

OFFICIAL BULLETIN

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Protocol concerning the Entry into Force of the Agreement between the United Nations and the International Labour Organization

Article 57 of the Charter of the United Nations provides that specialized agencies established by intergovernmental agreement and having wide international responsibilities as defined in their basic instruments in economic, social, cultural, educational, health and related fields shall be brought into relationship with the United Nations. Article 63 of the Charter provides that the Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations, and specifies that such agreements shall be subject to approval by the General Assembly.

The International Labour Conference, meeting in its twenty-seventh session in Paris on 3 November 1945, adopted a resolution confirming the desire of the International Labour Organization to enter into relationship with the United Nations on terms, to be determined by agreement, which will permit the International Labour Organization, in which the representatives of workers and employers enjoy equal status with those of Governments, to co-operate fully for the attainment of the ends of the United Nations, while retaining the authority essential for the discharge of its responsibilities under the Constitution of the Organization and the Declaration of Philadelphia, and authorizing the Governing Body of the International Labour Office to enter, subject to the approval of the Conference, into such agreements with the appropriate authorities of the United Nations as might be necessary or desirable for this purpose.

The Economic and Social Council, during its first session, in January-February 1946, adopted a resolution establishing a Committee of the Council on Negotiations with Specialized Agencies which was directed to enter into negotiations as early as possible with the International Labour Organization.

Negotiations between the Committee on Negotiations with Specialized Agencies of the Economic and Social Council and the Negotiating Delegation of the International Labour Organization took place in New York on 28 and 29 May 1946 and resulted in an Agreement. This Agreement was signed on 30 May 1946 by Sir A. Ramaswami Mudaliar, President of the Economic and Social Council and Chairman of the Committee on Negotiations with Specialized Agencies, and Mr. G. Myrddin-Evans, Chairman of the Governing Body of the International Labour Office and of the Negotiating Delegation of the International Labour Organization.

On 21 June 1946, the Economic and Social Council, during its second session, unanimously recommended the Agreement between the United Nations and the International Labour Organization to the General Assembly for its approval.

Article XX of the Agreement provides that the Agreement shall come into force on its approval by the General Assembly of the United Nations and the General Conference of the International Labour Organization.

The Agreement was approved by the General Assembly of the United Nations on 14 December 1946 and by the General Conference of the International Labour Organization on 2 October 1946.

The Agreement accordingly came into force on 14 December 1946.

A copy of the authentic text of the Agreement is attached hereto.

IN FAITH WHEREOF we have appended our signatures this nineteenth day of December, one thousand nine hundred and forty-six, to two original copies of the present Protocol, the text of which consists of versions in the English and French languages which are equally authentic. One of the original copies will be filed and recorded with the Secretariat of the United Nations and the other will be deposited in the archives of the International Labour Office.

TRYGVE LIE,

Secretary-General of the United Nations

EDWARD PHELAN,

*Director-General of the International
Labour Office*

Agreement between the United Nations and the International Labour Organization

Article 57 of the Charter of the United Nations provides that specialized agencies established by intergovernmental agreement and having wide international responsibilities as defined in their basic instruments in economic, social, cultural, educational, health and related fields shall be brought into relationship with the United Nations.

The International Labour Conference, meeting in its twenty-seventh session in Paris on 3 November 1945, adopted a resolution confirming the desire of the International Labour Organization to enter into relationship with the United Nations on terms to be determined by agreement.

Therefore, the United Nations and the International Labour Organization agree as follows:

ARTICLE I

The United Nations recognizes the International Labour Organization as a specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

ARTICLE II

Reciprocal representation

1. Representatives of the United Nations shall be invited to attend the meetings of the International Labour Conference (hereinafter called the Conference) and its committees, the Governing Body and its committees, and such general, regional or other special meetings as the International Labour Organization may convene, and to participate, without vote, in the deliberations of these bodies.

2. Representatives of the International Labour Organization shall be invited to attend meetings of the Economic and Social Council of the United Nations (hereinafter called the Council) and of its commissions and committees and to participate, without vote, in the deliberations of these bodies with respect to items on their agenda in which the International Labour Organization has indicated that it has an interest.

3. Representatives of the International Labour Organization shall be invited to attend, in a consultative capacity, meetings of the General Assembly and shall be afforded full opportunity for presenting to the General Assembly the views of the International Labour Organization on questions within the scope of its activities.

4. Representatives of the International Labour Organization shall be invited to attend meetings of the main committees of the General Assembly in which the International Labour Organization has an interest and to participate, without vote, in the deliberations thereof.

5. Representatives of the International Labour Organization shall be invited to attend the meetings of the Trusteeship Council and to participate, without vote, in the deliberations thereof with respect to items on the agenda in which the International Labour Organization has indicated that it has an interest.

6. Written statements of the Organization shall be distributed by the Secretariat of the United Nations to all Members of the General Assembly, the Council and its commissions and the Trusteeship Council as appropriate.

