

COMMITTEE ON ITEM V OF THE AGENDA (MINIMUM STANDARDS OF SOCIAL POLICY IN DEPENDENT TERRITORIES)

The seventh and last of the Recommendations adopted by the Conference was appropriately described as "a charter of colonial policy affecting all dependent territories everywhere and covering all matters with which the I.L.O. is concerned." Every country which has responsibilities towards any dependent territory is invited by this Recommendation to take whatever steps are within its competence to secure the application in such territories of agreed minimum standards of social policy. The Recommendation further requests member countries to communicate to the Director of the I.L.O. at the earliest possible date particulars of the action taken to make these minimum standards effective, and thereafter to report from time to time as requested by the Governing Body.

The Committee's deliberations commenced with a general discussion "in which statements were made and opinions expressed on the nature of policies of social development in dependent territories, on the importance of an international agreement on the subject-matter before the Committee, and on means of giving effect to the Conference's instructions. There was no disagreement on the importance and the responsibility of the task entrusted to the Committee. On the other hand, while some members stressed the urgency of reaching concrete results at the present session of the International Labour Conference, other members held that the questions were so complex and that the preparatory work of the Conference had been so rapid that the Conference should take final decisions only after there had been an opportunity for consultation of the interests concerned."

The British Government representative, for example, stated that British colonial policy was directed towards the development of economic and social institutions as part of a progressive policy guiding dependent territories along the road to self-government within the British Empire. The progress made during the war showed how seriously this policy was taken. It showed, too, that the British Government was not in favour of delay in practical measures for the betterment of conditions in dependent territories. He considered, however, there were various considerations of practical expediency and constitutional propriety raised in the text of the Office proposals. A Recommendation, moreover, was a solemn international obligation. The Committee's instructions were to place before the Conference general guiding principles, and this seemed to indicate that it was for the Conference alone to decide in what form the proposals of the Committee should be incorporated.

The British workers' representative, on the other hand, with the support of the American, Australian, New Zealand, and Mexican Government members, felt that delegates had come to the Conference with a great sense of responsibility and in the belief that the questions on the Agenda were of supreme importance in helping to shape the post-war world. The term "guiding principles," it was therefore argued, should be interpreted in the light of these circumstances. Expectations had been aroused and there was a sense of urgency in the realization of concrete results, particularly since the sacrifices of dependent peoples during the war would seem incomprehensible to them if no benefits were to be afforded as a result of victory. A second discussion method, it was maintained, would postpone to an uncertain date important and urgent decisions which should be reached and presented in a reasonably strong form then and there at the Conference. The opinion was expressed, moreover, that the texts approved by the Committee contained sufficient qualifying phrases to permit flexibility in application. It was finally ruled by the Chairman that the Committee was fully entitled to suggest to the Conference that the principles it approved should be incorporated in a formal Recommendation, and this procedure was accepted by a majority of Committee members.

In the course of the Committee's deliberations, however, it became apparent that time would not permit the necessary attention being given to all the draft articles contained in the Office's text. Attention was therefore concentrated during the later stages on those articles which appeared to state the most general guiding principles—the Committee agreeing that the remaining questions should be placed on the Agenda of the next general session of the International Labour Conference. With reference to such questions, the Committee's report is careful to stress the fact that they "were in no sense regarded as of subsidiary importance or of minor urgency. They included some provisions which were recognized to be of fundamental importance. They included many questions of detail on which the issue of guiding principles by the International Labour Conference would be of high value. On the other hand, they also included some questions of detail which might not be appropriate to include in the guiding principles asked of the Committee. Lastly, there were some articles which the Committee might have adopted readily but which, being closely connected with more difficult points, seemed to require deferment in the interests of establishing a later text of a coherent character."

The subjects, however, on which the Committee was able to reach agreement and to embody in the Recommendation submitted to and adopted by the Conference embrace a wide field of social and economic policy. In the first place, certain generally accepted standards of policy such as suppression of slavery and opium-smoking are reaffirmed. Attention is next drawn to past decisions of the International Labour Conference primarily affecting dependent territories, such, for example, as those concerning the prohibition of forced or compulsory labour, the regulation of recruiting and of certain special types of contracts of employment, and the suppression of penal sanctions for labour offences.

Succeeding provisions of the Recommendation include questions relating to the employment of children and young persons, provisions designed to improve the status of women, and general guiding principles affecting remuneration, health, housing, and social security. A succeeding section aims at the prohibition of colour and religious bars and other discriminatory practices, followed by a general statement on the principles of labour inspection. Lastly, minimum standards are laid down for the protection and development of industrial and co-operative organizations.

In addition to the resolution requesting supplementary questions of minimum standards of social policy in dependent territories being placed on the Agenda of the next Conference (including certain resolutions arising out of the Committee's discussions), it was decided also to ask the Governing Body to set up an advisory committee. The opinion was expressed that the Committee of Experts on Native Labour had rendered valuable service in the past by considering the principles on which were based later decisions of the Conference in regard to such questions as forced labour, recruiting, and employment contracts. The Conference accordingly felt that the re-establishment of some such committee was essential and that this new committee would need to bear in mind broad issues of social policy in dependent territories as well as detailed questions of labour regulation.