



International
Labour
Organization



ILO Centenary Ratification Campaign

FAQs

What is ratification?

Ratification is a sovereign act of a member State of the ILO expressing the State's intention to be bound by the terms of an international labour Convention. Protocols can be ratified together with the Convention with which they are associated or after the ratification of that Convention.

By ratifying an ILO Convention, a member State accepts:

- (a) to apply the Convention in law and in practice without reservation;
- (b) to report regularly to the ILO supervisory bodies on its application in law and in practice; (regular reporting under article 22 of the ILO Constitution)
- (c) to engage with ILO supervisory bodies in the course of remedial procedures examining allegations of non-observance of a ratified Convention (articles 24 and 26 of the ILO Constitution).

Why does ratification matter?

Ratification matters because international labour standards create a level playing field across countries and sectors to protect workers, to promote a fair globalization, social justice and sustainable development.

Ratification matters most as a "safety lock", ensuring that progress made in application does not get overturned for reasons of expediency.

Ratification matters as it endorses the role of the ILO as the custodian of a single standard system and a safeguard against diverging interest-driven interpretations (notably in the context of trade disputes).

Ratification matters as it provides a specific role for labour market actors (social partners) in the application of international labour standards.

Ratification matters increasingly as a political and economic "business card" because the International Labour Conference has called for the universal ratification of fundamental and governance Conventions.

Why ratify in 2019?

In 2019, the ILO celebrates its centenary. One hundred years ago, the ILO was set up to promote social justice.

The founders of the ILO chose the setting and supervising the application of international labour standards as the key strategy to achieve that objective.

Throughout the last century, international labour standards have guided countries "to adopt humane conditions of labour" and in doing so have prevented them from becoming "an obstacle in the way of other nations which desire to improve the conditions in their own countries".

This work is not completed and cooperation between countries to pursue social justice remains a pillar of the multilateral system.

Ratification is a political act in support of such cooperation.

What is the relationship between ratification and application?

Ratification and application are equally important and mutually supportive.

Ratification without application does not deliver social justice outcomes. Ratification by itself does not guarantee application, but demonstrates political will and provides international leverage to move application forward.

Application without ratification impedes objective supervision, does not offer assurances that ILS will be complied with as agreed and makes application entirely dependent on short-term political shifts.

What are the pros and cons of ratification?

Ratification of an ILO instruments has several positive aspects.

From an international perspective:

- Ratification represents a member State's solemn commitment to realize decent work and social justice as a responsible member of the international community – and a committed partner in the implementation of the 2030 Development Agenda.
- Ratification means a member State strengthens the “level playing field” on which no State lowers its national labour standards to gain a competitive advantage
- Ratification helps a member State to identify and close gaps in application in dialogue with the ILO supervisory bodies based on a common and internationally recognized understanding of the standards

From a national perspective:

- Ratification can help the ratifying country to accelerate the sustainable development of human potential and economic growth in general.
- Ratification can guide reform in the gradual improvement of labour law and practice.
- Ratification may help a ratifying member State to benefit from trade preferential treatment (e.g. EU GSP, GSP+ or EBA requires ratification and application of all 8 ILO fundamental Conventions)

Of course, there are also obligations accompanying ratification.

- Ratification means the country must fulfil obligations spelled out in the instrument it has ratified, making efforts to give it effect in national law and practice and submitting regular reports on measures that been taken to apply it at the national level (see above).

Should member States consider ratifying the relevant Convention or Protocols if they already apply the international labour standards contained in the instrument?

Yes. If a member State is already applying the international labour standards contained in the instrument, it should actively consider ratifying the relevant Convention or Protocol.

It thereby sets an example for other member States, and also ensures that national standards cannot be easily overturned for reasons of expediency (see above).

What are the benefits of ratifying a technical Convention?

ILO technical Conventions benchmark decent work in all its dimensions and aspects.

As such, technical standards can directly assist in reaching a wide range of targets in the 2030 Development Agenda and provide important policy guidance.

Technical standards can directly contribute to the formalization of work in the informal economy and the protection of workers.

What is the role of government and of the social partners with respect to ratification?

Formally, the government conveys a member State's decision to ratify an international labour Convention or Protocol. The government should consult the most representative employers' and workers' organizations before such decision is taken. Effective application of a Convention critically depends on the support, cooperation and experience of employers' and workers' organizations.

If a member State has ratified [the Tripartite Consultation \(International Labour Standards\) Convention, 1976 \(No. 144\)](#), it must hold regular tripartite consultations with the most representative employers' and workers' organizations on ratifications.

The social partners

- may at any time recommend the ratification of international labour Conventions and Protocols to the government;
- should be free to express their views and organize activities in relation to ratification and application.



