

Committee on the Application of Standards

CAN/PV.10

Commission de l'application des normes

05.06.26

Comisión de Aplicación de Normas

114th Session, Geneva, 2026

114^e session, Genève, 2026114.^a reunión, Ginebra, 2026

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Undécima sesión, 5 junio 2026, 10.10 horas**Eleventh sitting, 5 June 2026, 10.10 a.m.****Onzième séance, 5 juin 2026, 10 h 10**

Presidenta: Sra. López

Chairperson: Ms López

Présidente: M^{me} López**Discusión de los casos individuales (cont.)****Discussion of individual cases (cont.)****Discussion des cas individuels (suite)****Kirguistán (ratificación: 1992)****Convenio sobre la libertad sindical y la protección del derecho de sindicación, 1948 (núm. 87)****Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)****Convention (n° 87) sur la liberté syndicale et la protection du droit syndical, 1948**

Presidenta – Continuando con nuestras labores, con la discusión de casos individuales, en nuestra agenda tenemos el examen de los siguientes casos: Kirguistán, sobre la aplicación del Convenio sobre la libertad sindical y la protección del derecho de sindicación, 1948 (núm. 87); Liberia, sobre la aplicación del Convenio sobre la libertad sindical y la protección del derecho de sindicación, 1948 (núm. 87); Libia, sobre el Convenio sobre la abolición del trabajo

forzoso, 1957 (núm. 105), y Nigeria, sobre la aplicación del Convenio sobre el derecho de sindicación y de negociación colectiva, 1949 (núm. 98).

En lo que respecta a la gestión del tiempo, recuerdo a los delegados la importancia de que se inscriban en la lista de oradores con la debida antelación antes del examen de cada caso. Asimismo les recuerdo que los delegados no podrán inscribirse en la lista de oradores una vez iniciada la discusión del caso individual. También quisiera recordarles los tiempos máximos de intervención para la discusión de casos individuales tal y como están previstos en la parte IX del documento D.1 sobre los métodos de trabajo en nuestra comisión. Estos tiempos máximos de intervención son los siguientes: 15 minutos para el Gobierno cuyo caso se examine; 10 minutos para el portavoz del Grupo de los Empleadores y del Grupo de los Trabajadores; 10 minutos para los miembros empleadores y trabajadores del país concernido respectivamente que se distribuirán entre los diferentes oradores del grupo; 7 minutos para los grupos gubernamentales; 5 minutos para los otros miembros; 15 minutos para las observaciones finales del país cuyo caso se examine, y 10 minutos para las observaciones finales de los portavoces del Grupo de los Empleadores y del Grupo de los Trabajadores.

La presidencia en consulta con los demás miembros de la Mesa de la Comisión podrá reducir este tiempo a 3 minutos para los miembros que hablan a título individual, en particular, cuando haya más de 17 oradores inscritos. En tal caso la Oficina intentará informar a los delegados inscritos en la lista de oradores. También les recuerdo que el Gobierno cuyo caso se esté examinando podrá decidir cómo distribuir los 30 minutos de tiempo que se le ha asignado de la forma en que resulte más conveniente entre su intervención individual y las observaciones finales.

Por lo tanto, invito a los representantes gubernamentales de los casos examinados a que indiquen con antelación cómo desean distribuir su tiempo de intervención. Para facilitar la labor de los intérpretes no olviden enviar sus declaraciones con antelación por correo electrónico a la dirección siguiente: CAN-INTERPRET@ilo.org.

También quiero informar a la comisión que los proyectos de PV de la discusión del caso de la Argentina sobre los Convenios sobre la inspección del trabajo, 1947 (núm. 81), sobre la inspección del trabajo (agricultura), 1969 (núm. 129), y sobre la administración del trabajo, 1978 (núm. 150) y del caso de Yemen sobre el Convenio núm. 87, se publicaron en la página web de nuestra Comisión. Los miembros de la Comisión pueden presentar enmiendas a sus propias intervenciones hasta el sábado 6 de junio a las 15 horas. Se ruega a los delegados que remitan sus enmiendas a la secretaría por vía electrónica con control de cambios a la siguiente dirección CAN@ilo.org. Les invito a leer el anexo III del documento D.1 sobre el procedimiento de enmienda a los proyectos de actas literales.

Ahora vamos a iniciar el primer caso que se refiere a la aplicación del Convenio sobre la libertad sindical y la protección del derecho de sindicación, 1948 (núm. 87) por Kirguistán.

Para la discusión de este caso contamos con 14 oradores inscritos en la lista. Invito entonces al representante gubernamental de Kirguistán, el Sr. Mirlanbek Baigonchokov, Viceministro de Trabajo, Seguridad Social y Migración, a tomar la palabra señor tiene usted la palabra.

Interpretation from Russian: **Government representative (Mr BAIGONCHOKOV)** – We express deep respect for the ILO and for the Committee and we appreciate our cooperation with the ILO and the Committee. We remain strongly committed to the principles of tripartism and we recognize freedom of association as a prerequisite for social justice.

In the Kyrgyz Republic, we have undertaken reform of legislation in the social sphere, and our new Labour Code officially came into force on 28 January 2025. This was drawn up with the participation of a broad circle of social partners. This act radically restructured the architecture of labour relations. It removed barriers hampering labour market flexibilities and it provided equal rights for all citizens. The Labour Code adopted in January 2025 does not contain any standards prohibiting the right to organize without prior authorization and it also excluded the possibility of State interference.

The most important confirmation of the independence and legitimacy of the processes within the National Trade Union was the 27th Congress of the Trade Union Federation of Kyrgyzstan (FPK) held on 5 September 2025. This Congress demonstrated the complete unity of the trade union movement. One hundred and nineteen of the 132 delegates selected participated in its work, 90 per cent of the total number, and this empowered the Congress to take decisions. The key outcome of the Congress was the unanimous re-election of the Federation Chairperson, Mr Muradil Dzhumadilde Uulu.

