



## FOURTH ITEM ON THE AGENDA

**Ratification and promotion of  
fundamental ILO Conventions****Contents**

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1. On 25 May 1995, the Director-General launched the campaign to promote the fundamental ILO Conventions with a view to their universal ratification. Each year he submits a report, for information, to the Governing Body on progress made during the previous year and on the prospects for the ratification of these instruments, based on information communicated by the member States. In August 2002, the Director-General sent a circular letter to governments of countries that had not ratified all the fundamental Conventions, asking them to indicate their position with regard to these Conventions and in particular whether or not their position had changed since their previous communication.
2. Part I of this document summarizes prospects for ratification based on replies received to date to the Director-General's ninth circular letter,<sup>1</sup> which was sent to 96 States.<sup>2</sup> As regards the position of member States that did not reply to the Director-General's last circular letter, the members of the Committee are requested to refer to documents GB.282/LILS/7 and GB.282/8/2 (paragraphs 59-71), which summarize the information communicated by these countries by last November.<sup>3</sup> As in previous years, information received after 30 September 2002 will be communicated orally to the Committee during the examination of this document. Part II of the document deals with countries that have requested the assistance of the ILO or referred to it, and Part III contains concluding remarks.

## I. Overview

3. Since the 282nd Session (November 2001) of the Governing Body, 36 new ratifications of fundamental Conventions have been registered, bringing to 390<sup>4</sup> the number of ratifications – or confirmations of previous commitments – since the beginning of the campaign and to 144<sup>5</sup> the number of member States to have ratified fundamental ILO

<sup>1</sup> As at 30 September 2002, 29 ILO member States had replied to the Director-General's letter: *Azerbaijan, Brazil, Canada, Colombia, China, Czech Republic, El Salvador, Estonia, Ethiopia, India, Islamic Republic of Iran, Jordan, Kazakhstan, Kenya, Kiribati, Lebanon, Lithuania, Mauritius, Mexico, Nigeria, Philippines, Saudi Arabia, Singapore, Suriname, Thailand, United Arab Emirates, United States, Yugoslavia, Zimbabwe.*

<sup>2</sup> Naturally, no letter was sent to member States that had ratified all the fundamental Conventions. No letter was sent to *Afghanistan*.

<sup>3</sup> Information on the ratification prospects for the fundamental Conventions in certain countries, communicated to the Office outside the framework of the current exercise (information obtained under article 19, para. 5, of the ILO Constitution; the reading of official gazettes; or information communicated by the permanent missions in Geneva or the ILO multidisciplinary advisory teams, etc.), will be accompanied by an asterisk (\*). In addition, at the end of each of the sections of the present document, dealing with one of the eight ILO fundamental Conventions, the names of countries that have *never* supplied any information on the ratification prospects of the instrument in question will be recalled.

<sup>4</sup> The full list of ratifications registered since the beginning of the campaign is annexed.

<sup>5</sup> *Albania, Algeria, Angola, Argentina, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia,*

Conventions since the launch of the campaign in May 1995. These 36 new ratifications are as follows: Convention No. 29 was ratified by *Nepal*; Convention No. 87 by *Fiji* and *Saint Vincent and the Grenadines*; Convention No. 98 by *Mauritania*; Convention No. 100 by *Fiji*, *Mauritania*, *Saint Vincent and the Grenadines*, *Singapore* and *United Republic of Tanzania*; Convention No. 111 by *Fiji*, *Namibia*, *Saint Vincent and the Grenadines* and the *United Republic of Tanzania*; Convention No. 138 by *Mali* and *Mauritania*; and Convention No. 182 by *Austria*, *Belgium*, *Burundi*, *Cameroon*, *China*, *Congo*, *Egypt*, *Fiji*, *Georgia*, *Germany*, *Islamic Republic of Iran*, *Mauritania*, *Republic of Moldova*, *Nepal*, *Netherlands*, *Peru*, *Poland*, *Saint Vincent and the Grenadines*, *Saudi Arabia*, *The former Yugoslav Republic of Macedonia* and *Zambia*. Taking into account the ratifications registered since November 2001, *Austria*, *Belgium*, *Burundi*, *Cameroon*, *Congo*, *Egypt*, *Georgia*, *Germany*, *Mali*, *Mauritania*, *Republic of Moldova*, *Netherlands*, *Poland*, *United Republic of Tanzania*, and *Zambia* have now joined the countries that have ratified all eight fundamental Conventions.

4. The objective of the Director-General's initiative launched in May 1995 is to achieve *universal ratification* of the ILO's fundamental human rights Conventions. Of the 175 ratifications needed for each Convention in order to achieve this goal, 161 ratifications have been registered to date for Convention No. 29, 141 for Convention No. 87, 152 for Convention No. 98, 159 for Convention No. 100, 158 for Convention No. 105,<sup>6</sup> 156 for Convention No. 111, 117 for Convention No. 138 and 129 for Convention No. 182, making a total of 1,173 ratifications of the fundamental Conventions.<sup>7</sup>
5. To date, of the Organization's 175 member States, 80 countries<sup>8</sup> have ratified the eight fundamental ILO Conventions, 37 countries<sup>9</sup> have ratified seven, 21 countries<sup>10</sup> have

*Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Hungary, Honduras, Iceland, India, Indonesia, Iraq, Ireland, Islamic Republic of Iran, Italy, Japan, Jordan, Kazakhstan, Kenya, Republic of Korea, Kuwait, Kyrgyzstan, Lebanon, Lesotho, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Republic of Moldova, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Kitts and Nevis, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, United Republic of Tanzania, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom, Uruguay, Uzbekistan, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.*

<sup>6</sup> This total does not take into consideration the ratification – followed by the denunciation – of this Convention by *Malaysia* and *Singapore*.

