

**ILO Fundamental
Principles and Rights at
Work: how they relate
to national law,
understanding key
issues, and identifying
risks in biomass
production**



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Objectives

- Understand the relationship between the FPRW and national law
- Understand the key principles of the FPRW
- Understand risk factors specific to biomass production



What are the FPRW?

- Freedom of association and the right to bargain collectively
- Elimination of child labour
- Eradication of forced labour
- Non-discrimination

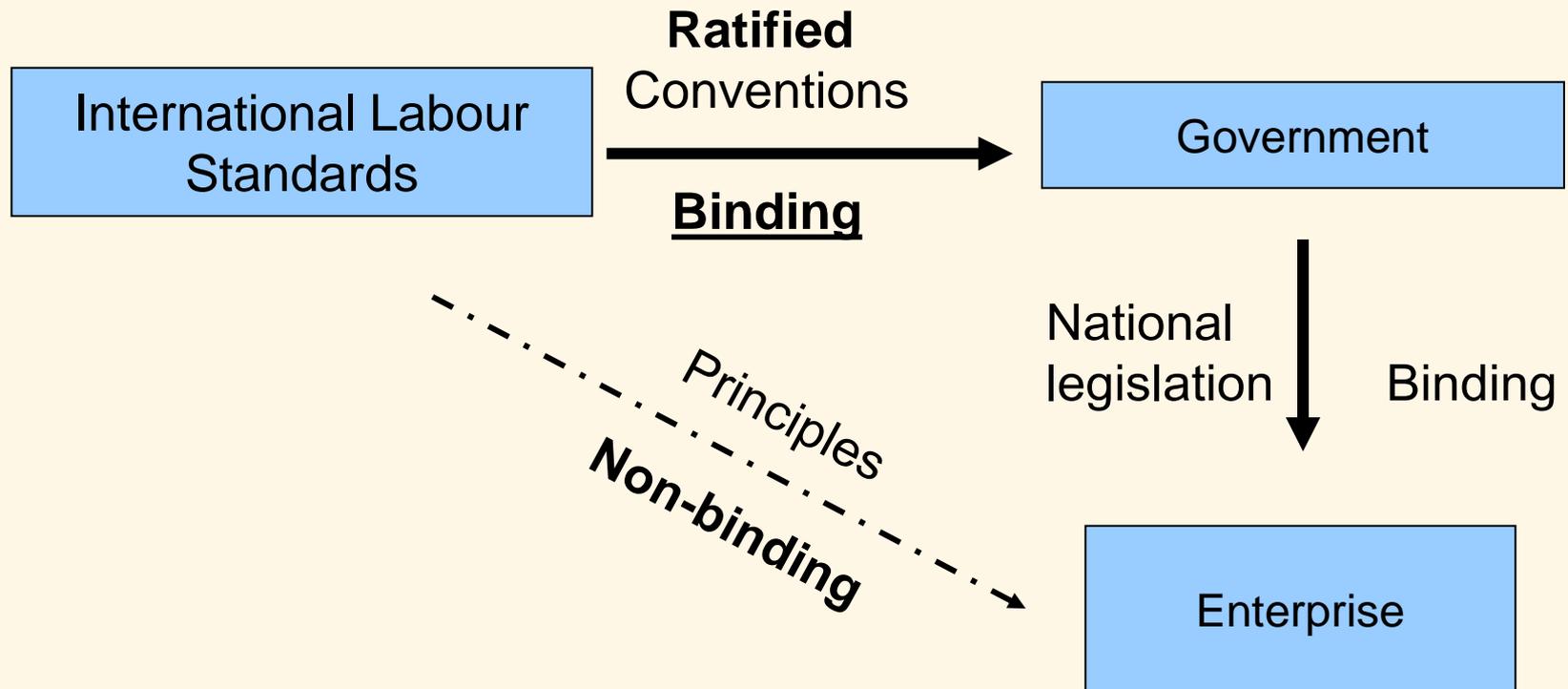


Why are the FPRW important?

