



International
Labour Office

***A Rights-based Approach
to
Poverty Reduction/Development***

Zafar Shaheed
DECLARATION
ILO



International
Labour Office

ILO & Poverty

- Poverty anywhere is a danger to prosperity everywhere
- Labour is not a commodity
- Policy issue: how to improve returns to labour, both quantitative and qualitative



International
Labour Office

Development & Poverty: ILO

- Generating employment/improved income opportunities **not** enough for development
- Poor must have capacity to develop, protect and sustain their livelihood
- Effective access to and control over resources
- Bargaining strength to compete with other interest groups for a better share of resource
- Participation in the political process determining resource distribution



International
Labour Office

Multidimensional Poverty: World Bank

- World Bank 1990 World Development Report focused on economic growth, human capital development, social safety nets for the vulnerable
- 2000 WDR focused on promoting opportunity, facilitating empowerment, enhancing security
- 2006 WDR focused on the complementarity between equity and long-term prosperity



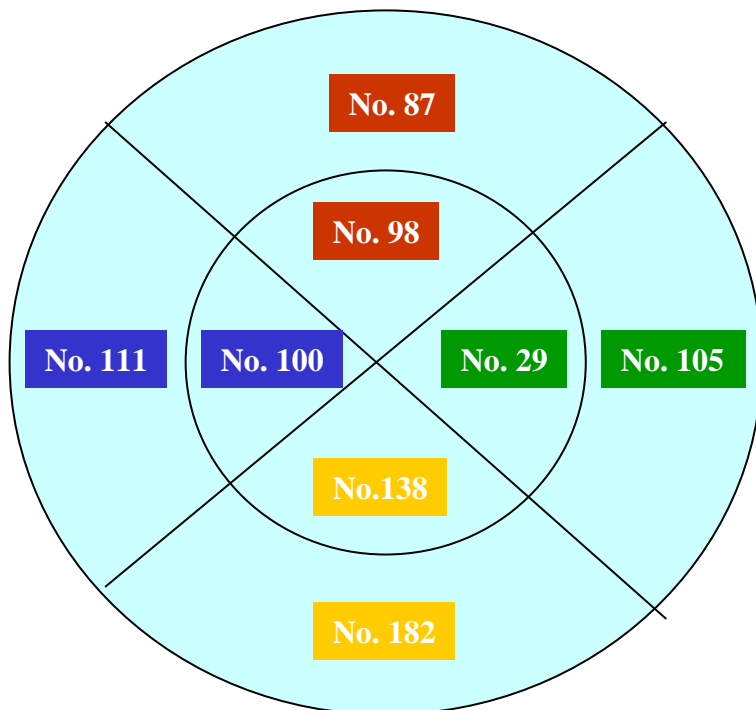
International
Labour Office

Fundamental Principles and Rights at Work

Four basic human rights principles related to the world of work, endorsed by the international community and embedded in the Constitution of the ILO: the **ILO Declaration on Fundamental Principles and Rights at Work**, adopted in 1998:

- freedom of association and the effective recognition of the right to collective bargaining
- the elimination of all forms of forced or compulsory labour
- the effective abolition of child labour, and
- the elimination of discrimination in respect of employment and occupation

Relation between fundamental principles and rights at work and CLS



- Freedom of association and the right to collective bargaining (C. 87 and C.98)
- Elimination of forced or compulsory labour (C. 29 and C. 105)
- Effective abolition of child labour (C.138 and C. 182)
- Elimination of discrimination in employment and occupation (C. 100 and C. 111)



International
Labour Office

What makes these fundamental rights important?

- they apply in all member States, irrespective of the level of economic development or availability of resources
- are the key « enabling rights » for all rights at work
- have received universal acceptance in various international fora (starting with Copenhagen Social Summit in 1995)
- provide a « social floor » in the context of globalization
- should not be used to undermine a country's comparative advantage or for protectionist purposes
- apply to all workers and employers, in informal and formal economies, in all economic sectors
- contribute to poverty reduction, economic and social development



International
Labour Office

Key differences between FPRWs and CLS

- **CLS** create specific legal obligations to implement in law and practice, only once a member State has ratified the Convention(s) in question
 - are subject to scrutiny through the ILO's « supervisory mechanisms » for the application of standards
 - The Declaration obliges **all** member States to « respect, promote and realize » the **FPRWs**
 - ...and obliges the ILO to assist its members to fulfil these obligations
 - includes a « promotional » follow-up comprising reporting, technical cooperation and advocacy.
- >The two approaches are complementary, not in conflict**



International
Labour Office

General conditions for realisation of CLS

- Does national law (Constitution, labour law, other legislation) embody core labour standards and principles?
- Are workers and employers aware of their rights and obligations under the law?
- Are there mechanisms for social dialogue and dispute prevention and resolution?
- Are effective implementation and enforcement mechanisms in place (labour inspection and courts etc) ?
- Are there adequate and credible sanctions for violation of these rights?
- Do families have viable alternatives (SME skills, social protection, schools for children, access to credit and land.....)?



International
Labour Office

Development

- Economic, social, institutional, moral growth
- Generation and efficient allocation of capital and labour
- Application of technology
- Creating skills and institutions



International
Labour Office

CLS and Development

Freedom of Association and Collective Bargaining:

- Nurture environment for innovation, productivity, FDI, adjust to financial shocks



International
Labour Office

CLS and Development

Discrimination (against women, minority groups...)

