



International  
Labour  
Office  
Geneva

# TOWARDS WIDESPREAD RATIFICATION AND EFFECTIVE IMPLEMENTATION OF THE GOVERNANCE CONVENTIONS

- > Labour Inspection
- > Employment Policy
- > Tripartite Consultation

**PLAN OF  
ACTION  
(2010-2016)**



# **PLAN OF ACTION (2010–2016)**

Towards widespread ratification  
and effective implementation of the governance  
Conventions

Labour Inspection Convention, 1947 (No.81)  
Employment Policy Convention, 1964 (No. 122)  
Labour Inspection (Agriculture) Convention, 1969 (No.129)  
Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

Adopted by the Governing Body of the International Labour Organization  
at its 306th Session (November 2009)

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ISBN 978-92-2-123801-0 (print)  
ISBN 978-92-2-123802-7 (web pdf)

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# **Contents**

<b>I.</b>	<b>Plan of action (2010–2016)</b>	1
<b>II.</b>	<b>Text of governance Conventions</b>	23
1.	Labour Inspection Convention, 1947 (No. 81)	32
2.	Employment Policy Convention, 1964 (No. 122)	34
3.	Labour Inspection (Agriculture) Convention, 1969 (No. 129)	
4.	Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	42



# Plan of action (2010–2016)

**to achieve widespread ratification and effective implementation  
of the governance Conventions**

## I. Background and justification

1. The sustained promotion of decent work requires the building of national institutions and capacities that serve to promote employment while strengthening national systems for ensuring compliance with labour standards, particularly through labour inspection and tripartite consultations. This is especially important in the current context of the global economic crisis and the risks it entails in terms of a prolonged increase in unemployment, a regression in workers' protection, and deepening poverty. The 2008 ILO Declaration on Social Justice for a Fair Globalization (the Social Justice Declaration) designates four Conventions that relate to tripartism, employment policy and labour inspection as "most significant from the viewpoint of governance" (the governance Conventions):
  - Labour Inspection Convention, 1947 (No. 81);
  - Employment Policy Convention, 1964 (No. 122);
  - Labour Inspection (Agriculture) Convention, 1969 (No. 129); and
  - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144).
2. Through the ILO's standards system, which comprises technical assistance and a supervisory mechanism entrusted with monitoring the application of standards at national level, these Conventions play a pivotal role in promoting full, productive and freely chosen employment, building social cohesion through social dialogue, and maintaining decent conditions of work through a functioning labour inspectorate.

They serve to pave the way out of the current crisis through the search for concerted policies and solutions in a tripartite context and effective labour inspection preventing a “race to the bottom” in terms of social protection.

3. Indeed, the four governance Conventions are part of a strategy for crisis recovery, on a par with the eight fundamental Conventions, as acknowledged in the Global Jobs Pact, which was recently adopted by the constituents in the framework of the ILO’s response to the crisis.<sup>1</sup>
4. In the context of the follow-up to the Social Justice Declaration, in March 2009 the Governing Body invited the Office to prepare a specific plan of action for a promotional campaign for the ratification and effective implementation of the standards that are the most significant from the viewpoint of governance.<sup>2</sup> Currently, the promotion of the four governance Conventions constitutes a shared objective that permeates numerous activities taking place throughout the ILO at headquarters, the field and the International Training Centre in Turin (Turin Centre) on the basis of the targets and indicators set in the Strategic Policy Framework 2010–15 and the Programme and Budget for 2010–11.
5. Despite their importance, there is an uneven rate of ratification of these Conventions and the supervisory bodies have identified implementation gaps among the ratifying countries. Out of 183 member States, 99 have ratified Convention No. 122, 140 have ratified Convention No. 81 (the most ratified of the four), 48 have ratified Convention No. 129 (the least ratified), and 123 have ratified Convention No. 144, which recently benefited from a campaign for its ratification. More needs to be done to promote both the ratification and the effective implementation of these instruments and their underlying principles. In particular, technical assistance and cooperation should be upscaled to help build up the national institutions and capacities that pave the way for their application.
6. The six-year plan of action outlined in the subsequent sections aims to implement the Governing Body decisions. It is designed to achieve the twofold goal of widespread ratification and effective national implementation of the four governance Conventions by building the institutions and capacities necessary for making continuous and sustained progress in their implementation and realizing decent work.

## **II. A strategic approach**

**2**

7. To achieve this twofold goal, the plan of action focuses on:
  - maintaining the momentum that has gathered so far and mobilizing support;
  - emphasizing the linkages among the four governance instruments;
  - building institutions and capacities through tripartite collaboration;

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<sup>1</sup> ILO: *Recovering from the crisis: A Global Jobs Pact*, Geneva, 2009.

<sup>2</sup> See documents GB.304/LILS/4, para. 31; and GB.304/9/2, para. 51(i)(a).

- ensuring Office-wide collaboration, involving headquarters, the field and the Turin Centre, on the basis of the targets and indicators set in the Strategic Policy Framework and the programme and budget;
- providing effective technical assistance and cooperation to countries interested in ratification and full implementation;
- effectively managing and sharing the wealth of information to be generated on the four governance Conventions.

## **1. Maintaining the momentum and mobilizing support**

8. Certain recent developments have contributed to building a momentum which is conducive to the effective promotion of the four governance Conventions, particularly because awareness has been raised on the central importance of these instruments in promoting decent work. The present section reviews these developments.

### *Adoption of the Social Justice Declaration*

9. The adoption of the Social Justice Declaration by the International Labour Conference in June 2008 marks a new era in effectively promoting the four strategic objectives of employment, social protection, social dialogue and fundamental principles and rights at work in the framework of a “global and integrated strategy”. The primary aim of the Social Justice Declaration is to strengthen the ILO’s capacity to meet its constituents’ needs. The Declaration also affirms that Members have a key responsibility to contribute, through their social and economic policy, to the realization of a global and integrated strategy for the implementation of the four strategic objectives. In this regard, it specifies that Members may consider, among other steps, reviewing their situation as regards the ratification or implementation of ILO instruments, with a view to achieving a progressively increasing coverage of each of the strategic objectives, with special emphasis on the instruments classified as core labour standards, as well as those regarded as most significant from the viewpoint of governance.
10. The present plan of action is an emanation of the principles and methods set forth in Part II of the Social Justice Declaration, “Method of implementation”. In this framework, all synergies with other activities taking place within the Office, notably technical assistance and cooperation, will be explored and utilized to their full potential for the benefit of an effective promotion of the four governance instruments.
11. The Social Justice Declaration includes a follow-up mechanism, in the framework of which the Conference will hold a recurrent discussion at each session. At its 99th Session (2010) it will review the trends relating to the strategic objective of employment. This recurrent discussion and the follow-up to its conclusions are likely to have an impact on the plan of action, especially with regard to the promotion of Convention No. 122. In the framework of a global and integrated strategy for the promotion of decent work, any necessary adjustments will be made to the plan of action.

## *2010 General Survey on employment*

12. For the purpose of fully developing the potential synergies between the standards system and the recurrent discussion, the Governing Body invited the Committee of Experts on the Application of Conventions and Recommendations (CEACR) to prepare, on an experimental basis, a General Survey on six employment instruments, including Convention No. 122. The General Survey will be submitted to the Conference Committee on the Application of Standards at the 99th Session (June 2010), parallel to the discussion of the recurrent report on employment. The results of the two discussions may feed into and reinforce each other.
13. In order to ensure that the discussion of the General Survey on employment effectively addresses member States' needs, the Governing Body developed a questionnaire which aims, among other things, to collect information that will allow to make an assessment of the impact and continuous relevance of the instruments under review, including Convention No. 122, as well as to identify technical assistance needs. As far as this Convention is concerned, the plan of action is going to build on the information furnished through the General Survey, so as to identify specific needs in terms of overcoming eventual obstacles to ratification and effective implementation, and should serve to pinpoint the target areas for assistance.<sup>3</sup>

## *Previously conducted General Surveys and recent developments on labour inspection and tripartite consultations*

14. General Surveys on the other two areas covered by the governance instruments, labour inspection and tripartite consultations, were carried out by the CEACR and discussed by the Conference Committee on the Application of Standards in 2006 and 2000 respectively. They also provide a basis for identifying targets for the promotion of Conventions Nos 81, 129 and 144.<sup>4</sup>
15. With regard to Conventions Nos 81 and 129, in November 2006 the Office submitted to the Governing Body, through the Committee on Employment and Social Policy, proposals for a strategy to modernize and reinvigorate labour inspection, including through the promotion of the ratification and application of Conventions Nos 81

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<sup>3</sup> See *ILO: General Survey concerning employment instruments in light of the 2008 Declaration on Social Justice for a Fair Globalization*, Report III (Part 1B) International Labour Conference, 99th Session , Geneva, 2010; Also see *ILO: Employment Policies for Social Justice and a Fair Globalization*, Report VI, International Labour Conference, 99th Session, Geneva, 2010 and *Report of the Committee for the Recurrent Discussion on Employment*, Record of Proceedings No. 18, International Labour Conference, 99th Session, Geneva, 2010.

