



The International Labour Standards System

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Outline of presentation



3 strange questions

1. ILO and ILS
2. Adoption
3. Ratification
4. Supervision
5. The Future of Standards

3 strange questions

- Why is the ILO **tripartite**?
- Which of the tripartite partners **invented** the standards system?
- Why is the ILO a specialized agency of the **United Nations** system?



Part I

International Labour Organization, International Labour Standards and Decent Work



International Labour Organization

- Founded in 1919
- Governments + Employers + Workers from 187 countries
- Promotes social justice and fair globalization through decent work

Social Justice



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

Fair Globalization



- Potential for development
- Unfair outcomes
- Social floor

Decent Work



Simultaneous action to ensure that

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

ILO - Means of Action



- Normative approach – Adoption and supervision of the application of international labour standards
- Knowledge
- Services



International Labour Standards

- **Conventions**

- If ratified, they are binding under *international law*
- If not ratified, they influence national law & policy
- **Protocols** may only be ratified together with their Convention

- **Recommendations**

- Same authority as Conventions
- Not open to ratification
- Guidelines or higher standards

International Labour Standards

- Total > 1919 = 190 Conventions + 206 Recommendations
- Up-to-date = 78 C + 6 Protocols + 86 R

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

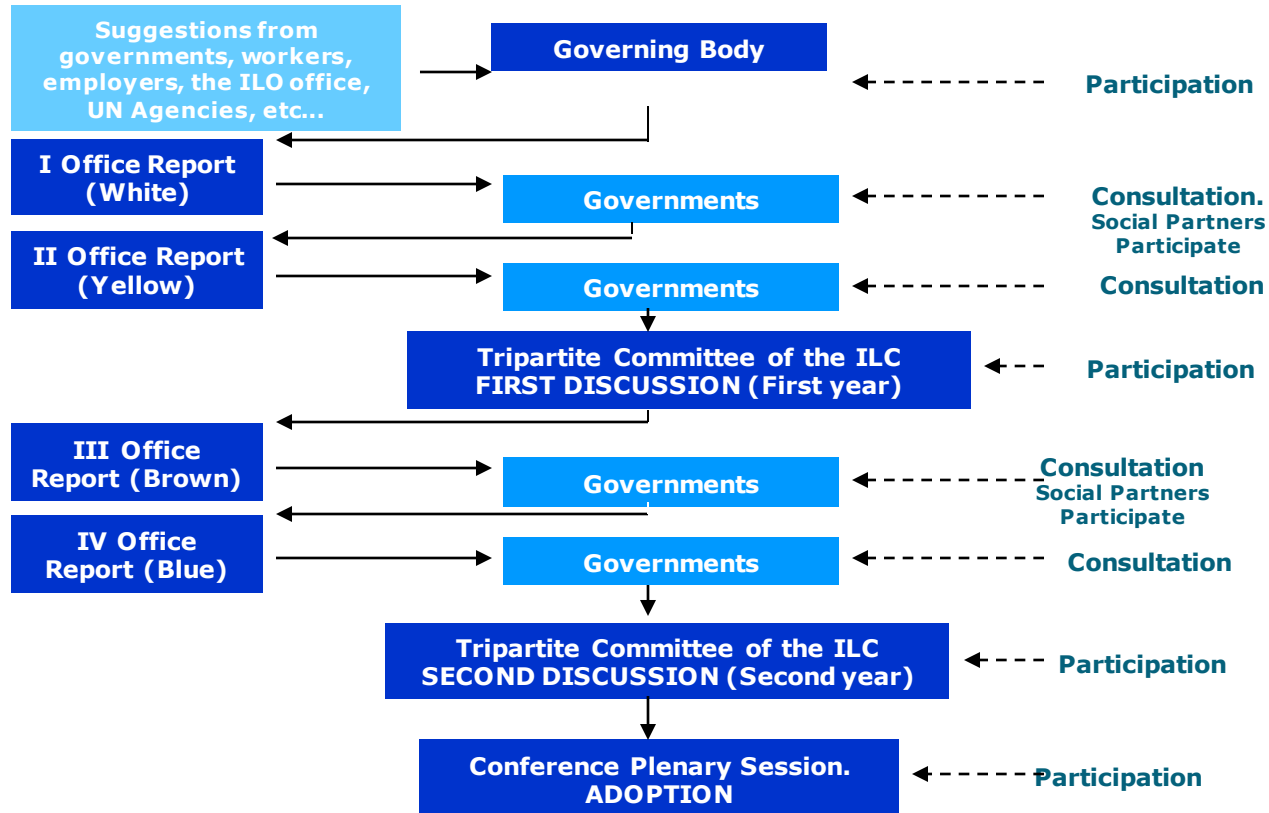
- Four Conventions are **governance** Conventions, setting standards for labour market “institutions”
 - **employment policy** – promoting full, productive and freely chosen employment
 - **labour inspection** – promoting compliance with labour protection law
 - **tripartite consultation** – promoting participation of employers and workers in regulatory activity



