war economy into a peace economy, but, rather, how to provide for full-scale reconstruction in both the economic and the social fields, and the conditions in which this work of almost total reconstruction must be undertaken will in themselves be particularly difficult.

We shall deliberately confine ourselves here to the economic and social fields. But we would briefly note that before all else, we must reconstruct the free political institutions that our countries formerly enjoyed, and amongst them all those based on the right of free association.

Without claiming to paint a complete picture here of the tragic situation in which the liberated countries will find themselves, we wish, however, to draw attention to certain aspects of the problems that they will have to face.

1. Famine, privation of all kinds, isolation, imprisonments, deportations, executions—these are the marks that the long years of occupation will leave; the population as a whole will be greatly weakened. Many of the prisoners, the deported and the refugees will return home with their health undermined. The ground will be prepared for the spread of epidemics. The first task, and the most urgent, will be to improve nutrition, to provide medical aid and to distribute medicaments.

It seems to all of us highly desirable that, beginning now, and with a view to safeguarding the future of the race, medical supplies and vitamins intended for the children in occupied countries should be assembled for delivery to them, if possible immediately, and, in any case, as soon as delivery can be made without the enemy's obtaining any benefit therefrom.

2. Stocks are completely exhausted. We shall find these countries emptied of their substance. For a long time the essential needs of their populations will far exceed the available quantities of consumption goods.

3. The wear and tear on machines and materials, the exhaustion of reserves, the complete destruction of means of communication and transport, confiscations of all kinds, chaos in finance, currency and securities, all the destruction of buildings, factories, mines and electric power stations due to the campaigns of invasion and to the deliberate policy of an invader faced with indomitable resistance—to all these will be added still further devastation in the course of the campaign of liberation. Under such conditions, the immediate possibilities of the production of goods will be considerably reduced.

4. Until the emergence of order out of chaos and the restoration of equilibrium between needs and means, as regards both capital goods and consumption goods, the Governments of the liberated countries will doubtless find themselves compelled to maintain or to introduce economic controls similar to those that the United Nations have had to impose on themselves to meet war needs.

5. The dislocation of the entire machinery of production and distribution—including the loss of foreign markets—will of course render it for some considerable time still more difficult to ensure employment for all. Here there is a serious risk of extensive unemployment.

And that is just the very time when the repatriated, the demobilized and the members of the resistance organizations will have to be reincorporated in economic life.

An immense effort will thus have to be made to approach the ideal of employment for all. A series of special provisional measures will doubtless be required pending a gradual return to less abnormal conditions.

III

The sooner these efforts of economic reconstruction are successful, the sooner will it be possible to achieve the social objectives defined by the Conference.

The liberated countries are minded to undertake themselves, by their own efforts and under their own responsibility, the great work of national reconstruction, which will require gigantic efforts in the fields of labour and finance, but they are aware of the parallel need for a concerted effort in the international domain. In this general effort they will actively participate. They are justified in counting upon the full collaboration of countries less impoverished than they.

They are convinced that the international solidarity forged between the United Nations during the war will continue during the peace, and that the countries that have known neither occupation nor devastation will wish to give them priority in the supply of the essential consumption and capital goods required for their economic and social restoration.

The rapid restoration of the producing and consuming capacity of Europe is, moreover, indispensable to the return of the prosperity of the other countries of the world, and more especially to the prosperity of the great producers of raw materials, industrial products and agricultural produce.

In the general interest, international solidarity must be established both in the economic domain and in the financial domain with a view to the complete and speedy reconstruction of the occupied and devastated countries. To the United Nations falls the task of finding and applying the necessary measures for an equitable distribution of the costs of reconstruction after the war.

IV

Another danger threatens the occupied countries at the present time. The enemy, on the eve of his retreat or rout, may resort to the last excesses in destroying without discrimination both life and wealth. In certain regions this threat has already materialized. The more extensive the destruction, the more difficult will be the reconstruction and the longer will the achievement of social conditions answering the hopes of this Conference be delayed. A last warning to the invaders informing them categorically that the authors of such excesses will answer for them with their persons and with their property might lessen the danger that threatens. In the circumstances, such warning should be given without delay and with the high moral authority of all the nations gathered together at this Conference.

V

The peoples of Europe, at this moment bent under the yoke of the invader, will find in the solicitude of the Conference for their own special problems a measure of comfort and a guarantee that the effective organization of international solidarity will help them after the war to efface the marks of the tragedy that has weighed them down through these years of hardship.

III

RESOLUTION CONCERNING THE CONSTITUTION AND CONSTITUTIONAL PRACTICE OF THE INTERNATIONAL LABOUR ORGANIZATION AND ITS RELATIONSHIP WITH OTHER INTERNATIONAL BODIES

The General Conference resolves that—

1. During periods of emergency when, in the judgment of the Governing Body, the efficient operation of the Organization or of the Office will be advanced thereby, and the Governing Body so notifies the Members of the Organization, it shall provide that, supplementary to the normal procedure, the following communication should be transmitted through the Director:

- (a) The communication to Members of certified copies of Recommendations and Conventions in accordance with paragraph 4 of Article 19 of the Constitution of the Organization;
- (b) The communication by Members of the information concerning the action taken in regard to Recommendations required by paragraph 6 of Article 19 of the Constitution;

- (c) The communication by Members of the formal ratifications of International Labour Conventions in accordance with paragraph 7 of Article 19 of the Constitution and the relevant provisions of the individual Conventions ;
 - (d) The communication to Members of all notifications required by the terms of International Labour Conventions.
2. The Conference requests the Governing Body—
- (a) To take effective steps as promptly as possible to deal with problems common to a region or to a particular industry, with due regard to the Constitution and principles of the Organization, and its competence ; and
 - (b) To report to the next general session of the Conference the steps taken and plans for the further regionalization of the Office and of the Organization and for special consideration of the problems of particular industries.
3. The Conference requests the Governing Body during the period of the deliberations of the committee to be established under the terms of this Resolution and of the development of an overall pattern of international institutions, to take appropriate steps to assure close collaboration and a full exchange of information between the International Labour Organization and any other public international organizations which now exist or may be established for the promotion of economic and social well-being, and in the furtherance of this objective it may instruct the Director to arrange with such organizations, on conditions mutually agreeable, for—
- (a) The exchange of information, views, reports, studies and other documents regarding policies and measures of mutual interest and concern at appropriate stages in their formulation and execution ; and
 - (b) The exchange of representatives without vote, at meetings convened by this Organization and such other organizations ; and
 - (c) The creation and maintenance of such joint committees as may facilitate their effective co-operation.
4. The Conference requests the Governing Body—
- (a) To appoint a committee as soon as possible to consider the future constitutional development of the Organization. The committee shall particularly consider the following matters in active collaboration with the Office, and in the light of the Report on Item I submitted by the Office, the resolutions and amendments submitted to the Conference the views expressed in the Conference, and any suggestions which may be communicated to the Office by Governments—
 - (i) The relationship of the Organization to other international bodies ;
 - (ii) The constitutional practice of the Organization and its clarification and codification ;
 - (iii) The status, immunities and other facilities to be accorded to the Organization by Governments as necessary to the efficient discharge of the responsibilities of the Organization ;
 - (iv) The methods of financing the Organization ;
 - (b) After receiving and considering the report of the committee to bring to the attention of the Conference at its next general session such matters as in its judgment require action by the Conference.
5. The Conference requests the Governing Body to appoint representatives with power to negotiate, if necessary prior to the next general session of the Conference, with international authorities on behalf of the Organization concerning any constitutional questions which at any time require immediate action, including the matters referred to in paragraph 4.
6. The Conference authorizes the Governing Body to decide the place at which the Twenty-seventh Session of the Conference shall be held. In the event of a maritime session being convened in the near future, this authorization shall apply to the Twenty-seventh and Twenty-eighth Sessions.

