

BULLETINS  
OF  
INDIAN INDUSTRIES & LABOUR

No. 44.

THE  
TWELFTH INTERNATIONAL LABOUR  
CONFERENCE



Published by order of the Government of India

CALCUTTA: GOVERNMENT OF INDIA  
CENTRAL PUBLICATION BRANCH  
1930

*Price As. 14 or 1s. 6d.*

INDUSTRIAL RESEARCH BUREAU.

Library Slip.

Date of Receipt. FEB. 1935

Accession Number

347

Classification.

341.12 : 331 ] (042) "1929" }

(061.1 : 6) (54)

600 (54)

H. R. B. National Chemical Laboratory

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[February

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**PART I.**

**Report of the Delegates of the Government of India to the  
Twelfth International Labour Conference at Geneva, 1929.**

1. The Twelfth Session of the International Labour Conference opened on Thursday, 29th May 1929, in the Batiment Electoral at Geneva, and closed on Friday, 21st June. There were 25 plenary sessions of this Conference, besides numerous meetings of the various Committees set up.

2. *Composition of the Indian Delegation.*—The Indian delegation was composed as follows :—

*Government delegates.*—Sir Atul C. Chatterjee, K.C.I.E., High Commissioner for India in London ; member of the Governing Body of the International Labour Office.

Dr. R. P. Paranjpye, member of the India Council ; ex-Minister of Education, Bombay.

*Substitute and Adviser.*—Mr. A. G. Clow, C.I.E., I.C.S.

*Advisers.*—Colonel H. H. Hudson, D.S.O., M.C., Deputy Traffic Manager, Calcutta Port Trust.

Mr. A. Dibdin, India Office, London.

*Employers' delegate.*—Mr. Kasturbhai Lalbhai.

*Advisers.*—Mr. P. Mukerjee, President, Punjab Chamber of Commerce, Delhi.

Mr. R. K. Shanmukham Chetty, M.L.A.

Mr. B. Das, M.L.A.

*Workers' delegate.*—Mr. N. M. Joshi, M.L.A.

*Advisers.*—Mr. B. Shiva Rao, President, Madras Labour Union.

Mr. V. R. Kalappa, Treasurer, All-India Railwaymen's Federation.

Mr. Abdul Matin Chaudhury, M.L.A.

Mr. G. Sethi.

Mr. Dibdin was Secretary to the delegation.

3. *Constitution of the Conference.*—Out of 55 Member-States of the International Labour Organisation, 50 were represented at the Conference as compared with 46 in 1928. The number of delegates was 161, and the total of delegates and advisers officially taking part was 432.

Fourteen States sent incomplete delegations, 13 being represented by Government delegates only. Norway had an employers' delegate also but no workmen's delegate, so that the employers' delegate was not entitled to vote.

4. *Agenda.*—The items on the agenda for second discussion were :—

(1) Prevention of industrial accidents.

(2) Protection against accidents of workers engaged in loading and unloading ships.

The Governing Body had also put on the agenda for first discussion two formal items, namely :—

(3) Hours of work of salaried employees,

(4) Forced labour,

and in addition—

(5) A Green Report by the Office on Unemployment.

These, with the statutory discussion on the Director's Report, proposed amendments to the Standing Orders in regard to the procedure of revision of Conventions and the procedure of double discussion, and the usual crop of resolutions made up a very heavy list of business for the Twelfth Session.

5. *Elections.*—Dr. Brauns, Government delegate of Germany, was elected President, H. E. Charles Duzmans (Latvian Government), M. Tchourtchine (Serb-Croat-Slovene employer), and M. Thorberg (Swedish worker), Vice-Presidents of the Conference. M. Valdes-Mendeville (Chilean Government) was elected Chairman of the Selection Committee. MM. Tchou, Tchourtchine and Jouhaux to the Credentials Committee. Sir Atul Chatterjee represented the Indian Government on the Selection Committee, and Mr. Joshi was appointed a Substitute-Member for the Workers' Group in this Committee; the Indian representatives on the other Committees were as set out in the next paragraph.

6. *Composition of Committees.*—The method of composition of the Committees which examine in detail the subjects on the agenda has never given complete satisfaction. These Committees have hitherto been composed of equal numbers of each of the three groups—Government, employers' and workers' representatives. But as the Government representatives at the Conference form much the largest group, the result has frequently been that a Committee large enough to satisfy the claims of the Government members has proved too large for the other groups. In such cases, the difficulty has generally been solved by an unsatisfactory compromise, the employers' and workers' representatives agreeing to somewhat larger Committees than they could man satisfactorily, while the Governments were unable to find seats for all those who desired to participate.

On this occasion the Conference had before it a new proposal, designed to meet this difficulty and approved for experimental purposes by the Standing Orders Committee of the Governing Body. Under this scheme, one half of the seats on each Committee would be allotted to Government members, the remaining half being divided between the other groups. But, in order to preserve the previous balance in respect of voting power, it was proposed that each of the employers' and workers' representatives should have two votes. It was intended that the size of each Committee should be determined mainly by the number of Governments anxious to secure places on it. Thus it was hoped that Governments would not find themselves excluded from any Com-



mittees on which they wished representation and for which they could supply members ; while, at the same time, the Employers' and Workers' Groups would not be called upon to provide an impossible number of representatives.

This system was actually adopted for only one Committee—that on Accident Prevention, which consisted of 68 members. In all the other cases the employers' and workers' representatives were willing to attend in numbers equal to the Government group. This involved, in the case of the Committee on Hours of Work of Salaried Employees, the provision of 26 members from each group, making 78 in all. The Committee on Forced Labour consisted of 36 members and the Committee on Loading and Unloading of Ships of 39.

Apart from the four formal items on the agenda, three other questions required the appointment of Committees to consider them. The revision of the Standing Orders was considered by a Committee of 36 members, a second Committee of the same size examined the Report on Unemployment prepared by the International Labour Office, and the usual Committee was set up to consider the Reports on Ratified Conventions, submitted by Governments in accordance with Article 408 of the Treaty ; this had 30 members.

There were thus, apart from the Selection Committee and the Credentials Committee, seven Committees, giving between them ample opportunities for work on the part of all the representatives at the Conference ; indeed, in some cases, groups asked for and secured more places than they could regularly fill. The Indian workers' representatives obtained places on all seven Committees. We ourselves and the Indian employers' representatives felt that we should not secure representation which would involve any delegate or adviser in regular attendance on more than one Committee. This gave us a choice of five Committees. The Government Group were anxious that there should be an Indian Government delegate to act as Chairman of the Unemployment Committee, and after some consideration we decided that the Committees on which our representation was least necessary were those on the Reports on Article 408 and on Hours of Work for Salaried Employees. As will be explained later, we were able to send a representative to deal with points arising in the former Committee in connection with India, and the latter dealt with proposals to which, in present circumstances, the Indian Government can contribute little that is constructive.

The final representation of India on the seven deliberative Committees was as follows :—

	<i>Government.</i>	<i>Employers.</i>	<i>Workers.</i>
Standing Orders . . .	Sir Atul Chatterjee.	—	Mr. Sethi.
Article 408 . . .	—	Mr. Chetty.	Mr. Joshi.
Accidents . . .	Mr. Dibdin.	—	Mr. Sethi.
Loading and Unload- ing Ships	Colonel Hudson.	—	Mr. Chaudhury.
Forced Labour . . .	Mr. Clow.	Mr. Das.	Mr. Shiva Rao.
Salaried Employees . . .	—	Mr. Mukerjee.	Mr. Kalappa.
Unemployment . . .	Dr. Paranjpye (Chairman).	Mr. Lalbhal.	Mr. Sethi.

Before the Committees could get to work, the Conference had to dispose of the question of whether the subjects should receive a general discussion in full Conference or not. In the Selection Committee, the majority doubted the value of general discussions and agreed to recommend such a course in the case of only one subject, *viz.*, hours of work for salaried employees. But the Workers' Group were particularly anxious to have such a discussion on forced labour and they were able to persuade the Conference to accept their view. As a result the full Conference did not finish the first stage of its work until the end of the morning session of Tuesday, 4th June. It then adjourned until the following Friday, when it took up the discussion of the Director's Report. This and minor matters were not disposed of before the work of the Committees began to come in ; so that from beginning to end there were only two week-days on which the full Conference did not meet.

Several of the Committees found some difficulty in covering the subjects allotted to them in the time allowed. This was in part due to the delay in starting, and in some cases the reluctance of members to attend Committees while the full Conference was in session was a contributory factor. Some Committees, moreover, adopted the procedure of providing translations into languages other than the official languages, and the phenomenal size of at least two of the Committees retarded their progress. It may, indeed, be questioned if most of the Committees were not somewhat too large for efficient work. But so long as the tendency to increase in the number of advisers attending the Conference is maintained, it is unlikely that any drastic limitation will be attempted.

7. *Credentials.*—Objections were entered to the credentials of three delegates, the Chinese worker, the Esthonian employer and the Italian worker, as

well as to the Adviser of the Latvian employer, and to one of our own workers' delegation, Mr. Sethi.

All the questioned credentials were accepted by the Conference, only the Estonian and Italian cases being carried to a vote. The former was accepted by 41 votes to 15, the latter by 84 to 27.

The objection to Mr. Sethi, made by the Federation of Labour of Jamshedpur, was ruled to be null and void by the Committee—not having been made within the period allowed. The report added that, had the Committee felt obliged to go into the objection on merits, they would have rejected it, since the protest was not supported by any reasons.

8. *Discussion on the Director's Report.*—The discussion on the Director's Report opened on Friday, 7th June, and continued until Friday, 14th June, when the Director made his reply. The Universality of the Organisation, which M. Thomas took as the text of his reply, was adequately illustrated by the nationalities of the 57 speakers and not a little by the languages in which their speeches were delivered. The telephonic system of interpretation was employed throughout and proved on the whole fairly successful. Since interpretation by this method proceeds concurrently with the actual delivery a great economy of time is effected; and since the system adopted permits of interpretation into five languages simultaneously, the benefit to those members of the Conference who are unable to follow proceedings in either official language is undoubtedly great.

Mr. Joshi, Mr. Chetty, and Sir Atul Chatterjee all spoke early in the discussion. Mr. Joshi, in the opening speech of the discussion, while recognising the increasingly representative character of the Conference and of the progress in working conditions made under the auspices of the Organisation, suggested that the progress made was insufficient, deplored the attitude to the International Labour Office Budget adopted by the Indian delegation to the League of Nations Assembly in 1928, and gave a warning as to the increasing competition of Moscow for the workers' loyalty. Just and humane conditions are, in India, still a far-off ideal, and if evolution is too slow the attractions of revolution are great. He asked for the publication of the Report on Indian conditions of labour, which forms a part of the Asiatic inquiry undertaken by the Office.

Mr. Joshi went on to speak of the visit of the Director to the Far East, regretting the omission of India from his itinerary, which he could only sup-

pose to be due to an inhospitable and reactionary spirit on the part of the Government of India. He hoped that both the Director and the Deputy Director would soon visit India, and that the attention of the Organisation would be increasingly directed to the East.

Mr. Chetty spoke on the second day of the discussion. He expressed satisfaction at the representation of India by delegates of Indian nationality, at the establishment of a Correspondent's office at Delhi, and at the forthcoming changes in the Japanese factory law on the night work of women.

Mr. Chetty offered the support of Indian employers to the Organisation in its effort to deal with conditions of labour in dependent areas and colonies with special reference to the subject of forced labour which was before the Conference, and referred to the conditions under which Indians find employment in Asia and Africa.

The main part of his speech was devoted to the question of labour conditions in the Indian States and the application within them of Conventions ratified by India.

Mr. Chetty was followed immediately by Sir Atul Chatterjee. On two points, the visit of the Director and the question of the States, he replied directly to matters raised by Mr. Joshi and Mr. Chetty. These parts of the speech are given in full in Part II(b).

The other parts of the speech, apart from a criticism of the group system, were devoted to a plea for greater efforts in the education of public opinion in the various countries, and to two questions of procedure. The speaker asked for shorter agenda and for longer notice to Governments and the public of the subjects to be borne on the agenda. One major subject at a time was as much as public opinion could be induced to concern itself with; let the Organisation therefore concentrate on one or at most two questions and get them through as quickly as possible before attempting more. On the other point, delegates and advisers would come to the Conference much better equipped if time were allowed for the canvassing and sifting of public opinion in their own countries. The present time-table does not permit that, but if the agenda were fixed two years in advance of the first discussion it would be far more practicable, and the possibility of such a course was urged upon the Conference.

Apart from the speeches summarised above there was little of interest to India in the remainder of the discussion. Sir Atul Chatterjee's suggestions

for a shorter agenda fixed two years in advance met with support from the distant countries, particularly Australia and Japan. Most of the speakers, in addition to the points of purely national interest with which they were mostly concerned, had something to contribute to the common stock on general subjects, some on unemployment, some on Article 393 of the Treaty of Versailles, many on the relative value of Conventions as against the less tangible influence of the Organisation.

The discussion produced but one sensation, namely, the announcement of the British Government's intention to ratify the Hours Convention, which was received with acclamation. It was no doubt this announcement and the expectation of it which kept out of the speeches almost all mention of the problem of revision of Conventions.

The Director's reply to the debate contained nothing of outstanding interest to India. It may be useful to quote the English translation of his remarks about the Indian States :—

“ First of all, within the framework of the Organisation itself there is the problem of the Indian Native States. Will the work, partial but still considerable, accomplished in British India for the protection of labour survive if competitive industries exempt from all social charges develop uncontrolled in the Native States? Mr. Chetty has expressed the concern of the employers. Sir Atul Chatterjee has explained the difficulties connected with the introduction of protective legislation in the Native States. He recalled the dilemma with which Lord Birkenhead wished to confront us in 1927: ‘ Either ratifications will apply to British India only or we shall not ratify at all.’ We cannot believe that this will be the final solution; we believe that we shall receive help from all quarters in the necessary endeavour to obtain the generalisation of just and humane working conditions in the immense communities of India.”