<sup>7</sup> It will be recalled that the objective of the campaign will only be fully achieved when the ILO has registered the 1,400th ratification (i.e. 175 member States multiplied by eight fundamental Conventions).

<sup>8</sup> *Albania, Algeria, Angola, Argentina, Austria, Bahamas, Barbados, Belarus, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Burundi, Cameroon, Central African Republic, Chile, Congo, Costa Rica, Croatia, Cyprus, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Malawi, Mali, Malta, Mauritania, Republic of Moldova, Netherlands, Nicaragua, Niger, Norway, Panama, Papua New Guinea, Poland, Portugal, Romania, Rwanda, San Marino, Senegal, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, United Republic of Tanzania, Togo, Tunisia, Turkey, Ukraine, United Kingdom, Uruguay, Yemen, Zambia.*

ratified six and 17 countries<sup>11</sup> have ratified five. By comparison, six countries have ratified only one<sup>12</sup> or two<sup>13</sup> fundamental Conventions and 14 countries have ratified three or four fundamental Conventions.<sup>14</sup>

## A. Forced or compulsory labour

### 1. Forced Labour Convention, 1930 (No. 29)

6. Since the 282nd Session (November 2001) of the Governing Body, Convention No. 29 has been ratified by *Nepal*, bringing to 161 the total number of ratifications of this instrument registered to date and to 24 since the launch of the ratification campaign.

Ratification proposal currently before the competent authorities

7. The Government of *Ethiopia* stated that a proposal for ratification of Conventions Nos. 29 and 182 was still pending before Parliament. The Government of the *Philippines* has stated that the instrument of ratification of Convention No. 29 has been signed by the President in June 2001 and was presently awaiting Senate concurrence.

Ratification procedure under way

8. The Government of *Canada* reiterated that most of the jurisdictions have completed their formal approval processes and that it was working with the remaining jurisdictions in order to obtain their formal agreements, so that Canada can ratify the Convention in the near future.

Other information

9. The Government of the *United States* reported that there had been no efforts by the United States Government to ratify Conventions Nos. 29, 87, 98, 100 or 138.

<sup>9</sup> *Azerbaijan, Bangladesh, Brazil, Cambodia, Cape Verde, Chad, Colombia, Cuba, Czech Republic, Eritrea, Fiji, Gabon, Ghana, Iraq, Israel, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Lithuania, Madagascar, Morocco, Namibia, Pakistan, Paraguay, Peru, Philippines, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sri Lanka, Syrian Arab Republic, Tajikistan, The former Yugoslav Republic of Macedonia, Venezuela, Zimbabwe.*

<sup>10</sup> *Antigua and Barbuda, Australia, Bolivia, Côte d'Ivoire, El Salvador, Estonia, Ethiopia, Guinea, Haiti, Jamaica, Japan, Kuwait, Lebanon, Mexico, Nepal, Sierra Leone, Swaziland, Trinidad and Tobago, Turkmenistan, United Arab Emirates, Yugoslavia.*

<sup>11</sup> *Canada, Comoros, Djibouti, Grenada, Guinea-Bissau, Islamic Republic of Iran, Latvia, Liberia, Malaysia, Mauritius, Mongolia, Mozambique, New Zealand, Nigeria, Saudi Arabia, Sudan, Uzbekistan.*

<sup>12</sup> *Lao People's Democratic Republic, Solomon Islands.*

<sup>13</sup> *Armenia, Myanmar, Oman, United States.*

<sup>14</sup> *Afghanistan, Bahrain, China, India, Kiribati, Qatar, Republic of Korea, Sao Tome and Principe, Singapore, Somalia, Suriname, Thailand, Uganda, and Viet Nam.*

No information communicated to the Office

10. To date, the ILO still has no official information on prospects for the ratification of this instrument by *Afghanistan*.

## **2. Abolition of Forced Labour Convention, 1957 (No. 105)**

11. Since the 282nd Session (November 2001) of the Governing Body, no further ratification of Convention No. 105 was registered.

Ratification proposal currently before the competent authorities

12. The Government of *Yugoslavia* indicated that a proposal for the ratification of Conventions Nos. 105 and 182 has been submitted to the Federal Assembly, which will deal with the matter this year during its regular session starting in September 2002.

Ratification being considered

13. The Government of *Madagascar* expressed its hope that ratification of Convention No. 105 could be envisaged based on the results of the national study on forced labour currently being conducted. The Government of *Singapore* stated that it would continue to study the fundamental Conventions not yet ratified (Nos. 105, 87, 111, and 138) with a view to ratifying them if the requirements for compliance were met.

Divergences between legislation and the Convention

14. According to information available to the ILO,<sup>15</sup> a steering committee has been established in *Sri Lanka*\* to study and advise on necessary legal amendments prior to ratification of Convention No. 105.

No information communicated to the Office

15. To date, the ILO still has no official information on prospects for the ratification of this instrument by the *Solomon Islands*.

## **B. Freedom of association**

### **1. Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)**

16. Since the 282nd Session (November 2001) of the Governing Body, Convention No. 87 has been ratified by *Fiji* and *Saint Vincent and the Grenadines*, bringing to 141 the total number of ratifications of this instrument to date and to 27 since the launch of the ratification campaign.

17. The position of *Singapore* on the ratification prospects for this Convention is set out in the section on Convention No. 105 and that of the *United States* in the section on Convention No. 29.

<sup>15</sup> See footnote No. 3.