IV

RESOLUTION CONCERNING THE INTERNATIONAL CHARACTER OF THE RESPONSIBILITIES OF THE DIRECTOR AND STAFF OF THE INTERNATIONAL LABOUR OFFICE

The Conference, desirous of reaffirming the international character of the responsibilities of the Director and staff of the International Labour Office, adopts the following resolution :—

1. The Director of the International Labour Office shall, on appointment, make a solemn declaration before the Governing Body that he will discharge the duties committed to him with the interests of the International Labour Organization alone in view, will not seek or receive instructions in regard to the discharge thereof from any authority external to the Organization, and will at all times uphold the provisions of the Constitution of the International Labour Organization.

2. The responsibilities of the staff of the International Labour Office shall be exclusively international in character. Members of the staff shall on appointment make a solemn declaration in the form and manner approved by the Governing Body that they will not seek or receive instructions in regard to the discharge of their responsibilities from any authority external to the Organization.

3. The Conference affirms it to be the duty of the Members of the Organization to respect fully the international character of the responsibilities of the Director and staff of the International Labour Office and not to seek to influence any of their nationals in the discharge of such responsibilities.

V

RESOLUTION CONCERNING INDUSTRIAL COMMITTEES

The Conference is of the opinion that the International Labour Office should proceed forthwith with the setting up of industrial sections and invites the Governing Body to elaborate regulations governing the activities of industrial committees.

VI

RESOLUTION CONCERNING ECONOMIC POLICIES FOR THE ATTAINMENT OF SOCIAL OBJECTIVES

Whereas the prospect of a complete victory of the United Nations makes it possible to prepare a better world order directed towards the achievement of the social objectives which these nations proclaimed in the Atlantic Charter in expressing their desire to bring about the fullest collaboration between all nations in the economic field with the object of securing for all improved labour standards, economic advancement and social security; and

Whereas these objectives of the United Nations coincide with the basic principles of the International Labour Organization, and whereas the Conference which met in New York in 1941 pledged the full collaboration of the International Labour Organization in their implementation; and

Whereas the International Labour Conference is called upon by Item II on the agenda of the present session to make recommendations to the United Nations for present and post-war social policy concerning more especially the measures required to be taken internationally and nationally to ensure full employment, social security and rising standards of living; and

Whereas the initiative with regard to international policy lies with the United Nations at the present time, and it is desirable in order to attain the objectives referred to that all nations should pursue an appropriate national policy; and

Whereas the attainment of full employment and high productivity by the various nations after the war is essential to the achievement of freedom from want, the attainment of increasing living standards, the realization of genuine economic security and the continuation of peaceful economic progress; and

Whereas full employment can be achieved and maintained only through the adoption, by Governments, industry and labour, of policies and measures which effectively encourage the continuing expansion of production and improvement of distribution; and

Whereas the speedy achievement of full employment requires the prompt and orderly reconversion, reconstruction and expansion of industry, trade, commerce and agriculture after the war, and the subsequent maintenance of employment and production at high levels requires the creation of an economic and social environment conducive to a progressive and expanding economy;

The Conference adopts the following resolution:—

I. INTERNATIONAL POLICY

1. Believing that the relief of war-stricken peoples, repatriation of prisoners and exiles and resumption of agricultural and industrial production are matters which will be of the utmost urgency immediately on the liberation of occupied countries and that on the successful handling of these problems the possibility of achieving the long-range objectives of social and economic well-being will largely depend,

The Conference welcomes the creation of the United Nations Relief and Rehabilitation Administration, urges all States concerned to co-operate actively in the achievement of the tasks entrusted to it and assures the Administration of the readiness of the International Labour Organization to assist it in every appropriate way.

2. In view of the fact that for varying periods after the end of hostilities many essential commodities and transport facilities will be in short supply, and that international arrangements will be needed to ensure a fair allocation of available supplies and prevent excessive price movements,

The Conference considers that the Governments of the United Nations concerned should arrange to continue in operation, for such periods as any serious shortages may persist, the existing machinery of international co-ordination and control subject to such modification, and in particular to such enlargement of the membership of the authorities concerned, as may contribute to the equitable and efficient operation of such machinery in the transition from war to peace.

3. The Conference endorses the declaration of the United Nations Conference on Food and Agriculture held in May 1943, that while the primary responsibility lies with each nation for seeing that its own people have the food needed for life and health, each nation can fully achieve this goal only if all co-operate in appropriate international action, and urges the setting up of a permanent international organization, as recommended by the Conference on Food and Agriculture, to raise the level of nutrition and improve the efficiency of agricultural production and distribution.

4. Recognizing that a satisfactory international monetary system is essential to the full development of mutually advantageous economic relations between nations, and consequently to the raising of standards of living,

The Conference attaches great importance to the establishment at the earliest possible moment of effective international machinery for settling balances arising out of international trade and other transactions and for maintaining stability in rates of exchange, notes with satisfaction that the Governments of the United Nations are giving careful attention to this matter, and urges that they include in any agreement establishing such machinery a provision requiring the authorities responsible for its application to have regard in framing and applying their policies to the effect of their decisions on employment and living standards.

5. Noting that imports of capital will be needed for reconstruction, development and the raising of living standards in many countries, and believing that the provision of such capital will contribute to the maintenance of full employment in the lending countries,

The Conference—

- (a) Considers that the existing machinery of the international capital market should be supplemented by the establishment of appropriate international machinery for the purpose of promoting the international movement of capital;
- (b) Considers that the promotion of full employment and higher living standards should be regarded as a primary objective of any such international machinery;

- (c) Considers that the authorities responsible for the operation of such international machinery should consult the International Labour Organization as to the appropriateness of including in the terms under which development works financed in whole or in part through such machinery are to be carried out, provisions regarding the welfare and working conditions of the labour employed; and that such provisions should be framed in consultation with the International Labour Organization;
- (d) Affirms the readiness of the International Labour Organization to render every assistance in its power in determining the appropriateness of the inclusion of such provisions and in their framing and application and in the promotion through the operations of such international machinery of the general objectives of full employment and higher living standards.

6. Recognising the great contribution which the international exchange of goods and services can make to higher living standards and to high levels of employment,

The Conference—

- (a) Believes that the measures proposed in the foregoing paragraphs for the promotion of exchange stabilization and international lending will contribute to the expansion of international trade, but considers that the United Nations should also examine wartime changes in industrial capacity, should arrange for exchange of information on post-war industrial programmes and should take vigorous action to promote the expansion of international trade by appropriate commercial policies; and considers that all countries, creditor as well as debtor, should adapt their commercial policy in such a way as to enable them to settle all obligations arising out of international transactions;
- (b) Considers that the United Nations should initiate measures to facilitate the co-ordination through appropriate international machinery of the commercial policies of all countries for the purpose of promoting a steady expansion in world trade on a multilateral basis;
- (c) Considers that in such co-ordination special consideration should be given to the need of countries which are highly dependent on returns from exports to take measures to ensure a high degree of stability in the level of their economic activity and observes that the need for these measures will decrease to the extent that international collaboration proves successful; and
- (d) Considers that in such co-ordination special account should be taken of the dislocation and the accumulated needs resulting from the devastation caused by war operations and from the prolonged diversion from peacetime production in countries which have been engaged for a long period in a sustained and total war effort.

