



SEVENTH ITEM ON THE AGENDA

Choice of Conventions and Recommendations on which reports should be requested in 2002 and 2003 under article 19 of the Constitution

1. The Committee is called upon to make proposals to the Governing Body regarding the choice of Conventions and Recommendations on which governments might be requested to supply reports under article 19, paragraphs 5(e), 6(d) and 7(b), of the Constitution. These provisions require member States to report “at appropriate intervals, as requested by the Governing Body” on non-ratified Conventions and on Recommendations, indicating in their reports the extent to which effect has been given or is proposed to be given to those instruments. The practice followed by the Governing Body is to select instruments for reporting under article 19 for two consecutive years. Therefore, this document contains the choice of instruments for reporting in 2002 and 2003.
2. This procedure enables the Committee of Experts on the Application of Conventions and Recommendations to carry out general surveys on the effect given to the selected instruments in all member States. These studies cover national law and practice as well as the reasons which prevent or delay the application of the Recommendations or the ratification of the Conventions and Protocols. The general surveys (Report III, part IB) form the subject of a general discussion in the Conference Committee on the Application of Standards.
3. Since 1995, the Working Party on Policy regarding the Revision of Standards has proceeded with its examination of ILO Conventions adopted before 1985.¹ As a result of that examination, the Governing Body decided to request member States to provide reports under article 19 of the Constitution and to ask the Committee of Experts to carry out general surveys on migrant workers, submitted to the Conference in June 1999, and on the night work of women (which will form the subject of discussion at the Conference in June 2001). The instruments on dock work will form the subject of a general survey which will be submitted to the Conference in June 2002.

¹ For a summary of the decisions taken by the Working Party, updated at the end of June 2000, which contains references to the relevant documents, please see document GB.279/LILS/WP/PRS/1.

4. With respect to the Conventions examined by the Working Party for which the time for carrying out a general survey remains to be determined, only the Conventions on working hours – the Hours of Work (Industry) Convention, 1919 (No. 1), and the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30) – have not since 1966 been subjects on which the Governing Body has requested reports under article 19 of the Constitution. In this case, it might be possible to prepare a short general survey in order to meet the request of the Working Party.
5. The Working Party has also made a recommendation concerning the instruments on the medical examination of young persons, which invites member States to contemplate ratifying the Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77), the Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78), and the Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124), and to inform the Office of any obstacles and difficulties encountered that might prevent or delay the ratification of the abovementioned Conventions. In its recommendation, the Governing Body also calls for an examination of the need for a full or partial revision of Conventions Nos. 77, 78 and 124 as well as of the possibility of consolidating the three Conventions in question. The Medical Examination of Young Persons Recommendation, 1946 (No. 79), is being examined by the Working Party at its current meeting.
6. To date, the Committee has generally based its choice on certain criteria established by the Governing Body from its past experience:
 - (a) the number of instruments selected is not too great, so as to avoid placing an undue burden on the national administrations responsible for drawing up the reports, or on the ILO supervisory bodies. The Conventions and Recommendations selected are grouped by subject-matter;
 - (b) the subjects chosen are of current interest. The reports and their examination by the supervisory bodies may thus be useful in drawing up the ILO's programme of work, including the possible adoption of new or revised standards. They also make it possible to assess the effectiveness and current value of the instruments being reported on. Finally, the reports give national administrations and governments an opportunity to review their policies and to institute other measures in the fields covered by the instruments, as well as carrying out new ratifications where appropriate.
7. In this context, a report could be requested on the instruments concerning the protection of wages, given the importance of such instruments and the fact that they have not been the subject of a general survey since 1953. The Protection of Wages Convention, 1949 (No. 95), has received 94 ratifications, the last of which dates from 1997.
8. The appendices to this paper list the instruments on which the Governing Body has since 1949 decided that reports should be requested under article 19 of the Constitution as well as a list by subject-matter.
9. ***In the light of the foregoing and of an exchange of views in the Committee, the Committee may wish to recommend that the Governing Body request governments to submit reports under article 19 of the Constitution on the following instruments:***
 - ***in 2002: the Hours of Work (Industry) Convention, 1919 (No. 1), and the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30); or***

- *the Protection of Wages Convention, 1949 (No. 95), and the Protection of Wages Recommendation, 1949 (No. 85);*
- *for 2003: to defer until March 2001 the examination of the issue of the subject-matters upon which reports might be requested in 2003, in the light of discussions concerning possible improvements in ILO standards-related activities which is the fourth item on the agenda of this session of the Governing Body.*

Geneva, 12 October 2000.

