

International Labour Organization



Backgrounder

The International Labour Organization (ILO) is a United Nations specialized agency that promotes social justice and internationally recognized human and labour rights.

The ILO was founded in 1919 and is the only surviving major creation of the Treaty of Versailles, which brought the League of Nations into being. The ILO became the first specialized agency of the UN in 1946.

Within the UN system, the ILO has a unique tripartite structure with workers and employers participating as equal partners with governments. Tripartism within the ILO means that the power of decision-making is distributed between governments, workers' organizations and employers' organizations.

Currently there are 175 nations (including Canada) who are member states of the ILO.

The ILO's International Standards

One of the primary roles of the ILO is to formulate international labour standards in the form of Conventions and Recommendations. These minimum standards of basic labour rights cover: freedom of association, the right to organize, collective bargaining, abolition of forced labour, equality of opportunity and treatment, and other standards regulating conditions across the entire spectrum of work related issues.

A **Convention** is considered a legal instrument; it defines standards and provides a model for nations to follow. Member nations are encouraged to ratify Conventions and have an obligation to put the Conventions before their Parliament for consideration. **Once a Convention is ratified by a country, its government is expected to treat it as an international treaty and therefore has accepted two obligations: a commitment to apply the provisions of the Convention to its laws and a willingness to accept a measure of international supervision through formal monitoring and reporting mechanisms.**

The ILO's Most Fundamental Conventions

Eight ILO Conventions have been identified by the ILO's Governing Body as being fundamental to the rights of human beings at work, irrespective of levels of development of individual member States. The ILO views these rights as a precondition for all the others in that they provide for the necessary foundation to strive freely for the improvement of individual and collective conditions of work. The eight ILO Conventions are as follows:

- Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)
- Right to Organize and Collective Bargaining Convention, 1949 (No. 98)
- Forced Labour Convention, 1930 (No. 29)
- Abolition of Forced Labour Convention, 1957 (No. 105)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
- Equal Remuneration Convention, 1951 (No. 100)

- Minimum Age Convention, 1973 (No. 138)
- Worst Forms of Child Labour Convention, 1999 (No. 182)

The ILO Committee on Freedom of Association

Perhaps the most fundamental and certainly the most referred to Convention of the ILO is No. 87 - Freedom of Association and Protection of the Right to Organize Convention, 1948. **Canada, with the support of all provincial and territorial governments, ratified this Convention in March, 1972.**

A large majority of complaints regarding non-compliance of ILO Conventions involve Convention No. 87. (over 2000). Because of the importance the ILO attaches to freedom of association principles, it has established – in addition to the regular system of supervision – special machinery for their enforcement known as the ILO Governing Body’s Committee on Freedom of Association (CFA)

The CFA is a very important part of the ILO and has the primary task of dealing with complaints about infringements of *labour and human* rights around the world. Complaints are usually submitted by employer or worker representative organizations from those countries that are member states of the ILO.

The Committee will always ask governments that have been alleged to have violated an ILO Convention to comment on the complaint made against it. Once these comments have been considered along with any further observations from the complaining organization, the CFA will report to the ILO Governing Body at its next session (June, November or March).

If the CFA finds that the alleged facts constitutes an infringement of ILO Convention No. 87, the Committee may recommend that the ILO Governing Body communicate the conclusions of the Committee to the government concerned, drawing attention to the Convention No. 87 violations which it has observed and inviting them to take appropriate measures to remedy the situation.

How Effective is the ILO’s Complaints Procedure?

While the ILO does not have any legal authority to enforce its recommendations on governments that it has found to violate basic ILO Conventions, it does have a great deal of moral suasion in having a government reconsider its actions that are contradictory to basic international labour standards.

Most governments that are found guilty of violating basic ILO Conventions and refuse to comply with rulings of the ILO Governing Body are usually from countries that have fragile democracies and poor record on human rights.

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For further information on the International Labour Organizatio: www.ilo.org