

Committee on the Application of Standards

CAN/PV Belarus

Commission de l'application des normes

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Comisión de Aplicación de Normas

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Fifth sitting, 5 June 2024, 10.05 a.m.

Cinquième séance, 5 juin 2024, 10 h 05

Quinta sesión, 5 de junio de 2024, 10.05 horas

Chairperson: Mr Różycki

Président: M. Różycki

Presidente: Sr. Różycki

Chairperson – This morning will begin with the special sitting on Belarus.

This special sitting on Belarus will be followed by the discussion of the following individual cases:

- Uganda – Minimum Age Convention, 1973 (No. 138)
- Paraguay – Labour Inspection Convention, 1947 (No. 81)
- Türkiye – Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

I would like to inform the Committee that the new documents with the written information submitted by the Governments of Algeria on Convention No. 98, Lao People's Democratic Republic on Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and Peru on Indigenous and Tribal Peoples Convention, 1989 (No. 169), are now available on our Committee's web page.

Also, for your information, the verbatim PV general discussion and PV General Survey are now available on the Committee's web page. The Committee members may submit amendments to their own statements appearing in these verbatim PVs to the Committee Secretariat by tomorrow, Thursday, 6 June, at 6.30 p.m.

As per established practice, please note that the Secretariat will reserve space in the front row for the government representatives concerned during the discussion of their case. The same modalities will apply during the adoption of conclusions on individual cases.

I take the opportunity of the discussion of the first individual case, to recall that in accordance with Part X of document D.1, all delegates have an obligation to the Conference to abide by parliamentary language and by the generally accepted procedure. Statements should be relevant to the subject under discussion and should avoid references to extraneous matters. It is my responsibility, as Chairperson of this Committee, to ensure that the rules of decorum are respected.

I would also like to recall that according to the Committee's working methods, the speaking time limits for the examination of the Individual cases (which will apply also for the special sitting on Belarus) are as follows:

- 15 minutes for the government whose case is being discussed;
- 10 minutes for the Employers' and Workers' spokespersons;

- 10 minutes for the Employer and Worker member, respectively, from the country concerned, to be divided between the different speakers of each group;
- 7 minutes for the Government groups;
- 5 minutes for other members;
- 15 minutes for concluding remarks by the government whose case is being discussed; and
- 10 minutes for the concluding remarks by the spokespersons of the Workers' and the Employers' groups.

In addition, I would also like to remind you that during Committee sittings filming is not allowed and delegates may not take photos of delegations other than their own. This apply also in the overflow room (Room II). It is also not allowed to send live tweets during Committee sittings.

As indicated, the first point on our agenda is the special sitting on Belarus.

As you know, at its 111th Session the International Labour Conference adopted a resolution concerning the measures recommended by the ILO Governing Body under article 33 of the Constitution on the subject of Belarus and decided to hold at its future sessions a special sitting of the Committee for the purpose of discussing the application of Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and Convention No. 98 by the Government of Belarus and the implementation of the recommendations of the Commission of Inquiry, so long as this Member has not been shown to have fulfilled its obligations. Based on this decision, an item has been included in the Committee's agenda.

In this regard, I would like to inform all delegates that the Officers of the Committee have decided to reduce the speaking time for individual government delegates of the Committee

from 5 to 3 minutes for the special sitting on Belarus. Delegates concerned have been informed accordingly by the Secretariat.

I invite now the Government representative of Belarus, Mr Ilhar Staravoi tau, Deputy Minister of Labour and Social Protection, to take the floor.

Interpretation from Russian: **Government representative (Mr STARAVOITAU)** – Today, for the first time, the issue concerning the Republic of Belarus is being discussed within the framework of the procedure provided for by the resolution adopted under article 33 of the ILO Constitution last year at the 111th Session of the Conference. I would like to begin by clearly and unambiguously clarifying the position of the Government of Belarus on this resolution. We consider this article 33 resolution to be unfair and politically motivated. Adoption of the resolution was lobbied by countries from the Western Bloc. The authors of the resolution based it on sanctions and discriminatory measures that have no moral or legal basis. The goals being pursued by western countries are obvious to us. This is an attempt to justify the unfair and illegal economic sanctions applied to our country as a punishment for our steering an independent course. Western sanctions are aimed at harming not only business within our country but also ordinary people depriving them of work, income, social guarantees, and, ultimately, creating tension in society. The resolution contains nothing about interaction and cooperation. It is only restrictions, exceptions, and revision of relations. The measures set forth in the resolution are contrary to the ILO Constitution and the fundamental principles of its activities. The ILO principles have nothing to do with threats, pressures or sanctions. I am convinced that the existence of such an unfair resolution with reference to a full Member of the ILO causes irreparable damage to the authority of this Organization. It clearly shows the whole world that a particular group of countries has the ability to manipulate the stance of the ILO at its own discretion.

Chairperson, the rhetoric about the need to apply article 33 of the ILO Constitution to Belarus unfolded in the context of accusations of a supposed lack of progress in implementing the recommendations made by the Commission of Inquiry, and a steady worsening of the situation in the country. I have no doubt that we will hear such statements again today, but they have nothing whatsoever to do with the real state of affairs. The Government of Belarus, together with social partners, has done a great deal to upgrade national legislation taking into account the ILO principles to develop social dialogue and tripartism in our country. To date, the majority of the Commission of Inquiry's recommendations have been implemented. I will not dwell in detail on all the measures taken by the Government of Belarus in the context of implementing the recommendations. We submitted a detailed report to the Director-General, which is included in the documents for your Committee. I will only say this, in almost all areas outlined in the recommendations, specific steps were taken and significant results were achieved: publication of recommendations in the media, for instance, simplification of the registration procedure for trade unions, establishment of tripartite councils, work with judges and prosecutors. In saying that, I wish to emphasize that the ILO supervisory bodies have repeatedly assessed the Government's actions in a positive way. I would especially like to note the good will shown by the Government of Belarus, its focus on interaction and cooperation with social partners and the ILO. We have tried to be as flexible and constructive as possible. At the suggestion of the ILO, we established a special negotiating platform to develop measures to implement the recommendations, a tripartite council for the improvement of legislation in the social and labour sphere, which included all interested parties. Since 2009, experts from the ILO have repeatedly participated in the meetings of that council. With their assistance, we were able to find mutually acceptable solutions to a number of issues. The results of this joint work have been reflected in legislation and the general agreement that applies in our country. Let me emphasize that our position remains unchanged. We stand

ready to interact constructively and cooperate with the ILO. We invite representatives of the ILO to participate in the work of our tripartite bodies, the National Council for Labour and Social Issues and the Council for the Improvement of Legislation in the Social and Labour Sphere (tripartite Council). At this stage, the Office has not made a positive decision on that issue, but we hope that over time everything will be resolved and cooperation will resume.

Chairperson, in 2019, we all celebrated the ILO Centenary. It was clear that the Government of Belarus had made significant progress in implementing the recommendations of the Commission of Inquiry. In February 2019, a tripartite conference in Minsk with participation of representatives of the ILO confirmed the high level of cooperation between our Government, the social partners and the ILO on the development of social dialogue and tripartism. However, unfortunately, everything changed in 2020. The tone of the ILO's supervisory bodies' assessments of Belarus shifted radically and became much more negative. I would like to emphasize that this is not the fault of the Government of Belarus. Politics intervened in the situation. More precisely, attempts were made by western countries to illegally influence the country's political life and the choices of the Belarusian people. The West's main goal was to destabilize the situation in Belarus, to create chaos and disorder and, ultimately, a coup d'état. These attempts failed. The authorities in Belarus confirmed their ability to act. The people of Belarus overwhelmingly expressed support for the country's leadership. Of course, as in any civilized State governed by the rule of law, organizers and participants of riots were brought to justice and received the punishment they deserved. Among them were representatives of trade unions united under the roof of the Belarusian Congress of Democratic Trade Unions (BKDP). I think we will hear more about this today in the speeches made here by some speakers, but I therefore consider it necessary to clearly outline the position of my Government with reference to the BKDP. The BKDP has never represented any significant trade union force in our country. It has never had anything in common with the

real trade union movement. Issues relating to labour, social dialogue and collective bargaining were not within the scope of the BKDP. Rather, under its banner, a handful of politicians united, conveniently receiving western financial funding through grants, seminars and trips abroad. And all this is no secret to anyone. Everyone knows it. For instance, the machinations of the leaders of the BKDP-affiliated Trade Union of Radio and Electronic Industry Workers (REP Union) who were funded by Danish trade unions was something that was widely reported. Given the pseudo-trade union and highly politicized focus of the BKDP's activities, it has never been supported to any reasonable extent by workers of Belarus. It has not been a representative organization. In a country where about 4 million people are trade union members, the BKDP trade unions numbered only a few thousand altogether. As a result, the BKDP quite objectively did not have the legitimate right to participate in social dialogue with the Government. However, the ILO strongly recommended that the Government provide the BKDP with an opportunity to participate in the work of tripartite bodies at national level. Guided by the principles of good will, the Government of Belarus gave the BKDP the opportunity to participate, despite the fact that this considerably complicated the process of conducting dialogue. I think that the ILO experts who participated in the meetings of the tripartite Council could see for themselves how difficult the task was to develop mutually acceptable solutions with the participation of the BKDP. The representatives at the BKDP tried to turn each meeting of the tripartite Council into a political rally. The BKDP has also transferred its biased and destructive position to what we now see on the ILO platform. Every year at the meetings of this Committee, the Chairperson of the BKDP, Mr Yarashuk, came along to make unfounded and false accusations against the Government of Belarus. The year of 2020 was a turning point. The events of that year truly highlighted the true goals and objectives of the BKDP and the trade unions that were part of it. These pseudo-trade unions actually became a headquarters for the organization of extremist activities. Their leaders and activists grossly violated our laws,

took action directed against the interests of our society and our State. As a result, court decisions terminated the activities of the BKDP. Its member organizations, leaders and activists within those structures were brought to account judicially.

I would like to emphasize one point. In taking measures to protect the constitutional and public order in Belarus, the Government has not committed any action that contradicts the ILO Conventions. ILO Conventions do not give trade unions and their members the right to break the law. The illegal actions of the BKDP and its member trade unions were confirmed by the Supreme Court of the Republic of Belarus. In 2022, in full compliance with the law, it decided to terminate the activities of the BKDP. Today, the BKDP and its structures are not operating in Belarus and do not represent the interests of workers in our country. They are illegitimate in Belarus. Therefore, we strongly condemn any attempt to involve representatives of an illegitimate structure, the BKDP, within this dialogue on Belarus. I would like to emphasize that the inclusion of pseudo-trade unions represented by the BKDP from the judicial scope of Belarus does not in any way, and could not, affect social dialogue and tripartism in our country. All social partnership institutions are operating as usual within Belarus. On our agenda, we have the development of a new general agreement. This would be the 17th general agreement between the Government and national level associations of employers and trade unions.

Following the adoption of the resolution under on article 33 of the ILO Constitution, the issue of Belarus was discussed twice at the sessions of the Governing Body. What has emerged from those discussions? They confirmed that the resolution is being used by those who lobbied for it as a way of putting pressure on Belarus. With the help of the resolution, the ILO is being turned into a platform for implementing political orders and settling scores with unwelcome countries. This process must be stopped. The unfair resolution on the Republic of Belarus, must be repealed as it inevitably leads us to confrontation. We need to enter a new chapter and to close this chapter. We are ready to cooperate with the ILO on the principles of mutual respect

and unconditional consideration of the national interests of the Republic of Belarus. I call on the Committee to take the first step in that direction and include in its conclusions a corresponding recommendation to the Governing Body.

Employer members – We have taken note of the oral and written information on this case provided by the Government of Belarus. The Employers' group stresses the importance of States' compliance with ILO Convention No. 87 and Convention No. 98, which are two of the ten ILO core Conventions.

ILO Conventions Nos 87 and 98 were ratified by Belarus in 1956. The Employers' group would like to mention that this case has a long-standing history in the ILO. Since 1997, the Committee of Experts has issued many observations, and the case has been dealt with in various ILO supervisory committees. This year marks the 20th anniversary since the Commission of Inquiry issued its report and recommendations to ensure observance of Conventions Nos 87 and 98.

In the 2022 conclusions, the Committee, inter alia, urged the Government of Belarus, in consultation with social partners, to: restore, without delay, full respect for workers' rights in respect to freedom of association; refrain from the arrest, detention, violent treatment, intimidation or harassment, including judicial harassment of trade union leaders and members conducting lawful trade union activities; investigate without delay alleged instances of intimidation or physical violence through an independent judicial inquiry, immediately release all trade union leaders and members arrested for participating in peaceful assemblies or arrested for exercising their civil liberties through their legitimate trade union activities and drop all related charges; give access as a matter of urgency, to visitors, including officials of the ILO; to ascertain the conditions of arrest and detention and the welfare of the above-mentioned persons.

The Employers' group would like to recall that the Conference adopted on 12 June 2023 a resolution, which called for actions, under article 33 of the ILO Constitution, to secure compliance with the recommendations of the Commission of Inquiry established to examine the observance by the Government of Belarus of Conventions Nos 87 and 98. It was also decided to hold a Special Sitting of the Committee to discuss the application of Conventions Nos 87 and 98, as well as the recommendations of the Commission of Inquiry.