In the later part of his reply M. Thomas referred to the suggestion of a shorter agenda fixed two years in advance. Coupling this with the need for a defined programme, he gave it a cautious blessing. He referred to the complaints from Japan, India, and others of the delay in their receipt of the Blue Reports, and asked for promptitude on the part of all Governments in replying to *questionnaires*, which only in his view would expedite the preparation of the Office Reports.

M. Thomas concluded with a defence of the activities of the Office in the economic sphere and of its relations with the Economic Organisation of the League.

9. *Article 478 of the Treaty of Versailles.*—The examination by the Committee of Experts of reports on ratified Conventions produced no queries relating to India, and we did not seek representation on the Committee appointed by the Conference to examine these reports.

Three questions relating to India were raised in the Committee appointed by the Conference. These concerned :—

- (a) Action taken in relation to unemployment.
- (b) Application of the Weekly Rest Convention on the Railways.
- (c) Night rest period for young persons.

All three were mentioned in the Committee's report.

Mr. Clow attended the Committee and furnished additional information as regards the first two questions, which is summarised in the Committee's report. Owing to an oversight, we did not receive notice in regard to the third point, and in consequence sent no representative to the Committee to explain matters. The report contains the following passage in regard to it which the Government of India may wish to note in connection with next year's report on this Convention :—

“The Committee also noted that the 11-hour rest period did not appear to be expressly secured by the legislation cited in the annual reports of India and Latvia. The Committee considered that it would be useful to know whether it is secured in practice.”

As regards the provision for the weekly rest on the railways, the inquiry was not pressed beyond the question of the legal position. Whether similar restraint will be observed in future we cannot say; the position of the Indian Government delegates would be made easier if they were able to report definite progress in the matter. We have been informed since the meeting of the Conference that the Indian Government contemplate early legislation on the subject.

No reference was made to India in the discussion of the report in plenary session. This was occupied largely with general questions, the difficulty between Great Britain and Ireland in regard to unemployment insurance and a sweeping indictment of a certain European country by one of the workers' delegates.

It is noteworthy that this was the first occasion upon which all the reports due were actually available for consideration by the Committee.

10. *Standing Orders Committee.*—The Committee on Standing Orders had two subjects to consider, *viz.*, the question of the procedure to be adopted in the revision or modification of Conventions and the question of improving the double discussion procedure. In each case the Committee was furnished with definite proposals made by the Governing Body.

So far as the revision of Conventions was concerned, the Committee made only minor alterations in the Governing Body's proposals for the amendment of the Standing Orders, and the amendment of the standard articles appended to draft Conventions. (See Part V.). The essential feature of the procedure contemplated in these amendments is that the Governing Body will be responsible in the first instance for delimiting the extent to which a Convention is to be revised and modified, *i.e.*, the Governing Body will select and place on the agenda the particular subjects in respect of which a Convention appears to require revision, and the Conference will not be at liberty to enlarge these subjects, unless and until a regular motion has been placed before it for the consideration of other subjects arising out of the Convention, and has been carried by a two-thirds majority. This procedure is in some respects analogous to that of a Legislature which is considering an amending Bill and is precluded from proposing amendments relating to matters contained in the original Act but not touched upon in the amending measure. The proposal was opposed by the employers' representatives on the Committee, but commanded the support of the majority. After the Conference has taken its decision on the amendments considered by it, the amendments are to be combined with the original Convention so as to form a single revised draft Convention for submission to the Conference.

The most important amendment in the standard articles appended to Conventions is the introduction of an article providing that the ratification of a revised Convention by any State shall involve the immediate renunciation of the old Convention. The latter will, of course, remain binding on those States which, having ratified it, do not ratify the revised Convention. These proposals, which were the subject of protracted discussions in the Committee, were adopted by the Conference without modification.

The question of revising the double discussion procedure had come before the 1928 session of the Conference, when its consideration had been postponed. The Governing Body's proposals involved the abandonment of the system

whereby a *questionnaire* has to be approved in detail when a subject is first considered by the Conference. In place of this it was suggested that the first session's consideration should be directed merely to the determination of the points on which Governments should be consulted. This discussion would be preceded by the preparation of a report not necessarily including a *questionnaire* by the International Labour Office and would be followed by the preparation by the Office of a *questionnaire*.

The experience of the present Conference tended to confirm the objections felt to the system whereby the Conference and its Committees have to examine detailed *questionnaires*. The main difficulty arises from the fact that the *questionnaires* are devised to serve a dual purpose. While they are intended to elicit information and opinions, they go much further and attempt to indicate in detail the form of the draft Convention or Recommendation to be framed subsequently. In consequence, the interest of the Committees has tended to centre, not on the preparation of a *questionnaire* which would elicit as much information as possible, but on the anticipation, to the utmost extent possible, of the terms of the subsequent draft Convention.

A suggestion was made by the Workers' Group that the Conference should revert to the single discussion procedure, but this was not regarded by the Committee as falling within their purview, and it was not pressed in the Conference. The proposals finally framed by the Committee and approved by the Conference (see Part V) were based on those put forward by the Governing Body, but contained a provision for the check by that body of the first report prepared by the International Labour Office. The stages contemplated by the new procedure are as follows :—

- (i) The preparation by the International Labour Office of a report on the question, with a complete statement of the points on which Governments are to be consulted.
- (ii) The approval by the Governing Body or by a Committee of that body of the report.
- (iii) The determination by the Conference, by means of conclusions or resolutions, of the points on which Governments are to be consulted.
- (iv) The preparation by the International Labour Office of *questionnaires*, framed on the basis of the decisions of the Conference, and the submission of these *questionnaires* to Governments.



11. *Prevention of industrial accidents.*—This subject stood on the agenda of the Conference for second discussion and the “Blue” Report of the Office contained four items for consideration :—

- (1) A draft Recommendation concerning the prevention of industrial accidents.
- (2) A proposed draft Convention relating to the marking of the weight of heavy packages transported by water.
- (3) A draft Recommendation relating to the responsibility for the protection of power-driven machinery.
- (4) A draft Resolution proposing a further meeting of the International Conference of Labour Statisticians.

These were referred to a Committee of 68 members, which sat under the chairmanship of Sir Malcolm Delevingne from the 3rd to 17th June. India was represented by Mr. Dibdin and Mr. Sethi (Worker).

The first part of the Committee’s discussion was devoted to the question of the scope of the Recommendation. The workers wished to include an explicit reference to agriculture, the distributive trades and transport, while others argued that the drafting of the recommendation as well as the earlier stages of the discussion implied its restriction to the manufacturing industries. The form adopted by the Committee represented a compromise, and was modified in the Conference in the direction desired by the workers.

The British Government had prepared an alternative draft, not differing in substance from that of the Office, but superior to it in arrangement. Owing to its late appearance on the scene this draft was not fully considered on its merits, though in parts of the final draft its wording is largely reproduced. The fate of this redraft emphasises the value, if any considerable modification of Office drafts is desired, of early communication to the Office. There is some reason to believe that had this British draft been received by the Office at the end of April it would have been adopted, and a much more satisfactory document approved by the Conference.

Part II of the Recommendation regarding co-operation, education, and first aid, was recast mainly on the basis of the British draft. No considerable change of substance was involved. Part III, as to legal provisions, was adopted with small but not unimportant modifications.

So many sessions had been devoted to consideration of the main recommendation that the Committee had little time for discussion of the remaining texts, in which no important alterations were suggested in its Report.

When the Committee's Report came before the Conference a number of the points already discussed in Committee were again brought forward, and the Conference adopted an amendment strengthening the recommendation in regard to agriculture and another in regard to co-operation. With these amendments the recommendation was adopted.

The draft Convention regarding the marking of weights on heavy packages was opposed in the Conference by the employers, but, with an amendment proposed by the Japanese Government, was approved. This amendment was designed to provide for the marking of approximate weights when there were no means of ascertaining the exact weight of a package to which the Convention applies.

The recommendation regarding responsibility for the protection of power-driven machinery was adopted without prolonged discussion and the Resolution without opposition.

On the final votes the three main texts were carried by 100 to 12, 98 to 24, and 87 to 28 respectively. The texts are given in Parts III and IV.

12. *Prevention of accidents to workers engaged in loading and unloading ships.*—The Office Report on the protection against accidents of workers engaged in loading or unloading ships was referred to a Committee without preliminary discussion. In its progress through Committee the Office draft was considerably amplified in detail, and the obligations proposed were made more explicit. Two additional articles were added to the original draft, one regarding the date from which regulations affecting the construction or equipment of ships should be enforced, the other dealing with the enforcement of the prescribed regulations. Two recommendations and a resolution also were included. The first recommendation relates to reciprocity on the lines of the Copenhagen Convention of 1926, and the second proposes that workers' and employers' organisations should be consulted in the drawing up of any new regulations under the Convention. The resolution is to the effect that the International Labour Office should appoint an international technical Committee to work out a model set of regulations to serve as a guide to Governments. It was thought that such a step would facilitate reciprocity between nations.

Two other questions were discussed at length :—

- (a) As to whether inland navigation should be included in the scope of the Convention. It was argued that as inland navigation had not

been specifically mentioned in the *questionnaire*, and as some Governments had not considered that inland navigation was referred to, it could not properly be included in the Convention. On the workers' side it was held that the word "ship" used in the *questionnaire* covered vessels engaged in inland navigation as well as maritime vessels, and that workers engaged in inland navigation had as much claim to protection as other workers. This latter view prevailed.

- (b) As to whether work ashore should be brought within the scope of the Convention or only work aboard ship. In this case it was argued by the employers that requirements affecting ships constituted the international aspect of the problem whereas regulation of work ashore was a matter of national concern. The Workers' Group contended that it was impracticable to attempt to draw a hard and fast line between shore work and work on board ship, and that shore workers were as much entitled to protection as others. The workers' arguments again prevailed.

In accordance with the instructions received by us the insufficiency of time allowed for consideration of the Blue Report was stressed by us both in full Conference and in Committee. The position of the Government of India in regard to the question of the inclusion of inland navigation was explained by our representative on the Committee. It will be observed that the decision to include shore work as well as work on board ship made it impossible for us to secure the omission of clauses A, B and C of Article 2. These clauses were considerably elaborated in Committee.

*The possibility of ratification by India.*—We should like to draw attention to the fact that Article 17 of the draft Convention lays down that provision shall be made for an efficient system of inspection. If the Convention is ratified by India, it would be necessary to set up machinery for this purpose. We understand that in England the Docks Regulations are administered by the Home Office and the inspectors come under the Chief Inspector of Factories. They have an intimate knowledge of shipping and maritime matters. In our view, if in India the responsibility for compliance with the regulations is delegated to the various Port Trusts, some central machinery would still be necessary. In this connection we may also point out that Article 15 confers powers of granting exemptions from the regulations, and under this

Article minor ports could be exempted and also vessels engaged in inland navigation and small vessels employed in coasting trade.

When the Committee's Report came before the Conference a discussion took place in which Mr. Chaudhuri, Mr. Clow, and Dr. Paranjpye spoke. In view of the criticisms levelled by Mr. Chaudhuri at the attitude adopted by us in the Committee on various points, Mr. Clow made it clear that the Government of India was in complete sympathy with the objects of the Convention and would desire to co-operate to the fullest possible extent in carrying out its provisions. He took the opportunity to explain that since the Office draft of the Convention had reached India only a month before the Conference met, it had been impossible for the Indian Government to consult the various interests involved, and the Indian Government delegates would therefore be compelled to abstain in the final vote, although they had taken their full share in the proceedings of the Committee. As this attitude was again criticised by Mr. Bevin (British Empire Workers), Dr. Paranjpye further explained the position of the Indian Government in respect to voting on the draft Convention. The text of the speeches of Mr. Clow and Dr. Paranjpye is given in Part II (c) and (d).

A number of amendments were proposed in the draft Convention by the Employers' Group, amongst them one to exclude inland navigation, and another proposing the insertion of a new article to establish reciprocity between ratifying Governments. All of these were rejected and the draft was adopted by 75 votes to 22. The Recommendations and Resolution were adopted without discussion.

At the final vote all three texts were adopted by substantial majorities. They are given in Parts III and IV.

13. *Forced labour.*—The necessity for the regulation of forced labour was first given international recognition in the preparation of the Mandates given under the Treaty of Versailles; the texts of the "B" and "C" types of mandate provide for close restrictions on the employment of forced labour. At a later stage the subject again received international consideration in connection with the discussions relating to the preparation and adoption of the Slavery Convention by the League of Nations. The Convention, while it did not attempt to regulate forced labour, contained an article condemning it, and the Assembly of the League adopted in 1926 a resolution requesting the Council to inform the Governing Body of the International Labour Office of the adoption of the Slavery Convention and calling its attention to the

question of forced labour, a form of labour which might develop into "conditions analogous to slavery." The International Labour Office had already undertaken some study of the subject, and in 1926 the Governing Body appointed a Committee of experts to assist in examining questions relating to native labour. It was in consequence of a recommendation from this Committee, which regarded the regulation of forced labour as a matter of primary importance, that the Governing Body placed the subject on the agenda of the Conference.