Point for decision: Paragraph 9.

Appendix I

List of Conventions and Recommendations on which the Governing Body has decided that reports should be requested from governments under article 19 of the Constitution

1949

- C. 29 Forced Labour, 1930
- C. 68 Food and Catering (Ships' Crews), 1946
- C. 69 Certification of Ships' Cooks, 1946
- C. 71 Seafarers' Pensions, 1946
- C. 73 Medical Examination (Seafarers), 1946
- C. 74 Certification of Able Seamen, 1946
- R. 35 Forced Labour (Indirect Compulsion), 1930
- R. 36 Forced Labour (Regulation), 1930
- R. 67 Income Security, 1944
- R. 68 Social Security (Armed Forces), 1944
- R. 69 Medical Care, 1944
- R. 77 Vocational Training (Seafarers), 1946

1950

- C. 32 Protection against Accidents (Dockers) (Revised), 1932
- C. 81 Labour Inspection, 1947
- C. 85 Labour Inspectorates (Non-Metropolitan Territories), 1947
- R. 40 Protection against Accidents (Dockers) Reciprocity, 1932
- R. 57 Vocational Training, 1939
- R. 60 Apprenticeship, 1939
- R. 81 Labour Inspection, 1947
- R. 82 Labour Inspection (Mining and Transport), 1947

1951

- C. 44 Unemployment Provision, 1934
- C. 88 Employment Service, 1948

- R. 44 Unemployment Provision, 1934
- R. 45 Unemployment (Young Persons), 1935
- R. 51 Public Works (National Planning), 1937
- R. 71 Employment (Transition from War to Peace), 1944
- R. 73 Public Works (National Planning), 1944
- R. 83 Employment Service, 1948

1952

- C. 87 Freedom of Association and Protection of the Right to Organise, 1948
- C. 84 Right of Association (Non-Metropolitan Territories), 1947
- C. 97 Migration for Employment (Revised), 1949
- R. 86 Migration for Employment (Revised), 1949

1953

- C. 94 Labour Clauses (Public Contracts), 1949
- C. 95 Protection of Wages, 1949
- R. 84 Labour Clauses (Public Contracts), 1949
- R. 85 Protection of Wages, 1949

1954

- C. 60 Minimum Age (Non-Industrial Employment) (Revised), 1937
- C. 78 Medical Examination of Young Persons (Non-Industrial Occupations), 1946
- C. 79 Night Work of Young Persons (Non-Industrial Occupations), 1946
- R. 79 Medical Examination of Young Persons, 1946
- R. 80 Night Work of Young Persons (Non-Industrial Occupations), 1946

1955

- C. 98 Right to Organise and Collective Bargaining, 1949
- C. 100 Equal Remuneration, 1951
- R. 91 Collective Agreements, 1951
- R. 90 Equal Remuneration, 1951

1956

- C. 81 Labour Inspection, 1947
- C. 87 Freedom of Association and Protection of the Right to Organise, 1948

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- R. 81 Labour Inspection, 1947
 - R. 82 Labour Inspection (Mining and Transport), 1947

1957

- C. 26 Minimum Wage-Fixing Machinery, 1928
- C. 99 Minimum Wage Fixing Machinery (Agriculture), 1951
- R. 30 Minimum Wage-Fixing Machinery, 1928
- R. 89 Minimum Wage-Fixing Machinery (Agriculture), 1951

1958

- C. 84 Right of Association (Non-Metropolitan Territories), 1947
- C. 87 Freedom of Association and Protection of the Right to Organise, 1948
- C. 98 Right to Organise and Collective Bargaining, 1949
- R. 91 Collective Agreements, 1951
- R. 94 Co-operation at the Level of the Undertaking, 1952