7. In order to lay the foundation for rising levels of consumption throughout the world and at the same time to ensure more stable and adequate incomes to those primary producers whose services are needed for the production of essential raw materials and foodstuffs,

The Conference considers that the United Nations should initiate concerted action designed to ensure the constant availability to all purchasers of adequate supplies of such commodities at prices which give a reasonable return to the efficient producer and are held sufficiently stable to afford protection against major short-term fluctuations in supply or demand; and that such international arrangements: (a) should provide for adequate representation of consumers as well as producers, representing both importing and exporting countries, in all authorities responsible for the determination and application of policy; and (b) should aim to assure to all workers, including the self-employed, engaged in the production of the commodities concerned, fair remuneration, satisfactory working conditions and adequate social security protection, having regard to the general standards in the countries concerned.

8. Believing that migratory movements may play an important part in the development of a dynamic economy, and that disorderly international migration may create economic and social dislocation in the countries concerned and involve serious individual hardship for the migrants themselves, while desirable migratory movements are often hampered by technical and financial difficulties which can be overcome only through international co-operation,

The Conference considers that—

- (a) The United Nations should encourage by appropriate measures, with adequate safeguards for all concerned, the orderly migration of labour and settlers in accordance with the economic needs and social conditions prevailing in the various countries, and in this connection should note the Conclusions adopted by the Conference of Experts on Technical and Financial Co-operation with regard to Migration for Settlement held at the International Labour Office in 1938;
- (b) Arrangements should be made for close co-operation between the International Labour Organization and any public international agency established to deal with migration;
- (c) The Governing Body should take steps to bring before an early session of the Conference a report of a representative commission, with such technical assistance as it may require, on the means necessary to protect the interests of labour, on the one hand, against barriers which prevent migration from areas of limited resources, and on the other hand against the lowering of the labour standards that might result from immigration at a rate exceeding the capacity of the receiving countries to absorb immigrants.

9. In order that re-employment may be expedited and healthy living standards established within a period of minimum duration in areas liberated from Axis occupation,

The Conference recommends that arrangements be made by those nations whose productive capacities have been maintained during the war, by all other nations which are in a position to make materials available and by the appropriate international organizations, to give the highest priority consistent with the exigencies of war to immediately supplying the territories liberated from Axis

occupation with materials and equipment required for industrial installations, agriculture, transport, public works and utilities of an essential character.

10. Believing that the best possible conditions for a rise in the standard of living and the maintenance of full employment in the world can only be obtained by mutually consistent national economic, financial and social policies and by co-ordination of the activities of the different international institutions in this field,

The Conference considers that appropriate international measures should be taken which guarantee sufficient contact and consultation with regard to such policies between Governments as well as between the different international institutions.

II. NATIONAL POLICY

11. In order that full employment at productive peacetime pursuits, freedom from want, rising standards of living and genuine economic security may be achieved with a minimum of delay after the war,

The Conference urges that Governments and employers' and workers' organizations formulate comprehensive and co-ordinated programmes, suited to the particular needs of their countries, for prompt and orderly reconversion, reconstruction and economic expansion, and that such programmes be prepared and applied simultaneously with the consideration of the international measures referred to in the preceding paragraphs.

12. Recognizing that the economic situation will differ markedly among the various countries at the war's end, varying particularly with the degree and type of industrial development, the extent to which the peacetime economy has been disrupted by the war, and whether the country's territory has been occupied by the enemy; and recognizing that national post-war economic programmes must vary accordingly, in order to meet most effectively the needs of the country in which they are to be applied,

The Conference urges that, with due allowance for difference in national economic situations, programmes for economic reconversion, reconstruction and expansion include the development of sound policies and procedures to provide—

- (a) Effective arrangements for the orderly and expeditious demobilization and repatriation, and for the early absorption in productive peacetime employment, of members of the armed forces, civilian workers, prisoners, persons who have resisted deportation, deported persons and refugees; the prompt termination of contracts and settlement of claims; the prompt determination of policy on the peacetime use of Government-owned war production capacity and equipment and the disposition of surplus materials, with a view to the use of these items to satisfy human needs; and liberal provision for the maintenance, educational training and retraining of persons unavoidably out of employment; as recommended by the Twenty-sixth Session of the International Labour Conference in its recommendation concerning employment organization in the transition from war to peace;
- (b) Retention, as long as shortages exist, of such war-created economic controls—for example, price and exchange controls and rationing—as are necessary to prevent inflation, and the relaxation of such controls as rapidly thereafter as is consistent with the public welfare;
- (c) Adjustment of tax systems to encourage rapid reconversion, reconstruction and economic expansion, while maintaining an equitable distribution of tax burdens and avoiding financial measures which tend to increase the dangers of inflation or deflation;
- (d) Development of effective mechanisms for adequate financing of the reconversion, reconstruction and expansion of industry, trade, commerce and agriculture, and particularly to assist the establishment of new and efficient enterprises.

13. The Conference urges that all practicable measures be taken to maintain a high and steady level of employment, to minimize fluctuations in business activity, and to assure a steadily expanding volume of production, more particularly by means of—

- (a) Fiscal, monetary and other measures, including useful public works, to sustain the volume of demand for goods and services at a high level, while avoiding the dangers of an inflationary spiral of prices and wages; in this connection attention should be paid, among other measures, to such methods as an adequate income security system, and to properly timed public works financed by borrowing in periods of depression, in accordance with the Public Works (National Planning) Recommendation, 1937;
- (b) Measures to discourage monopolistic practices and to encourage technological progress, to maintain a reasonably flexible system of prices and wages, to encourage the transfer of workers and productive resources from declining to expanding industries, and to attain a high degree of mobility of resources and freedom of access to alternative employment;
- (c) Measures to provide adequate incentives to engage in and expand constructive economic activity, to encourage private investment and to maintain the rate of investment; among the measures which warrant careful consideration in this connection are the adjustment of tax systems, removal of artificial barriers limiting access to resources and markets, the relaxation of unreasonable restrictions imposed by governmental agencies or by business or by labour organizations, and the maintenance of a high and stable demand for goods;
- (d) Measures to provide adequate opportunity for workers to engage in productive activity and to obtain advancement; among the measures which warrant careful consideration in this connection are the provision of improved and more generally accessible educational and training facilities, provision of higher nutritional and health standards, improvement of public employment services, increased provision against economic insecurity, the maintenance of wages at a high level, and the protection, extension and improvement of collective bargaining procedures.

VII

RESOLUTION REQUESTING THE GOVERNING BODY TO EXAMINE PROBLEMS INVOLVED IN LABOUR PROVISIONS FOR INTERNATIONALLY-FINANCED DEVELOPMENT WORKS

Considering that the International Labour Organization should be in a position to offer effective assistance in determining the appropriateness of including provisions concerning welfare and working conditions in the terms under which any international development works are to be carried out, and in framing and applying any such provisions,

The Conference requests the Governing Body to examine the methods which might be adopted for determining the appropriateness in any particular case of the inclusion of such provisions, for framing such provisions, and for ensuring their effective application.