We emphasize especially that this decision was officially and unanimously supported by the heads of all of the Federation sectoral committees who confirmed their positions within the framework of an open democratic vote. The high-level status of this event and the recognition of the principles of social partnership were confirmed by the participation of guests of honour from among the leading figures of the Cabinet of Ministers of the Kyrgyz Republic, also the Ministry of Labour, Social Welfare and Migration. The legitimacy and transparency of the congress procedures were guaranteed by the presence of official representatives of the ILO and the International Trade Union Confederation (ITUC).

Progress in the development of national tripartism is confirmed by the new general agreement between the Cabinet of Ministers, the FPK and the employers' associations and this covers the period 2025–27. In accordance with this, social partners conduct joint work on the aforementioned issues.

The JIA Business Association is currently the largest employers' association in the Kyrgyz Republic. It brings together more than 1,200 companies from various sectors of the economy. The most important stage in the association's institutional development was its accession to the International Organisation of Employers (IOE). As the Kyrgyz Republic's sole representative in the IOE, which is the largest global private sector network and represents the interests of more than 150 organizations in 140 countries, the JIA introduces Kyrgyzstan to the best global management and social responsibility practices. Thanks to the members, the JIA represents the voice of the Kyrgyz business community in global forums such as the ILO, the United Nations (UN) and the G20.

This allows the JIA Business Association to help to set the global agenda in the sphere of labour relations and the protection of employers' rights. The association of workers' and employers' representatives cooperate closely with the Government. For example, the adoption of the new Labour Code and labour laws and regulations were things that were crafted with the close cooperation of all parties. As a result, more than 20 basic labour laws and regulations were adopted. In conclusion, I would like to note that in the Kyrgyz Republic, there are no standard-setting or legal documents which limit or prohibit the right to freedom of association.

Presidenta – Voy a dar la palabra al Sr. Paul Noll, portavoz del Grupo de los Empleadores, para que realice su declaración inicial.

Employer members – The Employers' group addresses the importance of States' compliance relating to the application of the ratified Convention which is one of the ten ILO

core Conventions. The Convention was ratified by Kyrgyzstan in 1992. The Committee of Experts has issued 11 observations since 1998, the latest in 2022.

This case is discussed for the first time in the Committee. It should be noted that the Government provided written information on this case, which was published on 19 and 28 May 2026. In its latest report, the Committee of Experts highlighted the following three main points. First on the labour legislation inventory process. The Ministry of Labour undertook a labour legislation inventory process with a view to bring legislation in line with the ratified Conventions.

The Committee of Experts criticized a lack of consultation with the FPK and social partners on the draft law on trade unions. Any new legislative provisions should be in conformity with the Convention. The Government argued that the law on trade unions of 1998 remains in force and that currently, there is no law aiming to replace it. In its written statement of 19 May 2026, it added that the Labour Code adopted in January 2025 does not contain standards prohibiting the right to organize and exclude the possibility of States interference. The second element of this case is about reprisals against trade unions and interference in financial activities.

According to reports, the Government has engaged in a defamation campaign against independent unions and supported the creation of yellow unions. The Committee of Experts requested the Government to provide information and to clarify the current standing of the yellow union. We join this call for information. There are serious allegations that criminal investigations were conducted into the FPK financial activities over the last decade. The ITUC alleged that in November and December 2023, trade unionists were detained for several weeks, charged with the offences such as corruption and creating threats to the interests of society and the State as part of the government-led fear campaign.

In December 2023, the FPK Council, allegedly under State pressure, voted to transfer health centres owned by the FPK to the Presidential Administration for temporary use. The Employers' group is deeply concerned about the allegations raised. We would like to highlight that Article 3 of the Convention grants workers' and employers' organizations the right to draw up their own constitutions and rules. It also stipulates that public authorities must refrain from any interference that would restrict this right or impede its lawful exercise. We note that in the written statements dated 19 and 28 of May 2026, the Government responded that criminal proceedings against FPK officials have been fully terminated with compensation for the material damages.

All charges and restrictions against these individuals are reported to have been officially lifted. With regard to union assets, all disputes and legal proceedings have reportedly been settled. A new General Agreement between the Cabinet of Ministers, the Trade Union Federation and Employers' Association for 2025 to 2027 was agreed upon. We welcome these recent developments. However, the Employers' group supports the Committee of Experts' request that the Government should provide further detailed comments on all the above-mentioned allegations.

The third element of this case is on the restriction on the right to peaceful assembly. The Committee of Experts noted allegations that since March 2022, a series of court rulings have restricted peaceful gatherings, prohibiting assemblies that the authorities considered of a political nature. Once again, we would like to recall that according to the Convention, workers' and employers' organizations have a right to organize their activities in full freedom. The authorities should refrain from any interference which would restrict freedom of assembly or impede the lawful exercise thereof, provided that the exercise of these rights does not cause

a serious and imminent threat to public order. Therefore, we join the Committee of Experts' request to the Government to provide further comments on the allegations.

In summary, we encourage the Government to first consult with social partners to discuss all outstanding issues. The new Tripartite General Agreement for 2025 to 2027 between the Cabinet of Ministers, the FPK and employers could serve as a basis to conduct joint work on these issues. Second, to enter a process with a view to solve any outstanding issues and to bring law and practice in line with the Convention. And finally, to provide information on all measures taken.

Presidenta – Voy a dar ahora la palabra al Sr. Tjalling Postma, portavoz del Grupo de los Trabajadores, para que haga su declaración inicial. Sr. Postma, tiene usted la palabra.

