



# Governing Body

342nd Session, Geneva, June 2021

## Decisions adopted by the Governing Body at the 342nd Session

### ▶ Institutional Section

#### 1. Election of the Officers of the Governing Body

The Governing Body elected for the 2021-22 period:

- Ms Anna Jardfelt, Ambassador, Permanent Representative of Sweden to the United Nations Office and other international organizations in Geneva, to the post of Chairperson;
- Ms Renate Hornung-Draus (Employer, Germany) as Employer Vice-Chairperson; and
- Ms Catelene Passchier (Worker, Netherlands) as Worker Vice-Chairperson.

#### 2. Approval of the minutes of the 341st Session of the Governing Body

The Governing Body approved the minutes of its 341st Session, as amended.

(GB.342/INS/2, paragraph 2)

#### 3. Appointment of Governing Body committees and working parties and of the Board of the International Training Centre of the ILO

The Governing Body:

- (a) reappointed for the 2021–24 period Professor Evance Rabban Kalula as Chairperson of the Committee on Freedom of Association;
- (b) appointed for the 2021–24 period the Governing Body members mentioned in the [addendum](#), as members of the Committee on Freedom of Association;
- (c) conveyed its appreciation to Mr Jan Farzan (Germany) for the valuable services rendered as Chairperson of the Standards Review Mechanism Tripartite Working Group since 2016;

- (d) appointed for the 2021–24 period Ms Thérèse Boutsen (Belgium) as Chairperson of the Standards Review Mechanism Tripartite Working Group;
- (e) noted the appointment of members of the Standards Review Mechanism Tripartite Working Group for the same period, made by the three groups and listed in the addendum;
- (f) appointed 24 of its members mentioned in the addendum as members of the Board of the International Training Centre of the ILO for the 2021–24 period; and
- (g) noted the appointment of the governments mentioned in the addendum as members of the tripartite working group on the full, equal and democratic participation in the ILO's tripartite governance for the duration of its extended mandate.

(GB.342/INS/3, paragraph 13)

## **5. Update on the situation in Myanmar and on additional measures to promote the restoration of workers' rights**

In the light of the above developments and noting the resolution for a return to democracy and respect for fundamental rights in Myanmar adopted by the International Labour Conference at its 109th Session (2021), the Governing Body:

- (a) expressed profound concern that the situation in Myanmar has deteriorated and that no progress has been made to respect the will of the people, respect democratic institutions and processes, and restore the democratically elected government;
- (b) expressed profound concern over ongoing practices of the military authorities including the large-scale use of lethal violence and the use of forced labour, as well as the harassment, ongoing intimidation, arrests and detentions of trade unionists and others, including the Rohingya, for exercising their human rights, and called on the military authorities to cease immediately such activities, and to release from detention and drop any charges against trade unionists who have peacefully participated in protest activities;
- (c) expressed deep concern that the military authorities have taken no steps to respect and protect the status of the ILO Liaison Office in Myanmar and all ILO staff in Myanmar and to refrain from interference in its operations in keeping with the principles of the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947;
- (d) expressed its grave concern that measures curtailing freedom of expression and freedom of peaceful assembly remain in place and that further restrictions have been implemented by the military authorities on the internet, and called again for the immediate repeal of such measures and for guarantees of the freedom of workers' and employers' organizations to undertake their activities freely and without threat of intimidation or harm;
- (e) urged Myanmar to uphold fully and without delay its obligations under the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and to ensure that workers' and employers' organizations are able to exercise their rights in a climate of freedom and security, free from violence, arbitrary arrest, and detention;
- (f) repeated its call for the Civil Services Personnel Law, the Settlement of Labour Disputes Law and the Labour Organization Law to be amended without delay, once the democratically elected government has been restored, consistent with Convention No. 87;

- (g) acknowledged and expressed appreciation for the efforts of the ILO Liaison Office in Myanmar to continue to work to implement development cooperation programmes focusing on decent work and promoting labour rights; and
- (h) requested the Director-General to report to the 343rd Session (November 2021) of the Governing Body on developments in Myanmar.

(GB.342/INS/5, paragraph 32, as amended by the Governing Body)

## 6. **Action to be taken regarding the election of the Director-General: Additional opportunities for interaction with candidates for the post of Director-General**

The Governing Body decided that interviews with candidates for the position of Director-General should be conducted by its Chairperson during a week in January 2022, based on the format and principles contained in document GB.342/INS/6 and on any further guidance provided during the discussion.

(GB.342/INS/6, paragraph 11, as amended by the Governing Body)

## 7. **Report of the Committee on Freedom of Association**

### **395th Report of the Committee on Freedom of Association**

The Governing Body took note of the introduction to the Report of the Committee, contained in paragraphs 1–62, and adopted the recommendations made in paragraphs: 74 (Case No. 3269: Afghanistan); 96 (Case No. 3327: Brazil); 121 (Case No. 3184: China); 173 (Case No. 3406: China – Hong Kong Special Administrative Region); 203 (Case No. 3395: El Salvador); 251 (Case No. 3381: Hungary); 283 (Case No. 3076: Maldives); 358 (Case No. 3405: Myanmar); 368 (Case No. 3067: Democratic Republic of the Congo); 401 (Case No. 2254: Bolivarian Republic of Venezuela); and adopted the 395th Report of its Committee on Freedom of Association as a whole.

(GB.342/INS/7)

## 8. **Report of the Director-General**

### **Regular report: Obituary**

The Governing Body paid tribute to the memory of Mr Adjia François Djondang and invited the Director-General to convey its condolences to the family of Mr Djondang, to the Union of Trade Unions of Chad, to the Organization of Trade Unions of Central Africa, and to the International Trade Union Confederation.