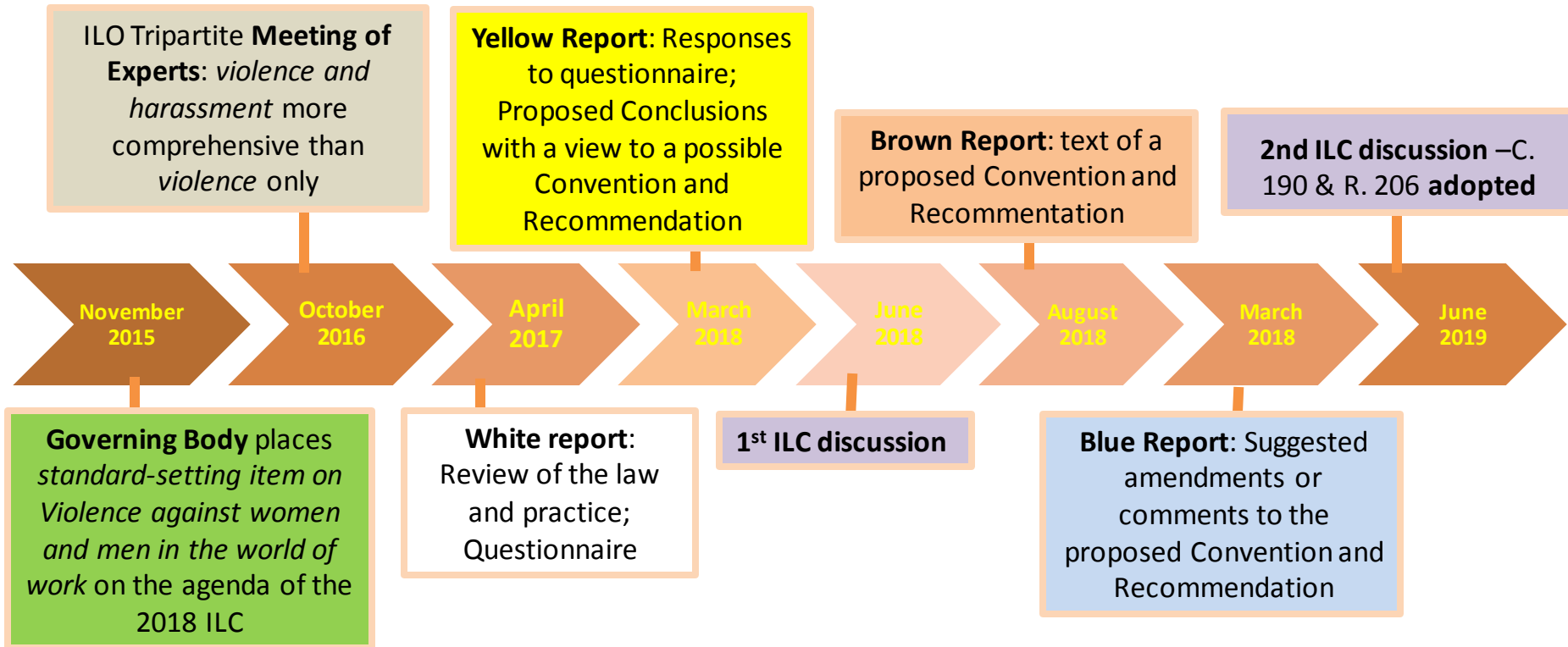
Part II

Adoption

Standard setting: Double discussion procedure



Adoption of C190 and R206





Part III

International Labour Standards Ratification Status

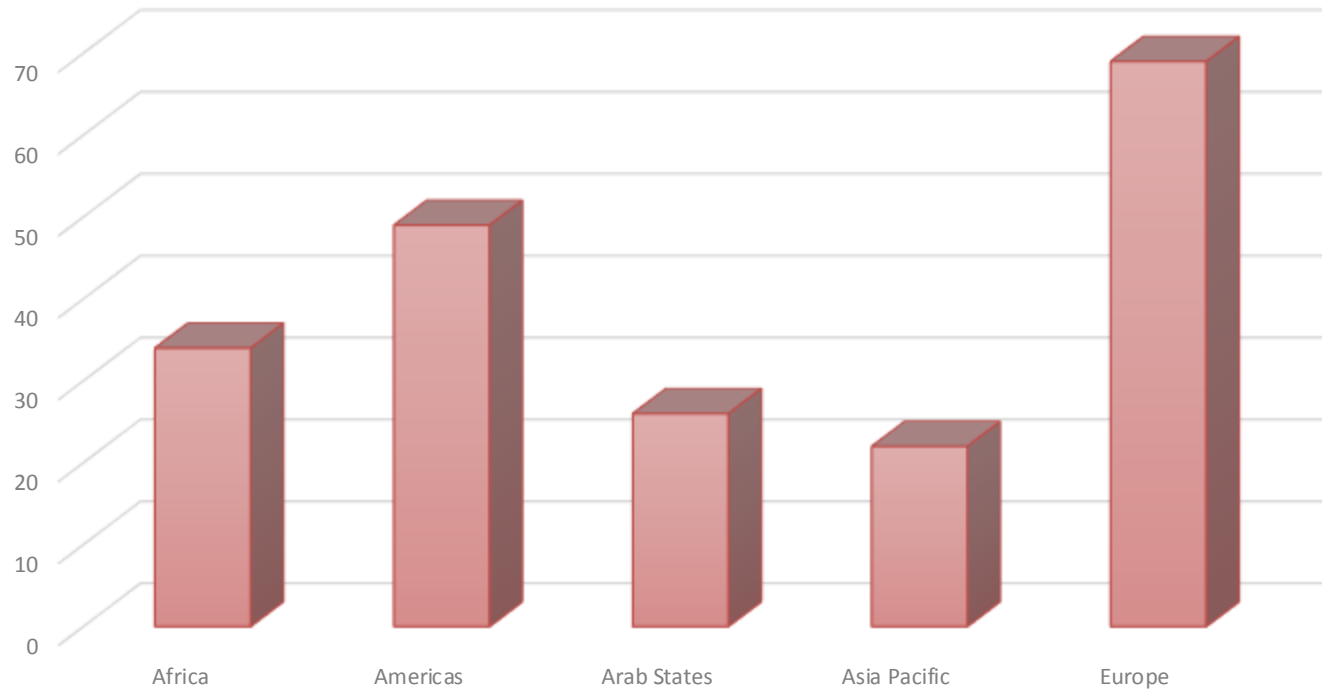
Standards vs Wealth?



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



Ratification of ILO Conventions Average total by region



Fundamental Conventions as of 1 October 2019/ ILO:187 Member States



Year	No.	Official Title	Ratifications
1930	29	Forced labour	(178)
2014	P29	Protocol to C29	(40)
1948	87	Freedom of Association and Protection of the Right to Organise	(155)
1949	98	Right to Organise and Collective Bargaining	(167)
1951	100	Equal Remuneration	(173)
1957	105	Abolition of Forced Labour	(175)
1958	111	Discrimination (Employment & Occupation)	(175)
1973	138	Minimum Age	(172)
1999	182	Worst Forms of Child Labour	(186)