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#### Ratification proposal currently before the competent authorities

- 18.** The Government of *Zimbabwe* stated that it has approved Convention No. 87 in May 2002 and that the Minister of Public Service, Labour and Welfare would table the motion for ratification in Parliament in September 2002.

#### Legislation being amended

- 19.** The Government of *Lebanon* reported that the tripartite committee to study amendments to the draft labour code made concrete suggestions concerning trade unions and that the draft Code had been sent to the ILO. The Government of the *United Arab Emirates* stated that two important developments had taken place during 2001-2002 regarding the principles contained in Conventions Nos. 87 and 98. First, the Ministry of Labour and Social Affairs proposed an amendment to Federal Law No. 8 of 1980 regarding regulation of labour relations, which introduces provisions concerning the establishment of workers' organizations. It is expected that the competent authority will approve the proposed amendment shortly. Second, the Council of Ministers had decided to form a technical committee comprised of representatives from various concerned bodies to study all aspects regarding the participation of workers from the United Arab Emirates in the International Labour Conference. The conclusions of this committee will be submitted to the Council of Ministers for further action.

#### Ratification being considered

- 20.** The Government of the *Islamic Republic of Iran* stated that the Ministry of Labour and Social Affairs has included the issue of the three fundamental Conventions not yet ratified (Nos. 87, 98, and 138) on its agenda. An ad hoc committee was to be set up to examine the matter and draw up a comprehensive report concerning the possibilities of ratification, identification of barriers to ratification and possible cooperation needs. The Government of *Jordan* replied that it was still considering the ratification of Convention No. 87. The Government of *Kenya* indicated it was expected that the review of national laws and practice including those in respect to Convention No. 87, would be completed by June 2003. The Government of *Saudi Arabia* stated that no change has taken place regarding its position on the ratification of Conventions Nos. 87, 98, and 138, which it is continuing to consider.

#### Divergences between legislation and the Convention

- 21.** The Government of *Brazil* stated that a proposal for the ratification of Convention No. 87 was before the Constitutional and Judicial Committee of the Senate, though it was necessary to deepen social dialogue on the issues involved to overcome the existing obstacles. The Government of *El Salvador* reiterated its position in relation to Conventions Nos. 87 and 98 to the effect that there were divergences between the Constitution of the country, in particular article 145, and the Conventions. The Government of *India* again stated that, while the protections provided under Conventions Nos. 87 and 98 were guaranteed to their workers through their laws and regulations, it could not ratify the Conventions due to the special role and treatment provided for government officials.

#### Ratification not being considered

- 22.** The Government of *Mexico* indicated that no change has occurred regarding its position with respect to ratification of Convention No. 98, recalling that it continues to have reservations in relation to Article 1, paragraph 2(b), of the Convention.

No information communicated to the Office

23. To date, the ILO has no official information on prospects for the ratification of this instrument by *Afghanistan* and *Somalia*.

## **2. Right to Organise and Collective Bargaining Convention, 1949 (No. 98)**

24. Since the 282nd Session (November 2001) of the Governing Body, Convention No. 98 has been ratified by *Mauritania*, bringing to 152 the total number of ratifications of this instrument registered to date and to 26 since the launch of the ratification campaign.

25. The position of the *Islamic Republic of Iran*, *Saudi Arabia*, and the *United Arab Emirates* on the ratification prospects for this Convention is set out in the section on Convention No. 87 and the position of the *United States* is reflected in the section on Convention No. 29.

Ratification procedure under way

26. The Government of *Kuwait* stated that the constitutional procedures for the ratification of Conventions Nos. 98 and 100 had been initiated and the instruments of ratification would be provided in the near future.

Divergences between legislation and the Convention

27. The Government of *Canada* reiterated its position regarding Conventions Nos. 98 and 138, to the effect that there remained a number of divergences between some of the specific requirements of the Conventions and its national legislation, though it would continue to examine the situation with respect to these Conventions with the provinces and territories.

No information communicated to the Office

28. To date, the ILO has no official information on prospects for the ratification of this instrument by *Afghanistan* and *Somalia*.

## **C. Non-discrimination**

### **1. Equal Remuneration Convention, 1951 (No. 100)**

29. Since the 282nd Session (November 2001) of the Governing Body, this Convention has been ratified by *Fiji*, *Mauritania*, *Saint Vincent and the Grenadines*, *Singapore* and the *United Republic of Tanzania*, bringing to 159 the total number of ratifications of this instrument registered to date and to 36 since the launch of the ratification campaign.

30. The position of *Kuwait* on the ratification prospects for this Convention is contained in the section on Convention No. 98 and that of the *United States* is contained in the section on Convention No 29.

31. The Government of *Mauritius* stated that after a technical advisory mission had been received from the Office, a tripartite consultation reached consensus on the ratification of Conventions Nos. 100 and 111. The formal ratification procedures have been initiated.

#### Ratification being considered

32. The Government of *Kiribati* reaffirmed its commitment to ratify Conventions Nos. 100, 111, 138, and 182. With the assistance of the ILO, several steps towards ratification have been taken including the holding of information seminars and workshops. All ministries have been requested to consider any additional administrative obligations before proposing ratification of further international treaties. The Government of *Suriname* indicated that Conventions Nos. 100 and 111 were placed on the agenda of the Labour Advisory Board.

#### No information communicated to the Office

33. To date, the ILO has no official information on prospects for the ratification of this instrument by *Liberia* and *Somalia*.

