

The International Labour Standards System

Briefing for Focal Points in Permanent Missions

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Outline of presentation

3 strange questions

1. ILO and ILS
2. Standard-setting
3. Ratification
4. Supervision
5. The Future of Standards

3 introductory questions

Why is the ILO tripartite?

Which of the tripartite partners invented the standards system?

Why is the ILO a specialized agency of the United Nations system?

Part I

International Labour Organization, International Labour Standards and Decent Work

International Labour Organization

- Founded in 1919
- Governments + Employers + Workers from 187 countries
- Promotes social justice and fair globalization as the basis for universal and lasting peace through decent work

Social Justice

Economic, social and political situation which delivers to all women and men a fair share of the wealth they directly or indirectly help to generate

Decent Work

Simultaneous action to ensure that

- people have productive work, employed or self-employed
- providing reasonable protection of personal life and family income
- providing opportunities to actively participate in society through the workplace
- ... based on freedom and dignity



International Labour Standards

Conventions

If ratified, they are
binding under
international law

If not ratified, they
influence national law &
policy

Protocols may only be
ratified together with
their Convention

Recommendations

Same authority as
Conventions

Not open to
ratification

Guidelines or higher
standards

International Labour Standards

Total > 1919 = 190 Conventions + 206 Recommendations

Up-to-date = 78 C + 6 Protocols + 86 R

- **8 are up-to-date fundamental Conventions setting standards on 4 principles at work that form the “social floor” to globalization**
 - freedom of association and collective bargaining
 - elimination of forced labour
 - abolition of child labour
 - elimination of discrimination at work
 - [[safe and healthy working environment]]

► **Four Conventions are governance Conventions,
setting standards for labour market
“institutions”**

employment policy – promoting full, productive
and freely chosen employment

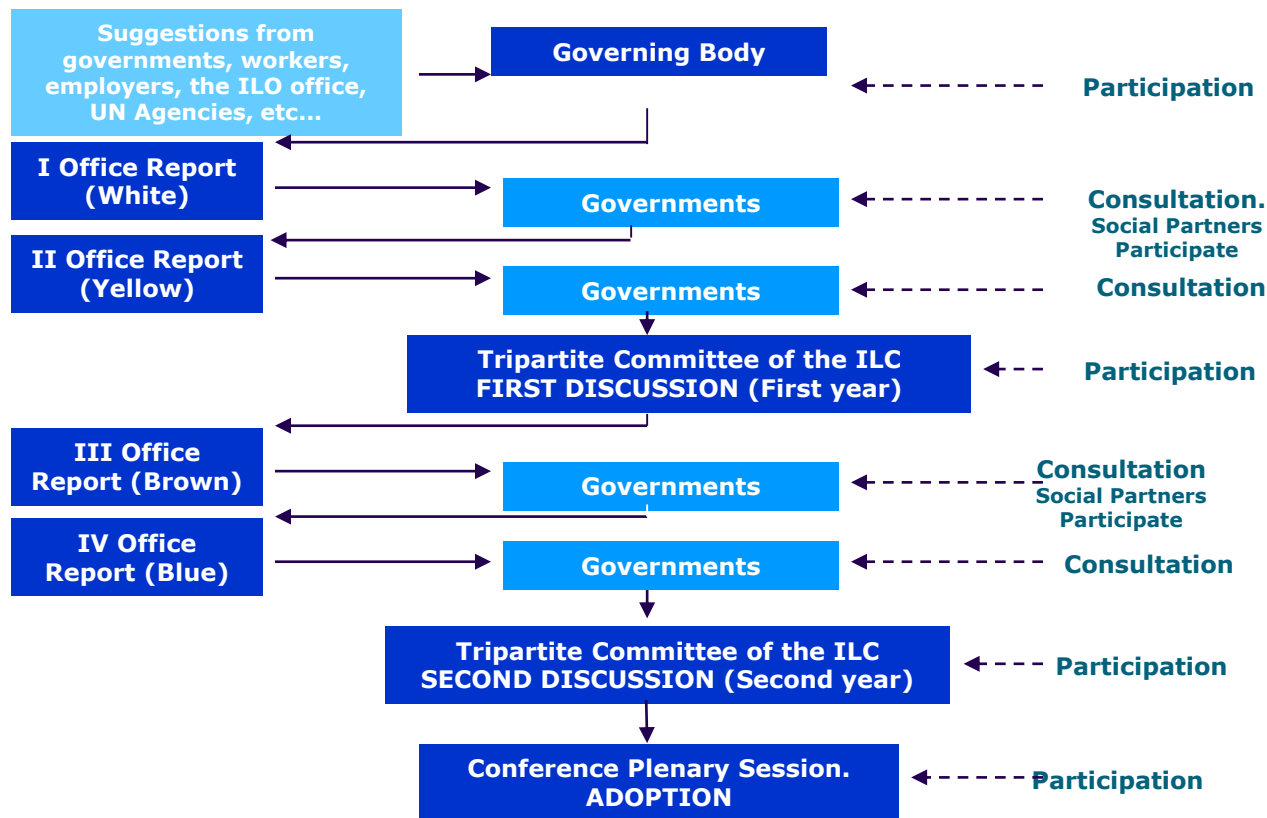
labour inspection – promoting compliance with
labour protection law

