



SECOND ITEM ON THE AGENDA

Proposals for the agenda of the 92nd Session (2004) of the International Labour Conference**(b) Withdrawal of Recommendations**

Nos. 2, 12, 16, 18, 21, 26, 32, 33, 34, 36, 43, 46, 58, 70, 74, 96

1. As stated in document [GB.282/2/1](#), the present paper contains a proposed item on the withdrawal of 16 Recommendations for inclusion in the agenda of the 92nd Session (2004) of the Conference. In accordance with its regular practice, the Governing Body holds a first discussion in November each year on items that are proposed for inclusion on the agenda of the International Labour Conference two years later. The purpose of this discussion is to select a shortlist of items for closer scrutiny in March the next year at which time the agenda of the Conference to take place two years later is fixed.
2. In accordance with article 45bis of its Standing Orders,¹ the Conference withdrew five Conventions at its 88th Session (2000), and will examine the withdrawal of 20 Recommendations at its 90th Session (2002). This document contains a proposal to withdraw an additional series of 16 Recommendations. The Recommendations in question relate to various spheres. One of them concerns forced labour: the Forced Labour (Regulation) Recommendation, 1930 (No. 36). One of them relates to hours of work: the Weekly Rest (Commerce) Recommendation, 1921 (No. 18). One deals with occupational safety and health: the Power-driven Machinery Recommendation, 1929 (No. 32). Two deal with social services, housing and leisure: the Living-in Conditions (Agriculture) Recommendation, 1921 (No. 16), and the Utilisation of Spare Time Recommendation, 1924 (No. 21). One relates to social security: the Invalidity, Old-Age and Survivors' Insurance Recommendation, 1933 (No. 43). One relates to maternity benefits: the Maternity Protection (Agriculture) Recommendation, 1921 (No. 12). One relates to employment of young children and young persons: the Minimum Age (Coal Mines) Recommendation, 1953 (No. 96). Two relate to migrant workers: the Reciprocity of Treatment Recommendation, 1919 (No. 2), and the Migration (Protection of Females at Sea) Recommendation, 1926 (No. 26). Two concern indigenous workers: the Elimination

¹ Conventions Nos. 31, 46, 51, 61 and 66, see doc. [GB.271/4/2](#).

of Recruiting Recommendation, 1936 (No. 46), and the Contracts of Employment (Indigenous Workers) Recommendation, 1939 (No. 58). Two relate to workers in non-metropolitan territories: the Social Policy in Dependent Territories Recommendation, 1944 (No. 70), and the Social Policy in Dependent Territories (Supplementary Provisions) Recommendation, 1945 (No. 74). The remaining two relate to dock workers: the Protection against Accidents (Dockers) Reciprocity Recommendation, 1929 (No. 33), and the Protection against Accidents (Dockers) Consultation of Organisations Recommendation, 1929 (No. 34).

3. These instruments were examined by the Working Party on Policy regarding the Revision of Standards at its meetings during the 277th² and 279th³ Sessions of the Governing Body. They were found to no longer serve a useful purpose either because they had de facto been replaced by more modern instruments or because their provisions were relevant for a transitional period of time, or because they no longer reflected current practices and conceptions. On the basis of the unanimous recommendations of the Working Party on Policy regarding the Revision of Standards, the Governing Body noted that these Recommendations were obsolete and that their withdrawal should be proposed to the Conference in due course.⁴
4. The withdrawal of these instruments would put an end to their legal existence from the point of view of the Organization and contribute to the rationalization of the corpus of international labour standards. With regard to the practical consequences of a withdrawal, as already established on the occasion of the abovementioned withdrawal of five Conventions⁵ and 20 Recommendations,⁶ the text of these instruments would be replaced in the official compendium of ILO Conventions and Recommendations by the text of the Conference decision concerning their withdrawal.
5. The Governing Body is invited to hold a first discussion of the present proposal and place this item on the agenda of its 283rd Session (March 2002) for closer scrutiny. Under the terms of article 12bis, paragraph 2, of the Standing Orders of the Governing Body, the decision to place on the agenda of the Conference an item on withdrawal should be reached as far as possible by consensus. If such a consensus cannot be reached in two successive sessions of the Governing Body, a decision to withdraw an instrument must obtain a four-fifths majority of the members of the Governing Body with a right to vote during the second of these sessions, by special dispensation from the provisions of article 18 of the Standing Orders.

² [GB.277/LILS/WP/PRS/4](#), Recommendations Nos. 2, 16, 21, 26, 32 and 43.

³ [GB.279/LILS/WP/PRS/4](#), Recommendations Nos. 12, 18, 33, 34, 36, 46, 58, 70, 74 and 96.

⁴ [GB.277/11/2](#) and [GB.279/11/2](#).

⁵ [GB.271/4/2](#), para. 10.

⁶ [GB.277/2/2 \(Rev.1\)](#), para. 7.

- 6. *In order to draw up the agenda of the 92nd Session (2004) of the Conference, the Governing Body is invited to examine the proposal contained in the present document and to place this proposal on the agenda of its 283rd Session (March 2002) for closer scrutiny.***

Geneva, 12 October 2001.

Point for decision: Paragraph 6.