VIII

RESOLUTION CONCERNING MEASURES FOR THE PROTECTION OF TRANSFERRED FOREIGN WORKERS AND OF FOREIGN WORKERS' AND EMPLOYERS' ORGANIZATIONS

Whereas the International Labour Conference is called upon by Item II on the agenda of the present session to make recommendations to the United Nations for present and post-war social policy ; and

Whereas some of the gravest problems of social policy that will confront the United Nations when they come to occupy certain portions of Axis territory will be those which will arise in connection with the millions of foreign workers who have been transferred to work in Axis countries ; and

Whereas the Council of the United Nations Relief and Rehabilitation Administration has assumed responsibility for the measures to be taken to repatriate such workers ; and

Whereas it is desirable that provision should be made for the protection of such workers in regard to their health, welfare and general interests pending their repatriation ;

The Conference recommends as follows—

- (1) Precautions should be taken, subject to the removal of all officials identified with the former totalitarian régime, to ensure that the administrative machinery set up by the former régime for handling questions connected with the utilization of foreign labour power, together with all its records and documents, is for the time being preserved intact. In particular, the United Nations and the occupying authorities should make it clear that the personnel concerned will be held individually responsible for the preservation of such documents and records and that persons convicted of destroying or concealing them will be severely punished.
- (2) Pending the repatriation of foreign workers, which should be carried out with the greatest possible speed, the competent occupation authority should take appropriate action for the purpose of protecting such workers in regard to their feeding, accommodation, health, safety, welfare and general interests.
- (3) All discriminatory treatment in respect of remuneration, the right to employment, conditions of employment, the wearing of distinctive badges, &c., on account of race, national or local origin, or religion, should be immediately abolished.
- (4) The competent occupation authority should in the matters concerning foreign workers in Axis nations collaborate with the Governments and trade unions of Allied countries.
- (5) Arrangements should be made, within the framework of general restitution arrangements, for the restitution of funds or property that may have been confiscated in Germany or elsewhere from international and foreign trade union organizations, co-operatives, and employers' organizations by Axis agents.

IX

RESOLUTION CONCERNING THE HOLDING OF A REGIONAL CONFERENCE OF THE COUNTRIES OF THE NEAR AND MIDDLE EAST

Whereas the International Labour Organization, during the coming year, will have to pay closer attention to the various regions of the world where similar social and economic conditions exist ; and

Whereas the raising of the social standards of the workers in town and country will largely depend upon appropriate solutions being sought to the specific problems of the regions concerned ; and

Whereas the Near and the Middle East constitute a vast region of particular importance, where similar conditions prevail as regards the working and living conditions of great masses of agricultural workers, whether independent, semi-independent, or wage-paid ; and

Whereas these conditions, as well as the problems with which the countries concerned are confronted in their effort towards systematic development of resources and industrialization, require special study, exchange of experience and joint action ; and

Whereas particular attention should be directed to the working and living conditions in the oil producing areas of this region ;

The Twenty-sixth Session of the International Labour Conference resolves to invite the Governing Body of the International Labour Office to examine the possibility of convening at an early date a regional conference of the countries of the Near and Middle East, with a view to giving effect to the consideration of the specific problems of that region.

X

RESOLUTION CONCERNING THE CONVENTIONS AND RECOMMENDATIONS ADOPTED AT EARLIER SESSIONS OF THE CONFERENCE BEARING UPON THE PROBLEM OF THE ORGANIZATION OF EMPLOYMENT IN THE TRANSITION FROM WAR TO PEACE.

The General Conference of the International Labour Organization

Having adopted the Employment (Transition from War to Peace) Recommendation, 1944, the Employment Service Recommendation, 1944, the Public Works (National Planning) Recommendation, 1944,

draws the attention of the Members of the Organization to the bearing upon the problem of the organization of employment in the transition from war to peace of the following Conventions and Recommendations—

- The Unemployment Convention, 1919,
- The Fee-Charging Employment Agencies Convention, 1933,
- The Employment Agencies Recommendation, 1933,
- The Unemployment Provision Convention, 1934,
- The Unemployment Provision Recommendation, 1934,
- The Unemployment (Young Persons) Recommendation, 1935,
- The Vocational Training Recommendation, 1939,
- The Apprenticeship Recommendation, 1939,
- The Vocational Education (Building) Recommendation, 1937,
- The Minimum Age (Industry) Convention (Revised), 1937,
- The Minimum Age (Family Undertakings) Recommendation, 1937,
- The Minimum Age (Non-industrial Employment) Convention (Revised), 1937,
- The Minimum Age (Agriculture) Convention, 1921,
- The Public Works (National Planning) Recommendation, 1937,
- The Public Works (International Co-operation) Recommendation, 1937 ; and

urges that Members which have not already done so should give consideration to ratifying the said Conventions, and to giving effect, wherever possible, to their provisions pending ratification, and that all Members should give consideration to making effective the provisions of the said Recommendations.

XI

RESOLUTION CONCERNING CO-OPERATION IN REGARD TO THE PREPARATION FOR PLANS FOR PUBLIC WORKS IN COUNTRIES AT PRESENT IN ENEMY OCCUPATION

Whereas the Governments of the United Nations, whose territory is still under the occupation of the enemy, are unable to prepare detailed plans for public works in their countries, because they do not possess the data necessary for such a preparation and because they are handicapped either by the lack of trained technical personnel, or by the lack of adequate financial means, or by both ;

Whereas the universities and technical colleges in some of the occupied countries have been forcibly closed for years, and laboratories, research institutes and libraries destroyed ;

Whereas in most of these countries the number of previously trained technical experts has been, because of persecution, considerably reduced and the remaining experts have been for years without any communication with the outside world and consequently have been unable to keep up with the results and methods of technical progress achieved in non-occupied territories ;

And whereas a considerable volume of public works will have to be undertaken upon the liberation of those countries in order to provide the basis for a speedy reconstruction, to organize the transportation network, to provide housing for the great masses of the population, and finally to provide employment ;

It is resolved—

- (a) That the Members of the International Labour Organization be invited to exchange the results of their research in the various branches of development works, including public utilities, and their experiences with the technical problems involved in the preparation and carrying out of development works programmes ;
- (b) That they exchange experiences gained in the planning and organization of development works and in the maintenance of such works and public utilities ; and exchange information on the education of technical experts and on making these matters known to the public ;
- (c) That the Conference invites the Governing Body to call a meeting of the International Public Works Committee at the earliest practicable moment and include in the agenda of the meeting the study of the exchange of such information as is referred to in clauses (a) and (b).

XII

RESOLUTION CONCERNING SOCIAL INSURANCE AND RELATED QUESTIONS IN THE PEACE SETTLEMENT

Whereas the peace settlement must necessarily comprise various clauses intended to solve a number of international problems of a social nature, of capital importance, which will arise as between the Axis and associated countries on the one hand and the United Nations on the other ;

Whereas among these problems the following deserve special attention —

- (a) The protection of the social insurance rights of displaced persons ;
- (b) Indemnities for losses and damage suffered, in consequence of the war and occupation, by the social security institutions of members of the United Nations and by their nationals ;
- (c) The settlement of the social problems resulting from the transfer of territories and the exchange of populations ;
- (d) The revival of bilateral social treaties and the juridical status under social legislation of nationals of members of the United Nations in the Axis and associated countries ;

The Conference approves as a basis for the solution of the problems mentioned above the principles which are submitted in Annexes I to IV of the present Resolution ; and

Invites the Governing Body to appoint within six months a special committee constituted in the manner indicated in Annex V, which should be entrusted with the preparation, on the basis of the said principles, of—

- (1) Precise provisions concerning these questions for submission to the United Nations with a view to their insertion in the peace settlement ; and
- (2) Such executive measures as may appear practical.