tripartite consultation – promoting participation
of employers and workers in regulatory activity

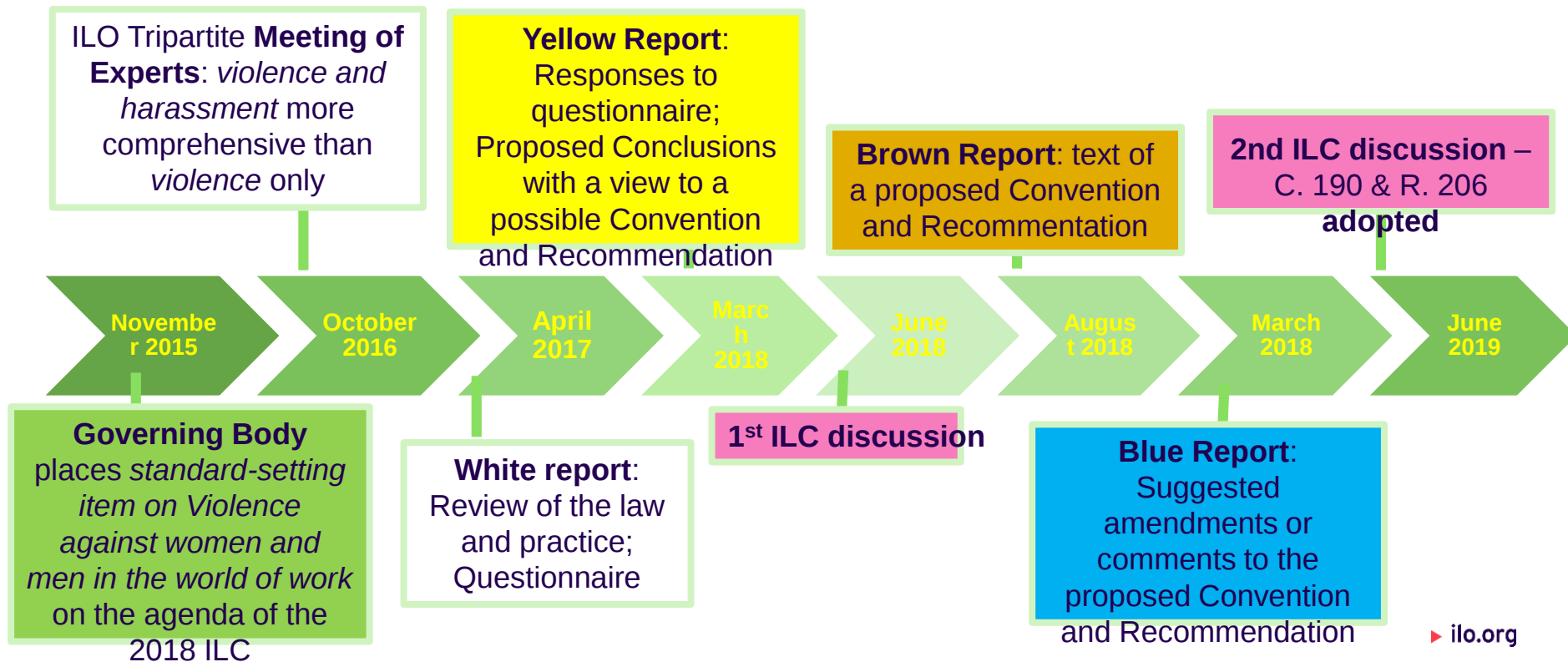
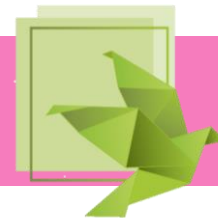
Part II

