

INTERNATIONAL LABOUR OFFICE  
BUREAU INTERNATIONAL DU TRAVAIL  
OFICINA INTERNACIONAL DEL TRABAJO

**GOVERNING BODY**  
**CONSEIL D'ADMINISTRATION**  
**CONSEJO DE ADMINISTRACION**

GB.220/PV(Rev.)  
220th Session

Geneva,  
2-5 March 1982

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MINUTES OF THE 220TH SESSION

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TABLE OF CONTENTS BY ORDER OF ITEM ON THE AGENEA

<u>Item No.</u>	<u>Title of agenda</u>	<u>Page</u>
1	Approval of the minutes of the 219th Session.....	I/1
		I/7
2	Agenda of the 70th (1984) Session of the Conference.....	I/I
3	Annual report of the Governing Body to the Conference .....	II/1
4	Report of the Meeting of Experts on Social Security Financing (Geneva, 30 November - 3 December 1981) .....	I/8
5	Report of the Meeting of Experts on the Occupational Safety and Health in the Iron and Steel Industry (Geneva, 30 November - 9 December 1981)	I/10
6	Report of the Committee of Experts on The Application of Conventions and Recommendations (Geneva, 11-24 March 1982).....	I/12
7	International Centre for Advanced Technical and Vocational Training .....	II/1
8	Reports of the Committee on Freedom of Association :	
	Two hundred and seventeenth report .....	III/6
		III/15
9	Reports of the Programme, Financial and Administrative Committee:	
	First report .....	III/3
	Second report: Personnel questions .....	III/4
10	The Allocations Committee did not meet.	
11	The International Organisations Committee did not meet.	
12	Report of the Industrial Activities Committee.....	III/1
13	Report of the Committee on Discrimination .....	II/3
14	Composition and agenda of standing bodies and meetings:	
	Advisory Committee on Rural Development (Tenth Session).....	III/19
		IV/1
	Meeting of Experts on Maintenance of Rights in Social Security .....	IV/1
15	Symposia, seminars and assimilated meetings.....	III/20
16	Reports of the Director-General:	
	I. Obituary .....	III/16

**GOVERNING BODY**  
**CONSEIL D'ADMINISTRATION**  
**CONSEJO DE ADMINISTRACION**

GB.220/PV (Rev.)  
220th Session

Geneva,  
May-June 1982

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MINUTES OF THE 220TH SESSION

The 220th Session of the Governing Body of the International Labour Office was held in Geneva on Thursday, 27 May, at 3 p.m. and on Friday, 28 May, and on Thursday, 28 June 1982.

The Governing Body was composed as follows:

Chairman: Mr. VENTEJOL (France), followed by Miss GONZALEZ MARTINEZ (Mexico).

<u>Australia</u> :	Mr. WATCHORN
<u>Bahrain</u> :	Mr. AL-MADANI
<u>Bangladesh</u> :	Mr. SULTAN
<u>Barbados</u> :	Mr. ROGRES
<u>Brazil</u> :	Mr. TARGINO BOTTO
<u>Bulgaria</u> :	Mr. PETROV
<u>Canada</u> :	Mr. ARMSTRONG
<u>Colombia</u> :	Mr. CHARRY SAMPER
<u>Ecuador</u> :	Mr. ALEMAN SALVADOR
<u>Egypt</u> :	Mr. EL REEDY
<u>France</u> :	Mr. DELARBRE
<u>German Democratic Republic</u> :	Mr. HASCHKE
<u>German, Federal Republic of</u> :	Mr. HAASE
<u>India</u> :	Mr. SUBRAHMANYA
<u>Italy</u> :	Mr. FALCHI
<u>Japan</u> :	Mr. SUZUKI
<u>Kenya</u> :	Mr. MUSIKO
<u>Mali</u> :	Mr. DIARRA
<u>Mexico</u> :	Miss GONZALEZ MARTINEZ
<u>Mozambique</u> :	Mr. CARVALHO NEVES
<u>Netherlands</u> :	Mr. ALBEDA
<u>Nigeria</u> :	Mr. OLOWU
<u>Philippines</u> :	Mr. BRILLANTES
<u>Senegal</u> :	Mr. SENE
<u>USSR</u> :	Mr. KOSTINE
<u>United Kingdom</u> :	Mr. ROBINSON
<u>United States</u> :	Mr. SEARBY
<u>Venezuela</u> :	Mr. RODRIGUEZ NAVARRO