Both at Geneva and elsewhere considerable interest was manifested in the discussions of this subject at the Conference. Public opinion had been roused in certain European countries by several recent publications dealing with forced labour and its effects, particularly in tropical Africa, and there was a vigorous demand in certain quarters for stringent action, and, indeed, for the abolition of recourse to forced labour in any form. At the Conference there was, from the start, very general recognition of the desirability of restricting the employment of forced labour as far as possible. But the general discussion which preceded the reference of the subject to a Committee gave an opportunity for the expression of the emphatic views held by some members, and particularly the Workers' Group, and served to give prominence to the high expectation entertained in some quarters of the results of the deliberations of the Conference. Mr. Shiva Rao, who was one of the first to speak, voiced the feelings of his group when he suggested that the Conference should "lay down once and for all that forced labour shall be a thing of the past" and if, in his proposal that the Conference should abandon the double discussion procedure and decide "here and now to make forced labour a thing of the past" he failed to secure support, it was not because many members did not share his strong feelings on the subject, but because it was generally recognised that any such action would be ineffective. In the course of the same speech, Mr. Shiva Rao asserted that in most of the Indian States forced labour, both direct and indirect, still existed, and he went on to allege that in the plantations in Assam and Southern India there was a great deal of what can be called forced labour. Sir Atul Chatterjee, in a brief reply [See Part II (a)] assured the Conference that the important Indian States would consider very carefully any decision reached on the question, and maintained that any slight vestiges of forced labour that were existing in India, either in industries or plantations, were entirely abolished, so far as legislative requirements were concerned.

At a later stage in the same debate, Mr. Furtwangler, a German workers adviser who recently made a tour in India, indulged in a vehement and to some extent irrelevant attack on conditions in French possessions and in India. In the course of his speech, which was interrupted more than once, by the Chairman warning the speaker to keep within the limits of the subject, Mr. Furtwangler asserted that certain cotton-mills in India were working 11½ hours a day instead of the 10 hours prescribed by legislation. Dr. Paranjpye gave a brief reply.

When the subject was considered in Committee, the importance of the abolition of forced labour was again put forward, and it was unanimously agreed to amend the *questionnaire* so as to elicit from the various Governments their views on the possibility and desirability of abolishing recourse to forced or compulsory labour. But having made this change, the Committee recognised that immediate and universal abolition was an unlikely contingency, and the main part of the *questionnaire*, which relates to the regulation and not the abolition of the forced labour, was modified only in detail. The *questionnaire* may not unfairly be said to contemplate the abolition without a transitional period of forced labour involving—

- (i) work for women, young persons and children ; or
- (ii) work for private employers, or
- (iii) work underground,

and the detailed regulation, over a definite or indefinite transitional period of forced labour generally.

In consequence of this feature of the work of the Committee, the Workers' Group, although they participated in the preparation of the main Report, felt impelled to append to the Report of the Committee a Minority Report. In this Report they emphasised the importance of the early abolition of forced or compulsory labour of every kind, and attacked the general tenour of the draft *questionnaire* approved by the Committee. The gist of their criticism is contained in the following quotation from their Report :—

“ Not only—except in the first two paragraphs ” (of the *questionnaire*) “ at the beginning—no true indication is found that the aim to be achieved is the suppression of forced labour, but the proposed restriction is absolutely insufficient. Rather, it must be stated, the *questionnaire* tends towards a kind of codification of forced labour. The international regulation which it suggests could not be satisfactory ; it would embody, besides

vague and insufficient solutions, so many exceptions that the abuses to be suppressed could be perpetuated. Truly efficient guarantees have, on the other hand, been omitted from the draft *questionnaire*. If the Conference adopts it in its present form, it will not respond to the hopes that have been placed in it, nor to the mission which has been confided to the Conference by the Assembly and the Council of the League of Nations."

But the Minority Report contained no proposals for a general revision of the *questionnaire*; and this strong adverse criticism was accompanied merely by suggestions for the insertion of one question and the amendment of another, for the deletion of two of the proposed 28 questions and for the addition of a question relating to the appointment of an International Committee. It may be surmised that the Workers' Group found themselves faced by the same difficulty which confronted the other members from the start. This lay in the fact that if the *questionnaire* were so amended as to exclude the mention of the mere regulation of forced labour, it would probably prove ineffective. For it appeared likely that some at least of the Governments more directly concerned would not agree to the abolition of forced labour; and in their case the Conference would not have the material necessary to enable it to attempt to secure some advance. Codification need not imply perpetuation, and in dealing with evils a code is better than the entire absence of regulation.

In the Conference, discussion centred mainly on the four amendments proposed by the Workers' Group. One of these amendments sought to delete a question relating to the employment of forced labour by tribal chiefs. In the Committee the Workers' Group had been successful in deleting two questions relating to practices which they did not desire to see continued, and the motive behind this proposal also was the feeling that to ask a question regarding a practice tended to codify and so to perpetuate the practice. Here, in fact, lay one of the difficulties presented by the *questionnaire* system, and a difficulty which influenced the proposals for modifying it. For to some the adoption of a question seemed to imply approval of the practice to which the question related, and most of the questions are undoubtedly designed to lead to provisions in the subsequent draft Conventions, etc. But if a particular practice exists, no advantage is gained in the end by refusing to ask for information regarding it, and "regarding the extent to which its regulation is feasible." In this case the Conference, despite the opposition of the Workers' Group,

retained the question in an amended form proposed by the British Government delegate, which contemplated the early abolition of forced labour demanded by tribal chiefs. The workers were equally unsuccessful in their attempt to suppress the question relating to the exaction of forced labour as an equivalent or substitute for a tax, a practice in force in some of the colonies of certain European Powers. On the other hand, the Conference agreed to insert a question proposed by the workers relating to the presentation of complaints from forced labour and its right to negotiate concerning conditions of labour; and the Conference also agreed that the question relating to hours of forced labour generally should envisage the adoption of the 8-hour day and 48-hour week.

The last amendment of the Workers' Group involved the insertion of a question relating to the appointment of "a permanent Committee on native labour in connection with the International Labour Office." In the Committee on Forced Labour, in the Minority Report and in Conference, the spokesmen of this proposal referred to this Committee as a Committee of control, but at a later stage one representative of that group stressed the fact that the functions of the suggested Committee, as contained in the amendment, did not extend to control over Governments. (In the original proposal advanced in the Forced Labour Committee, the proposed Committee was intended to receive and consider petitions against Government; in the amendment put before the Conference, this idea was omitted and the main functions were the examination of Reports on any Forced Labour Convention and study.) At a later stage the Workers' Group agreed to restrict the functions of the proposed Committee to forced labour (not to "native labour" as originally proposed), and the proposal to insert the question, when amended, was adopted by 59 votes to 49.

The draft Convention which the *questionnaire* contemplates is one to which we think India would be able to adhere, at any rate so far as British India is concerned. It is intended that forced labour in emergencies and labour required on traditional village services should both be excluded from the scope of the Convention; and if there should be found to be any traces of forced labour not falling under these categories, their removal should not, we think, present any serious difficulty. But we had no detailed information as to the position in Indian States, and as attention was directed prominently to the States, both in the Committee and in full Conference, it would be advantageous if the Government representatives at the 1930



Conference were furnished with information on the subject. In a matter of this kind, the co-operation of the Indian States would be of great value, and it seems to us desirable, if possible, that they should have an opportunity of considering the question before a Convention is actually drafted. The Committee on Forced Labour also approved six questions tending to the adoption of recommendations and a resolution [Part VI (n)] relating to the desirability of studying other cases of compulsion than forced labour, and in particular long-term contracts, with a view to the question of their abolition being placed on a future agenda. Mr. B. Das, during the discussions in the Conference on forced labour, asserted that India was vitally interested in this particular problem because there were hundreds of thousands of Indian workers affected by it in Assam, Malaya, Ceylon, and South Africa and other parts of the British Empire, where their conditions of work were not humane. Dr. Paranjpye [See Part II (e)] in supporting the resolution, acknowledged the importance of examining the question of indentured labour and penal sanctions, and took the opportunity of replying to Mr. Das's allegations by explaining that neither in the case of recruitment for Assam plantations nor in the case of emigration from India to Malaya, Ceylon, and South Africa did there exist at present any system of indentured labour with penal sanctions.

14. *Hours of work of salaried employees*—This subject was placed upon the agenda of the Twelfth Session of the Conference by the Governing Body by a majority vote taken at a meeting held in February 1928.

In accordance with a resolution of the Selection Committee a general discussion upon it was held in the Conference prior to its reference to Committee. Mr. Kalappa spoke in this discussion, which, without defining any special lines for the guidance of the Committee, made it clear that the employers and some Governments felt grave doubts as to the possibility of any useful legislation on general lines being evolved as a result of the Conference efforts at the present time.

For reasons already explained we took no part in the discussion and did not seek to be represented on the Committee. The Indian employers and workers were represented by Mr. Lalbhai (substitute: Mr. Mukerjee) and Mr. Kalappa respectively.

The Committee appear to have found, as was only to be anticipated, great difficulty in dealing with the question of the scope of the subject. As ultimately approved, the *questionnaire* they framed invites Governments

to give their views in regard to the definition of salaried employees, but the Committee supplemented this by a request to the Office to include in their commentary on the *questionnaire*, when issued, a lengthy enumeration of possible classes of workers upon whose inclusion Governments might be asked to pronounce.

In the final discussion, in which Mr. Mukerjee and Mr. Kalappa spoke, the draft *questionnaire* was adopted and the subject placed upon next year's agenda. We abstained from voting.

15. *Unemployment*—In accordance with a resolution taken at its last session and the subsequent decision of the Governing Body, the Conference had before it a "green" report by the Office on Unemployment. This report fell into three parts :—

- (1) A thesis on the correlation between monetary fluctuations and unemployment.
- (2) An analysis of the facts of unemployment in the coal and textile industries.
- (3) An examination of the possibilities of migration as a remedy.

The Conference set up a Committee to consider this Report and referred to the same Committee a resolution submitted by M. Schurch and part of a resolution of M. Mertens which dealt with the same subject.

India was represented on the Committee by Dr. Paranjpye, Mr. Lalbhai (Employers) and Mr. Sethi (Workers), the first named being elected Chairman and Reporter. The Committee held its First Session on 1st June and completed its work at its Eighth Session held on the 13th June.

The first two working sessions were devoted to a general discussion of the subject and the last to consideration of the Report. The remaining sessions, four in number, were occupied by consideration of one major question of principle, namely, the relative functions of the office and the Economic Committee of the League in respect of Unemployment, and a number of points relating to the actual drafting of the resolution.

On the former point the Committee was satisfied that the resolution required of the Office nothing that was beyond the competence of the Labour Organisation, and that the resolution was so worded as to secure co-ordination of the researches of the Office with those of other bodies engaged in the same field.

Amendments were also made with the object of ensuring that the study of unemployment in agriculture should not be excluded from any inquiry that the Office might undertake, and new clauses (4, 5, 6 and 7) were added to the draft. When M. Merten's resolution came to be considered it was decided to amend it so as not to fetter the discretion of the Governing Body in fixing the agenda of future Conferences.

The Report of the Committee was considered in a plenary session of the Conference on 15th June. Some regret was expressed in the debate that it had not been possible to deal more comprehensively with so important a subject, but it was not suggested that within the limits prescribed by practical considerations more could have been done. No amendments were proposed, and the resolution was adopted without dissent as to the first eight Articles, and by 101 votes to 4 as to the ninth.

The text as adopted is given in Part VI (*c*).

16. *Resolutions*.—Two resolutions, one on a weekly rest day for glassworkers and one on insurance against old age, invalidity and death, were adopted practically without discussion at the fifteenth session of the Conference; certain other proposed resolutions were referred to the Committees dealing with kindred subjects.

The majority of the resolutions put forward were considered by the Conference at the final session. Some of these had occasioned considerable discussion in the Selection Committee, the upshot of which was to emphasise the unsatisfactory nature of the procedure for resolutions submitted by members. In present conditions it is possible for all sorts of irrelevant matter to be placed before the Conference in the form of resolutions, and no constitutional method is available for their exclusion or for the transformation of resolutions into a suitable form. The present Conference adopted a resolution submitted by Mr. Oersted [see Part VI (*i*)] which requests the Governing Body to consider how this question should be dealt with. This resolution undoubtedly gave expression to the general feeling of the Conference.

Several of the resolutions submitted had been amended by the Selection Committee after consultation with the movers in order to meet various points arising in connection with them. Of particular interest to India was Mr. Joshi's resolution concerning the revision of the Indian clause in the Washington Hours Convention, which is given in the form adopted by the Conference in Part VI (*m*).

As submitted originally this resolution seemed to be an attempt to restrain the Governing Body from examining the Hours Convention as a whole from the point of view of possible revision (by inserting the word "only"), and by its final words to prejudge the question of suitable hours for India, which was essentially one for a future Conference. These points were discussed in the Selection Committee and an amended form substituted, on the suggestion of the Director, which met our objections, and was ultimately adopted by the Conference after a discussion, confined entirely to India, in which Dr. Paranjpye put the Indian Government view that the resolution was unnecessary, and declared our intention, if a vote were taken, of abstaining. In fact, no vote was taken and the resolution was adopted without opposition.

The resolution of most interest to the Conference as a whole was that submitted by the Chinese Government delegates concerning extra-territoriality (see Part VII). This, as Monsieur Fontaine in his speech explained, intended to commit the Conference by the form of its preamble to a number of political statements on debatable matters, and when pressed to a vote failed to secure a quorum and lapsed. The speech of M. Tchou in support of his resolution was in many ways the most effective delivered at the Conference. We feel ourselves that the question of adequate labour legislation in China is of vital importance from the Indian point of view, and it will be a great advantage if a proper solution can be found for the difficult problem involved in this resolution.

The remaining resolutions were adopted without discussion. The texts will be found in Part VI (*d*) to (*n*).