The Committee of Experts, in 2023, gave, *inter alia*, the following advice on Convention No. 87. They requested to immediately release all trade unions leaders and members arrested for participating in peaceful assemblies or arrested for exercising their civil liberties and to drop all related charges. The Committee of Experts urged the Government to receive, without further delay, an ILO Tripartite Mission to gather information on the implementation of the recommendations of the Commission of Inquiry and subsequent recommendations of the supervisory bodies of the ILO. The Committee of Experts expected the Government to indicate concrete steps taken to review the situation of the dissolved trade unions. They urged the Government to engage with the ILO to fully implement all outstanding recommendations of the ILO supervisory bodies without further delay.

It should be noted that the Government of Belarus transmitted written information on the matters taken to implement the recommendations of the Commission of Inquiry, which has been made available in full on the CAS website. On the 28th of May 2024, the ILO organized a "High-level roundtable on freedom of association in Belarus", which took place as part of the action plan adopted in March 2024 by the Governing Body to implement the ILO Conference resolution. Three United Nations (UN) Special Rapporteurs participated in the roundtable and reported. A video download of the meeting is available on the ILO website.

The Employers' group would like to mention the recent report of the Director-General on the latest developments regarding the situation on freedom of association in Belarus and compliance with the recommendations of the Commission of Inquiry. The document has published on 3 June 2024, and is available on the ILO website. Furthermore, the ILO Governing Body dealt with this case several times. At the Governing Body Session in March 2024, it was requested to prepare an updated report to inform the Committee at the Conference about the latest developments. The Governing Body also, once again, urged the Government of Belarus, to receive as a matter of urgency an ILO tripartite mission with a view to gathering information on the implementation of the recommendations, including a visit to the independent trade union leaders and activists in prison or detention.

By a communication dated 17 May 2024, the BKDP provided information on the implementation by the Government of Belarus of the recommendations of the Commission of Inquiry. According to the BKDP, it is currently impossible for trade unions and their members to carry out their activities legally. Anyone who associates with any independent trade unions and carries out trade union and human right activities is subject to criminal liability. The BKDP indicated that as of 7 May 2024 more than 50 trade unionists were under criminal prosecution and provided a list of 39 trade unionists currently imprisoned, as well as a list of 21 trade unionists who were released but not exonerated and on whom additional restrictions were placed.

The Employers' group would like to highlight that in line with Article 2 of Convention No. 87, freedom of association compliance requires that workers and employers must be able to decide freely, without state interference, whether or not to set up their own organizations. Under Article 3 of Convention No. 87, the right to organize constitutes an important aspect of the activities of employers' and workers' organizations. According to Article 11 of the

Convention No. 87, states must “take all necessary and appropriate measures to ensure that workers and employers may exercise freely the right to organise.”

Taking into account all the reports the Employers’ group, once again and in line with our statements in the different ILO supervisory bodies, would like to express grave concern.

After all these years, we note the Committee of Experts’ comments deploring “a total lack of progress” and “the continuing deterioration of the freedom of association in the country”.

We urge the Government to start engaging in a constructive dialogue with the ILO with no further delay to improve the country’s situation as regards to the right of freedom of association and the right to organize. The Employers’ group stands ready to constructively support this process.

In conclusion, the Employers recommend the Government of Belarus to first, receive as a matter of urgency, an ILO Tripartite Mission with a view to gathering information on the implementation of the recommendations of the Commission of Inquiry, and recommendations of the ILO supervisory bodies. Second, to take steps to for the release of the detained trade unionists, who were detained because they exercised their right of freedom of association, and to provide a copy of the judicial decisions. Third, to engage with the ILO with a view to implementing the recommendations of the ILO supervisory bodies without further delay. And finally, to report to the ILO about the measures taken by the Government.

Worker members – Chair, the example of Poland you presented in your opening remarks show us the crucial role of the ILO and its supervisory system in supporting and guiding Member States to fulfil and realize our foundational values of social justice, democracy and the promotion of universal peace.

This morning, our Committee is performing a special duty directed to us by the Conference.

The measure directly aims to secure compliance by the Government of Belarus with the recommendations of the ILO Commission of Inquiry, which examined the observance by the Government of Belarus of Conventions Nos 87 and 98. The resolution calls on the Government to implement the recommendations of the Commission of Inquiry and subsequent recommendations of the supervisory bodies of the ILO and to accept an ILO tripartite mission including a visit to imprisoned or detained trade union activists and leaders.

We note at the outset that in November last year and March this year, the Governing Body also discussed the situation in Belarus noting, among others, an action plan to implement the resolution. As part of it, the ILO convened a High-Level Roundtable to discuss Freedom of Association in Belarus.

The Committee on Freedom of Association (CFA) has also been examining measures taken by the Government of Belarus, if any, to implement the recommendations of the Commission of Inquiry.

Chairperson, we are saddened and deeply concerned that despite the overwhelming evidence of repression against independent trade unions and their leaders, the dire and deteriorating human rights situation, the closed civic space and the strong condemnation by ILO members, nevertheless, the Government of Belarus continues to violate its obligations under the Conventions with impunity.

The CFA recently examined the situation in Belarus and I quote "... deplored the continuing deterioration of freedom of association in the country, the total lack of progress in implementing the recommendations of the 2004 Commission of Inquiry and the failure of the Government to address the outstanding recommendations of the ILO supervisory bodies and the conclusions of the Governing Body".

This year, the Committee of Experts expressed in their report, I quote again "... deep concern regarding the situation of civil liberties in Belarus and the application of the Convention in law and in practice ..." and noted, "... with deep regret that in its report, the Government once again merely reiterates the information it had previously provided and considers that the Committee misunderstands and misinterprets the situation on the ground".

In the Director-General's Report on the latest development, the Government is reported to have indicated in its communication on 17 May of this year that it was ready to cooperate with the Office on implementation of Conventions Nos 87 and 98 provided that account is taken of present-day realities and national interests including stable socio-economic development and social harmony, among others.

If only the Government would accept ILO guidance and respect its obligations under the Conventions – these objectives including stable socio-economic development and social harmony which already encapsulates some of the core tenets of social justice of the ILO would be realized.

But no, the Government continues to reject any guidance, conclusions and recommendation from the ILO and its supervisory system.

Instead, as is contained in the recent communication of the BKDP, it is dangerous to be a genuine and independent trade union, trade union activist or even member in Belarus. Independent trade unions cannot carry out their legitimate trade union activities; criminalization and imprisonment of trade unionists is the order of the day; national security is used as a pretext to ban or control trade unions.

On 4 March 2024, a new criminal case was opened against Mr Leanid Soudalenko, labour lawyer and activist of the REP Union, under section 361-4 of the Criminal Code. He was forced to flee the country.

On 5 April this year, Ms Volha Brytsikava, leader of the Belarusian Independent Trade Union (BNP), who was charged with “inciting racial, national, religious or other social hatred or discord” under section 130(1) of the Criminal Code, and sentenced to three years of imprisonment after a trial behind closed doors. Additionally, a new criminal case has been opened against her under section 361(1) of the Criminal Code which carries a maximum penalty of six years of imprisonment and a fine.

The case of Ms Palina Sharenda-Panasiuk, a trade unionist of the Radio and Electronic Workers, must be mentioned. Since January 2024, there has been no contact with her. Ms Sharenda-Panasiuk was due to be released on 21 May this year but was transferred to a detention centre and a new (third) criminal case was opened against her. She was charged for the second time under section 411(2) of the Criminal Code for offences relating to so-called “malicious disobedience to the demands of administration of the correctional institution” (previously her sentence was extended by one year under the same provision of the Code).

The Government also deploys judicial harassment and public smearing to intimidate, defame and discredit trade unions. The courts have been used to declare the BKDP and Salidarnast – its organization formed in exile in 2022 following the forced dissolution of the BKDP – as extremists and terrorists. Salidarnast is banned in Belarus. Under section 19.11 of the Code on administrative offences, persons who distribute, produce, store or transport materials or interact with organizations such as the BKDP or Salidarnast, including subscribing to its social networks, is punishable, by a maximum penalty of administrative arrest of up to 30 days.

According to the BKDP as of 7 May 2024, more than 50 trade unionists were under criminal persecution and 39 trade unionists are currently imprisoned. Twenty-one trade unionists who were released still have criminal charges hanging over their heads with additional restrictions

including prohibition from leaving the city or country without police permission, an obligation to report to a police station on a weekly basis and banned to engage in certain professional activities. Even after completion of prison sentences, restrictions of freedom continue. Those released are kept on a list for constant monitoring and official control, including of their bank accounts and work activities. Once on that list, there is no process for being removed, so the requirements are essentially permanent. And this is imposed as an administrative measure, without judicial involvement.

Also, in January this year, Mr Aliaksandr Yeudakimchyk, leader of the Free Trade Union of Metalworkers (SPM), died after a long illness following numerous administrative arrests for his trade union activities and the negative impact they have had on his health.

Detained trade union leaders report that the conditions in which they are held amount to torture. They have no access to hygiene products, or a change of clothes. They are not taken for a shower or fresh air. Prison cells are overcrowded. Prisoners are forced to sleep on the floor, on benches, and even on tables. The lights are continuously on. There is no warm water.

We remain deeply concerned about Mr Yarashuk, Chairperson of the BKDP and an ILO Governing Body member. The health of Mr Yarashuk is a major concern for us and yet he remains subjected to a specially restricted prison regime, with little opportunity to exercise, and with only one visit and one parcel allowed per year.

In her report to the UN Human Rights Council, the Special Rapporteur on the human rights situation in Belarus indicates that “yellow unions” are a cog in the wheel of state control and observes that the Trade Union Federation of Belarus (FPB) is not a genuine representative of workers’ interests and not independent from the State. Workers who do not join the FPB are also penalized as collective agreements, laying down basic guarantees, apply only to members of unions close to the Government and controlled by the authorities.

At this Conference, the International Trade Union Confederation (ITUC) has filed a credentials objection challenging the FPB delegation with evidence that those in the delegation, purporting to represent workers, are agents of the State and not workers or genuine and independent representative of workers. The only independent and genuine workers' organization, the BKDP, has been dissolved and banned. The FPB must no longer be allowed to participate in ILO activities including future Conferences.

So, chair, this is sadly the situation in Belarus regarding the implementation of its obligations under the Commission of Inquiry regarding Conventions Nos 87 and 98 as well as the subsequent recommendations of the supervisory bodies and the measures recommended by the Governing Body. Clearly, there has been no progress, absolutely no progress.

We strongly urge the Government to accept constructive dialogue.

Interpretation from Russian: **Employer member, Belarus (Mr NICHKASOV)** – Chairperson and distinguished ladies and gentlemen, I would like to greet you in the name of the Confederation of Employers and Industrialists of the Republic of Belarus. Unfortunately, a year ago at the previous ILO Conference, we saw the adoption of the resolution against Belarus which led to bewilderment and confusion among the employers of our country. I think many people agree with me that any of such restrictive measures affecting the rights of employers and workers are going to inevitably undermine businesses and business activity and also the development of social dialogue and partnership. They are also going to make it difficult to implement collective bargaining agreements and to protect social rights. They might lead to a drop in wage levels too and an increase in social tension. The resolution which is supposed to be promoting decent work and wage levels is actually going to lead to the worsening of both.

I would like to remind that cooperation between the Republic of Belarus and its employers, employers here and the ILO has always been productive. We have cooperated with

the Directors-General of the ILO, including Mr Kari Tapiola who made a visit to our country. In the course of the direct contacts mission, the ILO actually made a positive assessment of the work that Belarus had been doing to implement the recommendations of the ILO and noted that progress had been made. Such positive assessments have also been echoed elsewhere in the ILO. However, in our very tangled and confused world, changes do take place and here we now find ourselves sitting and discussing with you again the so-called “Belarus question” in the ILO. We think this is undermining the authority of the ILO and we cannot agree that the Organization should become a tribunal for statements made on issues, which perhaps relate to human rights, and certainly relating to politics, but they do not, either way, fall within the purview of a specialized agency of the United Nations system such as this one.

At the so-called “Round Table”, which was held a week ago, before the official opening of the session of the Conference, we saw an attempt to prepare the ground to push this Committee to implement the so-called Plan of Action on the implementation of the resolution adopted last year. We have listened to the criticism. However, what we would like to do is to re-establish a positive and productive dialogue which will further the interests of our country and be based on the fundamental principles of the ILO.

We would like to continue our contacts and meetings to share the experience with the ILO and its Member States. This is the right time to do it. What we need is discussions and assistance with regard to such issues as collective bargaining as concerns local level agreements and general and tariffs agreements, negotiations of which we are to start soon for a two-year period. Any support and assistance we can be given from the ILO would be welcome.

We think the ILO should be in the vanguard of encouraging social and labour reforms in any country and we would be happy to accept any suggestions or recommendations made by

the Organization. We understand that any barriers being put in the way of business are going to undermine trade and business contacts and they are certainly not going to help to solve political issues or disagreements either. The position of progressive business associations in Belarus is to boost business, to create more jobs, to improve the well-being of our workers and deal with all the other fundamental issues which are so important to the ILO. We will be happy to carry out a business and professional dialogue with the Committees here in the ILO and with the Employers' group within the Organization. We think we see the situation and think about these issues in the same way. We urge you not to support the draft decision on Belarus because the purpose of it is in the end to actually make the situation of both employers and workers in our country a greatly worse. We want to have positive relations in our work with the ILO, positive relations between our workers and our employers and between Belarus and the ILO.

