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Legal Issues and International Labour Standards Section
International Labour Standards and Human Rights Segment

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SECOND ITEM ON THE AGENDA

The Standards Initiative: Report of the second meeting of the Standards Review Mechanism Tripartite Working Group

Report of the Officers, in accordance with paragraph 17 of the terms of reference of the Standards Review Mechanism Tripartite Working Group

Purpose of the document

In accordance with the terms of reference of the Standards Review Mechanism Tripartite Working Group (SRM TWG), the Governing Body is invited to note the report of the second meeting of the SRM TWG and to take decisions on recommendations concerning 63 outdated instruments in the context of the programme of work to implement the 2016 resolution and in the Programme and Budget proposals for 2018–19, the systematic follow-up to the recommendations, the inclusion of four additional instruments in the initial programme of work, and on arrangements for its third meeting in 2017 (see the draft decision in paragraph 5).

Relevant strategic objective: All four.

Policy implications: Implications arising from the decisions taken by the Governing Body on the recommendations submitted by the SRM TWG.

Legal implications: Possible abrogation of six Conventions and withdrawal of three Recommendations.

Financial implications: At its 323rd Session (March 2015), the Governing Body approved a budgetary provision for 2016–17 which covers SRM TWG meetings. Recommendations of the SRM TWG requiring systematic Office follow-up to commence within the next 12 months are expected to be financed within existing resources for this biennium.

Follow-up action required: Implementation of Governing Body decisions.

Author unit: International Labour Standards Department (NORMES).

Related documents: GB.326/PV, paras 503–514; GB.326/LILS/3/2; GB.325/PV, paras 597–612; GB.325/LILS/3; GB.323/PV, paras 51–84; GB.323/INS/5.

1. In accordance with the decision taken by the Governing Body at its 326th Session (March 2016),¹ the second meeting of the Standards Review Mechanism Tripartite Working Group (SRM TWG) took place from 10 to 14 October 2016 at the ILO headquarters in Geneva. Under paragraph 17 of the terms of reference, “(t)he SRM Tripartite Working Group, through its Chairperson and two Vice-Chairpersons, shall report to the Governing Body”.
2. The second meeting was chaired by Mr Jan Farzan (Germany) and attended by 31 of the 32 members of the SRM TWG, as well as a limited number of advisers to support the Government members,² as set out in the report of the discussion included in the appendix. Mr Alberto Echavarría Saldarriaga and Mr Luc Cortebeek were appointed Vice-Chairpersons respectively by the Employers’ and Workers’ groups. In accordance with paragraph 19 of the terms of reference of the SRM TWG, its preparatory documents and other related materials were made public on a dedicated web page.³
3. As decided by the Governing Body in March 2016, during its second meeting the SRM TWG discussed the follow-up to take to the 63 instruments identified as outdated by the Cartier Working Party and made recommendations in relation to each of these Conventions and Recommendations. These recommendations are set out in the appendix and encapsulated in the following table. The lighter shading indicates instruments and issues which will no longer be followed up by the SRM TWG and darker shading indicates those that will be followed up by the SRM TWG in its subsequent meetings.

Table 1. Recommendations of the SRM TWG at its second meeting (October 2016)

Abrogation or withdrawal by the ILC	Juridical replacement noted	Gaps identified	Office follow-up to commence within 12 months	Follow-up by SRM TWG at later meetings
C.21	R.53	Apprenticeship	C.5	C.5
C.50	R.55	Shift work	C.10	C.10
C.64	R.57		C.17	C.17
C.65	R.60		C.18	C.18
C.86	R.87		C.20	C.20
C.104	R.88		C.24	C.24
R.7	R.101		C.25	C.25
R.61	R.112		C.32	C.32
R.62	R.117		C.33	C.33
	R.119		C.34	C.34
	R.123		C.35	C.35
	R.127		C.36	C.36
	R.150		C.37	C.37
	R.196		C.38	C.38
			C.39	C.39
			C.40	C.40

¹ GB.326/PV, para. 514(c).

² Paragraph 18 of the terms of reference of the SRM TWG; GB.326/LILS/3/2, para. 13.

³ See: http://www.ilo.org/global/standards/WCMS_449687/lang--en/index.htm.

Abrogation or withdrawal by the ILC	Juridical replacement noted	Gaps identified	Office follow-up to commence within 12 months	Follow-up by SRM TWG at later meetings
			C.42	C.42
			C.43	C.43
			C.44	C.44
			C.48	C.48
			C.49	C.49
			C.52	C.52
			C.59	C.59
			C.62	C.62
			C.63	C.63
			C.101	C.101
			C.103	C.103
			C.107	C.107
			C.112	C.112
			C.123	C.123
				R.22
				R.23
				R.24
				R.29
				R.40
				R.44
				R.47
				R.93
				R.95
				R.124

4. The SRM TWG decided that its third meeting would take place from 25 to 29 September 2017 and recommended to the Governing Body that at that meeting it could review the 19 instruments on occupational safety and health (general provisions and specific risks) that are included in its initial programme of work. The full list of these instruments is set out in its report included in the appendix.

Draft decision

5. *The Governing Body takes note of the report of the Officers concerning the second meeting of the SRM TWG and, in approving its recommendations:*
- (a) *welcomes the SRM TWG's efforts to integrate its recommendations into the broader programme of work of the ILO on standards policy;*
- (b) *revises the SRM TWG's initial programme of work to include the Labour Statistics Convention, 1985 (No. 160), the Occupational Health Services Convention, 1985 (No. 161), the Labour Statistics Recommendation, 1985 (No. 170), and the Occupational Health Services Recommendation, 1985 (No. 171), so that the SRM TWG's initial programme of work now reviews a*

total of 235 international labour standards organized into 20 thematic sets of instruments grouped by strategic objective;

- (c) *notes the SRM TWG's recommendations concerning the abrogation of the Inspection of Emigrants Convention, 1926 (No. 21), the Recruiting of Indigenous Workers Convention, 1936 (No. 50), the Contracts of Employment (Indigenous Workers) Convention, 1939 (No. 64), the Penal Sanctions (Indigenous Workers) Convention, 1939 (No. 65), the Contracts of Employment (Indigenous Workers) Convention, 1947 (No. 86), and the Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955 (No. 104), and the withdrawal of the Hours of Work (Fishing) Recommendation, 1920 (No. 7), the Migration for Employment Recommendation, 1939 (No. 61), and the Migration for Employment (Co-operation between States) Recommendation, 1939 (No. 62), in relation to which it will consider placing an item on the agenda of the 107th Session (2018) of the International Labour Conference (see GB.328/INS/3(Add.));*
- (d) *notes that the SRM TWG will follow up at later meetings on the 40 outdated Conventions and Recommendations listed in its Officers' report, on the terms set out in that report (the Minimum Age (Industry) Convention, 1919 (No. 5), the Minimum Age (Agriculture) Convention, 1921 (No. 10), the Workmen's Compensation (Accidents) Convention, 1925 (No. 17), the Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18), the Night Work (Bakeries) Convention, 1925 (No. 20), the Sickness Insurance (Industry) Convention, 1927 (No. 24), the Sickness Insurance (Agriculture) Convention, 1927 (No. 25), the Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32), the Minimum Age (Non-Industrial Employment) Convention, 1932 (No. 33), the Fee-Charging Employment Agencies Convention, 1933 (No. 34), the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35), the Old-Age Insurance (Agriculture) Convention, 1933 (No. 36), the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37), the Invalidity Insurance (Agriculture) Convention, 1933 (No. 38), the Survivors' Insurance (Industry, etc.) Convention, 1933 (No. 39), the Survivors' Insurance (Agriculture) Convention, 1933 (No. 40), the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42), the Sheet-Glass Works Convention, 1934 (No. 43), the Unemployment Provision Convention, 1934 (No. 44), the Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48), the Reduction of Hours of Work (Glass-Bottle Works) Convention, 1935 (No. 49), the Holidays with Pay Convention, 1936 (No. 52), the Minimum Age (Industry) Convention (Revised), 1937 (No. 59), the Safety Provisions (Building) Convention, 1937 (No. 62), the Convention concerning Statistics of Wages and Hours of Work, 1938 (No. 63), the Holidays with Pay (Agriculture) Convention, 1952 (No. 101), the Maternity Protection Convention (Revised), 1952 (No. 103), the Indigenous and Tribal Populations Convention, 1957 (No. 107), the Minimum Age (Fishermen) Convention, 1959 (No. 112), the Minimum Age (Underground Work) Convention, 1965 (No. 123), the Workmen's Compensation (Minimum Scale) Recommendation, 1925 (No. 22), the Workmen's Compensation (Jurisdiction) Recommendation, 1925 (No. 23), the Workmen's Compensation (Occupational Diseases) Recommendation, 1925 (No. 24), the Sickness Insurance Recommendation, 1927 (No. 29), the*

Protection against Accidents (Dockers) Reciprocity Recommendation, 1932 (No. 40), the Unemployment Provision Recommendation, 1934 (No. 44), the Holidays with Pay Recommendation, 1936 (No. 47), the Holidays with Pay (Agriculture) Recommendation, 1952 (No. 93), the Maternity Protection Recommendation, 1952 (No. 95), and the Minimum Age (Underground Work) Recommendation, 1965 (No. 124)), and will also follow-up itself the regulatory gap identified with regard to the topic of shift work in its later discussion, at a date to be decided, on the working time instruments;