<sup>4</sup> *Report of the Committee of Experts on the Application of Conventions and Recommendations*, Report III (Part 1B), International Labour Conference, 95th Session, Geneva, 2006; *Report of the Committee on the Application of Standards*, Part One, *Record of Proceedings* No. 24, International Labour Conference, 95th Session, Geneva, 2006; *Report of the Committee of Experts on the Application of Conventions and Recommendations*, Report III (Part 1B), International Labour Conference, 88th Session, Geneva, 2000; and *Report of the Committee on the Application of Standards*, Part One, *Record of Proceedings* No. 23, International Labour Conference, 88th Session, Geneva, 2000.

and 129.<sup>5</sup> Following the discussion of these proposals, the Governing Body invited the Office to develop, evaluate and implement a strategy to support the modernization and reinvigoration of labour inspection, with international collaboration as required to achieve these goals.<sup>6</sup> The Programme and Budget for 2008–09 delineated a strategy to promote the ratification and implementation of ILO standards relevant to labour inspection and to provide technical assistance for tripartite labour inspection audits and the formulation and implementation of national action plans.<sup>7</sup> A series of activities took place in this context, notably a number of tripartite labour inspection audits and follow-up activities to strengthen labour inspection and ensure the effective application of Conventions Nos 81 and 129 in selected countries.

16. A new ILO programme was recently established to assist constituents in promoting decent work by strengthening labour administration machinery, including labour inspection, and making them more effective. The strategy to be pursued in this framework is delineated in the Programme and Budget for 2010–11 and includes a number of activities at both global and national levels, such as helping member States to undertake audits of labour inspectorates, develop national action plans to enhance the effectiveness of labour inspection, and secure training for labour inspectors. Given the synergies between this programme and the plan of action, a solid partnership will be maintained with a view to ensuring the best implementation of the plan of action. The synergies are confirmed by the targets and indicators introduced in the programme and budget, which measure progress in the implementation of the new programme's strategy on the basis of progress made in applying the basic provisions of Conventions Nos 81 and 129.
17. With regard to Convention No. 144, after the adoption of the resolution concerning tripartism and social dialogue at the 90th Session of the Conference (June 2002), a campaign for its ratification was launched in November 2002. Through promotional activities, 20 new ratifications were obtained between 2002 and 2008.

#### *Launch of a promotional campaign by the ILO Director-General*

18. In March 2009, the Governing Body adopted a plan of action for a promotional campaign for the ratification and effective implementation of the governance Conventions, along with the ratification campaign that is under way for the eight fundamental Conventions.<sup>8</sup>
19. As a result, the Director-General launched a promotional campaign by including the four governance Conventions in the letters he annually sends to the member States that have not ratified the eight fundamental Conventions. Member States that have not ratified all governance instruments are thereby requested to provide information

<sup>5</sup> GB.297/ESP/3.

<sup>6</sup> GB.297/14(Rev.), para. 57.

<sup>7</sup> ILO: *Programme and Budget for 2008–09*, Geneva, 2007, para. 280.

<sup>8</sup> GB.304/LILS/4, para. 31; and GB.304/PV, para. 210(i)(a).

on: the most recent examination of the Conventions with a view to ratification and its outcome; ratification prospects and/or obstacles to ratification; and technical assistance needs with regard to ratification and implementation. The first report on replies received is submitted to the Governing Body at its present session.

20. This promotional campaign, launched at the highest level of the ILO, will serve as a key element in the framework of the plan of action. In November 2009, the Office will start submitting annual reports to the Governing Body on progress achieved. These reports will provide first-hand and periodically revised information on the obstacles to ratification, as well as on the technical assistance provided to address the needs identified by national constituents and the supervisory bodies with regard to the ratification and implementation of the four governance instruments. The information gathered through the campaign will help identify the priorities and targets for action at country level and the feedback obtained every year will provide an objective basis for evaluating the impact of the assistance and adjusting the plan of action accordingly.

#### *Adoption of an ILO response to the crisis*

21. As part of the ILO's response to the crisis, in June 2009 the Conference adopted the Global Jobs Pact, which contains a commitment on behalf of governments and of workers' and employers' organizations, to work together with a view to placing the aim of full and productive employment and decent work at the heart of the responses to the current financial, economic and jobs crisis. Among other things, the Global Jobs Pact emphasizes that priority attention should be devoted to protecting and growing employment through sustainable enterprises, quality public services and building adequate social protection for all (paragraph 9). It refers to the role of international labour standards in creating a basis for and supporting rights at work and contributing to building a culture of social dialogue, particularly useful in times of crisis. Thus, the Pact recognizes that a number of international labour Conventions and Recommendations are relevant to recover from the crisis, including the ILO instruments concerning employment policy, labour inspection and social dialogue mechanisms (paragraph 14).
22. Implementation of the Global Jobs Pact is currently the highest priority on the agenda of the ILO. Its follow-up is certain to have an impact on the promotion of the four governance Conventions. Consequently, the plan of action will integrate any developments in this regard, in order to ensure that all synergies are enhanced and utilized for the effective promotion of the four strategic objectives in the context of the crisis.

#### *Follow-up to the conclusions of the International Labour Conference on promoting rural employment for poverty reduction*

23. In June 2008 the Conference held a general discussion on promoting rural employment for poverty reduction.<sup>9</sup> The follow-up to the conclusions reached during this

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<sup>9</sup> ILO: *Record of Proceedings* No. 15, International Labour Conference, 97th Session, Geneva, 2008.

- discussion will be reviewed by the Governing Body at its current and next sessions. The Governing Body will examine in particular: (i) the need to determine the impact of prior activities focused on rural employment (to be discussed in November 2009); and (ii) the need to determine the gaps in coverage and barriers to the ratification of international labour standards and their implementation in rural areas, and to promote the ratification and effective application of labour standards relevant to rural areas, as well as the extension of national labour laws to all rural workers (to be discussed in March 2010).
24. The conclusions on rural employment for poverty reduction (conclusions on rural employment) include (in Annex II) a list of the international labour standards relevant to the promotion of rural employment and the four governance instruments figure among them as a high priority, immediately after the eight fundamental Conventions.
25. In addition to Convention No. 122, which is closely related to the question of promoting rural employment, Convention No. 129 on labour inspection in agriculture has a direct impact on the promotion of decent conditions of work in the rural sector. The latter Convention is the least ratified of the four governance instruments and special focus needs to be placed on its promotion. The follow-up to the conclusions on rural employment may therefore create the appropriate context for the promotion of Convention No. 129, thus adding impetus to the plan of action and leading to further synergies in promoting the ratification and application of this instrument.

## **2. Emphasizing the linkages among the four governance instruments**

26. As decided during the 304th Session of the Governing Body, the new campaign to promote the ratification and effective implementation of the governance instruments will be based on a strategy emphasizing the interdependence and interaction between the objectives of the Conventions. The aim of the interaction between the four instruments is to promote employment while strengthening national systems for ensuring compliance with labour standards, particularly through labour inspection and the active participation of employers and workers and their organizations in tripartite consultations. While Convention No. 122 focuses on the generation of employment, Conventions Nos 81, 129 and 144 are a prerequisite to ensuring that such employment is “decent” through the observance of international and national labour standards. The analysis below highlights the various linkages between the four governance instruments and the ways in which they relate to the implementation of all four strategic objectives.
27. Convention No. 122 requires ratifying States to declare and pursue an active policy designed to promote full, productive and freely chosen employment, in consultation with workers’ and employers’ representatives. Such a policy shall aim to ensure that there is work for all who are available for and are seeking work; that such work is as productive as possible; and that there is freedom of choice of employment and the fullest possible opportunity for each worker to qualify for, and to use his or her

- skills and endowments in, a job for which he or she is well suited, irrespective of race, colour, sex, religion, political opinion, national extraction or social origin. The Convention provides that this policy shall take due account of the stage and level of economic development and the mutual relationships between employment objectives and other economic and social objectives, and shall be pursued by methods that are appropriate to national conditions and practices. This Convention concerns a subject that lies at the heart of decent work, the promotion of full and productive employment. It is closely linked to Convention No. 144 as it constitutes a specific application of the principle of tripartism in the specific area of employment policies, and serves to ensure that the social partners are effectively involved in discussions that are essential to maintaining the appropriate balance between the imperatives of economic development and social justice. As noted above, moreover, the relevance of this instrument to the current context of crisis is obvious and marked.
28. Convention No. 144 requires ratifying States to operate procedures that ensure effective consultations between representatives of governments, employers and workers on all matters regarding the adoption, ratification, supervision and denunciation of international labour standards. This includes tripartite consultations on placing items on the agenda of the Conference, submissions to parliaments of newly adopted ILO standards, the re-examination of unratified Conventions and Recommendations, reports on ratified Conventions, and proposals for denunciations of ratified Conventions. This instrument is a reflection of the special role that tripartism has played within the ILO since its creation. Through Convention No. 144 the principle of tripartism governing the adoption of standards is extended to the process of their implementation at the national level. The ratification and effective implementation of this Convention is key to the effective implementation of all other international labour standards, including the other three governance Conventions, the improved functioning of the ILO supervisory mechanism, and the fulfilment of the constitutional obligations of ILO member States. Furthermore, Recommendation No. 152, which accompanies Convention No. 144, enlarges the scope of the tripartite consultations by suggesting that such consultations also be held on the preparation and implementation of legislative or other measures to give effect to international labour Conventions and Recommendations, ILO technical cooperation activities, action to be taken in respect of decisions by the Conference and, in general, measures to promote a better knowledge of ILO activities. Thus, the effective implementation of Convention No. 144 and its accompanying Recommendation can make an important contribution to implementing the plan of action itself for the promotion of the governance Conventions, which relies on collaboration between governments and employers' and workers' organizations.
29. Convention No. 81 requires ratifying States to establish a system of labour inspection for workplaces in industry and commerce, with the possible exception of mining and transport. It sets out a series of principles concerning the fields covered by labour inspection, the functions and organization of the system of inspection, the recruitment, status and terms and conditions of service of labour inspectors, and their powers and

obligations. The Convention provides for collaboration between the labour inspectorate and employers' and workers' organizations. It also provides that the labour inspectorate has to publish and communicate to the ILO an annual report indicating the general functioning of its services on a number of issues. Convention No. 129 is similar in content to Convention No. 81 and requires ratifying States to establish a system of labour inspection in agriculture. A functioning labour inspection system is a prerequisite for the effective implementation of international labour standards and national legislation on working conditions and the protection of workers.

