ABSTRACT

The International Labour Organization (ILO) is the oldest specialized agency of the United Nations (U.N.). It was established in 1919 as an autonomous body of the League of Nation under the Treaty of Versailles. In 1946, it became the first specialized agency of the United Nations. In 1969, it was awarded the Noble Prize for Peace. The present research paper describes and examines the most important and distinguishing feature of the ILO, its unique tripartite structure, in which workers’ and employers’ representatives have an equal voice with those of governments in formulating its policies and programmes. ILO encourages ‘tripartism’ within its member States by promoting social dialogue among the key economic actors on national policy on social, economic and many other issues. This distinct approach through which social, economic, political decisions are based as for as possible on the broad consent of workers, employers and governments, resulting in harmonious labour relations, thereby contributing to labour and social peace.

Keywords: ILO; U.N.; Unique; Tripartite; Structure; Labour; Peace; Social Dialogue; Social Justice

INTRODUCTION

The International Labour Organization (ILO) is the first and the oldest specialized agency of the United Nations (U.N.). It is a functional international organization which deals with labour issues. It was created in 1919 as a self-governing institution of the League of Nations. After the end of the League of Nations it became the first specialized agency of the U.N. In 1969, it was awarded the Noble Prize for Peace on behalf of its work for social justice and world peace.

International Organizations have a formal and continuous structure which distinguishes them from other international groupings. ILO assumes a special significance in this regard as it is hybrid in nature which means it has both the governmental and non-governmental representation. “It is an intergovernmental organization which brings together representatives of governments, employers and workers in a unique "tripartite" composition.” Second, its membership is virtually universal.

OBJECTIVE

The Objective of present research paper is to examine ILO's unique tripartite structure which promotes social dialogue among key economic actors and establishes a sound relationship among them and thereby contributing to social justice and peace.

METHODOLOGY

Historical, Descriptive and Analytical
Tripartism

The ILO has a unique tripartite structure which means that the representatives of employers and workers take part with government's representatives in the deliberations and operations of the organization. “It is the only international intergovernmental institution in which governments do not have the exclusive voting power in setting standards and policies.” “It is also the only international organization that is not purely inter-governmental in its governance structure. Unions and employer-group representatives are part of each country’s delegation and have the same right to vote as government representatives at Governing Body meetings and at the International Labour Conference, where delegates make policy in plenary sessions.” Virginia Leary defines this unique aspect of its governing structure in following terms:

"The ILO is only organization or body in the UN family that includes Non-Governmental Organizations (NGOs) namely, employers' and workers' organizations (but only those organizations) – as the full participants in all its activities. This unique aspect of extensive non-governmental participation in the ILO – unequalled elsewhere in the United Nations (UN) – is referred to as 'tripartism' and is one of the most distinguishing features of the ILO".

Tripartism is an essential feature of the ILO. “If the ILO had done nothing more than offer the world a forum of tripartite discussion, it would already have rendered a great service to the cause of peace.” In ILO’s decision making and executive bodies where the representatives of workers and employers enjoying equal status with that of governments, join with them in free debate and democratic decision on social and economic standards.

The idea of tripartism was new and daring when the ILO was founded. It was unpopular even at the national level. It was both the most originitative and the most valuable concept of the Paris Peace Conference. "Anyone who is familiar with the events lying behind the Labour Part of the Peace Treaties concluded at the end of the First World War must be aware that there was a strong desire on the part of labour in many countries that its voice should be heard in international discussions upon industrial conditions. In order to ensure a just equilibrium, it was necessary that the employers should likewise be represented." The idea of tripartism was proposed by the British members of the Committees on International Labour Legislation of the Paris Peace Conference. The idea was that, "instead of concentrating attention upon any specific social reforms, there should be an annually recurring international labor conference and an International technical staff, which could keep peace with the demands and needs of changing world." But it was to do more than pass pious resolutions, in briefs, "if it was to take the lead in actual reforms, it must do so by dealing directly with governments, and that meant creating something that would not be merely an international labour union. It would have to have representation from employers and governments, to represent the whole social structure of the nation."

Thus, tripartism in ILO was asseverated on two assumptions: first, that workers and employers interests were separate from each other and of government—a thought of the existing situation in Western capitalistic, industrialized countries; and second, that governments, which have the ultimate answerability for enforcing labour legislation, should not be outvoted by the non-governmental groups.

Thus ILO was set-up on the principle of tripartism. Since its inception it is functioning on tripartite basis which means that governments, employers and workers which are the constituent members of the Organization, work and vote independently of each other. Each Member State has four votes, divided so that workers’ organizations have one vote, employers’ organizations have one vote and the government has two votes. Generally, at the ILO meetings, government delegates sit in the middle of the room, with the workers' representatives on their left and employers' representatives on their right. "These three groups take an active role in all ILO events including in its committees and conferences, and in the adoption and monitoring of ILO standards."
The ILO encourages tripartism within its constituents and member States by promoting a social dialogue between trade unions and employers in formulating and implementing national policy on social, economic, and many other issues. "[T]he policies and decisions adopted by the ILO's bodies or by national bodies, through the involvement, not only of governments, but also of organizations of employers and workers, acquire greater authority and legitimacy, thereby facilitating compliance and implementation by those concerned."14 In tripartite composition both employers and workers can utter their points of view and assure that they are taken into account, so that society can benefit from their knowledge, awareness and experience, as they are in practice the actors that are best placed to evaluate the changing needs of the world of work and contribute to finding the most appropriate solutions.15