Worker member, Belarus (Mr SENKO) – I am speaking in the name of and on behalf of 15 Industrial Trade Unions that together make up the Federation of Trade Unions of Belarus (FPB) and they encompass almost 4 million people. They have asked me to come here today to tell you how things really stand in Belarus and indeed to protect their good name. Today we have 4 million workers in our Federation from all sectors of our economy and that is what I am representing here.

As things stand today, the FPB includes 24,000 primary trade union organizations on behalf of the workers of our country, these primary level trade unions have already concluded around 18,000 collective agreements. It is at the initiative of these trade unions that these local normative legal acts include norms that provide employees with various guarantees and bonuses over and above what is established by the Labour Code.

For instance, this includes extra holidays, material payments and other benefits, guarantees for the extension of labour contracts, special measures to support vulnerable groups – young people and elderly people. Employers are obliged to implement these standards, and they do indeed put into practice all of the provisions of the collective agreements.

I will give you a few figures. Last year alone, at the request of the trade unions, the employers corrected around 48,000 infringements of labour legislation. Also, more than 50,000 infringements of occupational health and safety standards have been corrected. At the request of the workers, the employers were able to pay additional benefits to workers that amounted to the equivalent of around 1 million dollars. And that is far from the full list of what has been achieved.

All this shows that in law and in practice in Belarus there is every opportunity available for independent and productive work to be done in defending the interest of workers. Nonetheless we have to admit that at the 111th Session of the International Labour Conference, we know that an article 33 resolution was adopted in relation to Belarus.

It is a cause of deep regret to us that the ILO did not take into account documentary proof of the situation in our country and continues to go along with an argument that is simply seeking to harm and damage workers in Belarus. An open letter was signed by the workers of Belarus to the ILO calling for an end to pressure on the country on both employers and workers of Belarus. More than a thousand videos have been sent where people have talked about the situation in the country quite honestly and have given a clear picture of what the situation is in our country. Sadly we have had no response to any of this from ILO to date and we see that the ILO is continuing to listen to those who are seeking in fact to harm the people of our country, the workers of our country, their families and their children. Today for the fourth year

we see that we have the ILO dancing to the tune of those who are in fact applying unlawful sanctions against our country. And it is representatives of those countries who have dragged the ILO into this situation where they are working against the interest of the workers of Belarus. We see how sophisticated they are in what they do. They deliberately hide information about the fact that many countries do not support what they are doing. We see the kind of efforts that are made to say that we cannot speak up on behalf of the trade unions of Belarus. They are trying to prevent us from speaking out loud and clear to defend our legitimate interest. Let us be quite honest. Today we have representatives of Western countries who in essence, are giving developing countries a choice. Either you agree with us, or you become the next target for attacks and harassment. Those trade unions that do not agree with that are somehow the wrong kind of trade unions. Is that democracy? Decisions and the position that is being taken by ILO with reference to Belarus run fully counter to the principles that underpin the work of this organization. Sanctions and restrictions harm all workers. They also destroy economic stability. They create unfair and unequal conditions. They infringe the rights of workers, and this is being shown, if you look at the experience of many countries that have suffered from unlawful sanctions and restrictions. I call on everyone here to be fair and just and to act in accordance with the provisions of the Constitution of the ILO. The ILO should protect the interests of workers from all countries. It does not have the right to act in a way that follows a political instruction of a particular group of countries. Its task is to preserve and defend labour rights and to preserve the rights of workers. Following the adoption of the resolution on article 33 with reference to Belarus, our situation has been discussed twice within the Governing Body, and a lot could be seen when you looked at that discussion a lot of things were raised but one thing that was very clear, was that the FTUB is ready to cooperate with the ILO on the principles of mutual respect and clear account being taken of the national interests of the Republic of Belarus. I call on the Committee to take the first step to make that a reality

and in its conclusions to include a recommendation to that effect that will be put to the Governing Body. I call on everyone here to support the Republic of Belarus today.

Government member, Belgium (Mr PECTEEN DE BUYTSWERVE) – Chairperson, I have the honour to speak on behalf of the European Union and its Member States.

The candidate countries: North Macedonia, Montenegro, Albania, Ukraine and the Republic of Moldova, and the European Free Trade Association (EFTA) countries Iceland and Norway, members of the European Economic Area, align themselves with this statement.

The EU and its Member States are committed to the respect, protection, and fulfilment of human rights, including labour rights. We promote universal ratification and effective implementation of fundamental ILO Conventions and support the ILO in developing and promoting international labour standards and supervising their application.

We deeply regret the persistent failure of the Belarusian authorities to comply with their obligations under ILO Conventions Nos 87 and 98. One year has passed since the adoption of article 33 resolution at the Conference . Yet, no initiative has been taken by the authorities to reengage in the process towards implementation of the recommendations of the 2004 Commission of Inquiry. Once again, we call on Belarus to take all the necessary measures to meet the obligations it committed itself to by being a member of the ILO and by voluntarily and willingly ratifying most of the ILO fundamental Conventions.

Since the 2020 presidential elections, recently followed by parliamentary and local elections, none of which were free or fair, we see a steep and continuing deterioration of the human rights situation, including grave violations of labour rights, especially of freedom of association and the right to collective bargaining. The situation has further worsened since Belarus' involvement in Russia's war of aggression against Ukraine. We strongly condemn the continuing persecution and intimidation campaigns against independent trade unionists, civil

society organisations, democratic opposition forces, and all other segments of Belarusian society. We remain deeply concerned by the arbitrary arrest and detention of trade union leaders and members for holding or participating in peaceful assemblies or for exercising other civil liberties pursuant to their legitimate trade union activities.

Given the gravity of the situation, the EU has imposed seven successive rounds of sanctions since 2020 amongst others to address the unprecedented level of repression, including labour rights violations.

We thank the Office for organising the high-level roundtable to discuss freedom of association in Belarus in line with the Action Plan adopted by the Governing Body. This event shed further light on the disproportionate and illegitimate use of violence, fines, detentions, arrests and the negation of fair trial for trade unionists and human rights defenders. We encourage further coordinated efforts in view of making progress in the full implementation of the Conference resolution.

We strongly urge Belarus to receive as a matter of urgency an ILO tripartite mission to gather information on the implementation of the recommendations of the Commission of Inquiry and subsequent recommendations of ILO supervisory bodies. This mission must be enabled to visit the independent trade union leaders and activists in prison and detention. We also request Belarus to engage in appointing an ILO Special Representative.

The EU deplores the dissolution of independent trade unions, undermining the legitimacy of social dialogue institutions. We repeat our call to the authorities to abandon their policy of destroying the independent trade union movement. We regret that the Supreme Court rejected their complaints filed by free trade unions in relation to their liquidation and the lack of impartiality and independence of the judiciary system.

We deplore that political prisoners remain incarcerated in appalling conditions and express grave concern over numerous reports of deaths in detention. We urge the authorities to respect, protect and fulfil human rights and call for the immediate and unconditional release of all political prisoners, including trade unionists, and their effective rehabilitation. We regret that even after being released, trade unionists remain on blacklists and continue to face charges and persecution.

We are particularly concerned about the conditions of imprisonment of several political prisoners, including Mr Yarashuk, a Governing Body member, Mr Berasneu, an independent trade union leader, and a union activist Ms Palina Sharenda-Panasiuk. We call upon the responsible Belarusian authorities to uphold humanitarian principles, provide necessary and timely medical care and refrain from any action which would further impair the situation.

We strongly support the reiterated call of the Committee of Experts to the authorities of Belarus to amend a number of legal provisions that restrict or criminalise the exercise of civil and trade union rights.

We reaffirm our strong support to the application of article 33 of the ILO Constitution and will take measures in line with the Conference 2023 resolution as needed.

The EU and its Member States are committed to working with the ILO and its constituents to secure compliance by the authorities of Belarus with the Commission of Inquiry's recommendations.

Government member, Sweden (Mr EKÉUS) – Chairperson, I have the honour to speak on behalf of Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway, Poland and Sweden. We align with the statement delivered on behalf of the European Union and its member states.

Our countries reiterate our strong support to the ILO in its indispensable role to develop, promote and supervise the application of ratified international labour standards.

We deeply regret the persistent refusal of the authorities of Belarus to observe the fundamental conventions of the ILO, including Conventions Nos 87 and 98, that they voluntarily ratified.

We note with great regret that since last year's adoption of the resolution concerning the application of article 33 of the ILO Constitution, and despite repeated engagement attempts by the ILO's supervisory bodies, the situation of human rights, including labour rights, in Belarus, has continued to deteriorate.

We remain deeply concerned about more than 1,400 political prisoners still kept in custody by Belarusian authorities for participating in peaceful assemblies or for exercising their human rights. Many of them are trade union leaders and activists.

The authorities are expanding control over various types of professional groups. In the private sector – they oblige company owners and directors to control their employees in terms of their loyalty to the regime. In the public sector – the employees received a KGB manual on how to behave to avoid responsibility for extremism.

Our countries are also concerned by the Belarusian authorities' decision not to renew the passports of their citizens abroad, as it was reported also by the ITUC. This practice is meant to force them to return to Belarus and potentially face persecution, in violation of their human rights.

As recognized by the Committee of Experts, the Belarusian authorities once again merely reiterate the information they had previously provided and maintain that the Committee of Experts misunderstands and misinterprets the situation on the ground. They expect us to believe that labour rights in their country are respected, that prisoners are serving well-deserved sentences and people have full freedom of association and right to organize themselves. At the same time, they consequently refuse to receive an ILO tripartite mission,

fail to provide copies of judicial decisions as requested by the Committee of Experts and continue to dissolve the independent trade union organizations.

We reaffirm our strong support to the application of article 33 of the ILO Constitution and support an effective follow-up to the Conference 2023 resolution.

We demand full transparency of law enforcement proceedings which bear the hallmarks of political cases. All trade union leaders and members arrested just for exercising their human rights must be immediately released. We also expect Belarusian authorities to allow for visits to the independent trade union leaders and activists in prison or detention.

We call on Belarus to immediately and unconditionally cease its aid to Russia's war of aggression against Ukraine, which has been severely impacting Ukrainian lives and livelihoods, including workers, employers, and their families.

We thank the Office for their coordinated engagement with the relevant international organizations and UN Special procedure mandate holders of the Human Rights Council, in particular for having organized the high-level roundtable to discuss the grave situation of trade union rights in Belarus. We also commend the Director-General's continued efforts to seek access to and ascertain the conditions of arrest, detention and welfare of the detained unionists.

To conclude, we extend our gratitude to the ILO constituents and international institutions for implementing measures in accordance with the Conference 2023 resolution. We also urge those who have not yet done so to take appropriate measures in line with the resolution, as requested. We continue to support holding a special sitting of this Committee for the purpose of discussing the application of Conventions Nos 87 and 98 by Belarus and the implementation of the recommendations of the Commission of Inquiry, so long as this Member has not been shown to have fulfilled its obligations.

Government member, Canada (Mr LABERGE) – I am speaking on behalf of the Governments of Australia, Japan, the United Kingdom and Canada. We thank the Committee of Experts for their most recent observations about the situation in Belarus, and note the written information provided by the authorities in Belarus to the Committee on 17 May 2024 regarding their implementation of the recommendations of the Commission of Inquiry. We also thank the Director-General for his report to inform this committee of the latest developments and the Office for convening the high-level round table on 28 May 2024 to discuss freedom of association in Belarus with participation from three UN Special Rapporteurs.

The case of Belarus has been monitored closely by the ILO for many years now, and we believe that the resolution adopted by the Conference in 2023 under article 33 of the ILO Constitution was a crucial step aimed at realizing social justice in Belarus given the long-standing disregard by the authorities of Belarus for the ILO's fundamental principles and rights at work, the ILO's Constitution and its supervisory system.

Persistent and widespread human and labour rights violations and abuses being perpetuated against workers and trade unionists for exercising their fundamental rights at work are well documented and widely recognized. We remain deeply concerned with continued reports from the BKDP, UN Special Rapporteurs, and others, of mass repression and criminal action taken against workers for exercising their fundamental labour rights, and of trade union leaders and activists being subjected to cruel, inhuman treatment in Belarusian prisons.

We are also concerned with reports of a widespread practice of forced enrolment in government-led trade unions which are not independent.

Notwithstanding such overwhelming evidence to the contrary, the Belarusian authorities continue to systematically deny any violations of Conventions Nos 87 and 98 and maintain that the recommendations of the 2004 Commission of Inquiry have been implemented. We deplore the fact that the Belarusian authorities continue to refuse to accept an ILO tripartite mission to observe and assess the steps taken towards the application of Conventions Nos 87 and 98, as well as to visit with detained and imprisoned trade unionists to assess their health and well-being, despite repeated recommendations by the ILO supervisory bodies and requests from the Director-General. It is imperative that the authorities of Belarus genuinely cooperate with the ILO to implement the recommendations of the Commission of Inquiry and the ILO supervisory bodies. To that end, we urge the Belarusian authorities to do the following, without any further delay.

First, release trade unionists that remain in detention for participating in peaceful assemblies or exercising their fundamental right of freedom of association, including ILO Governing Body member Mr Yarashuk, and to drop all related charges.