- (e) invites the Office to take the necessary steps immediately in regard to the juridical replacement of the Safety Provisions (Building) Recommendation, 1937 (No. 53), the Co-operation in Accident Prevention (Building) Recommendation, 1937 (No. 55), the Vocational Training Recommendation, 1939 (No. 57), the Apprenticeship Recommendation, 1939 (No. 60), the Vocational Guidance Recommendation, 1949 (No. 87), the Vocational Training (Adults) Recommendation, 1950 (No. 88), the Vocational Training (Agriculture) Recommendation, 1956 (No. 101), the Occupational Health Services Recommendation, 1959 (No. 112), the Vocational Training Recommendation, 1962 (No. 117), the Termination of Employment Recommendation, 1963 (No. 119), the Employment (Women with Family Responsibilities) Recommendation, 1965 (No. 123), the Co-operatives (Developing Countries) Recommendation, 1966 (No. 127), the Human Resources Development Recommendation, 1975 (No. 150), and the Work in Fishing Recommendation, 2005 (No. 196);*
- (f) requests the Office to commence strategic follow-up within 12 months in relation to the 30 outdated Conventions listed in the SRM TWG Officers' report, on the terms set out in that report, and decides that the costs of this follow-up will be met through existing resources;*
- (g) requests the Office to take the necessary steps to ensure the integration of the follow-up as appropriate in the programme of work to implement the 2016 resolution on Advancing Social Justice through Decent Work to be examined at the 329th Session (March 2017) of the Governing Body and in the Programme and Budget proposals for 2018–19;*
- (h) requests the Office to prepare a proposal for a possible standard-setting item on apprenticeships, recognizing the regulatory gap identified in this regard, for consideration at its 329th Session (March 2017) for inclusion in a future agenda of the International Labour Conference in accordance with the strategic and coherent approach;*
- (i) decides that the SRM TWG will examine the instruments concerning occupational safety and health (general provisions and specific risks), within set of instruments 6 of the revised initial programme of work, in its third meeting; and*
- (j) convenes the third meeting of the SRM TWG from 25 to 29 September 2017.*

Appendix

Report of the second meeting of the SRM Tripartite Working Group established by the Governing Body (Geneva, 10–14 October 2016)

1. The second meeting of the SRM Tripartite Working Group (SRM TWG) took place in Geneva from 10 to 14 October 2016. It was chaired by Mr Jan Farzan (Germany) and attended by 31 of its 32 members (see table 1).

Table 1. Members attending the second meeting of the SRM TWG (October 2016)

Members representing Governments

Cameroon
 China
 Colombia
 India
 Islamic Republic of Iran
 Kenya
 Republic of Korea
 Lithuania
 Mali
 Mexico
 Namibia
 Romania
 Switzerland
 United Kingdom
 United States
 Bolivarian Republic of Venezuela

Members representing Employers

Mr A. Echavarria Saldarriaga (Colombia), Vice-Chairperson
 Mr J. Rønne (Denmark)
 Ms S. Regenbogen (Canada)
 Mr J. Kloosterman (United States)
 Mr M. Mdwaba (South Africa)
 Mr M. Teran Moscoso (Ecuador)
 Mr P. O'Reilly (New Zealand)

Members representing Workers

Mr L. Cortebeeck (Belgium), Vice-Chairperson

Ms C. Passchier (Netherlands)

Mr J. Ohrt (Denmark)

Ms M. Liew Kiah Eng (Singapore)

Mr K. Ross (United States)

Ms M. Hebe Pujadas (Argentina)

Mr J. Sissons (New Zealand)

Mr P. Danquah (Ghana)

2. In accordance with a decision taken by the SRM TWG at its first meeting, a limited number of advisers attended the meeting to support the Government members.

Review of 63 outdated instruments

3. In accordance with the decision taken by the Governing Body in March 2016, the SRM TWG examined the follow-up to be taken to the 63 outdated instruments included within sets of instruments 4, 11, 13, 16 and 19 of the initial programme of work. Its resulting recommendations, consensually adopted in a tripartite process, are attached as Annex I to this report.
4. Organized by subtopics grouped within the strategic objectives, the SRM TWG's discussion of the instruments was thorough, wide-ranging and constructive. Appropriate follow-up was decided in relation to nine outdated instruments related to the strategic objective of employment; 32 outdated instruments related to the strategic objective of social protection; one outdated instrument related to the strategic objective of social dialogue and tripartism; seven outdated instruments related to the strategic objective of fundamental principles and rights at work; and 14 outdated cross-cutting and sectoral instruments. In addition, the SRM TWG identified two regulatory gaps. On this basis, it decided to inform the Governing Body of a regulatory gap identified in relation to the topic of apprenticeships; and decided to follow up itself a possible regulatory gap on the topic of shift work in its later discussion, at a date to be decided, on the working time instruments (set of instruments 8).
5. In the course of its discussion, the SRM TWG discussed the appropriate approach to take to outdated instruments, mindful of the objective "to ensure that the ILO has a clear, robust and up-to-date body of international labour standards that respond to the changing patterns of the world of work, for the purpose of the protection of workers and taking into account the needs of sustainable enterprises".
6. First, the SRM TWG considered its role in relation to abrogation which, following the entry into force on 8 October 2015 of the 1997 Instrument for the Amendment of the ILO Constitution, was now an option to be considered for outdated Conventions. To meaningfully contribute to ensuring that the ILO body of standards is up to date and relevant to the world of work, the SRM TWG considered recommendations concerning abrogation and withdrawal of obsolete instruments to be one means of implementing standards policy, in addition to recommendations concerning concrete and time-bound follow-up action by the Office and member States. The Employers' group considered that immediate abrogation or withdrawal could be considered for most outdated instruments, as a component of the ongoing fundamental task of maintaining the relevance of the body of standards. The Workers' group stressed that the SRM TWG should not be seen as an abrogation and withdrawal mechanism, and must not lead to gaps in protection. Government members underlined the complexities of both ratifying and denouncing instruments, while recognizing that abrogation and withdrawal may be useful in relation to certain instruments.

7. Second, members were mindful of the need for concrete follow-up action to be taken, tailored to each instrument. The SRM TWG believed that it was necessary to specify the detail and timing of Office follow-up, which should be time-bound and monitored by the SRM TWG at its subsequent meetings. The SRM TWG also noted that many of the up-to-date Conventions had low ratification rates, particularly when compared with the ratification rates of some outdated Conventions on the same topic. Therefore, the Employers' group highlighted the importance of collecting and analysing information on the ratification obstacles to the more recent instruments as a part of the review process. The Employers noted that this information was also important for member States currently bound by outdated Conventions to take informed decisions on how to denounce outdated instruments, either as a separate act or by ratifying a more recent instrument on the same topic, involving automatic denunciation of the earlier instruments. The Workers' group stressed the importance of ensuring that action taken by the SRM TWG did not lead to gaps in protection and believed that promotion of up-to-date instruments was essential as the first step of a sequenced approach. Government members stressed that, when the SRM TWG followed up the outdated instruments at its later meetings, it must be able to determine the most appropriate action to take from the many options available to it, including, but not limited to, whether or not to abrogate or withdraw the instrument in question. The Office indicated that ensuring practical and time-bound follow-up by the Office, as recommended by the SRM TWG in its recommendations annexed to this report, will have financial implications that it is expected can be met from existing resources for this biennium (2016–17).
8. In the course of its discussions, the SRM TWG was attentive to the need to maintain coherence with other policy dialogues and other initiatives taking place within the ILO. In particular, reference was made to the need to coordinate its examinations with the forthcoming General Surveys on occupational safety and health, social protection floors and working time; meetings of experts on working time and on the code of practice on safety and health in ports; and the general discussion on labour migration that will take place during the International Labour Conference in 2017. Further, members of the SRM TWG considered that Office follow-up concerning the minimum age instruments could be undertaken within the active promotional campaign for ratification of the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182).

Legal clarifications

9. During the course of the meeting, clarification was provided by the Legal Adviser on a number of legal issues, as set out in Annex II. The legal issues raised concerned: the distinction between the abrogation of Conventions in force and the withdrawal of Conventions that either had never entered into force or were no longer in force due to denunciations; whether or not juridically replaced Recommendations should be subject to the withdrawal process; the possibility of self-governing non-metropolitan territories being bound by Conventions that had not been ratified by member States responsible for their international relations; and points concerning the “shelving” of instruments.
10. There remained some uncertainty among members of the SRM TWG as to whether Conventions with fewer than two ratifications should be considered to be no longer in force. In their opinion, given the ILO's tripartite nature and the role of workers' and employers' organizations in the supervision of international labour standards, ILO Conventions were unlike standard treaties and conventional contract theory was not directly applicable. Accordingly, it was suggested that further analysis was necessary.

Finalizing the SRM TWG's initial programme of work

11. The SRM TWG agreed that its initial programme of work should include the four instruments adopted in 1985, which previously had been erroneously excluded.

