



# Fundamental Principles and Rights at Work (FPRW): Recent Developments

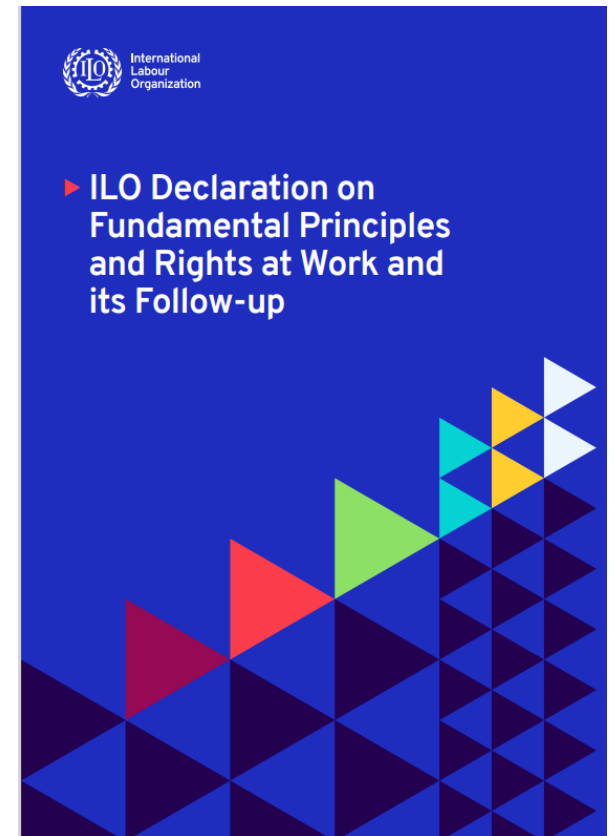
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# From a “social clause” to “privatization”

- ▶ Obligations and commitments **inherent to ILO Membership**
- ▶ Commitment to **Respect + Promote + Realise** fundamental Principles and Rights at Work (FPRW)
- ▶ **Human rights** and **enabling conditions** for the achievement of all four ILO strategic objectives
- ▶ **Universal + Immutable + Inseparable + Interrelated + Mutually-reinforcing** character
- ▶ Require an **Integrated Approach** to achieve their realisation



# The 1998 Declaration, as amended in 2022

- ▶ **A non-binding text** that deriving its authority from the solemn affirmation of principles of universal and lasting importance
- ▶ **A Promotional follow-up** (for Member States which have not ratified one or more fundamental conventions) ↔ **to identifying needs and offer technical cooperation** and assistance
- ▶ **A tool for integrating** core labour standards in frameworks, policies and strategies created by non-State actors
- ▶ Present in **free trade agreements (FTAs) + UN Guiding Principles on Business and Human Rights + OECD Guidelines for Multinational Enterprises + to the UN Global Compact + corporate social responsibility (CSR) codes**

# Fundamental Principles and Rights at Work expressed and developed in the form of specific rights and obligations in ILO Treaties

**Freedom of association** and  
the effective recognition of the  
right to **collective bargaining**

Elimination of all forms of  
**forced or compulsory  
labour**

The effective abolition of  
**child labour**

The elimination of  
**discrimination in** respect of  
**employment and  
occupation**

A **safe and healthy working  
environment**

The Freedom of Association and Protection of the Right to Organise **Convention**, 1948 (**No. 87**) & the Right to Organise and Collective Bargaining **Convention**, 1949 (**No. 98**)

The Forced Labour **Convention**, 1930 (**No. 29**) supplemented by the **Protocol of 2014** to the Forced Labour Convention, 1930 & the Abolition of Forced Labour **Convention**, 1957 (**No. 105**)

The Minimum Age **Convention**, 1973 (**No. 138**) & the Worst Forms of Child Labour **Convention**, 1999 (**No. 182**)

The Equal Remuneration **Convention**, 1951 (No. **100**) & the Discrimination (Employment and Occupation) **Convention**, 1958 (**No. 111**)

The Occupational Safety and Health **Convention** 1981 (**No. 155**) and the Promotional Framework for Occupational Safety and Health **Convention**, 2006 (**No. 187**)

# Freedom of association & the effective recognition of the right to collective bargaining

## Convention No. 87

Protect the autonomy & independence  
of workers' and employers'  
organisations in relation to the public  
authorities

*(in their establishment, functioning,  
and dissolution)*

## Convention No. 98

*Adequate* protection of workers  
against any acts of anti-union  
discrimination

+

*Adequate* protection of workers and  
employers' organisations against any  
acts of interference by each other

# Elimination of all forms of forced or compulsory labour

## Convention No. 29

Suppress the use of forced or compulsory labour in all its forms within the shortest possible period (i.e. Work or service required under the menace of any penalty + Involuntary work)

## 2014 Protocol

Bridge existing gaps Preventative action + protection and compensation of victims + Coordination and international cooperation

## Convention No. 105

Suppress and not make use of forced or compulsory labour as a: means of political coercion or education (etc.) + method of mobilising and using labour for purposes of economic development + means of labour discipline + punishment for having participated in strikes + means of racial, social, national or religious discrimination. ▶ ilo.org

# The effective abolition of child labour

## Convention No. 138

Protect children from labour (and while  
at work)

Pursue a national policy to ensure the  
effective abolition of child labour + to  
raise progressively the minimum age  
for admission to employment or work  
to a level consistent with the fullest  
physical and mental development of  
young persons

## Convention No. 182

Take immediate and effective  
measures to ensure the prohibition  
and elimination of the worst forms of  
child labour

(i.e. all forms of slavery or practices  
similar to slavery + prostitution, the  
production of pornography or  
pornographic performances + illicit  
activities + work likely to harm the  
health, safety or morals)

# The elimination of discrimination in respect of employment and occupation

## Convention No. 100

Ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value

Promote equality and eliminate discrimination ⇔ Entails examining equality at two levels i.e. that of the job (is the work of equal value?) + that of the remuneration (is it equal?)

## Convention No. 111

Declare and pursue a national policy to eliminate discrimination (on the basis of the (7) grounds of race, colour, sex, religion, political opinion, national extraction or social origin) in all aspects of employment and occupation

(i.e. includes education + vocational guidance and training + employment + terms and conditions of employment)



# A safe and healthy working environment

## Convention No. 155

## Convention No. 187

Focus on prevention ⇔ A National OSH Policy to “prevent accidents and injury to health arising out of, linked with or occurring in the course of work” (C155) and “promote continuous improvement of OSH” (C187)

Set out the general principles for the establishment of a systems approach to OSH management

Actions to be taken at both the national and the undertaking level


Emphasise the participation of employers and workers through express provisions on consultation and cooperation in the decision-making process  
Highlight the complementary roles of governments, employers and workers in improving safety and health at work

# Upcoming Developments

## The operationalisation of the 2022 ILC Resolution

- ▶ In the context of the **follow-up to the Declaration** (i.e. baselines)
- ▶ In the context of the **regular supervision of the application of ILS** (by ILO mechanism, e.g. reporting cycles)

## Identify and bridge existing Gaps (including within the FPRW)

- ▶ In terms of **budgeting and investment** (not all FPRW are equal) and **technical cooperation and assistance**
- ▶ In terms of **statistics**
- ▶ In terms of **coordinated and sustained efforts** (nationally and across borders) 

***Si vis pacem, cole justiciam***  
**(If you desire peace, cultivate justice)**

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