17. *General.*—The work of the Indian delegation at the Twelfth Session was rather that of Members of the general Conference serving the interest of the Organisation as a whole than that of advocates of any specially national interest. It may be that the work done was not the less valuable. The several sections of the Indian delegation held and expressed different views upon various subjects, but their relations throughout were cordial, and their association in the Conference and outside it was to the Government delegates at least very pleasant one. The relations of the Indian delegation with the representatives of other nations were as usual most friendly.

A perusal of the speeches delivered may suggest, what was indeed the fact, that the Indian employers' and workers' delegations came to the Twelfth Session much impressed with the difficult problem of labour legislation in the Indian States and its bearing on British India. They lost no opportunity of

referring to the question over and over again throughout the sessions of the Committees and the plenary Conference. The position is not an easy one for outsiders to comprehend, and while the representatives of the Indian Government may regret the necessity for its discussion in an international gathering they can appreciate the natural desire of their colleagues to see the principles of Geneva applied to all parts of their country.

We have thought it unnecessary to add to the bulk of this Report by including the two *questionnaires* approved by the Conference. They are of great length and have already been issued in pamphlet form by the International Labour Office.

18. We were fortunate in having associated with us as a substitute-delegate Mr. A. G. Clow, C.I.E., of the Department of Industries and Labour. His Extensive and up-to-date knowledge both of industrial conditions in India and of the present policy of the Indian Government in labour matters was of great value in our work at Geneva. We regret that his absence from London at the time when this Report has been finally put into shape has prevented our asking him to sign it.

19. Our advisers, Colonel Hudson, D.S.O., M.C., and Mr. Dibdin, were both new to Geneva, but displayed great aptitude for the work of the Conference. Owing to his intimate acquaintance with the problems connected with dock labour, Colonel Hudson proved a very effective representative on the Committee on this subject. Mr. Dibdin was equally efficient in Committee, and discharged to our entire satisfaction the difficult task of Secretary to the delegation.

We are also grateful to him for the drafting of this Report, though unfortunately his heavy duties at the India Office since return from Geneva have delayed its completion.

ATUL C. CHATTERJEE.

R. P. PARANJPYE.

LONDON,  
September 1929.

**Part II.****(a)**

*Extract from the Speech of Sir Atul Chatterjee in the general discussion on Forced Labour.*

Having said that, I have only two small observations to make in regard to Mr. Shiva Rao's speech. He has referred to the attitude of the Government of India, but I am very sorry that he has done so in a rather grudging spirit, because I think Mr. Shiva Rao must be fully familiar with the progressive spirit which the Indian Government and the Indian Legislature have displayed in this respect during the last 10 years. He has omitted to mention that any slight vestiges of forced labour that were existing in India, either in industries or in plantations, were entirely abolished, so far as legislative requirements are concerned, some years ago; and although Mr. Shiva Rao has referred to the plantations, he has not been able to say a word as to where forced labour still exists in the plantations. I can positively affirm here that no forced labour exists on the plantations in the legal sense of the term.

Mr. Shiva Rao has also referred to the question of Indian States not having furnished enough particulars for the Grey Book which is before the delegates. I regret there is no representative here either amongst the workers or the employers from India with any intimate knowledge of conditions in Indian States, but I can give this Conference the assurance that when it comes to a decision on this very important question, such decision will be very carefully considered by all the important Indian States concerned.

**(b)**

*Extracts from the Speech of Sir Atul Chatterjee in the discussion on the Director's Report.*

In this connection I should like to refer to a point raised by the Workers' Delegate of India, Mr. Joshi, when he spoke yesterday from this tribune. Mr. Joshi in his speech alluded to the visit of the Director to the Far East, and expressed surprise that India was not included in that tour. Mr. Joshi felt that this happened because the Indian Government had discourteously omitted to extend an invitation to Mr. Thomas. I have some personal

responsibility in the matter, and I am therefore very glad of this opportunity of stating the facts fully and publicly.

As far back as a year ago, at the time of the Conference last year, I had a conversation with the Director on the subject of his tour in the East, and I gathered from him at the time that in view of the fact that he could not be away from Geneva for a very protracted period, and in view of the engagements he had already made in other countries, it would not be possible for him to spare more than a few days, at the most not more than two weeks, to a visit to India in the course of that tour. I think it is unnecessary for me to refer to the geographical vastness of my country, and to the enormous distances that separate the larger industrial centres of India. Moreover, the Director could not visit India to the advantage either of the Labour Organisation or of India itself if he did not establish contact with the Central Government of India, and with at least some of the more important Provincial Governments, on whom rest weighty responsibilities connected with labour legislation and the enforcement of that legislation. I knew that it would be physically impossible for Mr. Thomas, in spite of his wonderful vitality and energy, to accomplish this task in any period of less than six weeks. The Government of India themselves were desirous of extending an invitation to Mr. Thomas, but in view of my conversations with him they reluctantly refrained from doing so at the time.

There was also a further circumstance which made me personally feel that the time was not opportune. Questions of grave importance regarding the political future of India are under active consideration, and I am afraid that my countrymen, with their preoccupations of the moment, would not have derived much benefit from the visit of the Director last winter. I again explained all these facts to the Director when I met him at Warsaw in October. I do hope that, as soon as circumstances are more favourable, it will be the pleasure and the privilege of the representative of the Indian Government to resume conversation with the Director on this subject.

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There is one small point to which Mr. Chetty referred and to which I must make very brief allusion. That is the question of the position of Indian States in regard to the draft Conventions and Recommendations passed at this Conference. I think Mr. Chetty has overlooked the fact that this is a matter which has received very anxious and prolonged consideration from

the Indian Government, and the position was fully explained in a communication made to the Secretary-General of the League of Nations about two years ago.

These suggestions made by Mr. Chetty are valuable and will certainly receive further attention and consideration, but I think he himself will be the first to recognise that this matter cannot be settled in a day or at this Conference.

(c)

*Speech of Mr. Clow on the draft Convention concerning the Protection of Workers employed in Loading and Unloading Ships.*

I do not wish to follow Mr. Chowdhury's interesting speech by dealing in detail with his allegations. As regards ratifications, those Members of the Conference who are familiar with the past proceedings of the Conference are well aware of the record of the Government of India and of the record of the Indian Legislature, and it is not one of which either body has any reason to be ashamed. Where Conventions have not been ratified, that course has been taken, I think, in practically every case, with the collaboration of the Legislature of which Mr. Chowdhury is himself a Member, and I know of no Convention which has not been ratified which can be said to have led to a great and united demand on the part of the people for its ratification.

I am unable to enter into any discussion of the details of this Convention, mainly because of the difficult position in which the Government of India found itself in this case. The original draft of the Convention did not reach India until 19th April, only six weeks before the Conference opened. That allowed less than half the time which the Standing Orders regard as necessary, and it will be perfectly obvious that, in a country of the size and diversity of India, and in the case of a subject so intricate and technical as the present one, the time allowed is quite inadequate even to consult the more important interests involved and to obtain the advice of those who are competent to deal with the question. The necessity of giving adequate time in these matters has been stressed here before, and I am not oblivious to the difficulties in which the Director and the Office find themselves, difficulties which in some cases are partly caused by the action of the Governments themselves.



But I would appeal to him to examine the case afresh, and to see if some means cannot be devised for reducing, even if only in a small measure, the delay which takes place, and for ensuring that Governments and others have as long as possible to consider the drafts put before them. You cannot have Conventions which you will be sure will be acceptable even to half the countries represented here unless you give the interests in the countries time to examine your proposals. The result in the present case is that the representatives of the Government of India here are unable to say how far India will be able to adhere to the Convention. They will therefore be compelled to abstain in the final vote.

But having said that, I desire to emphasise the fact that the Government of India are in complete sympathy with the objects of the Convention. They have already given some proof of their anxiety to co-operate by furnishing the Committee, through Colonel Hudson, with the most competent advice, and he has participated throughout in the attempt to remould the Convention into an effective instrument for its purpose. It will now be the desire of the Government of India to co-operate to the fullest extent possible in carrying out those provisions which are calculated to improve the conditions of Indian workers engaged in the loading and unloading of ships. I am sure that many of its provisions, to which so much thought has been given, accompanied as they are, by the singularly lucid Report of the Committee, will make it possible to secure a definite advance in the protection given to dock workers, and it will be the task of the Government of India, when they receive the proposals, to consider, in consultation with the interests involved, the measures which they can take to fulfil the object which has animated the whole Conference in their discussion of this question.

I hope and believe that, whatever the decision on ratification, Indian workers will have every reason to be grateful to this Conference for its work on this subject.

(d)

*Speech of Dr. Paranjpye on the draft Convention concerning the Protection of Workers employed in Loading and Unloading Ships.*

I would not have come to this tribune after the speech of my colleague Mr. Clow, had it not been for the words of Mr. Bevin regarding the attitude of the Government of India. He told us that at least the Questionnaire was circulated to the Government of India and that they had enough time to

make up their minds on the subject, but even on that point it has always been our complaint that there was not sufficient time for the Government of India to consult the Local Governments and other bodies concerned in order to send a considered answer in time. I hope that the Conference appreciates the difficulties of Governments at a distance, and particularly Governments whose Constitution is somewhat different from that of the usual Governments in Europe, when they want to make up their minds on important questions.

As regards this subject of voting, the Government of India consider that it is a very important matter, and the object of this Convention is one which strongly appeals to them. As regards the actual voting for a Convention, it has always been the attitude of Government of India representatives that, when they vote for a Convention, in their eyes it entails a certain amount of moral responsibility to ratify the Convention, or at any rate to recommend ratification to their legislative bodies. It is only when they see a fair prospect of being able to recommend ratification that Indian Government representatives have voted for a Convention. As in this case we are not quite clear as to whether the Government of India will be able to recommend this ratification, we propose to abstain on the final vote.

(e)

*Speech of Dr. Paranjpye on the Resolution concerning Contract Labour.*

Mr. President, Ladies, and Gentlemen, I am not here to oppose this Resolution, as I personally think that it might be of some use, although the International Labour Office is already engaged in considering the question of contract and long-term labour. Perhaps in this inquiry the question of indentured labour and of penal sanctions is much the most important, because it is liable to lead to many abuses. In the case of simple long-term contracts, perhaps the International Labour Office might go into a discussion of certain precautions which may be taken in order that the worker may know exactly the conditions to which he subscribes, and the precautions by means of which those conditions may be accurately observed.

If that was all I had to say, I should not have troubled the Conference at this stage, but I only wish to utter an emphatic protest against the statements about the seemingly intolerable conditions made by my friend Mr. Das a few days ago. He said that the Indian workers are vitally interested in this problem because there are millions of workers affected by it in India, in the Malay States, in Ceylon, and in South Africa, and in other parts of the

Dominions, where their conditions of work are not human. I do wish that he had been more accurate in his statements, for, so far as Assam and South Africa are concerned, there are no indentures at present, and penal sanctions have been abolished for several years, and in fact there is no recruitment now ; there is no long-term recruitment in South Africa at all. In the case of Ceylon and Malaya, there are no indentures under penal sanctions, but emigration is allowed by the Government of India only on the advice and with the sanction of the Legislative Assembly, of which my friend Mr. Das is a prominent member. In fact, the Legislative Assembly is keen on seeing that any country to which emigration from India is allowed treats its labourers in no inhuman way, but keeps them in decent and tolerable circumstances. As a matter of fact, I believe in one case a representative of a Colony came to plead for permission to allow the immigration of Indian workers ; that permission was refused by the Emigration Committee of the Indian Legislative Assembly. Under these circumstances, I do not think that it is right to cast an aspersion either upon the Government of India or upon the Legislative Assembly for their failure in this respect. I think that, on the whole, the Resolution might do some good, because it would call attention to any possible abuses existing in any part of the world in regard to this matter of indentured or long-term contracts.

### PART III.

#### DRAFT CONVENTION CONCERNING THE MARKING OF THE WEIGHT ON HEAVY PACKAGES TRANSPORTED BY VESSELS.

[NOTE.—Formal preamble has been omitted.]

*Article 1.*—Any package or object of 1,000 kilograms (one metric ton) or more gross weight consigned within the territory of any Member which ratifies this Convention for transport by sea or inland waterway shall have had its gross weight plainly and durably marked upon it on the outside before it is loaded on a ship or vessel.

In exceptional cases where it is difficult to determine the exact weight, national laws or regulations may allow an approximate weight to be marked.

The obligation to see that this requirement is observed shall rest solely upon the Government of the country from which the package or object is consigned, and not on the Government of a country through which it passes on the way to its destination.

It shall be left to national laws or regulations to determine whether the obligation for having the weight marked as aforesaid shall fall on the consignor or on some other person or body.

*Article 2.*—The formal ratifications of this Convention under the conditions set forth in Part XIII of the Treaty of Versailles and in the corresponding Parts of the other Treaties of Peace shall be communicated to the Secretary-General of the League of Nations for registration.

*Article 3.*—This Convention shall be binding only upon those Members whose ratifications have been registered with the Secretariat.

It shall come into force twelve months after the date on which the ratifications of two Members of the International Labour Organisation have been registered with the Secretary-General.

Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

*Article 4.*—As soon as the ratification of two Members of the International Labour Organisation have been registered with the Secretariat, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

*Article 5.*—A Member which has ratified this Convention may denounce it after the expiration of 10 years from the date on which the Convention first comes into force, by an Act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the Secretariat.

Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of 10 years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of 10 years and, thereafter, may denounce this Convention at the expiration of each period of 10 years under the terms provided for in this Article.

*Article 6.*—At the expiration of each period of 10 years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the Agenda of the Conference the question of its revision in whole or in part.

*Article 7.*—Should the Conference adopt a new Convention revising this Convention in whole or in part, the ratification by a Member of the new revising Convention shall, *ipso jure*, involve denunciation of this Convention without any requirement of delay, notwithstanding the provisions of Article 5 above, if and when the new revising Convention shall have come into force.