30. In particular, the obligation contained in Conventions Nos 81 and 129 to publish and communicate to the ILO an annual report on the work of the labour inspection services is key as these reports are an extremely valuable tool in assessing the extent to which national legislation on working conditions and the protection of workers are enforced in the major sectors of the economy (industry, commerce and agriculture). Good quality reports reflect the organization, human and material resources, scope and results of the labour inspection system. They provide national authorities with a regular means for assessing the extent to which the available resources match requirements and they are an invaluable source of practical information and data that are indispensable to the ILO supervisory bodies for the evaluation of the application not only of these two Conventions, but also of a large number of other ratified Conventions, as well as of the efforts made by the governments concerned in this regard. Comments from employers' or workers' organizations concerning these annual reports are a very valuable additional tool for the promotion of social dialogue and a source of information for the ILO supervisory bodies to carry out their mission effectively. Finally, annual reports can furnish important information on the implementation of the plan of action and the results obtained.

### **3. Building national institutions and capacities through tripartite collaboration**

31. The above analysis shows that the four governance instruments play a central role in building the institutions and capacities which make it possible to achieve substantive and continuous progress in the implementation of the four strategic objectives and the rule of law more generally. Consequently, the plan of action will focus essentially on building social dialogue (in a wide sense) and labour inspection institutions. Moreover, the building of national capacities to maintain and effectively use these institutions in the long run is an integral part of the plan of action and an essential means to ensure the long-term sustainability of results and continuous improvements in the realization of decent work.
32. The assistance to be provided through the plan of action, in close collaboration with the tripartite constituents, will focus primarily on the provision of expert advice on institutional design and on capacity building, in particular through training. In other words, the priority will be to identify and promote the institutions and capacities that will enable constituents to implement the four governance Conventions in the

national context and make continuous and sustained progress in their application in the future. Making continuous and sustained progress in the implementation of the four governance instruments is essential for the effective promotion of the four strategic objectives.

33. The action plan spans over six years in order to ensure a medium- to long-term engagement with the countries concerned as in most cases time and continuity play an important role in achieving long-term sustainability. The criteria for the selection of target countries will include:
  - The existence of significant obstacles to ratification or implementation identified by the supervisory bodies or through country replies to the Director-General's promotional campaign.
  - The agreement of constituents to commit to promoting ratification and/or improving the implementation of the governance instruments at national level with ILO assistance.
  - National conditions, circumstances and needs as well as the priorities expressed by the representative organizations of employers and workers as provided for in the Social Justice Declaration.
34. Tripartism is a common element in the four governance instruments. As a result, the plan of action will use this common element to achieve their effective promotion. In particular, representatives of governments and the social partners will be involved in the country selection process. Where tripartite structures are not already present, national tripartite structures will be formed in order to elaborate a country action plan identifying the specific activities to take place at national level, and oversee their implementation. National tripartite structures can also contribute to the inclusion of country action plans in national development strategies, Decent Work Country Programmes, and United Nations (UN) programming processes, such as the Human Rights Based Approach (HRBA), the Common Country Assessments of the UN Assistance Development Frameworks (CCA/UNDAF) and Poverty Reduction Strategy Papers (PRSPs). Constituents may also carry out elements of the plan of action, e.g. training, through regional and subregional cooperation. Where such cooperation appears feasible, the role of the Office will be to stimulate it and provide the necessary advice and facilities.

#### 4. Ensuring Office-wide collaboration

35. As noted, the promotion of the four governance instruments constitutes a shared objective that permeates numerous activities throughout the ILO, at headquarters, in the field and at the Turin Centre, on the basis of the targets and indicators set in the Strategic Policy Framework 2010–15 and the Programme and Budget for 2010–11. An integral part of the plan of action is therefore to ensure Office-wide cooperation in promoting the ratification and effective application of the four governance instruments.

36. The indicators and targets set in the Programme and Budget for 2010–11 in relation to international labour standards reflect a firm commitment to ensure that transparent and tangible progress is made in the ratification and application of the governance instruments over the next biennium. In particular, a target of 55 member States is set for progress in the application of international labour standards, including the governance instruments, other than the fundamental Conventions (indicator 18.1). In at least five countries, ILO action should lead to the ratification of up to date Conventions including at least the core labour standards and those regarded as most significant from the viewpoint of governance (indicator 18.3). These targets are to be reached through the use of regular budget and extra-budgetary resources and through concerted work throughout the ILO at both headquarters and in the field. As part of the plan of action to enhance the effectiveness of standards, the International Labour Standards Department (NORMES) has sought extra-budgetary resources by submitting a technical cooperation proposal aimed at strengthening the ratification and implementation of international labour standards guided by the ILO supervisory bodies. The proposal includes as a priority the implementation of the governance instruments. It will serve as the main vehicle to implement the present plan of action.
37. In addition to the targets and indicators that make specific reference to the ratification and application of international labour standards, the Programme and Budget for 2010–11 contains indicators and targets focusing on strengthening labour inspection systems (indicator 11.2), integrating employment policies in development frameworks (indicator 1.1), and establishing or strengthening tripartite social dialogue mechanisms (indicator 12.1). Delivering on these targets is an Office-wide responsibility and may have an obvious impact on the ratification and effective implementation of Conventions Nos 81 and 129, and 122 and 144.
38. As a result, the plan of action will focus on enhancing synergies with other ILO activities that have an impact on the promotion of the four governance instruments. The follow-up to the Global Jobs Pact, the recurrent discussion on employment and the conclusions on rural employment constitute a major priority for the ILO. The implementation of the plan of action should be adjusted accordingly and become, to the extent possible, an integral part of them.
39. One of the objectives of the plan of action will be to strengthen links and collaboration across the Office, especially with the relevant technical departments at headquarters and in the field, where the formulation and implementation of Decent Work Country Programmes takes place, in order to effectively integrate the governance instruments in all activities, technical cooperation projects, Decent Work Country Programmes and UN programming processes (CCA/UNDAF, PRSPs) that focus on employment, labour inspection and social dialogue.
40. The ratification of the governance instruments and the comments made by the supervisory bodies on their application could serve as measurable and transparent indicators of progress in the framework of technical cooperation projects and Decent Work Country Programmes. Thus, additional efforts will be made to ensure that the four

governance instruments are systematically brought to the attention of governments and the social partners during the consultations for the elaboration of Decent Work Country Programmes. This will be done through the national tripartite structures overseeing the implementation of the plan of action at national level.

41. As regards the provision of expert advice on institutional design, close collaboration will be maintained with all relevant departments, in particular those dealing with employment, social dialogue, and labour inspection, as well as with the bureaux for workers' and employers' activities. Collaboration could include, for instance, the provision of technical advice by international labour standards specialists in field offices in the context of the design and implementation of technical cooperation programmes in these areas; regular and mutual exchange of information on technical assistance needs, notably those identified through the Director-General's promotional campaign and technical cooperation projects; information sharing on the progress made in the application of Conventions Nos 81, 122, 129 and 144, in order to inform the comments of the supervisory bodies. It may also involve sharing tools for evaluating progress made and training labour inspectors, government officials and the social partners.
42. With regard to capacity-building activities, the existing solid partnership with the Turin Centre will be reinforced with a view to rationalizing the mobilization effort and make the best possible use of human and financial resources, as most training activities will be planned and carried out at the Turin Centre or with its assistance. The plan of action will include, as an integral part, a major effort to train national officials (including labour inspectors), and workers' and employers' organizations, on the provisions of the four governance instruments so as to build national capacities for implementation and appropriate monitoring. Activities currently carried out at the Turin Centre include capacity building for important actors in the development and implementation of international labour standards, including constituents, judges, lawyers, parliamentarians, the media and non-governmental organizations. They are being extended to include labour inspectors.
43. Finally, the plan of action will seek to reinforce existing synergies with public-private partnerships like the Better Work Programme, which verifies improvements in the compliance with national legislation and international labour standards along the supply chains of international buyers.