1959

- C. 5 Minimum Age (Industry), 1919
- C. 59 Minimum Age (Industry) (Revised), 1937
- C. 6 Night Work of Young Persons (Industry), 1919
- C. 90 Night Work of Young Persons (Industry) (Revised), 1948
- C. 77 Medical Examination of Young Persons (Industry), 1946

1960

- C. 102 Social Security (Minimum Standards), 1952
- (Reports were also requested under Article 76 of the Convention)

1961

- C. 29 Forced Labour, 1930
- C. 105 Abolition of Forced Labour, 1957
- R. 35 Forced Labour (Indirect Compulsion), 1930
- R. 36 Forced Labour (Regulation), 1930

1962

- C. 111 Discrimination (Employment and Occupation), 1958

R. 111 Discrimination (Employment and Occupation), 1958

1963

C. 52 Holidays with Pay, 1936

C. 101 Holidays with Pay (Agriculture), 1952

R. 47 Holidays with Pay, 1936

R. 98 Holidays with Pay, 1954

C. 14 Weekly Rest (Industry), 1921

C. 106 Weekly Rest (Commerce and Offices), 1957

R. 103 Weekly Rest (Commerce and Offices), 1957

1964

C. 3 Maternity Protection, 1919

C. 103 Maternity Protection (Revised), 1952

R. 12 Maternity Protection (Agriculture), 1921

R. 95 Maternity Protection, 1952

1965

C. 81 Labour Inspection, 1947

R. 81 Labour Inspection, 1947

R. 82 Labour Inspection (Mining and Transport), 1947

1966

C. 1 Hours of Work (Industry), 1919

C. 30 Hours of Work (Commerce and Offices), 1930

C. 47 Forty-Hour Week, 1935

R. 116 Reduction of Hours of Work, 1962

1967

C. 29 Forced Labour, 1930

C. 105 Abolition of Forced Labour, 1957

1968

17 key Conventions

1969

R. 97 Protection of Workers' Health, 1953

R. 102 Welfare Facilities, 1956

R. 112 Occupational Health Services, 1959

R. 115 Workers' Housing, 1961

1970

C. 111 Discrimination (Employment and Occupation), 1958

R. 111 Discrimination (Employment and Occupation), 1958

1971

C. 122 Employment Policy, 1964

R. 122 Employment Policy, 1964

R. 107 Seafarers' Engagement (Foreign Vessels), 1958

R. 108 Social Conditions and Safety (Seafarers), 1958

1972

C. 87 Freedom of Association and Protection of the Right to Organise, 1948

C. 98 Right to Organise and Collective Bargaining, 1949

1973

R. 119 Termination of Employment, 1963

1974

C. 100 Equal Remuneration, 1951

R. 90 Equal Remuneration, 1951

1975

R. 113 Consultation (Industrial and National Levels), 1960

1976

C. 118 Equality of Treatment (Social Security), 1962

1977

R. 123 Employment (Women with Family Responsibilities), 1965

1978

C. 29 Forced Labour, 1930

C. 105 Abolition of Forced Labour, 1957

1979

- C. 97 Migration for Employment (Revised), 1949
- C. 143 Migrant Workers (Supplementary Provisions), 1975
- R. 86 Migration for Employment (Revised), 1949
- R. 151 Migrant Workers, 1975

1980

- C. 138 Minimum Age, 1973
- R. 146 Minimum Age, 1973

1981

- C. 144 Tripartite Consultation (International Labour Standards), 1976
- R. 152 Tripartite Consultation (Activities of the International Labour Organisation), 1976

1982

- C. 87 Freedom of Association and Protection of the Right to Organise, 1948
- C. 98 Right to Organise and Collective Bargaining, 1949
- C. 141 Rural Workers' Organisations, 1975
- R. 149 Rural Workers' Organisations, 1975

1983

- C. 14 Weekly Rest (Industry), 1921
- C. 106 Weekly Rest (Commerce and Offices), 1957
- C. 132 Holidays with Pay (Revised), 1970
- R. 116 Reduction of Hours of Work, 1962