As from the date of the coming into force of the new revising Convention, the present Convention shall cease to be open to ratification by the Members.

Nevertheless, this Convention shall remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

*Article 8.*—The French and English texts of this Convention shall both be authentic.

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DRAFT CONVENTION CONCERNING THE PROTECTION AGAINST ACCIDENTS OF  
WORKERS EMPLOYED IN LOADING OR UNLOADING SHIPS.

[NOTE.—Formal preamble has been omitted.]

*Article 1.*—For the purpose of this Convention :—

(1) the term “processes” means and includes all or any part of the work performed on shore or on board ship of loading or unloading any ship whether engaged in maritime or inland navigation, excluding ships of war, in, on, or at

any maritime or inland port, harbour, dock, wharf, quay or similar place at which such work is carried on ; and

(2) the term " worker " means any person employed in the processes.

*Article 2.*—Any regular approach over a dock, wharf, quay or similar premises which workers have to use for going to or from a working place at which the processes are carried on and every such working place on shore shall be maintained with due regard to the safety of the workers using them.

In particular,

(1) every said working place on shore and any dangerous parts of any said approach thereto from the nearest highway shall be safely and efficiently lighted ;

(2) wharves and quays shall be kept sufficiently clear of goods to maintain a clear passage to the means of access referred to in Article 3 ;

(3) where any space is left along the edge of any wharf or quay, it shall be at least 3 feet (90 cm.) wide and clear of all obstructions other than fixed structures, plant and appliances in use ; and

(4) so far as is practicable having regard to the traffic and working,

(a) all dangerous parts of the said approaches and working places (*e.g.*, dangerous breaks, corners and edges) shall be adequately fenced to a height of not less than 2 feet 6 inches (75 cm.) ;

(b) dangerous footways over bridges, caissons and dock gates shall be fenced to a height of not less than 2 ft. 6 ins. (75 cm.) on each side, and the said fencing shall be continued at both ends to a sufficient distance which shall not be required to exceed 5 yards (4 m. 50).

*Article 3.*—(1) When a ship is lying alongside a quay or some other vessel for the purpose of the processes, there shall be safe means of access for the use of the workers at such times as they have to pass to or from the ship, unless the conditions are such that they would not be exposed to undue risk if no special appliance were provided.

(2) The said means of access shall be :—

(a) where reasonably practicable, the ship's accommodation ladder, a gangway or a similar construction ;

(b) in other cases a ladder.

(3) The appliances specified in para. (2) (a) of this Article shall be at least 22 inches (55 cm.) wide, properly secured to prevent their displacement, not

inclined at too steep an angle, constructed of materials of good quality and in good condition, and securely fenced throughout to a clear height of not less than 2 ft. 9 ins. (82 cm.) on both sides, or in the case of the ship's accommodation ladder securely fenced to the same height on one side, provided that the other side is properly protected by the ship's side :

Provided that any appliance as aforesaid in use at the date of the ratification of this Convention shall be allowed to remain in use—

(a) until the fencing is renewed if they are fenced on both sides to a clear height of at least 2 ft. 8 ins. (80 cm.);

(b) for one year from the date of ratification if they are fenced on both sides to a clear height of at least 2 ft. 6 ins. (75 cm.);

(4) The ladders specified in para. (2) (b) of this Article shall be of adequate length and strength, and properly secured.

(5) (a) Exceptions to the provisions of this Article may be allowed by the competent authorities when they are satisfied that the appliances specified in the Article are not required for the safety of the workers.

(b) The provisions of this Article shall not apply to cargo stages or cargo gangways when exclusively used for the processes.

(6) Workers shall not use, or be required to use, any other means of access than the means specified or allowed by this Article.

*Article 4.*—When the workers have to proceed to or from a ship by water for the processes, appropriate measures shall be prescribed to ensure their safe transport, including the conditions to be complied with by the vessels used for this purpose.

*Article 5.*—(1) When the workers have to carry on the processes in a hold, the depth of which from the level of the deck to the bottom of the hold exceeds 5 feet (1.5m.), there shall be safe means of access from the deck to the hold for their use.

(2) The said means of access shall ordinarily be by ladder, which shall not be deemed to be safe unless it complies with the following conditions :—

(a) leaves sufficient free space behind the rungs, which in the case of ladders on bulkheads and in trunk hatchways shall not be less than  $4\frac{1}{2}$  inches (11½ cm.), or has throughout rungs of proper width for firm foothold and handhold ;

(b) is not recessed under the deck more than is reasonably necessary to keep it clear of the hatchway ;

- (c) is continued by and is in line with arrangements for secure handhold and foothold on the coamings (*e. g.*, cleats or cups).
- (d) the said arrangements on the coamings stand out not less than  $4\frac{1}{2}$  inches ( $11\frac{1}{2}$  cm.) for a width of 10 inches (25 cm.); and
- (e) if separate ladders are provided between the lower decks, the said ladders are as far as practicable in line with the ladder from the top deck.

Where, however, owing to the construction of the ship, the provision of a ladder would not be reasonably practicable, it shall be open to the competent authorities to allow other means of access, provided that they comply with the conditions laid down in this Article for ladders so far as they are applicable.

- (3) Sufficient free passage to the means of access shall be left at the coamings.
- (4) Shaft tunnels shall be equipped with adequate handhold and foothold on both sides.
- (5) When a ladder is to be used in the hold of a vessel which is not decked, it shall be the duty of the contractor undertaking the processes to provide such ladder. It shall be equipped at the top with hooks for fastening it on to the coamings or with other means for firmly securing it.
- (6) The workers shall not use, or be required to use, other means of access than the means specified or allowed by this Article.
- (7) Ships existing at the date of ratification of this Convention shall be exempt from compliance with the measurements in para. 2 (a) and (d) and from the provisions of para. 4 of this Article for a period not exceeding four years from the date of ratification of this Convention.

*Article 6.*—While the workers are on a ship for the purpose of the processes, no hatchway of a cargo hold which exceeds 5 feet in depth from the level of the deck to the bottom of the hold and which is accessible to the workers shall be left open and unprotected, but every such hatchway which is not protected to a clear height of 2 ft. 6 ins. (75 cm.) by the coamings shall either be securely fenced to a height of 3 feet (90 cm.) if the processes at that hatchway are not impeded thereby or be securely covered.

Similar measures shall be taken when necessary to protect any other openings in a deck which might be dangerous to the workers.



Provided that the requirements of this Article shall not apply when a proper and sufficient watch is being kept.

*Article 7.*—When the processes have to be carried on, on a ship, the means of access thereto and all places on board at which the workers are employed or to which they may be required to proceed in the course of their employment shall be efficiently lighted.

The means of lighting shall be such as not to endanger the safety of the workers or to interfere with the navigation of other vessels.

*Article 8.*—In order to ensure the safety of the workers when engaged in removing or replacing hatch coverings and beams used for hatch coverings :—

(1) Hatch coverings and beams used for hatch coverings shall be maintained in good condition.

(2) Hatch coverings shall be fitted with adequate hand grips, having regard to their size and weight.

(3) Beams used for hatch coverings shall have suitable gear for removing and replacing them of such a character as to render it unnecessary for workers to go upon them for the purpose of adjusting such gear.

(4) All hatch coverings and fore and aft and thwart-ship beams shall, in so far as they are not interchangeable, be kept plainly marked to indicate the deck and hatch to which they belong and their position therein.

(5) Hatch coverings shall not be used in the construction of cargo stages or for any other purpose which may expose them to damage.

*Article 9.*—Appropriate measures shall be prescribed to ensure that no hoisting machine or gear, whether fixed or loose, used in connection therewith, is employed in the processes on shore or on board ship unless it is in a safe working condition.

In particular,

(1) Before being taken into use, the said machines, fixed gear on board ship accessory thereto as defined by national laws or regulations, and chains and wire ropes used in connection therewith, shall be adequately examined and tested, and the safe working load thereof certified, in the manner prescribed and by a competent person.

(2) After being taken into use, every hoisting machine, whether used on shore or on board ship, and all fixed gear on board ship accessory thereto as

defined by national laws or regulations, shall be thoroughly examined or inspected as follows :—

- (a) to be thoroughly examined every four years and inspected every twelve months : derricks, goose necks, mast bands, derrick bands, eyebolts, spans and any other fixed gear the dismantling of which is specially difficult ;
- (b) to be thoroughly examined every twelve months : all hoisting machines (*e.g.*, cranes, winches), blocks, shackles and all other accessory gear not included in (a).

All loose gear (*e.g.*, chains, wire ropes, rings, hooks) shall be inspected on each occasion before use unless they have been inspected within the previous three months.

Chains shall not be shortened by tying knots in them and precautions shall be taken to prevent injury to them from sharp edges.

A thimble or loop slice made in any wire rope shall have at least three tucks with a whole strand of rope and two tucks with one half of the wires cut out of each strand ; provided that this requirement shall not operate to prevent the use of another form of splice which can be shown to be as efficient as the form hereby prescribed.

(3) Chains and such similar gear as is specified by national laws or regulations (*e.g.*, hooks, rings, shackles, swivels) shall, unless they have been subjected to such other sufficient treatment as may be prescribed by national laws or regulations, be annealed under the supervision of a competent person, as follows :—

(a) In the case of chains and the said gear carried on board ship :—

- (i) half inch ( $12\frac{1}{2}$  m. m.) and smaller chains or gear in general use once at least in every six months ;
- (ii) all other chains or gear (including span chains but excluding bridle chains attached to derricks or mast) in general use once at least in every twelve months :

Provided that in the case of such gear used solely on cranes and other hoisting appliances worked by hand, twelve months shall be substituted for six months in sub-para. (i) and two years for twelve months in sub-para. (ii) :

Provided also that if the competent authority is of opinion that owing to the size, design, material or infrequency of use of any of the said gear other

than chains, the requirements of this paragraph as to annealing are not necessary for the protection of the workers, it may, by certificate in writing (which it may at its discretion revoke) exempt such gear from the said requirements subject to such conditions as may be specified in the said certificate.

(b) In the case of chains and the said gear not carried on board ship :

Measures shall be prescribed to secure the annealing of the said chains and gear.

(c) In the case of the said chains and gear whether carried on board ship or not, which have been lengthened, altered or repaired by welding, they shall thereupon be tested and re-examined.

(4) Such duly authenticated records as will provide sufficient *primâ facie* evidence of the safe condition of the machines and gear concerned shall be kept, on shore or on the ship as the case may be, specifying the safe working load and the dates and results of the tests and examinations referred to in paras. (1) and (2) of this Article and of the annealings or other treatment referred to in para. (3).

Such records shall, on the application of any person authorised for the purpose, be produced by the person in charge thereof.

(5) The safe working load shall be kept plainly marked on all cranes, derricks and chain slings, and on any similar hoisting gear used on board ship as specified by national laws or regulations. The safe working load marked on chain slings shall either be in plain figures or letters upon the chains or upon a tablet or ring of durable material attached securely thereto.

(6) All motors, cogwheels, chain and friction gearing, shafting, live electric conductors and steam pipes shall (unless it can be shown that by their position and construction they are equally safe to every worker employed as they would be if securely fenced) be securely fenced so far as is practicable without impeding the safe working of the ship.

(7) Cranes and winches shall be provided with effective appliances to prevent the accidental descent of a load while in process of being lifted or lowered.

(8) Appropriate measures shall be taken to prevent exhaust steam from and, so far as practicable, live steam to any crane or winch obscuring any part of the working place at which a worker is employed.

*Article 10.*—Only sufficiently competent and reliable persons shall be employed to operate lifting or transporting machinery whether driven by

mechanical power or otherwise or to give signals to a driver of such machinery, or to attend to cargo falls on winch ends or winch drums.

*Article 11.*—(1) No load shall be left suspended from any hoisting machine unless there is a competent person actually in charge of the machine while the load is so left.

(2) Appropriate measures shall be prescribed to provide for the employment of a signaller where this is necessary for the safety of the workers.

(3) Appropriate measures shall be prescribed with the object of preventing dangerous methods of working in the stacking, unstacking, stowing and unstowing of cargo, or handling in connection therewith.

(4) Before work is begun at a hatch the beams thereof shall be removed, unless the hatch is of sufficient size to preclude danger to the workers from a load striking against the beams; provided that when the beams are not removed they shall be securely fastened to prevent their displacement.

(5) Precautions shall be taken to facilitate the escape of the workers when employed in a hold or on 'tween decks in dealing with coal or other bulk cargo.

(6) No stage shall be used in the processes unless it is substantially and firmly constructed, adequately supported and where necessary securely fastened.

No truck shall be used for carrying cargo between ship and shore on a stage so steep as to be unsafe.

Stages shall where necessary be treated with suitable material to prevent the workers slipping.

(7) When the working space in a hold is confined to the square of the hatch, hooks shall not be made fast in the bands or fastenings of bales of cotton, wool, cork, gunny bags or other similar goods (nor can-hooks on barrels), except for the purpose of breaking out or making up slings.

(8) No gear of any description shall be loaded beyond the safe working load, except on special occasions expressly authorised by the owner or his responsible agent, of which a record shall be kept.

(9) In the case of shore cranes with varying capacity (*e. g.*, raising and lowering jib with load capacity varying according to the angle) an automatic indicator or a table showing the safe working loads at the corresponding inclinations of the jib shall be provided on the crane.

*Article 12.*—National laws or regulations shall prescribe such precautions as may be deemed necessary to ensure the proper protection of the workers, having regard to the circumstances of each case, when they have to deal with or work in proximity to goods which are in themselves dangerous to life or health by reason either of their inherent nature or of their condition at the time, or work where such goods have been stowed.