Worker members – The case of Kyrgyzstan requires special attention. This fundamental Convention was ratified by Kyrgyzstan in 1992. The observation made by the Committee of Experts in 2025 is part of an already long series of observations made since 1998 and highlights particularly serious developments concerning both the framework of social dialogue and the concrete situation of trade union organizations in the country.

This recurrence of observations is in itself a warning signal. The Committee of Experts recalled that it had requested the Government to ensure that the FPK was fully involved in any work to bring the legislation into line with ratified Conventions so that any amendments to the law on trade unions are subject to thorough and constructive consultations with social partners.

The Government adds in its written information that the new Labour Code entered into force on 28 January 2025 and that it was drawn up with the participation of a wide circle of social partners. It also claims that the bill does not contain provisions limiting the right to organize or opening the door to State interference. We take note of these elements. However, the existence of legislative guarantees or statements of principle is not sufficient in itself to dispel the persistent concerns about the effective observance of freedom of association in practice.

The central question raised in this case is that of the real independence of the trade union organizations from the public authorities. The Government reaffirms its unconditional commitment to tripartism and freedom of association as a condition for social justice. It also highlights close cooperation with social partners in the context of recent reforms. We take note of these statements. However, they must be assessed in the light of the very specific allegations made to the Committee of Experts that the Government had waged a defamatory campaign against independent trade unions and actively supported the establishment of yellow unions. The Committee of Experts also noted that the Government itself acknowledges a case of illegal establishment of a municipal trade union on the orders of a former mayor of Bishkek. Such interference is incompatible with the most basic guarantees of the Convention.

The Committee of Experts also took note extremely serious allegations concerning the criminal investigations into the financial activity of the FPK and above all, the arbitrary arrest and detention of the trade unionists at the end of 2023. According to the information brought to his attention, these arrests were followed by threats, intimidation and pressure aimed at provoking the resignation of the trade union leaders leading to the de facto dissolution of the central leadership of the Federation. This created an atmosphere of fear, affected trade union membership, impacted trade union activities on all levels and interrupted established communications of global unions with their affiliates. Although the Government claims that these detentions were only related to an economic investigation and that they ended in

February 2024, the circumstances described raise very serious questions about the freedom of workers' organizations to freely elect their representatives and organize their activities without interference.

The Government, for its part, maintains that the 27th Congress of the FPK, held on 5 September 2025, confirmed the independence and legitimacy of the organization's internal processes with broad participation of delegates and the unanimous re-election of its president.

It also highlighted the presence of representatives of the ILO and the ITUC on this occasion. According to our information, there was no representative of the ITUC but only ITUC affiliates. In any case, these elements do not respond as such to the extremely serious allegation of previous arrests, pressure, forced resignations and changes of leadership, triggering at that time two interventions of the Director-General of the ILO which remained unanswered by the Government. The question, therefore, remains: Were the trade unions able to act and decide freely, free from interference at each stage of these events? The Committee of Experts also examined the situation of the Federation's assets.

The Government reports that part of the thermal facilities belonging to the union has been transferred to the Presidential Administration for five years on the basis of Presidential Decree No. 319 of 22 November 2023, in the name of better management of workers' health activities. But in a context marked by arrests, pressure and contested changes of leadership, this measure inevitably raises the question of the financial autonomy of trade union organizations. The free administration of trade union property is one of the essential guarantees for the effective exercise of freedom of association. In addition, there are allegations of serious erosion of the right to peaceful assembly. The Committee of Experts noted that, since March 2022, a series of court decisions have progressively restricted peaceful assemblies in the centre of Bishkek, including for assemblies considered political, while State-organized assemblies have remained permitted.

Comparable general restrictions were also reportedly imposed in Uzgen and the Chon-Alai district. However, freedom of association cannot be real if workers' organizations cannot meet, act collectively and publicly express their demands. In these circumstances, we expect the Government to respond fully and accurately to all the allegations raised by the Committee of Experts on the current status of the illegally established municipal trade union, on the exact circumstances of the arrests and prosecutions of the trade union leaders, on the pressure exerted for resignations and changes of leadership, on the guarantees surrounding the autonomy of the Federation's property, as well as on the restrictions imposed on peaceful assemblies.

General answers will not be enough. There is a need for comprehensive clarifications, effective guarantees and concrete measures to bring them into compliance with the Convention.

This case shows that, beyond the texts, it is the very ability of trade unions to exist, to function freely, to administer property, to appoint their leaders and to defend the interests of their members that is at stake. The Convention does not protect an abstract freedom. It requires the authorities to refrain from interference, to ensure a safe and conducive environment for trade union action and to fully respect the autonomy of workers' organizations. We therefore hope that the Government of Kyrgyzstan will take all necessary measures without delay to respond fully to the points raised by the Committee of Experts, to put an end to all interference in trade union affairs, to guarantee the freedom of peaceful assembly of workers' organizations and to ensure in law and in practice full respect for the

Convention. The existence of a new Tripartite General Agreement for the period 2025–27 and the commitments to social dialogue can be useful signals.

They must also be translated into concrete, tangible and lasting guarantees for the autonomy of workers' organizations. It is important that the Committee sends a clear message today. Freedom of association cannot wait. It is an essential condition for democracy at work and social justice.

Presidenta – Ahora voy a pasar el uso de la palabra al Sr. Muradil Dzhumadilde Uulu, quien habla en representación de los trabajadores del Kirguistán.

Interpretation from Russian: **Worker member, Kyrgyzstan (Mr DZHUMADILDE UULU)** – Distinguished Delegates and participants in this 114th Session of the Conference, with reference to consideration of the situation with compliance with the Convention in the Kyrgyz Republic, the FPK wishes to present to you official consolidated information on the current situation of the national trade union movement there. Today we can say with full responsibility that we have a situation where the trade union movement is fully stable, independent and consolidated and all of the issues that have caused concern for supervisory bodies of the ILO have been fully settled and we wish to emphasize that, in fact, this is a point that was made last year also and we are now in a situation where we are fully working on implementing the Convention.