Second, accept as a matter of urgency an ILO tripartite mission for the purpose of independently assessing the state of implementation of the recommendations of the Commission of Inquiry and subsequent recommendations of ILO supervisory bodies, including a visit to the independent trade union leaders and activists in prison or detention.

Third, engage with the ILO regarding the appointment of a special representative of the Director-General to supervise all action in Belarus related to the implementation of the recommendations of the Commission of Inquiry and ILO supervisory bodies.

Finally, we encourage all ILO constituents to continue taking all possible measures in accordance with the 2023 Conference resolution with a view to bringing Belarus in compliance with its obligations under the ILO Constitution, Convention Nos 87 and 98.

Miembro gubernamental, Cuba (Sr. QUINTANILLA ROMÁN) – Señor Presidente, agradecemos al Gobierno de Belarús por la información actualizada que ha presentado esta mañana.

Es importante destacar la voluntad de diálogo respetuoso y cooperación con los interlocutores sociales y la OIT por parte de las autoridades del país, lo cual ha resaltado el Gobierno en varias comunicaciones incluyendo esta mañana.

Las alegaciones sobre una falta absoluta de avances en la aplicación de las recomendaciones de la comisión de encuesta por parte de Belarús o falta de progreso como se ha mencionado son totalmente infundadas y no se corresponden con la realidad. La propia Oficina ha proporcionado información sobre medidas adoptadas por el Gobierno de Belarús en relación con un número de recomendaciones y el avance alcanzado de dichas medidas, por supuesto, en el marco del ordenamiento jurídico del país.

Es un hecho y está a la luz de todos que la implementación de las recomendaciones de la comisión de encuesta por Belarús avanza de manera constante, esto ha sido notado incluso, por órganos de control de la Organización.

El Gobierno de Belarús ha demostrado que está dispuesto a trabajar con la Oficina en las cuestiones relativas a la aplicación de los convenios ratificados, incluso, han invitado a expertos de la OIT a participar en procesos internos; sin embargo, las motivaciones políticas continúan impactando negativamente estos asuntos. Esta misma mañana hemos vuelto a escuchar alegaciones políticas ajenas totalmente al mundo del trabajo.

Reiteramos que resulta preocupante que las respuestas de los Gobiernos a los mecanismos de control de la OIT no se analicen debidamente ni en igualdad de condiciones con las alegaciones de los interlocutores sociales. La línea entre los asuntos sindicales y las cuestiones de naturaleza política parecería ser, con frecuencia, irrelevante para los órganos de

control. El enfoque que debería primar con respecto a Belarús es el de cooperación y trabajo conjunto acordado mutuamente, en lugar de un enfoque punitivo y de coacción.

Reafirmamos también, que es imprescindible en cualquier foro o contexto, respetar plenamente la soberanía y la autodeterminación de los Estados Miembros, esa, es la base para que cualquier Gobierno pueda honrar los compromisos asumidos. En el análisis de cualquier caso todos debemos privilegiar la vía de las negociaciones, el diálogo respetuoso, la asistencia, la búsqueda del consenso y la cooperación, en lugar de promover la confrontación.

Finalizo reafirmando la importancia del apego al diálogo tripartito, la búsqueda del consenso y el consentimiento del país concernido que constituyen elementos fundamentales para lograr cualquier avance.

Worker member, China (Mr XU) – Dear delegates, the Chinese trade unions have noted that Belarus has achieved a stable progress in relevant areas. The FPB is a legitimate organization representing 4 million workers of all sectors in the country, and as just mentioned by the delegates of the workers in Belarus, they have over 24,000 grassroots organizations and have concluded over 18,000 collective agreements, and the contents have been put in practice which are very important.

All of those collective agreements have provided guarantees for workers' decent wage, safe working conditions and stable labour relations. Besides, the unions of Belarus have the opportunity to participate in the development of legislations concerning workers' rights and it has influence on the employment policies of the nation. We think that applying article 33 of the ILO Constitution against Belarus may bring negative impact on the country's economy and thus worsening the situation of the workers and their families of the country. Therefore, we need to take it into full consideration at this point. I call on the Committee to take a holistic view on the issue of Belarus. This is what I want to emphasize, a holistic view on the issue.

Membre gouvernemental, Algérie (M. BOUCHEBOUT) – Nous avons écouté avec une grande attention la déclaration du gouvernement du Bélarus indiquant qu'il a bien tenu compte des recommandations figurant dans le rapport de la commission d'enquête instituée en vertu de l'article 26 de la Constitution de l'OIT.

L'Algérie se félicite de la bonne volonté et de l'engagement constants du gouvernement du Bélarus pour s'acquitter de ses obligations internationales. Nous saluons aussi les mesures positives et significatives que le gouvernement du Bélarus a prises, notamment en tenant compte des recommandations de la commission d'enquête. Nous avons pris note des efforts déployés par le gouvernement, et les recommandations ont déjà été largement mises en œuvre par le gouvernement du Bélarus et des progrès ont été accomplis pour d'autres.

L'Algérie estime que les arguments présentés par le gouvernement sont tout à fait louables et le gouvernement du Bélarus est encouragé à poursuivre ses efforts et collaborer avec le Bureau en vue de mettre en œuvre les recommandations de la commission d'enquête. Nous avons le sentiment que la situation est positive notamment avec les facilitations décidées pour l'enregistrement des organisations syndicales, les mesures prévues nécessaires à la protection des droits syndicaux et la lutte contre toute forme de discrimination antisyndicale.

Government member, Azerbaijan (Mr SAFAROV) – We took a positive note of the information presented by the Government of the Republic of Belarus and welcome their efforts in developing standards in the sphere of social and labour relations. We commend the willingness of the Belarusian authorities to continue constructive cooperation with the ILO. At the same time, we encourage the ILO and the Committee to avoid politicization in its work with Belarus, which could later cause a dangerous precedent and a negative tendency within the Organization.

Government member, Lao People's Democratic Republic (Mr MANIBOUNI) – At the outset, the Lao PDR takes note of the report by the General Affairs Committee and sincerely thanks Belarus for the comprehensive updates on the current ILO related cooperation and work in Belarus.

My delegation commends Belarus for the continued efforts in fulfilling its obligations under ILO-related Conventions and mechanisms, including the implementation of the decisions and recommendations adopted during the previous Governing Body sessions and Conferences; the Government's guarantee to its citizens of the right to work, especially to the most vulnerable and marginalized groups of people; the successful conduct of meetings of the country's main tripartite social partnership bodies; and the awareness-raising campaigns on ILO work and initiatives carried out country-wide.

The Lao People's Democratic Republic reiterates that the Unilateral Coercive Measures (UCMs) and sanctions against any ILO Member States are not healthy and not an effective way forward. We emphasize that the work of the ILO and its mechanisms should be conducted through genuine dialogues and cooperation with the consent of the host country, and it can be done by providing capacity-building and technical assistance in accordance with the specific needs and priorities of the country concerned.

Worker member, Eritrea (Mr ALEM) – Conventions Nos 87 and 98 are fundamental Conventions to be implemented by Member States to their fullest capacity. The case brought against the Republic of Belarus at the 111th Session of the Conference tries to outline the Belarus Government's failure to comply with implementation of these Conventions. Additionally, based on the recommendation of the Governing Body of the ILO, the 111th Session passed a resolution under article 33 of the ILO Constitution concerning the Republic of Belarus and suggested the Governments, Employers and Workers reassess any relation with

Belarus. The National Confederation of Eritrean Workers (NCEW) opposes this action and advocates for more dialogue to assess the supposed violation and to create a conducive environment for social dialogue, which we as workers see as an effective tool for mitigation. Furthermore, the NCEW believes that the case brought against the Republic of Belarus is of political motive. When the case against Republic of Belarus was raised, we initiated discussion with Belarus trade union and gathered important information about the trade union movement in Belarus. The current labour laws in Belarus have provided a favourable environment for the FPB to expand its unionization and organizing efforts. As a result, the number of trade unions brought to 24,000 along with the recognized 18,000 collective bargaining agreements. The FPB has achieved a unionization rate of 4 million members demonstrating the right to organize, associate and engage in collective bargaining agreements. In 2023 alone, 1,300 new unions were established. In total, about 10,000 organizations were established in 2015. Thus, the NCEW advocates for open and authentic social dialogue practice to improve the condition of workers in all aspects. The NCEW believes that the ILO standards should be used to enhance workers conditions through bilateral and tripartite levels. The progress of the FPB over the past few years indicates positive trends towards achieving social justice, therefore we call for an honest discussion engagement and support with the Republic of Belarus.

Miembro gubernamental, Colombia (Sra. GALINDO POBLADOR) - De acuerdo con la opinión consultiva núm. 27 de 2021 de la Corte Interamericana de Derechos Humanos «La libertad sindical y la libertad de asociación son derechos humanos fundamentales que, junto con el derecho de negociación colectiva, reunión y huelga forman el núcleo básico para proteger y promover el derecho al trabajo y a sus condiciones justas y satisfactorias [...]».

Colombia también vivió por años los embates de la violencia y la represión antisindical, dejando con ello no solo el debilitamiento de las organizaciones sindicales, sino también la

pérdida de vida de más de 1 200 líderes sociales y sindicales asesinados entre 2015 y 2021, hechos que tanto líderes sindicales, como defensores de derechos humanos del país denunciaron por años ante distintos organismos internacionales.

Hoy Colombia ha transitado a un Gobierno de cambio que respeta las libertades sindicales y propugna por una reforma laboral que permita armonizar nuestra normatividad con las recomendaciones que por años los distintos órganos de control normativo de la OIT han hecho al país en materia sindical, negociación colectiva y derecho de huelga.

Colombia ha vivido la crudeza de la represión antisindical, por eso y por la solidaridad internacional que caracteriza a nuestro Gobierno, nos solidarizamos con el pueblo de Belarús, con sus trabajadores, trabajadoras y las organizaciones sindicales ante la situación que ha venido viviendo a lo largo de este tiempo. Rechazamos cualquier acto de violencia, detención o represión que pueda estar presentando y acompañamos la resolución relativa a las medidas recomendadas por el Consejo de Administración en virtud del artículo 33 de la Constitución de la OIT, para este caso en junio de 2023.

Nuestro Gobierno comparte la profunda preocupación expresada por la Comisión de Expertos en relación con la lista de 47 dirigentes y activistas sindicales actualmente detenidos o cuya libertad de circulación está restringida, transmitida por el Congreso de Sindicatos Democráticos de Belarús.

Hacemos un respetuoso llamado al diálogo social tripartito, al respeto de las libertades civiles, a la protección y garantía de la libertad sindical a la que nos hemos comprometido los mandantes de la OIT.

Interpretation from Chinese: **Government member, China (Mr WANG)** – First, I congratulate you on your leadership of this Committee and assure you of our full support. I also thank the representative of Belarus for their introduction.

We have thoroughly read the detailed supplementary information submitted by the Government of Belarus. Over the years, the Government of Belarus has taken concrete measures to further simplify and optimize the trade union registration procedures and also held training programs with ILO. It has reactivated the tripartite Committee, held a series of seminars, and organized several tripartite consultations. In recent years, Belarus has witnessed the gradual reduction in unemployment and a steady increase in income levels, which marries full recognition and high reward from the Committee. We note that the Government of Belarus has earnestly addressed and implemented the majority of the 12 recommendations from the Commission of Inquiry. This advancement reflects its efforts and progress and its proactive stance in cooperation with the ILO for which we express our appreciation.

China maintains a consistent stance on this case as a specialized UN agency and the only tripartite international organization. The ILO and its secretariat are primarily tasked with serving Member States instead of sanctioning. The standing supervisory mechanism is technically nature and is intended to assist Member States in better fulfilling their obligations rather than inflicting serial harm on the rights and interests of their workers and employers through sanctions.

From the ILO Constitution to the Philadelphia Declaration, and from the 1998 Declaration, 2008 Declaration and to the Centenary Declaration, these documents all advocate the advancement of justice. We readdress that invoking article 33 of the Constitution to impose sanctions to Belarus has already and will continue to harm the actual rights and interests of workers and employers and seriously impact the country's economic and social development. We firmly oppose the use of such extreme measures against the Member State that is fulfilling its obligations. The mechanism will not be swayed by political influences and the politicization and instrumentalization of this mechanism will seriously damage the credibility of the ILO.

Chairperson, in any country ruled by law, no rights outshine the laws' authority, and legal transgressions by any individual – regardless of their status – must be met with legal consequences.

We urge the Committee and ILO constituents to consider the position and information provided by the Government of Belarus, to respect its sovereignty and refrain from interfering in its internal affairs. We encourage the Office to approach this case in an objective, active and constructive manner, and safeguard the actual rise and interests of the workers and employers. Thus, propelling its economic and social development.

Worker member, Netherlands (Mr POSTMA) – This intervention is also on behalf of the German and Swiss workers.

The Belarusian Government repeatedly declares here that there are no political prisoners in Belarus. The sentenced trade unionists are considered common criminals.

But you and the international community know very well that this is not true. There are at least 41 trade unionists in jail at this very moment.

The prison conditions for these trade unionists as political prisoners in Belarus are extremely harsh in comparison to the “common criminals”.

First of all, the state marks them with a yellow label sewn onto their prison uniforms.