"Indeed, in view of the increasing complexity of society, industry and the activities of the State, the latter cannot claim to be the centre of all knowledge or assume that its proposals will necessarily achieve the intended objectives in a satisfactory manner."16 This distinct approach, "through which political, social, economic and labour decisions are based as far as possible on the broad consent and co-responsibility of the social partners, also results in harmonious labour relations, thereby contributing to social peace."17

"The ILO is still the only worldwide organisation where international co-operation is the business not only to diplomats and governments but also of the employers and workers."18 To strengthen tripartism and social dialogue the International Labour Conference adopted an important resolution concerning Tripartism and Social Dialogue at its 90th session in 2002. The Resolution "invites the governments of member States to ensure that the necessary preconditions exist for social dialogue, including respect for the fundamental principles and the right to freedom of association and collective bargaining and for a sound social industrial relations environment, and respect for the role of social partners, and invites governments as well as workers' and employers' organizations to promote and enhance tripartism and social dialogue."19

Universality

The second feature of ILO's structure which has enabled it to make a valuable contribution to peace – its universality. Originally, ILO membership was identical with League of Nations membership, since coherence to the League carried with it participation in the ILO20. Nevertheless, various countries that were not members of the League were admitted to the ILO, especially the US, which joined in 1934. In 1946, the ILO became the first specialized agency affiliated with the UN21. “The constitution of the ILO now provides that any nation that is member of the UN can become a member of the ILO by unilaterally notifying the Director General that it accepts the obligations of the ILO Constitution. Other nations may be admitted to the ILO membership by a two-thirds vote of the International Labour Conference"22.

"The members and leaders of the ILO have constantly striven to make it worldwide organisation universal in composition, in spirit and in influence."23 Today, with 186 member states, ILO is heading towards its goal of universal membership.185 out of 193 UN member states plus Cook Islands are part of the ILO.

Principal Organs of the ILO

According to Article 2 of the Constitution of the ILO which states, "The permanent organization shall consist of a General Conference of representative of the members; a Governing Body composed as described in article 7; and an International Labour Office controlled by the Governing Body."24 The ILO has three main organs through which it accomplishes its work:

- The International Labour Conference which is the supreme policy making body,
- The Governing Body which is the executive organ and,
- The International Labour Office which is its permanent secretariat based in Geneva.
The International Labour Conference

The International Labour Conference (ILC) is the policy-making and legislative organ. Each member state of the ILO meets at the International Labour Conference, held every year in Geneva, Switzerland, in the month of June. In ILC all its members – governments, employers and workers come together as a body.\(^{25}\)

In ILC, each Member State is represented by a delegation consisting of two government delegates, an employer delegate, a worker delegate, and their respective advisers. Employers and worker delegates are nominated by the Government in agreement with the most representative national organizations of employers and workers. Many of the governments’ representatives are Cabinet Ministers responsible for labour affairs in their own countries. Heads of States and Prime Ministers also take floor at ILC. International Organizations, both governmental and others, attend as observers.\(^{26}\)

The Governing Body

The Governing Body is the executive council of the ILO. It is the hub around which all ILO activities revolve. It meets three times each year in March, June and November.

Following the example of the Conference, the Governing Body is organized on tripartite basis. It is composed of 56 members: with 28 government representatives, 14 workers’ representatives and 14 employers' representatives, plus 66 deputy members from each of these three groups. Ten of the titular government seats are permanently held by states of chief industrial importance (Brazil, China, France, Germany, India, Italy, Japan, the Russian Federation, the United Kingdom and the United States). The remaining 18 government representatives are elected by the International Labour Conference with reference to geographical distribution. The workers and employers elect their own representatives respectively.\(^{27}\) The Constitution of ILO stipulates that the representatives of employers and workers on the Governing Body should be nominated by the employers' and workers’ group at the conference. Members of employers and workers groups are also elected for a three years term.\(^{28}\)

The International Labour Office

The International Labour Office in Geneva, Switzerland, is ILO’s Secretariat, operational headquarters, research centre, and publishing house. The Office is an administrative agency on which the conference and Governing Body depend to convert their decisions and directives in to action.\(^{29}\) The Office is a research centre for questions of social policy, as well as clearing house of references and information. The staff of the International Labour Office is appointed by the Director-General. According to article 9, "the staff of the International Labour Office should be appointed by the Director-General under regulations approved by the Governing Body. So far as is possible with due regard to the efficiency of the work of the Office, the Director-General should select persons of different nationalities. And a certain number of these persons should be women."\(^{30}\)

CONCLUSION

The ILO reached a venerable old age. It turned 90 in 2009 and is also near to complete its 100th anniversary. It has been at the forefront of the struggle for social justice for the last 90 years. It is the only international organization which operates on tripartite basis. It has a unique tripartite structure which empowers the representatives of workers and employers to participate on an equal footing with those of governments in all decision and policy making processes within the organization. It encourages tripartism within the member States by emphasizing on social dialogue among the key economic actors to help formulate and implement national labour and social policy. Successful social dialogue plays a key role in solving social and economic issues encouraging good governance, advancing social and industrial peace, harmony and stability and boosting economic progress. Without broad based consent over labour, social and economic issues, fair terms of employment, decent and humane working conditions, economic development and social progress for the benefit for all cannot be achieved. ILO’s unique tripartite structure and social dialogue through which political, social, economic and labour decisions and policies based on as far as possible on the broad consent of the
social partners of real economy resulting in harmonious labour relations, thereby contributing to labour and social peace.

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