Employers' group:

Mr. BANNERMAN-MENSON  
Mr. CHAMBERS  
Mr. EURNEKIAN  
Mr. FLUNDER  
Mr. GEORGET  
Mr. GROVE  
Mr. LINDNER  
Mr. MOUKOKO KINGUE  
Mr. NASR<sup>1</sup>  
Mr. OECHSLIN  
Mr. POLITES  
Mr. TATA  
Mr. VERSCHUEREN  
Mr. YOSHINO

Workers' group:

Mr. BROWN  
Mrs. CARR<sup>1</sup>  
Mr. DOLAN  
Mr. GONZALEZ NAVARRO  
Mr. ISSIFU  
Mr. LLOYD  
Mr. MASHASI  
Mr. MEHTA  
Mr. MUHR  
Mr. PROKHOROV  
Mr. SANCHEZ MADARIAGA  
Mr. SOW  
Mr. SVENNINGSSEN  
Mr. TANAKA

The following regular members were absent:

Government group:

China

Employers' group:

Mr. GHARBOUI  
Mr. VILLALOBOS

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<sup>1</sup> Present only at the sitting on 24 June 1982.

The following deputy members, or substitute deputy members, were present at all or some of the sittings:

Government group:

<u>Algeria:</u>	Mr. SALAH-BFY
<u>Angola:</u>	Mr. M'POLO
<u>Argentina:</u>	Mr. PEDREROL
<u>Belgium:</u>	Mr. WALLIN
<u>Burma:</u>	Mr. GYI
<u>Cuba:</u>	Mr. SOLA VILA
<u>Denmark:</u>	Mr. ANDERSEN
<u>Ethiopia:</u>	Mr. GUTEMA
<u>Ghana:</u>	Mr. KWAYIE
<u>Hungary:</u>	Mr. MARTON
<u>Indonesia:</u>	Mr. DARSA
<u>Madagascar:</u>	Mr. RASOLO
<u>Mongolia:</u>	Mr. BATBAYAR
<u>Panama:</u>	Mr. FEPRER ANGUIZOLA
<u>Portugal:</u>	Mr. NASCIMENTO RODRIGUES
<u>Ukrainian SSR:</u>	Mr. OUDOVENKO
<u>Uruguay:</u>	Mr. FALCHETTI MIGNONE
<u>Zimbabwe:</u>	Mr. TSOMONDO

Employers' group;

Mr. AL-JASSEM  
Mr. BEKTI  
Mr. DAJANI<sup>1</sup>  
Mr. DECOSTERD<sup>1</sup>  
Mr. DESCHAMPS  
Mr. DIAZ GARAYCOA  
Mr. DURLING<sup>1</sup>  
Mr. ESCOBAR PADRON  
Miss HAK  
Mr. von HOLTEN  
Mr. KOUADIO<sup>1</sup>  
Mr. MONTT BALMACEDA  
Mr. NAMATA  
Mr. OKOGWU<sup>1</sup>  
Mr. OWUOR  
Mr. PERIQUET  
Mr. SAID  
Mrs. SASSO MAZZUFFERI

Workers' group:

Mr. ABONDO<sup>1</sup>  
Mr. AHMED<sup>2</sup>  
Mr. BARNABO  
Mr. BEN-ISRAEL  
Mr. BLONDEL  
Mr. BRIKI  
Mr. CUEVAS  
Mr. DAVID  
Mr. KNOX  
Mr. MABUMO  
Mr. MAIER  
Mr. MENDOZA  
Mr. SUDONO  
Mr. SUNDARAM  
Mr. TIMMER  
Mr. VANNI  
Mr. WALCOTT<sup>1</sup>  
Mr. ZIMBA

<sup>1</sup> Present only at the sitting on 24 June 1982.