## 5. Technical assistance and cooperation

44. This action plan has two interlinked objectives: achieving widespread ratification and promoting effective implementation of the four governance Conventions. In this framework, activities will focus on helping the tripartite constituents in ILO member States to:
  - become aware of the significance of the governance instruments and assess the country's ability to implement them, prior to ratification;

- address implementation gaps and build national institutions and capacities, notably through training, both prior to and following ratification.
45. The action plan addresses the two aspects. Activities prior to ratification will include the following:
- Awareness-raising on the relevance of the Conventions to national conditions (and the flexibility they incorporate) for the benefit of national officials, including labour inspectors and the social partners. In appropriate cases, high-level tripartite missions could target countries whose ratification of the Conventions is identified as strategically significant because they are key regional leaders that can more rapidly ratify than other countries in their region, and would later cooperate in helping them move towards ratification.
  - Carrying out preliminary gaps analyses and impact assessments, to provide information to the national constituents on the specific implementation gaps and the measures to be taken to make ratification or full implementation possible.
  - Providing model implementing legislation and other advisory services to assist countries where existing legislation is insufficient to implement the Conventions. Individual assistance should be made available on the steps to be taken or ways to address problems encountered, with a view to ratification and full implementation. Due to the nature of the four governance Conventions and the linkages between them, the assistance provided will unavoidably focus on institutional design and capacity building. Countries with considerable experience or that represent best practices in the areas concerned can serve as focal points at the regional or subregional level.
  - Sharing knowledge and expertise, including best practices, among constituents in implementing the four Conventions. The exchange of information could take place through subregional and regional seminars and workshops.
  - Training for the preparation of annual labour inspection reports, the benefits of which are highlighted above.
46. Activities to accompany countries in their efforts to address implementation gaps after ratification on the basis of the guidance provided by the comments of the supervisory bodies are likely to represent the main bulk of the plan of action, given the relatively high levels of ratification of most governance instruments. These activities will include the following:
- Legal advice on the development of new legislation and regulations in the relevant areas. This will focus essentially on designing and building institutions concerning labour inspection systems and tripartite social dialogue mechanisms. Collaboration with the relevant technical units will be ensured in this framework.
  - Strengthening the capacities of governments and the social partners in the areas of employment policy, social dialogue and labour inspection.
  - Assistance to States to identify funding sources for administrative costs needed to create and strengthen national capacity.

- Training of the tripartite constituents, judges, members of parliament, labour inspectors, policy-makers, academics, media and the public in general in order to ensure effective implementation of the Conventions. A major partner in this regard will be the Turin Centre.
  - Training for labour inspectors on the preparation and submission of periodic reports in order to enable the labour inspection central authority to publish an annual report.
  - Strengthening of data collection and reporting capacities on these Conventions.
  - Documentation and exchange of experiences and good practices (for instance, the publication of thematic practice guides on the implementation of the governance Conventions, and the development of training materials on these instruments and the related reporting to the ILO supervisory bodies).
47. Many of the activities enumerated above can take place in the framework of specialized meetings that will be organized at the regional and national levels to motivate countries to begin ratification procedures or undertake steps for the effective implementation of the instruments. In addition to this, the promotion of the governance Conventions needs to be effectively integrated into major events like the regional, subregional and national seminars and meetings to be organized in the context of the follow-up to the Global Jobs Pact, the recurrent discussion on employment and the follow-up to the conclusions on rural employment.
48. The Office would also make full use of the ILO's tripartite structure, in particular through national tripartite structures, as leverage to ensure the effective promotion and implementation of the governance instruments in the context of national consultations, including for the formulation of Decent Work Country Programmes, but also in the framework of the HRBA, CCA/UNDAF, PRSPs, and so on. Tripartite subregional and regional seminars will be organized for constituents and relevant international organizations to promote a better inclusion of the governance instruments in these processes.
49. As noted above, the action plan would be implemented primarily in the framework of a major technical cooperation project aimed at strengthening the capacity of constituents to ratify and implement international labour standards, including the four governance instruments, as a major priority. Subject to the availability of resources, the proposed project will focus on 25 countries over a period of six years. Since the governance instruments are one of its priorities, it is expected that technical cooperation resources will be devoted to their promotion in all project countries.

## 6. Information sharing

50. Information sharing is an important aspect of the plan of action. As noted above, many recently launched activities, especially the promotional campaign on the four governance instruments, the preparation of a General Survey and a recurrent discussion on employment and the follow-up to the conclusions on rural employment –

along with past activities such as the two General Surveys on labour inspection and tripartite consultations – will certainly generate a wealth of information on the state of national law and practice in relation to these instruments and related technical assistance needs. As a result, a major part of the plan of action will be the development of the information tools that will enable the Office and the constituents to effectively manage and share this information as appropriate.

51. Databases on the four governance instruments should be built, gathering and streamlining the information collected through the various processes under way. On the basis of these databases, country profiles could be generated indicating the level of application of a governance instrument in law and practice in a specific member State. The profiles could also serve as input in the framework of developing indicators for the measurement of progress towards decent work, currently under preparation by the Office on an experimental basis, as a follow-up to the Social Justice Declaration.
52. As part of efforts to communicate more effectively and promote the visibility of the governance instruments, the following activities could also be envisaged:
  - Knowledge tools, such as practice guides and electronic presentations, developed in cooperation with the social partners and interested governments in order to summarize and address application issues (institutional design, capacity building).
  - Videos, posters, leaflets and other promotional material targeting governments and the social partners and highlighting the benefits of ratification and full implementation of the four governance instruments.
  - Redesigning the ILO web site to highlight and promote the Conventions and to provide interested parties and the general public with immediate technical and general information about them.
  - E-learning tools on international labour standards, including the governance instruments.
53. Finally, a series of activities to facilitate the sharing of experiences, lessons learned and good practices among member States is envisaged.
  - An annual regional seminar in each of the five regions, bringing together ILO tripartite constituents, experts and researchers to discuss and disseminate experiences and lessons learned, and to devise strategies for enhancing the ratification and implementation of international labour standards, with a focus on the four governance instruments.
  - An annual interregional seminar at the Turin Centre, bringing together ILO tripartite constituents, experts and researchers to discuss and disseminate experiences and lessons learned and to devise strategies for enhancing the ratification and implementation of international labour standards, with a special focus on the governance instruments.

### **III. Action plan goals and objectives**

#### **Primary goals**

- To help ensure widespread ratification of the four governance Conventions, given their central importance to the promotion of decent work and the rule of law.
- To lay a firm foundation for ensuring effective national implementation and enforcement of the instruments through, notably, the development of national institutions and capacities. The aim is to achieve long-term sustainable results by achieving the objectives of the four Conventions, namely:
  - the establishment and sustainable functioning of procedures for the adoption and periodic revision of employment policies, in consultation with employers' and workers' representatives;
  - the establishment and sustainable functioning of an effective system of labour inspection in industry, commerce and agriculture for the achievement, both in law and in practice, of decent working conditions;
  - the establishment and sustainable functioning of procedures for effective tripartite consultations on international labour standards;
  - increased participation of employers' and workers' representatives in tripartite consultations.
- To support the ILO's overall targets as set out in the Strategic Policy Framework 2010–15 and the Programme and Budget for 2010–11, by strengthening the role of international labour standards in creating a basis for and supporting rights at work, and contributing to building a culture of social dialogue, particularly useful in times of crisis.
- Ultimately, to promote employment, while strengthening national systems for ensuring compliance with labour standards, particularly through labour inspection and tripartite consultations.

#### **Strategic goals**

End-2010

- Elaboration of country profiles on the basis of information provided through the ILO supervisory bodies and other information available to the Office. Selection of target countries.
- Tripartite agreement at national level and, if possible, establishment of national tripartite structures (where such structures do not already exist) and country action plans in at least 25 focus countries.
- Integration of country action plans in Decent Work Country Programmes under preparation and other UN programming processes under way in the countries concerned.
- Development and dissemination of promotional packages and tools to build capacity on ratification and implementation of the governance Conventions (posters, leaflets, practice guides, e-learning tools).

- Adjustment of the action plan to any synergies emerging from the follow-up to the Global Jobs Pact, recurrent discussion on employment, and the conclusions on rural employment.

End-2011

- At least ten ratifications and/or cases of progress noted by the supervisory bodies in the application of Conventions Nos 81, 122, 129 or 144. Ratification of Convention No. 129 (which is the least ratified) achieved in at least two of these cases.

End-2012

- At least ten additional ratifications and/or cases of significant new progress noted by the supervisory bodies in the application of Conventions Nos 81, 122, 129 or 144. Ratification of Convention No. 129 (which is the least ratified) achieved in at least two of these cases.

End-2013

- At least ten additional ratifications and/or cases of significant new progress noted by the supervisory bodies in the application of Conventions Nos 81, 122, 129 or 144. Ratification of Convention No. 129 (which is the least ratified) achieved in at least two of these cases.

End-2014

- At least ten additional ratifications and/or cases of significant new progress noted by the supervisory bodies in the application of Conventions Nos 81, 122, 129 or 144. Ratification of Convention No. 129 (which is the least ratified) achieved in at least two of these cases.

End-2015

- At least ten additional ratifications and/or cases of significant new progress noted by the supervisory bodies in the application of Conventions Nos 81, 122, 129 or 144. Ratification of Convention No. 129 (which is the least ratified) achieved in at least two of these cases.

## **Operational objective**

54. The operational objective of this action plan is to promote and enable the widespread ratification and effective application of the four ILO governance Conventions, taking into account the guidance of the ILO supervisory bodies in the countries identified as targets under this action plan and in related technical cooperation proposals. The objective will be reached through:

- preparing and disseminating promotional materials and information resources on Conventions Nos 81, 122, 129 and 144;
- continuous exchange of information between the ILO and the selected focus countries;
- effective use of information available in the Office on the governance Conventions;
- rapid and effective support to member States aiming to ratify and implement Conventions Nos 81, 122, 129 and 144;
- evaluation of the ability of member States to ratify and effectively apply Conventions Nos 81, 122, 129 and 144 on the basis of tripartite consultations;
- sustainable involvement of governments and the social partners in the promotion of Conventions Nos 81, 122, 129 and 144;
- assisting member States in designing and establishing functioning labour inspectorates and social dialogue mechanisms and procedures;
- capacity building of government officials, labour inspectors and the social partners, notably through training on labour inspection, social dialogue and employment policies;
- training national labour authorities and inspectors on the preparation of annual reports;
- coordinating activities throughout the Office (headquarters, the field and the Turin Centre) on the basis of the targets and indicators set in the Strategic Policy Framework 2010–15 and the Programme and Budget for 2010–11;
- sharing and updating information on the obstacles to ratification and the technical assistance needs identified by the national constituents and the supervisory bodies, as well as the relevant action of the Office;
- integrating the promotion of the four governance instruments in the follow-up to the Global Jobs Pact, the recurrent discussion on employment and the conclusions on rural employment;
- effectively integrating the governance instruments in technical cooperation projects and Decent Work Country Programmes as well as UN programming processes (CCA/UNDAF, PRSPs, etc.) which focus on employment, labour inspection and tripartite consultations/social dialogue.