One historic step forward in terms of ensuring real independence for us was a cardinal shift in the way in which organizations are funded in Kyrgyzstan. From 2024 onwards, the FPK fully stopped receiving any monies from the public purse and this broke a dependence that had, in fact, existed since 1991. It meant that the Federation became self-sufficient and once and for all there was no possibility of administrative pressure being exerted by the State. We also note that we now have a situation where the Federation has made amendments to normative acts and there is a full ban on interference of State bodies in matters relating to the ownership and management of assets. We also note that today the Federation and sectoral committees independently handle their property and monetary resources without prior authorization from the executive body.

Today, in fact, the Federation acts as an independent opposition to the executive. It rigorously scrutinizes normative and legal acts in Parliament and at the level of the Cabinet of Ministers. We have repeatedly called for the minimum wage to be made equal to a living wage or subsistent wage and a clear example of the solidarity-based pressure that has been exerted was the historic decision taken to raise the workers' wages in the health sector by 100 per cent starting from 1 April 2026. We have also seen that significant progress has been made in terms of enshrining the right to freedom of association and also resolving issues relating to digital employment. We can also see that the State monopoly on the trade union federation definitely no longer exists because, of the 700 trade unions registered in our country, only half are members of the Federation. They are able to take their own decisions, in other words, as to whether or not to become part of our Federation and not all trade unions are within our Federation. That again proves that there is freedom of choice. We have once and for all moved forward. All of the issues that have been raised actually now belong to the past.

On 10 March 2026, a joint programme of work was signed with the Bureau for Workers' Activities (ACTRAV) and the FPK also for 2026–27, which established full-fledged cooperation with the ILO. With the participation of the ILO, we have training projects, for instance, on the Violence and Harassment Convention, 2019 (No. 190), and also, we have sought particularly to work on the shift from the informal to the formal economy and we have a programme for that for 2024–30. We have been able to provide training for trade union leaders on modern

methods of protecting workers' rights in terms of the platform economy. This is very much done in a way that allows us to work with many international organizations and federations. We have achieved institutional stability and that is the basis for resolving deep structural problems.

Today, the main systemic problems we face relate actually to the private sector and to the platform economy where we do not have legal labour contracts, where we see violations of labour protection standards and anti-trade union pressure. We know that this can result in tension and, in fact, we saw the protests last year which show what can happen when you have business being blocked and we recognize that social dialogue is key to preventing this kind of uncontrolled conflicts.

We would like to note that some of the changes that had been proposed to legislation were withdrawn and that was one of our success stories. We have now entered into a direct bilateral partnership with the Chamber of Commerce and Industry in the Kyrgyz Republic and this is a way that has allowed us in practical terms to integrate resources, and we work closely with the JIA. We have projects, for instance, the Business Caravan, also the Enlightenment Caravan and the Women Entrepreneurs' Caravan and we have ourselves put forward a labour caravan. This is a first project that we have proposed.

Working with business in this way, we have also allowed experts from trade unions to go with business people into the field to provide training and to legalize labour contracts at enterprise level. We find that for employers, this is something that allows them to work with us in a way that can guarantee protection of the interests of workers. That being so, we recognize the key importance of technical assistance from the ILO.

Very briefly, what do we need? We need practical assistance to allow us to comply with the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), in particular in terms of getting people out of the shadows of the platform economy and into formal work. Secondly, we need new training programmes on methods of introducing collective agreements to significant sectors of business in our country. Thirdly, training of labour inspectors in line with the best possible international practice on occupational safety and health (OSH) and labour protection in the private sector. We need this because we wish to apply the recommendations from the ILO rigorously. We want to guarantee full non-interference in the internal affairs of trade unions and ensure real freedom, including the right to peaceful assembly, to strike and to protect workers' rights without any fear of administrative sanctions.

Internal consultation has brought together some of the piecemeal unions we had in the past into 16 major sectoral organizations today. In the course of our strategic programme heading for 2030, we managed to overhaul the digital trade union project that we had and we now have a system where round-the-clock we have an artificial intelligence (AI) chat bot, that is available on Telegram and that can provide assistance to workers. We also have an online platform for registration of trade union membership and for automating a number of document processing procedures. We have also created a unique round-the-clock call centre where in real-time we can establish a heat map of areas where there are social risks and dangers of social conflict and then pre-empt them actually breaking out. In the light of all that has been said, we wish to emphasize that in our country we now have a robust basis and the necessary prerequisites for full implementation of the Convention.

The historic decision to turn away from funding from the public purse, taken in 2024, and the final abolition of any kind of external interference from parliamentary committees as well as any kind of interference in the property of trade unions, were very significant decisions.

Alongside them we look at the intensifying dialogue with business and with the ILO. We look at the re-establishment of full partnership with the ILO and all of these things clearly testify to the maturity, the strength and the autonomy of the trade union movement in the Kyrgyz Republic. In order to move forward further and to defend the most vulnerable workers, we would call upon the ILO to extend technical assistance and we call on the Government of the Kyrgyz Republic strictly to comply with international obligations and to ensure freedom of association and the right to peaceful protest. We consider that the most important issue for us is to defend the interests of workers and to defend working people.

I am happy to see that these issues are being raised here. I hope that you can gain a clearer understanding of all these issues and that this will allow for full-fledged implementation of the Convention in the Kyrgyz Republic.

Presidenta – Pasamos ahora el uso de la palabra a la Sra. Natalia Andreou Panayiotou, del Gobierno de Chipre, pero hablará en nombre de la Unión Europea.