<sup>2</sup> Present only at the sitting on 27 and 28 May 1982.

Mr. Targino Botto (Government, Brazil), referring to Case No, 958 (Brazil), said that the wording of paragraph 521, according to which "a Brazilian court of appeal overturned the sentences, stating that the Military Court which had decided them was not competent to hear the matter", was incorrect, since it was the Higher Military Court which had done so.

It should also be noted that Luis Inacic da Silva was at present the leader of a political party, the Workers' Party, as well as a candidate in the Sao Paulo governmental elections.

The Governing Body adopted the recommendations in paragraphs 527, 539, 563, 596, 608, 622, 638 and 665 of the report.

Mr. Kolesnik (Government, USSE) , referring to Case No. 1097 (Poland) , said that his Government, which had made its position clear at the last Governing Body session. Still felt that the Committee was overstepping the limits of the Organisation's competence by attempting to pressure the Polish Government on the question of internees. Although its report spoke of arrests for trade union activities, it was common knowledge that the internees had been law-breakers and subversives. Solidarity, as its own members had admitted to the Director-General's representative, had gone beyond the political activities recognised as legitimate by the 1952 Conference resolution concerning the independence of trade union movements. Other developments mentioned in the report also tended to corroborat<sup>o</sup> this view.

Despite all claims to the contrary, the situation had perceptibly improved since the last session and thy Polish Government earnestly desired a rapid return to normal. The very fact that the issue had been raised was further evidence of attempts to use the ILO to interfere in Poland's internal affairs. The Government was perfectly capable of finding its own way out of the present troubles. Nor could it be held responsible for the emergency measures of 13 December 1981. The fault lay, rather, with Solidarity's obstructionism.

At present, the Government was striving to bring about a speedy return to normal, including a resumption of trade union activities. The Polish Parliament's widely discussed statement concerning the future of the trade union movement assigned a key role in socialist democracy to self-managed trade unions independent of the State. The trade unions would participate in development planning and decision-making, negotiate with the authorities on all basic questions affecting employment, working conditions and wages and, in general, enjoy comprehensive rights at the factory level. Clearly, therefore, it was unnecessary to appeal to the Government to open a dialogue.

Poland, like any sovereign State, had the undeniable right to settle its internal differences without outside interference, even from the ILO. Unfortunately, the Committee did not agree, while continuing to ignore issues of direct concern to the ILO, for instance the Western sanctions against Poland. Such an attitude, at variance with Part II of the Declaration of Philadelphia, bore out the political bias of certain ILO bodies.

The USSR Government dissociated itself from the whole procedure and wished the part of the report dealing with Case No. 1097 to be put to the vote.

Mr. Prokhorov (Worker, USSR) pointed out that Mr. Issifu, thy Workers' spokesman, had omitted to mention that the Soviet position had remained unchanged since the March session.

Six months had elapsed since the authorities took drastic action to ward off civil war and economic chaos, and the so-called Polish question had erupted in the ILO. The ostensible reason, that Solidarity was a trade union, ignored the fact that Mr. Walesa himself had declared Solidarity to be net a trade union but a movement. Solidarity had, in fact, become a political organisation with a detailed plan for the overthrow of the socialist system. But new, the country, for all its difficulties, was returning to normal.

Those events were a domestic issue and the Polish working class had the means and the resources to cope with it, Even Mr. Walesa had appealed at the Conference in 1981 against interference in Poland's internal affairs. Such interference must cease if the situation was to revert rapidly to normal. That was the authorities' goal and, if they were left to themselves, the situation in the country and the atmosphere in Europe would soon be restored.