ANNEX I

PRINCIPLES CONCERNING THE PROTECTION OF THE SOCIAL INSURANCE RIGHTS OF DISPLACED PERSONS

1. The peace settlement should include the following arrangements to protect the social insurance rights of workers recruited for employment by Axis and associated countries.

2. The arrangements shall apply to any person who, while residing in the territory of a member of the United Nations (hereinafter called "country of residence"), has, at any time since 31 August 1939 (since 28 September 1938 in the case of Czechoslovakia) and before the cessation of hostilities, been recruited by or on behalf of an agency of an Axis or associated country (hereinafter called "recruiting country") for employment in its own or in another territory occupied by it, and who in virtue of such employment has been liable to compulsory social insurance as a manual worker, salaried employee or miner, as the case may be, under the laws or regulations of the recruiting country or would have been so liable if a national of such country. Similar arrangements should also apply to workers subjected to forced labour in their country of residence.

Pension Insurance

3. A recruited worker shall be deemed to have been affiliated to the pension insurance institution of the recruiting country appropriate to the nature of his employment as from the date of his departure from his country of residence—

(1) Until the date of his return thereto; or

(2) Until the date of his death or his becoming an invalid, according as (1) or (2) is the earlier.

4. During the whole period for which he is deemed to have been affiliated to an insurance institution of the recruiting country, contributions shall be deemed to have been paid in respect to the recruited worker. Such contributions shall be based on the normal wage of a worker of the recruiting country performing similar work and shall comprise such part of the total of the joint contribution of employed persons and employers, payable in virtue of the social insurance laws or regulations of the recruiting country, as is applied to the financing of the pension insurance scheme administered by the insurance institution to which the recruited worker concerned is deemed to have been affiliated.

5. Where the last employment of a recruited worker in his country of residence was in work of a higher grade than that in which he was employed in the recruiting country, the contributions deemed to have been paid in respect of him shall be based on the earnings corresponding to the work of higher grade and shall be deemed to have been paid to the pension insurance institution of the recruiting country appropriate to the nature of this employment.

6. The total of the contributions deemed to have been paid in respect of a recruited worker, together with a proportionate share of any State subsidy to the revenue or expenditure of the pension insurance scheme, shall constitute a debt due to the country of residence. The recruiting country accepts full responsibility for the discharge of this debt: provided that such acceptance of responsibility shall not be interpreted as altering the nature of the debt, which remains primarily a joint liability of all the social insurance institutions of the recruiting country. The discharge of the above-mentioned responsibility by the recruiting country shall be effected independently of all other financial obligations which may be incurred as the result of the war by the recruiting country to the country of residence:

Provided that the total of any instalments of a pension or any lump sum in commutation of a pension which have been paid by an insurance institution of the recruiting country to a recruited worker or his survivors up to the date when the arrangements came into force shall be deducted from the total of the contribution debts due by the recruiting country, and, in such proportion as the country of residence may determine, from the proceeds of each debt individually.

7. The debt shall fall due on the date on which its amount is notified to the recruiting country and shall be increased by compound interest at the rate of x per cent. annually from the date at which the recruited worker is deemed to have ceased to be affiliated to an insurance institution of the recruiting country, until the debt is discharged.

8. Any rules adopted for the conversion, with a view to payment, of the amount of any debts expressed in the currency of the recruiting country into the currency of the country of residence, shall provide equitably for protecting the creditor from the effects of the depreciation of the currency of the recruiting country.

9. On the payment of the debt, the liabilities of the recruiting country in respect of the rights in course of acquisition and rights acquired by a recruited worker while he was deemed to be affiliated to an insurance institution of the recruiting country shall be considered as discharged:

Provided that, where, in the course of five years from the date when these arrangements came into force, the frequency of invalidity and death among recruited workers while in the recruiting country and while insured in their country of residence after their return is found to be significantly greater than that assumed in the actuarial estimates of the scheme under which they are insured, the resultant increase in the pension expenditure shall constitute a debt due by the recruiting country, to be discharged in accordance with the provisions of paragraphs 6 to 8.

10. The country of residence shall use the proceeds of the debt paid in respect of each recruited worker in order to credit him with rights under its pension insurance laws and regulations, and for this purpose shall affiliate him to an insurance institute appropriate for him in view of the nature of his occupation. If there is no such institution the country of residence shall apply the proceeds for the benefit of the worker concerned in such way as it may deem fit.

11. Where the recruited worker died or became disabled before the date when these arrangements came into force, a pension shall be awarded if the qualifying conditions can be deemed to have been fulfilled, having regard to the period during which he is deemed to have been affiliated to an insurance institution of the recruiting country.

Accident Insurance

12. Where a recruited worker became permanently incapacitated or died in consequence of an occupational accident or disease occurring in the recruiting country in respect of which compensation was payable under the laws or regulations of the recruiting country concerning accident insurance, or would have been so payable if he had been a national of the recruiting country, such compensation shall be commuted for a lump sum representing its capital value, calculated in accordance with actuarial tables applied under the accident insurance laws or regulations of the country of residence. Where necessary the rate of the pension shall be recalculated on the basis of the normal wage of a worker of the recruiting country performing similar work, and the provisions of paragraph 5 shall apply correspondingly.

13. Such lump sum shall constitute a debt due by the recruiting country to the country of residence, and paragraph 6 shall apply correspondingly.

14. The debt shall fall due at the date at which its amount is notified to the recruiting country and shall be increased by compound interest at the rate of x per cent. annually from the date when the first instalment, due but not yet paid, became payable, until the debt is discharged; paragraph 8 shall apply correspondingly.

15. The country of residence shall use the proceeds of the debt paid in respect of the recruited worker in order to provide him or his survivors with a pension under its accident insurance laws or regulations.

Unemployment Insurance

16. The provisions of these arrangements shall apply correspondingly to the unemployment insurance contributions paid in respect of workers recruited by the recruiting country:

17. Provided that the country of residence shall apply the proceeds of the debts in respect of such contributions on behalf of recruited workers who are unemployed after their return.

General Provisions

18. For the purpose of assisting the countries of residence concerned in applying these arrangements, there shall be established in connection with the International Labour Office a commission consisting of one delegate from each such country, together with three persons appointed respectively by the Government, workers' and employers' representatives upon the Governing Body of the International Labour Office.

19. The commission shall be empowered to make regulations for the purpose of giving effect to these arrangements and resolving any difficulties which may arise in connection with the application thereof; it shall establish its own procedure.

