

ILO Conventions and "Core" Labour Rights

Since its establishment in 1919, the International Labour Organization⁵ has adopted more than 170 Conventions dealing with an extremely broad range of labour standards and rights. These conventions cover a wide range of labour issues including: basic labour rights; conditions of work; labour market and social policy; and industrial relations. ILO Conventions are subject to individual country ratification, and when ratified constitute a binding obligation.⁶ The total number of ratifications by ILO members is around 6000.⁷

The ILO has also adopted a large number of "Recommendations". Their aim is to act as guidelines for national policy implementation of Conventions. Recommendations are not ratifiable and there is no obligation for countries to apply them. This system of individual country ratification and implementation stands in contrast with the WTO, where international trade-rules have been accepted as a single undertaking with few exceptions. While both the WTO and ILO have international legal instruments, the structure of the instruments are very different.

There is no formal international agreement on a precise list of labour standards that would make up a set of "core labour" rights. Nor does the ILO itself identify a group of conventions as "core" Conventions. The ILO does, however, have a classification guide which places conventions and recommendations into one of fourteen categories. The first category is "basic human rights", although a footnote to the category indicates that the designation does not mean conventions and

⁵In 1946 the International Labour Organization became the first specialized agency of the United Nations.

⁶The ILO has an elaborate supervisory mechanism. If a country has ratified a Convention, it must report regularly to the ILO on measures it has taken to give effect to the provisions of the Convention. The ILO also requires that countries report at intervals on their legislation and practice with respect to unratified Conventions and Recommendations. Moreover, in addition to the regular supervision, a special body, the tripartite Committee of Freedom of Association of the Governing Body, examines complaints on alleged violations of the ILO freedom of association Conventions. Complaints, and the subsequent examination, may be raised against countries that have not ratified the freedom of association Conventions. See International Labour Office, The Impact of International Labour Conventions and Recommendations, and the International Labour Office, Trade Unions and the ILO.

⁷International Labour Office, Report of the Director-General (Part 1), Defending Values, Promoting Change, International Labour Conference, 81st Session 1994, p.41. At this time the ILO had 170 Member States.