Mr. Blondel (Worker, France) congratulated the Office on having succeeded, despite all the obstacles placed in its way, in sending a fact-finding mission which appeared to have produced an objective report. There seemed to be a genuine desire for dialogue but, with the leaders of Solidarity in prison, it could not take place on an equal footing. The ILO should press for a real dialogue, though that would remain out of the question until they were released.

The previous speaker had declared the day before that the Soviet trade unions were free from all compulsion. He should be logical and say whether or not the interned Solidarity leaders were being coerced now. If Mr. Walesa were to represent the Polish workers at the Conference, it would be the best guarantee of a speedy restoration of dialogue.

Mr. Lloyd (Worker, United Kingdom) underscored the importance of a consensus where the trade union movement was concerned. That Mr. Valticos had been able to visit Poland was of course encouraging but responsible Western trade unionists had been denied entry visas. British workers who had contributed so generously to Polish relief would be interested to know why. As firm believers in freedom of association, the British trade unions would support the Committee's recommendations.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-chairman) could not accept the aspersions being cast upon the Committee's objectivity. Mr. Kolesnik and Mr. Prokhorov affirmed that the situation in Poland was reverting to normal. Could martial law and a ban on all trade unions be described as a normal state of affairs - in any country? The Polish workers' absence from the Conference in June would certainly not be normal and the ILO could not but be concerned over Poland, if Solidarity was not a trade union, as some claimed, why had the Government seat its leaders to the Conference the previous year? There could only be one answer: the leaders were the genuine representatives of the Polish workers.

Mr. Issifu (Worker, Ghana) , replying to Mr. Prokhorov, explained that, as the Workers' spokesman, he had merely conveyed what many members of the group thought, and whatever Mr. Kolesnik might claim, the Polish situation had retaken a turn for the better, as the Valticos report showed.

Mr. Brown (Worker, United States), regretting what he considered to be the Polish Government's non-compliance, declared that to describe the situation in Poland as normal was not only to make a travesty of justice but to fly in the face of the facts. Not until the Solidarity leaders were released or at least given a proper trial could it be considered normal. Moreover, beyond physical repression there was a repression of the spirit - the kind of spirit Lech Walesa had represented at the Conference. Significantly enough, the forthcoming session would see no Polish workers' representatives, just as none had attended the last session of the Coal Mines Committee.

The Valticos report, too, had described the situation as being still in an impasse. That was scarcely a normal state of affairs. In fact, there was no hope of a real dialogue between the authorities and the overwhelming majority of Poles except through Mr. Walesa and the Solidarity union.

The Polish Government's non-compliance was also evident from its reluctance to admit the usual commission of inquiry the ILO seat in such cases. The Office should continue to press for such a commission as the time-worn argument of interference in internal affairs could not legitimately be invoked in cases of violation of freedom or association. Membership of the ILO involved an obligation to apply ratified Conventions and to accept supervision. As long as the ILO had the courage of its convictions, the Polish crisis could not be passed over in silence.

Mr. Verchueren (Employer, Belgium) affirmed that the Committee was not applying a double standard. For instance, paragraph 605 of its report declared the ban on trade union activity in Pakistan to be an infringement of freedom of association. The Committee could conceivably have been charged with interference but its action had been approved by all. Why was such "interference" wrong if the country happened to be Poland? That was a double standard and one which he could not accept.

Mr. Tanaka (Worker, Japan) held that the need to implement subparagraph 719 (b) could not be over-emphasised. The country's economic problems would only yield to dialogue and co-operation, particularly between the Government and free, representative trade unions. As Mr. Walesa had told the Director-General's representative,

the trade unionists, as Poles, were willing to help pull the country out of the crisis but trade union independence was an essential condition. The Polish Government should heed the Committee's recommendations.

Mr. Barnabo (Worker, Togo) contested the charge that Solidarity was a political movement rather than a trade union. It was the kind of argument governments resorted to whenever trade unions raised some unpleasant issue. If Solidarity did not re pry sent labour, why was its leader in Geneva the previous year as Polish Workers' delegate? Every trade union was involving itself in politics when it demanded better living conditions or higher wages, but that did not make it a political movement.