Prison administrations artificially create conditions so they can condemn trade unionists to disciplinary sanctions for just minor violations such as an open button, a bed that is not made straight, etc. These sanctions can be of various kinds: withdrawal of parcels or visits, placement in solitary confinement, transfer to a prison regime.

I just want to explain to you what placement in solitary confinement means in Belarus.

It is a tiny cell with extremely low temperatures in winter, high temperatures in summer and extremely high humidity. There are no mattresses or bedsheets, deprivation of personal belongings, no walks and no right to correspondence.

There are many types of disciplinary measures, but their aim is the same - to destroy human dignity and make the lives of our brothers and sisters in prison unbearable.

One important example. His name was already mentioned:

Mr Yarashuk – President of BKDP, Vice-President of ITUC, member of the ILO Governing Body- was additionally persecuted by an unlawful change of prison regime from “ordinary” to “strict” and transferred to prison in November 2023. The change of a prison regime is the hardest sanction.

The consequences are:

- the monthly purchase of food and basic necessities is limited to one basic unit (about €11);
- one short visit per year is allowed (of four hours in the presence of a member of the prison guards);
- One parcel or package during the year;
- a daily walk of one hour.

If I had time I could give more examples of abuse of other imprisoned trade unionists, such as:

1. Mr Artsiom Zharnak -Chairperson of SPM at Minsk Automotive Plant (MAZ).
2. Mr Aliaksandr Mishuk -Vice-chair of BNP.
3. Mr Aliaksandr Kapshul -BNP labour lawyer.

Interpretation from Russian: **Government member, Russian Federation**

(Mr MARKOVSKI) –We fully share the assessment of the situation that has been provided here by the distinguished representative of the Government of Belarus, vis-à-vis, the special sitting here today.

The Russian position with reference to the measures that have been taken against Belarus is well-known. This is something we have said repeatedly and indeed we explained those views at the 111th Session of the Conference and also at many different meetings of the Governing Body. I do not have much time now so I will just highlight the key points.

If you look at the resolution that was adopted at the 111th Session, that is to say, article 33 resolution vis-à-vis Belarus, this is something that is very discriminatory and politicized in nature. In fact, in a short period of time we have seen that the Government of Belarus has been able to make progress and build on its long-standing cooperation particularly on giving effect to the recommendations of the Commission of Inquiry. The steps taken by the Government have been repeatedly commended by representatives of the ILO over the years, therefore most the recommendations on the Commission of Inquiry as things stand today have already been adopted. That being so, the basis for any kind of sanctions to be adopted in accordance with article 33 simply does not exist because the Government has shown that it is willing to enter into constructive interaction with the ILO on the issues concerned.

The allegations against Belarus that it harasses trade union representatives; that it attacks freedom of association and other rights is simply based on information from the BKDP.

This is a structure that has now been terminated by a decision taken by the Supreme Court of Belarus. It is not entitled to operate in Belarus; it does not represent workers of Belarus. Therefore, we now see that it has become a political organization that seeks in fact to operate in a way that is hostile to the interests of the country of the State of Belarus today.

We therefore consider that what happened back in 2022 was a purely political decision and it was intended to exert pressure on the Government of Belarus as a result of political action in the country and political events there.

We are against the politicization of the work of the ILO. We are categorically against that and we are therefore against the plan of action to give effect to the recommendation adopted at the 111th Conference, that is to say, the article 33 resolution.

In particular, if we look at today's special sitting and indeed the roundtable that took place last week, we see once again that this is simply an attempt to exert political pressure on Belarus.

We therefore categorically reject these anti-Belarus measures that have been used as a pretext for this special sitting and we call for a vote for any decision to be taken on this.

Worker member, Japan (Ms GONO) – One year after the Conference adopted a resolution on Belarus, to our regret, we see no progress. Moreover, we see the continuation of repression against workers, activists and leaders of independent trade unions. For example, in August 2023, Ms Volha Brytsikava, the leader of the Belarusian independent trade union at Naftan oil refinery, was arrested. She was sentenced to three years in prison in a closed court hearing in March 2024, and a new criminal case was opened and she faces up to six more years in prison.

Mr Yarashuk was transferred to a cell regime, which significantly worsened his conditions and affected his health. He began to have problems with blood pressure. During this time, there were mass arrests at workplaces in Navapolatsk, Lida, Mozyr, Hrodna, Minsk and other cities in Belarus. We know of about 150 people arrested. As a result, many of them were fined, imprisoned and dismissed without the right to find employment in another State enterprise.

Release from prison does not mean the end of persecution: The activists have to report to the police every day, to be checked and their travel and work rights are restricted, as they continue to be tainted with the stigma of being extremists. Some of them are threatened with new criminal proceedings. Any activity in the name of independent trade unions is threatened with criminal sanctions. As a result, independent trade union activities are equated with criminal activities, which shows that the right to free trade union activity is completely absent. The existing trade unions in Belarus do not meet the criteria of independence and democracy. They are part of a dictatorial system and cannot be perceived as representatives of Belarusian workers.

Despite the unwillingness of the Belarusian State to accept the constructive proposals of the Labour Office and the Governing Body, we must continue to look for ways to fully implement the ILO resolution in order to normalize the situation in Belarus.

We reiterate our demand to send a tripartite mission to Belarus to gain access to the imprisoned trade unionists and release trade unionists from prison and bring independent trade unions back into the country.

This serious infringement of fundamental right, freedom of association and right to organize and collective bargaining under Conventions Nos 87 and 98, is not only the issue of Belarus or Europe, but it is also the issue of whole workers in the world. That is why JTUC-Rengo, Japanese Union in Asia and Pacific is seriously concerned on this issue.

We sincerely wish and request that the Government of Belarus will change its attitude and accept our requests so that workers of Belarus could enjoy the fundamental workers' rights.

Worker member, Sweden (Ms SILVERRYD) – I am speaking on behalf of the Nordic trade unions in Sweden, Finland, Norway, Denmark and Iceland.

Once you have served your sentence you have paid your debt to society. It is a basic rule of law. But not in Belarus. And certainly not if you are a trade unionist in Belarus, unjustly condemned in the first place.

I met a fellow trade unionist from Belarus who had escaped from there. After serving a prison sentence of several years, in appallingly bad circumstances, he had thought that once free from prison he would be able to resume his old life. But no. He found himself branded an extremist which made it impossible for him to continue in his profession. Very few other jobs were available for him. Any would-be employer risked state reprisals. He needed permission from the police to leave his hometown. The police visited his home on a daily basis and he was ordered to report in person once a week to the local police station. His bank account was monitored and ordinary bank services such as getting a pay card or a bank loan was not allowed. When he spoke of his ordeals to people residing outside of Belarus, a new criminal case against him was opened. He managed to escape Belarus and now lives in exile. When he left Belarus he not only left his home and friends but also his ageing parents who he will most likely never meet again. Maybe he will be able to move back home, meet his friends and resume his profession again but only if there is change in Belarus. And we in this room have the power to be a part of that change.

Belarus is a country in want of democracy, in want of basic human rights. To be a trade unionist operating under Convention No. 87 does not make you an extremist, it makes you a responsible citizen, working for the better of others.

The Nordic trade unions call upon the Member States to provide humanitarian assistance to trade unionists forced into exile and we urge the Government of Belarus to receive an ILO tripartite mission and to comply to Convention No. 87.

Government member, Turkmenistan (Mr BESHEROV) –Turkmenistan welcomes the distinguished delegation of Belarus and expresses gratitude for the provided detailed information on the current situation related to the implementation of Conventions Nos 87 and 98, as well as the related recommendations of the Commission of Inquiry. At the outset we would like to note the efforts made by the Government of Belarus on promotion of full employment of the population, providing occupation, safety and security, ensuring decent working conditions and a number of other fundamental norms. I would like to highlight the measures taken by the Government of Belarus on maintaining the dialogue with the social partners: the resumption of the work of the tripartite council for the improvement of the legislation in the social and labour sphere in 2023 is one of the examples of commitment of the Belarusian's side to its obligations. Turkmenistan would also like to draw attention to the need to seek dialogue with the Government or the social partners; a position of pressure cannot be the best to build constructive cooperation aimed at positive results. In conclusion, Turkmenistan wishes the Government of Belarus successful discussion.

Worker member, United Kingdom of Great Britain and Northern Ireland (Mr RUSSELL) – I speak on behalf of the Workers of the United Kingdom, the United States and of France.

The changing world of work is a constant challenge for unions, who must keep pace with the transformation of traditional workplaces to both defend workers' rights, but also to reach and organize those workers. Many union movements, including that of the UK, US, and France, are innovating new approaches and using all available digital tools to bridge the divide between workers and workplaces to more effectively organize and represent members, perhaps an ingredient in this year's welcome rise in trade union membership in the UK.

But, if we were denied the right to use technology, it would strike at the very heart of our ability to organize and protect those members. Even worse if the workers could be prosecuted for just reading what we told them.

Such is the situation in Belarus. Like us, workers there use the available media: social media, popular and fairly secure means of communication such as Messenger, Telegram, Instagram etc. In 2020, unions quite naturally used these channels as organizing tools to communicate with workers.

Then, however, new definitions of 'extremism' were introduced by the Government. Previously used to suppress religious fundamentalism and racism, these definitions abruptly morphed to encompass a vast array of independent thought and expression, including trade union ideals.

Naturally, since all the communication channels listed above often featured the sharing of articles from the banned independent media, it meant that the channels themselves were deemed carriers of extremism, and – therefore – those that used them as extremists.

This was used to justified, inter alia: many politically motivated arrests of labour leaders; the closure of trade unions, such as the independent Belarusian Union of Miners and Chemical Workers at Grodno Azot; and the liquidation of the Belarus Independent Trade Union (BNP) as an alleged union of extremists involved in extremist activities and disseminating extremist materials.

The information sources of the Belarusian exile trade unionists (Salidarnast), which are aimed at Belarusian workers, were labelled as extremist materials after the ILO Governing Body meeting in March 2024. This means that since March, workers who read these materials – and I stress just to read them, not necessarily to act on them or share them with others - may be subject to administrative detention. Simply for reading. Such detention is not considered a

good reason for absence from work. This leads to dismissal with the categorization of not being loyal to the state, which further complicates the search for a new job.

We know that access to the rights enshrined at the ILO depends on the ability to communicate those rights to those at work. Trade unions need to be free to explain freedom of association, collective bargaining and other rights, without fear of persecution. Otherwise not only will the trade unionists themselves suffer, but so will those workers deprived of independent information and, ultimately, their rights.

Trade union activism is not extremism.

Government member, Kazakhstan (Mr AKHMETOV) – The Kazakhstani delegation would like to thank the Government representative of Belarus for the report. We note the commitment on the part of the Government of Belarus to observe the ILO Conventions and welcome the progress made by the Government in responding to the recommendations of the Commission of Inquiry.

We welcome the pursuit of a policy to support the rights of workers, as well as the measures taken at the national level to develop social dialogue. We note the openness of the Government to address the observations of the ILO supervisory bodies and encourage the Government to continue working closely with the ILO in this regard. We believe in the importance of dialogue and cooperation, as enshrined in the ILO Constitution, and note that some of the measures proposed under article 33 with regards to reconsidering bilateral relations with Belarus might be seen as contradictory to the principle of social dialogue. Once implemented, they could have a negative impact on the well-being of the people in Belarus.

At the same time, my delegation encourages the Government of Belarus to address the concerns expressed today through constructive and mutually beneficial dialogue with all actors.

Worker member, Indonesia (Ms SILABAN) – According to the update submitted by the BKDP to the Director-General of the ILO, there are seven women activists and leaders of independent trade unions in Belarusian prisons, penal colonies and under house arrest.

Among them are mothers of little children, union organizers, chairpersons of industrial unions at chemical plants, medics, accountants – they are called extremists by the state. We call them political prisoners. We know that trade union work is not extremism.

Our sisters have been sentenced to prison terms of between 2 and 11 years for their union work, for their views, for building networking of workers. Our solidarity and worldwide support helps them and their families in this difficult time when the regime is imprisoning them and wants the world to forget them and their names – Hanna Ablab, Volha Barushka, Hanna Karneyenka, Sviatlana Sakovich, Palina Sharenda-Panasiuk, Halina Smirnova and Volha Brytsikava.

Our sister Volha Brytsikava is the chairperson of the Belarusian Independent Trade Union of Miners and Chemical workers at NAFTAN Oil Refinery. In 2022 Volha was arrested and imprisoned for her anti-war position. During her time in prison, she was sentenced 5 times to 15 days in prison each time.

After Volha was released, she continued to help her comrades. And when all independent trade unions were dissolved, she was one of the few remaining trade union leaders who did not leave the country. In August 2023, after the Conference the regime arrested her and a few other comrades.

She is now being investigated. She faces at least six years in prison. And since then, there has not been much information about her. There have been repeated massive arrests of NAFTAN workers, and Volha's comrades linked this to her case.

The trial against Volha Brytsikava is still ongoing. She is kept as a criminal in prison. The conditions in the remand prison are said to be the worst: overcrowded closed cells with no daylight or fresh air. A day of detention there is counted as a day and a half at sentencing.

