



4 A rights-based and inclusive approach to development



International labour standards have grown into a comprehensive body of instruments on labour and social policy that are the legal foundation of the ILO's work on a fair globalization, promoting sustainable development, eradicating poverty, and ensuring that people can work in dignity and safety.

The ILO's unique tripartite structure ensures that these standards are backed by all actors in the world of work.

The ILO strategy for promoting international labour standards is centred around the following outcomes:

Outcome 14

The right to freedom of association and collective bargaining is widely known and exercised

Outcome 15

Forced labour is eliminated

Outcome 16

Child labour is eliminated, with priority given to the worst forms

Outcome 17

Discrimination in employment and occupation is eliminated

Outcome 18

International labour standards are ratified and applied

Only **50%** of the world's labour force lives in countries that have ratified the freedom of association and collective bargaining Conventions

215 million children are in child labour. Of these, **more than half (115 million)** are in hazardous work

At least **12.3 million** people are in forced labour

International labour standards lay down the basic minimum social standards agreed upon by all players in the global economy. These are:

- A path to decent work: economic development is not an objective in itself but a means to improve people's lives;
- A fundamental component of human rights, included in the Universal Declaration of Human Rights;
- A level playing field: an international legal framework on social standards ensures a level playing field in the global economy. It prevents governments and employers from engaging in a "race to the bottom" that seeks to increase competitiveness through exploitation;
- A means of improving economic performance;
- A strategy for reducing poverty and improving good governance: development is essentially about broadening people's choices. Rights empower people to claim their choices.

Child labour is eliminated

Eliminating child labour could generate economic benefits nearly seven times greater than the costs, mostly associated with investment in better schooling and social services.

Child labour is a violation of fundamental human rights. Children should study and play, not toil and sweat.

Tackling child labour is also crucial to making progress on the MDG target of ensuring all boys and girls can access primary education. Africa has the highest incidence of child labour and the lowest levels of school enrolment. In a range of African countries, the ILO works with community-based organizations that have helped former child labourers and other vulnerable children to access education.

*The ILO has
child labour projects in
88 countries
worldwide*

India: Working Together to End Hazardous Child Labour



Child labour perpetuates poverty across generations by keeping children out of school and limiting their prospects of progress. This lowering of human capital has been linked to slow economic growth and social development.

More than half of child labourers experience the worst forms of child labour, such as work in hazardous environments, slavery, or other forms of forced labour, illicit activities including drug trafficking and prostitution, or in armed conflict.

In **Bangladesh**, ILO assistance has resulted in Dhaka City prohibiting the employment of any person under 18 years in hazardous work. This gives Trade Licence Supervisors, Tax Officers and community-based Workplace Surveillance Groups' legal authority to take punitive measures against non-compliant employers if under-aged children are found in licensed businesses.



In **Kyrgyzstan** a new Constitution was approved in June 2010 that prohibits the use of child labour. In **Burundi**, in addition to prohibition on the recruitment of children, the rebel group, Forces Nationales de Libération (FNL), has agreed to cease to recruit children. Additionally, measures have been undertaken to reintegrate former child soldiers into schools.

In **Guatemala** over 500,000 families have benefited from the conditional cash transfer programme, Mi Familia Progresá, which includes nearly 500,000 children.

In **Indonesia** alone the Government has withdrawn 10,000 children from hazardous work.

KEY RESULTS AT A GLANCE

- Through direct action on education and other rehabilitation services provided to children, 50,423 girls and 50,518 boys were either prevented from entering or withdrawn from child labour.
- It is estimated that 28.5 million children indirectly benefited from ILO programmes and actions.
- The ratifications of the Worst Forms of Child Labour Convention (No. 182), and the Minimum Age Convention (No. 138) now amount to 174 and 161, respectively.

The ILO International Programme on the Elimination of Child Labour received the South-South Cooperation Award for Innovation for its role in a project that promoted exchange of good practices and lessons learned in South America about conditional cash transfer programmes and labour inspection.

Forced labour is combated

Slavery-like practices are still found in some parts of Africa, while coercive recruitment and debt bondage is still present in many countries of Latin America, Asia and elsewhere. Bonded labour persists in South Asia, where millions of men, women, and children are tied to their work through a vicious cycle of debt. In Europe, North America and the Middle East, many migrant workers work under duress in manufacturing, agriculture and other labour intensive sectors. In numerous countries domestic workers are trapped in forced labour, and in many cases prohibited from leaving the employers' home by means of threats or actual violence.

Finally, forced labour is sometimes still imposed as a punishment for expressing one's political views.

In **Azerbaijan** the Ministry of Labour now supports victims through a newly established victims' assistance centre. 114 former victims of trafficking or labour exploitation have been provided with various forms of assistance. In **Brazil** the Government has put in place exemplary policies to combat contemporary forms of slavery. More than 200 major companies have signed up to the National Pact against Slave Labour, pledging to keep their supply chains free of coercive labour practices. In **Jordan** a first National Strategy for Combating Human Trafficking was launched. A joint anti-trafficking enforcement unit is now being established.

More than 2,000 government officials, employers' and workers' representatives worldwide received training in developing national policies against forced labour and trafficking, strengthening prosecution, and protecting and empowering victims.

Myanmar

A Memorandum of Understanding was signed between the ILO and the Government of Myanmar on 16 March 2012 for a time-bound action plan to eliminate all forms of forced labour by the end of 2015. The number of forced labour cases received by the ILO increased dramatically over the past two years, as people feel more confident in exercising their rights. ILO awareness raising activities have played an important role in this. Parliament is currently discussing amendments to the Village Tract and Ward Administration Act to include provisions for the prohibition of the use of forced labour, following submission of ILO comments on this piece of legislation.