Social peace was desirable in itself and the trade union movement should uphold law and order. How could the ILO, which strove for that very goal, possibly be accused of interference? That there was social unrest in Poland was clear and the Office should encourage all parties to come to an understanding in the interests of peace. Were Lech Walesa released forthwith, that would certainly be an improvement.

Mr. Maier (Worker, Austria) suggested that the Committee's recommendations should be carefully examined before they were put to a vote, Subparagraph (a) of paragraph 719, for instance, merely thanked the Polish Government for receiving the Director-General's representative; subparagraph (b) urged the opening of discussions with the unions; subparagraphs (c) and (d) deplored the fact that while some union leaders had been released others were still interned; subparagraph (e) regretted the loss of nine miners' lives; subparagraph (f) deprecated anti-union discrimination in employment; subparagraph (g) took note of the Government's intention to submit its observations about the allegations; and, lastly, subparagraph (h) assured the Poles of the ILO's continued assistance. Was the Governing Body really expected to vote for or against such recommendations?

Mr. Timmer (Worker, Hungary), though unhappy as a labour leader about the emergency and the suspension of the trade unions, nevertheless felt that the Poles had had no other option if they were to avert economic chaos and civil strife. They were sparing no effort to mobilise popular support and had declared time and again that the state of emergency would be lifted as soon as things became normal. The situation had indeed improved and some restrictions had been eased. What the Polish workers needed most was patience, understanding, and an end to all interference.

Mr. Stamenov (Government, Bulgaria) thought that Convention No. 87 could not be invoked in the case of Poland. Mr. Valticos' report, reflecting his talks with the authorities and former Solidarity leaders such as Lech Walesa, showed that no sooner had Solidarity registered as a trade union than it had proceeded to violate not only its agreement with the Government but its own rules by entering the political arena with the intention of stirring up chaos and overthrowing the legitimate Government, The Government, fearing a fratricidal civil war, had used its constitutional powers to declare a state of emergency. Things were now better and the Government had announced its plans for promoting branch unions, which would be open to all Poles, including former Solidarity members, en condition they respected the unions' rules. Case No. 1097, far from reflecting a violation of Convention No. 87, was purely political in character and its settlement should be left to the sovereign Polish State, Examination of the case should therefore be adjourned.

Mr. Vinokourov (Government, Ukrainian SSR) affirmed that Solidarity's irresponsible actions were to blame for the emergency. Although registered as a trade union, it had soon switched to activities directed at undermining the economy through strikes and at overthrowing the State through its anti-constitutional behaviour. The state of emergency, besides averting a social upheaval, had enabled the National Salvation Council to protect the nation's interests. The Government thus deserved universal support.

The facts recently brought to light should have induced the Committee to reconsider its previous recommendations. Instead, it had put forward biased arguments and made unreasonable demands on the Polish Government, thereby exceeding its terms of reference. It seemed to support Solidarity, even though the movement's leaders had recognised their mistakes, and to dictate policy to the authorities by setting certain time limits. In asking them to clear draft legislation with the ILO, the Committee was virtually usurping the prerogatives of the Polish Diet. Small wonder then that the Government in its communication of 8 May 1982 had warned that further interference would compel it to reconsider its membership of the Organisation.

The Government, of the Ukrainian SSR accordingly dissociated itself from the examination of the case. Only when the Governing Body knew all the facts could it consider the matter and take a decision. Poland had shown exemplary patience but it would be a pity if the Governing Body, like certain extremists, mistook that for weakness. It had been asserted that interference in a country's internal affairs was a long-established procedure. Should such a view prevail, than the ILO might eventually, on the pretence or defending freedom of association, encroach on States sovereignty.

