



International
Labour
Organization



Q & A

- ▶ **12 frequently asked questions about international labour standards**

ILO Country Office for Viet Nam
304 Kim Ma, Hanoi, Viet Nam
Tel: (84-24) 3850 0100 | E-mail: hanoi@ilo.org
Facebook: VietNam.ILO | Website: www.ilo.org/hanoi



1.

What are international labour standards?

International labour standards are legal instruments drawn up by the ILO's constituents (governments, employers and workers) setting out basic principles and rights at work. They are either Conventions, which are legally binding international treaties that can be ratified by member States, or Recommendations, which serve as non-binding guidelines.

2.

Why do we need international labour standards?

In 1919, the signatory nations of the Treaty of Versailles created the International Labour Organization (ILO) in recognition of the fact that “conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperiled”. To address this problem, the newly founded ILO established a system of international labour standards covering all matters related to work. What the ILO's founders recognized in 1919 was that the global economy needed clear rules in order to ensure that economic progress would go hand in hand with social justice, prosperity and peace for all. This principle has not lost any of its relevance today and even in the future.

6.

How many ILO fundamental Conventions are there?

6

There are eight fundamental Conventions, covering subjects that are considered to be fundamental principles and rights at work: 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. These principles are also covered by the ILO Declaration on Fundamental Principles and Rights at Work (1998). The eight fundamental Conventions are:

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- Forced Labour Convention, 1930 (No. 29)
- Abolition of Forced Labour Convention, 1957 (No. 105)
- Minimum Age Convention, 1973 (No. 138)
- Worst Forms of Child Labour Convention, 1999 (No. 182)
- Equal Remuneration Convention, 1951 (No. 100)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

3.

How many international labour standards does the ILO have?

There are currently 190 Conventions and 206 Recommendations, some dating back as far as 1919, and six Protocols. As may be expected, some of these instruments no longer correspond to today's needs. To address this problem, the ILO adopts revising Conventions that replace older ones, or Protocols, which add new provisions to older Conventions.



4.

What is ILO's first Convention?

The first International Labour Standard – the Hours of Work (Industry) Convention, 1919 (No.1) – was adopted at the first International Labour Conference in 1919. It was a landmark moment for workers' rights by limiting working time to eight hours a day and 48 hours a week. Previously an average work week for a full-time manufacturing employee in the United States in 1890 was 100 hours.



5.

What is ILO's latest Convention?

ILO's latest Convention is Convention No 190 concerning the Elimination of Violence and Harassment in the World of Work. It was adopted by the 108th International Labour Conference in June 2019. The Convention recognizes that violence and harassment in the world of work “can constitute a human rights violation or abuse...is a threat to equal opportunities, is unacceptable and incompatible with decent work.”

7.

Who adopts international labour standards?

The International Labour Conference brings together delegations from all ILO member States. Each delegation comprises: 2 Government delegates; 1 Employer delegate; and 1 Worker delegate. Government, Employer and Worker delegates each have one vote in plenary. A two-thirds majority of votes is required for a standard to be adopted.

8.

What is the link between ILO Conventions and free trade agreements?

A growing number of bilateral and multilateral free trade agreements (FTAs), as well as regional economic integration arrangements, contain social and labour provisions related to workers' rights. They increasingly refer to the ILO's Declaration on Fundamental Principles and Rights at Work (1998), which covers the eight fundamental Conventions. Since 2013, 80 per cent of FTAs which have entered into force contain such clauses. It is also the case for CPTPP (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) and EVFTA (EU-Viet Nam FTA) which Viet Nam is a member of.

9.

How many ILO Conventions has Viet Nam ratified?

By January 2020, Viet Nam has ratified 24 International Labour Conventions. In 2019 when ILO celebrated its Centenary Year, Viet Nam ratified three more Conventions, namely Convention No 98 on the Right to Organise and Collective Bargaining, Convention No 159 on Vocational Rehabilitation and Employment (Disabled Persons), and Convention No 88 on Employment Service Convention.

11.

What are the three key principles of ILO's Convention 98 on Right to Organise and Collective Bargaining Convention, the latest international labour standards Viet Nam has ratified?

Ratified by Viet Nam in 2019, ILO's Convention 98 on Right to Organise and Collective Bargaining Convention includes three key principles namely:

- Protect workers and unions against anti-union discrimination
- Unions are free from employers' interference or dominance
- Promote voluntary collective bargaining through various measures

The Convention will come into force for Viet Nam on 5 July 2020.

10.

What are ILO fundamental Conventions Viet Nam has ratified?

Viet Nam has ratified six out of eight fundamental Conventions. The remaining two are Convention No 87 on Freedom of Association and Protection of the Right to Organise and Convention No 105 on Abolition of Forced Labour.

12.

What is Viet Nam's plan for ratification of the remaining ILO's fundamental Conventions?

The two remaining fundamental Conventions – Convention No 105 on the Abolition of Forced Labour and Convention No 87 on Freedom of Association and Protection of the Right to Organize – are expected to be ratified by Viet Nam by 2020 and 2023 respectively.