



Step by step guide on how to ratify

ILO Conventions No. 88 on Employment Services and No. 181 on Private Employment Agencies

This guide aims to facilitate the understanding by national stakeholders of the ratification process of ILO Conventions [C88](#) and [C181](#). The ILO offers its tripartite constituents guidance and assistance on legal and normative issues, including regarding the ratification of ILO Conventions, and the development and implementation of national policies and legislation.

The points below summarise the most common stages and best practices leading to the ratification of ILO Conventions. Since each country's constitutional setup is different, each process is unique.



1 ► Analysis of national law and practice

- Prior to ratification, Member States may carry out a gap analysis that compares the Convention's provisions with national laws, regulations and practice.
- This gap analysis can be prepared by the Government, with or without the support of the ILO.
- Beyond ratification prospects, the gap analysis can provide valuable information on the extent the national legislation and practice are aligned with the provisions of the Convention, and guide towards a more effective application of the standards concerned.



2 ► Tripartite endorsement and establishment of a roadmap

- In accordance with ILO Convention [C144](#) and Recommendation [R152](#), the competent national authority should consult the most representative organisations of Employers and Workers on the findings of the gap analysis.
- Engaging in these tripartite consultations increases the knowledge of the Convention, building ownership and awareness for a more effective implementation.
- The gap analysis, its conclusions and recommendations are generally validated by a national tripartite workshop, often with the participation and support of the ILO.
- The tripartite workshop could also agree on a roadmap towards ratification, assigning responsibilities leading to the ratification and establishing a calendar.



3 ► National constitutional requirements

- At national level, ratification processes are, as a rule, governed by constitutional provisions dedicated to the ratification of international treaties.
- In many cases, the endorsement by the legislative assembly or parliament is required to authorize the executive power (usually the Head of State or Government) to sign a ratification document committing the country to the Convention.
- The instrument of [ratification](#) needs to (a) clearly identify the Convention being ratified, (b) be an original document signed by a person with authority to engage the State, and (c) clearly convey the Government's intention that the State should be bound by the Convention concerned.



4 ► Transmission of the instrument of ratification

- The signed document of ratification is then communicated to the ILO Director-General for registration. It can be either delivered by hand by a representative of the State or be sent by mail or courier.
- Registration of the ratification is done on the date of deposit or receipt.
- For both C88 and C181, the Convention enters into force for the country following a period of 12 months after the ratification has been registered.
- The ILO Director-General, as depositary, registers the ratification, duly notifies all other ILO Member States and communicates the new ratification to the UN Secretary-General.



5 ► Follow-up and reporting

- Following a ratification, each country must ensure that the Convention is applied in both national law and practice.
- The country becomes subject to the ILO's supervisory system, which is responsible for verifying if the Convention is being applied by the ratifying country.
- A first report on the application of the ratified Conventions needs to be sent to the ILO in the year following the entry into force.
- Reports are subsequently sent to the ILO every 6 years, unless the ILO's supervisory bodies call for a report outside the regular 6-year cycle.