



Governing Body

349th Session, Geneva, 30 October–9 November 2023

Institutional Section

INS

Date: 8 November 2023

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Nineteenth item on the agenda

Reports of the Officers of the Governing Body

Fourth 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. The Government transmitted communications in respect of this representation dated 8 May and 12 September and in the latter objects to the receivability of the representation, indicating that the Ekasen did not meet the criteria of an industrial association of employers.

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) with regard to article 2(2)(b), the Officers of the Governing Body consider that the representation does not emanate 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 Organization;
 - (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 not receivable in terms of article 2(2) of the Standing Orders.

► Draft decision

5. **In the light of the information contained in document GB.349/INS/19/4, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was not receivable.**

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 Sendikasi 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 Sendikasi alleges that it has been closed down, its leaders investigated and sentenced to long prison terms. The Ekasen Sendikasi member educational institutions were closed down and all their assets were confiscated.