Government member, European Union and its Member States (Ms ANDREOU PANAYIOTOU) – I speak on behalf of the European Union and its Member States. The candidate countries North Macedonia, Montenegro, Albania and the Republic of Moldova as well as the EFTA country Norway, member of the European Economic Area, align themselves with the statement.

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

The EU remains committed to supporting Kyrgyzstan's sustainable and inclusive development in line with its national development strategy 2018–40, the global gateway strategy and the EU strategy for Central Asia. The enhanced partnership and cooperation agreement signed in June 2024 marks an important step in EU–Kyrgyzstan relations strengthening cooperation in areas such as trade, investment, employment and social affairs.

As a beneficiary of the EU's GSP+, Kyrgyzstan is called to effectively implement the 27 international Conventions underpinning the scheme notably on human and labour rights including the Convention.

We remain seriously concerned by the allegations mentioned by the Committee of Experts regarding interference in trade union affairs. These include reprisals against trade union leaders, defamation campaigns targeting independent unions, and allegations of support for so-called "yellow unions".

We also note with concern the Government's acknowledgement of the illegally established city trade union in Bishkek and echo the Committee's call to clarify its status. Allegations raised by workers' organizations also point to broader patterns of interference, including efforts to restructure trade unions, pressure to replace elected representatives, and extensive audits of trade union finances and activities that may undermine their autonomy. We are particularly concerned by the reported arbitrary detention of trade unionists in November and December 2023 and by allegations that criminal proceedings, intimidation and threats of further arrests effectively paralysed the leadership of the FPK.

We are also concerned by reported pressure on trade union leaders to resign, developments surrounding leadership changes within the Federation and its affiliates, and measures affecting trade union property, including the temporary transfer of health resort

facilities to the Presidential Administration. Reports of far-reaching state scrutiny over trade union property and finances raise serious concerns about the independence of workers' organizations and their ability to administer their affairs freely. We further note with concern restrictions on the right to peaceful assembly, including court decisions limiting peaceful gatherings in central Bishkek since March 2022 and similar measures elsewhere. We recall that workers' and employers' organizations must be able to organize protest actions and certain political activities to defend the occupational interests of their members, free from undue interference.

We note the Government's indication that the 1998 Law on Trade Unions remains in force. At the same time, we stress that any future legislative reforms must be developed in full consultation with the representative social partners and be fully consistent with the Convention, ensuring that they do not permit interference in trade union structures, activities or property.

In light of these concerns, we urge the Government to provide comprehensive replies to the allegations raised, clarify the status of the unlawfully established union referenced by the Committee, and ensure that no administrative, judicial or criminal measures are used to undermine trade union independence. We also call on the Government to guarantee, in law and in practice, that trade unions can freely elect their representatives, organize their activities, administer their resources and exercise their rights, including the right to peaceful assembly, without intimidation or fear of reprisals.

Finally, we encourage the Government to continue constructive engagement with the ILO and to make use of the Office's technical assistance to ensure full compliance of law and practice with the Convention. The EU and its Member States will continue to follow the situation closely and remain committed to supporting the effective application of fundamental labour standards.

Presidenta – Pasamos el uso de la palabra al Sr. Talgat Ashetov, quien habla en representación del Gobierno de Kazajstán

Government member, Kazakhstan (Mr ASHETOV) – Kazakhstan expresses its support for the Kyrgyz Republic and its efforts to ensure the application of the Convention.

We take note of the issue raised by the Committee of Experts and welcome the constructive engagement of Kyrgyzstan with the ILO supervisory bodies. Kazakhstan recognizes the fundamental importance of freedom of association and social dialogue. At the same time, we believe that the implementation of international labour standards should take into account national legislation, constitutional frameworks, and socio-economic conditions. In our view, this approach ensures a balanced integration of universal ILO standards with country-specific context, fostering sustainable development and social stability. In this regard, we encourage the Kyrgyz Republic to continue its efforts to further strengthen its labour and trade union legislation in cooperation with social partners and with the technical assistance of the ILO, where appropriate.

We are confident that Kyrgyzstan will continue constructive cooperation with the ILO to ensure the effective application of the Convention.

Presidenta – Pasamos el uso de la palabra a la Sra. Ewa Kedzior, quien hablará en representación de los trabajadores de Polonia.

Worker member, Poland (Ms KEDZIOR) – I am speaking on behalf of NSZZ "Solidarność". The report of the Committee of Experts indicates that the trade unionists from the FPK have

been detained while trade unions' properties have been confiscated by the authorities and the leadership of the Federation and all its affiliates was unlawfully replaced. In November and December 2023, several trade union leaders were arbitrarily detained for several weeks, charged with offences such as "corruption", "creating threats to the interests of society and the State", and "causing serious harm", as part of the Government-led fair campaign conducted by the State Committee for National Security, which effectively dismantled the FPK's central leadership. Following these arrests, law enforcement reportedly used intimidation and threats of further arrests to pressure all union leaders into resigning.

As a result, by the end of December 2023, leaders of FPK-affiliated branch unions had simultaneously submitted resignations and, on 29 December 2023, the FPK Council voted, presumably under state pressure, to transfer FPK-owned health centres for temporary use by the Presidential Administration. Under the pressure, in February 2024, the FPK organized its Congress which took place under the supervision of the security services. The Congress voted a change of the leadership. Leaders of all sectoral unions affiliated to the FPK were replaced in the similar way. Detained leaders were released and placed under house arrest. Although charges were suspended, they could be reactivated at any time. The atmosphere of fear and repression was created. The Government has also engaged in a defamation campaign against independent trade unions in the country. NSZZ "Solidarność" considers these actions unacceptable and believes they have no place in modern employment relations.

