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EDITORIAL ANALYSIS

India's ILO Bind – Time to Revisit Outdated Labour Conventions

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Editorial Summary

Business Standard's editorial (by Laveesh Bhandari and Bhuvana Anand) argues that India's early-ratified International Labour Organisation (ILO) conventions create inflexibility in domestic labour policy. The Karnataka government's attempt to allow 12-hour daily shifts in IT companies — aimed at boosting productivity and flexibility — was flagged internationally via Geneva-based ILO mechanisms, illustrating how ratified conventions can be weaponised to limit democratic policy choices. The editorial contends that major economies routinely avoid such rigid commitments and India should selectively exit outdated conventions to restore policy sovereignty, without abandoning core worker protections (prohibitions on child labour, forced labour, and discrimination).

What is the ILO?

Feature	Detail
Full name	International Labour Organisation
Founded	1919 (Part XIII of Treaty of Versailles)
HQ	Geneva, Switzerland
Type	UN specialised agency (tripartite: governments + employers + workers)
Members	187 countries
India membership	Founding member (1919)
Key instruments	Conventions (binding) + Recommendations (non-binding)
Conventions adopted	190 conventions total
India's ratifications	~47 conventions ratified

Tripartite structure: Unlike other UN bodies where only governments sit, the ILO’s International Labour Conference (ILC) includes representatives of governments, employer organisations, and trade unions — a unique model of international governance.

Core ILO Conventions — The “Fundamental Eight”

In 1998, the ILO Declaration on Fundamental Principles and Rights at Work identified **8 fundamental conventions** (reorganised from original 4 in 2022):

Convention	Subject
C029	Forced Labour (1930)
Co87	Freedom of Association
Co98	Right to Organise and Collective Bargaining
C100	Equal Remuneration
C105	Abolition of Forced Labour
C111	Discrimination in Employment
C138	Minimum Age (Child Labour)
C182	Worst Forms of Child Labour

India has ratified 6 of the 8 fundamental conventions — Co87 (Freedom of Association) and Co98 (Right to Organise and Collective Bargaining) remain unratified. The government cites restrictions on government servants’ right to strike as the barrier. These 6 ratified conventions form the non-negotiable core the editorial is NOT suggesting India exit.

The Karnataka 12-Hour Shift Controversy

- Karnataka’s **Shops and Establishments Act** amendment sought to allow IT companies to employ workers in **12-hour shifts** (vs the standard 8-hour norm)
- Rationale: IT sector global competition requires flexible working arrangements
- ILO’s Convention No. 1 (Hours of Work, 1919) — limits standard hours to 8/day, 48/week for industrial establishments
- India ratified Convention No. 1 in **1921**

- The ILO mechanism was invoked by trade unions to flag the Karnataka amendment as a potential violation

Policy tension: India’s domestic legislative authority (concurrent list – Industrial Relations, Labour) vs. international commitments via ILO ratification.

India’s Labour Law Reforms – Four Labour Codes

India consolidated 44+ central labour laws into **4 Labour Codes** (2019–2020):

Code	Subject	Status
Code on Wages, 2019	Minimum wages, equal pay	Notified; implementation pending
Industrial Relations Code, 2020	Trade unions, retrenchment, strikes	Notified; implementation pending
Code on Social Security, 2020	PF, ESI, gratuity	Notified; implementation pending
Occupational Safety, Health & Working Conditions Code, 2020	Working hours, safety	Notified; implementation pending

The Labour Codes themselves introduced some flexibility – but ILO convention constraints remain a layer above.

Arguments For and Against Exiting ILO Conventions

For (editorial’s position)

- Restores domestic policy sovereignty
- Major economies (USA, China) have not ratified many ILO conventions
- Many conventions date to 1919 industrial-era realities – not suited to knowledge economy
- Enables India to compete for global manufacturing (factories prefer flexible hiring/firing)

Against

- India’s credibility in international labour standards forums
- Risk of exploitation of unorganised workers (who need protections most)
- Trade agreements (EU GSP+, UK FTA) require compliance with ILO conventions

- Exit could trigger trade sanctions or loss of preferential access

UPSC Relevance

Paper	Angle
GS2 — International Relations	ILO, multilateral labour governance, India's treaty obligations
GS3 — Economy	Labour reform, industrial policy, Labour Codes, employment generation
GS2 — Governance	Federal labour law (concurrent list), Karnataka IT sector policy
GS4 — Ethics	Workers' rights vs. economic development; social justice

Mains Keywords: ILO, fundamental conventions, Convention No. 1 (Hours of Work), Karnataka 12-hour shift, Labour Codes 2020, tripartite governance, Fundamental Principles and Rights at Work, India labour reform, employment generation, policy sovereignty

Prelims Facts Corner

Item	Fact
ILO founded	1919; Part XIII Treaty of Versailles
ILO HQ	Geneva, Switzerland
ILO type	UN specialised agency; tripartite structure
Fundamental conventions	8 (reorganised 2022); India ratified all 8
India's fundamental ratifications	6 of 8 (Co87 and Co98 not ratified)
India's total ILO ratifications	~47 conventions
Convention No. 1	Hours of Work, 1919; 8h/day, 48h/week; India ratified 1921
ILO members	187 countries
Labour Codes	4 codes (2019–2020); consolidate 44+ laws; implementation pending
ILC	International Labour Conference — annual; tripartite; Geneva

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