What is the relationship between ratification and application of international labour standards and Decent Work Country Programmes (DWCPs)?

DWCPs are the main vehicle for delivery of ILO support to countries.

As such, DWCPs have a number of basic objectives –

- They promote decent work as a key component of national development strategies as these strategies align themselves with the 2030 Development Agenda.
- They are the distinct ILO contribution to UN country programmes (i.e. UNDAFs or UNPAFs) and constitute one main instrument to better integrate regular budget and extra-budgetary technical cooperation.
- They organize ILO instruments, knowledge, advocacy and cooperation at the service of tripartite constituents in a results-based framework to advance the Decent Work Agenda within the fields of comparative advantage of the Organization.
- International labour standards, tripartism and social dialogue are the core comparative advantage of the Organization and require continuous support at country level. They are central to the planning and implementation of a coherent and integrated ILO programme of assistance to constituents in member States.

This means that every DWCP should seriously consider normative support outputs in each of the following domains –

- ratification of up-to-date Conventions and Recommendations
- application (giving effect to standards in law and practice)
- reporting (responding to comments of the supervisory bodies)
- examining recommendations of the Standards Review Mechanism
- building capacity of government and social partners to organize around ILS

An average of 2 – 3 DWCPs will cover the period until 2030. A planning of normative results that supports the 2030 Development Agenda should not be confined to the timeframe of a single DWCP.

Which Conventions/Protocols does ILO recommend for ratification on a priority basis?

Does the Office offer technical assistance before or after ratification?

The Office offers technical assistance to constituents before or after ratification upon request.

As such, the Office does not impose technical assistance nor is it under any obligation to provide such assistance.

Regarding fundamental Conventions, the Office aims to provide follow-up to requests for technical assistance under the Annual Review of fundamental conventions and the Protocol, in line with the 1998 Declaration. IPEC+ is ILO's main technical cooperation programme to assist member States with ratification, and most importantly, implementation of fundamental principles and rights at work, in particular child labour and forced labour.

Eight fundamental Conventions (and a Protocol)

- C029 - Forced Labour Convention, 1930 (No. 29)
- P029 - Protocol of 2014 to the Forced Labour Convention, 1930
- C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- C100 - Equal Remuneration Convention, 1951 (No. 100)
- C105 - Abolition of Forced Labour Convention, 1957 (No. 105)
- C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
- C138 - Minimum Age Convention, 1973 (No. 138)
- C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)

Four governance Conventions

- Labour Inspection Convention, 1947 (No. 81)
- Employment Policy Convention, 1964 (No. 122)
- Labour Inspection (Agriculture) Convention, 1969 (No. 129)
- Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

Technical Conventions promoted by ongoing ratification campaigns, e.g.

- Social Security (Minimum Standards) Convention, 1952 ([No. 102](#))
- Domestic workers Convention, 2011 ([No. 189](#))
- Maritime Labour Convention, 2006 ([MLC](#))
- Indigenous and Tribal Peoples Convention, 1989 ([No. 169](#))
- Labour Statistics Convention, 1985 ([No. 160](#))

The Centenary is an opportunity for member States to help some instruments reach a milestone number of ratifications!

- ✓ C. 182 – universal ratification (all 187 member States!)
- ✓ P. 29 – 50 ratifications
- ✓ C. 144 – 160 ratifications
- ✓ C. 102 – 60 ratifications
- ✓ C. 167 / C. 176 – 40 ratifications
- ✓ MLC – 100 ratifications

Conventions recommended for ratification by the ILO Standards Review Mechanism bodies (SRM Tripartite Working Group and Special Tripartite Committee (STC) for the Maritime Labour Convention (MLC))

- Ratification of more up-to-date Conventions in relation to the 30 outdated Conventions listed in the [follow up letter](#) to [the 2nd meeting of SRM TWG](#) sent to each member State concerned (2016)
- Promotional campaign of standards establishing fundamental principles of OSH ([C.155](#), [P.155](#), [C.161](#) and [C.187](#)) as well as OSH standards providing protection against specific risks ([C.162](#) on asbestos, [C.170](#) on chemicals, and [C.174](#) on prevention of major industrial accidents recommended by [the 3rd meeting of SRM TWG](#)) (2017)
- Promotional campaigns on OSH standards in particular branches of economic activity ([C.176](#), [C.167](#)); labour inspection standards (C.81, C.129) and labour statistics standards ([C.160](#)) recommended by [the 4th meeting of the SRM TWG](#) (2018)
- Promoting ratification of the MLC, 2006 recommended by [the 3rd meeting of STC](#) (2018)

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