Mr. Marton (Government, Hungary) , commenting that late receipt of the report had prevented him from examining it carefully, urged the Office to distribute Governing Body papers on time

Although the Hungarian Government had made its position clear at previous sessions, it wished to emphasise once more that the Polish crisis was a matter to be resolved by the Poles themselves without interference from any quarter. Despite many difficulties, the situation, partly created by outside interference, had now somewhat eased, but the improvement - which was there for all to see - would have been much greater had the Poles been left to themselves. The ILO should not allow itself to be dragged into the anti-Polish campaign.

The Committee's recommendations not only constituted interference in Poland's internal affairs but tended to ignore the truth. In fact, the Polish Government had repeatedly been in touch with the ILO and throughout shown its goodwill. The Committee, through its recommendations, should facilitate the current negotiations instead of hampering them. The Governing Body, for its part, should bear in mind that its decision would also influence<sup>4</sup> the mood of the Conference,

Mr. Vanni (Worker, Italy) found it difficult to understand how anybody could claim that loss of liberty was an internal affair or that a trade union whose activities had political implications ceased to be one. Should such ideas take root, the ILO would no longer have a meaningful role. The Committee should act with circumspection but without sacrificing the Polish trade unionists. Having produced a very balanced report, it should now urge the Polish Government to free the internees and start discussions.

Mr. Haschke (Government, German Democratic Republic), citing the statements by the Polish Minister of Labour and the Valticos report, affirmed that the Polish authorities were doing their utmost to bring the country back to normal. Whatever measures they had taken to shield the nation's vital interests from irresponsible trouble-makers were a purely domestic affair and the ILO would do well to respect the United Nations principles of peaceful co-existence and non-interference in internal affairs.

That his Government's position, as already explained at previous sessions, had a solid basis in fact, had been confirmed by the Valticos report and other information. Unwise attempts had been made to put pressure on the Polish Government in matters that lay outside the ILO's competence. As the Valticos report showed, the authorities, far from punishing genuine trade union activities, had been unsparing in their efforts to initiate a nation-wide dialogue and revive the labour movement. If they had not been entirely successful it was because certain parties had tried to plunge the country into chaos. On the ground that the sovereign Polish State was alone competent to settle its domestic problems, the Government of the German Democratic Republic would reject the Committee's recommendations.

Mr. Wallin (Government, Belgium) , although a newcomer to the Committee, had been impressed by its meticulousness, honesty and impartiality. Despite its heterogeneous composition, that tripartite body had managed to adopt its report unanimously and fear of international repercussions in one particular case was no valid excuse for changing its procedure.

Whatever some might say, the ILO had not interfered in any country's internal affairs, nor had it overstepped the bounds of its competence. Member States, by a free exercise of their sovereignty, had accepted the obligations of the ILO Constitution: they should now accept the supervision that went with them. By receiving the Valticos mission, the Polish Government had in fact recognised the ILO's competence.

Although some new developments had come to light, neither the Valticos mission nor the Polish Government's communication of 8 May 1982 had supplied adequate

answers to the allegations examined at the March session. The Government had, however, undertaken to submit its observations and it should do so as soon as possible. What information was available did not suggest any progress. Nor did there seem to be any real desire for a dialogue, despite the Government's assurance about a legal framework for unconstrained trade union activity. The regional structure would be replaced by a horizontal one, with the trade unions having no say in the matter.

The Committee went about its work in a very objective manner, with the set purpose not of furthering any international plot or campaign but of inquiring into the application of the freedom of association Convention, particularly in countries that had ratified it.

Mr. Sow (Worker, Mauritania) felt that the principle of non-interference was not involved, nor, as one Government representative had implied, was anybody turning a blind eye to the progress made in Poland. On the contrary, the Committee had narrowed down its recommendations since the March session, perhaps because the Polish Government, by threatening withdrawal, had attempted blackmail.

Was the ILO guilty, after all, of applying a double standard? The Governing Body had disposed of over 60 cases in less than an hour, but now a single case was holding up everything. Interim conclusions had been adopted in the other cases without any talk of interference. Such a double standard could only undermine the authority of the Governing Body. Moreover, the principle of non-interference did not allow for the position of the two non-governmental groups, but reflected a purely governmental standpoint.