## 2. ***Discrimination, Employment and Occupation Convention, 1958 (No. 111)***

34. Since the 282nd Session (November 2002) of the Governing Body, Convention No. 111 has been ratified by *Fiji*, *Namibia*, *Saint Vincent and the Grenadines*, and the *United Republic of Tanzania*, bringing to 156 the total number of ratifications of this instrument registered to date and to 37 since the launch of the ratification campaign.
35. The position of *Singapore* on the ratification prospects for this Convention is set out in the section on Convention No. 105; that of *Kiribati* and *Suriname* is reflected in the section on Convention No. 100.

#### Ratification proposal currently before the competent authorities

36. The Government of the *United States* indicated that the Tripartite Advisory Panel on International Labour Standards was in the process of updating its 1996 review of US law and practice as a result of the preliminary interest expressed by the Senate Foreign Relations Committee in holding a hearing on advice and consent to ratification.

#### Legislation being amended

37. The Government of *Estonia* stated that, as indicated in its annual report under the follow-up to the Declaration on Fundamental Rights and Principles at Work, it intends to proceed with the ratification of Conventions Nos. 111 and 138 after legislative amendments have been completed.

#### Ratification being considered

38. The Government of *China* stated that after a series of successful seminars on Convention No. 111, it would continue to cooperate with the ILO in various forms to work towards its ratification.

## D. **Child labour**

### 1. ***Minimum Age Convention, 1973 (No. 138)***

39. Since the 282nd Session (November 2001) of the Governing Body, Convention No. 138 has been ratified by *Mali* and *Mauritania*, bringing to 117 the number of ratifications of this instrument registered to date and to 69 since the launch of the ratification campaign.



40. The position of the *United States* on the ratification prospects for this Convention is set out in the section on Convention No. 29; that of *Singapore* is stated in the section on Convention No. 105; that of the *Islamic Republic of Iran* and *Saudi Arabia* is contained in the section on Convention No. 87; that of *Kiribati* reflected in the section on Convention No. 100; and that of *Estonia* in the section on Convention No. 111.

#### Ratification approved by the authorities

41. The Government of *Lebanon* reported that Act No. 400 authorizing the Government to ratify the Convention had been published in the *Official Gazette*. The Government of *Nigeria* supplied copies of the instruments of ratification of Conventions Nos. 138 and 182 and indicated that the originals would be sent shortly. The Government of *Sierra Leone*\* stated at the 90th Session of the International Labour Conference (2002) that Conventions Nos. 138 and 182 have already been ratified,<sup>16</sup> however, the Office has not yet received the respective instruments of ratification. Also *Swaziland*\* provided information at the 2002 International Labour Conference,<sup>17</sup> indicating that that it had ratified Conventions Nos. 138 and 182, though no instruments of ratification have been received by the Office.

#### Ratification procedure under way

42. The Government of the *Czech Republic* indicated that the proposal for ratification of Convention No. 138 would be submitted to Parliament before the end of this year. The Government of *Suriname* stated that the ratification of Conventions Nos. 138 and 182 has already been approved by the Council of Ministers and that these instruments would now be submitted to the State Council and subsequently to the National Assembly.

#### Ratification being considered

43. The Government of *Thailand* stated that in June 2002 a committee composed of all concerned government agencies and employers' and workers' organizations unanimously agreed in principle on the ratification of Convention No. 138 and requested a comprehensive review of national laws and practices.

#### Divergences between legislation and the Convention

44. The Government of *India* stated that ratification of Convention No. 138 was not possible at this stage since there is no omnibus law on minimum age for admission to employment and existing laws prescribe different minimum ages for different sectors. Enactment of central legislation was under consideration. Ratification would be considered when satisfactory compliance with the proposed legislation is achieved. However, this would take some time due to India's large rural and informal sector, the low level of the economy coupled with rapid population growth. The Government of *Mexico* reiterated that national legislation was not compatible with the Convention, which prevented ratification.

#### No information communicated to the Office

45. To date, the ILO has no official information on prospects for the ratification of this instrument by *Afghanistan*, *Guinea*, *Liberia*, *Solomon Islands*, *Somalia*, and *Turkmenistan*.

<sup>16</sup> See footnote No. 3.

<sup>17</sup> See footnote No. 3.

## 2. **Worst Forms of Child Labour Convention, 1999 (No. 182)**

46. Since the 282nd Session (November 2001) of the Governing Body, Convention No. 182 has been ratified by *Austria, Belgium, Burundi, Cameroon, China, Congo, Egypt, Fiji, Georgia, Germany, Islamic Republic of Iran, Mauritania, Republic of Moldova, Nepal, Netherlands, Peru, Poland, Saint Vincent and the Grenadines, Saudi Arabia, The former Yugoslav Republic of Macedonia and Zambia*, bringing to 129 the total number of ratifications registered to date.
47. The position of *Ethiopia* on the ratification prospects for this Convention is set out in the section on Convention No. 29; that of *Yugoslavia* is reflected in the section on Convention No. 105; that of *Kiribati* is contained in the section on Convention No. 100; and that of *Nigeria, Sierra Leone and Swaziland* is set out in the section on Convention No. 138.

### Ratification approved by the competent authorities

48. The Government of *Colombia* indicated that ratification Convention No. 182 had been approved by Act No. 704 of 21 November 2001 and that that the competent Ministries are now taking the remaining measures for its ratification.

### Ratification proposal currently before the competent authorities

49. The Government of *Kazakhstan* stated that Parliament was expected to act upon the proposal for ratification of Convention No. 182 before the end of 2002.

