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1B

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Plenary sitting: Report of the General Affairs Committee

Contents

	Page
Report of the General Affairs Committee: Presentation, discussion and noting of the report and adoption of the Committee's recommendations	3
Closing of the sitting	19
Announcement of the results of the votes	19

Monday, 12 June 2023, 10.40 a.m.

President: Mr bin Samikh Al Marri

Report of the General Affairs Committee: Presentation, discussion and noting of the report and adoption of the Committee's recommendations

The President

We shall now move on to the presentation of the report of the General Affairs Committee, which can be found in [Record of Proceedings No. 1A](#).

It is my pleasure to recall that the Officers and the Reporter of the Committee are: Ms Fuentes Julio (Chile), Chairperson; Ms Hornung-Draus (Germany), Employer Vice-Chairperson; Ms Passchier (Netherlands), Worker Vice-Chairperson; and Mr Gómez Ruiloba (Panama), Reporter.

I will begin by giving the floor to Mr Gómez Ruiloba, so that he may present to us the Committee's report. The Officers will then take the floor.

Mr Gómez Ruiloba

Reporter of the General Affairs Committee

(Original Spanish)

I have the honour to present to the Conference the outcome of the deliberations of the General Affairs Committee. The full report of the Committee has been published in Record of Proceedings No. 1A. It presents the summary of proceedings and the outcome of the four matters which the Conference referred to the Committee.

First, the General Affairs Committee decided to recommend to the Conference for adoption the resolution concerning the final provisions of international labour Conventions. The text of this resolution is contained in Appendix I to the report. The primary purpose of the resolution is to amend the standard final provision in respect of authoritative language versions of international labour Conventions in order to add Spanish as one of the authoritative language versions, alongside English and French. My region of Spanish-speaking countries and I feel proud that our mother tongue has been honoured in this way.

Second, the Committee decided to recommend to the Conference that it decide to submit the final proposals for the abrogation of 1 international labour Convention and the withdrawal of 4 international labour Conventions, one Protocol and 18 international labour Recommendations to a final record vote today. The final proposals are set out in Appendix II to the report. This is the fourth time that the Conference will be called upon to decide on the possible abrogation of a Convention. All but one of the standards concerned are maritime instruments; the proposed abrogation and withdrawals will contribute to further clarifying the status of existing maritime labour standards and should encourage Member States that have not yet done so, to ratify the Maritime Labour Convention, 2006.

Third, the Committee decided to recommend to the Conference that it adopt the draft Convention and draft Recommendation concerning the partial revision of 15 international labour instruments following the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work, through the final record vote scheduled today. In adopting these standards, the Conference will complete the work it

initiated last year when it amended the 1998 Declaration on Fundamental Principles and Rights at Work to recognize a safe and healthy working environment as the fifth fundamental right under the Declaration. The Committee also recommends that the Conference adopt a resolution concerning the prompt ratification of the draft Convention. The draft Convention and Recommendation are contained in Appendices III and IV to the report, while the draft resolution is contained in Appendix V.

Fourth, the Committee held a lengthy debate in which multiple tripartite representatives took the floor to express different views. Some representatives expressed concern about the possible politicization of the supervisory bodies, while others supported the draft decision, arguing generally that there had been many opportunities to address the complaints and that it was now time to secure strict compliance with the recommendations of the ILO supervisory mechanisms. As there was no clear consensus, a Government representative requested a vote, and the Committee decided, through a vote by a show of hands, to recommend that the Conference adopt the draft resolution concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution on the subject of Belarus. It will be the second time that the Conference is called upon to consider and adopt measures aimed at securing compliance by the Government of a Member State with the recommendations of a Commission of Inquiry set up to examine non-observance with international labour Conventions that the country has ratified. The draft resolution is contained in Appendix VI of the report.

In closing, I would note that the decision taken by the Conference to refer the four matters to the General Affairs Committee highlights the Committee's institutional significance. The report that is now before the Conference demonstrates that the Committee conducted its work diligently and efficiently. With that, I submit the report of the General Affairs Committee to the 111th Session of the International Labour Conference for adoption.

