

## **CHAPTER II**

### **INTERNATIONAL LABOUR ORGANIZATION**

In this chapter, the author will focus on discussing International Labour Organization (ILO) what is ILO, what mission, vision, and structure of ILO. By knowing the mission and vision and structure of the ILO we can see how later in the next chapter the ILO has a role in combating child labor in India.

International organizations have their own role in the international system, the first is as an instrument. The purpose of this instrument is that international organizations act as a diplomatic tool for a number of sovereign countries to discuss their respective policies to regulate the rules of conduct of the countries involved in it. Second, namely as an arena, where international organizations act as forums and providers of places for countries to discuss. Then third, international organizations act as actors. International organizations act as independent actors who are not affected by the international environment, whose decision-making process is supported by stable but coherent capabilities with the international environment.

#### **A. International Labor Organization as an International Organization**

So far many children in the world are trapped in child labor, sacrificing themselves and our future. (ILO, Marking Progress Against Child Labour, 12) The new estimates presented in this report show that 168 million children worldwide are child laborers, accounting for almost 11 percent of the child population as a whole. Children in hazardous work that directly endanger their health, safety and moral development make up almost half of all child labor, 85 million in absolute conditions. The risk of child labor is highest for children in sub-Saharan Africa, where one child every five is in child labor. Taken together, the results

presented in this report make it clear that the world without child labor is still too far in the future. The UN Economic and Social Council states that any international organization not created on the basis of an intergovernmental agreement will be considered an international non-governmental organization. Therefore, all organizations formed by agreements between countries or one branch of government, will be categorized as IGO (Intergovernmental Organization).

Accordingly, the ILO is categorized as an intergovernmental international organization (IGO) because the ILO was formed by the Commission on International Labor Legislation - at the Peace Conference which drafted the Constitution of the International Labor Organization - where the ILO was made with the intention to form an organization to develop fair and equal policies towards workers and the need for better work and life conditions. The ILO is also an organization that is a reference at the international level because the ILO is appointed by the United Nations to be part of the UN specialization agency. (NATIONS) In addition, the ILO also fulfills the essential character in an international organization, which has membership, goals, and structure.

Like most organizations, the ILO also has a vision and mission, goals, management structure, and work programs that show the ILO's credibility in dealing with various issues surrounding workers and improving the welfare of workers.

## **1. Vision, Mission, Objectives and ILO Membership**

The ILO's vision refers to the human condition of workers as an expression of social justice and conditions of peace among nations. This vision is rooted in the organizational values and tripartist structures that make up the ILO. The mission of the ILO goes hand in hand with the vision

that has been based on the ILO. Their mission is to help advance the creation of decent work, working conditions and the economy that gives workers and employers a certainty in obtaining lasting peace; pursue its stand that labor peace is important for the peace, prosperity and progress of every nation.

In relation to its objectives, the ILO has fulfilled one of the essential characteristics as described in Archer's theory. According to Archer, goals in the organization are aimed at pursuing the common interests of the members and not just taking sides to pursue the interests of one member. This is evidenced through the ILO established by the Commission on International Labor Legislation because it has a common goal, namely to serve the needs of women and men workers with the help of cooperation between government, employers and workers to set labor standards, develop policies and develop programs. (ILO, How the ILO Works, 2016) In addition to these general objectives, the ILO has four main objectives, namely:

## **2. Regulate and promote standards and principles and rights at work**

International Labor Standards are first and foremost about the development of society as human beings. In the 1944 ILO Philadelphia Declaration, the international community recognized that "labor is not a commodity". Indeed, labor is not like apples or televisions, dead products that can be negotiated for the highest profit or lowest price. Work is a part of everyone's daily life and is very important for someone's dignity, well-being and development as a human being. Economic development must include the creation of jobs and working conditions where people can work for freedom, security and dignity. In short, this economic development is not done for its own sake, but to improve human life; existing international labor standards to ensure that they remain focused on improving human life and dignity.

Achieving the objectives of decent work in the global economy requires action at the international level. The world community responds to this challenge in part by developing international legal instruments on trade, finance, environment, human rights and labor. The ILO contributes to this legal framework on the basis and promotes international labor standards that aim to ensure that economic growth and development go along with the creation of decent work. The ILO's unique tripartite structure ensures that these standards are supported by the same government, employers and workers. International labor standards therefore lay the minimum foundation for social standards agreed upon by all players in the global economy.

### **3. Creating more opportunities for women and men for decent work and income.**

Without productive work, achieving the goals of decent living standards, social and economic integration, personal fulfillment and social development are wishful thinking. Corporate promotion and development of human resources are key elements in achieving this goal. The ILO conducts analysis and research work, promotes work-intensive investment and helps formulate Employment policies. He also promotes skills development, job creation, business development and cooperatives.

#### **a. Increase the coverage and effectiveness of social protection for all**

Only 20 percent of the world population has adequate social security coverage and more than half of any lack of coverage at all. The ILO actively promotes policies and provides assistance to countries to help expand the level of adequate social protection for all members of the community. Social security involves access to health care and income

security, especially in the case of old age, unemployment, sickness, invalidity, work injury, maternity or loss of primary breadwinner.

"Global campaigns on Social Security and coverage for all" launched in 2003 are based on businesses already running in more than 30 countries. This includes projects to help countries expand coverage at the national level and to strengthen guarantee of health community-based organizations.