12. It would, therefore, additionally include: (i) the Labour Statistics Convention, 1985 (No. 160), and the Labour Statistics Recommendation, 1985 (No. 170), in set of instruments 12 on labour inspection, labour administration and industrial relations, within the subtopic of labour administration, as instruments relating to the strategic objective of social dialogue and tripartism; and (ii) the Occupational Health Services Convention, 1985 (No. 161), and the Occupational Health Services Recommendation, 1985 (No. 171), in set of instruments 6 on occupational safety and health, within the subtopic of general provisions on occupational safety and health, as instruments relating to the strategic objective of social protection.
13. Accordingly, the revised initial programme of work for the SRM TWG would review 235 international labour standards organized into 20 thematic sets of instruments grouped by strategic objective. The revised initial programme of work is attached as Annex III to this report.

Initial evaluation of the functioning of the SRM TWG

14. The SRM TWG decided that its Officers would transmit to the Governing Body information concerning its meetings, so as to inform the Governing Body's initial evaluation of its functioning¹ at its 329th Session (March 2017). The Officers would ensure that members were consulted on the content of the information provided.

Preparation for the third meeting

15. Taking into account other official meetings of the ILO scheduled for 2017, it was established that the third meeting of the SRM TWG would take place from 25 to 29 September 2017.
16. In relation to the determination of the instruments to be examined at that meeting, the SRM TWG acknowledged the complexity of examining instruments that had not previously been examined, as well as the question of Office capacity to provide the necessary support. In that context, and within the strategic objective of social protection, it was agreed that the set of instruments concerning occupational safety and health, and specifically those subtopics relating to general provisions and specific risks, would be reviewed at the third meeting of the SRM TWG. This would involve the examination of 19 instruments (see table 2).² This would follow the discussion in the Conference Committee on the Application of Standards of the forthcoming General Survey on occupational safety and health instruments.

Table 2. Instruments proposed for examination at the third meeting of the SRM TWG (September 2017)

Occupational safety and health: General provisions

Occupational Health Services Convention, 1985 (No. 161)

Prevention of Industrial Accidents Recommendation, 1929 (No. 31)

Occupational Health Services Recommendation, 1985 (No. 171)

¹ Paragraph 26 of the terms of reference of the SRM TWG.

² Set of instruments 6 of the revised initial programme of work. The subgroup of instruments concerning occupational safety and health (specific branches of activity) would be addressed at a later date to be decided at subsequent meetings of the SRM TWG.

Occupational safety and health: Specific risks

White Lead (Painting) Convention, 1921 (No. 13)
 Guarding of Machinery Convention, 1963 (No. 119)
 Maximum Weight Convention, 1967 (No. 127)
 Benzene Convention, 1971 (No. 136)
 Asbestos Convention, 1986 (No. 162)
 Chemicals Convention, 1990 (No. 170)
 Prevention of Major Industrial Accidents Convention, 1993 (No. 174)
 Anthrax Prevention Recommendation, 1919 (No. 3)
 Lead Poisoning (Women and Children) Recommendation, 1919 (No. 4)
 White Phosphorus Recommendation, 1919 (No. 6)
 Guarding of Machinery Recommendation, 1963 (No. 118)
 Maximum Weight Recommendation, 1967 (No. 128)
 Benzene Recommendation, 1971 (No. 144)
 Asbestos Recommendation, 1986 (No. 172)
 Chemicals Recommendation, 1990 (No. 177)
 Prevention of Major Industrial Accidents Recommendation, 1993 (No. 181)

17. In line with its terms of reference, the SRM TWG decided to authorize the attendance of eight advisers to assist the Government members at its third meeting in September 2017.³ The Office was tasked with determining the feasibility of the establishment of a side room where the groups could invite a limited number of additional technical experts to provide advice, while not participating directly in the meeting of the SRM TWG. The SRM TWG Officers may decide, at a later date and after further consideration, whether representatives of relevant international organizations and other ILO bodies should be invited to attend the meeting.⁴ The Office undertook to transmit preparatory documents to the members five weeks prior to the third meeting.⁵

³ Paragraph 18 of the terms of reference of the SRM TWG.

⁴ Paragraph 21 of the terms of reference of the SRM TWG.

⁵ Paragraph 24 of the terms of reference of the SRM TWG.

Annex I

Recommendations adopted by the SRM TWG at its second meeting, submitted to the Governing Body at its 328th Session (October–November 2016) pursuant to paragraph 22 of the terms of reference of the SRM TWG

1. In formulating the recommendations set out below, the SRM TWG has been mindful of its mandate to contribute to the overall objective of the SRM to ensure the ILO has a clear, robust and up-to-date body of international labour standards that respond to the changing patterns of the world of work, for the purpose of the protection of workers and taking into account the needs of sustainable enterprises.
2. The SRM TWG has been guided in particular by paragraphs 1, 8, 9, 11 and 13 of its terms of reference which set forth the overarching institutional and policy framework within which it operates with particular reference to the Declaration on Social Justice for a Fair Globalization, 2008. Under this Declaration, in consultation with the representative organizations of workers and employers, Members are invited to consider the review of their situation as regards the ratification or implementation of ILO instruments with a view to achieving a progressively increasing coverage of each of the strategic objectives, with special emphasis on the instruments classified as core labour standards as well as those regarded as most significant from the viewpoint of governance. The SRM TWG notes that in its 2016 resolution on Advancing Social Justice through Decent Work (“the 2016 resolution”), the Conference states that more work is needed to improve the implementation and ratification of standards, and calls on, in particular, member States to step up action with a view to achieving progressively the ratification and implementation of the fundamental and governance Conventions.
3. In determining these recommendations, the SRM TWG examined 63 instruments identified as outdated by the Working Party on Policy regarding the Revision of Standards (“Cartier Working Party”).
4. In determining follow-up, the SRM TWG has been guided by its mandate as well as by the need to ensure that actions taken do not result in gaps in protection. The actions taken may include Office follow-up to promote ratification and assess reasons for non-ratification of the most up-to-date instrument on the particular subject area, denunciation of the outdated instrument in accordance with the respective denunciation “windows”, abrogation or withdrawal as appropriate, and the possibility of standard setting to address possible gaps in coverage.
5. The SRM TWG takes note of paragraph 11 of the terms of reference which states that its review shall not have any effect on the legal status of a standard until a final decision has been taken on that standard by the International Labour Conference, or the Governing Body, as appropriate.
6. The SRM TWG calls for time-bound follow-up to be undertaken with the aim of ensuring effective implementation of these recommendations. Such an implementation strategy would include: (i) a targeted ratification campaign as set out in the recommendations; (ii) the gathering of relevant information on the reasons for non-ratification of up-to-date instruments; and (iii) tailored technical assistance to member States designed to support implementation at the national level of the SRM TWG recommendations. In this regard, the Office will undertake systematic follow-up with governments and social partners through varied means such as official communications, technical advisory services, and the collection of information. The SRM TWG will monitor implementation of its recommendations at each meeting.

7. The SRM TWG recommends that the Governing Body take the necessary steps to implement the recommendations set out below, including in the context of the programme of work that will be examined by the Governing Body in March 2017 to implement the 2016 resolution and in the Programme and Budget proposals for 2018–19.
8. In line with its terms of reference, the SRM TWG submits its recommendations to the Governing Body for decision.

**Strategic objective of employment:
Employment policy and promotion**¹

9. The SRM TWG recommends that:
 - (1) the Office commences follow-up with the government and the social partners of the member State party to the Fee-Charging Employment Agencies Convention, 1933 (No. 34), within the next 12 months encouraging it to ratify the Private Employment Agencies Convention, 1997 (No. 181), as the most up-to-date instrument in this subject area which would result in the automatic denunciation of Convention No. 34;
 - (2) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will consider Convention No. 34 during its later examination of other instruments concerning employment policy instruments (set of instruments 1) and decide at that time whether or not to recommend its withdrawal.

**Strategic objective of employment:
Vocational guidance and training**²

10. The SRM TWG:
 - (1) recommends that the Governing Body takes note of the juridical replacement of: (i) Recommendations Nos 57, 60 and 88 by the Vocational Training Recommendation, 1962 (No. 117); (ii) Recommendations Nos 87, 101 and 117 by the Human Resources Development Recommendation, 1975 (No. 150); and (iii) Recommendation No. 150 by the Human Resources Development Recommendation, 2004 (No. 195), and on this basis invites the Office to take the necessary steps immediately to ensure that: (i) these replacements are clearly marked in relevant databases; and that (ii) the text of these Recommendations is no longer reproduced in any collection of international labour standards and no longer referred to in new instruments, codes of conduct, or similar documents;
 - (2) informs the Governing Body of a regulatory gap identified in relation to the topic of apprenticeships which has not been addressed in later Recommendations, so that it may consider necessary steps for possible standard setting to address this regulatory gap taking into consideration all relevant conclusions adopted by the International Labour Conference.

**Strategic objective of employment:
Employment security**³

11. The SRM TWG recommends that the Governing Body takes note of the juridical replacement of the Termination of Employment Recommendation, 1963 (No. 119), by the Termination of Employment Recommendation, 1982 (No. 166), and on this basis invites the Office to take the necessary steps immediately to ensure that: (i) this replacement is clearly

¹ See SRM TWG preparatory documents [technical note 1.1](#).