Adoption

Standard setting: Double discussion procedure



Adoption of C190 and R206



Part III

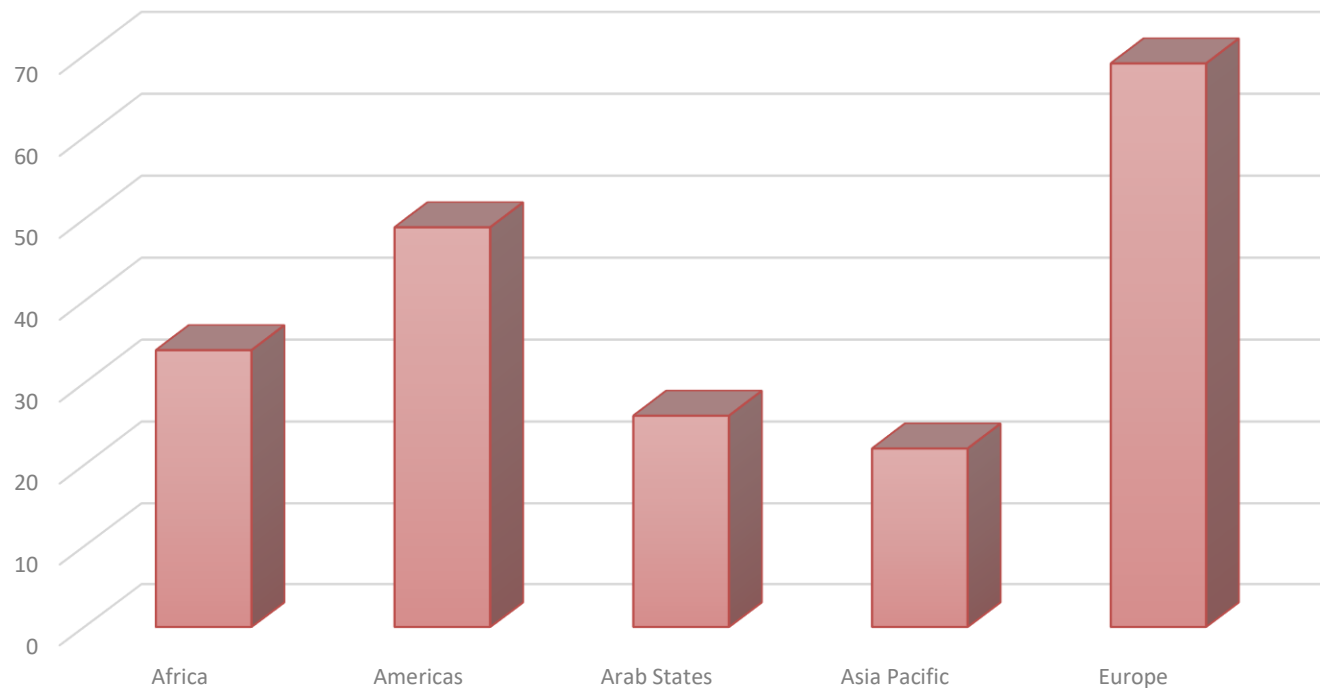
International Labour Standards Ratification Status

Standards vs Wealth?