### Ratification procedure under way

50. The Government of *Azerbaijan* indicated that the preparatory work for the ratification of Convention No. 182 was still under way and that the concrete date of ratification would be determined on the basis of ongoing research on the status of children in the country. The Government of *Eritrea*\* stated at the International Labour Conference in 2002 that the work on the ratification of this Convention was in progress.<sup>18</sup> The Government of *Lithuania* reported that an analysis of existing laws concluded that no elements in Lithuanian legislation would prevent the ratification of Convention No. 182. This matter was to be discussed at the Tripartite Board in September 2002, and with the Board's approval the documents necessary for ratification were to be submitted to Parliament in the fourth quarter of 2002.

### Ratification being considered

51. The Government of *India* stated that the examination of national laws and practices as well as inter-ministerial and tripartite consultations, were still ongoing in order to arrive at a consensus on various issues involved in the decision to ratify Convention No. 182. The Government of the *Russian Federation*\* stated at the 90th Session of the International Labour Conference (2002) that it intends to ratify the Convention in the near future.<sup>19</sup>

<sup>18</sup> See footnote No. 3.

<sup>19</sup> See footnote No. 3.

No information communicated to the Office

52. To date, the ILO still has no official information on prospects for the ratification of this instrument by *Afghanistan, Cambodia, Grenada, Guinea, Lao People's Democratic Republic, Liberia, Sao Tome and Principe, Solomon Islands, Somalia and Turkmenistan.*

## II. References to ILO assistance

53. The following countries referred to ILO technical assistance in their replies to the Director-General's last circular letter. The Government of *China* stated that with regard to forced labour, it has communicated a proposal to the ILO to initiate a programme of cooperation on Conventions Nos. 29 and 105, and recalled the ongoing technical assistance concerning Convention No. 111. The Government of *Kiribati* stated that it is liaising with the ILO regional and subregional offices on technical support to review legislation to ensure, before ratification, that it is compatible with the principles of Conventions Nos. 100, 111, 138, and 182. The Government of *Mauritius* stated that the support of the ILO has been sought to strengthen the conciliation and mediation mechanisms and to promote collective bargaining. The Government of *Thailand* stated that it is making every effort to translate the principles of freedom of association into practice and that legal reform was ongoing. Technical assistance from the ILO was needed for exploring the possibility of ratifying Conventions Nos. 87 and 98. This information has been forwarded to the competent services of the Office.

## III. Concluding remarks

54. Information on prospects for the ratification of the fundamental Conventions has been received to date from most countries and the overall results of the ratification campaign have been very encouraging.
55. The number of replies received to the Director-General's ninth circular letter has decreased compared to previous years. This is partly due to the fact that a considerable number of countries that have regularly provided information on ratification prospects in the past have now joined those Members which have ratified all fundamental Conventions.
56. At the same time, several countries have not replied to the Director-General's letter for two or more consecutive years and a few countries have still not replied directly, or provided only partial information. The Governing Body is invited to encourage all Members which have not yet ratified all fundamental Conventions to take part and to indicate their position or to provide up-dated information.
57. It is proposed that a report should again be presented to the Governing Body at its 288<sup>th</sup> Session (November 2003), on the progress made in ratifying the fundamental ILO Conventions and on the ratification prospects for these instruments.

Geneva, 7 October 2002.

## Appendix 1

### Ratifications or confirmations of previous obligations since the launch of the campaign of ratification of the fundamental Conventions (25 May 1995-30 September 2002)

#### **I. *Forced Labour Convention, 1930 (No. 29)***

Botswana	Qatar
El Salvador	Rwanda
Equatorial Guinea	Saint Kitts and Nevis
Eritrea	Saint Vincent and the Grenadines
Estonia	South Africa
Gambia	The former Yugoslav Republic of Macedonia
Georgia	Turkey
Kazakhstan	Turkmenistan
Malawi	Uruguay
Moldova, Republic of	Uzbekistan
Namibia	Yugoslavia
Nepal	Zimbabwe

#### **II. *Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)***

Angola	Libyan Arab Jamahiriya
Bahamas	Moldova, Republic of
Botswana	Mozambique
Cambodia	Papua New Guinea
Cape Verde	Saint Kitts and Nevis
Chile	Saint Vincent and the Grenadines
Democratic Republic of the Congo	South Africa
Equatorial Guinea	Sri Lanka
Eritrea	Tanzania, United Republic of
Fiji	The former Yugoslav Republic of Macedonia
Gambia	Turkmenistan
Georgia	Yugoslavia
Indonesia	Zambia
Kazakhstan	

#### **III. *Right to Organise and Collective Bargaining Convention, 1949 (No. 98)***

Botswana	Mauritania
Burundi	Moldova, Republic of
Cambodia	Mozambique
Chile	Saint Kitts and Nevis
Congo	Saint Vincent and the Grenadines
Equatorial Guinea	Seychelles
Eritrea	South Africa
Gambia	Suriname
Georgia	Switzerland
Kazakhstan	The former Yugoslav Republic of Macedonia
Madagascar	Turkmenistan

Uzbekistan  
Yugoslavia

Zambia  
Zimbabwe

#### **IV. *Equal Remuneration Convention, 1951 (No. 100)***

Bahamas  
Bangladesh  
Belize  
Botswana  
Cambodia  
Congo  
El Salvador  
Eritrea  
Estonia  
Ethiopia  
Fiji  
Gambia  
Georgia  
Kazakhstan  
Kenya  
Korea, Republic of  
Lesotho  
Mauritania

Moldova, Republic of  
Nepal  
Pakistan  
Papua New Guinea  
Saint Kitts and Nevis  
Saint Vincent and the Grenadines  
Seychelles  
Singapore  
South Africa  
Tanzania United Republic of Thailand  
The former Yugoslav Republic of Macedonia  
Trinidad and Tobago  
Turkmenistan  
United Arab Emirates  
Uzbekistan  
Viet Nam  
Yugoslavia

