

6. The acquisition of legal personality by employers' and workers' organizations should not be made subject to conditions of such a character as to restrict freedom of association as hereinbefore defined.

7. The acquisition and exercise of the rights as outlined in this part should not exempt the employers' and workers' organizations from their full share of responsibilities and obligations.

II. *Protection of the Right to Organize and to Bargain Collectively*

8. There should be agreement between organized employers and workers mutually to respect the exercise of the right of association.

9. (1) Where full and effective protection is not already afforded appropriate measures should be taken to enable guarantees to be provided for—

(a) The exercise of the right of freedom of association without fear of intimidation, coercion, or restraint from any source with the object of—

(i) Making the employment of the worker conditional on his not joining a trade union or on his withdrawing from a trade union of which he is a member ;

(ii) Prejudicing a worker because he is a member or agent or official of a trade union ;

(iii) Dismissing a worker because he is a member or agent or official of a trade union ;

(b) The exercise of the right of association by workers' organizations in such a way as to prevent any acts on the part of the employer or employers' organizations or their agents with the object of—

(i) Furthering the establishment of trade unions under the domination of employers ;

(ii) Interfering with the formation or administration of a trade union or contributing financial or other support to it ;

(iii) Refusing to give practical effect to the principles of trade union recognition and collective bargaining.

(2) It should be understood, however, that a provision in a freely concluded collective agreement making membership of a certain trade union a condition precedent to employment or a condition of continued employment does not fall within the terms of this Resolution.

10. Appropriate agencies should be established, if necessary, for the purpose of ensuring the protection of the right of association as defined in paragraph 9 herein.

(f) RESOLUTION CONCERNING INTERNATIONAL MACHINERY FOR SAFEGUARDING FREEDOM OF ASSOCIATION

The Conference,

(1) Recalling the references to freedom of association in the Declaration of Philadelphia and the Constitution of the International Labour Organization, reaffirms belief in and attachment to the principle of freedom of association in all countries as an essential element in those wider personal freedoms which are the foundation of peace, prosperity, and happiness ;

(2) Is concerned at the widespread reports that conditions may exist prejudicial to freedom of association in many countries ;

(3) Feels that steps should be taken to encourage, expand, and universally establish freedom of association both by reminding Governments of all States, whether members of the I.L.O. or not, of their obligations in this respect under the Constitution of the I.L.O., and/or the Charter of the United Nations, and by other practicable means ;

(4) In this connection has noted with interest the proposals made by the W.F.T.U. and the A.F. of L. for the establishment of international machinery for safeguarding freedom of association and feels that these proposals deserve close and careful examination.