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Ratification of International Labour Conventions

Report[1]
Social, Health and Family Affairs Committee
Rapporteur: Mr André MUTTER, France

1. 1953 - 5th Session - Third part

A. Draft Recommendation

The Assembly,

Recalling its Recommendation 14 of 7th December, 1951, on the adoption b y the Member States of a common policy in social matters ;

Being of the opinion that it would be highly desirable to obtain the ratification, to which there appears to be no major obstacle, of certain International Labour Conventions which are of great importance in the interests of labour;

Considering that measures can be taken to adapt the principles laid down in these Conventions to conditions obtaining in the respective countries,

Recommends that the Committee of Ministers

a. should request the Member Governments concerned to take steps for the speedy ratification of the following International Labour Conventions :

Convention No. 81 : Labour Inspection, 1947

Convention No. 87 : Freedom of Association and Protection of the Right to Organise, 1948

Convention No. 88 : Employment Service, 1948

Convention No. 94 : Labour Clauses (Public Contracts), 1949

Convention No. 97 : Migration for Employment (Revised), 1949

Convention No. 98 : Right to Organise and Collective Bargaining, 1949

Convention No. 102 : Minimum Standards of Social Security, 1952;

b. should keep the Assembly informed of the measures taken b y the Governments in this field;

c. should, if occasion arise, transmit to the Assembly a brief statement of the difficulties preventing or delaying ratification of these Conventions.

B. Draft Order of the Assembly

The Assembly instructs the Committee on Social Questions to continue examination of any matters which can with advantage be included in the social policy programme, particularly questions relating to the ratification of other International Labour Conventions.

C. Explanatory Memorandum

1.

1. The Committee on Social Questions and the Consultative Assembly have repeatedly shown their interest in furthering the ratification of International Labour Conventions. On the report of the Committee, the Assembly adopted, on 7th December, 1951, Recommendation 14 relating to the adoption by Member States of a common policy in social matters, which contained a paragraph (d) on the ratification of International Labour Conventions.

2. The Assembly recommended that the Committee of Ministers should set up a Committee of Experts on labour conditions to study the obstacles to the ratification of these Conventions existing in the Member States and to examine the means of ensuring such ratification.

3. While sharing the concern of the Assembly, the Committee of Ministers did not act upon this paragraph of the Recommendation, on the ground that the creation of a new Committee of Experts would not help to solve the difficulties encountered in this matter (see 4th Session, 1952 : Doc. 2, Report of the Committee of Ministers).

4. In view of this decision, the Committee on Social Questions, in close co-operation with the International Labour Office, re-examined the problem of the ratification of International Labour Conventions. The conclusion reached was that a solution should be sought by successive stages, the first essential being the early ratification, to which there appeared to be no major obstacle, of certain International Conventions of outstanding importance in the sphere of labour.

5. An approach on these lines was also advocated in the Memorandum, by the Secretariat- General on the Role of the Council of Europe in the Social Field (see 5th Session, 1953 : Doc. 140). The memorandum, which was submitted by the Committee of Ministers to the Assembly for its opinion, and was referred to the Committee on Social Questions, stresses the importance of the ratification of these Conventions in connection with the establishment of a common policy in social matters.

6. The Committee therefore proposes that the Assembly should request the Committee of Ministers to take steps to secure ratification of the following Conventions.

a. Convention No. 81 : Labour Inspection, 1947. (Countries which have already ratified : France, Ireland, Italy, Netherlands, Norway, Sweden, Turkey, United Kingdom.)

b. Convention No. 87 : Freedom of Association and Protection of the Right to Organise, 1948. (Countries which have already ratified : Belgium, Denmark, France, Iceland, Netherlands, Norway, Sweden, United Kingdom.)

c. Convention No. 88 : Employment Service, 1948. (Countries which have already ratified : France, Italy, Netherlands, Norway, Sweden, Turkey, United Kingdom.)

d. Convention No. 94 : Labour Clauses (Public Contracts), 1949. (Countries which have already ratified : Belgium, France, Italy, Netherlands, United Kingdom.)

e. Convention No. 97 : Migration for Employment (Revised), 1949. (Countries which have already ratified : Italy, Netherlands, United Kingdom.)

f. Convention No. 98 : Right to Organise and Collective Bargaining, 1949. (Countries which have already ratified : France, Iceland, Sweden, Turkey, United Kingdom).

g. Convention No. 102 : Minimum Standards of Social Security, 1952. (No country has yet ratified.)

7. In this connection the Committee wishes to point out that the importance of these Conventions has been emphasised by several decisions taken by the General Assembly of the United Nations, the Economic and Social Council and the Governing Body of I. L. 0., all of which have adopted resolutions calling for their ratification at the earliest possible date.

8. With this object in view, the Committee on Social Questions has approved unanimously and submits for adoption by the Assembly the following draft Recommendation :