

Ratification of international agreements on equal remuneration and on equal rights in employment and discriminatory laws and regulations at the national level



Key points

- As of 2020, 173 United Nations Member States and territories (93%) have ratified ILO Convention No. 100 on equal remuneration for women and men workers, and 175 Member States and territories (94%) have ratified ILO Convention No. 111 against discrimination in the field of employment and occupation.
- A number of least developed countries, small island developing States and territories and the United States of America have not ratified ILO Convention No. 100 and/or ILO Convention No. 111.
- National laws and regulations may not adequately protect women from discrimination in employment nor guarantee equal remuneration for women and men. As of 2020, in 33 out of 188 (18%) countries and territories with available data, laws do not "prohibit discrimination in employment based on gender" nor "mandate equal remuneration for work of equal value".¹ In 26 out of those 33 countries and territories discriminatory laws exist, despite their having ratified ILO Convention No. 100 and/or ILO Convention No. 111.

Background

Over 60 years ago, the International Labour Conference adopted two international conventions aimed at promoting gender equality in employment, ILO Convention No. 100, in 1951, and ILO Convention No. 111, in 1958. By ratifying ILO Convention No. 100, countries declare their commitment to gender equality in the workplace and to the adoption of national policies that ensure "the application to all workers of the principle of equal remuneration for men and women workers for work of equal value",² including addressing the **gender pay gap** and eliminating biases determining the value of women's and men's work. By ratifying ILO Convention No. 111, countries declare their determination to ensure "equality of opportunity and treatment in respect of employment and occupation"³ through the elimination of any direct or indirect discrimination, including on the basis of sex.



A number of least developed countries, small island developing States and territories and the United States of America have ratified neither ILO Convention No. 100 nor ILO Convention No. 111

Globally, as of 2020, 173 Member States and territories (93%) have ratified ILO Convention No. 100 and 175 Member States and territories (94%) have ratified ILO Convention No. 111 against discrimination in the field of employment and occupation.

A total of 14 Member States and territories have not ratified ILO Convention No. 100, including four least developed countries (Liberia, Myanmar, Somalia and Tuvalu), five small island developing States and territories (the Cook Islands, the Marshall Islands, Palau, Tonga and Tuvalu)⁴ and one developed country (the United States of America). Four of those 14 Member States are in Western Asia and Northern Africa and five are in Oceania (excluding Australia and New Zealand).

A total of 12 Member States and territories have not ratified ILO Convention No. 111, including two least developed countries (Myanmar and Tuvalu), five small island developing States and territories (the Cook Islands, the Marshall Islands, Palau, Tonga and Tuvalu) and two developed countries (Japan and the United States). Five of those 12 Member States are in Oceania (excluding Australia and New Zealand) and five in Eastern and South-Eastern Asia (see table).

Table: Member States and territories that have not ratified ILO Convention No. 100 and/or ILO Convention No. 111: 2020

| <i>Member States that have not ratified ILO Convention 100 on equal remuneration for women and men</i> | <i>Member States that have not ratified ILO Convention 111 on discrimination in the field of employment and occupation</i> |
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| Bahrain, Brunei Darussalam, Cook Islands, Kuwait, Liberia, Marshall Islands, Myanmar, Oman, Palau, Qatar, Somalia, Tonga, Tuvalu, United States of America | Brunei Darussalam, Cook Islands, Japan, Malaysia, Marshall Islands, Myanmar, Oman, Palau, Singapore, Tonga, Tuvalu, United States of America |

Source: ILO, Information System on International Labour Standards (NORMLEX), Ratifications by country (last accessed on 31 August 2020) (<https://www.ilo.org/dyn/normlex/en/?p=NORMLEXPUB:11001:0::NO::>).

Note: Countries are colour-coded in line with the following regional groupings under the Sustainable Development Goals (SDGs) indicator framework: Europe and Northern America, Eastern and South-Eastern Asia, sub-Saharan Africa, Oceania (excl. Australia and New Zealand), Northern Africa and Western Asia.

National laws and regulations may not always ensure gender equality in employment

In several parts of the world, however, laws and regulations currently in force do not adequately protect women from discrimination in employment nor guarantee equal remuneration for women and men. As of 2020, in 33 out of 188 (18%) countries and territories with available data, laws neither "prohibit discrimination in employment based on gender" nor "mandate equal remuneration for work of equal value",⁵ despite the fact that 26 of those countries and territories have ratified ILO Convention No. 100 and/or ILO Convention No. 111. Among these 33 countries and territories with discriminatory laws, Brunei Darussalam, the Marshall Islands, Myanmar, Palau and Tonga have ratified neither ILO Convention No. 100 nor ILO Convention No. 111.

Even when protective legislation exists, this does not always mean that women and men enjoy **equal rights** to/at work. **Discriminatory attitudes** on the part of both women and men towards women's employment may also contribute to unfair treatment of women and impede gender equality in employment.



About the data

Definitions

- Qualitative indicator 1: **Whether International Labour Organization (ILO) Convention No. 100 (Equal Remuneration Convention)⁶ has been ratified or not.**
- Qualitative indicator 2: **Whether ILO Convention No. 111 (Discrimination (Employment and Occupation) Convention)⁷ has been ratified or not.**

These qualitative indicators provide information about whether a country or territory has ratified ILO Convention No. 100 and/or ILO Convention No. 111.

Coverage

187 United Nations Member States and territories (2020).⁸

Availability

Data on the ratification of ILO Convention No. 100 and ILO Convention No. 111 is provided through the ILO Information System on International Labour Standards (NORMALEX).⁹



Footnotes

1. The World Bank, Women, Business and the Law, table 1.1, Washington, D.C., 2020 (last accessed on 13 April 2020) .
2. ILO Convention No. 100, article 2 (accessed on 13 April 2020) .
3. ILO Convention No. 111, article 2 (accessed on 13 April 2020) .
4. For statistical purposes, Tuvalu is categorized as both a least developed country and a small island developing State .
5. The World Bank, Women, Business and the Law, table 1.1, Washington, D.C., 2020 (last accessed on 13 April 2020) .
6. International Labour Organization (ILO) Equal Remuneration Convention, 1951 (ILO Convention No. 100) .
7. ILO Discrimination (Employment and Occupation) Convention, 1958 (ILO Convention No. 111).
8. Countries and territories have been organized in regional groupings under the Sustainable Development Goals (SDGs) indicator framework .
9. ILO, Information System on International Labour Standards (NORMLEX), Ratifications by country .

