

The International Labour Office (ILO)

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ILO story

- The International Labour Organisation was born in a time of turmoil, of rapid social and technological change.
- In a world struggling to rebuild and rebound from the ravages of war, the ILO was created in the belief that social justice is essential to universal and lasting peace.
- The First World War left behind countries in ruins, people traumatized by war and national economies devastated. Maps were redrawn and the voices of those who had worked day and night behind the front were clamouring to be heard.
- The century preceding the war had been one of profound economic and social change in Europe and the United States. Industrialization had led to an unprecedented growth of the economic power of European nations and to increasingly fierce competition amongst them, driven in part by the sometimes dehumanizing changes taking place in the world of work.

Life in industrialized countries was very different to what it is today

The level and extent of poverty, inequality and discrimination were much greater. It was not unusual to find children working in factories and fields. Workplace accidents and deaths were common.

The Treaty of Versailles

In the aftermath of the First World War, growing disenchantment with massive inequality and poor conditions of work created a Europe on the brink of revolution.

Workers demanded that the peace settlement should include measures to ensure fairer working conditions, promoted through international labour legislation and trade union rights.

"Unrest so great that the peace and harmony of the world are imperilled"

These demands were so insistent and the social situation so explosive that one of the main concerns of the Peace Conference was about "...unrest so great that the peace and harmony of the world are imperilled...".

This statement, which opens the Preamble to the ILO Constitution, clearly casts the Organization in a major role in the maintenance of peace.

The founders of the ILO

...were convinced that there was an essential link between international peace and social justice within countries. This link was so important that an organization dealing with labour matters needed to be set up for the promotion and protection of world peace.

The ILO – bringing together governments, workers' and employers' representatives – was therefore **created in 1919** as Part XIII of the Versailles Peace Treaty, which ended World War

U.S. President F.D. Roosevelt said:

“I well remember that in those days the ILO was still a dream. To many it was a wild dream. Who had ever heard of governments getting together to raise the standards of labor on an international plane?”

“Wilder still was the idea that the people themselves who were directly affected – the workers and the employers of the various countries – should have a hand with government in determining these labor standards.”

Franklin Delano Roosevelt was president of the United States of America when it joined the ILO in 1934.

1919: Drafting of the ILO Constitution

Between January and April, the Labour Commission set up by the Peace Conference meets in Paris and then in Versailles to write the ILO Constitution. The first International Labour Conference, bringing together delegations from 40 countries, is held in Washington, D.C. in October-November 1919.

International Labour Office opens in Geneva: The ILO is established in Geneva, Switzerland, in the summer of 1920, with France's Albert Thomas as the first Director of the International Labour Office, the Organization's permanent Secretariat.

A monitoring system for ILO Conventions

1926: The Committee of Experts on the Application of Conventions and Recommendations is established to hold countries accountable to the ILO Conventions they have ratified.

1929: The beginning of the Great Depression: ILO work is directly linked to finding solutions to the Great Depression, the overriding issue of the time

1939: As the Second World War begins, the ILO's operational centre is temporarily moved to Montreal, Canada, in August 1940.

1944: The Declaration of Philadelphia

The ILO adopts the Declaration of Philadelphia, which reasserts that **labour is not a commodity**, freedom of expression and of association are essential to sustained progress, and poverty anywhere constitutes a danger to prosperity everywhere, making the ILO relevant for the challenges of the post-war years.

See:

O'Higgins, "Il lavoro non è una merce". Un contributo irlandese al diritto del lavoro, DLRI, 1996, p. 295 ss.

Grandi, "Il lavoro non è una merce": una formula da rimeditare, LD, 1997, p. 557 ss.

Supiot, L'Esprit de Philadelphie. La justice sociale face au marché total, Seuil, 2010, 181 p.