² See SRM TWG preparatory documents [technical note 1.2](#).

³ See SRM TWG preparatory documents [technical note 1.3](#).

marked in relevant databases; and that (ii) the text of this Recommendation is no longer reproduced in any collection of international labour standards and no longer referred to in new instruments, codes of conduct, or similar documents.

**Strategic objective of social protection:
Working hours**⁴

12. The SRM TWG recommends that:

- (1) with respect to the Holidays with Pay Convention, 1936 (No. 52), and the Holidays with Pay (Agriculture) Convention, 1952 (No. 101):
 - (a) the Office commences follow-up within the next 12 months with member States currently bound by them:
 - (i) encouraging them to ratify the Holidays with Pay Convention (Revised), 1970 (No. 132), as the most up-to-date instrument in this subject area, which would result in the automatic denunciation of Conventions Nos 52 and 101 following the acceptance of the obligations to the sectors concerned; and
 - (ii) ensuring that the information obtained through that follow-up is reflected in the upcoming General Survey and meeting of experts on working time;
 - (b) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will consider Conventions Nos 52 and 101, and the accompanying Recommendations Nos 47 and 93, during its later examination of other instruments on working time (set of instruments 8) and decide at that time whether or not to recommend their abrogation or withdrawal, as appropriate;
- (2) with respect to the Sheet-Glass Works Convention, 1934 (No. 43), and the Reduction of Hours of Work (Glass-Bottle Works) Convention, 1935 (No. 49):
 - (a) the Office commences follow-up within the next 12 months with member States currently bound by the Conventions with the aim of understanding whether or not those instruments still serve a relevant purpose in those countries;
 - (b) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will consider Conventions Nos 43 and 49 during its later examination of other instruments concerning working time (set of instruments 8) and decide at that time whether or not to recommend their abrogation or withdrawal as appropriate and, at the same time, consider the resulting regulatory gap on the topic of shift work.

**Strategic objective of social protection:
Night work**⁵

13. The SRM TWG recommends that:

- (1) the Office commences follow-up within the next 12 months with the nine member States for which the Night Work (Bakeries) Convention, 1925 (No. 20), is currently in force encouraging them to ratify the Night Work Convention, 1990 (No. 171), as the most up-to-date instrument in this subject area;
- (2) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will consider Convention No. 20 during its later examination of

⁴ See SRM TWG preparatory documents [technical note 2.1](#).

⁵ See SRM TWG preparatory documents [technical note 2.2](#).

other instruments concerning working time (set of instruments 8) and decide at that time whether or not to recommend its abrogation or withdrawal as appropriate.

**Strategic objective of social protection:
Social policy (cooperatives)**⁶

14. The SRM TWG recommends that the Governing Body takes note of the juridical replacement of the Co-operatives (Developing Countries) Recommendation, 1966 (No. 127), by the Promotion of Cooperatives Recommendation, 2002 (No. 193), and on this basis invites the Office to take the necessary steps immediately to ensure that: (i) this replacement is clearly marked in relevant databases; and that (ii) the text of this Recommendation is no longer reproduced in any collection of international labour standards and no longer referred to in new instruments, codes of conduct, or similar documents.

**Strategic objective of social protection:
OSH (general provisions)**⁷

15. The SRM TWG recommends that the Governing Body takes note of the juridical replacement of the Occupational Health Services Recommendation, 1959 (No. 112), by the Occupational Health Services Recommendation, 1985 (No. 171), and on this basis invites the Office to take the necessary steps immediately to ensure that: (i) this replacement is clearly marked in relevant databases; and that (ii) the text of this Recommendation is no longer reproduced in any collection of international labour standards and no longer referred to in new instruments, codes of conduct, or similar documents.

**Strategic objective of social protection:
OSH (construction)**⁸

16. The SRM TWG recommends that:
- (1) the Office commences follow-up within the next 12 months, with the member States currently bound by the Safety Provisions (Building) Convention, 1937 (No. 62), encouraging them to ratify the Safety and Health in Construction Convention, 1988 (No. 167), which would result in the automatic denunciation of Convention No. 62;
 - (2) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will consider Convention No. 62 during its later examination of other instruments concerning occupational safety and health (set of instruments 6) and decide at that time whether or not to recommend its abrogation or withdrawal as appropriate;
 - (3) the Governing Body takes note of the juridical replacement of the Safety Provisions (Building) Recommendation, 1937 (No. 53), and Co-operation in Accident Prevention (Building) Recommendation, 1937 (No. 55), and on this basis invites the Office to take the necessary steps immediately to ensure that: (i) these replacements are clearly marked in relevant databases; and that (ii) the text of these Recommendations is no longer reproduced in any collection of international labour standards and no longer referred to in new instruments, codes of conduct, or similar documents.

⁶ See SRM TWG preparatory documents [technical note 2.10](#).

⁷ See SRM TWG preparatory documents [technical note 2.3](#).

⁸ See SRM TWG preparatory documents [technical note 2.4](#).

**Strategic objective of social protection:
Maternity protection**⁹

17. The SRM TWG recommends that:

- (1) the Office commences follow-up within the next 12 months, with the member States currently bound by the Maternity Protection Convention (Revised), 1952 (No. 103), encouraging them to ratify the Maternity Protection Convention, 2000 (No. 183) as the most up-to-date instrument in this subject area, which would result in the automatic denunciation of Convention No. 103;
- (2) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will consider Convention No. 103 and the accompanying Maternity Protection Recommendation, 1952 (No. 95), during its later examination of other instruments concerning maternity protection (set of instruments 9) and decide at that time whether or not to recommend their abrogation or withdrawal as appropriate.

**Strategic objective of social protection:
Social security (medical care and sickness)**¹⁰

18. The SRM TWG recommends that:

- (1) the Office commences follow-up within the next 12 months with the member States currently bound by the Sickness Insurance (Industry) Convention, 1927 (No. 24), or the Sickness Insurance (Agriculture) Convention, 1927 (No. 25):
 - (a) encouraging them to ratify the Medical Care and Sickness Benefits Convention, 1969 (No. 130), and/or the Social Security (Minimum Standards) Convention, 1952 (No. 102), and accept the obligations in its Parts II and III, as the most up-to-date instruments in this subject area;
 - (b) advising member States bound by both the outdated instruments and the corresponding parts of one or more of the most up-to-date instruments in this subject area of the available windows for denunciation of the outdated instruments;
 - (c) using the opportunity provided by the General Survey on Social Protection Floors Recommendation, 2012 (No. 202), to collect information on the prospects for the ratification of Convention No. 102; and
 - (d) collecting information from those member States with the aim of better understanding the reasons for their non-ratification of Convention No. 130;
- (2) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will consider Conventions Nos 24 and 25, and the accompanying Sickness Insurance Recommendation, 1927 (No. 29), during its later examination of other instruments concerning social security (set of instruments 5) and decide at that time whether or not to recommend their abrogation or withdrawal as appropriate.

⁹ See SRM TWG preparatory documents [technical note 2.11](#).

¹⁰ See SRM TWG preparatory documents [technical note 2.5](#).

**Strategic objective of social protection: Social security
(old age, invalidity and survivors' benefits) ¹¹**

19. The SRM TWG recommends that:

- (1) the Office commences follow-up within the next 12 months with the member States currently bound by the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35), the Old-Age Insurance (Agriculture) Convention, 1933 (No. 36), the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37), the Invalidity Insurance (Agriculture) Convention, 1933 (No. 38), the Survivors' Insurance (Industry, etc.) Convention, 1933 (No. 39), or the Survivors' Insurance (Agriculture) Convention, 1933 (No. 40):
 - (a) encouraging them to ratify the Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No. 128), and accept the obligations in its Parts II, III and IV, and/or the Social Security (Minimum Standards) Convention, 1952 (No. 102), and accept the obligations in its Parts V, IX and X, as the most up-to-date instruments in this subject area, the ratification of which would, in respect of the relevant Parts of Convention No. 128, result in the automatic denunciation of Conventions Nos 35, 36, 37, 38, 39 and/or 40;
 - (b) advising member States bound by both one or more of the outdated instruments and Convention No. 102 and its relevant Parts of the available windows for denunciation of the outdated instruments;
 - (c) using the opportunity provided by the General Survey on Recommendation No. 202 to collect information on the prospects for the ratification of Convention No. 102; and
 - (d) collecting information from those member States with the aim of better understanding the reasons for their non-ratification of the Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No. 128);
- (2) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will consider Conventions Nos 35, 36, 37, 38, 39 and 40 during its later examination of other instruments concerning social security (set of instruments 5) and decide at that time whether or not to recommend their abrogation or withdrawal as appropriate.

**Strategic objective of social protection:
Social security (employment injury) ¹²**

20. The SRM TWG recommends that:

- (1) the Office commences follow-up within the next 12 months with the member States currently bound by the Workmen's Compensation (Accidents) Convention, 1925 (No. 17), the Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18), and the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42):
 - (a) encouraging them to ratify the Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121), and/or the Social Security (Minimum Standards) Convention, 1952 (No. 102), and accept the obligations in its Part VI, as the most up-to-date instruments in this subject area, the ratification of which

¹¹ See SRM TWG preparatory documents [technical note 2.6](#).