Ms Hornung-Draus

Employer Vice-Chairperson of the General Affairs Committee

Before I turn to the report of the General Affairs Committee, I would like to share a few reflections at this critical juncture for the International Labour Organization. Last year, when we considered the reports of the General Affairs Committee in the plenary of the International Labour Conference, I stated that we had "written history" by adding occupational safety and health as the fifth pillar of the ILO Declaration on Fundamental Principles and Rights at Work of 1998.

At this year's session, we face a historic choice. Either we can continue to make a positive contribution to writing history, and this session – which is the first under the leadership of Director-General Gilbert F. Houngbo – is bringing with it several promising workstreams and initiatives, including the Global Coalition for Social Justice, the potential of which will certainly also be discussed at the World of Work Summit later this week; or we can risk undoing a century of history, as there will be no choice but to shut down the International Labour Organization on 1 January 2024 if the Programme and Budget for 2024–25 is not adopted by this Conference.

I turn especially to the Governments, because they are the ones – and not the social partners – sitting in the Finance Committee. The world is watching, as Governments have yet to decide whether to continue to take a win-lose approach to negotiation and to remain in a stalemate, leading to the death of the International Labour Organization, or to opt to take a win-win approach, allowing a third win to prevail, which is social dialogue with a mindset to understand where the others come from, an attitude acknowledging that there can be

diverging views and a determination to reaffirm what unites us and to work towards common ground. The Employers, certainly with the support of the Workers, would like to solemnly appeal to the Governments, while acknowledging their diverging views, to act responsibly and find a consensus-based solution for the adoption of the budget. The clock is ticking and there is urgency for the Governments to find an agreement. We stand ready to write history, and to let the ILO not only survive this crisis, but thrive as a space for social dialogue, of which we are in dire need in our fragmented world.

Let me now turn to the General Affairs Committee. I thank you for this opportunity to address the plenary on the matters considered by the Committee. Our position has been expressed in a more comprehensive manner in the General Affairs Committee and I would like to limit myself here to some remarks.

As Employer Vice-Chairperson, I expressed support for the draft resolution concerning the final provisions of international labour Conventions, which was transmitted to the Conference by the Governing Body at its 347th Session, in March 2023. The primary purpose was to amend the standard final provisions in respect of the authoritative language versions of international labour Conventions, in order to add Spanish as one of the authoritative language versions of international labour Conventions, alongside English and French.

We also expressed support, as Employers, for the proposed abrogation or withdrawal of outdated instruments. We argued that such abrogation or withdrawal would not necessarily lead to a gap. Outdated instruments should be abrogated or withdrawn swiftly, to ensure that the ILO has a clear, robust and up-to-date body of international labour standards.

As Employers, we also supported the draft Convention and Recommendation concerning the partial revision of 15 international labour instruments following the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work, containing the consequential amendments, in line with the previous decision taken by the Conference in 2022. The Employers' group remains strongly committed to improving occupational health and safety in the workplace, as it has a positive impact not only on workers' working conditions, but also on productivity and economic and social development.

The General Affairs Committee also examined a draft resolution outlining the measures recommended by the Governing Body to the Conference under article 33 of the Constitution to secure compliance by the Government of Belarus with the recommendations of the Commission of Inquiry in respect 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). As Employers, we expressed the hope that the proposed measures under article 33 of the ILO Constitution would encourage all participants and all ILO constituents to engage constructively with a view to ensuring respect for freedom of association. Material progress should be made with respect to the implementation of Conventions Nos 87 and 98, so that any measures adopted under article 33 can be lifted as soon as possible.

Ms Passchier

Worker Vice-Chairperson of the General Affairs Committee

Let me start with something that is not in my notes, and I have several, because I think in this session we are all running around a bit, sometimes without a script. I want to wholeheartedly support the words of the Chairperson of the Employers' group, Employer Vice Chairperson of the General Affairs Committee, and stress that what is currently happening in this Organization is a lose-lose approach in my view, and I will not repeat anything of what

