

## THE ILO CONVENTION NUMBER 111, DISCRIMINATION (EMPLOYMENT AND OCCUPATION), 1958

This Convention was ratified by Australia in June of 1973, and entered into force in this country on 15 June, 1974. Countries that have signed the Convention 'undertake to declare and pursue a national policy designed to promote . . . equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof'. Article 1 of the Convention defines discrimination as 'any distinction, exclusion or preference . . . which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation'. The seven grounds of discrimination identified in Article 1 do not specifically include disability, but the Article provides for 'such other distinction, exclusion or preference as may be determined by the Member concerned . . .'. Article 1 provides the caveat that 'any distinction, exclusion, or preference in respect of a particular job based on the inherent requirements thereof shall not be deemed to be discrimination'.

Article 3 of the ICCPR binds Member States to undertake a number of actions, including liaison to promote the acceptance and observance of the Convention's policies, enacting relevant legislation, repealing inconsistent statutory provisions and modifying administrative practices, ensuring observance of policies by centralising responsibility for their implementation, and reporting annually on 'actions taken in pursuance' of these policies 'and the results secured' on the 'application of the Convention'.

Article 5 of the Convention states that, 'Any Member may, after consultation with representative employers' and workers' organisations . . . determine that other special measures designed to meet the particular requirements of persons who, for reasons such as sex, age, disablement, family responsibilities or social or cultural status, are generally recognised to require special protection or assistance, shall not be deemed to be discrimination'.