¹² See SRM TWG preparatory documents [technical note 2.7](#).

- would, in respect of Convention No. 121, result in the automatic denunciation of Conventions Nos 17, 18 and 42;
- (b) advising member States bound by one or more of the outdated instruments and one or more of the most up-to-date instruments in this subject area of the available windows for denunciation of the outdated instruments;
 - (c) using the opportunity provided by the General Survey on Recommendation No. 202 to collect information on the prospects for the ratification of Convention No. 102; and
 - (d) collecting information from those member States with the aim of better understanding the reasons for their non-ratification of Convention No. 121;
- (2) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will consider Conventions Nos 17, 18 and 42, and Recommendations Nos 22, 23 and 24 during its later examination of other instruments concerning social security (set of instruments 5) and decide at that time whether or not to recommend their abrogation or withdrawal as appropriate.

**Strategic objective of social protection:
Social security (unemployment benefit)¹³**

21. The SRM TWG recommends that:

- (1) the Office commences follow-up within the next 12 months with the member States currently bound by the Unemployment Provision Convention, 1934 (No. 44):
 - (a) encouraging them to ratify the Social Security (Minimum Standards) Convention, 1952 (No. 102), and accept the obligations in its Part IV, and/or the Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168), as the most up-to-date instruments in this subject area, the ratification of which would, in respect of Convention No. 168, result in the automatic denunciation of Convention No. 44;
 - (b) advising member States bound by both the outdated instrument and Convention No. 102 and its relevant Parts of the available windows for denunciation of the outdated instrument;
 - (c) using the opportunity provided by the General Survey on Recommendation No. 202 to collect information on the prospects for the ratification of Convention No. 102; and
 - (d) collecting information from those member States with the aim of better understanding the reasons for their non-ratification of Convention No. 168;
- (2) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will undertake a full consideration of the situation with regard to Convention No. 44 and the Unemployment Provision Recommendation, 1934 (No. 44), during its later examination of other instruments concerning social security (set of instruments 5) and decide at that time whether or not to recommend their abrogation or withdrawal as appropriate.

¹³ See SRM TWG preparatory documents [technical note 2.8](#).

**Strategic objective of social protection:
Social security (migrant workers)**¹⁴

22. The SRM TWG recommends that:

- (1) the Office commences follow-up within the next 12 months with the member States currently bound by the Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48):
 - (a) encouraging them to ratify the Maintenance of Social Security Rights Convention, 1982 (No. 157), as the most up-to-date instrument in this subject area;
 - (b) advising member States bound by both the outdated instrument and the most up-to-date instrument in this subject area of the available windows for denunciation of the outdated instrument; and
 - (c) collecting information from those member States with the aim of better understanding the reasons for their non-ratification of Convention No. 157;
- (2) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will undertake a full consideration of the situation with regard to Convention No. 48, during its later examination of other instruments concerning social security (set of instruments 5) and decide at that time whether or not to recommend its abrogation or withdrawal as appropriate.

**Strategic objective of social dialogue and tripartism:
Labour administration (labour statistics)**¹⁵

23. The SRM TWG recommends that:

- (1) the Office commences follow-up within the next 12 months with the 14 member States currently bound by the Convention concerning Statistics of Wages and Hours of Work, 1938 (No. 63), encouraging them to ratify the Labour Statistics Convention, 1985 (No. 160), as the most up-to-date instrument in this subject area, which would result in the automatic denunciation of Convention No. 63;
- (2) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will consider Convention No. 63 during its later examination of other instruments concerning labour statistics (set of instruments 12) and decide at that time whether or not to recommend their abrogation or withdrawal, as appropriate.

**Strategic objective of fundamental principles and rights
at work: Elimination of child labour and protection of
children and young persons (minimum age)**¹⁶

24. The SRM TWG recommends that:

- (1) within the existing active promotional campaign on the fundamental Conventions, the Office commences follow-up within the next 12 months, with the member States currently bound by the Minimum Age (Industry) Convention, 1919 (No. 5), the Minimum Age (Agriculture) Convention, 1921 (No. 10), the Minimum Age (Non-Industrial Employment) Convention, 1932 (No. 33), the Minimum Age (Industry) Convention (Revised), 1937 (No. 59), and the Minimum Age (Underground Work) Convention, 1965 (No. 123), encouraging them to ratify the Minimum Age

¹⁴ See SRM TWG preparatory documents [technical note 2.9](#).

¹⁵ See SRM TWG preparatory documents [technical note 3.1](#).

¹⁶ See SRM TWG preparatory documents [technical note 4.1](#).

Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), as the fundamental and most up-to-date instruments in this subject area;

- (2) in carrying out the follow-up, the Office will pay particular attention to ensuring that declarations of application of Conventions Nos 138 and 182 are made in relation to non-metropolitan territories;
- (3) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will undertake a full consideration of Conventions Nos 5, 10, 33, 59 and 123 and Recommendation No. 124 during its later examination of other instruments concerning the protection of children and young persons (set of instruments 15) and decide at that time whether or not to recommend their abrogation or withdrawal, as appropriate.

***Strategic objective of fundamental principles and rights
at work: Equality of opportunity and treatment
(workers with family responsibilities)***¹⁷

25. The SRM TWG recommends that the Governing Body takes note of the juridical replacement of the Employment (Women with Family Responsibilities) Recommendation, 1965 (No. 123), by the Workers with Family Responsibilities Recommendation, 1981 (No. 165), and on this basis invites the Office to take the necessary steps immediately to ensure that: (i) this replacement is clearly marked in relevant databases; and that (ii) the text of this Recommendation is no longer reproduced in any collection of international labour standards and no longer referred to in new instruments, codes of conduct, or similar documents.

***Cross-cutting and sectoral instruments:
Indigenous and tribal peoples***¹⁸

26. The SRM TWG recommends that:

- (1) with respect to the Indigenous and Tribal Populations Convention, 1957 (No. 107):
 - (a) the Office commences follow-up within the next 12 months with the member States currently bound by the Convention:
 - (i) encouraging them to ratify the Indigenous and Tribal Peoples Convention, 1989 (No. 169), as the most up-to-date instrument in this subject area, which would result in the automatic denunciation of Convention No. 107; and
 - (ii) collecting information from those member States with the aim of better understanding the reasons for their non-ratification of Convention No. 169;
 - (b) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will undertake a full consideration of the situation with regard to Convention No. 107, during its later examination of an instrument concerning indigenous and tribal peoples (set of instruments 17) and decide at that time whether or not to recommend its abrogation and withdrawal as appropriate;
- (2) with respect to the Recruiting of Indigenous Workers Convention, 1936 (No. 50), the Contracts of Employment (Indigenous Workers) Convention, 1939 (No. 64), the Penal Sanctions (Indigenous Workers) Convention, 1939 (No. 65), the Contracts of Employment (Indigenous Workers) Convention, 1947 (No. 86), the Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955 (No. 104), the Governing Body

¹⁷ See SRM TWG preparatory documents [technical note 4.2](#).

¹⁸ See SRM TWG preparatory documents [technical note 5.1](#).

considers placing an item on the agenda of the 107th Session of the International Labour Conference (2018) concerning the abrogation of those Conventions.

***Cross-cutting and sectoral instruments:
Migrant workers***¹⁹

27. The SRM TWG recommends that the Governing Body considers placing an item on the agenda of the 107th Session of the International Labour Conference (2018) concerning the abrogation of the Inspection of Emigrants Convention, 1926 (No. 21), and the withdrawal of the Migration for Employment Recommendation, 1939 (No. 61), and the Migration for Employment (Co-operation between States) Recommendation, 1939 (No. 62).

***Cross-cutting and sectoral instruments:
Dockworkers***²⁰

28. The SRM TWG recommends that:

- (1) the Office commences follow-up within the next 12 months with the member States currently bound by the Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32):
 - (a) encouraging them to ratify the Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152), as the most up-to-date instrument in this subject area; and
 - (b) collecting information from those member States with the aim of better understanding the reasons for their non-ratification of Convention No. 152, taking into consideration the outcome of the tripartite meeting of experts to be held in November 2016 on the code of practice on safety and health in ports;
- (2) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will undertake a full consideration of the situation with regard to Convention No. 32 and the Protection against Accidents (Dockers) Reciprocity Recommendation, 1932 (No. 40), during its later examination of other instruments concerning dockworkers (set of instruments 17) and decide at that time whether or not to recommend their abrogation or withdrawal as appropriate.

***Cross-cutting and sectoral instruments:
Fishers***²¹

29. The SRM TWG recommends that with respect to the Minimum Age (Fishermen) Convention, 1959 (No. 112):

- (1) the Office commences follow-up within the next 12 months with the member States currently bound by the Convention:
 - (a) encouraging them to ratify the Work in Fishing Convention, 2007 (No. 188), as the most up-to-date instrument in this subject area; and
 - (b) collecting information from those member States with the aim of better understanding the reasons for their non-ratification of Convention No. 188;
- (2) based on the Office's report concerning the information obtained through that follow-up, the SRM TWG will undertake a full consideration of the situation with regard to

¹⁹ See SRM TWG preparatory documents [technical note 5.2](#).