*Article 13.*—At docks, wharves, quays and similar places which are in frequent use for the processes, such facilities as having regard to local circumstances shall be prescribed by national laws or regulations shall be available for rapidly securing the rendering of first aid and in serious cases of accident removal to the nearest place of treatment. Sufficient supplies of first aid equipment shall be kept permanently on the premises in such a condition and in such positions as to be fit and readily accessible for immediate use during working hours. The said supplies shall be in charge of a responsible person or persons, who shall include one or more persons competent to render first aid, and whose services shall also be readily available during working hours.

At such docks, wharves, quays and similar places as aforesaid appropriate provision shall also be made for the rescue of immersed workers from drowning.

*Article 14.*—Any fencing, gangway, gear, ladder, life-saving means or appliance, light, mark, stage, or other thing whatsoever required to be provided under this Convention shall not be removed or interfered with by any person except when duly authorised or in case of necessity, and if removed shall be restored at the end of the period for which its removal was necessary.

*Article 15.*—It shall be open to each Member to grant exemptions from or exceptions to the provisions of this Convention in respect of any dock, wharf, quay or similar place at which the processes are only occasionally carried on or the traffic is small and confined to small ships, or in respect of certain special ships or special classes of ships or ships below a certain small tonnage, or in cases where as a result of climatic conditions it would be impracticable to require the provisions of this Convention to be carried out.

The International Labour Office shall be kept informed of the provisions in virtue of which any exemptions and exceptions as aforesaid are allowed.

*Article 16.*—Except as herein otherwise provided, the provisions of the Convention which affect the construction or permanent equipment of the ship shall apply to ships, the building of which is commenced after the date

of ratification of the convention, and to all other ships within 4 years after that date, provided that in the meantime the said provisions shall be applied so far as reasonable and practicable to such other ships.

*Article 17.*—In order to ensure the due enforcement of any regulations prescribed for the protection of the workers against accidents :—

- (1) The regulations shall clearly define the persons or bodies who are to be responsible for compliance with the respective regulations.
- (2) Provision shall be made for an efficient system of inspection and for penalties for breaches of the regulations.
- (3) Copies or summaries of the regulations shall be posted up in prominent positions at docks, wharves, quays and similar places which are in frequent use for the processes.

*Article 18.*—The formal ratifications of this Convention under the conditions set forth in Part XIII of the Treaty of Versailles and in the corresponding Parts of the other Treaties of Peace shall be communicated to the Secretary-General of the League of Nations for registration.

*Article 19.*—This Convention shall be binding only upon those members whose ratifications have been registered with the Secretariat.

It shall come into force twelve months after the date on which the ratifications of two members of the International Labour Organisation have been registered with the Secretary-General.

Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

*Article 20.*—As soon as the ratification of two Members of the International Labour Organisation have been registered with the Secretariat, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

*Article 21.*—A Member which has ratified this Convention may denounce it after the expiration of 10 years from the date on which the Convention first comes into force, by an Act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the Secretariat.

Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of 10 years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of five years and, thereafter, may denounce this Convention at the expiration of each period of five years under the terms provided for in this Article.

*Article 22.*—At the expiration of each period of 10 years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

*Article 23.*—Should the Conference adopt a new Convention revising this Convention in whole or in part, the ratification by a Member of the new revising Convention shall, *ipso jure*, involve denunciation of this Convention without any requirement of delay, notwithstanding the provisions of Article 21 above, if and when the new revising Convention shall have come into force.

As from the date of the coming into force of the new revising Convention, the present Convention shall cease to be open to ratification by the Members.

Nevertheless, this Convention shall remain in force in its actual form and content for those Members which have ratified it, but have not ratified the revising Convention.

*Article 24.*—The French and English texts of this Convention shall both be authentic.

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## PART IV.

## RECOMMENDATION CONCERNING THE PREVENTION OF INDUSTRIAL ACCIDENTS.

The General Conference of the International Labour Organisation of the League of Nations,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twelfth Session on 30th May 1929, and

Having decided upon the adoption of certain proposals with regard to the prevention of industrial accidents, which is the first item on the Agenda of the Session, and

Having determined that these proposals shall take the form of a Recommendation, adopts, this twenty-first day of June of the year one thousand nine hundred and twenty-nine, the following Recommendation, to be submitted to the members of the International Labour Organisation for consideration with a view to effect being given to it by national legislation or otherwise in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding Parts of the other Treaties of Peace :

Whereas the protection of workers against injury arising out of their employment is instanced by the Preamble to Part XIII of the Treaty of Versailles and to the corresponding Parts of the other Treaties of Peace as one of the improvements in industrial conditions which are urgently required ;

Whereas industrial accidents not only cause suffering and distress among workers and their families, but also represent an important material loss to society in general ;

Whereas the International Labour Conference in 1923 adopted a Recommendation concerning the general principles for the organisation of systems of inspection, in which it is laid down *inter alia* that inspection, in order to become progressively more effective " should be increasingly directed towards securing the adoption of the most suitable safety methods for preventing accidents and diseases with a view to rendering work less dangerous, more healthy, and even less exhausting by the intelligent understanding, education, and co-operation of all concerned " ;

Whereas it is desirable that these measures and methods which experience in the various countries has shown to be most effective in enabling the number



of accidents to be reduced and their gravity mitigated should be put on record for the mutual advantage of the Members ;

Whereas a Resolution was adopted at the 1928 Session of the International Labour Conference in which the Conference declared its opinion that the time had come to attempt to reach a higher standard of safety by the development of new methods and that the greatest advance could be made on the lines of the Safety First Movement, although it could not supersede the action of the State in prescribing and enforcing regulations for the prevention of accidents ;

Considering that it is of the highest importance that all persons or bodies, including employers, workers, employers' and workers' organisations, Governments and the general public, should use their best endeavours and every means in their power to help to prevent industrial accidents ;

The General Conference recommends that each Member of the International Labour Organisation should take the following principles and rules into consideration for the prevention of accidents in industrial undertakings. The following in particular are considered as such :—

- (a) Mines, quarries, and other works for the extraction of minerals from the earth ;
- (b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed ; including shipbuilding and the generation, transformation, and transmission of electricity or motive power of any kind ;
- (c) Construction, reconstruction, maintenance, repair, alteration or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gas work, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure ;
- (d) Transport of passengers or goods by road, rail, sea or inland waterway, including the handling of goods at docks, quays, wharves or warehouses, but excluding transport by hand.

The Conference, considering further that the prevention of accidents is as necessary in agriculture as in industrial establishments, recommends that each

Member of the International Labour Organisation should apply the Recommendation to agriculture, taking into account the special conditions of agricultural work.

### I.

1. Whereas the foundations of the study of accident prevention are—

- (a) enquiry into the causes and circumstances of accidents ;
- (b) the study, by means of statistics of accidents in each industry as a whole, of the special dangers which exist in the several industries, the " laws " determining the incidence of accidents, and, by comparison over a series of years, the effect of measures taken to avoid them.

The Conference recommends that each Member should take the necessary steps, by means of legislative or administrative action, effectively to ensure the collection and utilisation of the above information.

The Conference also recommends that methodical investigation should be carried out in each country by public services assisted, where it appears desirable, by institutions or committees set up by individual branches of industry.

The public services should have recourse to the collaboration of the industrial organisations of employers and workers and of the services responsible for the supervision of accident prevention, as well as, where desirable, of technical associations and accident insurance institutions or companies.

It is also desirable that industrial associations of employers and workers should collaborate in the institutions for accident prevention in the individual branches of industry.

2. As experience and research have shown that the incidence and gravity of accidents do not depend merely upon the dangers inherent in the work or in the kind of equipment or the various appliances in use, but also on physical, physiological and psychological factors, the Conference recommends that in addition to the investigations mentioned in para. 1 in connection with material factors, these other factors should also be investigated.

3. Since the suitability of the worker for his work and the interest which he takes in his work are factors of primary importance for the promotion of safety, it is important that the Members should encourage scientific research.

into the best methods of vocational guidance and selection and their practical application.

4. Since it is important for the furtherance of accident prevention that the results of the investigation referred to in paras. 1 and 2 should be made known as widely as possible, and since it is also desirable that the International Labour Office should be in possession of the information necessary to enable its work in connection with accident prevention to be extended, the Conference recommends that the more important results of the investigations should be communicated to the International Labour Office for use in its work and publications.

It is also desirable that there should be international consultation and exchange of results between the research institutions or organisations in the several industrial countries.

5. The Members should establish central departments to collect and collate statistics relating to industrial accidents, and should communicate to the International Labour Office all available statistics on industrial accidents in their respective countries. They should also, with a view to the subsequent preparation of a draft Convention, keep in touch with the International Labour Office in framing and developing their industrial accident statistics, with a view to arriving at uniform bases which would as far as possible allow of a comparative study of the statistics of the different countries.

## II.

6. In view of the satisfactory results which experience in different countries has shown to follow from co-operation between all parties interested in the prevention of industrial accidents, particularly between employers and workers, it is important that the Members should do all in their power to develop and encourage such co-operation, as recommended in the Recommendation on systems of inspection adopted in 1923.

7. It is recommended that in every industry or branch of industry, so far as circumstances require, periodical conferences should be held between the State inspection service, or other competent bodies, and the representative organisations of employers and workers concerned: (a) to consider and review the position in the industry as regards the incidence and gravity of accidents, the working and effectiveness of the measures laid down by law, or agreed upon between the State or other competent bodies and representa-

tives of the industry, or tried by individual employers, and (b) to discuss proposals for further improvement.

8. It is further recommended that the Members should actively and continuously encourage the adoption of measures for the promotion of safety, in particular (a) the establishment in the works of a safety organisation which should include arrangements for a works investigation of every accident occurring in the works, and the consideration of the methods to be adopted for preventing a recurrence; the systematic supervision of the works, machinery and plant for the purpose of ensuring safety; and in particular of seeing that all safeguards and other safety appliances are maintained in proper order and position; the explanation to new, and specially young, workers of the possible dangers of the work or the machinery or plant connected with their work; the organisation of first aid and transport for injured workers; and the encouragement of suggestions from the persons employed for rendering work safer; (b) co-operation in the promotion of safety between the management and the workers in individual works, and of employers' and worker's organisations in the industry with each other and with the State, and with other appropriate bodies by such methods and arrangements as may appear best adapted to the national conditions and aptitudes. The following methods are suggested as examples for consideration by those concerned: appointment of a safety supervisor for the works, establishment of works safety committees.

9. It is recommended that the Members should do all in their power to awaken and maintain the interest of the workers in the prevention of accidents and ensure their co-operation by means of lectures, publications, cinematograph films, visits to industrial establishments, and by such other means as they may find most appropriate.

10. It is recommended that the State should establish or promote the establishment of permanent safety exhibitions where the best appliances, arrangements and methods for preventing accidents and promoting safety can be seen (and in the case of machinery, seen in action) and advice and information given to employers, works officials, workers, students in the engineering and technical schools, and others.

11. In view of the fact that the workers, by their conduct in the factory, can and should contribute to a large extent to the success of protective measures, the State should use its influence to secure (a) that employers should do all in their power to improve the education of their workers in

regard to the prevention of accidents, and (b) that the workers' organisation should by using their influence with their members co-operate in this work.

12. The Conference recommends that, in addition to measures taken in pursuance of the preceding paragraphs, the State should arrange for monographs on accident causation and prevention in particular industries or branches of industry or particular processes to be prepared by the State inspection service or other competent authorities, embodying the experience obtained as to the best measures for preventing accidents in the industry or process, and to be published by the State for the information of employers, works officials and workers in the industry and of employers' and workers' organisations.

13. In view of the importance of the work of education referred to in the preceding paragraph, and as a foundation for such education, the Conference recommends that the Members should arrange for the inclusion in the curricula of the elementary schools of lessons designed to inculcate habits of carefulness, and in the curricula of continuation schools lessons in accident prevention and first aid. Instruction in the prevention of industrial accidents should be given in vocational schools of all grades, where the importance of the subject both from the economic and moral standpoints should be impressed upon the pupils.

14. In view of the great value of immediate first-aid treatment in lessening the gravity of the consequences of accidents, measures should be taken to ensure that the necessary material for first aid should be kept ready for use in all undertakings and that first aid by properly trained persons should be given. It is also desirable that arrangements should be made to ensure that in case of serious accidents the services of a doctor are available as soon as possible. Arrangements should also be made for providing ambulance services for the rapid transport of injured persons to hospital or to their homes.

Special attention should also be paid to the theoretical and practical training of doctors in the treatment of injuries due to accidents.

### III.

15. As any effective system of accident prevention should rest on a basis of statutory requirements the Conference recommends that each Member

should prescribe by law the measures required to ensure an adequate standard of safety.

16. It should be provided by law that it is the duty of the employer to equip and manage his undertaking in such a way that the workers are adequately protected, regard being had to the nature of the undertaking and the state of technical progress as well as to see that the workers in his employment are instructed as to the dangers, if any, of their occupation and in the measures to be observed by them in order to avoid accidents.

17. It is in general desirable that plans for the construction or substantial alteration of industrial establishments should be submitted in due time to the competent authority, in order that it may be ascertained whether the plans are such as to satisfy the requirements prescribed by the statutory requirements referred to above. The plans should be examined as rapidly as possible in order not to delay the execution of the work.

18. So far as the administrative and legal systems of each country allow, officials of the inspection service or other body responsible for supervising the enforcement of the statutory requirements for the protection of workers against accidents should be empowered to give orders in particular cases to the employer as to the steps to be taken by him to fulfil his obligations, subject to a right of appeal to a higher administrative authority or to arbitration.

In case of imminent danger the supervising authority should be empowered to require immediate compliance with the orders, notwithstanding the right of appeal.