ARTICLE III

Proposal of agenda items

Subject to such preliminary consultation as may be necessary, the International Labour Organization shall include on the agenda of the Governing Body items proposed to it by the United Nations. Similarly, the Council and its commissions and the Trusteeship Council shall include on their agenda items proposed by the International Labour Organization.

ARTICLE IV

Recommendations of the General Assembly and of the Council

1. The International Labour Organization, having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter and the function and power of the Council, under Article 62 of the Charter, to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the co-ordination of the policies and activities of such specialized agencies, agrees to arrange for the submission, as soon as possible, to the Governing Body, the Conference or such other organ of the International Labour Organization, as may be appropriate, of all formal recommendations which the General Assembly or the Council may make to it.

2. The International Labour Organization agrees to enter into consultation with the United Nations upon request, with respect to such recommendations, and in due course to report to the United Nations on the action taken, by the Organization or by its members, to give effect to such recommendations, or on the other results of their consideration.

3. The International Labour Organization affirms its intention of co-operating in whatever further measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it agrees to participate in, and to co-operate with, any body or bodies which the Council may establish for the purpose of facilitating such co-ordination, and to furnish such information as may be required for the carrying out of this purpose.

ARTICLE V

Exchange of information and documents

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of information and documents shall be made between the United Nations and the International Labour Organization.

2. Without prejudice to the generality of the provisions of paragraph 1:

- (a) the International Labour Organization agrees to transmit to the United Nations regular reports on the activities of the International Labour Organization;
- (b) the International Labour Organization agrees to comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information, subject to the conditions set forth in Article XV; and
- (c) the Secretary-General shall, upon request, consult with the Director regarding the provision to the International Labour Organization of such information as may be of special interest to the Organization.

ARTICLE VI

Assistance to the Security Council

The International Labour Organization agrees to co-operate with the Economic and Social Council in furnishing such information and rendering such assistance to the Security Council as that Council

may request including assistance in carrying out decisions of the Security Council for the maintenance or restoration of international peace and security.

ARTICLE VII

Assistance to the Trusteeship Council

The International Labour Organization agrees to co-operate with the Trusteeship Council in the carrying out of its functions and in particular agrees that it will, to the greatest extent possible, render such assistance as the Trusteeship Council may request, in regard to matters with which the Organization is concerned.

ARTICLE VIII

Non-self-governing territories

The International Labour Organization agrees to co-operate with the United Nations in giving effect to the principles and obligations set forth in Chapter XI of the Charter with regard to matters affecting the well-being and development of the peoples of non-self-governing territories.

ARTICLE IX

Relations with the International Court of Justice

1. The International Labour Organization agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.

2. The General Assembly authorizes the International Labour Organization to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities other than questions concerning the mutual relationships of the Organization and the United Nations or other specialized agencies.

3. Such request may be addressed to the Court by the Conference, or by the Governing Body acting in pursuance of an authorization by the Conference.

4. When requesting the International Court of Justice to give an advisory opinion, the International Labour Organization shall inform the Economic and Social Council of the request.

ARTICLE X

Headquarters and regional offices

1. The International Labour Organization, having regard to the desirability of the headquarters of specialized agencies being

situated at the permanent seat of the United Nations, and to the advantages that flow from such centralization, agrees to consult the United Nations before making any decision concerning the location of its permanent headquarters.

2. Any regional or branch offices which the International Labour Organization may establish shall, so far as practicable, be closely associated with such regional or branch offices as the United Nations may establish.

ARTICLE XI

Personnel arrangements

1. The United Nations and the International Labour Organization recognize that the eventual development of a single unified international civil service is desirable from the standpoint of effective administrative co-ordination, and, with this end in view, agree to develop common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate interchange of personnel in order to obtain the maximum benefit from their services.

2. The United Nations and the International Labour Organization agree to co-operate to the fullest extent possible in achieving these ends and in particular they agree to:

- (a) consult together concerning the establishment of an International Civil Service Commission to advise on the means by which common standards of recruitment in the secretariats of the United Nations and of the specialized agencies may be ensured;
- (b) consult together concerning other matters relating to the employment of their officers and staff, including conditions of service, duration of appointments, classification, salary scales and allowances, retirement and pension rights and staff regulations and rules with a view to securing as much uniformity in these matters as shall be found practicable;
- (c) co-operate in the interchange of personnel, when desirable, on a temporary or permanent basis, making due provision for the retention of seniority and pension rights;
- (d) co-operate in the establishment and operation of suitable machinery for the settlement of disputes arising in connection with the employment of personnel and related matters.

ARTICLE XII

Statistical services

1. The United Nations and the International Labour Organization agree to strive for maximum co-operation, the elimination of all undesirable duplication between them, and the most efficient use of their technical personnel in their respective collection, analysis, publication and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burdens placed upon national Governments and other organizations from which such information may be collected.

