

## Briefing Paper

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# Using the International Labour Organisation Code of Practise on HIV/AIDS and the World of Work

## Summary of Document

The International Labour Organisation Code of Practise on HIV/AIDS and the World of Work was produced just in time for UNGASS, June 2001 and is aimed at preventing the spread and mitigating the impact of HIV/AIDS. It is the product of collaboration between the International Labour Organization and its tripartite constituents (government, industry, labour) as well as cooperation with its international partners. It provides practical guidance to policy-makers, employers' and workers' organisations and other social partners for formulating and implementing appropriate workplace policy, prevention and care programmes, and for establishing strategies to address workers in the informal sector.

## About the ILO

The International Labour Organisation, founded in 1919, is the UN specialised agency which seeks the promotion of social justice and internationally recognised human and labour rights. Within the UN system, the ILO has a unique tripartite structure with workers and employers participating as equal partners with governments in the work of its governing organs. The Governing Body meets three times a year in Geneva, where their secretariat is also located, and member states of the ILO meet once a year in June at the "International Labour Conference."

## Possible Actions

Greater implementation and awareness of the code through:

- The Commonwealth government - assisting in pressing governments in the region (where appropriate) for wide implementation of the code.
- The Private Sector - companies with significant workforces in developing countries (i.e. Telstra, BHP) could model implementation of the code and work with regional offices to address the issue of HIV/AIDS
- Labour - labour unions and organisations (ACTU, ICFTU) should be interested in working in collaboration
- Other NGOs and CBOs currently working in the region

## Opportunities / Why do this?

- The Code reflects principles already enshrined in the UNGASS Declaration and in Australia's National Strategies on HIV/AIDS: partnership, involvement of affected communities, and leadership.
- The implementation of the code involves a multi-sectoral approach and moves the issue from the health sphere into a whole-of-government response.



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- As highlighted in the language promoting the Global Fund, a response to the HIV/AIDS epidemic requires new partnerships, in particular, stronger links between the private sector and other partners. Building on the existing ILO model of collaboration between labour, industry and government, an initiative concerning the ILO code has the potential to build stronger links between government, trade unions and industry.
- In some countries, action through the workplace (i.e. employers and labour organisations) is the only effective mechanism for delivering government programs widely.
- This code would also be especially useful in countries with strong labour unions or leftist political regimes that valorise labour and the worker (i.e. Lao PDR, Vietnam, People's Republic of China)
- The ILO Code includes discussion of the needs of workers in the informal sector, which is extensive in Asian countries. "Informal Sector" usually refers to small-scale sales of goods and services, usually with low productivity. The lack for workers in this sector of access to health facilities or social protection benefits greatly increases their vulnerability to HIV infection.
- Fostering greater corporate responsibility in the region could lead to greater corporate responsibility in Australia for HIV/AIDS issues.
- Implementing the ILO code would have long-term benefits for Australian companies in the region – retaining trained workers, models of good practise, better productivity from workers from good work conditions etc.

## Issues

The Commonwealth (Government of Australia) is not well-disposed to some international conventions, and supporting the United Nations. However, this is only a *code*, rather than a convention or treaty, so it does not require adoption or being held to account for actions in relation to it.

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