#### **V. *Abolition of Forced Labour Convention, 1957 (No. 105)***

Albania  
Azerbaijan  
Bahrain  
Belarus  
Bosnia and Herzegovina  
Botswana  
Bulgaria  
Burkina Faso  
Cambodia  
Chile  
Congo  
Croatia  
Czech Republic  
Democratic Republic of the Congo  
Equatorial Guinea  
Eritrea  
Estonia  
Ethiopia  
Gambia  
Georgia  
Indonesia

Kazakhstan  
Kyrgyzstan  
Lesotho  
Malawi  
Mauritania  
Namibia  
Romania  
Russian Federation  
Saint Kitts and Nevis  
Saint Vincent and the Grenadines  
Slovakia  
Slovenia  
South Africa  
Tajikistan  
Togo  
Turkmenistan  
Ukraine  
United Arab Emirates  
Uzbekistan  
Zimbabwe

#### **VI. *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)***

Albania  
Bahamas  
Bahrain  
Belize  
Botswana  
Cambodia

Congo  
Democratic Republic of the Congo  
El Salvador  
Equatorial Guinea  
Eritrea  
Fiji

Gambia	Saint Vincent and the Grenadines
Georgia	Seychelles
Indonesia	Sri Lanka
Ireland	Tanzania United Republic of
Kazakhstan	The former Yugoslav Republic of Macedonia
Kenya	Turkmenistan
Korea, Republic of	United Arab Emirates
Lesotho	United Kingdom
Luxembourg	Uzbekistan
Moldova, Republic of	Viet Nam
Namibia	Yugoslavia
Papua New Guinea	Zimbabwe
Saint Kitts and Nevis	

### **VII. *Minimum Age Convention, 1973 (No. 138)***

Albania	Kazakhstan
Angola	Kuwait
Argentina	Lesotho
Austria	Lithuania
Bahamas	Madagascar
Barbados	Malawi
Belize	Malaysia
Benin	Mali
Bolivia	Mauritania
Botswana	Moldova, Republic of
Brazil	Morocco
Burkina Faso	Namibia
Burundi	Nepal
Cambodia	Panama
Cameroon	Papua New Guinea
Central African Republic	Philippines
Chile	Portugal
China	San Marino
Colombia	Senegal
Congo	Seychelles
Cyprus	Slovakia
Democratic Republic of the Congo	South Africa
Denmark	Sri Lanka
Dominican Republic	Switzerland
Ecuador	Syrian Arab Republic
Egypt	Tanzania, United Republic of
Eritrea	The former Yugoslav Republic of Macedonia
Ethiopia	Tunisia
Georgia	Turkey
Guyana	United Arab Emirates
Hungary	United Kingdom
Iceland	Yemen
Indonesia	Yugoslavia
Japan	Zimbabwe
Jordan	

### **VIII. *Worst Forms of Child Labour Convention, 1999 (No. 182)***

Albania	Austria
Algeria	Bahamas
Angola	Bahrain
Argentina	Bangladesh

Barbados	Malawi
Belarus	Malaysia
Belgium	Mali
Belize	Malta
Benin	Mauritania
Bosnia and Herzegovina	Mauritius
Botswana	Mexico
Brazil	Moldova, Republic of
Burkina Faso	Mongolia
Burundi	Morocco
Bulgaria	Namibia
Cameroon	Nepal
Canada	Netherlands
Cape Verde	New Zealand
Central African Republic	Nicaragua
Chad	Niger
Chile	Norway
China	Oman
Congo	Pakistan
Costa Rica	Panama
Croatia	Papua New Guinea
Cyprus	Paraguay
Czech Republic	Peru
Democratic Republic of the Congo	Philippines
Denmark	Poland
Dominica	Portugal
Dominican Republic	Qatar
Ecuador	Romania
El Salvador	Rwanda
Egypt	Saint Kitts and Nevis
Equatorial Guinea	Saint Vincent and the Grenadines
Estonia	Saint Lucia
Fiji	San Marino
Finland	Saudi Arabia
France	Senegal
Gabon	Seychelles
Gambia	The former Yugoslav Republic of Macedonia
Georgia	Singapore
Germany	Slovakia
Ghana	Slovenia
Greece	South Africa
Guatemala	Spain
Guyana	Sri Lanka
Honduras	Sweden
Hungary	Switzerland
Iceland	Tanzania, United Republic of
Indonesia	Thailand
Iraq	Togo
Ireland	Tunisia
Islamic Republic of Iran	Turkey
Italy	Uganda
Japan	Ukraine
Jordan	United Arab Emirates
Kenya	United Kingdom
Republic of Korea	United States
Kuwait	Uruguay
Lebanon	Viet Nam
Lesotho	Yemen
Libyan Arab Jamahiriya	Zambia
Luxembourg	Zimbabwe
Madagascar	

## Appendix 2

### Table of ratifications and information concerning the ILO's fundamental Conventions (as at 2 October 2001)

No. 29	–	Forced Labour Convention, 1930
No. 87	–	Freedom of Association and Protection of the Right to Organise Convention, 1948
No. 98	–	Right to Organise and Collective Bargaining Convention, 1949
No. 100	–	Equal Remuneration Convention, 1951
No. 105	–	Abolition of Forced Labour Convention, 1957
No. 111	–	Discrimination (Employment and Occupation) Convention, 1958
No. 138	–	Minimum Age Convention, 1973
No. 182	–	Worst Forms of Child Labour Convention, 1999

### Explanation of symbols in the table

- X** Convention ratified.
- O** Formal ratification process already initiated (with or without mention of timeframe); approval of ratification by the competent body, although the Director-General has not yet received the formal instrument of ratification or it is incomplete (concerns chiefly Convention No. 138) or is a non-original copy; bill currently before the legislative body for approval.
- ▲** Ratification will be examined after amendment/adoption of a Constitution, Labour Code, legislation, etc.
- Convention currently being studied or examined; preliminary consultations with the social partners.
- Divergencies between the Convention and national legislation.
- ◆** Ratification not considered/deferred.
- No reply, or a reply containing no information.