**b. Strengthen tripartism and social dialogue.**

The ILO's task is based on the importance of establishing cooperation between the government and employers' organizations and trade unions in promoting social and economic growth. This dialogue between the government and the two "social partners" will promote consensus formation and their democratic involvement which plays an important role in the world of work.

This "social dialogue" can be interpreted as negotiation, consultation or just a brainstorm between representatives of employers, workers and the government. Social dialogue can include relations between workers and management, with or without direct involvement from the government. Social dialogue is a flexible tool, which allows governments with employers' organizations and trade unions to regulate existing changes and achieve economic and social targets.

All of the ILO's objectives seek to be implemented through the Decent Work Agenda, which is an agenda that reflects the priorities of the social, economic, and political agenda of each country and the international system which is also the main work priority of the ILO.

The next essential characteristic of the ILO is membership. In membership of international organizations, members are withdrawn from two or more sovereign countries, even though members of the organization are not limited to the state or official representatives of the state such as members of the ministry. official government representative (by the Commission on International Labor Legislation). However the ILO involves non-government representatives namely workers and employers as members; to create a unique structure called tripartism.

To this day members of the ILO number 185 member countries. In addition to countries that have been members of the ILO on November 1, 1945, any original member of the United Nations and any country recognized as a member of the United Nations by the General Assembly's decision may become a member of the ILO by communicating to the Director General regarding official acceptance in accordance with the obligations of the Constitution organization.

The ILO General Conference also recognized members of the organization with a vote of two-thirds of the representatives attending the session, including two-thirds of the votes from government delegations present and voting. Because in the ILO membership there are representatives from non-governmental parties, the ILO has a separate unit representing the workers and employers who are part of the ILO body. From the labor representatives there is a bureau called Bureau for Worker's Activities (also referred to as ACTRAV) which aims to strengthen independent and democratic workers' representatives in all countries that enable them to play their role effectively in protecting the rights and interests of workers and providing services effective to their members at national & international levels, and to promote ratification and implementation of ILO Conventions. The Bureau for Work Activities (ACTRAV) coordinates all activities related to workers and their

organizations like at the head office and in the field with the International Labor Office.

Then regarding representatives from employers, a Bureau for Employer's Organization (ACT / EMP) is formed whose activities are not much different from ACTRAV, which is to maintain close and direct relations with business organizations in member countries, in addition to making ILO resources that available to them and to safeguard the ILO to continue to care about their views, concerns, and priorities. The Bureau also runs a technical cooperation program, which provides assistance to employers' organizations in developing countries. Thus, the two units carry out activities which will be coordinated and synchronized by the International Labor Office.

#### **4. ILO Structure**

The essential characteristic in the next international organization that is owned by the ILO is the existence of a separate formal structure that has the nature of sustainability established by the agreement. The nature of formal structures can vary from organization to organization but must be separated from the continued control of one member. (Archer, 2001) international organization from a series of conferences or congresses.

In the ILO, the main structure that is owned is tripartism, where the members involved in the forum are not only the government but also representatives from non-government parties namely employers and workers. With this tripartite approach, the ILO provides a means to resolve social disputes through dialogue. This tripartism strategy is expected to promote social partnerships between workers and employers involved in organizations with government in the member countries of the organization. Under the tripartism

structure the ILO is able to create a forum where governments and socio-economic partners from each member country can freely and openly discuss and elaborate labor standards and policies.

Although the main structure that the ILO has is tripartism, this structure is not possible without three main bodies forming the work structure of the ILO. The three bodies are: Governing Body, International Labor Office, and International Labor Conference.



**Figure 1.1 Dynamics of Industrial Relations**



(Mamoria, 2005)

The ILO Agency which will be discussed first is the Governing Body. The Governing Body is the executive board of the ILO. GB is a Leadership Council Meeting held three times a year at the ILO Headquarters in Geneva. Governing Body is an ILO decision-making body that has the main task of deciding policies, establishing organizational programs and budgets, compiling ILO events and so on. Governance Body consists of 58 tritular members (28 Governments, Entrepreneurs, and 14 Workers and 66 government representatives (28 government, employers, and 19 workers. Ten tritular government chairs are permanently occupied by the important countries of industry leaders, including: Brazil, Britain and the United States. Other government members are elected by the conference every 3 years, while members of the employers and workers are chosen based on their individual capacities.

Next is a discussion about the International Labor Conference. The broad policies of the ILO are established by the ILO Conference, which meets once a year in June, in Geneva, Switzerland. This annual conference brings together government delegates, workers and representatives of ILO member countries. Often called international labor Parliament, the conference establishes and adopts International Labor standards and a forum for discussion of key social and employment questions. Also adopts a budget organization and selects a governing body.

Each member country is represented by a delegation consisting of two government delegations, business delegations, worker delegations, and their respective advisors. Many of the government representatives who are Cabinet Ministers are responsible for workers in their own countries. Delegates of employers and workers were nominated in the most representative agreement of national employers 'and workers' organizations.

Each participant has the same rights, and all can express themselves freely and choose according to their wishes. Delegates of workers and employers may sometimes vote against their government representatives or against each other. From the point of view, however, this diversity does not prevent decisions adopted by the very large majority or in some cases even unanimous. The President and Prime Minister also took the floor at the conference. International organizations, governments and others, are present as observers.