20. Without prejudice to the generality of the powers conferred by paragraph 19, the commission is entitled to make regulations designed to—

- (a) Substitute more summary methods than those specified in paragraphs 4 to 6 for the calculation of debts;
- (b) Substitute for the present arrangements the general provisions of the Maintenance of Migrants' Pension Rights Convention, 1935, as between certain countries or certain categories of recruited workers;
- (c) Resolve any doubt whether workers are to be regarded as having been recruited;
- (d) Determine the rate of the contribution to be deemed to have been paid in respect of a recruited worker;
- (e) Determine one wage on which the contributions is to be deemed to have been based, taking into consideration typical wages of broad occupational groups and the necessity of ignoring all discrimination based on race, nationality and religion;
- (f) Determine the propriety of classifying as recruited workers nationals of members of the United Nations recruited while residing in the territory of an Axis or associated country and certain other groups such as deported persons, and, for the purposes of workmen's compensation, prisoners of war.

21. The commission shall accord just consideration to representations and complaints from recruiting countries arising out of the application of these arrangements.

22. Any expenses properly incurred by the commission shall be borne by the recruiting countries.

ANNEX II

PRINCIPLES CONCERNING INDEMNITIES FOR SOCIAL CLAIMS

1. In the peace settlement which will impose financial obligations on the Axis and associated countries, provision should be made for full indemnities in respect of legitimate claims of a social character which result from the events of the present war and from the occupation of the territories of certain members of the United Nations.

2. The above provision relates—

- (a) On the one hand, to the satisfaction of claims for indemnity made by social security institutions (social insurance or autonomous welfare funds) of members of the United Nations in respect of all loss and damage which they have suffered as the result of the events mentioned in paragraph 1; the indemnity should include the reconstruction of the reserves of social insurance institutions which are necessary to cover their liabilities as affected by the said events, including the increase of those liabilities resulting from the aggravation of the risks in consequence of the said events;

- (b) On the other hand, to the satisfaction of the claims of individual nationals of members of the United Nations in respect of treatment contrary to international law or other inequitable treatment imposed on them by Axis or associated countries in the matter of conditions of employment (including remuneration), loss of social insurance rights not covered by the provisions of Annex I to the present resolution, and of any other claims connected with working conditions and social protection and the like which are the direct or indirect consequence of the events mentioned in paragraph 1 and involve the liability either of Governments and public institutions of the Axis and associated countries or of physical or legal persons belonging to such countries;
- (c) In the peace settlement which will impose financial obligations on the Axis and associated countries, provision should be made for priority in favour of the payment of indemnities in respect of the claims mentioned under paragraphs 1 and 2 over all other claims.

ANNEX III

PRINCIPLES CONCERNING THE SETTLEMENT OF THE SOCIAL PROBLEMS RESULTING FROM THE TRANSFER OF TERRITORIES AND THE EXCHANGE OF POPULATIONS

1. Any provisions in the peace settlement on the subject of the transfer of territories should provide for

- (a) The transfer of a clearly defined part of the social insurance liabilities pertaining to the ceded territories from the countries previously competent to the countries subsequently competent, corresponding to the ceded territories;
- (b) The immediate transfer by the previously competent countries to the subsequently competent countries of the reserves necessary, according to actuarial calculations, to cover the liabilities which will be assumed and discharged by the latter; this transfer should be effected independently of any payments from the Axis or associated countries to the United Nations on account of war reparations or any other account;
- (c) The resumption by the successor countries of the payment of the social insurance benefit for which they become liable, so as to secure the uninterrupted continuation of the payment of current benefits and the award of benefits in respect of rights in course of acquisition which have been assumed;
- (d) The application of the principles set out under subparagraphs (a) to (c), not only to social insurance but to all similar social security institutions, such as pension funds, unemployment funds, autonomous provident or welfare funds, &c.

2. All arrangements entered into among members of the United Nations for the exchange of populations between different countries should include suitable provisions for the protection of the social rights of workers, including regulations similar to those provided for under paragraph 1.

ANNEX IV

PRINCIPLES RELATING TO THE REVIVAL OF BILATERAL SOCIAL TREATIES AND TO THE JURIDICAL STATUS OF NATIONALS OF MEMBERS OF THE UNITED NATIONS UNDER SOCIAL LEGISLATION IN AXIS AND ASSOCIATED COUNTRIES

1. The peace settlement should, at the request of members of the United Nations concerned, provide for the revival of treaties and bilateral agreements on the subjects of social insurance, labour, unemployment, public assistance and other related subjects in force on 31 August 1939 (or at any earlier date at which the territory of a member was occupied) between axis and associated countries on the one hand and these members of the United Nations on the other; it should provide that such treaties and agreements may not thereafter be denounced unilaterally by Axis or associated countries within five years from the date of the peace settlement.

2. The peace settlement should guarantee the nationals of the United Nations the same treatment as Axis and associated countries grant to their own nationals in the application of all branches of social legislation.

ANNEX V

COMPOSITION OF THE PROPOSED COMMISSION

A. Three representatives of the Governing Body appointed from members of the three groups, being nationals of countries other than those directly represented on the committee, in accordance with paragraph B below;

B. Ten experts on social insurance and the international regulation of social questions, appointed in particular by countries directly concerned in this matter;

C. Duly qualified representatives of the international bodies which are competent for related questions.

XIII

RESOLUTION CONCERNING INTERNATIONAL ADMINISTRATIVE CO-OPERATION TO PROMOTE SOCIAL SECURITY

Whereas mutual assistance in social security administration is one of the forms of collaboration between nations calculated to promote the progressive development in all countries of comprehensive social security schemes providing for income security and medical care; and

Whereas the International Labour Office has co-operated with Members of the Organization in an advisory capacity in the planning and development of social security schemes by means of expert missions, and it is now desirable to take further measures to make the experience of social security administration gained by members individually available through the International Labour Office to other members about to introduce social security schemes or to amend their existing schemes ; and

Whereas the Inter-American Conference on Social Security adopted at its first session, held at Santiago de Chile in 1942, resolutions favouring co-operation among social security administrations and institutions with a view to the unification of statistics of medical care and the encouragement of research and technical studies ;

The Conference requests the International Labour Office—

- (a) To take the necessary measures to facilitate the interchange of qualified technicians and experts by means of agreements between Members of the Organization ;
- (b) To continue efforts to promote, on an international or regional basis, systematic and direct collaboration among social security administrations or institutions with a view to the regular interchange of information which will facilitate their work and the study of common problems in the application of social security ; among these problems the following are enumerated without implying any order of preference—
 - (i) The comparability of statistics on the working of social security services, and their possible standardization ;
 - (ii) Long-term investment of the reserves of social security institutions ;
 - (iii) Simplification of social security administration ;
 - (iv) Relations between social security institutions based on assistance and those based on insurance ;
 - (v) The prevention of the risks covered ;
 - (vi) The training and technical improvement of the personnel of social security administration through the organization of courses of higher study in the actuarial and accounting fields and others related to the application of social security systems ;
- (c) To study the possibility and appropriateness of international or multilateral agreements which would establish bodies responsible for performing common functions, in the field either of finances or of administration.

XIV

RESOLUTION CONCERNING THE DEFINITION OF TERMS USED IN INTERNATIONAL CONVENTIONS AND RECOMMENDATIONS CONCERNING SOCIAL SECURITY

Whereas it would greatly contribute to the clarification of the terms used in Conventions and Recommendations concerning social security to establish an international nomenclature of social security terms in order to avoid misinterpretation due to differences in the terminology employed in various countries ;

The Conference requests the International Labour Office to prepare, in consultation with experts on social security, on sociology, and on economic and legal questions, a list containing definitions of terms occurring in international Conventions or Recommendations on social security, with a view to arriving at international agreement.