Kyrgyzstan ratified the Convention in 1992. By ratifying the Convention, the country undertakes to apply its provisions in law and in practice. Ratification also means that the country undertakes to refrain from any actions that would lead to outcomes inconsistent with the Convention. NSZZ "Solidarność" notes the information provided by the FPK that the dialogue between the Government and the trade unions has been resumed. But damage has already been done. The arrest of trade unionists is an action that has both short-term and long-term consequences.

The arrest of trade union leaders creates a climate of fear and intimidation leading to decreased membership, incapacitated leadership due to a fear of assuming union positions, and low turnout in union activities. Intimidating trade unions inevitably affects their future activities, undermines and weakens trade union actions due to fears of a repeat of retaliatory measures.

The rights of workers can only be exercised in a climate free from violence, intimidation and fear, as such situations of insecurity are incompatible with the requirements of the Convention.

Any intervention by the public authorities in trade union elections runs the risk of appearing to be arbitrary and thus constituting interference in the functioning of these organizations, which is incompatible with Article 3 of the Convention, which recognizes their right to elect their representatives in full freedom. Resolution on trade union rights and their relation to civil liberties adopted by the Conference in 1970 states that the right to adequate protection of trade union property is one of those civil liberties which are essential for the normal exercise of trade union rights.

In light of the above, the Government is obliged to refrain from any actions that could lead to the violation of trade union's property rights. NSZZ "Solidarność" urges the Government of Kyrgyzstan to take all necessary measures to ensure the full implementation of the Convention, in law and practice, for social dialogue free from violence and intimidation and to respect and ensure the trade union independence and autonomy, in law and in practice.

Presidenta – Gracias, señora. Pasamos el uso de la palabra al Sr. Resul Nazarov, quien habla en representación del Gobierno de Turkmenistán.

Government member, Turkmenistan (Mr NAZAROV) – Turkmenistan welcomes the distinguished delegation of Kyrgyzstan and expresses its appreciation for the additional information provided regarding the application of the Convention.

We note the readiness of the Government of Kyrgyzstan to engage with the ILO supervisory bodies to provide updated information on the issues raised by the Committee of Experts. We consider it important to continue constructive engagement between the Government and the social partners with a view to the further strengthening of freedom of association and promoting social dialogue in accordance with the principles of the Convention.

We are confident that the continued dialogue and cooperation among all interested parties will contribute to achieving positive results.

Presidenta – Pasamos el uso de la palabra al Sr. Mads Heisel, quien habla en representación de los trabajadores de Dinamarca.

Worker member, Denmark (Mr HEISEL) – I will be speaking on behalf of the Nordic workers. This case must be seen in its proper context. The Government's appropriation of trade union leadership and property from 2023 and forward is already a matter of grave concern. But what is still striking in the context of today is that the conditions of genuine normalization have still not emerged. Instead, the present situation points to a broader shrinking of the democratic space in Kyrgyzstan.

This has a direct consequence for the effective exercise of the freedom of association. This case is therefore not simply about whether genuine unions are allowed to exist or not. It concerns serious state interference in trade union affairs taking place in an environment in which all independent voices are increasingly being constrained.

Freedom of association has been undermined by the arrest of FPK leaders, the appropriation of trade union property, and the involvement of the State's so-called "security committee" in the election of new union leadership. It is not only difficult to reconcile these acts with the Convention – it is simply impossible.

At the same time, the report illustrates an even broader and deeply troubling picture. Restrictive laws and practices affecting civil society, peaceful assembly and independent media point to a wider contraction of the democratic space. Even if trade unions are not always the primary target of every one of these measures, they operate within the same institutional environment and are ultimately affected by the same logic of control. That is why this broader context cannot be treated as separate from the trade union case itself. Independent unions cannot function freely where public space is closed, where critical voices are monitored or sanctioned, and where the boundaries of lawful civic activity are made increasingly uncertain. In such circumstances, formal guarantees for the Convention alone cannot provide credible adherence to it.

Workers in Kyrgyzstan need unions that can represent them independently in full certainty and not organizations that can be brought under political control in the blink of an eye. Respect for the Convention in law and in practice therefore requires more than revisiting the past events. It requires restoring the democratic conditions in which independent trade union life can genuinely exist.

The Nordic workers therefore urge the Government of Kyrgyzstan: Firstly, the public spaces for peaceful assembly must be reopened and social dialogue with genuinely independent unions must be restored.

Secondly, a clear affirmation that any intervention by the state bodies in any trade union leadership, internal election or trade union property is incompatible with the Convention, must cease and never be repeated.

Thirdly, a review of the criminal and administrative measures to ensure that legitimate trade union and civic activity is not criminalized and the withdrawal or fundamental revision of laws effecting associations, NGOs and media so that they will comply with international standards on the freedom of association and expression.

Presidenta – Muchas gracias, señor. Pasamos el uso de la palabra al Sr. Aliaksei Barbuk, quien habla en representación del Gobierno de Belarús.

Interpretation from Russian: **Government member, Belarus (Mr BARBUK)** – We are grateful to the Government of Kyrgyzstan for having provided detailed information on the matter before us. We welcome the Kyrgyz Republic's commitment to actively developing cooperation with the ILO and its consistent progress in fulfilling obligations under the Convention.

In recent years, the Government has taken important steps forward to improve labour legislation in line with international standards. In particular, we note the strengthening of legal safeguards for trade union activities, the reduction of administrative barriers to the registration of trade union organizations, and the expansion of workers' opportunities to protect their labour rights and interests. Strengthening mechanisms for social dialogue between the State, employers and trade unions and developing institutions of tripartite cooperation contribute to the constructive resolution of labour disputes and an increase in social stability. In this regard, it is important to emphasize the need to further strengthen ILO cooperation with the Government of Kyrgyzstan, including by the provision of technical assistance and expert support as well as the implementation of joint programmes.

