



Governing Body

351st Session, Geneva, 15 June 2024

Decisions adopted by the Governing Body at its 351st Session

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► Institutional Section

1. Election of the Officers of the Governing Body for 2024–25

The Governing Body elected for the 2024–25 period:

- Mr Seong Deok Yun, Ambassador, Permanent Representative of the Republic of Korea to the United Nations Office and other international organizations in Geneva, to the post of Chairperson;
- Ms Renate Hornung-Draus (Employer, Germany) as Employer Vice-Chairperson; and
- Ms Catelene Passchier (Worker, Netherlands) as Worker Vice-Chairperson.

2. Approval of the minutes of the 350th Session of the Governing Body

The Governing Body approved the minutes of its 350th Session, as amended.

(GB.351/INS/2, paragraph 2)

3. Appointment of Governing Body committees and bodies and of the Board of the International Training Centre of the ILO (GB.351/INS/3)

The Governing Body:

- (a) reappointed Professor Evance Rabban Kalula as Chairperson of the Committee on Freedom of Association for the period 2024–27;
- (b) appointed for the period 2024–27 the Governing Body members mentioned in document [GB.351/INS/3\(Add.1\)](#), as members of the Committee on Freedom of Association;
- (c) conveyed its appreciation to Ms Thérèse Boutsen (Belgium) for the valuable services rendered as Chairperson of the Standards Review Mechanism Tripartite Working Group since 2021;
- (d) appointed for the period 2024–27 Mr Ramón Muñoz Castro (Colombia) as Chairperson of the Standards Review Mechanism Tripartite Working Group;
- (e) noted the appointment of the 32 members of the Standards Review Mechanism Tripartite Working Group for the same period, made by the three groups and listed in document [GB.351/INS/3\(Add.1\)](#);
- (f) appointed 24 of its members as members of the Board of the International Training Centre of the ILO for the period 2024–27 (see [GB.351/INS/3\(Add.1\)](#)).

(GB.351/INS/3, paragraph 11)

4. Questions arising out of the 112th Session of the International Labour Conference requiring immediate attention

The Governing Body decided to add to the agenda of its 352nd Session (October–November 2024) two items for debate and decision:

- (a) The status of Palestine in the ILO and participation rights of Palestine in ILO meetings following the United Nations General Assembly resolution ES-10/23;

- (b) Possible options that could allow employers' and workers' representatives from Myanmar to contribute to the work of future sessions of the Conference, based on the recommendation of the Credentials Committee of the 112th Session of the International Labour Conference.

(GB.351/INS/4)

5. **Adoption of the Statement of the Working Party on the New Social Contract for our Common Agenda (GB.351/INS/5)**

The Governing Body, in accordance with the agreed road map:

- (a) requested the Director-General to transmit to the co-facilitators of the intergovernmental preparatory process leading up to the Second World Summit for Social Development in 2025 his Report entitled *Towards a renewed social contract*;
- (b) instructed the Working Party to prepare the draft key messages of the tripartite input to the 2025 Summit, for approval at its 352nd Session (October–November 2024). In doing so, the Working Party should take into account, as far as possible, the Conference discussions on the Report of the Director-General entitled *Towards a renewed social contract*.

(GB.351/INS/5, paragraph 7, as amended by the Governing Body)

6. **Review of the functioning of the Governing Body, identification of possible areas for improvement and arrangements and time frame for results-based follow-up action**

The Governing Body:

- (a) requested the Office to prepare for its consideration at the 352nd Session (October–November 2024) an issues paper containing an analysis of the matters outlined in paragraph 2 of document GB.351/INS/6 and relevant recommendations, taking into account the guidance provided during the discussion;
- (a) decided to continue its discussion on the content, form and modalities of the review of the functioning of the Governing Body at the 352nd Session (October–November 2024), and, to this end, requested the Office to prepare for further decision by the Governing Body:
 - (i) procedural proposals for the composition, terms of reference and duration of a working party;
 - (ii) a road map and time frame for tripartite intersessional consultations.