A vote on the Committee's report would be contrary to tradition which required reservations, even in hotly debated cases, to be merely recorded in the minutes. The Governing Body should avoid creating a dangerous precedent.

Mrs. Hernández Oliva (Government, Cuba) commented that the Committee's reports were so numerous and lengthy as to discourage a careful reading of the conclusions in each case.

Mr. Valticos had recorded how the branch trade unions had told him about the imminence of open confrontation and even civil war and about Solidarity's undemocratic practices, as when it had demanded the dismissal of non-sympathisers. Some autonomous trade unions, filled with misgivings about Solidarity's disorderly political activities, had said that martial law had helped to restore social peace. Even many militants of Solidarity had recognised their leaders' errors and non-cooperation and had deplored its infiltration by politically motivated groups.

The real question was: Did the ILO have the competence to intervene in social crises that bordered upon civil war? And was it the Committee's intention to dictate policy for the Government by backing labour leaders who had exceeded their trade union functions? Much as it respected both the Committee and the TLO, the Government of Cuba could not approve of the report. It touched on matters that were within the exclusive competence of the Polish Government which, moreover, was at that very moment in the process of finding a solution by establishing a legal framework in which trade unions could function freely.

Mr. Delarbre (Government, France) was disturbed by the trend of the discussion. The very persons who were raising a hue and cry about interference in Poland had been the first to meddle in some other countries' affairs.

On 5 March 1982 the French Government, gravely concerned about the developments in Poland, had written to the Director-General reserving the right to file a complaint under Article 26 of the ILO Constitution if the situation did not improve. Far from seeking publicity or meaning to harm that country, the Government had merely intended to ensure the fulfilment of reciprocal engagements. It would not, of course, lodge a complaint if it were satisfied that the Polish authorities were making a serious effort to put things right.

That letter was still valid. There had been some progress since it was written; the Valticos mission had been accepted and facilities provided to meet a number of people; a good many though not all of the internees had been released, and the Government had announced plans for the labour movement, in particular for independent, self-managing trade unions.

Those measure's were, of course, all in the right direction but progress remained patchy: trade union activities were still suspended and many union leaders were in preventive custody. Fortunately, the three branches of the Polish labour movement were agreed on the need for a new legal framework for trade unions and the Government apparently intended to proceed along those lines. The time had now come to gather all concerned round the negotiating table, but the initiative should - and could only - come from the Government. It should act without delay.

The Committee's report should be approved by all unless the ILO wished to leave itself open to charges of double standards, selective morality and international hypocrisy and thereby eventually undermine its own authority.

#### POINT OF ORDER

Mr. Marton (Government, Hungary), speaking on a point of order, said that a previous speaker had misquoted him. Far from being blind, his country was fully alive to the real situation in Poland. Some might deny the progress of the past few months but facts must remain facts.

#### EIGHTH ITEM ON THE AGENDA

##### Report of the Committee on Freedom of Association

#### TWO HUNDRED AND SEVENTEENTH REPORT (cont.)

Mr. Polites (Employer, Australia) rejected the contention that the ILO was exceeding its mandate and that the Committee was interfering improperly in Poland's internal affairs. When the Committee had called other governments' attention to violations of freedom of association, not a single voice had been raised in protest.

Poland had ratified Convention No. 87 and had accordingly undertaken to respect freedom of association and the right to organise. It could not claim to be applying the Convention when trade unionists were being detained without trial. Indeed, the Government itself had admitted to the Director-General's representative that freedom of association had been temporarily suspended.

The Committee's recommendations were merely designed to suggest to the Polish Government how best it could attain the objectives it had set for itself, such as freedom of association. What was wrong with urging a dialogue or recommending institutions that safeguarded freedom of association? It was illogical to talk of unwarranted interference when the Government had accepted the obligation to report to the ILO on ratified Conventions and to submit itself to the ILO's supervisory machinery.