1946: the ILO joins the United Nations

1948: adoption of the ILO Convention on freedom of association

- 1946: The ILO becomes the first **specialized agency** of the newly formed United Nations. This establishes the ILO as one of the central fora for debate throughout the Cold War.
- 1948: Adoption of the **fundamental ILO Convention on Freedom of association** and Protection of the Right to Organise (No. 87) sets forth the right for workers and employers to establish and join organizations of their own choosing without needing authorization.

Adoption of the fundamental ILO Convention on collective bargaining: 1949

- The Right to Organise and Collective Bargaining Convention (No. 98) states that workers shall be protected against acts of anti-union discrimination, and enshrines the right to collective bargaining.

1964: The Declaration against Apartheid

- The International Labour Conference unanimously adopts the Declaration concerning the Policy of Apartheid, condemning the South African Government's racial policy. In 1990, Nelson Mandela attends the ILC, where he pays tribute to the ILO for its contribution to the struggle against apartheid.

ILO awarded the Nobel Peace Prize on its 50th anniversary in 1969

“There are few organizations that have succeeded to the extent that the ILO has, in translating into action the fundamental moral idea on which it is based.... Working earnestly and untiringly, the ILO has succeeded in introducing reforms that have removed the most flagrant injustices in a great many countries.”

Mrs. Aase Lionaes, Chairman of the Nobel Committee of the Norwegian Parliament.

1976: Adoption of ILO Convention on tripartism and labour standards

The Tripartite Consultation (International Labour Standards) Convention (No. 144) sets forth that employers and workers shall be represented equally on any bodies through which ILO consultations are undertaken, and consultations shall take place at least once every year.

1992: New programme to eliminate child labour

- The ILO launches the International Programme on the Elimination of Child Labour (IPEC), the most far-reaching programme ever to eliminate child labour, which, according to ILO statistics, has contributed to removing over 86 million children from child labour situations worldwide.

1998: The ILO Declaration on Fundamental Principles and Rights at Work

Member countries of the ILO commit **to respect** and **promote** rights and principles relating to:

- **freedom of association**
- **forced labour**
- **child labour**
- **discrimination**

whether or not they have ratified the relevant Conventions.

1999: Launch of the **Decent Work Agenda**

Decent Work sums up the aspirations of people in their working lives. The Agenda's four pillars are promoting:

- jobs and enterprises
- extending social protection
- promoting social dialogue
- guaranteeing rights at work

Equality of opportunity and treatment for all women and men unifies these four pillars.

2008: The Declaration on Social Justice for a Fair Globalization

- The Declaration promotes decent work through an integrated approach aimed at four strategic objectives: employment creation, social protection, social dialogue, and fundamental principles and rights at work.
- It promotes **social dialogue** and **tripartism** as the **most appropriate methods** for translating economic development into social progress, and social progress into economic development. The same year, the global financial crisis takes hold, becoming the worst economic downturn since the Great Depression.

2009: The Global Jobs Pact

Faced with the prospect of prolonged unemployment, poverty and inequality, the International Labour Conference adopts the Global Jobs Pact, aimed at stimulating economic recovery, generating jobs and providing protection to working people and their families.

2015: Decent Work at the centre of the Sustainable Development Goals (SDGs)

During the UN General Assembly in September 2015, the four pillars of the Decent Work Agenda – standards and rights at work, employment creation and enterprise development, social protection and social dialogue – become integral elements of the 2030 Agenda for Sustainable Development.

ILO Centenary: Shaping a future that works for all

The International Labour Organization, the oldest UN specialized agency, in 2019 celebrates its 100th anniversary.

Tripartism: How the ILO works to achieve social justice

- The ILO is the only international organization in which governments do not have exclusive voting power.
- When setting standards and policies, employers' and workers' representatives have an equal voice with governments in its decision-making processes.
- This concept is known as **“tripartism”**. This unique arrangement gives the ILO the advantage of **incorporating “real world” knowledge** about employment and labour issues into its work.
- Based on this successful example, some 85% of ILO member States have since created tripartite institutions to deal with labour-related matters.
- In 1919, the decision to give “non-government” representatives a right to participate in international conferences was an entirely radical suggestion. In fact, even after the founding of the ILO, it would be many years, even decades, before most countries practiced tripartism at the national level.