- Compare ratification averages
 - OECD averages 75
 - BRICS averages 50
 - World averages 42
 - Africa 33
 - Asia Pacific averages 22
 - ASEAN averages 19
 - Pacific Island Countries (PICs) averages 11

Ratification of ILO Conventions Average total by region



Fundamental **Conventions** as of 1 October 2021/ ILO:187 Member States



Year	No.	Official Title	Ratifications
1930	29	Forced labour	(179)
2014	P29	<i>Protocol to C29</i>	(56)
1948	87	Freedom of Association and Protection of the Right to Organise	(157)
1949	98	Right to Organise and Collective Bargaining	(168)
1951	100	Equal Remuneration	(173)
1957	105	Abolition of Forced Labour	(176)
1958	111	Discrimination (Employment & Occupation)	(175)
1973	138	Minimum Age	(173)
1999	182	Worst Forms of Child Labour	(187)

Year	No.	Official Title	Ratifications
1947	81	Labour Inspection	(147)
1964	122	Employment Policy	(115)
1969	129	Labour Inspection (Agriculture)	(54)
1976	144	Tripartite Consultation (International Labour Standards)	(156)

What do you need to know about ratifications?

- Does a member State have to ratify?
- Which instruments to ratify? How to plan?
- What to do before ratification? Handbook for procedures!
- How to register ratifications?
- How to know when the ratified instrument enters into force?

Part IV

ILO Supervisory Machinery

The Regular Supervisory Process



Special mechanisms

FREEDOM OF ASSOCIATION – CFA
not been ratified

Even if the Convention concerned has

REPRESENTATIONS (ART. 24)
ratified

Only when the Convention concerned is

COMPLAINTS (ART. 26)
ratified

Only when the Convention concerned is



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The Committee on Freedom of Association



100
1919-2019
SOCIAL JUSTICE
DECENT WORK



- ❑ Tripartite committee of the Governing Body, comprised of nine regular members representing the three groups
- ❑ Meets three times a year (March, May and November) in private session