(GB.351/INS/6, paragraph 8, as amended by the Governing Body)

7. **Developments in the application of the resolution concerning the Russian Federation's aggression against Ukraine from the perspective of the mandate of the International Labour Organization**

In the light of the developments in Ukraine outlined in document GB.351/INS/7 and the resolution concerning the Russian Federation's aggression against Ukraine from the perspective of the mandate of the International Labour Organization (ILO), adopted at its 344th Session (March 2022), and taking into account the discussions held and the guidance provided during its 350th Session, the Governing Body:

- (a) noted the information provided in the document;
- (b) reiterated its most profound concern at the continuing aggression by the Russian Federation, aided by the Belarusian Government, against Ukraine and at the impact that this aggression is having on the tripartite constituents – workers, employers and the democratically elected Government – in Ukraine, and on the world of work beyond Ukraine;
- (c) urged the Russian Federation again to immediately and unconditionally cease its aggression and withdraw its troops from Ukraine;
- (d) urged once again the Russian Federation to meet all the obligations following from its ratification of ILO Conventions, including the Maritime Labour Convention, 2006, as amended (MLC, 2006), in particular in relation to the repatriation of seafarers and access to medical care; the Radiation Protection Convention, 1960 (No. 115), in relation to the exposure of workers to ionizing radiations in the course of their work; and the Forced Labour Convention, 1930 (No. 29), and its accompanying Protocol of 2014, and to ensure the full protection provided by these instruments to all workers currently performing work under its control;
- (e) reiterated its unwavering support for the tripartite constituents in Ukraine, requested the Director-General to continue to respond to the constituents' needs in Ukraine and to expand the ILO's resource mobilization efforts, including in forthcoming international donor conferences on recovery and reconstruction;
- (f) requested the Director-General to continue to enhance resource mobilization efforts for other affected countries across Eastern Europe and Central Asia;
- (g) requested the Director-General to continue to monitor the impact on the world of work of the Russian Federation's aggression against Ukraine and to report to the Governing Body at its 352nd Session (October–November 2024) on developments in the light of the resolution, including the ILO's continued engagement with the relevant United Nations bodies involved in monitoring human rights violations and the situation of maritime and nuclear workers.

(GB.351/INS/7, paragraph 42)

8. Complaint alleging non-observance by Guatemala of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

Recognizing the commitment of the new Government to overcome the legislative and practical difficulties in the application of Conventions Nos 87 and 98 and to strengthen the practice of mature and ongoing social dialogue to that effect, the Governing Body:

- (a) requested the Government to intensify its efforts to implement Conventions Nos 87 and 98;
- (b) requested the Office to expand its technical assistance programme to ensure further progress in the implementation of the referred Conventions;
- (c) strongly encouraged the international community to contribute to the above-mentioned technical assistance programme by providing the necessary resources;

- (d) requested the Government of Guatemala to report on further progress made to address all the outstanding issues mentioned in the article 26 complaint at its 352d Session (October–November 2024);
- (e) deferred to its 352nd Session (October–November 2024) the decision to consider further action in respect of the article 26 complaint, in light of the follow-up given to paragraphs (a) to (d) above.

(GB.351/INS/8(Rev.1), paragraph 16)

9. **Follow-up to the report of the Commission of Inquiry on the non-observance by Myanmar of C87 and 29, and to the resolutions concerning Myanmar adopted Myanmar adopted by the ILC at its 102nd (2013) and 109th (2021) Sessions**

Recalling the resolution for a return to democracy and respect for fundamental rights in Myanmar adopted by the International Labour Conference at its 109th Session (2021) and noting with utmost concern the absence of any action towards the implementation of the recommendations of the Commission of Inquiry in its 2023 report which emphasized the urgency of the national situation, the Governing Body:

- (a) deplored once again the continued absence of progress towards respecting the will of the people, democratic institutions and processes, and the fact that, over three years since the military coup, the democratically elected government had yet to be restored;
- (b) once again called on the military authorities to end immediately all acts of violence, and the arbitrary arrest, detention and torture of trade unionists, labour activists and others, including the Rohingya, in the exercise of their human rights and ensure the immediate release of those detained;
- (c) repeated its call for Myanmar to ensure that workers' and employers' organizations are able to exercise their rights in a climate of freedom and security, free from violence, arbitrary arrest and detention, by means of the full implementation of the recommendations of the Commission of Inquiry, which include the revocation of any military orders, legislative or other measures, decreed since February 2021 and identified as restricting freedom of association and the basic civil liberties of trade unionists;
- (d) expressed once again its profound concern over the conclusions of the Commission's report concerning the exaction of forced labour by the military authorities and called for immediate action to be taken to put an end, in law and in practice, to any forced recruitment into the military contrary to Convention No. 29, including the forced recruitment of children;
- (e) called once again on the military authorities, in accordance with the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947, to take immediate action to remove all restrictions on the operation of the ILO's bank account, approve international staff visa extensions and facilitate the ILO's continued operations to bring benefits to the people of Myanmar despite the expiry of the Memorandum of Understanding on the Decent Work Country Programme in September 2022;
- (f) requested the Director-General to continue to inform it of the ILO's engagement within the framework of the UN system to ensure that the Commission's recommendations are acted upon within each body's respective mandates;