2. The International Labour Organization recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations.

3. The United Nations recognizes the International Labour Organization as the appropriate agency for the collection, analysis, publication, standardization and improvement of statistics within its special sphere, without prejudice to the right of the United Nations to concern itself with such statistics so far as they may be essential for its own purposes or for the improvement of statistics throughout the world.

4. The United Nations shall develop administrative instruments and procedures through which effective statistical co-operation may be secured between the United Nations and the agencies brought into relationship with it.

5. It is recognized as desirable that the collection of statistical information should not be duplicated by the United Nations or any of the specialized agencies whenever it is practicable for any of them to utilize information or materials which another may have available.

6. In order to build up a central collection of statistical information for general use, it is agreed that data supplied to the International Labour Organization for incorporation in its basic statistical series or special reports should, so far as practicable, be made available to the United Nations.

ARTICLE XIII

Administrative and technical services

1. The United Nations and the International Labour Organization recognize the desirability, in the interest of administrative and

technical uniformity and of the most efficient use of personnel and resources, of avoiding, whenever possible, the establishment and operation of competitive or overlapping facilities and services among the United Nations and the specialized agencies.

2. Accordingly, the United Nations and the International Labour Organization agree to consult together concerning the establishment and use of common administrative and technical services and facilities in addition to those referred to in Articles XI, XII and XIV, in so far as the establishment and use of such services may from time to time be found practicable and appropriate.

3. Arrangements shall be made between the United Nations and the International Labour Organization in regard to the registration and deposit of official documents.

ARTICLE XIV

Budgetary and financial arrangements

1. The International Labour Organization recognizes the desirability of establishing close budgetary and financial relationships with the United Nations in order that the administrative operations of the United Nations and of the specialized agencies shall be carried out in the most efficient and economical manner possible, and that the maximum measure of co-ordination and uniformity with respect to these operations shall be secured.

2. The United Nations and the International Labour Organization agree to co-operate to the fullest extent possible in achieving these ends and, in particular, shall consult together concerning the desirability of making appropriate arrangements for the inclusion of the budget of the Organization within a general budget of the United Nations. Any such arrangements which may be made shall be defined in a supplementary agreement between the two organizations.

3. In the preparation of the budget of the International Labour Organization the Organization shall consult with the United Nations.

4. The International Labour Organization agrees to transmit its proposed budget to the United Nations annually at the same time as such budget is transmitted to its members. The General Assembly shall examine the budget or proposed budget of the Organization and may make recommendations to it concerning any item or items contained therein.

5. Representatives of the International Labour Organization shall be entitled to participate, without vote, in the deliberations of the General Assembly or any committee thereof at all times when

the budget of the Organization or general administrative or financial questions affecting the Organization are under consideration.

6. The United Nations may undertake the collection of contributions from those members of the International Labour Organization which are also Members of the United Nations in accordance with such arrangements as may be defined by a later agreement between the United Nations and the International Labour Organization.

7. The United Nations shall, upon its own initiative or upon the request of the International Labour Organization, arrange for studies to be undertaken concerning other financial and fiscal questions of interest to the Organization and to other specialized agencies with a view to the provision of common services and the securing of uniformity in such matters.

8. The International Labour Organization agrees to conform as far as may be practicable to standard practices and forms recommended by the United Nations.

ARTICLE XV

Financing of special services

1. In the event of the International Labour Organization being faced with the necessity of incurring substantial extra expense as a result of any request which the United Nations may make for special reports, studies or assistance in accordance with Articles V, VI or VII or with other provisions of this agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.

2. Consultation between the United Nations and the International Labour Organization shall similarly take place with a view to making such arrangements as may be found equitable for covering the costs of central administrative, technical or fiscal services or facilities or other special assistance provided by the United Nations.

ARTICLE XVI

Inter-agency agreements

The International Labour Organization agrees to inform the Council of the nature and scope of any formal agreement between the International Labour Organization and any other specialized agency or intergovernmental organization and in particular agrees to inform the Council before any such agreement is concluded.

ARTICLE XVII

Liaison

1. The United Nations and the International Labour Organization agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two organizations. They affirm their intention of taking whatever further measures may be necessary to make this liaison fully effective.

2. The liaison arrangements provided for in the foregoing articles of this Agreement shall apply as far as appropriate to the relations between such branch or regional offices as may be established by the two organizations as well as between their central machinery.

ARTICLE XVIII

Implementation of the Agreement

The Secretary-General and the Director may enter into such supplementary arrangements for the implementation of this Agreement as may be found desirable in the light of the operating experience of the two organizations.

ARTICLE XIX

Revision

This Agreement shall be subject to revision by agreement between the United Nations and the International Labour Organization.

ARTICLE XX

Entry into force

This Agreement shall come into force on its approval by the General Assembly of the United Nations and the General Conference of the International Labour Organization.