Presidenta – Pasamos el uso de la palabra a la Sra. Anna Andreeva, quien habla en representación de la Internacional de Trabajadores de la Construcción y la Madera.

Observer, Building and Wood Workers' International (BWI) (Ms ANDREEVA) – I deliver this statement on behalf of the Building Wood Workers International (BWI) and the International Union of Food and Agricultural Workers (IUF). In September and October 2023, the Government and Parliament of Kyrgyzstan initiated extensive financial audits of all trade unions affiliated to the FPK, demanding access to financial records covering the previous ten years.

On 28 November and 6 December 2023, the State Committee for National Security detained several trade union leaders on various criminal charges, including corruption, creating a threat to the interests of society and the State, and causing serious harm. Among those detained was Kanatbek Osmonov, Chairperson of the Republican Committee of the Forestry Workers Trade Union, an affiliate of BWI, and Jeenbek Osmonaliev, the Chair of the Trade Union of Workers of the Agricultural Complex, an affiliate of IUF.

By the end of December 2023, the leaders of all FPK-affiliated sectoral unions had simultaneously submitted signed resignation letters, including the Chairperson of the Construction and Building Materials Workers' Union, another BWI affiliate, and the Chairperson of the Food Processing Workers Union, another IUF affiliate. Prior to these

resignation letters, communication between Kyrgyz trade union leaders and the international trade union movement had effectively ceased. Mr Osmonov was the only trade union leader who refused to resign. While other detained leaders were released following their resignations, he remained in detention and was later placed under house arrest, where he tragically passed away shortly thereafter.

The international trade union movement knows well that trade unions in Kyrgyzstan have historically demonstrated the courage and capacity to defend their rights and seek international solidarity, when needed.

Their complete silence during these events can only lead to one conclusion: trade unions were no longer able to speak freely. The facts speak for themselves. Trade union activities were effectively paralysed, and, under pressure, all central unions were compelled to convene extraordinary plenary meetings to elect new leaders previously unknown within the trade union movement. We consider these developments to constitute a great violation of the Convention and a direct attack on workers' fundamental right to freedom of association.

Ratifying ILO Conventions and adopting legislation is not sufficient if workers cannot exercise their rights without fear of retaliation. Workers must be able to stand for trade union office, vote for representatives of their choice, and participate in union activities without intimidation, interference or punishment by state authorities. We therefore call on the Government of Kyrgyzstan to establish transparent, effective and accessible mechanisms to guarantee freedom of association in practice. These must include independent remedies available to all workers and trade unions. The Government must also ensure full respect to other fundamental democratic freedoms, including freedom of expression and freedom of peaceful assembly, which are indispensable for the effective exercise of freedom of association.

Presidenta – No veo más uso de palabra.

Entonces invito al señor representante gubernamental de Kirguistán, el Sr. Mirlanbek Baigonchokov, Viceministro de Trabajo, Seguridad Social y Migración, a que formule sus conclusiones.

Interpretation from Russian: **Government representative (Mr BAIGONCHOKOV)** – Madam Chairperson, I would like to note that the Kyrgyz Republic is committed to application of the Convention. In order to give effect to the Convention, the Constitution includes article 36, which gives everyone the right to freedom of association, article 39 (the right to peaceful assembly), article 423 (the right to strike). In other words, we are not restricting these rights. We have a law on social partnership, which gives effect to social interaction among the social partners. We also have a tripartite commission, and every three years a new general agreement is signed. Any normative or legal act relating to labour issues must be subject to consultation and be agreed by the social partners.

The Kyrgyz Republic does not restrict peaceful assembly. In Bishkek, we have a particular place that is defined as a place for any such peaceful assembly. If people inform us that they want to have a protest, an assembly, there is a place where they can do that. We are not restricting anyone.

As for criminal cases and confiscation of property, the Government did not take any steps to prosecute anyone or to confiscate property. This is something that happened among the members of the trade union themselves. It was they who initiated this case. And as I have already said, this case was concluded in 2024.

As for property, the property that has been described is the property that is held by the FPK, and they gave it for a certain period of time to be restored and be given back to them. In other words, they simply leased it for a period of time to those who were working on it.

As for the yellow trade unions that have been referred to – and here we are talking particularly about the municipality of Bishkek – there is no interference in the establishment of that trade union. What happened was that the municipality took certain decisions but there is no issue of restriction and we are certainly ready to discuss with you in detail why everything happened the way it did. We certainly are not in any way interfering with the work of anyone, and trade unions themselves have their own meetings, their own assemblies – it is all entirely regulated by them.

As has already been said, the FPK and employers' associations are always involved in work on new labour legislation and agreement is always reached with them on any new laws.

As for facilities being funded by the State – this is something else that has been referred to – I think the representative of the FPK has already clearly explained that in fact this is something that no longer happens. Up until 2024, there was a situation where money was given from the public purse to this Federation. That was a situation that existed in the past, but from 2024 onwards, that was stopped. The Federation no longer receives money from the State purse in this way.

Let me say that we are ready to meet again with those who are interested. We are also ready to submit written information on the issues raised today in the Committee. Let me in conclusion say that the Republic is committed to complying with the Convention. We stand ready to cooperate with the ILO at all times and in all ways.

Presidenta – Muchas gracias por su participación en las labores de la Comisión y por la información suministrada. Vamos a pasar el uso de la palabra a los representantes de los interlocutores sociales. Invito al Sr. Paul Noll, representante del Grupo de los Empleadores, a que tome la palabra.