1984

- C. 81 Labour Inspection, 1947
- C. 129 Labour Inspection (Agriculture), 1969
- R. 81 Labour Inspection, 1947
- R. 82 Labour Inspection (Mining and Transport), 1947

1985

- C. 100 Equal Remuneration, 1951
- R. 90 Equal Remuneration, 1951

1986

- C. 119 Guarding of Machinery, 1963
- R. 118 Guarding of Machinery, 1963
- C. 148 Working Environment (Air Pollution, Noise and Vibration), 1977
- R. 156 Working Environment (Air Pollution, Noise and Vibration), 1977

1987

- C. 111 Discrimination (Employment and Occupation), 1958
- R. 111 Discrimination (Employment and Occupation), 1958

1988

- C. 102 Social Security (Minimum Standards), 1952 (Part V)
 - C. 128 Invalidity, Old-Age and Survivors' Benefits, 1967
 - R. 131 Invalidity, Old-Age and Survivors' Benefits, 1967
- (All in so far as they apply to old-age benefit)

1989

- C. 147 Merchant Shipping (Minimum Standards), 1976
- R. 155 Merchant Shipping (Improvement of Standards), 1976

1990

- C. 140 Paid Educational Leave, 1974
- R. 148 Paid Educational Leave, 1974
- C. 142 Human Resources Development, 1975
- R. 150 Human Resources Development, 1975

1991

- C. 26 Minimum Wage-Fixing Machinery, 1928
- R. 30 Minimum Wage-Fixing Machinery, 1928
- C. 99 Minimum Wage Fixing Machinery (Agriculture), 1951
- R. 89 Minimum Wage-Fixing Machinery (Agriculture), 1951
- C. 131 Minimum Wage Fixing, 1970
- R. 135 Minimum Wage Fixing, 1970

1992

C. 156 Workers with Family Responsibilities, 1981

R. 165 Workers with Family Responsibilities, 1981

1993

C. 87 Freedom of Association and Protection of the Right to Organise, 1948

C. 98 Right to Organise and Collective Bargaining, 1949

1994

C. 158 Termination of Employment, 1982

R. 166 Termination of Employment, 1982

1995

C. 111 Discrimination (Employment and Occupation), 1958

(Special survey)

1996

C. 150 Labour Administration, 1978

R. 158 Labour Administration, 1978

1997

C. 159 Vocational Rehabilitation and Employment (Disabled Persons), 1983

1998

C. 97 Migration for Employment (Revised), 1949

R. 86 Migration for Employment (Revised), 1949

C. 143 Migrant Workers (Supplementary Provisions), 1975

R. 151 Migrant Workers, 1975

1999

C. 144 Tripartite Consultation (International Labour Standards), 1976

R. 152 Tripartite Consultation (Activities of the International Labour Organisation), 1976

2000

C. 4 Night Work (Women), 1919

C. 41 Night Work (Women) (Revised), 1934

C. 89 Night Work (Women) (Revised), 1948,

Protocol of 1990

2001

C. 137 Dock Work, 1973

R. 145 Dock Work, 1973

Appendix II

General subject areas covered by article 19 surveys, grouped by subject matter

I. Basic human rights

A. Freedom of association

1993: Conventions Nos. 87 and 98

1982: Conventions Nos. 87, 98 and 141 and Recommendation No. 149

1972: Conventions Nos. 87 and 98

1958: Conventions Nos. 84, 87 and 98

1955: Convention No. 98

1952: Convention No. 87

B. Forced labour

1978: Conventions Nos. 29 and 105

1967: Conventions Nos. 29 and 105

1961: Conventions Nos. 29 and 105 and Recommendations Nos. 35 and 36

1949: Convention No. 29 and Recommendations Nos. 35 and 36

C. Equality of opportunity and treatment

1995: Convention No. 111 (Special survey)

