

Abstract

This study aims to analyse the rights and responsibilities of Taiwan and the ILO (International Labour Organization) under the universality principle and tripartism enshrined in the ILO's constitution and conventions. To begin with, author introduces how organisations of workers and employers take an active part in the ILO supervisory system, and interprets the essence of tripartite governance. The author also gives equal importance to the presentation of the universality principle in the context of the ILO. Second, using historical analysis, the author explains the debates that took place during the Governing Body Conference held in November 1971, regarding China's representation in the ILO. The core issue raised in all the debates was that Taiwanese nationals' labour rights, under the protection of universality principle, would fall vacant. Finally, considering that the ILO labour standards do not protect Taiwan, nor can the authorities of the People's Republic of China effectively enforce the ratified provisions of its conventions, it will be prudent to apply the universality principle and tripartite representation, to start a rights-based talk with the ILO.

Keywords: International labour organisation, International labour standards, Universality, Tripartite governance, Meaningful participation

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