



## Governing Body

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Institutional Section

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### FOR INFORMATION

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## Report on the status of pending representations submitted under article 24 of the ILO Constitution

**Summary:** As requested by the Governing Body, this document provides information on the status of pending representations submitted under article 24 of the ILO Constitution.

**Author unit:** International Labour Standards Department (NORMES).

**Related documents:** None.



1. At its 334th Session (October–November 2018), the Governing Body approved a series of measures concerning the operation of the procedure for the representations submitted under article 24 of the Constitution and asked the Office to make available an information document on the status of pending representations at each March and November session of the Governing Body.
2. The table below lists the representations submitted under article 24 of the Constitution that are currently pending before the Governing Body.

Country	Convention	Complainant organizations	Representation status
Argentina	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	Confederation of Workers of Argentina (CTA Autonomous)	At its 324th Session (June 2015), the Governing Body decided that the representation was receivable. Since the representation related to a Convention dealing with trade union rights, and by virtue of article 3(2) of the Standing Orders, the Governing Body referred it to the Committee on Freedom of Association (CFA) for examination in accordance with articles 24 and 25 of the Constitution (GB.324/INS/8/2, paragraph 5). The case is currently pending before the CFA.
Brazil	Labour Inspection Convention, 1947 (No. 81); Collective Bargaining Convention, 1981 (No. 154)	Central Organization of Workers of Brazil, General Confederation of Workers of Brazil, Single Central Organization of Workers, Força Sindical, New Central Union of Workers, General Union of Workers, and Confederation of Brazilian Trade Unions	At its 328th Session (October–November 2016), the Governing Body decided that the representation was not receivable in respect of Convention No. 81. It also decided that the representation was receivable in respect of Convention No. 154 and, by virtue of article 3(2) of the Standing Orders, since the representation relates to a Convention dealing with trade union rights, referred it to the CFA for examination in accordance with articles 24 and 25 of the Constitution (GB.328/INS/18/4, paragraph 5). The case is currently pending before the CFA.
Chile	Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)	College of Teachers of Chile AG	At its 333rd Session (June 2018), the Governing Body decided to: <ol style="list-style-type: none"> <li>(a) postpone once again the appointment of the committee charged with examining the new representation pending further examination by the Committee of Experts on the Application of Conventions and Recommendations (CEACR) of the follow-up given to the recommendations previously adopted by the Governing Body;</li> </ol>

Country	Convention	Complainant organizations	Representation status
			<p>(b) invite the CEACR to examine at its 2019 session the application by Chile of Convention No. 187; and</p> <p>(c) invite the Government of Chile to provide the CEACR with further information on the issues raised in document GB.333/INS/8/1 with regard to the application of Convention No. 187, to be examined by the CEACR at its 90th Session (November–December 2019) (GB.333/INS/8/1, paragraph 7).</p>
Chile	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Single Central Organization of Chilean Workers (CUT)	At its 334th Session (October–November 2018), the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it (GB.334/INS/14/2, paragraph 5). The ad hoc tripartite committee was established and held its first meeting during the 336th Session (June 2019) of the Governing Body. However, a new Government representative has to be appointed.
Colombia	Protection of Wages Convention, 1949 (No. 95)	General Confederation of Labour (CGT), Confederation of Workers of Colombia (CTC), Single Confederation of Workers of Colombia (CUT), and National Association of Ecopetrol Retirees (ANPE2010)	At its 333rd Session (June 2018), the Governing Body decided to: <p>(a) declare the representation receivable;</p> <p>(b) refer the matter to the CEACR taking into account that the allegations submitted by the complainant organizations were being examined by the CEACR and that the Government had been requested to send a report in 2018 on this matter; and</p> <p>(c) resume its consideration of the matter based on the outcome of the CEACR's examination (GB.333/INS/8/3, paragraph 6).</p>
Costa Rica	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Workers' Representatives Convention, 1971 (No. 135)	Rerum Novarum Confederation of Workers (CTRN), Costa Rican Workers' Movement Confederation (CMTC), Unitary Confederation of Workers (CUT), and Juanito Mora Trade Union Confederation (CSJM)	At its 328th Session (October–November 2016), the Governing Body decided that the representation was receivable and, by virtue of article 3(2) of the Standing Orders, since the representation related to a Convention dealing with trade union rights, referred it to the CFA for examination in accordance with articles 24 and 25 of the Constitution (GB.328/INS/18/3, paragraph 5). The case is currently pending before the CFA.

Country	Convention	Complainant organizations	Representation status
France	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Termination of Employment Convention, 1982 (No. 158)	General Confederation of Labour–Force Ouvrière (CGT–FO), and General Confederation of Labour (CGT)	<p>Declared receivable by the Governing Body as far as Convention No. 158 is concerned at its 329th Session (March 2017). An ad hoc tripartite committee was established in March 2017 but following Governing Body elections in June 2017, the Government member changed and was not available for a committee meeting in 2018. The tripartite committee been fully reconstituted and resumed its work.</p> <p>With regard to Conventions Nos 87 and 98, the Governing Body decided that the allegations be referred to the CFA for examination in accordance with articles 24 and 25 of the ILO Constitution (GB.329/INS/21/2, paragraph 5). The case is currently pending before the CFA.</p>
Lesotho	Minimum Wage-Fixing Machinery Convention, 1928 (No. 26)	United Textile Employees (UNITE), National Clothing Textile and Allied Workers Union (NACTWU), and Lentsoe La Sechaba (LSWU)	At its 336th Session (June 2019) the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it. (GB.336/INS/6/1, paragraph 5). In the process of designating members of the ad hoc tripartite committee.
Nepal	Indigenous and Tribal Peoples Convention, 1989 (No. 169)	Nepal Telecom Employees' Union (NTEU)	At its 333rd Session (June 2018), the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it (GB.333/INS/8/2, paragraph 7). The ad hoc tripartite committee has been established.
Sri Lanka	Labour Inspection Convention, 1947 (No. 81); Protection of Wages Convention, 1949 (No. 95)	Flight Attendants' Union (FAU)	At its 334th Session (October–November 2018), the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it (GB.334/INS/14/3, paragraph 5). In the process of designating members of the ad hoc tripartite committee.

Country	Convention	Complainant organizations	Representation status
Turkey	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Termination of Employment Convention, 1982 (No. 158)	Action Workers' Union Confederation (Aksiyon Is)	<p>Declared receivable by the Governing Body at its 333rd Session (June 2018) (GB.333/INS/8/4, paragraph 7). At its 335th Session (March 2019), the Governing Body decided:</p> <p>(a) refer the elements of the representation regarding non-observance of Convention No. 87 to the Committee on Freedom of Association for examination as per the procedure set out in the Standing Orders on articles 24 and 25 of the Constitution of the ILO; and</p> <p>(b) that a distinct ad-hoc tripartite committee should be established to examine the elements of the representation alleging non-observance with Convention No. 158. (GB.335/INS/15/1, paragraph 3). In the process of designating members of the ad hoc tripartite committee.</p>
Uruguay	Dock Work Convention, 1973 (No. 137)	Single Union of Port and Allied Workers	At its 336th Session (June 2019) the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it. (GB.336/INS/6/2, paragraph 5).