Mr. Watchorn (Government, Australia) greatly regretted that the Committee's impartiality had been called in question. Some speakers had suggested that, as its report constituted interference in a member State's internal affairs, it should not be adopted. Others had maintained that, as Poland had ratified Convention No. 87, the matter was properly before the Governing Body. It had also been claimed that people had not been detained for trade union activities. And yet, despite the Abolition Act which exempted such activities from prosecution if they had taken place before 13 December, people had been detained without charge on that very day. Again, although according to some, the Government's document on the future of the trade union movement was being widely discussed, paragraph 714 of the report made it clear that the discussion was only taking place in the press and, within undertakings, in social committees appointed by management. No real understanding was possible unless the representative trade unions were able to speak their minds freely. Nor was it true that only one trade union organisation had been suspended: the branch unions, the autonomous unions, as well as Solidarity, with a membership of close upon ten million, had all come under the ban. To suggest that suspension of trade union activities on that scale was not a matter for the ILO was a wilful refusal to face the facts. The adoption of international labour Conventions and supervision of their application lay at the heart of the ILO's mandate. The report should therefore be approved without reserve.

Mr. Ahmed (Worker, Pakistan) considered that respect for freedom of association was essential to world peace. As the Preamble to the ILO Constitution said, any nation which failed to adopt humane conditions of labour would prevent others from doing so. Principles such as these had induced workers all over the world to set great store by the ILO.

Governments which had ratified a Convention thereby undertook to apply it. The argument about interference was not merely irrelevant but ran counter to the obligations of ILO membership. The very constructive recommendations in paragraph 719 deserved the support of all.

Mr. Batbayar (Government, Mongolia), while commending the Committee on its industry, regretted that the length of its report had prevented him from going through it in sufficient detail.

Concerning Case No. 1097, the Committee in asking for the release of subversives, had been guilty of direct interference in Poland's internal affairs. That part of the report should not be adopted and any further discussion of the case would only further the policy of destabilisation being followed in certain quarters. The matter should therefore be put to the vote.

The Chairman felt that the discussion could now be brought to a close in a manner that did justice to the Committee's painstaking work. On the whole, its recommendations had been approved; it should not be otherwise in the case relating to Poland. Speakers holding the most divergent views had had a chance to be heard in the general discussion and their statements would be scrupulously recorded in the minutes. The Governing Body should not do anything that might undo the Committee's work: Case No. 1097 should receive the same treatment as the others.

Mr. Kolesnik (Government, USSR) reiterated his Government's request for a vote on paragraph 719 of the report. The request was in accordance with the Standing Orders, which should be strictly observed.

The Chairman invited the Governing Body to vote on paragraph 719 by show of hands.

By 45 votes to 4 with 1 abstention, the Governing Body adopted the recommendations in paragraph 719 of the report.

#### SIXTEENTH ITEM ON THE AGENDA

##### Report of the Director-General

##### I. Obituary

The Director General said that, having first heard in Turin about Mr. Bruno Fassina's death, he had already conveyed the ILO's condolences. Mr. Fassina, always an enthusiastic participant in the Board meetings at the Turin Centre, had rendered valuable services to the ILO, for which he had had a deep attachment. Discussions with him, particularly about the ILO's work, had always been a pleasant and enlightening experience,

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) expressed the Workers' deep grief at the death of their friend and colleague, Bruno Fassina. A true trade unionist, Bruno Fassina had shown unswerving loyalty to the ILO and had spent nearly half a century in the pursuit of justice for workers throughout the world. He had in turn been mayor of Pavia, member of Parliament and an outstanding leader of the Italian Confederation of Workers' Trade Unions. He had long been active in the European Communities, in the ILO's Governing Body and, as Workers' spokesman, on the Board of the Turin Centre. He had brought credit on the Workers' group which, having already extended its sympathy to his family, now wished the Director-General to do so on the ILO's behalf.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) expressed the Employers' surprise and sorrow at the passing of Bruno Fassina. With his unflinching