International Labour Organization

▶ GB.356/INS/17

Governing Body

356th Session, Geneva, 23 March–2 April 2026

Institutional Section

INS

Date: 6 March 2026
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Seventeenth item on the agenda

Update concerning the Commission of Inquiry established to examine the non-observance by Nicaragua of Conventions Nos 87, 98, 111 and 144

1. At its 353rd Session (March 2025), the Governing Body decided to establish a Commission of Inquiry to consider the allegations set out in a complaint concerning non-observance by the Government of Nicaragua of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), submitted under article 26 of the ILO Constitution by several Employers' delegates to the 111th Session (2023) of the International Labour Conference. [1]

2. At that session, the Governing Body adopted a decision concerning the financial implications of a Commission of Inquiry. In particular, it decided that:

(a) an honorarium of US$350 per day would be paid to each member of the Commission of Inquiry;

(b) the cost of the Commission, which is estimated at US$1,262,869, would be financed in the first instance from savings that may arise under Part I of the budget for 2024–25 or, failing

[1] At the March 2025 session, the Governing Body was informed that in a communication dated 27 February 2025, the Government of Nicaragua notified the ILO Director-General of its intention to withdraw from the Organization. In accordance with article 1, paragraph 5, of the Constitution of the ILO, the notice of withdrawal presented by the Government will take effect on 28 February 2027, provided that Nicaragua has, by that date, fulfilled all its financial obligations arising from its membership. It is important to remember that Nicaragua is currently bound and will remain bound by all the obligations arising from the Conventions it has ratified and the obligations relating thereto, for the period provided for in the said Conventions, irrespective of its status within the Organization. See GB.353/INS/15(Add. 1).

that, through the use of the provision for unforeseen expenditure, in Part II. Should this not prove possible, the Director-General would propose alternative methods of financing at a later stage in the biennium. [2]

3. At its 354th Session (June 2025), the Governing Body appointed the following persons to serve on the Commission of Inquiry: Ms Kemelmajer de Carlucci (Argentina) as Chairperson and Ms Pardo Schlesinger (Colombia) and Ms Bensusán Areous (Mexico) as members. [3]

4. In July 2025, the Office informed the Government of Nicaragua and the International Organisation of Employers of the Commission's intention to hold its first session in August 2025.

5. The work of the Commission of Inquiry has not yet begun owing to the financial situation of the ILO. In light of the persistence of this situation and of its consequences for the start of the Commission's work, the Office has revised the budget originally approved by the Governing Body. The revised budget, which amounts to US$810,244, has been adjusted taking into account measures to rationalize staff and travel costs, while maintaining the conditions necessary for the proper performance of the mandate of the Commission of Inquiry. Should the Commission of Inquiry be obliged to relocate its activities to a neighbouring country, due to it being impossible to travel to Nicaragua, it is estimated that the required budget would amount to US$784,277. Given the current financial position of the Office, the cost of financing the Commission may affect the delivery of other activities already approved by the Governing Body.

▶ Draft decision

6. The Governing Body decided that:

(a) an honorarium of US$350 per day would be paid to each member of the Commission of Inquiry;

(b) as the cost of the Commission, which is estimated at US$810,244, was not budgeted in the Programme and Budget for 2026–27, it would be financed, to the extent possible, using available resources under Part I of the budget for the current biennium or, failing that, through the use of the provision for unforeseen expenditure under Part II.

[2] GB.353/INS/10/Decisions.

[3] GB.354/INS/7/Decision.