19. In view of the importance of the conduct of the worker in connection with accident prevention, the law should provide that it is the duty of the worker to comply with the statutory requirements on accident prevention, and particularly to refrain from removing safety devices without permission and to use them properly.

20. It is recommended that before administrative orders or regulations for the prevention of accidents in any industry are finally issued by the competent authority, opportunity should be given to the representative organisations of employers and workers concerned to submit their views for the consideration of the competent authority.

21. Statutory or administrative provision should be made enabling the workers to collaborate in securing the observance of the safety regulations

by the methods best suited to each country, for example, the appointment of qualified workers to positions in the official inspection service ; regulations authorising the workers to call for a visit from an official of the inspection service or other competent body when they consider such a course desirable, or requiring the employer to give workers or their representatives an opportunity of seeing the inspector when he is visiting the undertaking ; inclusion of workers' representatives in safety committees for securing the enforcement of the regulations and establishing the causes of accidents.

#### IV.

22. The Conference recommends that the State should endeavour to secure that accident insurance institutions or companies take into account, in assessing the premium for an undertaking, the measures taken therein for the protection of the workers, in order to encourage the development of safety measures by employers.

23. The State should use its influence with accident insurance institutions and companies to co-operate in the work of accident prevention by such means as the following : communication of information on causes and consequences of accidents to the inspection service or other supervising authorities concerned ; co-operation in the institutions and committees referred to in para. 1 and in the Safety First Movement in general ; advances to employers for the adoption or improvement of safety appliances ; the award of prizes to workmen, engineers and others who, by their inventions or ideas, contribute substantially to the avoidance of accidents ; propaganda among employers and the public ; advice on safety measures, contributions to safety museums and institutions for instruction in accident prevention.

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#### RECOMMENDATION CONCERNING RESPONSIBILITY FOR THE PROTECTION OF POWER-DRIVEN MACHINERY.

The General Conference of the International Labour Organisation of the League of Nations,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twelfth Session on 30th May 1929, and

Having decided upon the adoption of certain proposals with regard to responsibility for the protection of power-driven machinery which is included in the first item on the Agenda of the Session, and

Having determined that these proposals shall take the form of a Recommendation,  
adopts, this twenty-first day of June of the year one thousand nine hundred and twenty-nine, the following Recommendation, to be submitted to the Members of the International Labour Organisation for consideration with a view to effect being given to it by national legislation or otherwise, in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding Parts of the other Treaties of Peace :

### I.

In order more effectively to ensure, in the interest of the safety of the workers, that the requirements prescribed by national laws or regulations for the protection of power driven machinery used in the country concerned are properly complied with, and without prejudice to the responsibility which should in any case rest and remain on the employer for seeing that any machinery used in his undertaking is protected in accordance with national laws or regulations.

The Conference recommends that each Member adopt and apply to as great an extent as possible the principle that it should be prohibited by law to supply or install any machine intended to be driven by mechanical power and to be used within its territory, unless it is furnished with the safety appliances required by law for the operation of machines of that type.

The previous paragraph applies to any electrical equipment forming part of such a machine.

### II.

Each Member should keep the International Labour Office informed of the measures taken by it to apply the above-mentioned principle and of the results of its application.

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RECOMMENDATION CONCERNING RECIPROCITY AS REGARDS THE PROTECTION  
AGAINST ACCIDENTS OF WORKERS EMPLOYED IN LOADING OR UNLOADING  
SHIPS.

[NOTE.—Formal preamble has been omitted.]

The Conference,

Recognising that the Convention concerning the protection against accidents of workers employed in loading or unloading ships, while having as its main object the protection against accidents of the said workers, at the same time



affords an opportunity for regulations being prepared and issued by the Members which should secure reasonable uniformity on the basis of the Convention and for extension of the principle of reciprocity in the mutual recognition of certificates of inspection and examination ; and

Recalling in this connection the principles laid down in the Copenhagen Convention of 28th January 1926 on the seaworthiness and equipment of ships as modified by the Declaration of 11th June 1928 :

Strongly recommends that, following the ratification of, and issuing of regulations as aforesaid based upon, the Convention concerning the protection against accidents of workers employed in loading or unloading ships, the Members which have ratified the said Convention should enter into conference for the purpose of securing agreement for reciprocity, subject to all such agreements making secure the main object of the Convention, namely, the safety of the persons employed.

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RECOMMENDATION CONCERNING THE CONSULTATION OF WORKERS' AND EMPLOYERS' ORGANISATIONS IN THE DRAWING UP OF REGULATIONS DEALING WITH THE SAFETY OF WORKERS EMPLOYED IN LOADING OR UNLOADING SHIPS.

[NOTE.—Formal preamble has been omitted.]

The Conference,

Having adopted a draft Convention concerning the protection against accidents of workers employed in loading or unloading ships, and

Desiring to indicate for the guidance of the Members a method of bringing the Convention into operation in their respective countries, supplements this draft Convention by the following Recommendation :—

That the authorities responsible for the making of regulations for the protection against accidents of workers employed in loading or unloading ships should, either directly or through any special joint machinery recognised for the purpose, consult the workers' and employers' organisations concerned, if any, in their respective countries in the drawing up of new regulations under the abovementioned draft Convention.

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## Part V.

### TEXT OF A NEW ARTICLE 6 (A), INSERTED IN THE STANDING ORDERS OF THE CONFERENCE.

#### *Article 6 (a).—Procedure in case of Revision of a Convention.*

When the revision in whole or in part of a Convention which has been previously adopted by the Conference is included in the agenda, the provisions of paragraphs 4 to 13 inclusive and 16 of Article 6 shall not apply and the Conference shall proceed in accordance with the following provisions :—

- (1) The International Labour Office shall submit to the Conference draft amendments drawn up in accordance with the conclusions of the report of the Governing Body recommending the revision in whole or in part of the Convention previously adopted and corresponding to the question or questions in respect of which a proposal for revision has been placed on the agenda. In accordance with Article 400 of the Treaty of Versailles and subject to the provisions of Article 402, paragraph 3 of the said Treaty the Conference shall not revise in whole or in part a Convention which is adopted previously save in respect of the question or questions placed by the Governing Body on the agenda of the session.
- (2) The Conference shall decide whether it will take as the basis of discussion the draft amendments prepared by the International Labour Office, and shall decide whether they shall be considered in full Conference or referred to a Committee for report. These decisions may be preceded by a debate in full Conference on the general principles of the proposed revision in whole or in part within the limits permitted by the agenda.
- (3) If the draft amendments are considered in full Conference, each of them shall be placed successively before the Conference for adoption. During the debate, and until all the draft amendments have been disposed of, no motion other than a motion to amend the text of one of them, or a motion as to procedure shall be considered by the Conference.
- (4) If the draft amendments be referred to a Committee, the Conference shall, after receiving the report of the Committee, proceed to discuss

the text of each draft amendment in succession, in accordance with the rules laid down in the last preceding paragraph. This discussion shall not take place before the day following that on which copies of the report have been circulated to the delegates.

- (5) During the discussion of the draft amendments the Conference may refer one or more of them to a Committee.
- (6) The amendments, together with consequential amendments of the unamended provisions of the Convention under revision, as adopted by the Conference, shall be referred to the Drafting Committee, which shall combine with them the unamended provisions of the Convention under revision, so as to establish the final text of the draft convention in the revised form. This text shall be circulated to the delegates.

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TEXT OF STANDARD ARTICLES TO BE INSERTED IN CONVENTIONS EFFECTING REVISION AND IN ORDINARY FUTURE CONVENTIONS.

*Article (a).*—The formal ratifications of this Convention under the conditions set forth in Part XIII of the Treaty of Versailles and in the corresponding Parts of the other Treaties of Peace shall be communicated to the Secretary-General of the League of Nations for registration.

*Article (b).*—This Convention shall be binding only upon those Members whose ratifications have been registered with the Secretariat.

It shall come into force 12 months after the date on which the ratifications of  $x$  Members of the International Labour Organisation have been registered with the Secretary-General.

Thereafter, this Convention shall come into force for any Member 12 months after the date on which its ratification has been registered.

*Article (c).*—As soon as the ratification of  $x$  Members of the International Labour Organisation have been registered with the Secretariat, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

*Article (d).*—A Member which has ratified this Convention may denounce it after the expiration of  $y$  years from the date on which the Convention first

comes into force, by an Act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the Secretariat.

Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of *y* years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of *z* years and, thereafter may denounce this Convention at the expiration of each period of *z* years under the terms provided for in this Article.

*Article (e).*—At the expiration of each period of *x* years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a Report on the working of this Convention, and shall consider the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

*Article (f).*—Should the Conference adopt a new Convention revising this Convention in whole or in part, the ratification by a Member of the new revising Convention would, notwithstanding the periods of delay mentioned in the foregoing Article (*d*), involve the immediate denunciation of this Convention, provided that the new revising Convention has come into force.

As from the date of the coming into force of the new revising Convention, the present Convention would cease to be open to ratification by the Members.

Nevertheless, this Convention would remain in force in its actual form and content for those Members which had ratified it but had not ratified the revising Convention.

*Article (g).*—The French and English texts of this Convention shall both be authentic.

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TEXT OF PARAGRAPHS 4, 5, AND 6 OF ARTICLE 6 OF THE STANDING ORDERS  
OF THE CONFERENCE AS AMENDED.

*The Procedure of Double Discussion.*

4. When a question has been placed on the agenda of the Conference, the International Labour Office shall submit to the Conference a preliminary report setting out the law and practice in the different countries. This report shall fix as completely as possible the points upon which the Governments are to

*be consulted*, and subject to approval by the Governing Body or by a Committee of the Governing Body appointed for that purpose, it shall be communicated by the Office to the Governments before the opening of the Conference.

5. This report shall be submitted to a general discussion by the Conference either in full sitting or in Committee, and if the Conference decides that the matter be suitable to form the subject of a draft Convention or recommendation *it shall decide by the approval of conclusions or resolutions the points upon which the Governments are to be consulted.* The Conference shall then decide in accordance with Article 402, paragraph 3, of the Treaty of Versailles whether the item shall be placed on the agenda of the following session.

6. The international Labour Office *shall draw up on the basis determined by the Conference the questionnaire which it shall submit to the Governments within one month of the closing of the session of the Conference.*

**PART VI.**  
**Resolutions.**

**(a)**

*Resolution on Accident Statistics.*

The General Conference of the Members of the International Labour Organisation,

Having adopted a Recommendation concerning the prevention of industrial accidents which, in paragraph 5, recommends the Members to keep in touch with the International Labour Office in compiling and developing their industrial accident statistics with a view to increasing their international comparability,

Considering that a series of resolutions on the methods of compiling statistics of industrial accidents was adopted by an International Conference of Labour Statisticians convened by the International Labour Office in 1923,

Invites the Governing Body of the International Labour Office to call the attention of the Governments to these resolutions, and in particular to ask them to indicate the difficulties experienced in their application,

Requests the Governing Body of the International Labour Office to consider the desirability of convening a Conference or Commission of experts in accident prevention and accident statistics at a subsequent date for the discussion of these difficulties, and for laying down uniform bases for the compilation of industrial accident statistics, with particular reference to those industries or services in which special problems arise.

**(b)**

*Resolution concerning the protection against accidents of workers employed in loading and unloading ships.*

The Conference invites the Governing Body of the International Labour Office to consider, and if thought desirable to proceed to, the appointment of an international technical committee to work out a model set of regulations on the protection against accidents of workers employed in the loading and unloading of ships which might guide the Governments in framing or modifying their respective regulations, with a view to putting them into agreement with the present draft Convention.

## (c)

*Resolution concerning unemployment.*

The Conference, having considered the report which has been presented to it by the International Labour Office, and the two draft Resolutions presented by Messrs. Schurch and Mertens concerning the problem of unemployment, and having also considered the report of its Committee on unemployment,

1. Welcomes the decision taken by the Council of the League of Nations to set up in association with its Financial Committee a Committee of Experts "to examine the causes of fluctuations in the purchasing power of gold and their effect on the economic life of the nations"; and invites the Office—

- (a) to offer its assistance to this Committee of Experts in the investigation of the effects of monetary fluctuations on the economic situation of the workers ;
- (b) to communicate to that Committee immediately the results which have already been obtained as a result of its studies concerning the effects of monetary fluctuations on the stability of employment of the workers ;
- (c) if possible in co-operation with the Committee of Experts to undertake further investigations concerning the effects of these fluctuations on the standard of living of the workers, on their efficiency, their hours of work, the relations between employers and workers, and on the general development of legislation for the protection of labour.

2. Invites the Governing Body of the International Labour Office, after due consideration of the work of the Committees or other bodies set up to conduct enquiries in connection with the coalmining industry, to study the best means of bringing about the adoption of measures, either national or international, which may be thought desirable for the reduction of unemployment among workers in coal mines.

3. Invites the Office to continue its investigations on the problem of unemployment in the textile industries and to undertake similar investigations in the case of other industries, not excluding agriculture, and, more particularly, in the case of industries in which unemployment is considerable.

4. Invites the Office to continue its investigations with a view to ascertaining the principal reasons for variations in the rate of unemployment as between different countries.

5. Invites the Office to pursue investigations in order to determine as far as possible the influence on unemployment of—

(a) increase of population,

(b) the development of new industries leading to a decreased importance of other industries,

(c) rationalisation and scientific management.

6. Invites the Office to undertake further investigations into the development of public employment exchanges and their administrative organisation in relation to the problem of unemployment.

7. In view of the difficulties which have been met with heretofore in the application of the Article of the Convention of 1919 concerning unemployment which provides for the co-ordination of the different national employment exchange systems by the International Labour Office, invites the Governing Body of the international Labour Office, after taking into account the reports furnished by Governments under the provisions of Article 408, and the reports of the Committees of the Conference on Article 408, to examine suitable means of overcoming these difficulties and obtaining a better application of the article in question.

