

Global Labour Rights Matter and it matters that they are being abused

The International Labour Organisation (ILO) is hardly front of mind for union members in a Queensland workplace. Quoting an ILO Convention might do little to change the boss's behaviour and deficiencies. Yet almost any argument between workers and bosses can be linked to and informed by ILO conventions and determinations. When a boss acknowledges something in an award or agreement, it is worth realising that some of the legislative, regulatory framework of terms and conditions and of 'fairness' at work expressly rests on the ILO conventions about Freedom of Association (number 87) and Right to Organise and Collectively Bargain (number 98).

The ILO was established in 1919 as part of the League of Nations which was a product of the Treaty of Versailles after WW1. Currently (2026), 187 States are members of the ILO which has a unique tripartite governance. Every state has government, worker and employer representatives.

The foundation purpose of the ILO was to advance 'social justice'. This was held to be an indispensable condition for "universal and lasting peace". As stated in the [1969 Nobel Peace Prize award](#) to the ILO, *'It grew out of nineteenth-century labor and social movements which culminated in widespread demands for social justice and higher living standards for the world's working people'*.

[Discussion at Versailles](#) adopted *'The principle that in right and in fact the labor of a human being cannot be treated as merchandise or an article of commerce.'* The 1944 [Declaration of Philadelphia](#), formalised and re-asserted the centrality of social justice in its first principle that *Labour is not a commodity*. The second principle is that *'freedom of expression and of association are essential to sustained progress'*. These are still governing principles of the ILO and a strong antidote to neo-classical economic nostrums of the primacy of markets.

Asserting a right to strike

A further and very crucial advance in specifying workers' rights has been made in 2026. In May, the International Court of Justice (ICJ)

ruled that [ILO Convention 87 on](#) freedom of association and independent unions protects the right to strike. The ICJ was asked to adjudicate via an advisory opinion after the employers in ILO forums had been contesting the existence of a right to strike in for 14 years. As [IndustriALL Global Union](#) said, 'This is a massive win for workers worldwide and the result of more than a decade of campaigning'. The decision also aligns the ILO with [Article 8 of the International Covenant on Economic, Social and Cultural Rights](#) and with [Article 23 \(4\) of the Universal Declaration of Human Rights](#). The latter provides, *'Everyone has the right to form and to join trade unions for the protection of his (sic) interests.*

The legal situation at Queensland work- places is set by State and/or Federal legislation. The ICJ ruling on the right to strike does not, by itself, change this. But, it reduces the 'moral suasion' that bosses, their organisations and unsympathetic politicians can put onto workers and unions. It also offers opportunity and space in national politics, to campaign for removal of the limits which Australian and Queensland laws place on industrial action.

The global application

The ICF determination that there is a right to strike applies globally and is globally significant. Convention 87 is one of the 10 conventions in the ILO '[Declaration on Fundamental Principles and Rights at Work](#)' adopted in 1988. This is a statement of *'universal and inalienable human rights that all workers should enjoy regardless of their employment status'*. The listed rights are freedom of association, right to collective bargaining, elimination of forced or compulsory labour, abolition of child labour, elimination of discrimination in respect of employment and occupation, and right to a safe place of work. It now includes right to strike.

The Declaration of Fundamental Principles obliges all ILO member states to respect and act in accordance with the 10 relevant conventions whether or not they have ratified them. The latter is especially important since, as perhaps the most egregious example, [the USA has only ratified 2 of](#) the 10. Australia has ratified all ten; Figure 1 shows the record of a range of states. Notably, none of China, India, New Zealand or USA have ratified the right to organise,

convention 87. Though all except the USA have ratified the [International Covenant on Civil and Political Rights](#) .

Figure 1 Ratifications of Fundamental ILO Conventions								
	Aus	NZ	PNG	Fiji	USA	Indo	India	China
Forced Labour Convention, 1930 (No. 29)	y	y	y	y	n	y	y	y
Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	y	n	y	y	n	y	n	n
Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	y	y	y	y	n	y	n	n
Equal Remuneration Convention, 1951 (No. 100)	y	y	y	y	n	y	y	y
Abolition of Forced Labour Convention, 1957 (No. 105)	y	y	y	y	y	y	y	y
Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	y	y	y	y	n	y	y	y
Minimum Age Convention, 1973 (No. 138)	y	n	y	y	n	y	y	y
Occupational Safety and Health Convention, 1981 (No. 155)	y	y	n	y	n	n	n	y
Worst Forms of Child Labour	y	y	y	y	y	y	y	y

Convention, 1999 (No. 182)								
Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)	y	n	n		n	y	n	n
Total number of ratifications (out of 10)	10	7	8	9	2	9	6	7
Source; Information System on International Labour Standards, Ratifications by country, https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:11001								

The disastrous state of labour rights

The ICJ ruling on the right to strike is a rare positive in the deplorable and deteriorating state of labour rights across the world. Almost everywhere, workers are being put into very unpleasant and invidious situations. [The Global Rights Index](#) of the International Trade Union Confederation (ITUC) documents violations of workers' rights in law and in practice across 169 countries. It collects information in two ways. One is violation of rights as reported by unions affiliated to ITUC. The other is [a scoring of national legislation](#) against 97 indicators derived from ILO Conventions and jurisprudence. Each country is scored from 1 (Sporadic violations of rights) to 5 (No guarantee of rights). The 2026 report is the thirteenth.

