



ROLE OF INTERNATIONAL LABOUR ORGANIZATION IN SETTING LABOUR STANDARDS

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Abstract

The International Labour Organization is a specialized agency of the United Nations that is dedicated to improve labour conditions. It also provides the living standards throughout the world. This Organization was a result of the “Treaty of Versailles” and was established in the year 1919. This was an affiliated agency of the League of Nations and also affiliated to United Nations as specialized agency in 1946. This organization was awarded by Nobel Prize for Peace in 1969 for its contributions in the field of labour and living standard. This organization also includes directives for the advancement and promotion of standards for national laws to protect and improve the working and labour conditions. This research paper is an attempt to highlight the main strategic objectives; scope, limitations and different aspects laws regarding ratification, freedom of association and right to collective bargaining, the core labour standards and child rights.

Key Words: Organization, International Trade, Psychological damages, Free Association and right to Collective Bargaining

The International Labour Organization provides technical assistance in social policy and in the administration of workforce training fosters cooperative organizations and rural industries. It also assists in the compilation of labour statistics and conducts research on the social issues of international competition, unemployment/underemployment, labour and industrial relations, and technological changes and helps to protect the rights of international migrants and organized labours. It was largely concerned with legislative and research efforts in its first decade. The ILO finds out many ways to tackle the issues relating to economic depressions time to time. During the worldwide economic depression of the 1930s the ILO sought ways to combat widespread unemployment. After the postwar



breakup of the European colonial empires and the ILO expand its scope for membership to include poor and less developed countries. It concentrated itself to new issues, including the social problems created by the liberalization of international trade, the problem of child labour and poor working conditions. It would not be wrong to say ILO an exclusive association among intergovernmental organizations. Approximately 175 members of ILO States are represented not only by delegates of their governments but also by delegates of those States' employers and workers, especially trade unions. Therefore, this organization is based on tripartite arrangement. National representatives meet annually at the International Labour Conference. The ILO's executive authority is vested in a 56 members of governing body, which is elected by the Conference. The International Labour Office in Geneva, Switzerland, composed of the permanent Secretariat and professional staff, handles day-to-day operations under the supervision of an appointed director general. The ILO has international civil servants and technical assistants working in countries throughout the world. The ILO's published its own research journals such as "International Labour Review" and "The Year Book of Labour Statistics."

The Strategic Objectives of International Labour Organization

After reviewing the existing literature, it is found that International Labour Organization has four fundamental strategic goals that are given below:

- i Promote and realize standards and fundamental principles and rights at work.
- ii Create greater opportunities for women and men to decent employment and income.
- iii Enhance the coverage and effectiveness of social protection for all.
- iv Strengthen tripartism and social dialogue.

Method of Creating International Labour Standards

The International labour standards developed due to increasing international concern on many issues such as women maternity security, ensuring safe working atmosphere for agricultural workers, child labour etc. and it was necessary an action to be taken on these particular issues. The International Labour Standards are developed in a



unique legislative way involving representatives of governments, workers and employers from around the world. The two-thirds majority of voters were in favour of implementation of standard. Whenever, a member State adopts the convention at the International Labour Conference, it is required to submit it to their national competent authority for the ratification of appropriate legislation or other necessary action. The convention comes into force after a period of twelve months after being ratified by 2 member States. It is a formal procedure where a member State recognizes the convention as a lawfully binding instrument. Once it has been ratified a convention, the member State is subject to the ILO's regular supervisory system and accountable for making sure that the convention is applied at national level. The International Labour Standards are implemented by the two-third majority of votes of the member States; hence, these standards are universally recognized principles. At the same time, the diversity of culture, historical background, legal system and economic conditions make the generalization difficult in all States. Therefore, most of the international labour standards are formulated in such manner which suitable to all member States. Due to the reason ILO makes the standards flexible to fit in the national law framework with regard to implementation and practice; i.e. the International Labour Standards requires the member States to set up a system for fixing the minimum wages suitable to the economic conditions of each country and which is necessary for the economic development, instead of minimum wages.

Applicability of International Labour Standards

The economic environment is dynamic and the world is full of unlimited possibilities. Therefore, in respect to the changing world it is necessary to adopt the international labour standards according to new economic changes in the world. Until January 2010, 188 conventions have been adopted by the ILO. The application of international labour standards is subject to constant supervision by the ILO. Due to its long-standing experience but also because of its unique tripartite structure (bodies are composed according to the 2+1+1 formula: two government representatives and one representative each of employers' and of workers' associations), the procedures of adopting and implementing ILO



conventions form part of a most effective mechanism for the protection of human rights of labour within the UN system.

Major Labour Standards

The declaration of International Labour Standards on Fundamental Principles and Rights at Work declared four core labour standards namely; freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation. It is necessary to discuss all these labour standards to understand the core concept of these standards.

Freedom of Association and Right to Collective Bargaining

There are four standards as mentioned but the freedom of association is nucleus of the ILO's values as it is protected in the ILO Constitution. It is also declared a right in the Universal Declaration of Human Rights. The organizations for employers and workers are essential for sound collective bargaining and social dialogue. On the other hand, there are challenges in applying these principles in different countries; i.e. in some countries certain categories of workers such as public servants, seafarers, workers in export processing zones are deprived of the right of association. The organizations of workers and employers are suspended unlawfully or hindered with and in some extreme cases trade unionists are even arrested or killed. Collective Bargaining is an effective way through which the employer and the trade union can set fair wages and working conditions. It helps in improving the quality of labour relations. The objective of collective bargaining is to settle the disputes and conflicts amidst the parties.

Forced Labour

Forced labour can be understood as work that is performed involuntarily and under the menace of any penalty. It refers to situations in which persons are coerced to work through the use of violence or intimidation or by more subtle means such as manipulated



debt, retention of identity papers or threats of denunciation to immigration authorities. This problem is condemned at global scale; millions of people from around the world are still subject to it. Traditional slavery can still be found in some parts of Africa, whereas forced labour in the form of coercive recruitment can still be found in many countries of Latin America, some parts of the Caribbean. Forced labour is a serious violation of the fundamental human rights and is the cause of poverty and a barrier to economic development. ILO standards on forced labour combined with targeted technical assistance are the primary international tools for fighting this practice of slavery.

Child Labour

Child labour is also a grave violation of the basic human rights and has been the major element to hold back children's development. The child labour leads a life full of physical or psychological damages. Studies suggests a strong link between household poverty and child labour. Child labour spreads across generations by keeping children out of schools and limiting their development. A recent study by ILO suggests that by eliminating child labour in developing countries, it could generate economic benefits by as much as seven times greater than the cost mostly associated with better schooling and social services. The ILO standards on child labour are primary international legal norm to combat this issue.

Discrimination

Millions of men and women around the world are victims of discrimination and are denied access to jobs and training, receive low wages, or are restricted to certain occupations simply on the basis of their sex, colour if skin, ethnicity or beliefs, without taking into consideration of their potential and expertise. ILO standards on equality provide the law to get rid of discrimination in all aspects of the place of work and in the society as a whole. They also provide the foundation upon which gender equality can be applied in the field of labour.

Conclusion



In support of its goals, the ILO offers unmatched expertise and knowledge about the world of work, acquired over almost many years of responding to the needs of people everywhere for decent work, livelihoods and dignity. The International Labor Organization (ILO) is devoted to promoting social justice and internationally recognized human and labour rights, pursuing its founding mission that labour peace is essential to prosperity.

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