## IV. Indicators<sup>10</sup>

- Ratification of one of the four governance Conventions.
- Communications by member States of decisions taken to ratify or progress towards ratification of the governance Conventions.

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<sup>10</sup> These indicators are consistent with those introduced in the Programme and Budget for 2010–11 and progress in their realization contributes to the implementation of the related targets set in the programme and budget.

- The development, tabling or adoption of national legislation necessary for ratification or application.
- Communications by member States of decisions to take steps for the effective application of the governance Conventions.
- Requests for assistance for purposes of ratification or implementation of the governance Conventions, notably requests from national authorities for legal opinions or advice necessary for ratification.
- Establishment of social dialogue mechanisms, including functioning tripartite consultations procedures, and of labour inspection institutions, or improvements in their functioning.
- Endorsement of national employment policies adopted in consultation with the social partners.
- Annual labour inspection reports published and communicated to the ILO.
- Positive comments (expression of interest or satisfaction) made by the supervisory bodies as to the application of the governance Conventions.
- Inclusion of country action plans for the ratification and implementation of the governance instruments in Decent Work Country Programmes, development assistance frameworks or other major initiatives.
- Number of labour inspectors trained.
- Number of social partners trained.
- Number of government officials trained.
- Use of information systems established to effectively manage and share the information generated on the governance instruments (number of accesses).

## V. Activities

### First year (0–12 months)

- Submission of technical cooperation proposal on the promotion of the four governance Conventions and identification of funding sources.
- Elaboration of country profiles on the basis of information provided through the ILO supervisory bodies and the promotional campaign of the ILO Director-General. Establishment of target countries.
- Selection of 25 focus countries on the basis of tripartite agreement at the national level.
- Establishment of national tripartite structures, if possible and where necessary, and elaboration of country action plans in the 25 focus countries.
- Steps (consultations, training) to integrate country action plans into Decent Work Country Programmes under preparation and other UN programming processes under way in the countries concerned.

- Adjustment of the action plan to any synergies emerging from the follow-up to the Global Jobs Pact, the recurrent discussion on employment, and the conclusions on rural employment.
- Placing promotion of the governance instruments on the agenda of regional meetings, organized as a follow-up to the Global Jobs Pact, the recurrent discussion on employment and the conclusions on rural employment.
- High-level tripartite missions to key countries for advocacy and awareness-raising purposes, where necessary.
- Development and dissemination of promotional packages, with tools to raise awareness and build capacity on the ratification and implementation of the governance Conventions (posters, leaflets, practice guides, e-learning tools).
- Development of training materials.
- Setting up (an) information system(s) to manage and share information on the four governance Conventions.
- Submission of progress report to the Governing Body.

## Years 2–6 (13–72 months)

- Continuation of the awareness-raising activities begun in the first year, including regional and international promotional activities.
- Assistance to carry out gaps analyses, comparative legal reviews and impact assessments at national level, to determine areas of adjustment.
- Needs assessments with respect to possible legislative, infrastructural and training needs at national, subregional or regional level.
- Legal advice on the development of new legislation.
- Assistance in designing and implementing improvements in national institutions.
- Provision of training for capacity building addressed to government officials, labour inspectors and the social partners.
- Development and dissemination of model implementing legislation.
- Assistance to States to identify funding sources for administrative costs needed to create and strengthen national capacity.
- Strengthening of data collection and reporting capacities, including through annual inspection reports.
- Subregional and regional seminars to promote better inclusion of the governance instruments in the CCA/UNDAF and PRSP processes.
- At the end of each year, evaluation by the national tripartite structures and the Governing Body of the difficulties faced by ILO Members that have not been able to make progress towards ratification and implementation, and adjustment of country action plans.

## **VI. Institutional inputs**

55. The action plan would be the overall responsibility of NORMES. However, it would be delivered in collaboration with the relevant technical units, including the bureaux for employers' and workers' activities. NORMES coordinators on the governance Conventions and standards specialists from field offices and the Turin Centre would form a team dedicated to the implementation of the action plan. In addition to the ILO experts normally engaged in promotional and supervisory work in NORMES, the team would be supplemented with a full-time professional staff member specifically assigned to serve the action plan programme. Short-term expert consultants and external collaborators with relevant Professional experience would also be required for ad hoc contributions to the preparation and delivery of the various activities.

## **VII. Monitoring and evaluation**

56. The progress of the action plan would be regularly monitored and evaluated by the Governing Body, which mandated its elaboration. In addition, tripartite structures would follow up on implementation at the national level. Monitoring and evaluation would take place in accordance with standard ILO procedures.





## Text of governance Conventions

### 1. Labour Inspection Convention, 1947 (No. 81)

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirtieth Session on 19 June 1947, and

Having decided upon the adoption of certain proposals with regard to the organisation of labour inspection in industry and commerce, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts this eleventh day of July of the year one thousand nine hundred and forty-seven the following Convention, which may be cited as the Labour Inspection Convention, 1947:

#### PART I. LABOUR INSPECTION IN INDUSTRY

##### *Article 1*

Each Member of the International Labour Organisation for which this Convention is in force shall maintain a system of labour inspection in industrial workplaces.

##### *Article 2*

1. The system of labour inspection in industrial workplaces shall apply to all workplaces in respect of which legal provisions relating to conditions of work and the protection of workers while engaged in their work are enforceable by labour inspectors.
2. National laws or regulations may exempt mining and transport undertakings or parts of such undertakings from the application of this Convention.

### *Article 3*

1. The functions of the system of labour inspection shall be:
  - (a) to secure the enforcement of the legal provisions relating to conditions of work and the protection of workers while engaged in their work, such as provisions relating to hours, wages, safety, health and welfare, the employment of children and young persons, and other connected matters, in so far as such provisions are enforceable by labour inspectors;
  - (b) to supply technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions;
  - (c) to bring to the notice of the competent authority defects or abuses not specifically covered by existing legal provisions.
2. Any further duties which may be entrusted to labour inspectors shall not be such as to interfere with the effective discharge of their primary duties or to prejudice in any way the authority and impartiality which are necessary to inspectors in their relations with employers and workers.

### *Article 4*

1. So far as is compatible with the administrative practice of the Member, labour inspection shall be placed under the supervision and control of a central authority.
2. In the case of a federal State, the term “central authority” may mean either a federal authority or a central authority of a federated unit.

### *Article 5*

- The competent authority shall make appropriate arrangements to promote:
- (a) effective cooperation between the inspection services and other government services and public or private institutions engaged in similar activities; and
  - (b) collaboration between officials of the labour inspectorate and employers and workers or their organisations.

### *Article 6*

The inspection staff shall be composed of public officials whose status and conditions of service are such that they are assured of stability of employment and are independent of changes of government and of improper external influences.

### *Article 7*

1. Subject to any conditions for recruitment to the public service which may be prescribed by national laws or regulations, labour inspectors shall be recruited with sole regard to their qualifications for the performance of their duties.
2. The means of ascertaining such qualifications shall be determined by the competent authority.
3. Labour inspectors shall be adequately trained for the performance of their duties.

### *Article 8*

Both men and women shall be eligible for appointment to the inspection staff; where necessary, special duties may be assigned to men and women inspectors.

### *Article 9*

Each Member shall take the necessary measures to ensure that duly qualified technical experts and specialists, including specialists in medicine, engineering, electricity and chemistry, are associated in the work of inspection, in such manner as may be deemed most appropriate under national conditions, for the purpose of securing the enforcement of the legal provisions relating to the protection of the health and safety of workers while engaged in their work and of investigating the effects of processes, materials and methods of work on the health and safety of workers.

### *Article 10*

The number of labour inspectors shall be sufficient to secure the effective discharge of the duties of the inspectorate and shall be determined with due regard for:

- (a) the importance of the duties which inspectors have to perform, in particular –
  - (i) the number, nature, size and situation of the workplaces liable to inspection;
  - (ii) the number and classes of workers employed in such workplaces; and
  - (iii) the number and complexity of the legal provisions to be enforced;
- (b) the material means placed at the disposal of the inspectors; and
- (c) the practical conditions under which visits of inspection must be carried out in order to be effective.

### *Article 11*

1. The competent authority shall make the necessary arrangements to furnish labour inspectors with –

- (a) local offices, suitably equipped in accordance with the requirements of the service, and accessible to all persons concerned;
- (b) the transport facilities necessary for the performance of their duties in cases where suitable public facilities do not exist.

2. The competent authority shall make the necessary arrangements to reimburse to labour inspectors any travelling and incidental expenses which may be necessary for the performance of their duties.