- Obstacle to economic efficiency and social development
- If less than $\frac{1}{2}$ of human resources are utilized inefficiently, how does this effect competitiveness?



International
Labour Office

CLS and Development

Forced labour

- Questions the value of labour as key to development
- Counter to productivity gains/growth



International
Labour Office

CLS and Development

Child labour

- Is a cause and consequence of poverty
- Transmits inter-generational poverty
- DW for adults is central to releasing children from work



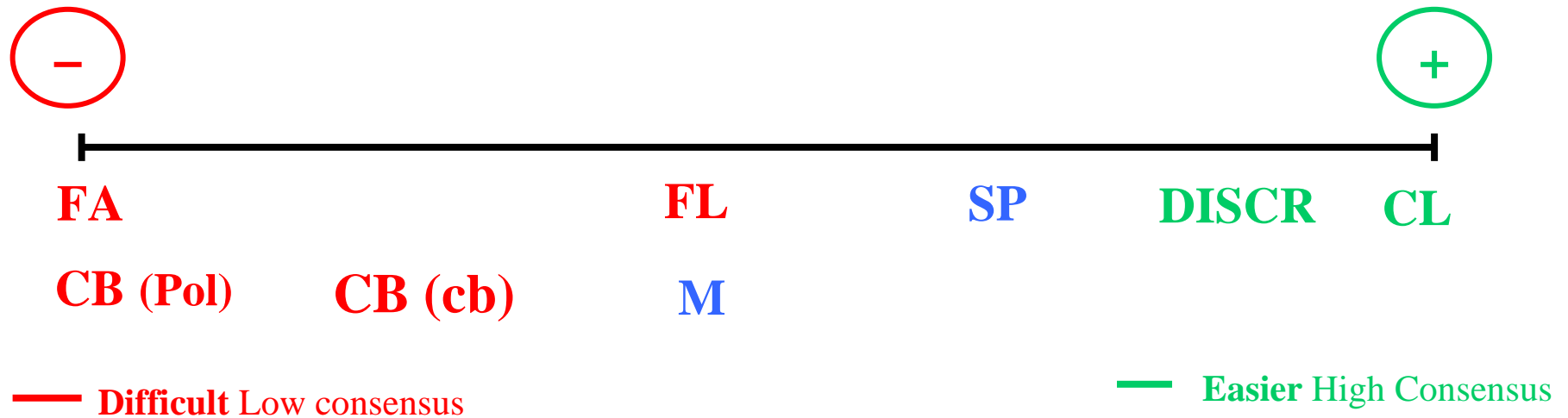
International
Labour Office

Development and Rights Matrix

DEVELOPMENT EFFORTS	R FACB	I G FL	H CL	T S DISC
EMPLOYMENT Macro				
EMPLOYMENT Micro				
SOCIAL PROTECTION				
SOCIAL DIALOGUE				
GENDER POVERTY	CROSS-CUTTING THEMES			



POSSIBLE CONTINUUM OF AGREEMENT REGARDING ACTION ON FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK



FA= Freedom of Association

CB (Pol)= Collective Bargaining Policy

CB (cb)= Collective Bargaining Capacity building

FL= Forced Labour

Discr = Discrimination

CL = Child Labour

M = Migrant Workers

SP = Social Protection

} Not in Declaration



International
Labour Office

Mauritania

ILO supervisory system = conformity of national law and practice with C.29 on forced labour.

2006 mission = analyse séquels d'esclavage. Cooperation with UNDP/EU for mapping this population and way out of poverty trap.

Next phase of TC will include trade union representativity.

Parallel to political opening in 2005, and newly elected President's national priorities: affirmative action for helping former slaves.



International
Labour Office

Pakistan

- Supporting existing legislation and policy against bonded labour.
- 2003 PRSP includes bonded labour and child labour as part of employment strategy to attack poverty.
- 2005 DWCP addresses bonded labour as a priority.
- New Project 07-09 to be implemented within UN reform process = collaborate other UN partners.



International
Labour Office

Madagascar

- Govt./employer request study on pros/cons FA/CB, productivity and FPRW in EPZ.
- Undertaken with UNDP cooperation.
- « DW programme » for EPZ: working conditions, better production, rights at work, with French funding.
- Pilot case for further ILO work on EPZs



International
Labour Office

Jordan

- FA/CB programme=prerequisite for other work
- Law reform would allow migrants to join unions
- Essential for working on forced labour and trafficking
- Leads to Better Work project, in turn to investment and competitiveness climate.
- Tripartite board & social and economic council to advise on policies and promote democracy/governance
- DWCP in April 2007



International
Labour Office

Bolivia

- Project in ILS for C.169, rights of indigenous
- Forced labour among indebted indigenous
- National Commission and Action Plan against Forced Labour
- Casa des derechos humanos: Swiss, Danes and ILO(DfiD) human, indigenous and labour rights.
- Area of growth since new Government in 2006



International
Labour Office

Central Africa

- Making child soldiers decent workers
- Map local training, job opportunities, voc.orientation,
- Catch-up education plus voc. training & SME startup
- Sensitizing local community to understand experience and behaviour of child comnatants.
- Inter-agency task force:UNDP, UNICEF, UNESCO, FAO, WFP, and ILO