Ratification Status of Fundamental Conventions



As of 1 October 2019/ILO: 187 Member States

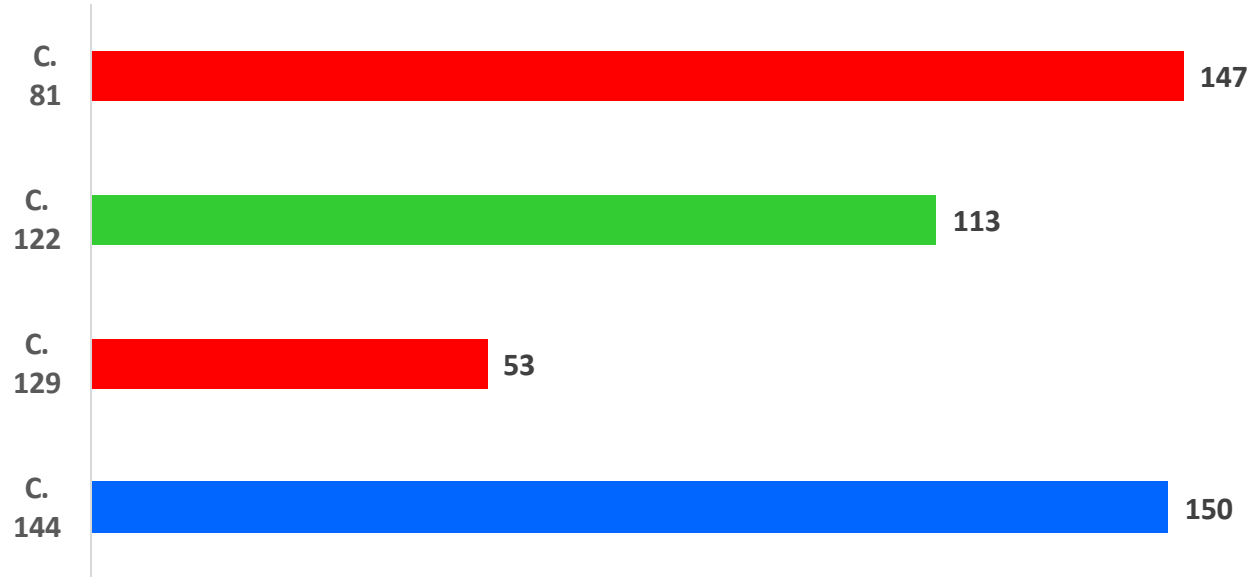
Governance **Conventions** as of 1 October 2019/ ILO:187 Member States



Year	No.	Official Title	Ratifications
1947	81	Labour Inspection	(147)
1964	122	Employment Policy	(113)
1969	129	Labour Inspection (Agriculture)	(53)
1976	144	Tripartite Consultation (International Labour Standards)	(150)



Ratification Status of Governance Conventions



As of 1 October 2018/ILO: 187 Member States

Part IV

ILO Supervisory Machinery

The Regular Supervisory Process



Governments send reports

1st June – 1st September

Social partners may comment

INTERNATIONAL LABOUR OFFICE

November & December

COMMITTEE OF EXPERTS ON THE APPLICATION OF CONVENTIONS AND RECOMMENDATIONS (CEACR)
examines reports, comments and related information

Direct requests sent to the government and the social partners in the country concerned

February

March

Observations published in the CEACR Report

TRIPARTITE CONFERENCE COMMITTEE ON THE APPLICATION OF STANDARDS (CAS)
examines the CEACR Report and discusses a selection of cases

June

INTERNATIONAL LABOUR CONFERENCE
discusses and adopts the CAS Report in plenary

Special mechanisms



FREEDOM OF ASSOCIATION – CFA

Even if the Convention concerned has not been ratified

REPRESENTATIONS (ART. 24)

Only when the Convention concerned is ratified

COMPLAINTS (ART. 26)