### *Article 12*

1. Labour inspectors provided with proper credentials shall be empowered:

- (a) to enter freely and without previous notice at any hour of the day or night any workplace liable to inspection;
- (b) to enter by day any premises which they may have reasonable cause to believe to be liable to inspection; and

- (c) to carry out any examination, test or enquiry which they may consider necessary in order to satisfy themselves that the legal provisions are being strictly observed, and in particular –
- (i) to interrogate, alone or in the presence of witnesses, the employer or the staff of the undertaking on any matters concerning the application of the legal provisions;
  - (ii) to require the production of any books, registers or other documents the keeping of which is prescribed by national laws or regulations relating to conditions of work, in order to see that they are in conformity with the legal provisions, and to copy such documents or make extracts from them;
  - (iii) to enforce the posting of notices required by the legal provisions;
  - (iv) to take or remove for purposes of analysis samples of materials and substances used or handled, subject to the employer or his representative being notified of any samples or substances taken or removed for such purpose.
2. On the occasion of an inspection visit, inspectors shall notify the employer or his representative of their presence, unless they consider that such a notification may be prejudicial to the performance of their duties.

#### *Article 13*

1. Labour inspectors shall be empowered to take steps with a view to remedying defects observed in plant, layout or working methods which they may have reasonable cause to believe constitute a threat to the health or safety of the workers.

2. In order to enable inspectors to take such steps they shall be empowered, subject to any right of appeal to a judicial or administrative authority which may be provided by law, to make or to have made orders requiring –

- (a) such alterations to the installation or plant, to be carried out within a specified time limit, as may be necessary to secure compliance with the legal provisions relating to the health or safety of the workers; or
- (b) measures with immediate executory force in the event of imminent danger to the health or safety of the workers.

3. Where the procedure prescribed in paragraph 2 is not compatible with the administrative or judicial practice of the Member, inspectors shall have the right to apply to the competent authority for the issue of orders or for the initiation of measures with immediate executory force.

#### *Article 14*

The labour inspectorate shall be notified of industrial accidents and cases of occupational disease in such cases and in such manner as may be prescribed by national laws or regulations.

#### *Article 15*

Subject to such exceptions as may be made by national laws or regulations, labour inspectors –

- (a) shall be prohibited from having any direct or indirect interest in the undertakings under their supervision;
- (b) shall be bound on pain of appropriate penalties or disciplinary measures not to reveal, even after leaving the service, any manufacturing or commercial secrets or working processes which may come to their knowledge in the course of their duties; and
- (c) shall treat as absolutely confidential the source of any complaint bringing to their notice a defect or breach of legal provisions and shall give no intimation to the employer or his representative that a visit of inspection was made in consequence of the receipt of such a complaint.

#### *Article 16*

Workplaces shall be inspected as often and as thoroughly as is necessary to ensure the effective application of the relevant legal provisions.

#### *Article 17*

1. Persons who violate or neglect to observe legal provisions enforceable by labour inspectors shall be liable to prompt legal proceedings without previous warning: Provided that exceptions may be made by national laws or regulations in respect of cases in which previous notice to carry out remedial or preventive measures is to be given.

2. It shall be left to the discretion of labour inspectors to give warning and advice instead of instituting or recommending proceedings.

#### *Article 18*

Adequate penalties for violations of the legal provisions enforceable by labour inspectors and for obstructing labour inspectors in the performance of their duties shall be provided for by national laws or regulations and effectively enforced.

#### *Article 19*

1. Labour inspectors or local inspection offices, as the case may be, shall be required to submit to the central inspection authority periodical reports on the results of their inspection activities.

2. These reports shall be drawn up in such manner and deal with such subjects as may from time to time be prescribed by the central authority; they shall be submitted at least as frequently as may be prescribed by that authority and in any case not less frequently than once a year.

#### *Article 20*

1. The central inspection authority shall publish an annual general report on the work of the inspection services under its control.

2. Such annual reports shall be published within a reasonable time after the end of the year to which they relate and in any case within twelve months.

3. Copies of the annual reports shall be transmitted to the DirectorGeneral of the International Labour Office within a reasonable period after their publication and in any case within three months.

*Article 21*

The annual report published by the central inspection authority shall deal with the following and other relevant subjects in so far as they are under the control of the said authority:

- (a) laws and regulations relevant to the work of the inspection service;
- (b) staff of the labour inspection service;
- (c) statistics of workplaces liable to inspection and the number of workers employed therein;
- (d) statistics of inspection visits;
- (e) statistics of violations and penalties imposed;
- (f) statistics of industrial accidents;
- (g) statistics of occupational diseases.

**PART II. LABOUR INSPECTION IN COMMERCE**

*Article 22*

Each Member of the International Labour Organisation for which this Part of this Convention is in force shall maintain a system of labour inspection in commercial workplaces.

*Article 23*

The system of labour inspection in commercial workplaces shall apply to workplaces in respect of which legal provisions relating to conditions of work and the protection of workers while engaged in their work are enforceable by labour inspectors.

*Article 24*

The system of labour inspection in commercial workplaces shall comply with the requirements of Articles 3 to 21 of this Convention in so far as they are applicable.

**PART III. MISCELLANEOUS PROVISIONS**

*Article 25*

- 1. Any Member of the International Labour Organisation which ratifies this Convention may, by a declaration appended to its ratification, exclude Part II from its acceptance of the Convention.
- 2. Any Member which has made such a declaration may at any time cancel that declaration by a subsequent declaration.
- 3. Every Member for which a declaration made under paragraph 1 of this Article is in force shall indicate each year in its annual report upon the application of this Con-

vention the position of its law and practice in regard to the provisions of Part II of this Convention and the extent to which effect has been given, or is proposed to be given, to the said provisions.

#### *Article 26*

In any case in which it is doubtful whether any undertaking, part or service of an undertaking or workplace is an undertaking, part, service or workplace to which this Convention applies, the question shall be settled by the competent authority.

#### *Article 27*

In this Convention the term “legal provisions” includes, in addition to laws and regulations, arbitration awards and collective agreements upon which the force of law is conferred and which are enforceable by labour inspectors.

#### *Article 28*

There shall be included in the annual reports to be submitted under article 22 of the Constitution of the International Labour Organisation full information concerning all laws and regulations by which effect is given to the provisions of this Convention.

#### *Article 29*

1. In the case of a Member the territory of which includes large areas where, by reason of the sparseness of the population or the stage of development of the area, the competent authority considers it impracticable to enforce the provisions of this Convention, the authority may exempt such areas from the application of this Convention either generally or with such exceptions in respect of particular undertakings or occupations as it thinks fit.

2. Each Member shall indicate in its first annual report upon the application of this Convention submitted under article 22 of the Constitution of the International Labour Organisation any areas in respect of which it proposes to have recourse to the provisions of the present Article and shall give the reasons for which it proposes to have recourse thereto; no Member shall, after the date of its first annual report, have recourse to the provisions of the present Article except in respect of areas so indicated.

3. Each Member having recourse to the provisions of the present Article shall indicate in subsequent annual reports any areas in respect of which it renounces the right to have recourse to the provisions of the present Article.

#### *Article 30*

1. In respect of the territories referred to in article 35 of the Constitution of the International Labour Organisation as amended by the Constitution of the International Labour Organisation Instrument of Amendment, 1946, other than the territories referred to in paragraphs 4 and 5 of the said article as so amended, each Member of the Organisation

which ratifies this Convention shall communicate to the Director-General of the International Labour Office as soon as possible after ratification a declaration stating –

- (a) the territories in respect of which it undertakes that the provisions of the Convention shall be applied without modification;
- (b) the territories in respect of which it undertakes that the provisions of the Convention shall be applied subject to modifications, together with details of the said modifications;
- (c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;
- (d) the territories in respect of which it reserves its decision.

2. The undertakings referred to in subparagraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.

3. Any Member may at any time by a subsequent declaration cancel in whole or in part any reservations made in its original declaration in virtue of subparagraphs (b), (c) or (d) of paragraph 1 of this Article.

4. Any Member may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 34, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of such territories as it may specify.

### *Article 31*

1. Where the subject matter of this Convention is within the self-governing powers of any non-metropolitan territory, the Member responsible for the international relations of that territory may, in agreement with the Government of the territory, communicate to the Director-General of the International Labour Office a declaration accepting on behalf of the territory the obligations of this Convention.

2. A declaration accepting the obligations of this Convention may be communicated to the Director-General of the International Labour Office –

- (a) by two or more Members of the Organisation in respect of any territory which is under their joint authority; or
- (b) by any international authority responsible for the administration of any territory, in virtue of the Charter of the United Nations or otherwise, in respect of any such territory.

3. Declarations communicated to the Director-General of the International Labour Office in accordance with the preceding paragraphs of this Article shall indicate whether the provisions of the Convention will be applied in the territory concerned without modification or subject to modifications; when the declaration indicates that the provisions of the Convention will be applied subject to modifications it shall give details of the said modifications.

4. The Member, Members or international authority concerned may at any time by a subsequent declaration renounce in whole or in part the right to have recourse to any modification indicated in any former declaration.

5. The Member, Members or international authority concerned may, at any time at which this Convention is subject to denunciation in accordance with the provisions of Article 34, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of the application of the Convention.