1992: Convention No. 156 and Recommendation No. 165

1987: Convention No. and Recommendation No. 111

1985: Convention No. 100 and Recommendation No. 90

1977: Recommendation No. 123

1974: Convention No. 100 and Recommendation No. 90

1970: Convention and Recommendation No. 111

1962: Convention and Recommendation No. 111

1955: Convention No. 100 and Recommendation No. 90

D. Child labour

1980: Convention No. 138 and Recommendation No. 146

II. Employment

A. Employment policy

1977: Recommendation No. 123

1971: Convention and Recommendation No. 122 and Recommendations Nos. 107 and 108

B. Employment services and agencies

1951: Convention No. 88 and Recommendation No. 83

C. Vocational guidance and training

1990: Conventions Nos. 140 and 142 and Recommendations Nos. 148 and 150

1950: Recommendations Nos. 57 and 60

D. Rehabilitation and employment of disabled persons

1997: Convention No. 159 and Recommendation No. 168

E. Employment security

1994: Convention No. 158 and Recommendation No. 166

1973: Recommendation No. 119

III. Social policy

None

IV. Labour administration

1999: Convention No. 144 and Recommendation No. 152

1996: Convention No. 150 and Recommendation No. 158

1984: Conventions Nos. 81 and 129 and Recommendations Nos. 81 and 82

1981: Convention No. 144 and Recommendation No. 152

1965: Convention No. 81 and Recommendations Nos. 81 and 82

1956: Convention No. 81 and Recommendations Nos. 81 and 82

1950: Conventions Nos. 81 and 85 and Recommendations Nos. 81 and 82

V. Industrial relations

1975: Recommendation No. 113

1958: Recommendations Nos. 91 and 94

1955: Recommendation No. 91

VI. Conditions of work

A. Wages

1991: Conventions Nos. 26, 99 and 131 and Recommendations Nos. 30, 89 and 135

1957: Conventions Nos. 26 and 99 and Recommendations Nos. 30 and 89

1953: Conventions Nos. 94 and 95 and Recommendations Nos. 84 and 85

B. General conditions of employment

1983: Conventions Nos. 14, 106 and 132 and Recommendation No. 116

1966: Conventions Nos. 1, 30 and 47 and Recommendation No. 116

1963: Conventions Nos. 14, 52 and 106 and Recommendations Nos. 47, 98 and 103

C. Occupational safety and health

1986: Conventions Nos. 119 and 148 and Recommendations Nos. 118 and 156

1969: Recommendations Nos. 97, 102, 112 and 115

VII. Social security (various categories)

1988: Convention No. 102 (Part V), Convention No. 128 and Recommendation No. 131

1976: Convention No. 118

1964: Conventions Nos. 3 and 103 and Recommendations Nos. 12 and 95

1960: Convention No. 102

1951: Convention and Recommendation No. 44

1949: Recommendations Nos. 67 to 69

VIII. Employment of women

1964: Conventions Nos. 3 and 103 and Recommendations Nos. 12 and 95

2000: Conventions Nos. 4, 41, 89 and the Protocol of 1990

IX. Employment of children and young persons

1980: Convention No. 138 and Recommendation No. 146

1959: Conventions Nos. 5, 6, 59, 77 and 90

1954: Conventions Nos. 60, 78 and 79 and Recommendations Nos. 79 and 80

X. Older workers

None

XI. Migrant workers

1998: Conventions Nos. 97 and 143 and Recommendations Nos. 86 and 151

1979: Conventions Nos. 97 and 143 and Recommendations Nos. 86 and 151

1952: Convention No. 97 and Recommendation No. 86

1999: Conventions Nos. 97 and 143 and Recommendations Nos. 86 and 143

XII. Indigenous and tribal peoples and workers in non-metropolitan territories

None

XIII. Particular occupational sectors**A. Seafarers**

1989: Convention No. 147 and Recommendation No. 155

1949: Conventions Nos. 68, 69, 71, 73 and 74 and Recommendation No. 77

B. Fishermen**C. Inland boatmen**

None

D. Dockworkers

1950: Convention No. 32 and Recommendation No. 40

2001: Convention No. 137 and Recommendation No. 145

E. Plantation workers

F. Tenants and sharecroppers

None

G. Nursing personnel

None