Another sister of ours, Palina Sharenda-Panasiuk has been sentenced to 2 years. She has been protesting against it, and reported that she was constantly tortured and severely punished by being placed in solitary confinement. But after two years she was three times sentenced again and again for violation of prison rules. Even though she asked for pardon, she remains in prison while we unions are campaigning for her release.

The places where female prisoners are sent to serve their sentences are penal colonies where they are made to work. The work in prison is nothing more than forced labour without health and safety regulations, without adequate pay (often less than 1 euro per month), mostly in the textile industry. In the case of the female prisoners, it is an eight-hour shift in a sewing factory that makes uniforms for the military.

I call on the ILO to insist on sending a tripartite mission to Belarus to get access to trade unionists in Belarusian prisons. Release trade union leaders and activists from prison!

Membre gouvernemental, Suisse (M. YEDDES) – La Suisse remercie la commission d'experts pour ses observations sur la mise en œuvre des conventions fondamentales n^{os} 87 et 98 par le Bélarus et prend note des informations transmises par les autorités du Bélarus s'agissant de la mise en œuvre des recommandations de la commission d'enquête.

Nous remercions également le Directeur général pour son rapport mis à jour et d'avoir récemment organisé une table ronde de haut niveau sur la situation au Bélarus avec la participation de rapporteurs spéciaux du Conseil des droits de l'homme.

Les différents rapports portés à notre attention dressent un tableau très préoccupant de la situation au Bélarus. Des violations persistantes des droit des travailleurs et des droits de

l'homme sont rapportées de façon crédible, en particulier de nombreux cas d'emprisonnement arbitraires de travailleurs et de syndicalistes qui exercent leurs droits fondamentaux. La Suisse est également préoccupée par les rapports d'enrôlements forcés d'employés dans des syndicats gouvernementaux, qui représentent des violations de la liberté d'association.

À l'instar du Comité de la liberté syndicale, la Suisse déplore l'absence totale de progrès dans la mise en œuvre des recommandations de l'enquête de 2004 et le fait que le gouvernement n'ait pas tenu compte des recommandations des organes de contrôle de l'OIT et des conclusions du Conseil d'administration. Nous regrettons vivement que les autorités du Bélarus continuent de refuser la visite d'une mission tripartite de l'OIT qui viserait à évaluer les mesures prises par le Bélarus pour mettre en œuvre ses obligations au titre des conventions de l'OIT qu'il a ratifiées.

Comme la Suisse l'a déjà exprimé à plusieurs reprises, nous réitérons notre appel au Bélarus à respecter ses obligations en tant qu'État Membre de l'OIT en garantissant la mise en œuvre et le respect des principes et droits fondamentaux au travail et des obligations découlant de la ratification des deux conventions fondamentales n^{os} 87 et 98. Pour conclure, nous appelons à nouveau le Bélarus à se mettre en conformité avec ses obligations internationales et, pour ce faire, à coopérer avec l'OIT et ses organes, ainsi qu'avec toutes les autres organisations internationales pertinentes.

Miembro trabajador, Brasil (Sr. Amancio ANTONIO DE LISBOA) - En primer lugar, quisiera destacar la importancia del sistema de control de esta Organización y, en particular, el trabajo realizado por la Comisión de Expertos, a quien felicito en la persona de su Presidente. Como recordó ayer en este Plenario, las observaciones de la Comisión de Expertos son tan relevantes y legítimas que resuenan en otras organizaciones internacionales y nacionales.

En este sentido, debemos salvaguardar y reafirmar el mandato de la Comisión de Expertos para que la Comisión continúe supervisando el cumplimiento de las normas internacionales del trabajo.

Teniendo esto en cuenta, respecto del caso que ahora estamos analizando, quisiera reiterar de inmediato las solicitudes de información y documentos realizadas por la Comisión de Expertos y registradas en el informe presentado para esta conferencia. La falta de respuesta a las solicitudes impide comprender mejor los hechos y señala, al menos, la falta de interés del Gobierno en demostrar que cumple con los convenios de esta Organización.

Responder a las solicitudes de la Comisión de Expertos, para nosotros, es una obligación de los Estados democráticos y comprometidos con los principios y propósitos de la OIT.

También es obligación de los Estados garantizar que la libertad sindical, principio fundacional de esta Organización, esté garantizada en la ley y en la práctica de forma permanente.

Además, también me gustaría destacar la estrecha relación entre los derechos civiles y políticos, la libertad sindical y la democracia.

Contrariamente a lo afirmado por el Gobierno, el pleno ejercicio de la libertad sindical presupone que los derechos civiles y políticos también puedan ejercerse en toda su extensión y profundidad, ya que los derechos humanos son indivisibles, interdependientes y interrelacionados.

No se puede decir que sea democrático un Estado que no permite, garantiza o defiende el pleno ejercicio de tales derechos. La democracia presupone divergencia, valora las diferencias con miras a garantizar los derechos fundamentales de todos. Solo en las dictaduras se encarcela o detiene a personas por oponerse al Gobierno establecido.

Recordamos que el actual Presidente de mi país fue perseguido y detenido por la dictadura cívico militar que existió entre 1964 y 1985 precisamente por ser sindicalista, debido a sus actividades como líder sindical y opositor al régimen, sus actividades fueron consideradas un peligro para la seguridad nacional, el orden público y la democracia.

¿Alguien desconoce hoy el compromiso del Presidente Lula con la democracia y su defensa intransigente?

Sobre la base de estas consideraciones, reiteramos la solicitud de la Comisión de Expertos de que todos los dirigentes y sindicalistas detenidos por participar en reuniones pacíficas o ejercer sus libertades civiles en el marco de sus actividades sindicales legítimas sean liberados inmediatamente y se retiren todos los cargos relacionados.

Interpretation from Arabic: **Government member, Egypt (Mr ELHUSSEINY)** – We have taken careful note of all of the written information submitted by the Government of Belarus. We have also noted the statement made here at the beginning of this sitting with reference to the implementation of recommendations that were made by the Commission of Inquiry. My delegation believes that it is important for all States to make efforts to give effect to ILO standards. This is important in order to achieve objectives in accordance with the role that should be played by the ILO. This is especially important when it comes to supporting national efforts to give effect to ILO standards, to labour standards in general and also to provide technical assistance to countries. All of this, recognizing the very important role played by all UN agencies, including the ILO, as part of strengthening multilateral international cooperation in this area. We, therefore, believe that we need to continue to pursue constructive dialogue between the Organization and the delegation of Belarus. This is important to allow us to find ways and means to put into practice labour standards, and to allow Belarus to meet its obligations in accordance with a number of Convention, particularly Nos 87 and 98.

Worker members, Kenya (Mr ATELLAH) – Today is a special day. The day when we can and should protect not only our Belarusian brothers and sisters, but also the true values of the ILO.

Freedom of association is a fundamental principle of the ILO's work, set up by the Declaration of Philadelphia, the ILO Declaration on Fundamental Principles and Rights at Work and the ILO Conventions.

The Belarusian Government has repeatedly failed to implement its international obligations, with regard to the guarantee of freedom of association, and many others, for more than 20 years.

Credible evidence both from our Belarusian brothers and sisters, the BKDP and the international community, the ILO and other UN bodies demonstrate that freedom of association as such does not exist in Belarus. It was stolen from Belarusian citizens and workers.

The Belarusian Government has dissolved all independent trade unions and appointed so-called workers' representatives under its control, the "yellow" trade unions under the leadership of the FPB.

It is very convenient for the Government to say that the independent trade unionists are violating national law when they themselves pass such laws that violate international norms, including of the ILO.

Now it is impossible to create new independent trade unions in Belarus. The slightest trade union and human rights activity is a reason to be put in prison, as extremists. Our brothers and sisters do serve real prison terms now. It is very convenient to silence independent trade unionists when you have all the means to put them in prison. It entrenches both work and wage slavery and should not be condoned.

Now it is more important than ever we join all our forces to get ILO resolutions implemented in practice, with consequences to those who blatantly violate them. The Belarusian case is important not only for the Belarusians, but also for all of us, for the credibility of this house, the ILO.

Membre travailleur, Mali (M. DIAKITE) – Nous avons étudié les commentaires de la commission d'experts concernant le Bélarus et suivons de près l'examen de cette question ainsi que les arguments de toutes les parties. À notre avis, la question du Bélarus est examinée de manière extrêmement partielle et non objective. Les faits exposés confirment clairement qu'il n'existe aujourd'hui aucune véritable raison d'appliquer des sanctions spéciales au Bélarus conformément à la Constitution de l'OIT. La loi et la pratique au Bélarus offrent aux travailleurs du Bélarus la possibilité d'exercer leur droit de s'organiser en syndicats. La Centrale syndicale nationale du pays a une pratique large et efficace de protection des intérêts des travailleurs à tous les niveaux. Le système efficace de réglementation des relations de travail par la négociation collective dans le pays mérite une attention particulière. Grâce au partenariat social établi au Bélarus, les travailleurs du Bélarus bénéficient du niveau nécessaire de garantie de travail et de niveau social. C'est l'objectif réel et pratique vers lequel s'efforcent de tendre les syndicats du monde entier. Dans cette situation, nous considérons qu'il est nécessaire d'attirer l'attention sur le fait que, tandis que les partenaires sociaux du Bélarus orientent leurs efforts vers le développement économique et social, vers la garantie de l'emploi et de niveaux de revenus décents pour les citoyens, certains pays tentent de contrecarrer cette progression en introduisant des sanctions et diverses restrictions.

Malheureusement, l'OIT suit la même voie. Cela est contraire aux grands principes et buts et à l'objectif de notre Organisation. Nous pensons que l'OIT ne devrait ni encourager ni pratiquer certaines mesures restrictives. Il faut abandonner les approches injustes envers ce pays qu'est le Bélarus.

Interpretation from Arabic: **Government member, Syrian Arab Republic (Mr SHAMMOUT)** – We note the position that has been taken here by the Government of Belarus. It has been stated that the Government of Belarus is giving effect to recommendation in accordance with the national interests of the country. We also note the information submitted by the delegation of Belarus, according to which most of the recommendations have indeed been implemented. We note what has been achieved in accordance with the international standards and the labour Conventions. Further, the Government has stated that it stands ready to enter into dialogue with social partners and with the ILO. For all of those reasons, my delegation wishes to support the position taken by the Government of Belarus, based on a spirit of cooperation and dialogue between the Government, the Organization that we have here – the ILO, as well as other partners. We hope that by taking this approach we will achieve the desired outcome that is in the interests of everyone and will also respect the national interests of Belarus, its citizens and its national trade unions.

We wish to reassert the fact that we should not politicize the work of the ILO. That is something that runs counter to the goals and objectives of the Organization and its mandate. We need to respect the sovereignty of the Member States and not intervene in domestic matters. That is fully in line with the principles underpinning the UN Charter. We should also recognize that the role of our Organization is to support and assist countries in applying the ILO Conventions. Our role is not to impose measures and sanctions on any Member State, particularly not a Member State that has voluntarily joined this Organization and voluntarily ratified its Conventions.

Miembro gubernamental, República Bolivariana de Venezuela (Sra. ZINGALES) - En nombre del Gobierno de la República Bolivariana de Venezuela agradecemos y valoramos la información suministrada por el Gobierno de la República de Belarús sobre las medidas

adoptadas para implementar las recomendaciones de la OIT, de las cuales algunas han sido aplicadas íntegramente y en otras se han desarrollado importantes avances.

El Gobierno de la República Bolivariana de Venezuela reitera que las medidas impuestas al Gobierno de la República de Belarús se escapan del ámbito de competencia de los Convenios núms. 87 y 98 de la OIT y su aplicación genera consecuencias similares a la imposición de ilegales medidas coercitivas unilaterales que contradicen la Carta de las Naciones Unidas y atentan contra los derechos humanos de ese país, incluyendo los derechos laborales.

Es por ello que ningún Estado soberano ni organización que enarbole las banderas de la democracia debe alentar, amparar o ser indiferente ante tales acciones. Estas acciones, además de desvirtuar al espíritu real que establece la libertad sindical, la protección de la sindicalización y la negociación colectiva de los trabajadores, socaban el amplio diálogo que el Gobierno de la República de Belarús ha sostenido con distintos sectores sindicales y organismos especializados en la materia en favor de la promoción y protección de los derechos laborales para sus trabajadores y trabajadoras.

El Gobierno venezolano aboga por un diálogo franco y directo que integre las voluntades de los distintos actores de la sociedad de ese país a los fines de estimular, entre otras prioridades, la protección social en favor de su pueblo y el fomento de sus derechos laborales.

Finalmente, el Gobierno de la República Bolivariana de Venezuela solicita a la OIT que propicie la cooperación y la asistencia técnica que puedan entablar con el Gobierno de la República de Belarús con el fin de proseguir con los esfuerzos que deriven en el avance de las recomendaciones, así como el desarrollo de las relaciones armoniosas y duraderas entre los interlocutores sociales de ese país.

Miembro gubernamental, Nicaragua (Sra. BOHORQUEZ PALACIOS) - Estimados delegados, el Gobierno de Reconciliación y Unidad Nacional de Nicaragua, rechaza la

manipulación de información sobre la aplicación de los Convenios núms. 87 y 98, en la República de Belarús. A partir de estos falsos que se ha querido interferir en los asuntos internos de la República de Belarús, para crear desinformación, aumentar la presión política sobre el Gobierno legítimo de esta hermana nación y justificar las medidas restrictivas unilaterales occidentales en contra del pueblo bielorruso.