²⁰ See SRM TWG preparatory documents [technical note 5.3](#).

²¹ See SRM TWG preparatory documents [technical note 5.4](#).

Convention No. 112 during its later examination of other instruments concerning fishers (set of instruments 17) and decide at that time whether or not to recommend its abrogation and withdrawal as appropriate.

30. The SRM TWG recommends that the Governing Body:

- (1) takes note of the juridical replacement of the Work in Fishing Recommendation, 2005 (No. 196), by the Work in Fishing Recommendation, 2007 (No. 199), and on this basis invites the Office to take the necessary steps immediately to ensure: that (i) this replacement is clearly marked in relevant databases; and that (ii) the text of this Recommendation is no longer reproduced in any collection of international labour standards and no longer referred to in new instruments, codes of conduct, or similar documents;
- (2) considers placing an item on the agenda of the 107th Session of the International Labour Conference (2018) concerning the withdrawal of the Hours of Work (Fishing) Recommendation, 1920 (No. 7).

Annex II

Legal advice provided by the Legal Adviser

1. The Legal Adviser provided clarifications to the SRM TWG in relation to certain legal questions that were raised during the course of its discussions.
2. With regard to the distinction between abrogation of Conventions in force and withdrawal of Conventions that either had never entered into force or were no longer in force due to denunciations, the Legal Adviser explained that this distinction was made from the outset,¹ and was based on the “contractual” theory about international labour Conventions, namely the idea that international labour Conventions, once ratified by two or more States and entered into force, became contracts among the States Parties and this explained why the Conference needed explicit constitutional authority to be able to terminate the legal effects of an obsolete instrument. A contrario, where a Convention had not received the minimum number of ratifications to enter into force, or the number of effective ratifications had been reduced – as a result of denunciations – to zero or one (thus no longer qualifying as a treaty), the International Labour Conference did not need an express mandate to proceed with the termination of the legal effects of that Convention.² In this latter case, the term “withdrawal” was proposed and retained throughout the process of adoption of the 1997 constitutional amendment. In all other cases, the term “abrogation” should be used, which would also be in accordance with article 55 of the 1969 Vienna Convention on the Law of Treaties. It was on this basis that Convention No. 28, which currently had one effective ratification, was placed on the agenda of the 106th Session (2017) of the Conference for possible withdrawal and the SRM TWG might wish to consider the same follow-up action with regard to Convention No. 34 which was in exactly the same situation. The Legal Adviser further clarified that following the entry into force of the 1997 constitutional amendment, the distinction between abrogation and withdrawal of Conventions had lost much of its importance since the same procedural guarantees applied to both in terms of Conference majority required, consultation process and timelines for submission to the Conference.
3. In response to the question as to whether or not obsolete international labour Recommendations which have been explicitly replaced or superseded by later Recommendations should be subject to the withdrawal process, the Legal Adviser explained that in case a Recommendation was expressly replaced by another one (normally through a final provision stating that the latter instrument supersedes the former), one could validly argue that there was no text to be withdrawn and that therefore the withdrawal exercise would be without object. This would also be consistent with the ordinary meaning of the term “supersede” which was to “take the place of”, “set aside as void”, “succeed to the position”, “remove” or “override”. He further indicated that the procedural guarantees for the adoption or withdrawal of a Recommendation being substantively similar (extensive consultations, record vote, two-thirds majority), there was little value in proposing to the Conference to initiate a formal process of withdrawal of an instrument which it had already decided to replace by adopting a new instrument to that effect. In contrast, an international labour Recommendation which was merely revised by another Recommendation (for instance

¹ *Provisional Record* No. 1, International Labour Conference, 85th Session, Geneva, 1997, para. 13, p. 1/5; [GB.283/LILS/WP/PRS/1/2](#), para. 37, p. 15.

² As it was explained at the time of drafting the 1997 constitutional amendment, to argue that a Convention with only one ratification was still in force would not be in accordance with either the usual interpretation of the term “Convention” or the contractual theory itself, which implied at least two parties; see [GB.265/LILS/WP/PRS/2](#), para. 18, p. 7.

through a reference in the Preamble indicating the need for revision) – without being explicitly replaced or superseded – should be subject to the withdrawal procedure in accordance with article 45bis of the Standing Orders of the Conference. This was, for instance, the approach followed in 2002 for the withdrawal of 20 Recommendations; as the Conference report read, “the Recommendations were considered as having been superseded ‘de facto’, that is by instruments relating to the same subjects and subsequently adopted by the Conference, without their replacement having been expressly indicated by the Conference”.³ The Legal Adviser recalled that the distinction between Recommendations that had been replaced by express decision of the Conference – “*juridically replaced*” – and Recommendations that had become obsolete following the adoption of subsequent standards on the same subject – “*de facto replaced*” – had guided the work of the Cartier Working Party with respect to obsolete Recommendations.⁴ Should the SRM TWG decide to follow the same approach, it could recommend that the Governing Body limit itself to taking note of the juridical replacement of all those Recommendations which had been expressly “superseded” or “revised and replaced” by subsequent instruments and instructing the Office to take appropriate action to ensure that the text of the juridically replaced Recommendations was removed from all collections of standards.

4. With specific reference to the juridical replacement of the Work in Fishing Recommendation, 2005 (No. 196), by the Work in Fishing Recommendation, 2007 (No. 199), even though reference to the latter instrument “superseding” the former was only made in the Preamble of Recommendation No. 199 and not in the body of the text, it was explained that this was atypical, linked to the particular circumstances in which Recommendation No. 196 was adopted (supplementing a Convention which eventually was not adopted for lack of quorum) but also the fact that Recommendation No. 199 reproduced textually the provisions of Recommendation No. 196 with the exception of the Preamble which was revised to reflect the fact that the new Recommendation superseded the instrument adopted in 2005.⁵
5. As regards the possibility of a self-governing non-metropolitan territory to be bound by a Convention, even where the member State responsible for its international relations had not ratified it, the Legal Adviser noted that such possibility existed and referred to the examples of Italy which had accepted on behalf of the Trust Territory of Somaliland obligations arising out of Conventions Nos 17, 65, 84 and 85 and the Netherlands which had declared Convention No. 172 applicable to the Netherlands Antilles without either country being itself bound by the respective Conventions. Further support for this view was found in an Office interpretation that “the possibility of making a declaration under article 35(4) was not dependent on the Convention concerned being ratified by the Member responsible for the international relations of the non-metropolitan territory concerned [and] action under article 35(4) might be taken irrespective of ratification.”⁶ In so far as denunciation of Conventions was concerned, the Office practice was that article 35(3) of the ILO Constitution did not necessarily involve the automatic cessation of the obligations under a declaration of

³ Report VII(1), International Labour Conference, 90th Session, Geneva, 2002, para. 5.

⁴ GB.274/LILS/WP/PRS/3, para. 3. This approach followed the conclusions of another study carried out in 1974, which noted that “Recommendations could at any time be abrogated by Conference action, either as part of the adoption of up-to-date standards or by a decision directed solely to such abrogation” and mentioned the possibility of deleting from the body of ILO texts the Recommendations that have been legally replaced; GB.194/PFA/12/5. A footnote indicated that some Recommendations already provide that they supersede earlier standards but no steps have been taken for the formal deletion of these standards from the body of ILO texts.

⁵ *Work in the fishing sector*, Report IV(2B), International Labour Conference, 96th Session, Geneva, 2007, p. 65.

⁶ *Minutes of the 123rd Session of the Governing Body*, Nov. 1953, Appendix V: “The ILO and non-metropolitan territories”, para. 26, p. 106.

application to a non-self-governing non-metropolitan territory and that the government could, if it thought fit, maintain in force the obligations accepted in respect to such a territory. When a denunciation involved a self-governing non-metropolitan territory, the Office approach was that as paragraphs 4–7 of article 35 of the ILO Constitution provided for obligations to be accepted in agreement with the government of the territory, denunciation should also be in agreement with the concerned territory, and therefore obligations did not lapse automatically if the metropolitan power denounced the Convention.

6. Responding to points raised around the “shelving” of instruments, the Legal Adviser clarified “shelving” as well as “dormancy” were basically “administrative” arrangements, which were recommended by the Cartier and Ventejol Working Parties respectively and put in place by Governing Body decisions, in the absence of a constitutional provision enabling the Conference to abrogate obsolete Conventions. He confirmed that “shelving” did not close obsolete Conventions to further ratification as this could only be effected in accordance with the terms of a specific provision built-in to most ILO Conventions following the adoption of a revised instrument. Concretely, “shelving” implied that the ratification of the Conventions concerned was no longer encouraged and their publication in Office documents, studies and research papers would be modified. It also meant that detailed reports on the application of these Conventions would no longer be requested on a regular basis. However, the right to invoke provisions relating to representations and complaints under articles 24 and 26 of the Constitution remained intact as well as the right of employers’ and workers’ organizations to submit observations in accordance with the regular supervisory procedures. Finally, “shelving” had no impact on the status of the Conventions concerned in the legal systems of member States that had ratified them.⁷

⁷ [GB.283/LILS/WP/PRS/1/2](#), para. 32, p. 14.