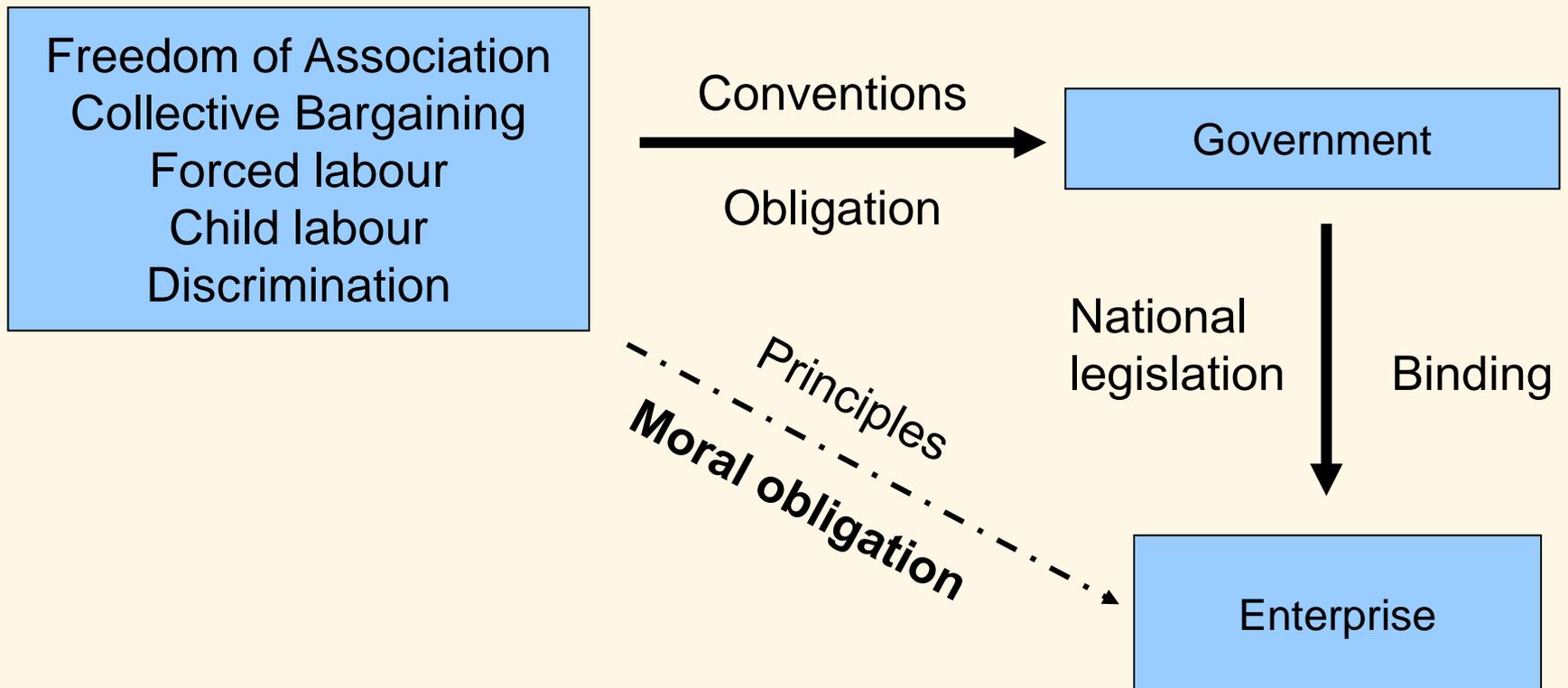
- Universally recognized human rights of workers (UN Framework, OECD Guidelines, ISO 26000, almost all codes of conduct)
- « Core » for economic and social development



ILS and enterprises



Fundamental Principles and Rights at Work and Enterprises



US Ratifications

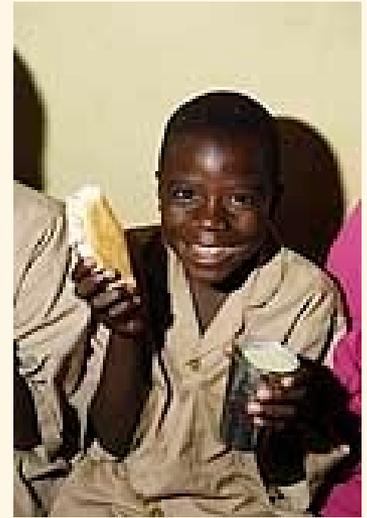
- C53 Officers' Competency Certificates Convention, 1936
- C54 Holidays with Pay (Sea) Convention, 1936
- C55 Shipowners' Liability (Sick and Injured Seamen) Convention, 1936
- C57 Hours of Work and Manning (Sea) Convention, 1936
- C58 Minimum Age (Sea) Convention (Revised), 1936
- C74 Certification of Able Seamen Convention, 1946
- C80 Final Articles Revision Convention, 1946
- C105 Abolition of Forced Labour Convention, 1957
- C144 Tripartite Consultation (International Labour Standards) Convention, 1976
- C147 Merchant Shipping (Minimum Standards) Convention, 1976
- C150 Labour Administration Convention, 1978
- C160 Labour Statistics Convention, 1985
- C176 Safety and Health in Mines Convention, 1995
- C182 Worst Forms of Child Labour Convention, 1999

US extra-budgetary support to ILO on promotion of the FPRW

- Approximately \$90 million per year
- Mainly focused on child labour and forced labour issues, but also on freedom of association, collective bargaining and non-discrimination.



Minimum age for admission to employment or work



	Transition	General
General	14 years	15 years
Light work	12 years	13 years
Hazardous work	18 years	

Child labour

Principles

- Know the legal minimum age
- Have a system to verify age of workers
- Ensure child's best interest in any remedy

Challenge

- Small holdings



Risk Factors

- Community in turmoil
- Bonded labour
- Vulnerable groups
- Very low wages
- Piece rate payment system
- Agriculture
- High in Africa, medium in Asia, lower in LA
- Where children cannot get an education



Forced labour

Principles

- Performed under threat of a penalty
- Undertaken involuntarily



Risk Factors

- Retention of documents for migrant workers
- Withholding or non-payment of wages
- Vulnerable groups (indigenous, tribal, religious minorities, descendents of slaves)
- Bonded labour
- Potential for induced indebtedness
- Prison labour
- Armed guards



Risk Factors

- Highest in Asia and LA
- Also exists in Middle East and Africa
- Any labour-intensive sector where difficult to recruit workers, which includes agriculture



Non-Discrimination

Principle

- Everyone should have an equal opportunity to compete in hiring, job assignment, skills development, promotion, etc.
- Equal pay for work of equal value
- Suppliers should be aware of any assumptions they make
- No workplace is completely free of discrimination → continuous improvement approach

Risk Factors

- Disproportionate workforce
- “We don’t have any problems”
- Vulnerable groups in community



Freedom of Association

Principles

- Voice at work
- Organisation of own choosing
- Non-interference



Collective Bargaining

Principle

- Voluntary
- Good faith
- Enterprise, sector or national level



Risk Factors

- National legislation may prevent workers from choosing their own representatives
- EPZs processing biomass may suspend or dilute legislative protections for workers to organize
- Historical and cultural bias against unions



Conclusion

As a matter of Law, the FPRW are not binding on companies except through national legislation

As a matter of practice, respecting the FPW is important for both workers and communities to promote greater economic and social development and respect for human rights