[PART IV. FINAL PROVISIONS]

## **2. Employment Policy Convention, 1964 (No. 122)**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-eighth Session on 17 June 1964, and

Considering that the Declaration of Philadelphia recognises the solemn obligation of the International Labour Organisation to further among the nations of the world programmes which will achieve full employment and the raising of standards of living, and that the Preamble to the Constitution of the International Labour Organisation provides for the prevention of unemployment and the provision of an adequate living wage, and

Considering further that under the terms of the Declaration of Philadelphia it is the responsibility of the International Labour Organisation to examine and consider the bearing of economic and financial policies upon employment policy in the light of the fundamental objective that “all human beings, irrespective of race, creed or sex, have the right to pursue both their material wellbeing and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity”, and

Considering that the Universal Declaration of Human Rights provides that “everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment”, and

Noting the terms of existing international labour Conventions and Recommendations of direct relevance to employment policy, and in particular of the Employment Service Convention and Recommendation, 1948, the Vocational Guidance Recommendation, 1949, the Vocational Training Recommendation, 1962, and the Discrimination (Employment and Occupation) Convention and Recommendation, 1958, and

Considering that these instruments should be placed in the wider framework of an international programme for economic expansion on the basis of full, productive and freely chosen employment, and

Having decided upon the adoption of certain proposals with regard to employment policy, which are included in the eighth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts this ninth day of July of the year one thousand nine hundred and sixty-four the following Convention, which may be cited as the Employment Policy Convention, 1964:

### *Article I*

1. With a view to stimulating economic growth and development, raising levels of living, meeting manpower requirements and overcoming unemployment and underem-

ployment, each Member shall declare and pursue, as a major goal, an active policy designed to promote full, productive and freely chosen employment.

2. The said policy shall aim at ensuring that –

- (a) there is work for all who are available for and seeking work;
- (b) such work is as productive as possible;
- (c) there is freedom of choice of employment and the fullest possible opportunity for each worker to qualify for, and to use his skills and endowments in, a job for which he is well suited, irrespective of race, colour, sex, religion, political opinion, national extraction or social origin.

3. The said policy shall take due account of the stage and level of economic development and the mutual relationships between employment objectives and other economic and social objectives, and shall be pursued by methods that are appropriate to national conditions and practices.

### *Article 2*

Each Member shall, by such methods and to such extent as may be appropriate under national conditions –

- (a) decide on and keep under review, within the framework of a coordinated economic and social policy, the measures to be adopted for attaining the objectives specified in Article 1;
- (b) take such steps as may be needed, including when appropriate the establishment of programmes, for the application of these measures.

### *Article 3*

In the application of this Convention, representatives of the persons affected by the measures to be taken, and in particular representatives of employers and workers, shall be consulted concerning employment policies, with a view to taking fully into account their experience and views and securing their full cooperation in formulating and enlisting support for such policies.

*[Article 4 to 11. Final provisions]*

### **3. Labour Inspection (Agriculture) Convention, 1969 (No. 129)**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Fifty-third Session on 4 June 1969, and

Noting the terms of existing international labour Conventions concerning labour inspection, such as the Labour Inspection Convention, 1947, which applies to industry and commerce, and the Plantations Convention, 1958, which covers a limited category of agricultural undertakings, and

Considering that international standards providing for labour inspection in agriculture generally are desirable, and

Having decided upon the adoption of certain proposals with regard to labour inspection in agriculture, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts this twentyfifth day of June of the year one thousand nine hundred and sixty-nine the following Convention, which may be cited as the Labour Inspection (Agriculture) Convention, 1969:

#### *Article 1*

1. In this Convention the term “agricultural undertaking” means undertakings and parts of undertakings engaged in cultivation, animal husbandry including livestock production and care, forestry, horticulture, the primary processing of agricultural products by the operator of the holding or any other form of agricultural activity.

2. Where necessary, the competent authority shall, after consultation with the most representative organisations of employers and workers concerned, where such exist, define the line which separates agriculture from industry and commerce in such a manner as not to exclude any agricultural undertaking from the national system of labour inspection.

3. In any case in which it is doubtful whether an undertaking or part of an undertaking is one to which this Convention applies, the question shall be settled by the competent authority.

#### *Article 2*

In this Convention the term “legal provisions” includes, in addition to laws and regulations, arbitration awards and collective agreements upon which the force of law is conferred and which are enforceable by labour inspectors.

#### *Article 3*

Each Member of the International Labour Organisation for which this Convention is in force shall maintain a system of labour inspection in agriculture.

#### *Article 4*

The system of labour inspection in agriculture shall apply to agricultural undertakings in which work employees or apprentices, however they may be remunerated and whatever the type, form or duration of their contract.

#### *Article 5*

1. Any Member ratifying this Convention may, in a declaration accompanying its ratification, undertake also to cover by labour inspection in agriculture one or more of the following categories of persons working in agricultural undertakings:

- (a) tenants who do not engage outside help, sharecroppers and similar categories of agricultural workers;
- (b) persons participating in a collective economic enterprise, such as members of a cooperative;
- (c) members of the family of the operator of the undertaking, as defined by national laws or regulations.

2. Any Member which has ratified this Convention may subsequently communicate to the Director General of the International Labour Office a declaration undertaking to cover one or more of the categories of persons referred to in the preceding paragraph which are not already covered in virtue of a previous declaration.

3. Each Member which has ratified this Convention shall indicate in its reports under article 22 of the Constitution of the International Labour Organisation to what extent effect has been given or is proposed to be given to the provisions of the Convention in respect of such of the categories of persons referred to in paragraph 1 of this Article as are not covered in virtue of a declaration.

#### *Article 6*

1. The functions of the system of labour inspection in agriculture shall be –

- (a) to secure the enforcement of the legal provisions relating to conditions of work and the protection of workers while engaged in their work, such as provisions relating to hours, wages, weekly rest and holidays, safety, health and welfare, the employment of women, children and young persons, and other connected matters, in so far as such provisions are enforceable by labour inspectors;
- (b) to supply technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions;
- (c) to bring to the notice of the competent authority defects or abuses not specifically covered by existing legal provisions and to submit to it proposals on the improvement of laws and regulations.

2. National laws or regulations may give labour inspectors in agriculture advisory or enforcement functions regarding legal provisions relating to conditions of life of workers and their families.

3. Any further duties which may be entrusted to labour inspectors in agriculture shall not be such as to interfere with the effective discharge of their primary duties or to prejudice in any way the authority and impartiality which are necessary to inspectors in their relations with employers and workers.

#### *Article 7*

1. So far as is compatible with the administrative practice of the Member, labour inspection in agriculture shall be placed under the supervision and control of a central body.
2. In the case of a federal State, the term "central body" may mean either one at federal level or one at the level of a federated unit.
3. Labour inspection in agriculture might be carried out for example –
  - (a) by a single labour inspection department responsible for all sectors of economic activity;
  - (b) by a single labour inspection department, which would arrange for internal functional specialisation through the appropriate training of inspectors called upon to exercise their functions in agriculture;
  - (c) by a single labour inspection department, which would arrange for internal institutional specialisation by creating a technically qualified service, the officers of which would perform their functions in agriculture; or
  - (d) by a specialised agricultural inspection service, the activity of which would be supervised by a central body vested with the same prerogatives in respect of labour inspection in other fields, such as industry, transport and commerce.

#### *Article 8*

1. The labour inspection staff in agriculture shall be composed of public officials whose status and conditions of service are such that they are assured of stability of employment and are independent of changes of government and of improper external influences.
2. So far as is compatible with national laws or regulations or with national practice, Members may include in their system of labour inspection in agriculture officials or representatives of occupational organisations, whose activities would supplement those of the public inspection staff; the persons concerned shall be assured of stability of tenure and be independent of improper external influences.

#### *Article 9*

- 36** —
1. Subject to any conditions for recruitment to the public service which may be prescribed by national laws or regulations, labour inspectors in agriculture shall be recruited with sole regard to their qualifications for the performance of their duties.
  2. The means of ascertaining such qualifications shall be determined by the competent authority.
  3. Labour inspectors in agriculture shall be adequately trained for the performance of their duties and measures shall be taken to give them appropriate further training in the course of their employment.

### *Article 10*

Both men and women shall be eligible for appointment to the labour inspection staff in agriculture; where necessary, special duties may be assigned to men and women inspectors.

### *Article 11*

Each Member shall take the necessary measures to ensure that duly qualified technical experts and specialists, who might help to solve problems demanding technical knowledge, are associated in the work of labour inspection in agriculture in such manner as may be deemed most appropriate under national conditions.

### *Article 12*

1. The competent authority shall make appropriate arrangements to promote effective cooperation between the inspection services in agriculture and government services and public or approved institutions which may be engaged in similar activities.

2. Where necessary, the competent authority may either entrust certain inspection functions at the regional or local level on an auxiliary basis to appropriate government services or public institutions or associate these services or institutions with the exercise of the functions in question, on condition that this does not prejudice the application of the principles of this Convention.

### *Article 13*

The competent authority shall make appropriate arrangements to promote collaboration between officials of the labour inspectorate in agriculture and employers and workers, or their organisations where such exist.

### *Article 14*

Arrangements shall be made to ensure that the number of labour inspectors in agriculture is sufficient to secure the effective discharge of the duties of the inspectorate and is determined with due regard for –

- (a) the importance of the duties which inspectors have to perform, in particular –
  - (i) the number, nature, size and situation of the agricultural undertakings liable to inspection;
  - (ii) the number and classes of persons working in such undertakings; and
  - (iii) the number and complexity of the legal provisions to be enforced;
- (b) the material means placed at the disposal of the inspectors; and
- (c) the practical conditions under which visits of inspection must be carried out in order to be effective.

### *Article 15*

1. The competent authority shall make the necessary arrangements to furnish labour inspectors in agriculture with –

- (a) local offices so located as to take account of the geographical situation of the agricultural undertakings and of the means of communication, suitably equipped in accordance with the requirements of the service, and, in so far as possible, accessible to the persons concerned;
- (b) the transport facilities necessary for the performance of their duties in cases where suitable public facilities do not exist.