Annex III

Initial programme of work of the SRM TWG (revised, October 2016)

Sets of instruments related to the strategic objective on employment

Set of instruments 1: Employment policy instruments

Employment policy and promotion

Unemployment Convention, 1919 (No. 2)

Employment Service Convention, 1948 (No. 88)

Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96)

Private Employment Agencies Convention, 1997 (No. 181)

Employment (Transition from War to Peace) Recommendation, 1944 (No. 71)

Employment Service Recommendation, 1948 (No. 83)

Private Employment Agencies Recommendation, 1997 (No. 188)

Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189)

Set of instruments 2: Skills instruments

Vocational guidance and training

Special Youth Schemes Recommendation, 1970 (No. 136)

Paid Educational Leave Recommendation, 1974 (No. 148)

Set of instruments 3: Employment security instruments

Employment security

Termination of Employment Convention, 1982 (No. 158)

Termination of Employment Recommendation, 1982 (No. 166)

Set of instruments 4: Outdated employment instruments in follow-up to the Cartier Working Party

Fee-Charging Employment Agencies Convention, 1933 (No. 34)

Vocational Training Recommendation, 1939 (No. 57)

Apprenticeship Recommendation, 1939 (No. 60)

Vocational Guidance Recommendation, 1949 (No. 87)

Vocational Training (Adults) Recommendation, 1950 (No. 88)

Vocational Training (Agriculture) Recommendation, 1956 (No. 101)

Vocational Training Recommendation, 1962 (No. 117)

Termination of Employment Recommendation, 1963 (No. 119)

Human Resources Development Recommendation, 1975 (No. 150)

Sets of instruments related to the strategic objective on social protection

Set of instruments 5: Social security instruments

Social security: Employment injury

Workmen's Compensation (Agriculture) Convention, 1921 (No. 12)

Social security: Migrant workers

Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)

Equality of Treatment (Accident Compensation) Recommendation, 1925 (No. 25)

Social security: Unemployment benefit

Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168)

Employment Promotion and Protection against Unemployment Recommendation, 1988 (No. 176)

Social security: Comprehensive standards

Social Insurance (Agriculture) Recommendation, 1921 (No. 17)

Social Security (Armed Forces) Recommendation, 1944 (No. 68)

Social security: Medical care and sickness

Medical Care Recommendation, 1944 (No. 69)

Set of instruments 6: Occupational safety and health instruments*Occupational safety and health: General provisions*

Occupational Health Services Convention, 1985 (No. 161)

Prevention of Industrial Accidents Recommendation, 1929 (No. 31)

Occupational Health Services Recommendation, 1985 (No. 171)

Occupational safety and health: Specific risks

White Lead (Painting) Convention, 1921 (No. 13)

Guarding of Machinery Convention, 1963 (No. 119)

Maximum Weight Convention, 1967 (No. 127)

Benzene Convention, 1971 (No. 136)

Asbestos Convention, 1986 (No. 162)

Chemicals Convention, 1990 (No. 170)

Prevention of Major Industrial Accidents Convention, 1993 (No. 174)

Anthrax Prevention Recommendation, 1919 (No. 3)

Lead Poisoning (Women and Children) Recommendation, 1919 (No. 4)

White Phosphorus Recommendation, 1919 (No. 6)

Guarding of Machinery Recommendation, 1963 (No. 118)

Maximum Weight Recommendation, 1967 (No. 128)

Benzene Recommendation, 1971 (No. 144)

Asbestos Recommendation, 1986 (No. 172)

Chemicals Recommendation, 1990 (No. 177)

Prevention of Major Industrial Accidents Recommendation, 1993 (No. 181)

Occupational safety and health: Specific branches of activity

Underground Work (Women) Convention, 1935 (No. 45)

Safety and Health in Construction Convention, 1988 (No. 167)

Safety and Health in Mines Convention, 1995 (No. 176)

Safety and Health in Construction Recommendation, 1988 (No. 175)

Safety and Health in Mines Recommendation, 1995 (No. 183)

Set of instruments 7: Wages instruments*Wages*

Minimum Wage-Fixing Machinery Convention, 1928 (No. 26)

Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99)

Protection of Workers' Claims (Employer's Insolvency) Convention, 1992 (No. 173)

Minimum Wage-Fixing Machinery Recommendation, 1928 (No. 30)

Minimum Wage-Fixing Machinery (Agriculture) Recommendation, 1951 (No. 89)

Protection of Workers' Claims (Employer's Insolvency) Recommendation, 1992 (No. 180)

Set of instruments 8: Working time instruments

Working time: Hours of work, weekly rest and paid leave

Hours of Work (Industry) Convention, 1919 (No. 1)

Hours of Work (Commerce and Offices) Convention, 1930 (No. 30)

Forty-Hour Week Convention, 1935 (No. 47)

Holidays with Pay Convention (Revised), 1970 (No. 132)

Hours of Work and Rest Periods (Road Transport) Convention, 1979 (No. 153)

Part-Time Work Convention, 1994 (No. 175)

Holidays with Pay Recommendation, 1954 (No. 98)

Hours of Work and Rest Periods (Road Transport) Recommendation, 1979 (No. 161)

Part-Time Work Recommendation, 1994 (No. 182)

Night work

Night Work (Women) Convention (Revised), 1948 (No. 89)

Protocol of 1990 to the Night Work (Women) Convention (Revised), 1948

Night Work Convention, 1990 (No. 171)

Night Work of Women (Agriculture) Recommendation, 1921 (No. 13)

Night Work Recommendation, 1990 (No. 178)

Set of instruments 9: Maternity protection instruments

Maternity protection

Maternity Protection Convention, 1919 (No. 3)

Maternity Protection Convention, 2000 (No. 183)

Maternity Protection Recommendation, 2000 (No. 191)

Set of instruments 10: Social policy instruments

Social policy

Social Policy (Non-Metropolitan Territories) Convention, 1947 (No. 82)

Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117)

Set of instruments 11: Outdated social protection instruments in follow-up to the Cartier Working Party

Working time: Hours of work, weekly rest and paid leave

Holidays with Pay Convention, 1936 (No. 52)

Holidays with Pay (Agriculture) Convention, 1952 (No. 101)

Sheet-Glass Works Convention, 1934 (No. 43)

Reduction of Hours of Work (Glass-Bottle Works) Convention, 1935 (No. 49)

Holidays with Pay Recommendation, 1936 (No. 47)

Holidays with Pay (Agriculture) Recommendation, 1952 (No. 93)

Night work

Night Work (Bakeries) Convention, 1925 (No. 20)

Occupational safety and health: General provisions

Occupational Health Services Recommendation, 1959 (No. 112)

Occupational safety and health: Specific branches of activity

Safety Provisions (Building) Convention, 1937 (No. 62)

Safety Provisions (Building) Recommendation, 1937 (No. 53)

Co-operation in Accident Prevention (Building) Recommendation, 1937 (No. 55)

Social security: Medical care and sickness

Sickness Insurance (Industry) Convention, 1927 (No. 24)

Sickness Insurance (Agriculture) Convention, 1927 (No. 25)

Sickness Insurance Recommendation, 1927 (No. 29)

Social security: Old age, invalidity and survivors' benefits

Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35)

Old-Age Insurance (Agriculture) Convention, 1933 (No. 36)

Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37)

Invalidity Insurance (Agriculture) Convention, 1933 (No. 38)

Survivors' Insurance (Industry, etc.) Convention, 1933 (No. 39)

Survivors' Insurance (Agriculture) Convention, 1933 (No. 40)

Social security: Employment injury

Workmen's Compensation (Accidents) Convention, 1925 (No. 17)

Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18)

Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42)

Workmen's Compensation (Minimum Scale) Recommendation, 1925 (No. 22)

Workmen's Compensation (Jurisdiction) Recommendation, 1925 (No. 23)

Workmen's Compensation (Occupational Diseases) Recommendation, 1925 (No. 24)

Social security: Unemployment benefit

Unemployment Provision Convention, 1934 (No. 44)

Unemployment Provision Recommendation, 1934 (No. 44)

Social security: Migrant workers

Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48)

Social policy

Co-operatives (Developing Countries) Recommendation, 1966 (No. 127)

Maternity protection

Maternity Protection Convention (Revised), 1952 (No. 103)

Maternity Protection Recommendation, 1952 (No. 95)

Sets of instruments related to the strategic objective on social dialogue and tripartism**Set of instruments 12: Labour inspection, labour administration and industrial relations instruments***Labour inspection*

Labour Inspectorates (Non-Metropolitan Territories) Convention, 1947 (No. 85)

Labour Inspection Recommendation, 1923 (No. 20)

Labour administration

Labour Statistics Convention, 1985 (No. 160)

Labour Statistics Recommendation, 1985 (No. 170)

Industrial relations

Voluntary Conciliation and Arbitration Recommendation, 1951 (No. 92)

Co-operation at the Level of the Undertaking Recommendation, 1952 (No. 94)

Communications within the Undertaking Recommendation, 1967 (No. 129)

Examination of Grievances Recommendation, 1967 (No. 130)