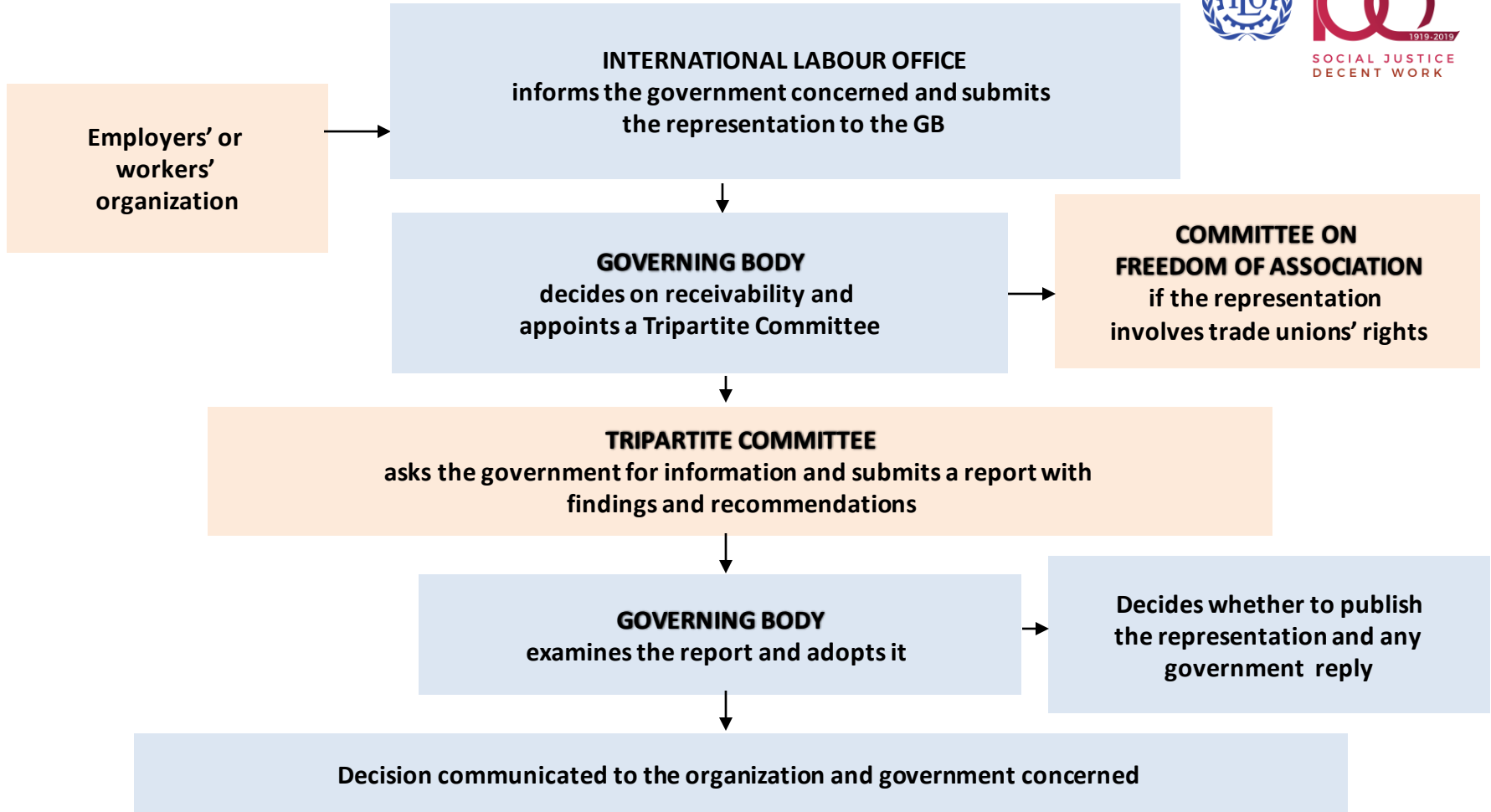
Only when the Convention concerned is ratified