Renate already said, because I join her on everything. I just want to remind Governments that you always call on the social partners to work together. We are working together. But in the Finance Committee I heard many Governments talking about social dialogue as if social dialogue was just something between Governments. It is not. According to the definitions used in this Organization, you have social dialogue that is bipartite, and then it is between Employers and Workers, or it is tripartite, and then it is with Governments, Employers and Workers. I am unaware of social dialogue between Governments only, and it is not good for this Organization when the Finance Committee, which is not called a Finance Committee for nothing, is talking about things regarding the future of this Organization, and that could even kill the Organization, not even allowing any proper conversation with the social partners. So on this we fully concur as Employers and Workers. We are not only there to vote once the Governments have taken decisions. We are there to participate, to contribute, to fight also, but then in the end to find common ground and find consensus as much as we can, with social dialogue, and this is one of the mantras of the Organization: "With social dialogue societies and economies thrive; without it things do not go well".

Let me now return to my script, and I hope you allow me a few more minutes, but I, like the Employer spokesperson, had to say something to you on this matter.

I can be brief on several issues that are before us. I want to recognize and also welcome the fact that we are now adding Spanish as one of the authoritative language versions of international labour Conventions. This was long overdue and we express our full support for the draft resolution on the matter. We also support and welcome the abrogation and withdrawals as the rights of seafarers are now more comprehensively and more effectively protected by the new Maritime Labour Convention, 2006, as amended. And I want to also stress that those amendments, and the Maritime Labour Convention itself, constitute an excellent example of social dialogue providing very important results for the seafarers of the world. On the issue regarding the partial revision of a number of instruments following the adoption of occupational safety and health as a fundamental principle and right in the Organization, we commend the speed of the progress made following this recognition. The call for the prompt and widespread ratification of the proposed Convention should be accompanied by intensified efforts to also promote the ratification of the newly recognized fundamental Conventions Nos 155 and 187. So we support the draft Convention and Recommendation, as well as the draft resolution, as proposed.

This brings me to an issue that is on the agenda, and we are very sad about the fact that it is on the agenda, and that is the situation in Belarus and the proposed resolution concerning a set of measures under article 33 of the ILO Constitution. And I need to go into a little bit more detail, even if only to pay my respects to the number of trade union colleagues in prison or in exile who have been complaining about the situation in the country for the last 25 years. Let me stress that we are proud of the ILO's unique supervisory system with its step-by-step approach – Committee of Experts, the Committee on Freedom of Association, the complaints procedure under article 26 of the Constitution and the establishment of a Commission of Inquiry, with recommendations that are then followed up. This system is first and foremost geared towards trying to convince Member States that have been found to be in a situation of violation of ILO standards to engage with the ILO and its constituents to address the violations and improve the situation, often with technical and other forms of support by the ILO. With regard to Belarus, I want to stress that all of these steps were taken, leading to a Commission of Inquiry report in 2004.

That is now almost 20 years ago. Since then, Belarus has systematically ignored its recommendations, and the situation with regard to freedom of association in the country has

deteriorated rather than improved. No country, no country has been more systematically in the focus of all the different supervisory mechanisms than Belarus, but to no avail. Let me just remind you that the Commission of Inquiry concluded that the Belarusian trade union movement had been subjected to significant interference from Government authorities and issued recommendations to the Government, and the Committee on the Application of Standards and the ILO Governing Body have regularly considered the situation ever since. Following the Commission of Inquiry's work, the Government of Belarus, in our view, has merely gone formally through some kind of reporting and other activities without demonstrating any intention of making meaningful progress. Instead, it has systematically avoided the implementation of all recommendations. And last year the Government decided that there was apparently no more reason to keep up the image of compliance, and it launched a total onslaught on independent unions, with arrests and detentions of trade union leaders and members, intimidation and harassment, the arbitrary dissolution of trade unions, and office raids and property confiscation increasing dramatically. It has become clear that the Government has engaged in a total attack on the independent trade union movement, with the intention of fully eliminating independent trade union representation for Belarusian workers once and for all. In April 2022, dozens of leaders and activists of the free and independent Belarusian Congress of Democratic Trade Unions (BKDP) were arrested and placed in pretrial detention for many months, with questions arising about their treatment and conditions in prison, and especially, and I must remind the Conference about this, about the health situation of Aliaksandr Yarashuk, who is also a Governing Body member. Despite repeated requests from the ILO, the Belarusian authorities have thus far failed to allow access for humanitarian visits to be made to imprisoned trade unionists to ascertain their conditions of arrest and detention, and I will not list here all the colleagues who in the meantime have been sentenced to long years in prison. Persistent harassment by the authorities, including prosecutorial and judicial harassment, led to a decision by the Supreme Court of Belarus in July 2022 to dissolve the independent trade union BKDP and four other major trade unions. The Belarusian authorities refer to independent unions as extremists and terrorists, and engage in defamation campaigns with a clear and explicit message that anyone who is in any way associated with the BKDP and its affiliates risks prosecution. Many leaders and activists have been forced to leave the country. Since the intensified attacks on the BKDP and its leadership in 2022, the Workers' group has been calling for increased pressure to be put on the Government, and this has led the ILO Governing Body, at the request of the Workers' group, to add an item to this year's session of the Conference, to invoke article 33 of the ILO Constitution in order to increase the pressure on the Government of Belarus to release trade union leaders and activists, reinstate the unions and demonstrate a real commitment to the implementation of the recommendations of the Commission of Inquiry.