- (g) requested the Director-General to submit to the Governing Body at its 352nd Session (October–November 2024) a document providing an update on any developments and detailing options, taking account of the views expressed, for measures under article 33 of the ILO Constitution as well as other measures to secure compliance by Myanmar with the recommendations of the Commission of Inquiry, including setting out a draft resolution under article 33 of the ILO Constitution for decision.

(GB.351/INS/9(Rev.1), paragraph 29)

10. **Report of the Committee on Freedom of Association**

The Governing Body took note of the introduction to the report of the Committee, contained in paragraphs 1–56, and adopted the recommendations made in paragraphs: 74 (Case No. 3269: Afghanistan); 90 (Case No. 3388: Albania); 105 (Case No. 3431: Angola); 128 (Cases Nos 2761 and 3074: Colombia); 162 (Case No. 3234: Colombia); 171 (Case No. 2923: El Salvador); 188 (Case No. 3445: El Salvador); 222 (Case No. 3148: Ecuador); 249 (Case No. 2609: Guatemala); 267 (Case No. 2508: Islamic Republic of Iran); 311 (Case No. 3405: Myanmar); 338 (Case No. 3442: Pakistan); 358 (Case No. 3300: Paraguay); 382 (Case No. 3228: Peru); 404 (Case No. 3392: Peru); 426 (Case No. 3443: Portugal) and adopted the 407th Report of its Committee on Freedom of Association as a whole.

(GB.351/INS/10)

11. **Report of the Director-General**

11.1. **First supplementary report: Closure of the representation alleging non-observance by Uruguay of the Hours of Work (Industry) Convention, 1919 (No. 1), the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30), and the Occupational Safety and Health Convention, 1981 (No. 155) pursuant to a successful conciliation process**

The Governing Body, noting that an agreement had been reached between the parties concerned following a conciliation process, and on the recommendation of the ad hoc tripartite committee, decided to close the procedure of the representation alleging non-observance by Uruguay of the Hours of Work (Industry) Convention, 1919 (No. 1), the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30), and the Occupational Safety and Health Convention, 1981 (No. 155).

(GB.351/INS/11/1, paragraph 5)

11.2. **Second supplementary report: Report of the Committee set up to examine the representation alleging non-observance by Mexico of the Social Security (Minimum Standards) Convention, 1952 (No. 102)**

In the light of the conclusions and recommendations set out in the report of the Committee contained in document GB.351/INS/11/2, the Governing Body:

- (a) approved the report of the Committee and, in particular, the conclusions formulated in paragraph 31;
- (b) requested the Government to provide the Committee of Experts on the Application of Conventions and Recommendations with information on the matters addressed in the report and in the Committee's conclusions; and

- (c) decided to make the report publicly available and to close the procedure initiated by the representation.

(GB.351/INS/11/2, paragraph 32)

11.3. Third supplementary report: Report of the Tripartite Committee set up to examine the representation alleging non-observance by Brazil of the Indigenous and Tribal Peoples Convention, 1989 (No. 169)

In light of the conclusions and recommendations set out in the report of the Committee contained in document GB.351/INS/11/3, the Governing Body:

- (a) approved the report of the Committee and, in particular, the Committee's conclusions in paragraphs 47, 50, 53, 58 and 60;
- (b) requested the Government to provide information on the follow-up given to the Committee's conclusions and recommendations for examination by the Committee of Experts on the Application of Conventions and Recommendations at its next session in 2024; and
- (c) decided to make the report publicly available and to close the representation procedure.

(GB.351/INS/11/3, paragraph 62)

11.4. Fourth supplementary report: Report of the Committee set up to examine the representation alleging non-observance by Colombia of Conventions Nos 3, 12, 17, 18, 24, 25 and 144

In light of the conclusions and recommendations set out in the report of the Committee contained in document GB.351/INS/11/4, the Governing Body:

- (a) approved the report of the Committee and in particular the conclusions in paragraphs 33, 34 and 37;
- (b) requested the Government to provide the Committee of Experts on the Application of Conventions and Recommendations with information on the subjects raised in the report and the Committee's conclusions;
- (c) decided to publish the present report and to close the procedure initiated by the representation.

