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Core Labour Standards & Fundamental Principles and Rights at Work

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Fundamental Principles and Rights at Work

- Principle: a fundamental truth taken as the basis for reasoning or action
- Right: just or fair treatment, moral or legal claim
- Law: a rule enacted or customary in a community, requiring or prohibiting certain actions, enforced by the imposition of penalties



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- Movement from principle, to right , to law
- Rights may be proposals from thinkers and pressure from activists, usually aimed at legislators
- Explicit form i.e. a declaration, to bring the principles and rights to people's attention, to gather broader support, and for realizing the principles and rights
- To be effective, a declaration needs to include a programme of action



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- Ideas and struggles for rights are enacted into laws to guarantee rights
- Through law, society undertakes to protect the ideals in the rights, and the individuals pursuing them, even against the State that violates these rights
- The end towards which rights and the law strive: social justice



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- Social justice as a broad-ranging goal is discussed in the 1944 Declaration of Philadelphia (ILO Constitution)
- Principles: labour is not a commodity; freedom of expression and association are essential to sustained progress; poverty anywhere constitutes a danger to prosperity anywhere; the war against want ... by ... effort in which representatives of workers and employers, enjoying equal status with governments, join with them to promote the common welfare



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- The 1944 Declaration outlined policies/programmes for realizing principles of social justice:
- full and productive employment; training; decent pay and other terms of conditions of employment; collective bargaining and labour-management cooperation in productivity and other socio-economic areas; social security; occupational safety and health; child welfare and maternity protection; housing and welfare; equality of education and vocational opportunity



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- As response to current globalization, a newer Declaration on FPRW in 1998, committing all ILO member states to respect, promote and realize in good faith the following FPRs:
- Freedom of association and the effective recognition of the right to collective bargaining
- The elimination of forced labour
- The abolition of child labour
- The elimination of discrimination



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- Freedom of association and the right to collective bargaining (C.87 and C.98)
- Freedom from forced labour (C.29 and C.105)
- Freedom from child labour (C. 138 and C.182)
- Freedom from discrimination (C. 100 and C.111)



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Core Labour Standards

- Freedom of Association and Collective Bargaining
- All workers and employers have the right to freely form and join groups for the support and advancement of their occupational interests. This basic human right goes hand-in-hand with freedom of expression and democratic representation and governance.
- Set up, join and run their own organizations without interference.



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Freedom of Association and Collective Bargaining

- Core of ILO's values, enshrined in the ILO Constitution, and in the Universal Declaration of Human Rights (1948).
- Right to organize and form employers' and workers' organizations is a prerequisite for collective bargaining
- Challenges continue in achieving respect



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- Forced labour
- Work exacted by those with power to threaten workers with severe deprivation (e.g. withholding pay, violence, restricting movement)
- Debt bondage
- Labour trafficking



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- Child labour
- Opportunity to develop physically and mentally to full potential. Stop all child labour that jeopardizes education and development.
- Fix minimum age: not less than completion of compulsory education and never less than 14-15.
- Worst forms of child labour : e.g. forced labour, sexual exploitation, child soldiers, illicit activities.



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- Discrimination
- Denying individuals equal access to jobs and training and equal pay simply based on the sex, skin colour, ethnicity or beliefs, without regard to capabilities and skills.
- Direct: law and/or practice cite a particular ground to deny equal opportunity.
- Indirect: rules appear neutral, but lead to exclusions.