



## INTERNATIONAL LABOUR ORGANIZATION

### **ILO/Japan Asian Regional Seminar on the Application of the ILO Declaration on Fundamental Principles and Rights at Work and Its Follow-Up 19-20 May 2004, Bangkok, Thailand**

#### **"Elimination of Discrimination in Employment and Occupation"**

#### **Background Note**

The adoption of the ILO Declaration on Fundamental Principles and Rights at Work in 1998 was a momentous step in the history of the ILO. The Declaration calls upon member States to respect promote and realize the principles concerning the fundamental rights dealing with freedom of association and the right to collective bargaining, the abolition of forced labour, the elimination of child labour, and the elimination of discrimination in respect of employment and occupation. These principles have been expressed and developed in the form of specific rights and obligations in eight ILO Conventions which are recognized as fundamental both inside and outside the ILO. Contrary to the Conventions, which are only binding on member States that have ratified one or more of these Conventions, the Declaration obliges all ILO members States to respect these principles. Despite its young age, the Declaration has rapidly and universally been recognized as the benchmark of core labour rights.

The Follow-Up to the Declaration requests countries, that have not ratified one or more of the fundamental Conventions, to supply information on the fundamental principles by sending annual reports. These annual reports are being reviewed by a group of ILO Declaration Expert-Advisers (IDEA). The Follow-Up also calls for a Global Report drawn up under the responsibility of the ILO Director-General. A Global Report sketches a global dynamic picture of a principle in question, assesses the effectiveness of ILO activities in this field, and determines priorities for future ILO action, in close collaboration with member States.

Global reports are being discussed at the International Labour Conference since 2000, when the first of these reports, *Your Voice at Work*, was presented. The ILO Governing Body discusses the technical cooperation issues arising from the report at its subsequent session in November. Every year the ILO produces a Global Report, focusing in rotating order on one of the four areas covered by the Declaration. The 2001 Global Report, *Stopping Forced Labour*, examined trends and respect shown to practices of forced labour around the globe. *A World without Child Labour* has been the Global Report of 2002. The first cycle of Global Reports has been completed by *Time for Equality at Work*, the Global Report of 2003, on discrimination. The process will start over again in 2004, with a new Global Report on freedom of association and collective bargaining.

The Declaration calls on the ILO to support its constituents in their efforts to implement fundamental rights at work. The ILO/Japan Asian Regional Seminar on the Application of the ILO Declaration on Fundamental Principles and Rights at Work is an important part of that process. The Government of Japan has supported a regional symposium focusing on ILO standards for more than a decade. These symposia have been held every year since 1988. The seminar's focus shifted to the ILO's new Declaration following its adoption in 1998. The support given by this government is a practical demonstration of the priority that it accords to the ILO Declaration, and to fundamental principles and rights at work in Asia and the Pacific.

This year's seminar on discrimination will further acquaint ILO constituents in the Asia Pacific region to the various forms of discrimination, with poverty at the heart of its concern. The depth of poverty is widest among women, members of ethnic or religious minorities, migrant workers, people with disabilities, and people with HIV/AIDS. The deprivation of these groups is in part due to reduced opportunities of access to education. Restrictions, by law and in practice, to own land or to dispose of capital or technology, limit the possibility of these groups to work as farmers or to run productive businesses. If we fail eradicating discrimination, poverty of these groups will be perpetuated and they will be caught in a web of social exclusion.

The results and effectiveness of ILO assistance with regard to discriminatory practices will also be discussed. The meeting will focus on future ILO technical cooperation in the field of discrimination, such as proposals in respect of equal remuneration between men and women, migration and workers with disabilities. It is here that participants can make valuable contributions.

"Time for Equality at Work" furthermore suggests that the workplace is a strategic entry point to free society from discrimination.

First, because there exists a 'business case', which shows that not only individuals are hampered in their personal development by discriminatory practices, but that effective economic performance of a country is hampered by discrimination as well. Fairness and justice at the workplace have more consequences than might be suspected at face value. It will boost the self-esteem, morale and motivation of workers. Committed workers are never late, far less sick, effective, and combined with efficient management of human resources they make for more productive and competitive enterprises.

Second, as the workplace brings together workers of different colour, race, sex and caste, and treats them equally, it helps building a sense of common purpose. Drawing on the strength of this community, there is a great mobilizing potential to fight discrimination in and through the workplace.

The 2004 seminar will be held in Bangkok, Thailand, and the dates are 19 and 20 May 2004, focusing on promoting the implementation of the fundamental principles and rights at work, being the very foundation of the concept of Decent Work. Objectives of this years' meeting have been set out above. The government, employers' and workers' representatives at the seminar are cordially invited to share their views with the ILO on the Global Report on Discrimination, in line with the promotional character of the Declaration on Fundamental principles and Rights at Work. Participants will also consider developments regarding ILO procedures, and the obligations of member States outlined in the Follow-Up of the Declaration. Finally, participants will be requested to submit a short written contribution<sup>1</sup> reflecting views of their respective organizations outlining major obstacles and successes in combating discrimination in their countries.

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<sup>1</sup> See Note attached