Member State	Forced labour		Freedom of association		Equal treatment		Child labour	
	C. 29	C. 105	C. 87	C. 98	C. 100	C. 111	C. 138	C. 182
Afghanistan	–	X	–	–	X	X	–	–
Albania	X	X	X	X	X	X	X	X
Algeria	X	X	X	X	X	X	X	X
Angola	X	X	X	X	X	X	X	X
Antigua and Barbuda	X	X	X	X	O	X	X	O
Argentina	X	X	X	X	X	X	X	X
Armenia	O	O	O	O	X	X	●	●
Australia	X	X	X	X	X	X	◆	●
Austria	X	X	X	X	X	X	X	X
Azerbaijan	X	X	X	X	X	X	X	O
Bahamas	X	X	X	X	X	X	X	X
Bahrain	X	X	●	●	●	X	●	X
Bangladesh	X	X	X	X	X	X	◆	X
Barbados	X	X	X	X	X	X	X	X
Belarus	X	X	X	X	X	X	X	X
Belgium	X	X	X	X	X	X	X	X
Belize	X	X	X	X	X	X	X	X
Benin	X	X	X	X	X	X	X	X
Bolivia	▲	X	X	X	X	X	X	●
Bosnia and Herzegovina	X	X	X	X	X	X	X	X
Botswana	X	X	X	X	X	X	X	X
Brazil	X	X	▲	X	X	X	X	X
Bulgaria	X	X	X	X	X	X	X	X
Burkina Faso	X	X	X	X	X	X	X	X
Burundi	X	X	X	X	X	X	X	X
Cambodia	X	X	X	X	X	X	X	–
Cameroon	X	X	X	X	X	X	X	X
Canada	O	X	X	■	X	X	■	X
Cape Verde	X	X	X	X	X	X	O	X
Central African Republic	X	X	X	X	X	X	X	X
Chad	X	X	X	X	X	X	O	X
Chile	X	X	X	X	X	X	X	X
China	●	●	◆	◆	X	●	X	X
Colombia	X	X	X	X	X	X	X	O

Member State	Forced labour		Freedom of association		Equal treatment		Child labour	
	C. 29	C. 105	C. 87	C. 98	C. 100	C. 111	C. 138	C. 182
Comoros	X	X	X	X	X	O	O	O
Congo	X	X	X	X	X	X	X	X
Costa Rica	X	X	X	X	X	X	X	X
Côte d'Ivoire	X	X	X	X	X	X	●	●
Croatia	X	X	X	X	X	X	X	X
Cuba	X	X	X	X	X	X	X	◆
Cyprus	X	X	X	X	X	X	X	X
Czech Republic	X	X	X	X	X	X	▲	X
Democratic Republic of the Congo	X	X	X	X	X	X	X	X
Denmark	X	X	X	X	X	X	X	X
Djibouti	X	X	X	X	X	O	▲	▲
Dominica	X	X	X	X	X	X	X	X
Dominican Republic	X	X	X	X	X	X	X	X
Ecuador	X	X	X	X	X	X	X	X
Egypt	X	X	X	X	X	X	X	X
El Salvador	X	X	■	■	X	X	X	X
Equatorial Guinea	X	X	X	X	X	X	X	X
Eritrea	X	X	X	X	X	X	X	●
Estonia	X	X	X	X	X	▲	▲	X
Ethiopia	O	X	X	X	X	X	X	O
Fiji	X	X	X	X	X	X	O	X
Finland	X	X	X	X	X	X	X	X
France	X	X	X	X	X	X	X	X
Gabon	X	X	X	X	X	X	O	X
Gambia	X	X	X	X	X	X	X	X
Georgia	X	X	X	X	X	X	X	X
Germany	X	X	X	X	X	X	X	X
Ghana	X	X	X	X	X	X	O	X
Greece	X	X	X	X	X	X	X	X
Grenada	X	X	X	X	X	▲	▲	–
Guatemala	X	X	X	X	X	X	X	X
Guinea	X	X	X	X	X	X	–	–
Guinea-Bissau	X	X	◆	X	X	X	◆	◆
Guyana	X	X	X	X	X	X	X	X
Haiti	X	X	X	X	X	X	●	●
Honduras	X	X	X	X	X	X	X	X

