



Governing Body

340th Session, Geneva, October–November 2020

Institutional Section

INS

Date: 8 October 2020

Original: English

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 ILO 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 ILO Constitution that are currently pending before the Governing Body.

Country	Convention	Complainant organizations	Representation status
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 Committee on Freedom of Association 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.
Brazil	Indigenous and Tribal Peoples Convention, 1989 (No. 169)	Union of Rural Workers of Alcântara (STTR) and Union of Family Agriculture Workers of Alcântara (SINTRAF)	At its 337th Session (October–November 2019), the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it (GB.337/INS/13/5, paragraph 5). In the process of designating members of the ad hoc tripartite committee. The Office informed the complainant and the Government of the possibility of conciliation.
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"> (a) postpone once again the appointment of the committee charged with

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			<p>examining the new representation pending further examination by the CEACR of the follow-up given to the recommendations previously adopted by the Governing Body;</p> <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> <p>At its 2019 Session, the CEACR noted the Government’s brief report, which indicated that information would be sent once received from the Ministry of Education, and requested the Government to send further information in 2020 (single footnote). The matter will be examined by the Governing Body at its 340th Session (October–November 2020).</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. At the request of the tripartite

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			committee, the Office informed the complainant and the Government of the possibility of conciliation.
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 Porras Trade Union Confederation (CSJMP)	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 Committee on Freedom of Association 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.
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)	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 has been fully reconstituted and held two meetings, at the 335th and 337th Sessions of the Governing Body (March and October–November 2019). With regard to Conventions Nos 87 and 98, the Governing Body decided that the allegations be referred to the Committee on Freedom of Association for examination in accordance with articles 24 and 25 of the Constitution (GB.329/INS/21/2, paragraph 5). The case is currently pending before the CFA.

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Indonesia	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Indonesian Union of Plantation Workers (SERBUNDO)	At its 337th Session (October–November 2019), the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it (GB.337/INS/13/4, paragraph 5). In the process of designating members of the ad hoc tripartite committee.
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). The ad hoc tripartite committee has been established and held an online meeting in September 2020. A draft report will be presented to the Governing Body at its 340th Session (October–November 2020).
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 and held its first meeting during the 337th Session of the Governing Body (October–November 2019). At the request of the tripartite committee, the Office informed the complainant and the Government of the possibility of conciliation.
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

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			<p>hoc tripartite committee. The Office informed the complainant and the Government of the possibility of conciliation.</p>
Turkey	<p>Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Termination of Employment Convention, 1982 (No. 158)</p>	<p>Action Workers' Union Confederation (Aksiyon Is)</p>	<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> <ul style="list-style-type: none"> (a) to 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 (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). The ad hoc tripartite committee has been established for consideration of the elements relating to Convention No. 158, while the elements concerning Conventions Nos 87 and 98 are currently pending before the CFA.