XV

RESOLUTION CONCERNING SOCIAL SECURITY IN ASIATIC COUNTRIES

Whereas the proposals for the promotion of social security before the Conference are for the most part inapplicable to Asiatic countries such as India in their present stage of industrial development ; and

Whereas the Asiatic Member States constitute a large part of the world with vast populations which should not be excluded from the benefits of the proposed measures for the promotion of social security, having regard to the aims and purposes of the International Labour Organization ;

The Conference recommends that an Asiatic regional conference be held at as early a date as possible and that the question of the organization of social security be included in the agenda of that conference.

XVI

RESOLUTION INCLUDING THE QUESTION OF MINIMUM STANDARDS OF SOCIAL POLICY IN DEPENDENT TERRITORIES (SUPPLEMENTARY PROVISIONS) IN THE AGENDA OF THE NEXT GENERAL SESSION OF THE CONFERENCE

In accordance with the provisions of paragraph 3 of Article 16 of the Constitution of the International Labour Organization, the Twenty-sixth Session of the International Labour Conference decides to include in the agenda of the next general session of the International Labour Conference the question of—

Minimum standards of social policy in dependent territories (supplementary provisions).

XVII

RESOLUTION REQUESTING THE GOVERNING BODY TO SET UP A COMMITTEE TO ADVISE THE INTERNATIONAL LABOUR OFFICE ON STANDARDS OF SOCIAL POLICY IN DEPENDENT TERRITORIES

The Twenty-sixth Session of the International Labour Conference,

Recognizing the value of the work of the Committee of Experts on Native Labour and the necessity of providing the Office with all possible technical advice on social problems in dependent territories,

Requests the Governing Body of the International Labour Office to set up as soon as possible a committee to advise the Office on standards of social policy in dependent territories.

The following are among the questions which the Governing Body may consider should appropriately be laid before the committee, the creation of which is suggested :

- (1) The status of women in dependent territories ;
- (2) Migratory labour and its protection ;
- (3) Housing standards in dependent territories, including methods to facilitate the interchange of information on progress realized.

XVIII

RESOLUTION TO CONFIRM THE READMISSION OF COSTA RICA TO THE INTERNATIONAL LABOUR ORGANIZATION

The General Conference of the International Labour Organization,

Taking note of the decision of the Governing Body of the International Labour Office that the Republic of Costa Rica should be entitled to the full rights of membership of the organization from 12 November 1942, pending formal confirmation of her readmission to the Organization by the Conference,

Hereby confirms the readmission of Costa Rica to the International Labour Organization with the same rights and obligations as the other Members of the Organization.

XIX

RESOLUTION CONCERNING THE MEMBERSHIP OF AUSTRIA IN THE INTERNATIONAL LABOUR ORGANIZATION

The Conference takes note with satisfaction of the Moscow declaration expressing the wish of the signatories to see re-established a free and independent Austria, recalls the active participation of Austria in the International Labour Organization from 1919 to 1938 and expresses the hope that a free, independent and democratic Austria will soon resume her participation in the International Labour Organization.

XX

RESOLUTION CONCERNING THE MEMBERSHIP OF CERTAIN AMERICAN STATES IN THE INTERNATIONAL LABOUR ORGANIZATION

The International Labour Conference,

Expresses its great satisfaction that Nicaragua and Paraguay are represented at the Twenty-sixth Session of the Conference by observers ;

Requests the Governing Body of the International Labour Office to consider, in consultation with those States, as well as other States of the American continent which are not at present Members of the Organization, how the resumption of active membership of the Organization by all of the States of the American continent could best be achieved ; and

Expresses the earnest hope that all the States of the American continent will be represented at the next session of the International Labour Conference as Members of the Organization.

XXI

RESOLUTION CONCERNING COMPLETE DELEGATIONS TO THE CONFERENCE

In view of the growing volume and importance of the work of the International Labour Organization, and in order to enable the Conference of the Organization to have full and fruitful discussion of the questions on the agenda of the Conference and also to enable each delegation to participate effectively in the deliberations of the Conference and the several committees, this session of the International Labour Conference earnestly invites the Members of the International Labour Organization to send complete delegations, including an adequate number of advisers, to each session without regard to cost or distance.

XXII

RESOLUTION CONCERNING THE USE OF SPANISH AND PORTUGUESE AS OFFICIAL LANGUAGES

Considering that the nations of Latin America have made a substantial contribution to the development and universalization of the International Labour Organization ;

Considering that the nations of Latin America have unanimously developed, spontaneously and with exceptional rapidity, a social policy based on the international Conventions and on the generous conceptions of the protection of labour and collective welfare ;

Considering that the prominent position attained by the American republics and the special social conditions of the Western Hemisphere have been demonstrated at the labour conferences of the American States which were held in 1936 and 1939, at Santiago de Chile and Havana respectively, and which had far-reaching results ;

Considering that the nations of Latin America constitute the great majority of the States of America and number twenty independent Republics, of which thirteen are Members of the International Labour Organization ;

Considering that the ethnical unity, historic traditions and ideals characteristic of the peoples of Latin America demonstrate the existence of an authentic culture, the value of which is all the greater in as much as it extends over the whole of the South American continent and Central America ;

Considering that the social development of Latin America springs from the Iberian civilization, which is both Spanish and Portuguese and is two-fold in its nature, and still maintains this diversity, which so far from being a cause of division, rather serves to bind them more closely together for the preservation of the characteristics they derive from a common historic source ;

Considering that the Spanish and Portuguese languages spoken by the nations of Latin America are also the languages of the countries of the Iberian Peninsula, of the peoples of a large part of the continent of Africa, and of various regions of Asia ;

Considering also that the Spanish and Portuguese languages are regional transformations and progressive adaptations of Latin and at the same time modern, living languages, with a classical etymology, which can be readily understood and acquired ;

Considering that the original root and the manner of development of the Portuguese and Spanish idioms, which development has taken place in geopolitical conditions presenting substantial similarities, have rendered impossible wide divergences between the two tongues, so that to-day the peoples who speak them can readily understand one another ;

Considering that the Havana Conference of 1939, in resolution XXV, expressed itself unanimously in favour of the publication of legal decisions by the International Labour Organization in Spanish and Portuguese ;

Considering finally that the use of the Spanish language has become an established practice of the International Labour Organization and that Portuguese has been used for several official publications of the Organization ;

The Conference requests the Governing Body to consider the possibility of making Spanish and Portuguese official languages of the International Labour Organization and to submit to the next general session of the Conference any necessary amendments of the Standing Orders of the Conference and of its committees.

