

ILO's Mandate and Fundamental Conventions

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1919: Peace through Social Justice

« Universal and lasting peace can be established only if it is based upon social justice »

Preamble to the ILO Constitution

1944: Extended Mandate

- Labour is not a commodity
- Freedom of expression and of association are essential to sustained progress
- Poverty anywhere constitutes a danger to prosperity everywhere

Declaration of Philadelphia

Decent Work Agenda

« Only decent work for all – that is work that is carried out in conditions of freedom, equity, security and human dignity – can provide the social foundations for the global economy »

Juan Somavía, ILO Director General

International Labour Standards: Basic Features

- Elaborated and adopted through tripartite procedures
- Universality / Flexibility
- International supervision of their application
 - By independent expert bodies
 - By ILO tripartite organs

International Labour Standards: Basic Features

- Conventions
 - International treaties
 - Legally binding where ratified
 - Supervision of their application
- Recommendations
 - Policy instruments
 - Intended to inspire and guide national policies

International Labour Standards: Composition

- 184 Conventions and 192 Recommendations

BUT

- 70 Conventions up-to-date
- 24 to be revised
- 54 out-of-date

Fundamental Conventions

- Provide for basic human rights at work
- Fundamental character recognized by
 - Copenhagen Summit on Social Development (1995)
 - ILO Declaration on Fundamental Principles and Rights at Work (1998)

Fundamental Conventions

- 8 Fundamental Conventions
Covering
- 4 Fundamental principles
 - Freedom of association
 - Elimination of forced labour
 - Abolition of child labour
 - Elimination of discrimination

Freedom of Association

- Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)
- Right to Organize and Collective Bargaining Convention, 1949 (No. 98)

Convention No. 87

- Right of workers and employers to set up and join organizations of their choosing
- Right of organizations to decide on their internal matters
- Protection against dissolution
- Right to establish and join federations and to affiliate with international organizations

Convention No. 98

- Protection of workers against anti-union discrimination
- Protection of organizations against interference
- Promotion of collective bargaining

Elimination of Forced Labour

- Forced Labour Convention, 1930 (No. 29)
- Abolition of Forced Labour Convention, 1957 (No. 105)

Convention No. 29

■ Definition

- Work or service exacted under the menace of a penalty and for which the person has not offered him/herself voluntarily

■ Exceptions

- Military service, normal civic obligations, consequence of a conviction in court, emergency, minor communal services

■ Sanctions

- Adequate and strictly enforced

Convention No. 105

Abolition of forced labour as:

- A means of political repression
- Mobilization for economic development
- A means of labour discipline
- A punishment for having participated in a strike
- A means of discrimination

Abolition of Child Labour

- Minimum Age Convention, 1973 (No. 138)
- Worst Forms of Child Labour Convention, 1999 (No. 182)

Convention No. 138

- National policy for abolition of child labour
- Setting of minimum age(s)
 - General minimum age not lower than 15
 - Not lower than 18 for work likely to jeopardize health, safety or morals
 - Possibility of admission to light work at 13 at the lowest
 - Flexibility clauses

Convention No. 182

- Immediate action for the elimination of worst forms of child labour
- Worst forms include:
 - Forced or bonded labour, slavery, recruitment for armed conflicts
 - Prostitution and pornography
 - Illegal activities, such as drug trafficking
 - Work harmful for health, safety or morals

Elimination of Discrimination

- Equal Remuneration Convention, 1951 (No. 100)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

Convention No. 100

Ratifying State must promote and, where possible, ensure the application to all workers of the principle of equal remuneration for men and women for work of equal value

Convention No. 111

Ratifying State undertakes to declare and pursue a national policy to promote equality of opportunity and treatment in employment and occupation so as to eliminate any discrimination

Convention No. 111

Definition of discrimination

- Any distinction, exclusion or preference
- Based on race, colour, sex, religion, political opinion, national extraction or social origin
- which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation

Technical Cooperation

Technical cooperation to support the ratification and / or application of fundamental Conventions

- Now more than half of the TC spending
- Follow-up to the Declaration used to identify needs, gather financial support and assess the effectiveness of TC activities