Social dialogue

- This democratic process, whereby the people affected by decisions in the world of work should have **a voice in the decision-making** and implementation processes, is known as **social dialogue**.
- It takes many forms including **information exchange, consultation and negotiation** between workers, employers and governments. This is based on the **right to freedom of association**, which allows workers and employers **to form and join organizations of their own choosing, and the right to collectively negotiate** wages and other conditions of employment. Social dialogue works best when it is based on transparency, honesty, mutual respect and understanding.
- In the workplace, social dialogue can improve working conditions and contribute to economic performance, and it is a strong driver of stability, equity, productivity and sustainable growth.
- At the national level, social dialogue and tripartism act as guardians of participatory democracy. They work together to guarantee and promote fundamental principles and rights at work. They ensure that workers benefit fairly from the economy, that workplaces are safe, and that globalization is good for everyone. Social dialogue and tripartism are essential for sustainable development, social justice and peace.

Workers' and Employers' Organisations

Sound industrial relations remain a common and formidable challenge for both workers' and employers' organizations around the world.

As social dialogue is critical to its work, the ILO helps improve the effectiveness of these organizations so they can better support and represent their members. The ILO therefore works closely with worker and employer representatives who, along with government representatives, sit on the Governing Body of the ILO and help set its agenda.

Through workplace cooperation, the ILO remains continually relevant in the world of work and the ever-changing challenges it faces, such as introducing new technologies, promoting innovation and securing safe working environments.

International labour standards

The ILO is also distinct from other intergovernmental organizations in another important respect – in the **international labour standards** that it adopts and the way it **supervises their implementation**.

These **international treaties** spell out the actions to be taken and the principles to be respected by the countries that ratify them. They are **a principal means of ILO action** and influence in the world of work and help create a level playing field in which countries, companies and workers compete fairly.

International labour standards

Labour is not a commodity, an inanimate product that can be negotiated for the highest profit or the lowest price.

What we call **Decent Work** is bound in a person's self-respect, well-being and development as a human being. International labour standards ensure a path to decent work.

For economic development to be meaningful, it should include the creation of jobs and conditions in which people can work in freedom, equity, safety and dignity.

International labour standards are there to ensure that development remains focused on improving the well-being of all.

Conventions and Recommendations

- Achieving the goal of Decent Work in the globalized economy requires action at the international level. Since its creation, the International Labour Organization has done just that, through a system of legal instruments backed by governments, employers and workers alike.
- These can be either **Conventions**, which are **international treaties that become legally binding once they are approved or “ratified” by governments**, or **Recommendations, which are non-binding guidelines**.
- ILO Conventions and Recommendations establish minimum levels of protection relating to specific labour issues, such as child labour, forced labour, gender equality and many others.
- They address new realities and challenges faced by working people in a changing world, and in turn serve to create a level playing field for countries and industries **to compete fairly**. Many of the laws in every country that ensure good working conditions in the place of work were, most likely, drafted to comply with ILO international labour standards.

How international labour standards are adopted

- Developing international labour standards at the ILO is a **unique process** involving **governments, workers and employers** from around the world **working together**.
- Once a problem in the world of work is identified, the **Governing Body** of the ILO agrees to discuss the issue at the International Labour Conference, based on a **report** prepared by the ILO and **commented** upon by all member States, workers' and employers' organizations.
- Based on this discussion, the ILO then drafts the labour standard, which is further discussed at the following Conference, where it is amended as necessary and proposed for adoption. **A two-thirds majority of votes** is required for a standard **to be adopted**.

How new problems are identified?

Governments, workers' and employers' organizations, and **civil society** groups are involved in identifying the need for new international labour standards.