Nicaragua reconoce los logros de la República de Belarús en el desarrollo de la esfera social y laboral, sus esfuerzos y acciones para garantizar a los ciudadanos el derecho al trabajo y alcanzar el Objetivo de Desarrollo Sostenible 8, promover el crecimiento económico inclusivo y sostenible, el empleo pleno y productivo y el trabajo decente para todos.

Destacamos que en los últimos cinco años los salarios en la República de Belarús han aumentado 1,7 por ciento, lo que confirma la eficacia en la política seguida por el Estado.

Las personas con discapacidad se encuentran en la zona de atención constante del Estado, se le garantiza el apoyo social en forma de diversos subsidios sociales, el suministro de medios técnicos de rehabilitación social y servicios sociales.

Respecto de los derechos sindicales particularmente el cumplimiento de los Convenios núms. 87 y 98 de la OIT, resaltamos que el Gobierno de Belarús ha señalado reiteradamente a la atención de los órganos de control de la OIT, la ausencia de contradicción entre la legislación y la práctica nacionales, y las disposiciones de los convenios de la OIT sobre la libertad sindical.

En Belarús, prevalece el estado de derecho y existen las condiciones necesarias para el establecimiento y el ejercicio de actividades legales de los sindicatos y su estructura organizativas.

Como miembro de esta Organización reiteramos que es deber de todas las naciones fomentar las relaciones de amistad basadas en el respeto, el principio de igualdad de derecho

y la obligación que nos impone la Carta de las Naciones Unidas, a no intervenir en los asuntos que son esencialmente de la jurisdicción interna de los Estados.

Rechazamos la manipulación y nos oponemos a las acusaciones infundadas contra la República de Belarús, con fines políticos basadas en la desinformación.

Government member, United States of America (Ms MORGAN) – The United States thanks the Office for the update on the situation in Belarus, including the Director-General's June 2024 report. We note the April 2024 written information from the Belarusian authorities.

One year has passed since the adoption of the resolution invoking article 33, and two decades have passed since the 2004 Commission of Inquiry.

We are deeply concerned that the Belarusian authorities have failed to take meaningful action to implement the recommendations of the Commission of Inquiry and of the ILO supervisory bodies to comply with ILO Conventions Nos 87 and 98. The authorities have not cooperated with the ILO on the article 33 action plan, refusing an ILO tripartite mission to the country.

We deplore the ever-worsening repression of trade unionists and workers for exercising their fundamental labour rights, as reported by the BKDP. Trade union leaders and labour activists continue to be harassed, detained, monitored by the police, restricted in movement, and forced to flee the country.

We are extremely concerned for the well-being of the 39 Belarusian trade unionists still imprisoned under severe conditions, including forced labour and without access to or communication with their lawyers or families.

We urge the authorities in Belarus to immediately and unconditionally release trade unionists imprisoned for exercising their fundamental labour rights immediately, including the

ILO Governing Body member Mr Aliaksandr Yarashuk, who has been detained since 2022 under inhumane conditions, and Ms Palina Sharenda-Panasiuk, held incommunicado since January 2024.

We thank the Office for beginning to implement the article 33 resolution action plan by convening the High-Level roundtable on freedom of association in Belarus, which gathered UN Special Rapporteurs to provide in-depth perspectives into the situation and encourage further collective action in the ILO and the broader UN system. We encourage the Office to identify additional measures to expand and amplify such collective action.

We again urge the Belarusian authorities to fully cooperate under the article 33 resolution, particularly by: permitting an ILO tripartite mission to visit imprisoned trade unionists; cooperating on the appointment of a special representative of the Director-General to supervise all action related to implementing the Commission of Inquiry recommendations; and taking all necessary steps for prompt, effective implementation.

We also encourage all ILO Member States and social partners to continue taking all possible measures in accordance with the resolution adopted under article 33, including ceasing all relations that the Belarusian authorities can leverage against workers and the freedom of association, and respecting the principle of non-refoulement for exiled Belarusian activists and trade unionists and their families.

Government member, Pakistan (Mr ABDULLAH) – We welcome the continued cooperation between the ILO and the Government of Belarus in working towards the implementation of the Commission of Inquiry's recommendations.

Dialogue and engagement are essential for addressing concerns and promoting labour rights. We urge all parties to engage in constructive dialogue. The tripartite approach is

essential for addressing concerns and enforcing labour rights. There is a need to explore creative solutions to overcome any remaining challenges.

We commend and encourage the Government of Belarus to continue its collaboration with the ILO, emphasizing the importance of cooperation, and we hope that the measures taken will be given due consideration.

Observer, International Trade Union Confederation, CSI-ITUC (Mr PAZNIAKOU) – A year has gone by since the time when the Conference adopted a resolution on Belarus. This was a resolution related to the application of article 33 vis-à-vis Belarus as a result of infringement of the right to the freedom of association. New facts of violations were established and they speak for themselves. However, despite the seriousness of the consequences of this revolution, the Belarusian Government is rejecting any constructive proposal that has been put forward by the Governing Body. Instead of cooperation and attempts to resolve the situation, the Belarusian Government, with the help of the FPB that it controls is trying to convince the whole world that as a result of the adoption of this resolution the ILO has introduced economic sanctions against Belarus and they are describing this as political pressure on Belarus. Statements to that effect are simply an attempt to mislead everyone. Yes, sanctions have been introduced against Belarus but in fact they were introduced for completely different reasons long before the adoption of the ILO resolution. This is an attempt to evade responsibility for the destruction of independent trade unions in Belarus and the imprisonment of dozens of trade union leaders and activists. This behaviour on the part of the Government of Belarus can only lead to further escalation and it is absolutely not in the interest of the workers of Belarus. We hope that the Government will now take concrete steps to resolve this very serious situation. We fully abide by proposals from the ILO and its Governing Body, including recommendations that have been made by the commission of enquiry as well as conclusions from the Director-General. We call for the immediate

exclusion of all trade unionists from the list of terrorists and extremists. We also call for urgent access to be given to medical staff to examine Mr Yarashuk, Mr Berasneu, Mr Areshka, and Mr Fiadynich whose health is at risk today. Further we call for more active use to be made of cooperation between the ILO and the UN. Shared utilization of special procedures, such as communications, urgent appeals, press releases, site visits by special rapporteurs or moderators from, neutral countries, as a first step towards deescalating. Further we believe that we need to create a joint working group of the ILO and other UN bodies to work under auspices of article 33, and to develop a clear mechanism for information to be provided by Member States on measures taken with reference to resolution on Belarus, including annual reports for consideration by the Governing Body in March.

Observer, IndustriALL Global Union (Mr ÖZKAN) – It is unfortunate that the situation of human and trade union rights continues to be deteriorating in Belarus.

Just last week, at the ILO tripartite high-level round table on freedom of association in Belarus, the case of Belarus was characterized as being “catastrophic” due to severe violations as a general wave of unprecedented repressions has affected the country. Unfortunately, the Belarusian Government rejected to participate in that important event thus missing the opportunity for a constructive dialogue.

I want to call your attention to the deplorable situation of trade union members and activists who are in jail. Over the last two decades, the Government of Belarus has gradually criminalized the trade union work. Now, over the last four years, this level of criminalization has been escalated even further, and as a result the independent trade unions, three of them are the affiliates of IndustriALL, were disbanded. Along with this, many union members and activists, including leaders of our affiliates, were taken to prison on far-fetched and fabricated grounds.

About 40 union leaders and activists remain in jail. Their situation is very precarious. Bad health conditions, psychological pressure and various kinds of mistreatments have been reported. Independent trade union leaders and activists, recognized as political prisoners, must wear special yellow tags on their cloths as a sign of encouragement of abuse by the prison staff. Those who served their terms and released, afterwards remain pariahs in the society. They have no right to access their previous jobs.

The Belarusian Government continues disseminating fear throughout the society and tries to retaliate against every single person allegedly involved in the peaceful protests, even if they did not participate in person. Those who tried to express their solidarity with protesters or alleviate the situation of people in jail or their families and made financial donations for this purpose are now also subject to reprisals.

We want to recall the Committee that for years we have supported the right of our affiliates in Belarus to receive international solidarity. The ILO Commission of Inquiry made it clear as a recommendation. Not only this right has been denied, but even domestic support is also now considered a crime in Belarus.

The Belarusian authorities are now targeting those who make donations. Solidarity funds are treated as "extremist formations". It is reported that at least 77 people are known to have been convicted for donations under article 361-2 of the Criminal Code – financing an extremist formation.

We regret to state once again that the situation in Belarus remains catastrophic. Belarus must remain under the very strict scrutiny of the ILO and other UN agencies unless we see clear steps on the side of the Government.

And the very first step must be to have access to trade union activists and leaders currently in jail as well as their urgent and unconditional release with reinstatement of all civil and

political rights. We want to make sure that they are alive and healthy. We expect and demand this immediately. Our access to them must be ensured immediately.

Chairperson – Before moving on to the next speaker I would like to warmly welcome the ILO Director-General. The Committee is really honoured by your presence today. On behalf of the Committee, I would like to wish you all success in your endeavours during this Conference. Thank you, Director-General.

Observer, Building and Woodworkers' International (BWI) (Ms WIKSTROM) – In July 2022, the Supreme Court of Belarus liquidated the BKDP and its affiliates: the BNP, founded in 1991, the REP Union, founded in 1990, the Free Trade Union of Belarus (SPB) founded in 1991 and, finally, the SPM, founded in 1995. At the same time, the Government declared the BKDP and all independent unions “extremist organizations” and terminated their activities after arresting their leaders and activists.

In the period from March to August 2023, the Supreme Court of Belarus rejected three supervisory complaints filed by the SPM, the SPB and the BNP in relation to their liquidation by the Supreme Court in July 2022. In the case of the BNP, the Supreme Court considered that there was no violation of the law by the court of the first instance. In the case of the SPM and the SPB, the Court considered that the representatives of both organizations lacked the authority to file a complaint because, according to national legislation, the liquidation of a legal entity terminates the power of attorney issued by that legal entity. Thus, the forced termination of the trade union's activities excludes the possibility of the trade union representative appealing against the decision of the court.

These facts of simultaneous liquidation of trade union organizations, the Government declared independent trade unions as extremist organizations and thus delegitimizing their activities since the founding years, and the lack of the possibility for trade unions to appeal the

liquidation, results is that there are no legal mechanisms for trade unions and their members to protect their fundamental right to freedom of association.

Given the current situation in Belarus, workers are being denied their fundamental right to establish and join the union of their choice, and the absence of legal mechanisms to protect freedom of association is a pressing issue. It is therefore imperative for the ILO to act swiftly, implementing the action plan and developing further actions on the resolution concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution on the subject of Belarus.

Observer, International Union of Food and Allied Workers' Associations (IUF)
(Mr BUKETOV) – Much has been said here already about the persecution of trade union leaders and participants of trade union actions in Belarus. We would like to make a special mention of the situation of relatives and families of repressed trade union members. Having lost their sources of income, many families found themselves in a difficult financial situation. But they are forbidden to accept humanitarian aid, even in the form of food packages.

Back in 2001, Belarus introduced a permissive procedure for receiving foreign aid. This ban on international trade union solidarity was one of the first violations of freedom of association. Today these restrictions have been strengthened. Individual recipients of humanitarian aid are prosecuted and punished with fines many times the amount of the humanitarian aid which they receive. The UN High Commissioner for Human Rights called this practice a violation of a basic human right - the right to food. As a union of food workers, we call upon the Government to immediately lift these restrictions.

For many years Belarus has remained in the focus of ILO attention. For several years in a row, we hear from the Government that this attention is a manifestation of disrespect to Belarus as a Member State of the ILO. We cannot agree with this. The efforts that the ILO and

its members have made to help normalise the labour rights situation in the country are probably unprecedented.

Unfortunately, over the years, the Government has refused to recognize these efforts and has consistently violated the very basic principles on which our Organization was founded. This demonstration of disrespect culminated in the arrest of a member of the ILO's Governing Body, Aliaksandr Yaroshuk.

In response to calls to release trade union leaders, we hear figures about tens of thousands of collective bargaining agreements concluded at the enterprise level. But these figures are not impressive. They simply do not matter. As long as there is at least one trade union activist under arrest in the country, everything written in these agreements will remain an empty declaration.

Therefore, once again we call on the Government of the Republic of Belarus to back up its calls for a review of the application of article 33. To do this, it is necessary to demonstrate in practice its commitment to the ILO principles. As a first, obligatory step, release the member of the ILO Governing Body Aliaksandr Yarashuk and other trade union activists.

Many concrete proposals have been made here, the implementation of which would allow us to speak of some progress in respecting and fulfilling fundamental workers' rights in Belarus. We do hope that the Government will take this opportunity to report on concrete steps to the ILO Committee of Experts for consideration already in its next session.

Observer, Public Service International (PSI) (Mr RUBIANO) – I am afraid that I will also have to repeat a few things that have been said already here but the situation demands our view. So first I want to state that I adhere to what my previous colleagues and previous speeches have said about the situation in Belarus and address the deeply troubling situation regarding the treatment of trade unionists and other activists in the country. The persecution

and unjust imprisonment of trade unionists is a flagrant violation of international labour standards and human rights, and these ongoing repressions call for urgent and assisted action from the ILO and its Member States.