XXIII

RESOLUTION CONCERNING ATROCITIES IN THE OCCUPIED COUNTRIES OF EUROPE

Whereas the Declaration concerning the aims and purposes of the International Labour Organization, adopted by the Twenty-sixth Session of the International Labour Conference, includes the reaffirmation of the following fundamental principle on which the Organization is based—

“ That all human beings irrespective of race, creed or sex have the right to pursue both their material well-being and their spiritual development under conditions of freedom and dignity ” ;

Whereas Nazi Germany and its satellites are continuing the criminal persecution of all Axis-occupied countries, aiming particularly at annihilation of the Jews of Europe ;

Whereas especially in occupied Poland mass murder of populations is being committed on a scale hitherto unknown in modern history ;

The International Labour Conference adopts the following resolution :—

The General Conference of the International Labour Organization, convened in its Twenty-sixth Session at Philadelphia, on 12 May 1944,

1. Protests against Nazi crimes which violate the fundamental principles of humanity and of international law ;

2. Welcomes the statement on atrocities signed by President Roosevelt, Prime Minister Churchill and Premier Stalin, announced on 1 November 1943, following the Three-Power Conference in Moscow, and the Joint Declaration against extermination of the Jewish people announced on 17 December 1942, in London, Moscow and Washington by the Governments of Belgium, Czechoslovakia, Greece, Luxemburg, the Netherlands, Norway, Poland, the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and Yugoslavia, and the French National Committee ; and expresses its firm conviction that all guilty of such crimes must be tried and punished ;

3. Requests that the United Nations take immediately all possible steps to stop mass slaughter of the population of the occupied countries of Europe ;

4. Expresses its deepest sympathy for all victims of Nazi terror and its great admiration for the underground fighters of all occupied countries, including the defenders of the Ghettos of Warsaw and other cities, who have been fighting and dying together for the common cause of the United Nations.

APPENDIX III.—RENEWAL OF THE COMPOSITION OF THE GOVERNING BODY

On 5 May 1944 the Government delegates (with the exception of the delegates of the eight States of chief industrial importance), the employers' delegates, and the workers' delegates, meeting as electoral colleges, renewed the composition of the Governing Body of the International Labour Office whose outgoing members had been elected during the Twenty-third Session of the Conference in 1937.

The three colleges agreed that the term of office of the new members should expire at the next ordinary session of the Conference.

The Government electoral college unanimously decided to confirm the mandate of the six States which had held elective seats on the Governing Body prior to the election. These States are Brazil, Chile, Mexico, Norway, Poland, and Yugoslavia.

The electoral college then held elections for the two vacant seats, which were allotted to the following States: Peru and Greece.

The employers' delegates, meeting as an electoral college, elected the following representatives (in alphabetical order):—

Mr. Antoine (French).
Mr. Chapa (Mexican).
Mr. Erulkar (Indian).
Sir John Forbes Watson (British).
Mr. Gemmill (South African).
Mr. Harriman (United States).
Mr. Joassart (Belgian).
Mr. Morawetz (Czechoslovak).

They also elected as employers' deputy members the following persons (in order of priority):—

Mr. Li Ming (Chinese).
Mr. Dahl (Norwegian).
Mr. Macdonnell (Canadian).
Mr. Cowley Hernandez (Cuban).
Mr. Falter (Polish).
Mr. Kulukundis (Greek).
Mr. Warning (Netherlands).
Mr. Banats (Yugoslav).

The workers' delegates, meeting as an electoral college, elected the following representatives:—

Mr. Hallsworth (British).
Mr. Watt (United States).
Mr. Andersson (Swedish).
Mr. Laurent (French).
Mr. Rens (Belgian).
Mr. Chu Hsueh-fan (Chinese).
Mr. Lombardo Toledano (Mexican).
Mr. Bengough (Canadian).

They also elected as workers' deputy members the following persons (in order of priority):—

Mr. Crofts (Australian).
Mr. Oldenbroek (Netherlands).
Mr. Kosina (Czechoslovak).
Mr. Ibanez (Chilean).
Mr. Downes (South African).
Mr. Adamczyk (Polish).
Mr. Nordahl (Norwegian).
Mr. Mehta (Indian).

The eight States of chief industrial importance whose delegates complete the Governing Body are:—

United States of America.
Belgium.
Canada.
China.
France.
Great Britain.
India.
Netherlands.

APPENDIX IV.—ADDRESS BY THE PRESIDENT OF THE UNITED STATES OF AMERICA TO THE DELEGATES ATTENDING THE TWENTY-SIXTH SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

White House, Washington, D.C., 17 May, 1944

It is a great pleasure to have you with us here in the White House again. As I pointed out to you when we last met—two and a half years ago—taking part in a Conference of the International Labour Organization is not a new experience for me. I take pride in the fact that I was permitted to play a part in the first Conference of the Organization that was held here in Washington in 1919.

Those were indeed trying days when last we met in 1941. The fate of the free peoples of the entire world hung in the balance. Yet with the courage and foresight that have always characterized the International Labour Organization, you as representatives of Governments, workers and employers had the boldness to come together from all parts of the world to formulate plans for reconstruction.

You have been meeting in Philadelphia where, one hundred sixty-eight years ago, the Fathers of this Republic affirmed certain truths to be self-evident. They declared that among other things all men are endowed by their Creator with certain inalienable rights, among them life, liberty, and the pursuit of happiness. In these words are expressed the abiding purpose of all peoples imbued with the ideals of freedom and democracy.

The Declaration which you have formulated in Philadelphia may well acquire a similar significance. In it you have reaffirmed principles which are the essential bulwarks of any permanent peace. With the expanding use of machinery and the revolution in transportation, it is well that the world should recognize the fundamental principle of your Declaration: "Poverty anywhere constitutes a danger to prosperity everywhere." This principle is a guide to all of our international economic deliberations.

You have affirmed the right of all human beings to material well-being and spiritual development under conditions of freedom and dignity and under conditions of economic security and opportunity. The attainment of those conditions must constitute a central aim of national and international policy. Indeed, the worthiness and success of international policies will be measured in the future by the extent to which they promote the achievement of this end.

Your Declaration sums up the aspirations of an epoch which has known two world wars. I confidently believe that future generations will look back upon it as a landmark in world thinking. I am glad to have this opportunity of endorsing its specific terms on behalf of the United States. I trust, also, that within a short time its specific terms will be whole-heartedly endorsed by all of the United Nations.

As I look over the report of your work, I see that you have, for the first time in history, set out in a form which could be adopted as a treaty by the nations, a particular series of social objectives. I note that among other things they include full employment, wages and working conditions calculated to ensure a just share of the fruits of progress to all, the extension of social security, the recognition of the right of collective bargaining, provision for child welfare and the assurance of adequate educational and vocational opportunities. It will be your responsibility to promote these objectives through your own Organization and through such international agencies as may be created.

With great wisdom you have realized that these social objectives cannot be attained and supported without a high level of useful economic activity. You have recommended a series of economic policies and undertakings designed to bring about a material economy which will make it possible to maintain them.

You have also wisely provided for the further development and reorganization of the International Labour Organization itself so that it may be broadened and strengthened for carrying out these social objectives, and at the same time integrated on a co-operative basis with whatever new international agency or agencies are created by the United Nations. This forms an admirable pattern for formulating certain aspects of the peace. I want to assure you that this Government will do everything in its power to see that the provisions for the attainment of these social and labour objectives shall be included.

The people of the occupied countries are in deep suffering. Their representatives have agreed upon the social objectives and economic policies you have set forth. I trust that this marks the beginning of a new and better day, a period of hope for material comfort, for security and for spiritual and personal development, for all those groups now suffering so sorely under the heel of the oppressor. The United Nations will be determined that all the oppressed of the earth shall be included in these social objectives.

I want to offer my congratulations to those of you who have participated in this Conference. You have my gratitude for the programme of mutual helpfulness which you have laid out—a programme which, I am sure, will inspire all of those in our generation who want to build and maintain a just peace.

Approximate Cost of Paper.—Preparation, not given; printing (530 copies) £130.

By Authority: E. V. PAUL, Government Printer, Wellington.—1945.

Price 1s. 6d.