Member State	Forced labour		Freedom of association		Equal treatment		Child labour	
	C. 29	C. 105	C. 87	C. 98	C. 100	C. 111	C. 138	C. 182
Hungary	X	X	X	X	X	X	X	X
Iceland	X	X	X	X	X	X	X	X
India	X	X	■	■	X	X	■	●
Indonesia	X	X	X	X	X	X	X	X
Iran, Islamic Republic of	X	X	▲	▲	X	X	●	X
Iraq	X	X	●	X	X	X	X	X
Ireland	X	X	X	X	X	X	X	X
Israel	X	X	X	X	X	X	X	▲
Italy	X	X	X	X	X	X	X	X
Jamaica	X	X	X	X	X	X	▲	▲
Japan	X	●	X	X	X	●	X	X
Jordan	X	X	●	X	X	X	X	X
Kazakhstan	X	X	X	X	X	X	X	○
Kenya	X	X	▲	X	X	X	X	X
Kiribati	X	X	X	X	●	●	●	●
Korea, Republic of	■	■	▲	▲	X	X	X	X
Kuwait	X	X	X	○	○	X	X	X
Kyrgyzstan	X	X	X	X	X	X	X	●
Lao People's Democratic Republic	X	●	●	●	●	●	●	–
Latvia	○	X	X	X	X	X	○	○
Lebanon	X	X	▲	X	X	X	○	X
Lesotho	X	X	X	X	X	X	X	X
Liberia	X	X	X	X	–	X	–	–
Libyan Arab Jamahiriya	X	X	X	X	X	X	X	X
Lithuania	X	X	X	X	X	X	X	○
Luxembourg	X	X	X	X	X	X	X	X
Madagascar	X	●	X	X	X	X	X	X
Malawi	X	X	X	X	X	X	X	X
Malaysia	X	◆	◆	X	X	◆	X	X
Mali	X	X	X	X	X	X	X	X
Malta	X	X	X	X	X	X	X	X
Mauritania	X	X	X	X	X	X	X	X
Mauritius	X	X	▲	X	○	○	X	X
Mexico	X	X	X	◆	X	X	■	X
Moldova, Republic of	X	X	X	X	X	X	X	X

Member State	Forced labour		Freedom of association		Equal treatment		Child labour	
	C. 29	C. 105	C. 87	C. 98	C. 100	C. 111	C. 138	C. 182
Mongolia	O	O	X	X	X	X	●	X
Morocco	X	X	^	X	X	X	X	X
Mozambique	O	X	X	X	X	X	O	O
Myanmar	X	◆	X	●	◆	◆	◆	●
Namibia	X	X	X	X	●	X	X	X
Nepal	X	●	^	X	X	X	X	X
Netherlands	X	X	X	X	X	X	X	X
New Zealand	X	X	^	^	X	X	◆	X
Nicaragua	X	X	X	X	X	X	X	X
Niger	X	X	X	X	X	X	X	X
Nigeria	X	X	X	X	X	O	O	O
Norway	X	X	X	X	X	X	X	X
Oman	X	●	●	●	●	●	●	X
Pakistan	X	X	X	X	X	X	◆	X
Panama	X	X	X	X	X	X	X	X
Papua New Guinea	X	X	X	X	X	X	X	X
Paraguay	X	X	X	X	X	X	O	X
Peru	X	X	X	X	X	X	O	O
Philippines	O	X	X	X	X	X	X	X
Poland	X	X	X	X	X	X	X	X
Portugal	X	X	X	X	X	X	X	X
Qatar	X	●	●	●	●	X	●	X
Romania	X	X	X	X	X	X	X	X
Russian Federation	X	X	X	X	X	X	X	O
Rwanda	X	X	X	X	X	X	X	X
Saint Kitts and Nevis	X	X	X	X	X	X	●	X
Saint Lucia	X	X	X	X	X	X	●	X
Saint Vincent and the Grenadines	X	X	X	X	X	X	O	X
San Marino	X	X	X	X	X	X	X	X
Sao Tome and Principe	●	●	X	X	X	X	O	-
Saudi Arabia	X	X	●	●	X	X	●	X
Senegal	X	X	X	X	X	X	X	X
Seychelles	X	X	X	X	X	X	X	X
Sierra Leone	X	X	X	X	X	X	O	O
Singapore	X	◆	◆	X	X	◆	◆	X

Member State	Forced labour		Freedom of association		Equal treatment		Child labour	
	C. 29	C. 105	C. 87	C. 98	C. 100	C. 111	C. 138	C. 182
Slovakia	X	X	X	X	X	X	X	X
Slovenia	X	X	X	X	X	X	X	X
Solomon Islands	X	–	○	○	●	●	–	–
Somalia	X	X	–	–	–	X	–	–
South Africa	X	X	X	X	X	X	X	X
Spain	X	X	X	X	X	X	X	X
Sri Lanka	X	△	X	X	X	X	X	X
Sudan	X	X	●	X	X	X	○	○
Suriname	X	X	X	X	△	△	○	○
Swaziland	X	X	X	X	X	X	○	○
Sweden	X	X	X	X	X	X	X	X
Switzerland	X	X	X	X	X	X	X	X
Syrian Arab Republic	X	X	X	X	X	X	X	○
Tajikistan	X	X	X	X	X	X	X	●
Tanzania, United Republic of	X	X	X	X	X	X	X	X
Thailand	X	X	●	●	X	●	●	X
The former Yugoslav Republic of Macedonia	X	●	X	X	X	X	X	X
Togo	X	X	X	X	X	X	X	X
Trinidad and Tobago	X	X	X	X	X	X	○	○
Tunisia	X	X	X	X	X	X	X	X
Turkey	X	X	X	X	X	X	X	X
Turkmenistan	X	X	X	X	X	X	○	–
Uganda	X	X	●	X	■	■	△	X
Ukraine	X	X	X	X	X	X	X	X
United Arab Emirates	X	X	◆	◆	X	X	X	X
United Kingdom	X	X	X	X	X	X	X	X
United States	●	X	●	●	●	○	●	X
Uruguay	X	X	X	X	X	X	X	X
Uzbekistan	X	X	○	X	X	X	●	●
Venezuela	X	X	X	X	X	X	X	○
Viet Nam	●	●	◆	◆	X	X	◆	X
Yemen	X	X	X	X	X	X	X	X
Yugoslavia	X	○	X	X	X	X	X	○
Zambia	X	X	X	X	X	X	X	X
Zimbabwe	X	X	○	X	X	X	X	X