Ex: In 1998, a grassroots movement called the Global March against Child Labour brought together NGOs, trade unions, teachers, and children, under the leadership of Kailash Satyarthi to demand an end to child labour.

They marched through Africa, Asia, North and Latin America, and Europe, where their final destination was the International Labour Conference in Geneva.

Core principles and rights

- The ILO Governing Body has identified four issues considered as core principles and rights in the workplace. These are protected by eight "fundamental" Conventions and associated Recommendations and Protocols.
- **1 Freedom of association and the right to collective bargaining**
- **2 Elimination of all forms of forced labour**
- **3 Effective abolition of child labour**
- **4 Elimination of discrimination at work**

Declaration on Fundamental Principles and Rights at Work 1998

- These principles form the basis of the ILO Declaration on Fundamental Principles and Rights at Work.
- Adopted in 1998, the Declaration commits member States to respect and promote principles and rights in these four categories, **whether or not they have ratified** the relevant Conventions.

FUNDAMENTAL CONVENTIONS

Convention 182: Worst Forms of Child Labour Convention, 1999

Member States will take immediate and effective measures to eliminate the worst forms of child labour, including all forms of slavery such as the sale and trafficking of children or recruitment of children for use in armed conflict; child prostitution; the use of children for illicit activities, in particular for the production and trafficking of drugs; and work which is likely to harm the health, safety or morals of children.

Ratified by 186 countries

Forced Labour Convention, 1930 (No. 29)

Member States undertake to suppress and prevent the use of forced or compulsory labour within the shortest possible period, including human trafficking, and to ensure effective remedies for its victims.

Ratified by **178 countries**

Abolition of Forced Labour Convention, 1957 (No. 105)

Member States undertake to end the use of any form of forced or compulsory labour as a means of political coercion or as a punishment for holding or expressing political views; for mobilizing and using labour for purposes of economic development; as a means of labour discipline; as a punishment for having participated in strikes; or as a means of racial, social, national or religious discrimination.

Ratified by 175 countries

Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

Member States undertake to pursue a national policy designed to promote equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination made on the basis of **race**, **colour**, **sex**, **religion**, **political opinion**, **national extraction** or **social origin**, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

Ratified by 175 countries

Equal Remuneration Convention, 1951 (No. 100)

All workers should be paid according to the principle of equal remuneration for men and women **for work of equal value.**

Ratified by 173 countries

Minimum Age Convention, 1973 (No. 138)

Member States undertake to ensure the effective abolition of child labour and to raise the minimum age for work to a level consistent with the fullest physical and mental development of young persons and in line with compulsory school education. The minimum age for any type of employment which is likely to jeopardize the health, safety or morals of young persons (called hazardous work) shall not be less than 18 years.

Ratified by 172 countries

Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

Workers have the right to protection against acts of anti-union discrimination in respect of their employment. The voluntary negotiations between employers or employers' organisations and workers' organisations to regulate the terms and conditions of employment by means of collective agreements shall be promoted.

Ratified by 166 countries

Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)

Workers and employers, without distinction whatsoever, have the right to establish or join organizations of their own choosing without needing authorization. Member States undertake to take all necessary and appropriate measures to ensure that workers and employers may freely exercise this right to organize themselves.

Ratified by 155 countries

The ILO supervisory system

- International labour standards are only effective if they are **enforced**.
- To achieve this, ILO Conventions are backed by a supervisory system that is unique at the international level, which helps ensure that countries apply the Conventions they ratify.
- The ILO, through the adoption of international labour standards, has responded in the past and continues to respond today to a growing number of challenges faced by workers, employers and governments alike in the global economy.
- Many ideas, which we now take for granted, from gender equality to non-discrimination in the workplace, were first discussed at the international level by the ILO

- The ILO's core mission to strive for a better future for all in the world of work requires it to understand and anticipate the factors that contribute to the changes that are transforming the world of work.
- By establishing new rights and protections for workers and employers in this changing environment, the ILO continues to fight for a world with equality, and freedom from discrimination.