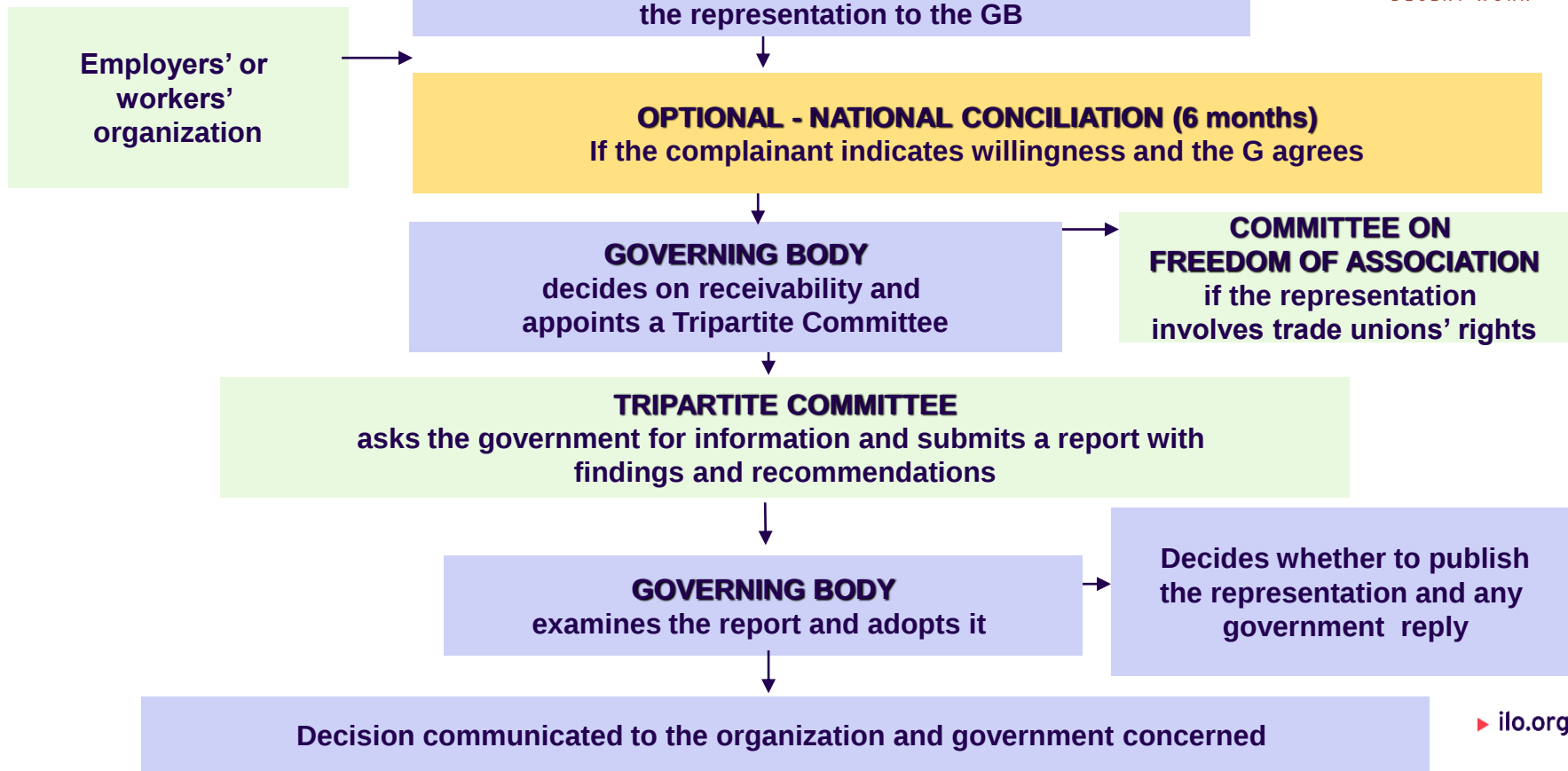


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The Representation Procedure



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1919-2019
SOCIAL JUSTICE
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The Complaint Procedure

Ratifying Member State

Governing Body

International Labour
Conference delegate

GOVERNING BODY
may appoint a Commission of Inquiry

COMMISSION OF INQUIRY
investigates the complaint and prepares a
report with findings and recommendations

Member States must
cooperate with the COI

GOVERNING BODY
notes the report

If the government accepts
the recommendations

COMMITTEE OF EXPERTS
follows up on their implementation

If the government does not implement
the recommendations

GOVERNING BODY
may take action
under Art. 33 of
the ILO Constitution

Part V

The Future of Standards

ILO Centenary Declaration

- A. The **setting, promotion, ratification and supervision** of international labour standards is of fundamental importance to the ILO. This requires the Organization to have and promote a **clear, robust, up-to-date body of international labour standards** and to further enhance **transparency**. International labour standards also need to respond to the changing patterns of the world of work, protect workers and take into account the needs of sustainable enterprises, and be subject to authoritative and effective supervision. The ILO will assist its Members in the ratification and effective application of standards.
- B. All Members should work towards the ratification and implementation of the ILO fundamental Conventions and periodically consider, in consultation with employers' and workers' organizations, the ratification of other ILO standards.

2 Pillars – Workplan Supervisory System

1. to consolidate tripartite consensus on an **authoritative supervisory system**



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2 Pillars – Standards Review Mechanism



- **Reviews 235 instruments**
 - 68 maritime instruments referred to STC
 - 63 outdated instruments – follow-up
 - 35 instruments on OSH, labour inspection, labour statistics and employment policy reviewed
 - 1 instrument replaced
 - 68 instruments remain to be reviewed
- **Considers ways of making future ILS “future-proof”**

► GB members play a role in:

- Elaboration of ILS (agenda of the conference)
- Promotion of ratification and implementation of ILS
- Adoption of questionnaires on the application of ratified conventions (article 22)
- Identification of the subject and adoption of questionnaires on the effect given to recommendations and non ratified conventions (article 19)
- As members of the CFA and ad hoc tripartite committees (article 24)
- Decision on the establishment of commissions of inquiry (article 26)

Find out more...

- Relevant information on NORMES website + NORMLEX database
- Rules of the Game
- Contact – NORMES@ilo.org

**Thank You
for your Attention**