

10 September 2012

Dear IHRP:

Following the end of this year's International Labour Conference, I assisted the Bureau for Employers' Activities ("ACT/EMP" - <http://www.ilo.org/public/english/dialogue/actemp/>) with creating their Employers' Toolkit on ILO Standards ("the Toolkit"). As ACT/EMP's website sets out, the Toolkit – prepared in cooperation with the International Organisation of Employers – "is meant to guide employers' organizations on questions regarding the implementation of important ILO Conventions (and Recommendations) in national labour law and practice." In short, the different legal commentaries which make up the Toolkit are intended to assist employers in understanding their rights and responsibilities under the different ILO treaties. Employers are also made aware of their role in assisting their respective governments to enact implementing measures which take account of national conditions and the needs of sustainable enterprises.

During my summer with ACT/EMP, I created legal commentaries on the following Conventions:

- Convention No. 87: *Freedom of Association and Protection of the Right to Organise Convention, 1948*
- Convention No. 98: *Right to Organise and Collective Bargaining Convention, 1949*
- Convention No. 135: *Workers' Representatives Convention, 1971*
- Convention No. 154: *Collective Bargaining Convention, 1981*
- Convention No. 29: *Forced Labour Convention, 1930*
- Convention No. 105: *Abolition of Forced Labour Convention, 1957*
- Convention No. 156: *Workers with Family Responsibilities Convention, 1981*
- Convention No. 170: *Chemicals Convention, 1990*

I also revised commentaries that had already been drafted on the following Conventions:

- Convention No. 88: *Employment Service Convention, 1948*
- Convention No. 95: *Protection of Wages Convention, 1949*
- Convention No. 131: *Minimum Wage Fixing Convention, 1970*
- Convention No. 159: *Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983*
- Convention No. 160: *Labour Statistics Convention, 1985*
- Convention No. 183: *Maternity Protection Convention, 2000*

Throughout the summer, I became increasingly aware of the important role played by employers and employers' organizations in protecting and promoting workers' rights. At the same time, I began to see the importance in taking account of the needs of enterprise and encouraging responsible investment. Progress in the area of international labour law cannot happen in a vacuum that ignores the realities of those struggling to meet their most basic needs.

It is my firm belief that progress in the areas of international law and human rights, including labour rights, require continued education, collaboration and constructive dialogue. Because of the ILO's unique tripartite structure, all Conventions are created with the participation of the social partners, as well as the Government members of the Organization. The Toolkit represents an attempt by the Employers' Group to raise awareness amongst its constituents and to increase transparency and understanding with regard to the process and content of international labour standards. In creating the commentaries, I became intimately familiar with the different debates that often accompanied the standard-setting process, the compromises

that were reached and the genuine interest of all parties in developing binding international labour law.

My summer with ACT/EMP allowed me to engage in an analysis of public international law while attempting to navigate the complex arena of international politics. My internship provided me with the opportunity to examine my own views on the efficacy of international organisations, the role of business vis-à-vis human rights and the complexity of international law. I have come to realise that many of the values I hold dear – global development and the promotion of rights, for instance – are linked with a finding a balance between the different interests of all those affected. I also developed a few non-legal, but equally important, skills. Working in an environment as diverse as a United Nations specialized agency meant that I was often exposed to cultural differences and linguistic barriers. I learned to deal with these challenges with patience, sensitivity and an open mind. By the end of the summer, I had gained new perspective on labour issues, improved my French language skills, and had my first taste of life as an international civil servant. I am certain that the lessons I have learned and the insights I have gained this summer will be applicable across a spectrum of different career paths, and I sincerely hope it will not be my last foray into the arena of international law.

Sincerely,

Jennifer R. Bernardo  
JD/MGA Candidate, 2014