



Governing Body

348th Session, Geneva, 17 June 2023

Institutional Section

INS

Date: 2 June 2023

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Sixth item on the agenda

Reports of the Officers of the Governing Body

Second report: Representation alleging non-observance by Türkiye of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)

1. By communications dated 15 March 2022 and 13 February 2023, the Ekasen Sendikası made a representation to the International Labour Office under article 24 of the ILO Constitution alleging non-observance by Türkiye of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). A summary of the representation is contained in the appendix.
2. In accordance with article 1 of the Standing Orders concerning the procedure for the examination of representations, as revised by the Governing Body at its 291st Session (November 2004), the Director-General acknowledged receipt of the representation and informed the Government of Türkiye accordingly.
3. Pursuant to article 2(1) of the Standing Orders, the Director-General brought the representation before the Officers of the Governing Body, who, according to paragraph 3 of the same article, shall report to the Governing Body on the receivability of the representation. Article 2(2) lays down the conditions for the receivability of a representation. In the light of these conditions, the following observations can be made in the present case:
 - (a) the representation was communicated to the International Labour Office in writing;
 - (b) it emanates from an industrial association of employers;
 - (c) it makes specific reference to article 24 of the ILO Constitution;
 - (d) it concerns a Member of the Organisation;

- (e) it refers to a Convention to which the Member against which the representation is made is a party;¹
 - (f) it indicates in what respect it is alleged that the Member against which it is made has failed to secure the effective observance within its jurisdiction of the said Conventions.
4. Taking into account the above conditions, the Officers of the Governing Body consider that the representation is receivable in terms of article 2(2) of the Standing Orders. According to article 2(4) of the Standing Orders, the Governing Body, in reaching a decision on the receivability of the representation, on the basis of the report of its Officers, shall not enter into discussion of the substance of the representation. In accordance with article 3(1), if the Governing Body decides that the representation is admissible, it shall set up a tripartite committee to examine it, composed of members of the Governing Body chosen in equal numbers or, by virtue of article 3(2) of the Standing Orders, transmit the representation to the Committee on Freedom of Association for examination in accordance with the Standing Orders under article 24 of the ILO Constitution.

► Draft decision

5. **In the light of the information contained in document GB.348/INS/6/2, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and, as it relates to a Convention dealing with trade union rights, to transmit the representation to the Committee on Freedom of Association for examination as per the procedures set out in the Standing Orders on articles 24 and 25 of the Constitution of the ILO.**

¹ Türkiye ratified Convention No. 87 in 1993.

► Appendix

Summary of the representation

In its communications dated 15 March 2022 and 13 February 2023, the Ekasen Sendikası submitted a representation under article 24 of the ILO Constitution alleging non-observance by Türkiye of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). The Ekasen Sendikası alleges that it has been closed down, its leaders investigated and sentenced to long prison terms. The Ekasen Sendikası member educational institutions were closed down and all their assets were confiscated.