In 2020, our colleagues in the health sector, in various hospitals across the country, wanted to improve their working conditions for their own good and for the good of the patients, after observing the disastrous management of the pandemic by the Government of Belarus. But soon after, these individuals have been targeted solely for their legitimate trade union action, facing accusations that lack any credible basis. Nowadays they still remain in prison serving time in a penal quarantine or under house arrest.

The severe penalties and the inhuman treatment they endure reflect the broader behaviour by the Belarusian authorities to stifle any trade unionism and to suppress any form of association in the country. Such actions, as we all know, are a direct contravention of Convention No. 87.

So, I also call on this Committee to unequivocally denounce these egregious violations, we must send a clear and strong message to the Belarusian Government that the Member States and constituents of the ILO will not tolerate such a blatant disregard for fundamental labour rights.

Moreover, the Belarusian Government must take concrete steps to address all the concerns raised by the ILO to ensure full compliance with these obligations under Convention No. 87. This includes ending the harassment and accusation of trade union leaders guaranteeing their rights to freely associate and organize, enforcing an environment where labour rights are generally respected.

In conclusion, I hope that this Committee will reaffirm our collective commitment to protecting the rights of workers and trade unions everywhere, and that we stand in solidarity

with our colleagues in Belarus and work tirelessly to ensure that justice prevails and that the principles of the ILO are upheld worldwide.

Government member, Belarus (Mr STARAVOITAU) – I thank you for the opportunity to speak again to outline the position of the Government of Belarus.

First and foremost, I would like to thank representatives of countries that have expressed support for Belarus. Your support is very important for us. We see that Belarus is not alone in defending its right to independent development. What you have said gives us the hope that when assessing the situation in Belarus within the framework of this Committee, an objective and properly thought through approach will be taken.

On the other hand, we categorically disagree with a number of politically biased statements that have been made here by our opponents. Such statements are totally groundless. They are focused on the idea of creating some kind of information arena here, internationally, that can be used to justify the baseless and illegal sanctions that western countries have applied to the Republic of Belarus. The ILO is just another mechanism that is being used to exert pressure on Belarus. We are fully convinced that the ILO should distance itself as much as possible from any such actions.

Today we have heard assertions that throughout all of the period when we have had these recommendations from the Commission of Inquiry, the situation in Belarus has only gotten worse when it comes to compliance with ILO Conventions. But that is very far from the truth. I have already said that the supervisory bodies of the ILO have repeatedly commended what has been done by the Government of Belarus. For instance, in 2009, in conclusions from this Committee it was noted that progress had been made by the Government of Belarus in giving effect to recommendations of the Commission of Inquiry. The direct contacts mission, in Minsk in 2014, commended the work done by the tripartite social partnership bodies in Belarus and

noted that there was trade union pluralism in the country. As a result of that, proposals were put forward to organize a whole package of measures focused on further upgrading of the work of the tripartite social partnership bodies in the country, developing collective bargaining processes, as well as mechanisms for resolving trade disputes. All of these proposals were successfully put into practice by the Government of Belarus working with the ILO.

In 2015, as a result of the implementation of recommendation No. 2, we introduced changes to our legislation and we removed the requirement for at least 10 per cent of workers in an enterprise to join in order for a trade union to be created, and that is a measure that was very much commended by the Committee of Experts at the time. These positive steps resulted in a situation where, in 2017, Belarus for the first time was not included in the short list of the Committee and consideration of the issue of application of Convention No. 87 in the country simply became part of the regular reporting regime. As a result, for four years, from 2017 to 2021, the question of compliance by Belarus with Convention No. 87 was not considered within this Committee. It is clear that such changes in the approach to the consideration by the ILO of the “Belarusian question” would not have been possible unless serious steps forward had been taken by the Government and unless those steps had been positively commended by the supervisory bodies. All of this shows the absurdity and groundless nature of the situation that has now arisen with reference to the article 33 action against Belarus.

I would like to emphasize that this serious and systemic work that is being done by Belarus to develop social dialogue and tripartism has not been done so that we can look good in the eyes of the ILO. This is rather part of our domestic policy, it is enshrined in the Constitution of the country and in the Presidential Decree adopted on 15 July 1995, Decree No. 278 on the development of social partnership within the Republic of Belarus. We are convinced that only by working together, the State, the employers and the workers working together, is it possible to achieve a balanced and stable socio-economic and development for our country, and to

develop our society. I reject all doubts and criticisms as to the legitimacy of our tripartite bodies. Such allegations are entirely baseless. We are also accused of supposedly not giving new information to the Committee, and just repeating our old arguments. But that is not a Government of Belarus. We are compelled again and again to explain our position because it is not appropriately taken into account.

For instance, when it comes to the Government of Belarus, again we have been accused of holding some people responsible supposedly for their trade union activities, participation in peaceful demonstrations and so on. We simply reject that. No one in Belarus is held to account in criminal terms for any lawful activity they undertake. Trade unions in our country have a lot of rights, to participate in establishing socio-economic policy, collective bargaining, and to defend the interests of workers. However, if citizens participate in illegal mass rallies or if they undertake other activities that are against the law, then they must feel the weight of the law. After all, it is one law for everyone. And it is true, that some citizens are indeed serving sentences or being punished, but that is not because of their trade union activities. It is not because of any legitimate or peaceful exercise of civil rights and freedoms. All of those who are being punished were found criminally responsible, and information on that has been given to the ILO. Attempts by our opponents to say that what has been done is that they have been punished simply for exercising trade union rights is just not true and is just a manipulation of the facts. I have already said what has happened in Belarus since 2020, where we have seen the illegal interference of a number of western countries in the internal affairs of our country. We have seen efforts to support violent demonstrations, extremist activities that threaten the good order of our country. We have seen that all of those involved in that have been brought to book and they are indeed being appropriately punished.

Now, we have seen, therefore, that people have not been held responsible for trade union activities but they have been held responsible for criminal activities, and that being so, all those

who break the law have to be punished and to try to say that that is not what is happening is highly irresponsible. I would emphasize that all of these cases have gone before a court. There has been evidence, there has been proof of what has happened, and indeed it could not be any different in a democratic State based on the rule of law. I have already referred to what happened in 2020 and the role of the BKDP. This Congress was involved in criminal, extremist activity. It was focused on discrediting the country, destabilizing the situation in the country and despite that, it continued to exist, but it no longer reflects in any way the interests of workers of our country. And yet, the bodies of the ILO seem to take account of its grievances and complaints. Sadly, on the basis of false information provided, an argument is created that supports the stepping up of pressure of Belarus. We do not accept that. We categorically reject it. We consider that the ILO, workers and employers need to start genuine dialogue with those who, today, genuinely are upholding tripartism in Belarus. The Government of Belarus and the social partners, that is to say, the FPB and also the Confederation of Employers and Workers are ready to enter into constructive interaction with the ILO. By giving into the arguments put forward by the opponents of Belarus in recent years, the ILO has ended up taking biased, politicized decisions focused against the interests of Belarus and its people. But the ILO is a very special Organization. It is focused on something quite different. It is always being a champion of dialogue and cooperation. That is one of the underlying principles of this Organization, and the Government of Belarus, for its part, is interested in finding things that can bring us together and continuing an open, constructive dialogue with the ILO in the interests of our society and our State. However, in order for there to be such a dialogue, ILO bodies and its tripartite constituents have to be interested in playing fairly by the rules, recognizing what is really happening today, listening to what is being said by the Government of Belarus, and taking our national interests into account. We will not allow anyone to intervene in our domestic affairs, to undertake a policy that is focused on destabilizing our country and

our development, on damaging the welfare and the well-being of our people, and we will always reject that and stand for our own independence and sovereignty. Anti-Belarus decisions from the ILO are simply getting us nowhere, and instead of this approach we need to take a new approach where we can actually create trust and confidence working together in the interests of development of social and labour relations in our country. We call all tripartite participants and supervisory bodies of the ILO to take just such an approach. We stand ready for honest and equal dialogue.

In conclusion, I would like to note one further point. You have all heard the discussion here this morning. You have all heard what was said, and I think no one in this room that on the issue of Belarus, today, there was any consensus. We have heard a lot of statements in support of Belarus and of course there have been some who spoke against, so it is my view that that is something that has to be reflected in the minutes of this meeting. The position of Belarus was put forward but in fact there was no consensus, and I certainly would call upon the ILO and this Committee to refrain from policies intended to exert pressure on Belarus but rather to seek to cooperate with us in accordance with the fundamental principles of the ILO.

Worker members – We have listened to the interventions and thank all for those interventions and we draw particular attention to the grouped statements of governments which, by themselves, represent altogether already over 45 governmental expressions of support for the need to address the violation of workers' rights in the context of the article 33 measures adopted by the Conference last year. And let us not forget, the specific individual governmental interventions who also expressed their support. Thus, a lot of governmental support was expressed.

Regrettably, what I have witnessed here today, is the same unhelpful approach by the Government of Belarus already taken in the last years.

Contrary to what the Government claims, there is no plot against the Government of Belarus. The Government is the one that has eradicated independent unions in Belarus and imprisoned trade union leaders.

The Government of Belarus has repeated these comments but it does not correspond with the reality of the lives of workers in Belarus or indeed that of our Belarus trade union colleagues who are in exile.

It is worth noting that the UN special rapporteur on freedom of association recalled, during the high-level round table, that full enjoyment of freedom of association was essential to democracy and the society as a whole. This freedom is not respected in Belarus.

The special rapporteur also emphasized that, in view of the centrality of freedom of association, it was therefore essential that trade union activities and work was not stigmatized. Indeed, workers' rights and freedom of association are human rights.

Also, at the same round table, the UN Special Rapporteur on the independence of judges and lawyers was clear that the rule of law was necessary to ensure freedom of association in practice. She expressed concern over recent legislation in Belarus which tightened Government authority over the legal profession and the judiciary.

It is obvious to everyone that there is absolutely no progress on the implementation of the recommendations of the Commission of Inquiry and that of the supervisory system.

We fully endorse the ILO's action plan to implement article 33 measures with respect to Belarus.

In conclusions we call on the Government to accept a tripartite mission to assess the situation and to meet imprisoned (and released) unionists.

The Government must immediately accept an international humanitarian mission to ensure that independent doctors can visit imprisoned trade unionists Messrs Yarashuk, Beresneu, Areshka, Fedynich, and so on, to assess their health.

Belarus must implement, in law and practice, the recommendations of the Commission of Inquiry and the recommendations of the supervisory bodies in that regard, as a matter of utmost urgency.

In line with the action plan, we call on the ILO Director-General to ensure that there is continuous interaction with the UN human rights' bodies in order to implement jointly, mechanisms of special procedures, including notes, reports, visits (e.g. rapporteurs or ambassadors from neutral countries to trigger de-escalation) and also to set up a working group of ILO and other UN institutions.

The ILO must also collect information about measures that Member States have undertaken under the article 33 resolution.

We note that forced exile of trade unionists for their legitimate trade union activities is a daily reality. We therefore call on ILO Member States to respect the principle of non-refoulement to ensure that trade unionists forced into exile are not returned to Belarus where they may be subject to arbitrary arrest and torture. They should assist Belarusian citizens residing in their countries who may not have valid travel documents due to their inability to receive consular services.

We call on the ILO Director-General to appoint a special envoy to interact with governments and UN agencies to ensure the implementation of the article 33 resolution.

We must conclude by recalling that according to the article 33 resolution, our Committee is to hold, at our future sessions, a special sitting for Belarus until Belarus fulfils its obligations.

We urge the Government of Belarus to engage constructively with the ILO so that in the next sitting, we can see some light at the end of this very dark tunnel of the systematic violation of trade union rights in Belarus.

Employer members – The Employers' group thanks the various speakers who took the floor for their interventions and information provided of which we have fully taken note.

We reiterate that ILO Conventions Nos 87 and 98 are fundamental Conventions which therefore require special consideration by the ILO, governments, workers and employers.

The Employers wish to stress once again that we strongly condemn non-compliance with ratified ILO Conventions Nos 87 and 98.

The Employers recognize signs of the Government's willingness to cooperate with the ILO on issues concerning the implementation of ILO Conventions Nos 87 and 98.

We recommend the Government of Belarus to receive as a matter of urgency an ILO tripartite mission with a view to gathering information on the implementation of the recommendations of the Commission of Inquiry and the recommendations of the supervisory bodies of the ILO.

We recommend the Government to engage with the ILO with a view to implementing the recommendations of the ILO supervisory bodies and to report to the ILO about the measures taken.

In conclusion, we count on the cooperation of the Government of Belarus in full respect of ILO Conventions Nos 87 and 98 in law and practice.

The Employers' group stands ready to constructively support this process.

Chairperson – We have now concluded this special sitting on Belarus. The conclusions will be adopted on Thursday, 13 June.

It concludes our agenda for this morning's sitting. We will continue during the afternoon sitting at 3 p.m. sharp, and we will start with the first case of Uganda – Convention No. 38, to be followed by the case of Paraguay – Convention No. 81 and the case of Türkiye – Convention No. 98. I wish you a good meal. The meeting is closed.

The sitting closed at 12.55 p.m.

La séance est levée à 12 h 55.

Se levantó la sesión a las 12.55 horas.