Unfortunately, while the Government has had ample time to take action, there has been no change in its approach since the March session of the Governing Body. The appeals of BKDP leaders were dismissed by the Supreme Court, which confirmed their prison sentences; furthermore, sentenced leaders were placed on a list of extremists by the Government, leading to tightened prison regimes. And once colleagues end their prison sentences, they are still on those lists of extremists. Limitations on free movement are imposed, even on those activists. ILO officials have not had any access to date to imprisoned leaders, and new arrests have taken place. Those sent to penal colonies are systematically and arbitrarily placed in punishment cells, deprived of contacts, parcels and handovers, accused of contrived misdemeanours, and face violence and humiliation every day. Because, you can imagine, a union that has been dissolved and its leaders put in prison or in exile, cannot speak in this plenary, I want to just quote a few words of one of our colleagues from the BKDP who was allowed to speak in the

General Affairs Committee. He said that he is the acting president of the dissolved BKDP and that the Government of Belarus has “had the opportunity to resolve issues concerning freedom of association in the country for 20 years. There would be no need for a special procedure under article 33 if progress had been made in the implementation of the recommendations of the Commission of Inquiry. Yet, trade unionists [continue] to be convicted with harsh and particularly long sentences, putting in danger their health and lives”. He urges Committee members, and now also Conference delegates, to support the measures established in accordance with article 33.

I am almost at the end of my contribution. It is only the second time in the ILO’s history that article 33 will be invoked; the first one was in respect of Myanmar in June 2000 for forced labour. This time it is for violations of the fundamental right to freedom of association. What is before us today is a sad and tragic story of more than 20 years of deliberate efforts by the Government to suppress free trade unionism; any further delay is unacceptable. How many more warnings are needed? How many more imprisoned trade union colleagues? Up until now, as previously said, the Government has not shown any intention of listening to the ILO, and when BKDP leaders tried to call on state officials to reflect on the consequences of their choices, the Government threw them in jail for it. But jailing, outlawing, expelling, cannot kill the truth and cannot silence the voice of freedom. And we must say here, loud and clear, that to be a trade unionist is not a crime; to pursue independent trade unionism is not extremism; and peaceful trade union action is not terrorism – it is a fundamental right under the ILO’s mandate and Constitution.

In view of the extreme gravity and persistence of the situation, we call upon Governments and Employers and all our trade union colleagues to support the adoption of a comprehensive set of measures by the Conference, involving the ILO’s supervisory bodies, Member States and international organizations, including the United Nations, to secure compliance by the Government of Belarus with the recommendations of the Commission of Inquiry, and to put an end to the flagrant violations of human and trade union rights in the country.

Ms Fuentes Julio Chairperson of the General Affairs Committee (Original Spanish)

I have the honour to address you in my capacity as Chairperson of the General Affairs Committee. It is a privilege for me to have been elected to this position, knowing that it is somewhat unusual for the Chairperson of the Governing Body to preside over the General Affairs Committee and that the Committee performs, in an exemplary way, a critical role in our tripartite organization coordinating between the Conference and the Governing Body.