2. The competent authority shall make the necessary arrangements to reimburse to labour inspectors in agriculture any travelling and incidental expenses which may be necessary for the performance of their duties.

#### *Article 16*

1. Labour inspectors in agriculture provided with proper credentials shall be empowered –

- (a) to enter freely and without previous notice at any hour of the day or night any workplace liable to inspection;
- (b) to enter by day any premises which they may have reasonable cause to believe to be liable to inspection;
- (c) to carry out any examination, test or inquiry which they may consider necessary in order to satisfy themselves that the legal provisions are being strictly observed, and in particular –
  - (i) to interview, alone or in the presence of witnesses, the employer, the staff of the undertaking or any other person in the undertaking on any matters concerning the application of the legal provisions;
  - (ii) to require, in such manner as national laws or regulations may prescribe, the production of any books, registers or other documents the keeping of which is prescribed by national laws or regulations relating to conditions of life and work, in order to see that they are in conformity with the legal provisions, and to copy such documents or make extracts from them;
  - (iii) to take or remove for purposes of analysis samples of products, materials and substances used or handled, subject to the employer or his representative being notified of any products, materials or substances taken or removed for such purposes.

2. Labour inspectors shall not enter the private home of the operator of the undertaking in pursuance of subparagraph (a) or (b) of paragraph 1 of this Article except with the consent of the operator or with a special authorisation issued by the competent authority.

3. On the occasion of an inspection visit, inspectors shall notify the employer or his representative, and the workers or their representatives, of their presence, unless they consider that such a notification may be prejudicial to the performance of their duties.

### *Article 17*

The labour inspection services in agriculture shall be associated, in such cases and in such manner as may be determined by the competent authority, in the preventive control of new plant, new materials or substances and new methods of handling or processing products which appear likely to constitute a threat to health or safety.

### *Article 18*

1. Labour inspectors in agriculture shall be empowered to take steps with a view to remedying defects observed in plant, layout or working methods in agricultural undertakings, including the use of dangerous materials or substances, which they may have reasonable cause to believe constitute a threat to health or safety.

2. In order to enable inspectors to take such steps they shall be empowered, subject to any right of appeal to a legal or administrative authority which may be provided by law, to make or have made orders requiring –

- (a) such alterations to the installation, plant, premises, tools, equipment or machines, to be carried out within a specified time limit, as may be necessary to secure compliance with the legal provisions relating to health or safety; or
- (b) measures with immediate executory force, which can go as far as halting the work, in the event of imminent danger to health or safety.

3. Where the procedure described in paragraph 2 is not compatible with the administrative or judicial practice of the Member, inspectors shall have the right to apply to the competent authority for the issue of orders or for the initiation of measures with immediate executory force.

4. The defects noted by the inspector when visiting an undertaking and the orders he is making or having made in pursuance of paragraph 2 or for which he intends to apply in pursuance of paragraph 3 shall be immediately made known to the employer and the representatives of the workers.

### *Article 19*

1. The labour inspectorate in agriculture shall be notified of occupational accidents and cases of occupational disease occurring in the agricultural sector in such cases and in such manner as may be prescribed by national laws or regulations.

2. As far as possible, inspectors shall be associated with any inquiry on the spot into the causes of the most serious occupational accidents or occupational diseases, particularly of those which affect a number of workers or have fatal consequences.

### *Article 20*

Subject to such exceptions as may be made by national laws or regulations, labour inspectors in agriculture –

- (a) shall be prohibited from having any direct or indirect interest in the undertakings under their supervision;

- (b) shall be bound on pain of appropriate penalties or disciplinary measures not to reveal, even after leaving the service, any manufacturing or commercial secrets or working processes which may come to their knowledge in the course of their duties; and
- (c) shall treat as absolutely confidential the source of any complaint bringing to their notice a defect, a danger in working processes or a breach of legal provisions and shall give no intimation to the employer or his representative that a visit of inspection was made in consequence of the receipt of such a complaint.

#### *Article 21*

Agricultural undertakings shall be inspected as often and as thoroughly as is necessary to ensure the effective application of the relevant legal provisions.

#### *Article 22*

1. Persons who violate or neglect to observe legal provisions enforceable by labour inspectors in agriculture shall be liable to prompt legal or administrative proceedings without previous warning: Provided that exceptions may be made by national laws or regulations in respect of cases in which previous notice to carry out remedial or preventive measures is to be given.

2. It shall be left to the discretion of labour inspectors to give warning and advice instead of instituting or recommending proceedings.

#### *Article 23*

If labour inspectors in agriculture are not themselves authorised to institute proceedings, they shall be empowered to refer reports of infringements of the legal provisions directly to an authority competent to institute such proceedings.

#### *Article 24*

Adequate penalties for violations of the legal provisions enforceable by labour inspectors in agriculture and for obstructing labour inspectors in the performance of their duties shall be provided for by national laws or regulations and effectively enforced.

#### *Article 25*

- 1. Labour inspectors or local inspection offices, as the case may be, shall be required to submit to the central inspection authority periodical reports on the results of their activities in agriculture.
- 2. These reports shall be drawn up in such manner and deal with such subjects as may from time to time be prescribed by the central inspection authority; they shall be submitted at least as frequently as may be prescribed by that authority and in any case not less frequently than once a year.

### *Article 26*

1. The central inspection authority shall publish an annual report on the work of the inspection services in agriculture, either as a separate report or as part of its general annual report.
2. Such annual reports shall be published within a reasonable time after the end of the year to which they relate and in any case within twelve months.
3. Copies of the annual reports shall be transmitted to the DirectorGeneral of the International Labour Office within three months after their publication.

### *Article 27*

The annual report published by the central inspection authority shall deal in particular with the following subjects, in so far as they are under the control of the said authority:

- (a) laws and regulations relevant to the work of labour inspection in agriculture;
- (b) staff of the labour inspection service in agriculture;
- (c) statistics of agricultural undertakings liable to inspection and the number of persons working therein;
- (d) statistics of inspection visits;
- (e) statistics of violations and penalties imposed;
- (f) statistics of occupational accidents, including their causes;
- (g) statistics of occupational diseases, including their causes.

[*Article 28 to 34. Final provisions*]

## **4. Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Sixty-first Session on 2 June 1976, and

Recalling the terms of existing international labour Conventions and Recommendations – in particular the Freedom of Association and Protection of the Right to Organise Convention, 1948, the Right to Organise and Collective Bargaining Convention, 1949, and the Consultation (Industrial and National Levels) Recommendation, 1960 – which affirm the right of employers and workers to establish free and independent organisations and call for measures to promote effective consultation at the national level between public authorities and employers' and workers' organisations, as well as the provisions of numerous international labour Conventions and Recommendations which provide for the consultation of employers' and workers' organisations on measures to give effect thereto, and

Having considered the fourth item on the agenda of the session which is entitled *iEstablishment of tripartite machinery to promote the implementation of international labour standards*, and having decided upon the adoption of certain proposals concerning tripartite consultation to promote the implementation of international labour standards, and

Having determined that these proposals shall take the form of an international Convention,

adopts this twentyfirst day of June of the year one thousand nine hundred and seventy-six the following Convention, which may be cited as the Tripartite Consultation (International Labour Standards) Convention, 1976:

### *Article 1*

In this Convention the term *irepresentative organisations* means the most representative organisations of employers and workers enjoying the right of freedom of association.

### *Article 2*

1. Each Member of the International Labour Organisation which ratifies this Convention undertakes to operate procedures which ensure effective consultations, with respect to the matters concerning the activities of the International Labour Organisation set out in Article 5, paragraph 1, below, between representatives of the government, of employers and of workers.

2. The nature and form of the procedures provided for in paragraph 1 of this Article shall be determined in each country in accordance with national practice, after consultation with the representative organisations, where such organisations exist and such procedures have not yet been established.

### *Article 3*

1. The representatives of employers and workers for the purposes of the procedures provided for in this Convention shall be freely chosen by their representative organisations, where such organisations exist.

2. Employers and workers shall be represented on an equal footing on any bodies through which consultations are undertaken.

### *Article 4*

1. The competent authority shall assume responsibility for the administrative support of the procedures provided for in this Convention.

2. Appropriate arrangements shall be made between the competent authority and the representative organisations, where such organisations exist, for the financing of any necessary training of participants in these procedures.

### *Article 5*

1. The purpose of the procedures provided for in this Convention shall be consultations on –

- (a) government replies to questionnaires concerning items on the agenda of the International Labour Conference and government comments on proposed texts to be discussed by the Conference;
- (b) the proposals to be made to the competent authority or authorities in connection with the submission of Conventions and Recommendations pursuant to article 19 of the Constitution of the International Labour Organisation;
- (c) the reexamination at appropriate intervals of unratified Conventions and of Recommendations to which effect has not yet been given, to consider what measures might be taken to promote their implementation and ratification as appropriate;
- (d) questions arising out of reports to be made to the International Labour Office under article 22 of the Constitution of the International Labour Organisation;
- (e) proposals for the denunciation of ratified Conventions.

2. In order to ensure adequate consideration of the matters referred to in paragraph 1 of this Article, consultation shall be undertaken at appropriate intervals fixed by agreement, but at least once a year.

### *Article 6*

When this is considered appropriate after consultation with the representative organisations, where such organisations exist, the competent authority shall issue an annual report on the working of the procedures provided for in this Convention.

[*Article 7 to 14. Final provisions*]



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ISBN 978-92-2-123801-0



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