Supervision of ILO Conventions
The ILO supervisory system

- Systematic mechanisms for examining the implementation of ratified ILO Conventions
- Ongoing dialogue between Governments and the ILO
- Can be complemented by technical cooperation
ILO Structure

- Workers (trade unions) (1)
- Governments (2)
- Employers (1)
ILO Organs

International Labour Conference
   International Labour Standards
   182 Member States

Governing Body
   56 members

International Labour Office
   Permanent Secretariat
   Research and documentation centre
International Labour Standards

Conventions

- When ratified, these are legally binding
- If they are not ratified, they represent objectives and influence national legislation

Recommendations

- General or technical guidelines
- Not open to ratification
Ratification

- Formal registration
- Comes into force 1 year later

Obligations to report:
- 1st report one year after a Convention comes into force
- Periodic report every 1 to 5 years
Core ILO Conventions

- 29 (Forced Labour) and 105 (Abolition of Forced Labour)
- 138 (minimum Age) and 182 (Worst Forms of Child Labour)
- 100 (Equal Remuneration) and 111 (Discrimination in Employment and Occupation)
- 87 (Freedom of Association and Protection of the Right to Organize) and 98 (Right to Organize and Collective Bargaining)
Supervisory mechanisms: Regular supervision (Article 22, ILO Constitution)

- Government reports
- Employers' and workers' comments
  - Committee of Experts on the Application of Conventions and Recommendations
    - Direct requests
    - Observations published in Report III (1A)
  - International Labour Conference
Special procedures: Representations  
(Article 24 ILO Constitution)
What is the role of indigenous peoples?

- Indigenous peoples do not have a formal place within the ILO’s supervisory mechanisms.
- In order to access the supervisory system directly and “officially”, it is necessary to work with or through the ILO’s tripartite partners (most often workers’ organizations).
- Indigenous organizations can send “verifiable information” directly to the ILO (laws, court decisions, etc.).
- Information from UN agencies, projects and mechanisms can be taken into account by the supervisory mechanisms.
- Innovative approaches can also be found – e.g., Norway.
- Governments can develop official national mechanisms for the inclusion of indigenous peoples in research, and the implementation and monitoring of the Convention.
- Indigenous peoples can work directly with the ILO through technical cooperation.
The role of technical cooperation

- Reinforcing the arguments for the protection of the rights of indigenous peoples
- Sensitization and capacity-building
- Identification of implementation challenges
- Response to comments of supervisory bodies
- Facilitation of dialogue, improving coordination
- Development of legislation, policies and programmes
- Facilitating the establishment of mechanisms for implementation and monitoring
- Engagement of partners in implementation