Employer members – The Employers' group thanks the Government and the various speakers who took the floor for the interventions and information provided, of which we fully have taken note. We reiterate that the Convention is a fundamental Convention and that we strongly condemn noncompliance relating to the application of this Convention. In light of today's discussions, the Employers' group would like to recommend the following: first, to further consult with social partners in order to discuss the outstanding issues, thereby making good use of the tripartite agreement for 2025 to 2027. Second, to continue the process of solving any outstanding issues and to bring law and practice in line with the Convention with technical assistance of the ILO. And finally, to provide information on all measures taken. To conclude, we count on the further commitment and collaboration of the Government for the implementation of these recommendations in law and practice.

Presidenta – Pasamos la palabra al portavoz del Grupo de los Trabajadores, el Sr. Postma.

Worker members – We thank the representative of the Government for the written and oral information provided to the Committee. We must note, however, that, despite these explanations, the concerns repeatedly raised by the Committee of Experts concerning the effective respect for freedom of association in Kyrgyzstan remain unresolved. The Convention requires not only legal guarantees but also an environment in which workers' organizations can freely carry out their activities, elect their representatives, administer property and defend the interests of their members free from interference from public authorities. In this regard, it is essential that the Government fully responds to allegations of a smear campaign against

independent trade unions and support for the establishment of yellow trade unions and unambiguously clarifies the current status of the municipal trade union illegally established on the orders of a former major of Bishkek.

We also await full clarification on the criminal investigations into the financial activities of the FPK, the arrest and detention of trade unionists at the end of 2023, as well as the elites' threats, intimidation and pressure to bring about resignations and changes of leadership in the trade union movement. The Government should also ensure that trade union organizations can administer their property autonomously and provide accurate information on the transfer of certain terminal facilities belonging to the Federation to the Presidential Administration as well as on the guarantees surrounding their return and future management.

We also call on the Government to respond to allegations regarding the general restrictions on peaceful assemblies in Bishkek, Uzgen and the Chon-Alai district and to ensure that workers' organizations are able to assemble and collectively and publicly express their demands in accordance with the Convention. In addition to the expected responses, it is important that the Government, in close and constructive consultation with social partners, takes all the necessary measures to guarantee in law and in practice full compliance with the Convention and prevents any further interference in trade union affairs. The existence of commitments to social dialogue and the tripartite General Agreement for the period 2025–27 may be a useful signal, but these commitments must be translated into concrete, tangible and sustainable guarantees for the independence of workers' organizations.

We invite the Government to accept an ILO direct contact mission and to transmit to the Committee of Experts, by 1 September 2026, comprehensive information on all measures taken to respond to the points raised by the Committee of Experts and to bring its legislation and practice into conformity with the Convention.

It is important that our Committee sends a clear message today. Freedom of association is an essential condition for democracy at work, social justice and genuine social dialogue. We therefore call on the Government of Kyrgyzstan to take concrete steps without delay so that tangible progress can finally be seen in the implementation of the Convention in Kyrgyzstan.

Presidenta – Damos por concluida la discusión de este caso.

Agradezco la participación del representante gubernamental de Kirguistán y de todos los oradores que han hecho uso de la palabra. Las conclusiones de este caso serán adoptadas el miércoles 10 de junio.

Paso ahora a dar un aviso de la Mesa.

Antes de continuar con nuestras labores, informo a la Comisión que durante el día de hoy se celebrará una sesión de votación electrónica acerca del retiro del Convenio sobre normas de trabajo (territorios no metropolitanos), 1947 (núm. 83). La votación se abrió a las 10.30 horas de Ginebra y se cerrará a las 17 horas del día de hoy. Los resultados de la votación se anunciarán en la sesión del próximo 8 de junio.

El enlace a la plataforma de votación se envió por correo electrónico esta mañana a los delegados titulares y sus suplentes. El primer código de votación figurará en el mensaje de correo electrónico. El segundo código, de 4 caracteres, está impreso en el distintivo de la Conferencia que se le otorga a cada delegado. Las personas con derecho a votar podrán hacerlo utilizando su propio dispositivo, un ordenador personal o un teléfono inteligente. En las sesiones de votación disponibles en la sala de Salle des Pas Perdus detrás de la Sala de Asambleas del Palacio de Naciones, en la entrada del del Centro Internacional de Conferencias

de Ginebra (CICG) o bien en frente a la Sala del Consejo de Administración, aquí, en el edificio de la OIT.

La secretaría estará presente en los tres lugares para prestar la asistencia que resulte necesaria. Cualquier consulta sobre el particular se puede enviar un correo electrónico a: meetingsupport@ilo.org.

El segundo caso de esta mañana se refiere a la aplicación del Convenio sobre la libertad sindical y la protección del derecho de sindicación, 1948 (núm. 87) por parte de Liberia.

Informo a la Comisión que, por correo electrónico recibido ayer en la noche, el Gobierno del Liberia ha solicitado a la Comisión se posponga la fecha de discusión de su caso con relación al Convenio sobre cuyo examen estaba previsto para el día de hoy. Indican que el motivo de la solicitud de aplazamiento es permitir que la delegación llegue a Ginebra a tiempo ya que se encuentran todavía en camino debido a la falta de vuelos directos y también a problemas de visa, por lo que llegarían después del 5 de junio. Por consiguiente, me reuniré con la Mesa de la Comisión para examinar este pedido e informaré a la Comisión el resultado de nuestras discusiones.

Pasamos entonces al siguiente caso que se refiere a la aplicación del Convenio sobre la abolición del trabajo forzoso, 1957 (núm. 105) por parte del Libia.

Hacemos una pausa de 2 minutos para comenzar con el caso del Libia.

Se interrumpe la sesión a las 11.19 horas.

The sitting was suspended at 11.19 a.m.

La séance est suspendue à 11 h 19.