



Governing Body

353rd Session, Geneva, 10–20 March 2025

Institutional Section

INS

Date: 13 March 2025

Original: English

Fifteenth item on the agenda

Report of the Director-General

Fourth Supplementary Report: Closure of the representation alleging non-observance by Chile of Conventions Nos 87 and 98, pursuant to a successful conciliation process

1. In a communication dated 17 May 2023 the three trade unions of a mining enterprise (the Caletones Workers' Union, the Chuquicamata Workers' Union and the Potrerillos Workers' Union No. 2) and the Single Central Organization of Chilean Workers (CUT), made a representation to the International Labour Office under article 24 of the ILO Constitution alleging non-observance by Chile 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).
2. At its 349th Session, the Governing Body, in the light of the information contained in document GB.349/INS/19/12, and taking into consideration the recommendation of its Officers, decided that the representation was receivable and, as it related to Conventions dealing with trade union rights, decided to refer it to the Committee on Freedom of Association for examination in accordance with articles 24 and 25 of the ILO Constitution.
3. On 14 December 2023, the Government expressed its willingness to refer the dispute to voluntary conciliation at the national level. Following a subsequent mission by the International Labour Standards Department to the country, the parties initiated the conciliation procedure.
4. On 15 November 2024, the Government informed that an agreement had been reached between the parties as a result of a conciliation process. The Government indicated that this agreement put an end to the conflict underlying the article 24 representation and requested its closure.

5. The said agreement, which indicated that this brought an end to all matters set out in the representation and was signed by all parties, was transmitted to the Committee on Freedom of Association, which subsequently decided to recommend to the Governing Body that the representation be closed, in accordance with article 7(2) of the Standing Orders concerning the procedure for the examination of representations under articles 24 and 25 of the ILO Constitution.

► Draft decision

6. **The Governing Body, noting from the report of the Committee on Freedom of Association that an agreement had been reached between the parties concerned following a conciliation process, decided to close the procedure of the representation alleging non-observance by Chile 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).**