Set of instruments 13: Outdated instrument concerning social dialogue and tripartism in follow-up to the Cartier Working Party

Labour administration

Convention concerning Statistics of Wages and Hours of Work, 1938 (No. 63)

Sets of instruments related to the strategic objective on fundamental principles and rights at work

Set of instruments 14: Instruments related to freedom of association

Freedom of association

Right of Association (Agriculture) Convention, 1921 (No. 11)

Right of Association (Non-Metropolitan Territories) Convention, 1947 (No. 84)

Set of instruments 15: Instruments related to protection of children and young persons

Elimination of child labour and protection of children and young persons

Night Work of Young Persons (Industry) Convention, 1919 (No. 6)

Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 79)

Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90)

Night Work of Children and Young Persons (Agriculture) Recommendation, 1921 (No. 14)

Minimum Age (Non-Industrial Employment) Recommendation, 1932 (No. 41)

Minimum Age (Family Undertakings) Recommendation, 1937 (No. 52)

Night Work of Young Persons (Non-Industrial Occupations) Recommendation, 1946 (No. 80)

Set of instruments 16: Outdated instruments on fundamental principles and rights at work in follow-up to the Cartier Working Party

Elimination of child labour and protection of children and young persons

Minimum Age (Industry) Convention, 1919 (No. 5)

Minimum Age (Agriculture) Convention, 1921 (No. 10)

Minimum Age (Non-Industrial Employment) Convention, 1932 (No. 33)

Minimum Age (Industry) Convention (Revised), 1937 (No. 59)

Minimum Age (Underground Work) Convention, 1965 (No. 123)

Minimum Age (Underground Work) Recommendation, 1965 (No. 124)

Equality of opportunity and treatment

Employment (Women with Family Responsibilities) Recommendation, 1965 (No. 123)

Sets of instruments related to the cross-cutting and sectoral instruments

Set of instruments 17: Cross-cutting and sectoral instruments

Indigenous and tribal peoples

Indigenous and Tribal Peoples Convention, 1989 (No. 169)

Migrant workers

Migration Statistics Recommendation, 1922 (No. 19)

Protection of Migrant Workers (Underdeveloped Countries) Recommendation, 1955 (No. 100)

Dockworkers

 Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No. 27)

 Dock Work Convention, 1973 (No. 137)

 Dock Work Recommendation, 1973 (No. 145)

Fishers

 Medical Examination (Fishermen) Convention, 1959 (No. 113)

 Fishermen's Articles of Agreement Convention, 1959 (No. 114)

 Fishermen's Competency Certificates Convention, 1966 (No. 125)

 Accommodation of Crews (Fishermen) Convention, 1966 (No. 126)

 Vocational Training (Fishermen) Recommendation, 1966 (No. 126)

Other categories of workers

 Labour Standards (Non-Metropolitan Territories) Convention, 1947 (No. 83)

 Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172)

 Home Work Convention, 1996 (No. 177)

 Hours of Work (Inland Navigation) Recommendation, 1920 (No. 8)

 Older Workers Recommendation, 1980 (No. 162)

 Working Conditions (Hotels and Restaurants) Recommendation, 1991 (No. 179)

 Home Work Recommendation, 1996 (No. 184)

Set of instruments 18: Maritime instruments

 Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8)

 Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16)

 Seamen's Articles of Agreement Convention, 1926 (No. 22)

 Officers' Competency Certificates Convention, 1936 (No. 53)

 Shipowners' Liability (Sick and Injured Seamen) Convention, 1936 (No. 55)

 Minimum Age (Sea) Convention (Revised), 1936 (No. 58)

 Food and Catering (Ships' Crews) Convention, 1946 (No. 68)

 Certification of Ships' Cooks Convention, 1946 (No. 69)

 Seafarers' Pensions Convention, 1946 (No. 71)

 Medical Examination (Seafarers) Convention, 1946 (No. 73)

 Certification of Able Seamen Convention, 1946 (No. 74)

 Accommodation of Crews Convention (Revised), 1949 (No. 92)

 Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133)

 Prevention of Accidents (Seafarers) Convention, 1970 (No. 134)

 Continuity of Employment (Seafarers) Convention, 1976 (No. 145)

 Seafarers' Annual Leave with Pay Convention, 1976 (No. 146)

 Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)

 Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976

 Seafarers' Welfare Convention, 1987 (No. 163)

 Health Protection and Medical Care (Seafarers) Convention, 1987 (No. 164)

 Social Security (Seafarers) Convention (Revised), 1987 (No. 165)

 Repatriation of Seafarers Convention (Revised), 1987 (No. 166)

Labour Inspection (Seafarers) Convention, 1996 (No. 178)

Recruitment and Placement of Seafarers Convention, 1996 (No. 179)

Seafarers' Hours of Work and the Manning of Ships Convention, 1996 (No. 180)

National Seamen's Codes Recommendation, 1920 (No. 9)

Unemployment Insurance (Seamen) Recommendation, 1920 (No. 10)

Seafarers' Social Security (Agreements) Recommendation, 1946 (No. 75)

Seafarers (Medical Care for Dependants) Recommendation, 1946 (No. 76)

Bedding, Mess Utensils and Miscellaneous Provisions (Ships' Crews) Recommendation, 1946 (No. 78)

Seafarers' Engagement (Foreign Vessels) Recommendation, 1958 (No. 107)

Social Conditions and Safety (Seafarers) Recommendation, 1958 (No. 108)

Vocational Training (Seafarers) Recommendation, 1970 (No. 137)

Employment of Seafarers (Technical Developments) Recommendation, 1970 (No. 139)

Crew Accommodation (Air Conditioning) Recommendation, 1970 (No. 140)

Crew Accommodation (Noise Control) Recommendation, 1970 (No. 141)

Prevention of Accidents (Seafarers) Recommendation, 1970 (No. 142)

Protection of Young Seafarers Recommendation, 1976 (No. 153)

Continuity of Employment (Seafarers) Recommendation, 1976 (No. 154)

Merchant Shipping (Improvement of Standards) Recommendation, 1976 (No. 155)

Seafarers' Welfare Recommendation, 1987 (No. 173)

Repatriation of Seafarers Recommendation, 1987 (No. 174)

Labour Inspection (Seafarers) Recommendation, 1996 (No. 185)

Recruitment and Placement of Seafarers Recommendation, 1996 (No. 186)

Seafarers' Wages, Hours of Work and the Manning of Ships Recommendation, 1996 (No. 187)

Set of instruments 19: Outdated cross-cutting and sectoral instruments in follow-up to the Cartier Working Party

Indigenous and tribal peoples

Recruiting of Indigenous Workers Convention, 1936 (No. 50)

Contracts of Employment (Indigenous Workers) Convention, 1939 (No. 64)

Penal Sanctions (Indigenous Workers) Convention, 1939 (No. 65)

Contracts of Employment (Indigenous Workers) Convention, 1947 (No. 86)

Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955 (No. 104)

Indigenous and Tribal Populations Convention, 1957 (No. 107)

Migrant workers

Inspection of Emigrants Convention, 1926 (No. 21)

Migration for Employment Recommendation, 1939 (No. 61)

Migration for Employment (Co-operation between States) Recommendation, 1939 (No. 62)

Dockworkers

Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32)

Protection against Accidents (Dockers) Reciprocity Recommendation, 1932 (No. 40)

Fishers

Minimum Age (Fishermen) Convention, 1959 (No. 112)

Hours of Work (Fishing) Recommendation, 1920 (No. 7)

Work in Fishing Recommendation, 2005 (No. 196)

Set of instruments 20: Outdated maritime instruments in follow-up to the Cartier Working Party

Minimum Age (Sea) Convention, 1920 (No. 7)

Placing of Seamen Convention, 1920 (No. 9)

Repatriation of Seamen Convention, 1926 (No. 23)

Holidays with Pay (Sea) Convention, 1936 (No. 54)

Sickness Insurance (Sea) Convention, 1936 (No. 56)

Hours of Work and Manning (Sea) Convention, 1936 (No. 57)

Social Security (Seafarers) Convention, 1946 (No. 70)

Paid Vacations (Seafarers) Convention, 1946 (No. 72)

Accommodation of Crews Convention, 1946 (No. 75)

Wages, Hours of Work and Manning (Sea) Convention, 1946 (No. 76)

Paid Vacations (Seafarers) Convention (Revised), 1949 (No. 91)

Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93)

Seafarers' Identity Documents Convention, 1958 (No. 108)

Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958 (No. 109)

Repatriation (Ship Masters and Apprentices) Recommendation, 1926 (No. 27)

Labour Inspection (Seamen) Recommendation, 1926 (No. 28)

Seamen's Welfare in Ports Recommendation, 1936 (No. 48)

Hours of Work and Manning (Sea) Recommendation, 1936 (No. 49)

Vocational Training (Seafarers) Recommendation, 1946 (No. 77)

Ships' Medicine Chests Recommendation, 1958 (No. 105)

Medical Advice at Sea Recommendation, 1958 (No. 106)

Wages, Hours of Work and Manning (Sea) Recommendation, 1958 (No. 109)

Seafarers' Welfare Recommendation, 1970 (No. 138)