8. Refers to the Governing Body and its Permanent Migration Committee that part of the Report of the Office dealing with the international migration of workers, and particularly draws their attention to the problem of the recruiting and placing of foreign workers which was dealt with by the Washington Conference in its Recommendation concerning unemployment, but which ought to be re-examined more thoroughly at an early Session of the Conference.

9. Invites the Governing Body of the International Labour Office, after consideration of the activities of the League of Nations in connection with the coal industry and of the stage which these activities have reached, to examine the desirability of placing the question of unemployment among miners on the agenda of a forthcoming Session of the Conference, preferably the 1930 Session.



**(d)***Resolution concerning the Organisation of work in Shifts in Mechanical Sheet Glass Factories.*

The Twelfth Session of the International Labour Conference :—

Whereas the question of the weekly rest of glass workers was considered by the Governing Body of the International Labour Office to be of sufficient importance to justify discussion by the International Labour Conference ;

Whereas the question was dealt with at the 1924 and 1925 Sessions without a definite result having been reached ;

Whereas it is of the greatest importance that the work of glass workers should be so ordered that they may benefit by a regular rest ;

Whereas the experience obtained before and more particularly since the question was placed on the agenda of the 1924 and 1925 Conferences shows that it is possible, by proper organisation of shifts, to ensure that glass workers employed in mechanical sheet-glass factories shall have the benefit of a regular rest, until such time as mechanical progress makes it possible to accord them the Sunday rest without adversely affecting production ;

Requests the Governing Body of the International Labour Office to examine the possibility of placing this question on the agenda of an early session of the International Labour Conference.

**(e)***Resolution concerning the Question of Insurance against Old Age, Invalidity and Death, and the Question of the Rights of Foreign Workers in case of Old Age, Invalidity and Death.*

The International Labour Conference having noted the draft Convention drawn up by the Economic Committee of the League of Nations to serve as a basis of discussion for the International Conference on the Treatment of Foreigners ;

Considering in particular Article VII of the Protocol appended to this draft Convention, under the terms of which the High Contracting Parties have not the intention to regulate by the provisions of the said Convention the conditions and guarantees affecting the temporary sojourn or permanent establishment of foreign workers and employees and other foreign wage-earners ;

Recalling the Resolution concerning old age, widows' and orphans' insurance and the maintenance of the right to pension which it adopted at its Tenth Session ;

Requests the Governing Body of the International Labour Office to consider the desirability of placing as early as possible on the agenda of a session of the International Labour Conference the question of insurance against old age, invalidity and death, together with the question of the rights of foreign workers in case of old age, invalidity and death.

(f)

*Resolution concerning the Financial Resources necessary to the Progressive Development of the Work of the International Labour Organisation.*

Seeing that the International Labour Organisation has nearly completed 10 years of its existence, during which time the necessity of seeking international solutions for social and industrial problems has become increasingly evident ;

Seeing, moreover, that this necessity has led to a steady expansion of the work of the International Labour Office, including the undertaking, at the request of the Conference, of a series of new and far-reaching tasks ;

And seeing that, as the work and influence of the Organisation develop, its activities will inevitably expand still further in the future, and such expansion will demand the provision of staff and material resources from time to time for their satisfactory execution ;

The Conference trusts that the Governing Body, while continuing to exercise careful supervision of the finances of the Organisation, will not adopt an attitude of restrictive economy which will tend to hamper or limit the progressive development of its work ;

And that it will accordingly impress upon the Governments of the Members of the Organisation the value of the results which have already been achieved since its foundation and the importance of fostering its further development by placing the funds necessary for that purpose freely at its disposal.

(g)

*Resolution concerning the Underground Work of Women and Young Persons.*

In view of the regrettable fact that underground work for women and young persons is still actually in operation in some of the most important countries represented in the International Labour Conference,

The Conference requests the Governing Body of the International Labour Office to consider the desirability of placing upon the agenda of an early session of the International Labour Conference the question of the underground work of women and young persons.

**(h)***Resolution concerning the Organisation and Representation in the Conference of Workers in Colonies and Non-White Workers.*

Whereas it is essential to make the International Labour Conference representative of all the workers in the countries and colonies governed by its States Members ;

Whereas also the workers in these colonies and non-white workers of some others have not so far been represented by their representatives either through their own organisations or through the most representative workers' organisations, in the International Labour Conference,

The Conference requests the Governing Body to instruct the International Labour Office to submit a report upon the organisations of white and non-white workers in those colonies and countries which have a majority of workers belonging to non-white races, so that it may be possible to judge how far the representation of these various sections of workers is ensured.

**(i)***Resolution concerning Equality of Treatment between National Workers and Coloured Foreign Workers.*

The International Labour Conference,

Considering the importance assigned in Part XIII of the Treaty of Versailles and the corresponding parts of other Peace Treaties to the protection of the interests of workers when employed in countries other than their own, and with a view to the complete application of the Recommendation of the first International Labour Conference held at Washington concerning reciprocity of treatment of foreign workers,

Particularly draws the attention of the States Members to the necessity of securing equality of treatment between national workers and coloured foreign workers employed either on land or at sea, in the territory of these States or in their possessions and colonies, and

Requests the Governing Body of the International Labour Office to consider the desirability of placing on the agenda of a very early session of the Conference, and if possible in 1931, the question of equality of treatment between national workers and coloured foreign workers employed in the territories of the States Members or in their possessions and colonies.

**(j)***Resolution regarding the Procedure for Draft Resolutions.*

The Selection Committee proposes that the Conference should request the Governing Body of the International Labour Office to consider what method could be adopted—if necessary by inserting certain provisions in the Standing Orders—to lay down a procedure for draft Resolutions submitted by members of the Conference.

**(k)***Resolution concerning the Application of Article 405, para. 5, of the Treaty of Peace of Versailles.*

In view of the regrettable fact that the execution of certain Recommendations and the ratification of certain draft Conventions adopted since the Washington Conference have not been satisfactorily put into practice ;

The Conference requests the Governing Body of the International Labour Office to continue and hasten the studies already undertaken to determine to what extent the various States Members carry into effect their obligations stated in Article 405, para. 5, of the Peace Treaty ; and to submit a report upon the results of this examination to an early session of the International Labour Conference.

**(l)***Resolution concerning the Recruiting of Bodies of Workers in one Country with a View to their Employment in Another Country.*

Whereas the Recommendation concerning unemployment adopted at the First International Labour Conference held at Washington provides that the recruiting of bodies of workers in one country with a view to their employment in another country should be permitted only by mutual agreement between the countries concerned ;

Therefore be it resolved ;

That this Conference requests the Governing Body to undertake an inquiry into the present status and operation of the said provision in the Recommendation and to report the findings, if possible, to the Fourteenth Session of the Conference.

**(m)***Resolution concerning the Revision of the Washington Hours Convention for Japan and India.*

Whereas a period of 10 years has elapsed since the Hours Convention was passed at Washington, and whereas the hours of work fixed in that Convention for the special countries were more than those fixed for other countries ;

The Conference requests the Governing Body to give particular attention to this situation when the 10-yearly report for which the Convention provides is submitted to it, and, in the case of a total or partial revision being contemplated, to draw the special attention of the States to the said situation.

**(n)***Resolution concerning Contract Labour submitted by the Committee on Forced Labour.*

The Committee, considering that even the suppression of forced labour will not abolish all forms of compulsion to labour of which workers can complain, and particularly in connection with long-term contracts ;

Requests the Conference to instruct the International Labour Office to undertake all necessary studies on all the other cases of compulsion to labour with a view to the question of their complete abolition being placed on the agenda of one of the next sessions of the International Labour Conference with the shortest possible delay.

**PART VII.**

†*Draft Resolution concerning the Application of Labour Legislation to the Nationals of certain States which enjoy the Privilege of Extra-Territorial Jurisdiction or similar Privileges.*

Whereas the administrative integrity of a State in labour affairs is essential and indispensable to enable the State to discharge its duties and obligations as a Member of the International Labour Organisation ;

Whereas it is impossible for a State successfully to enforce its labour laws within its territory, if the industrial and commercial undertakings carried on by certain foreign nationals in the State remain beyond the reach of the administration by the State of these laws, while the rest of the industrial and commercial undertakings are required to submit to this administration ;

Whereas the industrial and commercial undertakings carried on by certain foreign nationals in a State who do not submit themselves and their undertakings to the administration by the State of its labour laws employ nevertheless numerous nationals of the State in question, and they deprive the latter of the rights of legitimate protection under their national laws administered by their own Government ;

Whereas the Commission on Special Countries appointed by the First International Labour Conference held at Washington, anticipating to a certain degree the difficulties stated above in the territory of one of the States Members, namely, China, has recognised the need for the International Labour Organisation to take steps to effect their solution ; and whereas the report of the said Commission to this effect was endorsed by the said Conference ;

The Conference considers it urgent that States Members whose nationals now enjoy the privileges of extra-territorial jurisdiction or similar privileges in certain other countries should order their nationals to submit themselves and their industrial and commercial undertakings to the administration of the labour laws by the Governments of these countries.

The Conference requests the Governing Body to take whatever steps may be within its competence in order to give full effect to the principle laid down above.

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† The resolution was brought before the Conference but on being pressed to a vote failed to secure a quorum and lapsed.

# BULLETINS OF INDIAN INDUSTRIES AND LABOUR.

- No. 1.—Proceedings of the first Conference of Directors of Industries, 1920. (Re. 1.)
- No. 2.—Notes on Manganese Ores, by J. Coggin Brown, O.B.E., D.Sc. (4 As.)
- No. 3.\*—Notes on Magnesite and Monazite, by J. Coggin Brown.
- No. 4.—The International Labour Organisation and the Washington Conference. (14 As.)
- No. 5.—Proceedings of the second Conference of Directors of Industries. (12 As.)
- No. 6.—Notes on Antimony, Arsenic and Bismuth, by J. Coggin Brown. (4 As.)
- No. 7.—Notes on Wolfram, by J. Coggin Brown. (3 As.)
- No. 8.\*—Indian Factory Law Administration, by A. G. Clow.
- No. 9.—Notes on Chromite and Molybdenum, by J. Coggin Brown. (4 As.)
- No. 10.—The Washington Labour Conference (Official Correspondence). (Re. 1 As. 8.)
- No. 11.—Notes on Tin, by J. Coggin Brown. (4 As.)
- No. 12.\*—Notes on Bauxite, Borax, Corundum and Garnet, by J. Coggin Brown.
- No. 13.\*—Chemical Researches in Progress.
- No. 14.\*—Factory Construction and Installation in Bengal, by A. T. Weston, M.Sc.,  
M.Inst.C.E., M.I.E. (Ind.).
- No. 15.—Notes on Mica, by J. Coggin Brown. (9 As.)
- No. 16.—Notes on the Indian Piece Goods Trade, by A. C. Coubrough, C.B.E. (8 As.)
- No. 17.—The Genoa Labour Conference (Official Correspondence). (Re. 1.)
- No. 18.—Proceedings of the third Conference of Departments of Industries. (Re. 1 As. 4.)
- No. 19.—Notes on Zinc and Lead, by J. Coggin Brown. (14 As.)
- No. 20.—Notes on Asbestos, by J. Coggin Brown. (6 As.)
- No. 21.\*—Chemicals manufactured in India.
- No. 22.—Notes on Barytes and Mineral Colours, by J. Coggin Brown. (8 As.)
- No. 23.—Conciliation and Arbitration, by R. N. Gilchrist, M.A., I.E.S. (Re. 1 As. 12.)
- No. 24.—Paper and paper pulp production in the Madras Presidency, by F. Marsden,  
Ph.D., M.Sc. (8 As.)
- No. 25.—Gilt Wire and Tinsel Industry, by V. N. Mehta, B.A., I.C.S. (6 As.)
- No. 26.—The Third International Labour Conference, by A. G. Clow. (8 As.)
- No. 27.—Proceedings of the fourth Conference of Departments of Industries. (Re. 1.)
- No. 28.—Notes on Sulphuric Acid, Sulphur and Iron-Pyrites, by Cyril S. Fox, B.Sc.,  
M.I.M.E., F.G.S. (6 As.)
- No. 29.—Notes on Glass Manufacture, by C. S. Fox. (Re. 1.)
- No. 30.—The possibilities of manufacturing Portland cement in the United Provinces,  
by E. R. Watson, M.A., D.Sc., K. C. Mukerjee, M.Sc. & N. G. Chatterjee,  
M.Sc. (10 As.)
- No. 31.—Women's Labour in Bengal Industries, by Dagmar F. Curjel, M.D., D.P.H.  
(8 As.)
- No. 32.—Indian Maternity Benefit Schemes. (6 As.)
- No. 33.—The Seventh International Labour Conference. (9 As.)
- No. 34.—Periods of Wage Payment. (8 As.)
- No. 35.—The Employment of Women in Mines. (12 As.)
- No. 36.—Indian Coal Problems, by J. Coggin Brown. (7 As.)
- No. 37.—Indian Factory Legislation: a Historical Survey, by A. G. Clow. (12 As.)
- No. 38.—The Eighth and Ninth International Labour Conferences. (12 As.)
- No. 39.—The Tenth International Labour Conference. (12 As.)
- No. 40.—Note on the Marketing and Utilisation of Mica, by G. Vernon Hobson. (5 As.)
- No. 41.—The Eleventh International Labour Conference. (10 As.)
- No. 42.—India's Resources in Mineral Fertilisers. (9 As.)
- No. 43.—Industrial Disputes in India, 1921-28. (Re. 1 As. 2.)
- No. 44.—The Twelfth International Labour Conference. (9 As.)