[The ITUC starkly says in the 2026 Index that](#) 'we are facing a billionaire coup against democracy'. And,

The freedoms and rights that ordinary people rely on to maintain the most basic living standards and fair working conditions are under concerted attack by a tiny minority that is focused on the accumulation of wealth and power at the expense of all of us.

Further, the ITUC states,

The 2026 Index exposes a pattern that the powerful would rather keep hidden: the systematic weakening of democracy through attacks on workers, unions and collective bargaining. From repression of strikes to the erosion of legal protections and the criminalisation of unions, these are not isolated incidents but part of a broader strategy to silence dissent and entrench inequality.

The violations of rights are gross. Trade unionists and workers were killed in Angola, Colombia, Indonesia and Mexico. Other violations included

- Authorities in 75 countries (50%) arrested or detained workers, a record high and up from 71 in 2025.
- The right to the legal registration of unions was impeded in 75% of countries
- Workers suffered violence in 32% of countries,
- The right to strike was violated in 87% of countries

Figure 2 (source Global Rights Index 2026)

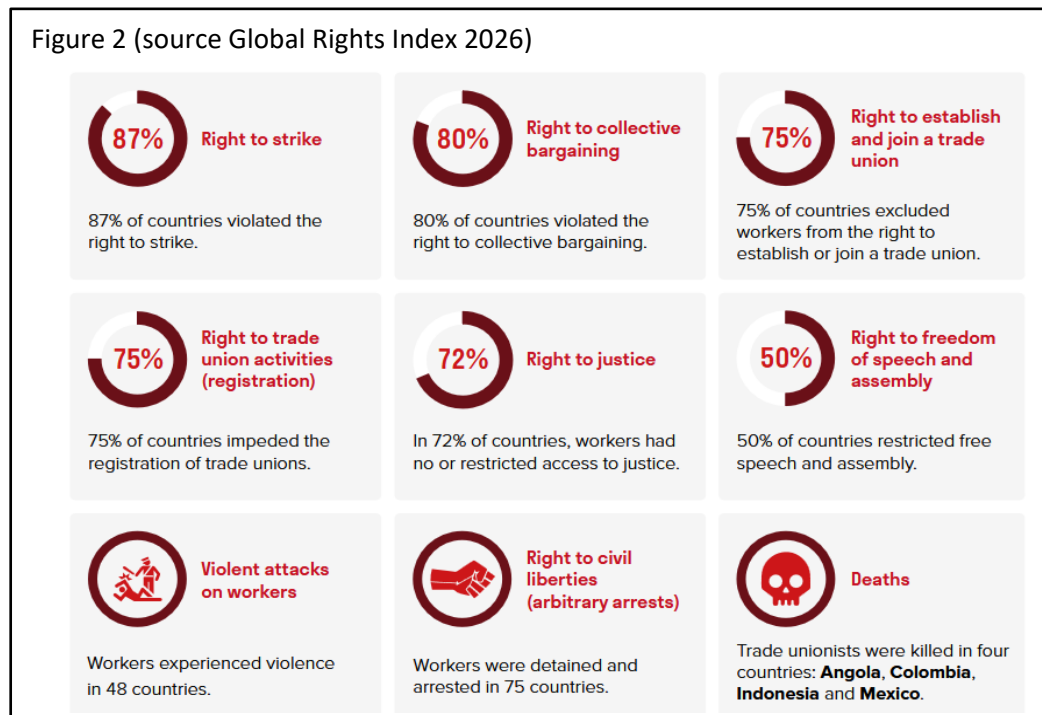


Figure 2 is a graphic from the Index showing the pattern of violations.

Breaches of rights were as prevalent in the rich countries of the Global North as in those of the Global South. The 10 worst countries for workers in 2026 were: Argentina, Belarus, Ecuador, Egypt, Eswatini, Myanmar, Nigeria, Panama, Tunisia, and Türkiye. But the rating of France decreased from 2 to 3 and the USA was put on a 'watch list'

with a rating of 4 (systematic violation of rights). Collective bargaining was hampered and social dialogue was denied in about half of the countries in Europe, including Finland, Germany, the Netherlands, and Sweden which are hardly the usual suspects.

War and violence adds to abuse of labour rights

The Middle East and North Africa are the worst region in the world for workers. Egypt, Tunisia and Turkiye are among the 10 worst countries in the world for working people. The impact of war and civil violence is very clear. The ITUC reports that since the start of its war in Gaza, Israel's rating for labour rights has gone from 2 to 4 (Systematic Violations Of Rights). Israel was once one of the least oppressive environments for workers and unions in the Middle East. According to ITUC, one reason for the decline is that Palestinian civil society organisations, including unions, can be designated as terrorist entities. In October 2025, Israeli forces raided the offices of the Palestinian General Federation of Trade Unions in Nablus (West Bank), *'ransacking and vandalising equipment, breaking doors, and detaining staff'*. The Index marks this with a photograph of the raid.

In turn, it seems more than happenstance, that the United States (put on the ITUC watch-list), and Israel (the most rapid decline on labour rights ever recorded) could launch armed conflict on Iran. But to complete the sad story, Iran itself has a rating of 5 - no guarantee of labour rights.

The [2026 Global Rights Index](#) is depressing but necessary reading. The one glimmer is perhaps the remarkable photographs of courageous workers. My favourite is the woman in in a May Day march in Kenya. But there are many close to this - for instance women unionists rallying for peace and security in Omdurman, Sudan. Or the person standing up to police in Indonesia. May they continue to be strong.

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