The Committee on Freedom of Association

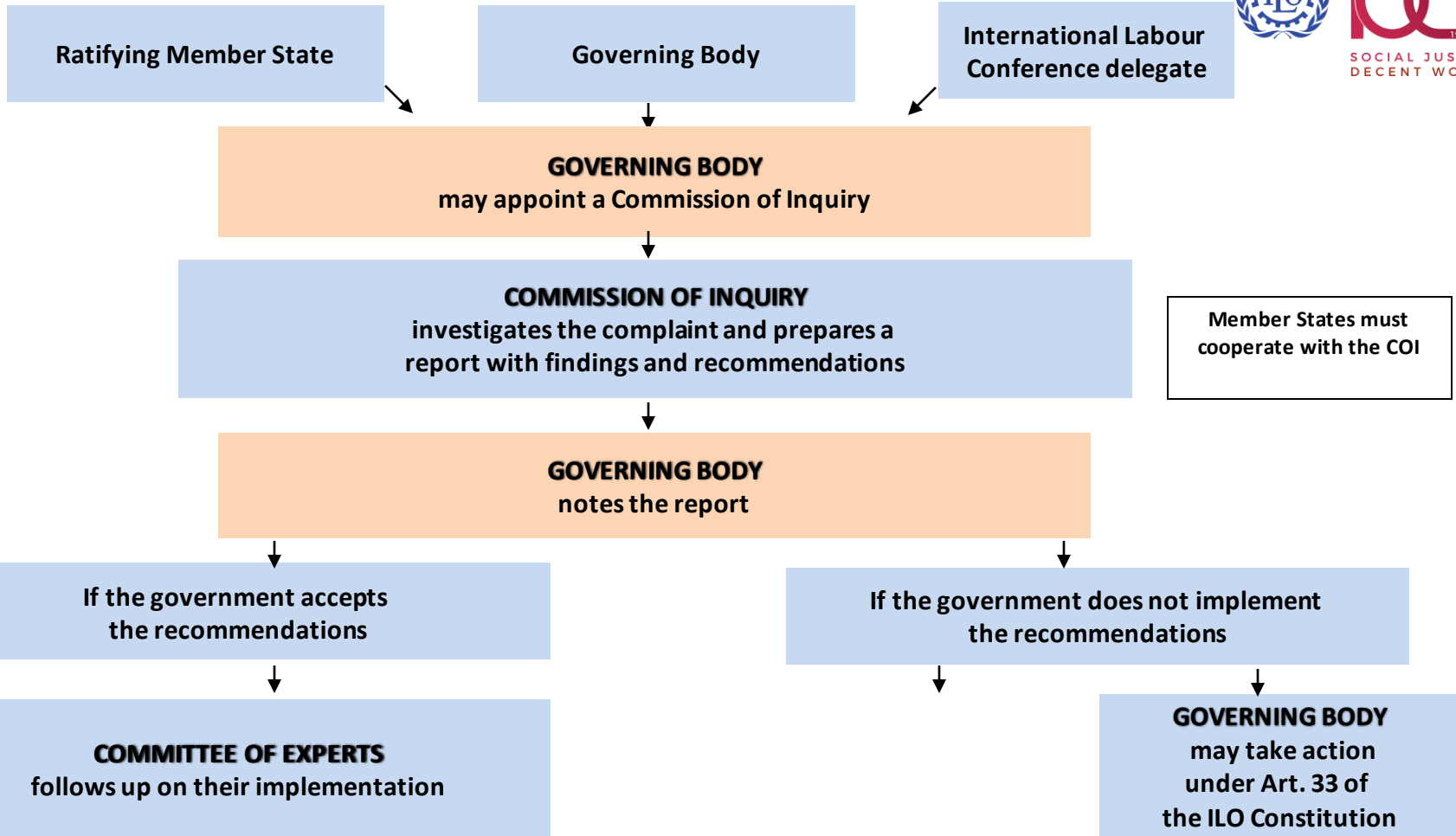


- ❑ Tripartite committee of the Governing Body, comprised of nine regular members representing the three groups
- ❑ Meets three times a year (March, May and November) in private session

The Representation Procedure



The Complaint Procedure



Part V

The Future of Standards

ILO Centenary Declaration



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

2 Pillars – Workplan Supervisory System

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

2 Pillars – Standards Review Mechanism



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

GB members play a role in:



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

Find out more...



- Relevant information on [NORMES website](#) + [NORMLEX](#) database
- [Rules](#) of the Game
- ILO Centenary Ratification [Dashboard](#)
- Contact – NORMES@ilo.org