

ETI Base Code appendices

Appendix A: Relevant international standards

With respect to human rights the most comprehensive standard is the United Nations *Universal Declaration of Human Rights*.

A further relevant standard ratified by almost every member state in the United Nations is the *United Nations Convention on the Rights of the Child*.

Responsibility for setting international labour standards is given by the international community to the International Labour Organisation (ILO) which was established for this purpose.

The most comprehensive and universally applicable standard directly addressing the responsibilities of business operating internationally is the ILO's *Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy*.

The tripartite structure of the ILO, involving both employers' and workers' representatives as well as governments, together with the technical expertise of this organisation in all matters relating to the world of work, make the ILO the authoritative and legitimate source of international labour standards. ILO standards are set in Conventions, having the force of international law and binding for states that have ratified them and in Recommendations which provide additional guidance to governments. ILO member states must provide regular reports on the application of ratified Conventions to the ILO. The findings of ILO supervisory bodies form ILO jurisprudence.

With the adoption in June 1998 of the ILO *Declaration on Fundamental Principles and Rights at Work* all 174 ILO member states have an obligation, regardless of ratification, to respect, promote and realise the principles contained in the core ILO Conventions. These core Conventions and their accompanying Recommendations comprise:

- ILO Conventions 29 and 105 & Recommendation 35 (Forced and Bonded Labour)
- ILO Convention 87 (Freedom of Association)
- ILO Convention 98 (Right to Organise and Collective Bargaining)
- ILO Conventions 100 and 111 & Recommendations 90 and 111 (Equal Remuneration for male and female workers for work of equal value; Discrimination in employment and occupation)
- ILO Convention 138 & Recommendation 146 (Minimum Age).

- ILO Convention 182 & Recommendation 190 (Worst forms of Child Labour).
- ILO Convention 81 (Labour Inspection)
- ILO Convention 122 (Employment Policy)

Although not core ILO conventions, other ILO standards especially relevant to the work of ETI include:

- ILO Convention 135 & Recommendation 143 (Workers' Representatives Convention)
- ILO Convention 155 & Recommendation 164 (Occupational Safety & Health)
- ILO Convention 159 & Recommendation 168 (Vocation Rehabilitation & Employment/Disabled Persons)
- ILO Convention 177 & Recommendation 184 (Home Work).
- ILO Convention 190 & Recommendations (Safety and Health in Agriculture)
- ILO Convention 154 (Collective Bargaining)
- ILO Convention 131 (Minimum Wage Fixing)
- ILO Convention 175 (Part time work)
- ILO Convention 183 (Maternity Protection)

Another comprehensive standard addressing the responsibilities of business operating internationally, and one that is applicable to all businesses operating internationally in or from the United Kingdom, is the *Guidelines for Multinational Enterprises developed by the Organisation for Economic Co-operation and Development (OECD)*.

Appendix B: Definitions

Child: Every boy and girl under the age of 18. The UN Convention on the Rights of the Child (1989) says: "For the purpose of this present Convention, a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier" (article 1). In Spanish-speaking countries in Latin America, it is usual practice to distinguish between the boys and girls, on the one hand, and older adolescents, on the other, thereby recognising that adolescents are more mature and can take on more responsibilities than younger children.

Young person: Any worker over the age of a child as defined above and under the age of 18.

Adolescent: A child between the age of 10 and 17. In addition, 17-19 year olds are also referred to as 'young adults'.

Child labour: Any work by a child or young person younger than the age(s) specified in the above definitions, which does not comply with the provisions of the relevant ILO standards, and any work that is likely to be hazardous or to interfere with the child's or young person's education, or to be harmful to the child's or young person's health or physical, mental, spiritual, moral or social development.