(GB.351/INS/11/4, paragraph 38)

11.5. Fifth supplementary report: Report of the Committee set up to examine the representation alleging non-observance by France of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)

In the light of the conclusions and recommendations set out in the report of the Committee contained in document GB.351/INS/11/5, the Governing Body:

- (a) approved the report of the Committee;
- (b) invited the Government to take into consideration the observations made in paragraph 28 of the Committee's conclusions in the context of the application of Convention No. 87 and to inform the different competent authorities accordingly;

(c) decided to make the report publicly available and to close the representation procedure.
(GB.351/INS/11/5, paragraph 30)

12. Reports of the Officers of the Governing Body

12.1. First report: Representation alleging non-observance by Chile of the Maritime Labour Convention, 2006, as amended (MLC, 2006), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)

In the light of the information contained in document GB.351/INS/12/1, and taking into consideration the recommendation of its Officers as well as the agreement expressed by the parties to voluntary conciliation, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it while granting a suspension of the examination of the merits of the representation under the conditions set out in article 5, paragraph 1 of the Standing Orders concerning the procedure for the examination of representations under articles 24 and 25.

(GB.351/INS/12/1, paragraph 5)

12.2. Second report: Representation alleging non-observance by the Dominican Republic of the Protection of Wages Convention, 1949 (No. 95), the Social Security (Minimum Standards) Convention, 1952 (No. 102), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Equality of Treatment (Social Security) Convention, 1962 (No. 118)

In the light of the information contained in document GB.351/INS/12/2, and taking into consideration the recommendation of its Officers, the Governing Body decided:

- (a) that the representation was not receivable in relation to the Equality of Treatment (Social Security) Convention, 1962 (No. 118);
- (b) that it was receivable in relation to the Protection of Wages Convention, 1949 (No. 95), the Social Security (Minimum Standards) Convention, 1952 (No. 102), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and to set up a tripartite committee to examine it.

(GB.351/INS/12/2, paragraph 10)

12.3. Third report: Representation alleging non-observance by Ecuador of the Indigenous and Tribal Peoples Convention, 1989 (No. 169)

In the light of the information contained in document GB.351/INS/12/3, and taking into consideration the recommendation of its Officers, the Governing Body decided that the presentation is receivable and to appoint a tripartite committee to examine it.

(GB.351/INS/12/3, paragraph 5)

13. Composition, agenda and programme of standing bodies and meetings

The Governing Body adopted the proposed decisions relating to follow-up to the second meeting of the Joint ILO–IMO Tripartite Working Group to identify and address seafarers' issues and the human element held in February 2024, as indicated in paragraph 3 of document GB.351/INS/13(Rev.1).

(GB.351/INS/13(Rev.1), paragraph 22)

Upon the recommendation of its Officers, the Governing Body:

- (a) appointed for a period of three years, two new members of the Committee of Experts on the Application of Conventions and Recommendations:
 - (i) Professor J.M. Tchakoua (Cameroon);
 - (ii) Professor M.K. Youssoufi (Morocco);
- (b) reappointed for a period of three years the following five members:
 - (i) Mr Shinichi AGO (Japan);
 - (ii) Ms Lia ATHANASSIOU (Greece);
 - (iii) Ms Kamala SANKARAN (India);
 - (iv) Ms Deborah THOMAS-FELIX (Trinidad and Tobago);
 - (v) Mr Bernd WAAS (Germany);
- (c) approved the arrangements for the third meeting of the Joint ILO–IMO Tripartite Working Group to identify and address seafarers' issues and the human element, including the date, purpose and composition;
- (d) approved the venue and date of the 20th American Regional Meeting, with further arrangements to be determined at its 352nd Session (October–November 2024);
- (e) endorsed the proposals made in relation to the invitation of intergovernmental and international non-governmental organizations to official meetings, as listed in Appendix II to document GB.351/INS/13(Rev.1);
- (f) took note of the programme of meetings contained in Part II of document GB.351/INS/13(Rev.1), subject to further decision-making of the Governing Body.

(GB.351/INS/13(Rev.1), paragraph 23)