

1937-38.

NEW ZEALAND.

INTERNATIONAL LABOUR CONFERENCE, GENEVA, 1937.

REPORT OF NEW ZEALAND EMPLOYERS' DELEGATE.

Presented to both Houses of the General Assembly by Leave.

DEAR SIR,—

I have the honour to submit the following report upon the twenty-third International Labour Conference at Geneva.

The Conference opened on Thursday, the 3rd June, 1937, and concluded on Wednesday, the 23rd June, 1937. I attended every sitting of the Conference, and also meetings of committees of which I was a member.

The Treaty of Peace, which set up, along with the League of Nations and the Permanent Court of International Justice, the International Labour Organization, provides that at least one such Conference shall be held each year.

These Conferences consist of delegates and technical advisers representing the Governments, employers, and workers of the various countries which are members of the International Labour Organization, and have power to pass, by a two-thirds majority vote of the delegates, Draft Conventions and Recommendations on any of the official items on the Agenda.

The essential difference between a Convention and a Recommendation is as follows :—

If a Government decides to *ratify a Convention* it binds itself to give legislative effect to the terms of that Convention for some definite term of years specified in the Convention, and to submit each year to Geneva a report on the measures it has taken to give effect to the provisions of the Convention.

If a Government decides to *adopt a Recommendation* it undertakes to apply the principles of the Recommendation in such a way as would be best suited to meet the conditions and circumstances in that country, but it does not bind itself to give legislative effect to the terms of the Recommendation or to submit an annual report to Geneva on what it has done.

No country is bound to ratify a Convention or adopt a Recommendation even if its Government delegates have voted for it at the Conference, but it must in every case within eighteen months bring the Convention or Recommendation before its Parliament.

The Conference can also pass Resolutions by a simple majority vote of the delegates, but these Resolutions entail no legal obligation on the Governments.

With regard to membership, the Treaty of Peace provides that membership of the League of Nations automatically carries with it membership of the International Labour Organization, but it is open to a State to be a member of the International Labour Organization without being a member of the League of Nations.

The membership of the International Labour Organization, which consists of sixty-two countries, is therefore made up as follows :—

- (a) The fifty-nine countries which are members of the League of Nations ;
- (b) Two countries—Brazil and Japan—which ceased to be members of the League of Nations in 1928 and 1935 respectively, but have remained members of the International Labour Organization ;
- (c) One country—United States of America—which became a member of the International Labour Organization in 1934 without joining the League of Nations.