(GB.342/INS/8, paragraph 5)

### 8.1. **First supplementary report: Urgent matters arising from the resolutions adopted by the Special Tripartite Committee established under the Maritime Labour Convention at its fourth meeting, Part I (Geneva, 19–23 April 2021)**

The Governing Body, recalling its [Resolution concerning maritime labour issues and the COVID-19 pandemic](#), adopted on 8 December 2020:

- (a) took note of the resolutions adopted by the Special Tripartite Committee established under the Maritime Labour Convention, 2006, as amended (MLC, 2006), at its fourth meeting (Part I – April 2021);

- (b) renewed its urgent call on all Members to pursue and intensify their efforts, including in relation with the vaccination of seafarers and access to medical care ashore, to solve the crisis faced by the maritime sector as a result of the COVID-19 pandemic; and
- (c) requested the Director-General to convey the contents of the resolution concerning the implementation and practical application of the MLC, 2006 during the COVID-19 pandemic to the United Nations Secretary-General with a request to convene an ad-hoc UN interagency task force to examine the implementation and practical application of the MLC, 2006 during the pandemic, including its impact on seafarers' fundamental rights and on the shipping industry.

(GB.342/INS/8/1, paragraph 5)

### 8.3. Third supplementary report: Documents submitted for information only

The Governing Body took note of the information contained in the following documents:

- Approved symposia, seminars, workshops and similar meetings (GB.342/INS/INF/1)
- Road map of actions to address all the outstanding issues mentioned in the complaint concerning non-observance by Bangladesh of the Labour Inspection Convention, 1947 (No. 81), Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) (GB.342/INS/INF/2)

(GB.342/INS/8/3, paragraph 3)

### 8.4. Fourth supplementary report: Report of the Committee set up to examine the representation alleging non-observance by Indonesia of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

The Governing Body, upon the recommendation of the Committee:

- (a) approved the report contained in document GB.342/INS/8/4, and in particular the conclusions contained in paragraph 57, on the basis of the information presented to the Committee;
- (b) invited the Government of Indonesia to send information concerning the Committee's conclusions in its next report on the application of Convention No. 111 under article 22 of the ILO Constitution; and
- (c) made the report publicly available and declared closed the procedure initiated by the representation.

(GB.342/INS/8/4, paragraph 59)

## 9. Reports of the Officers of the Governing Body

(Private sitting of the Governing Body)

### 9.1. First report: Representation alleging non-observance by France of the Labour Inspection Convention, 1947 (No. 81)

In the light of the information contained in document GB.342/INS/9/1, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it.

(GB.342/INS/9/1, paragraph 5)

**9.2. Second report: Representation alleging non-observance by Peru of the Equal Remuneration Convention, 1951 (No. 100), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Social Security (Minimum Standards) Convention, 1952 (No. 102), and the Maternity Protection Convention, 2000 (No. 183)**

In the light of the information contained in document GB.342/INS/9/2, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it.

(GB.342/INS/9/2, paragraph 5)

**9.3. Third report: Representation alleging non-observance by Sudan of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111)**

In the light of the information contained in document GB.342/INS/9/3, and taking into consideration the recommendations of its Officers, the Governing Body decided that the representation was receivable and that it would be examined by the tripartite committee set up to examine it.

(GB.342/INS/9/3, paragraph 5)

**9.4. Fourth report: Representation alleging non-observance by Colombia of the Maternity Protection Convention, 1919 (No. 3), the Workmen's Compensation (Agriculture) Convention, 1921 (No. 12), the Workmen's Compensation (Accidents) Convention, 1925 (No. 17), the Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18), the Sickness Insurance (Industry) Convention, 1927 (No. 24), the Sickness Insurance (Agriculture) Convention, 1927 (No. 25), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)**

In the light of the information contained in document GB.342/INS/9/4, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it.

(GB.342/INS/9/4, paragraph 5)

**9.5. Fifth report: Representation alleging non-observance by France of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)**

In the light of the information contained in document GB.342/INS/9/5, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and, as it relates to a Convention dealing with trade union rights, to refer it to the Committee on Freedom of Association for examination in accordance with articles 24 and 25 of the Constitution of the ILO.

(GB.342/INS/9/5, paragraph 5)

**9.6. Sixth report: Two representations alleging non-observance by Argentina of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Labour Relations (Public Service) Convention, 1978 (No. 151), and the Collective Bargaining Convention, 1981 (No. 154)**

In the light of the information contained in document GB.342/INS/9/6, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representations were receivable and, as they relate to Conventions dealing with trade union rights, to transmit the representations to the Committee on Freedom of Association for examination as per the procedures set out in the Standing Orders on articles 24 and 25 of the Constitution of the ILO.

(GB.342/INS/9/6, paragraph 7)

**10. Composition, agenda and programme of standing bodies and meetings**

The Governing Body, upon the recommendation of its Officers, decided:

- (a) to approve the reappointment of seven members of the Committee of Experts on the Application of Conventions and Recommendations (CEACR);
- (b) to approve the appointment of Prof Xiaodong Zeng to the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART);
- (c) to approve the composition and agenda of the Meeting of experts for the tripartite validation of the technical guidelines on general principles of labour inspection, and authorize the Director-General to invite the International Association of Labour Inspection to be represented at the Meeting as an observer; and
- (d) to take note of the programme of meetings as approved by its Officers, subject to regular review depending on the evolution of the COVID-19 pandemic.

(GB.342/INS/10(Rev.2), paragraph 9)