Furthermore, the ILO received 321 complaints that were assessed as being within its mandate during 2011. Over the same period in response to ILO complaints, 57 underage military recruits and one forced adult recruit were released/discharged, and 3 underage recruits serving prison sentences for desertion were released.

Face Up to Forced Labour



Say No to forced labour

PREVENTING DEBT BONDAGE IN INDIA



As a result of ILO assistance in **India**, nearly 4,000 brick kiln and over 1,000 rice mill migrant workers (particularly vulnerable to situations of bondage) and their families now have access to welfare benefits and health insurance by inclusion under the Building and Other Construction Workers Act.

Public authorities, six national trade unions and two sectoral employers' associations have come together to improve the working and living conditions of migrants.

This process mobilized locally available resources to lift workers permanently out of poverty and indebtedness by facilitating access to social security schemes for informal workers as well as other subsidies for families below the poverty line. The intervention model is now being rolled out in other Indian States.

An end to discrimination in the workplace

*Women's wages are on average **77.1%** of men's.*

***62%** of the world's poor are women.*

***People of African descent and indigenous people in Latin America** continue to have a higher **unemployment** rate.*

***Indigenous peoples** constitute **5%** of the world's population, but make up **15%** of the world's poor.*

Combating discrimination is an essential part of promoting decent work; progress on this front is felt well beyond the workplace.

In **Jordan** a tripartite committee was launched to coordinate and lead efforts on issues related to pay equity. The ILO assisted the Government in the development of a maternity insurance scheme.

In **El Salvador**, the new Act on the elimination of discrimination against women makes specific reference to the need to adhere to the ILO Discrimination (Employment and Occupation) Convention (No. 111).

In **Ukraine** the labour inspectorate and social partners have launched an awareness-raising campaign, "gender equality at the heart of decent work".

PROMOTING INDIGENOUS AND TRIBAL PEOPLES' RIGHTS

The marginalization of indigenous peoples in several countries has much to do with the lack of standards or gaps in implementation of relevant ratified international instruments. Indigenous peoples' own perceptions, priorities and aspirations are often ignored by national development strategies or programmes.

The ILO's Indigenous and Tribal Peoples Convention (No. 169) is to date the only binding international treaty dealing exclusively with the rights of indigenous and tribal peoples.

The **Central African Republic** was the first African country to ratify this Convention. Specific legislation on consultations with indigenous peoples was adopted by **Peru**. In **Nepal** a specific chapter was included in the new three-year National Development Plan dealing with the social inclusion of indigenous peoples. In **Bangladesh** a Parliamentary Caucus on Indigenous

Peoples has been formed with a view to securing constitutional recognition of indigenous peoples. In **Cambodia** some 26 indigenous communities have obtained legal status with eligibility to apply for collective land title, and another 36 communities have obtained letters of recognition following self-identification events and administrative procedures.

The programme provides training to an average of 2,000 government officials and indigenous peoples each year.

*Indigenous and tribal peoples constitute at least 5,000 distinct peoples with a population of more than **370 million**, living in **70** different countries.*



A free and democratic workplace

Freedom of association is a core principle to guarantee workers' rights, yet half the world's labour force is denied it, despite the relatively high number of ratifications of the Freedom of Association and Protection of the Right to Organise Convention (No. 87). Major challenges remain in this field: workers and employers are still denied the right of association, their organizations are illegally suspended or interfered with, and in some extreme cases trade unionists are arrested or killed.

The principle of freedom of association is at the core of the ILO's values: participation and empowerment are recognized as vital to poverty reduction and democratic institutions. Labour standards apply to all workers, irrespective of their workplace and the nature of their job.

ILO assistance was provided in **Bangladesh**, **Philippines**, **Sri Lanka** and **El Salvador** to introduce freedom of association and the right of association in Export Processing Zones. In addition, the armed forces and the police in the Philippines have been given training on trade union rights and with the Government have drafted Guidelines on their conduct, which must accord with ratified international Covenants and the ILO Conventions.

Cape Verde established a Special Committee for the promotion of collective bargaining and adopted a Legislative Decree amendment to facilitate union formation, the conclusion of collective agreements, and the public availability of information on unions and collective agreements.

Colombia reformed the Penal Code to remove clauses impeding the rights of freedom of association and of unionizing.

a voice

We are particularly concerned that our workers should be enabled to form trade unions, concerned with the highest international standards as soon as possible. Labour rights are integral to the triumphant development of a nation and, once again, may I reiterate the declaration of faith of the ILO that failure in one nation raises obstacles in the way of progress in all other nations. Burma must not be allowed to fail and the world must not be allowed to fail Burma. I would like to conclude with a heartfelt expression of appreciation for what the ILO has been able to achieve in Burma, in spite of many difficulties.

Daw Aung San Suu Kyi, Nobel Peace Laureate, at the International Labour Conference (by video), June 2011



In **Myanmar** a new Labour Organizations Law came into effect in March 2012, thus providing a basis for ILO's future work on freedom of association, using relevant international and regional expertise on this topic.

PROTECTING SEAFARERS' LABOUR RIGHTS: THE MARITIME LABOUR CONVENTION

The Maritime Labour Convention (MLC) is a major breakthrough as it protects, for the first time, more than 1.2 million seafarers worldwide.

It provides comprehensive rights and protection at work for the world's seafarers. An estimated 90 per cent of world trade is carried on ships, and seafarers are essential to the international economic and trade system. As of May 2012, some 25 member States

have ratified the MLC, representing over 56 per cent of the world's gross tonnage of ships. These countries comprise key flag States, port States and countries from which the world's seafarers are drawn.

The ILO launched the Maritime Labour Academy in 2011 in order to provide a comprehensive range of training activities. Some 7,740 new trainees were trained by the 209 certified trainers.