The Reporter of the Committee, Mr Gómez Ruiloba, has done an excellent job presenting the work of the Committee, and so all I will say is that I am very pleased to have contributed to the final act of institutionalizing Spanish as an official language of the International Labour Organization, 80 years after the proposal was first made to Conference to include Spanish as a language of the Conference. The fact that the Spanish versions of international labour Conventions adopted by the Conference from now on will be recognized as authoritative language versions will be a considerable help for the Spanish-speaking countries – and I am from one of them – when submitting the Conventions adopted by the Conference to the competent national authorities for ratification.

In conclusion, I wish to thank the members of the Committee, and of course, Ms Hornung-Draus, Employer Vice-Chairperson, and Ms Passchier, Worker Vice-Chairperson, and to

acknowledge before the Conference their unwavering commitment to the ILO and their tireless efforts to promote social dialogue. Let us hope that we continue to work in this way.

The President

I thank the Reporter and the Officers of the Committee for their statements. I now open the floor for the discussion of the report.

Ms Kostevich Government (Belarus) (Original Russian)

Today the Conference is being asked to decide on a resolution relating to Belarus. A lot depends on this decision and it is not just a question about my country. This is a question of the ILO's authority and its ability to serve the aims of sustainable development in an impartial way.

We have spoken many times about the unjustified application of article 33 of the ILO Constitution to Belarus. Unfortunately, our voice has not been heard by many. The Western countries and individual trade union organizations do not need to hear the truth. Their objective is to justify their unfair and unlawful activity for the political isolation and economic blockade of Belarus. It is a great shame that the ILO has been drawn into this game of internal politics. But the world is opening its eyes, and an increasing number of countries understand the real reason for this agenda against Belarus. This is confirmed by the statements in support of Belarus. Friends, I would like to thank you very much.

A few years ago, we worked successfully with the ILO on the Commission of Inquiry's recommendations. We had a dialogue. The measures taken by the Government were noted by the ILO's supervisory authorities on more than one occasion. Thanks to the positive developments in this situation, Belarus is not on the list of countries whose cases will be examined by the Conference. So, the statement made by several speakers that the Government has systematically not taken measures is a lie. Only after the 2020 presidential election campaign did the ILO supervisory authorities reconsider their evaluation, as if obeying orders, and sharply increased the strength of their criticism. The formal grounds cited for invoking article 33 were the non-observance of recommendations and the harassment of so-called independent trade unions. This accusation cannot be sustained.

In Belarus, trade unions are a significant part of civil society. Trade union rights are enshrined in legislation and are observed in practice. Trade unions take their decisions independently, and their voice bears weight. In this regard, trade unions must remain unions. The key reason for the pressure being applied to Belarus is that individual trade unionists are being prosecuted for crimes, and these organizations have stopped working. It is true that some citizens are serving punishments, but this, once again, is in no way connected with trade union work. These people have used their status as trade unions to hide their destructive activities, in an attempt to overthrow the lawfully elected authorities. This bears no relation to the work that real trade unions are supposed to do. These people were prosecuted for specific criminal offences and the relevant information was sent to the ILO. This information confirms that in Belarus there is a powerful and authoritative trade union movement.

In Belarus at all levels, we have a system of social partnership, of social dialogue, whose objective is to arrive at a consensus to construct and not to destroy. This is a message that the ILO is stubbornly unwilling to hear. Those opposing Belarus are trying to use the ILO to achieve their aims. The objective is to discredit Belarus in the international arena and to strengthen the

political pressure against the Government, and to unleash another wave of sanctions based on the ILO's decision. I have two questions for those tabling the resolution. Firstly, does the status of unions provide carte blanche to break the law? Are the isolation of Belarus and the infringement of its citizens' interests appropriate mechanisms to achieve the lofty goals mandated for the ILO? I am sure that in this room there is no one who could fail to understand that this is contrary to the ILO's philosophy and the aims of its documents. This will have negative effects on the social and economic rights of all Belarusians, above all the most vulnerable – children, persons with disabilities and older people. From the platform of the Conference, we have heard different opinions on the question of Belarus. There is a clear lack of consensus on the resolution, which means that a vote should be taken on it. Today ILO members are facing a huge responsibility. On behalf of the Belarusian Government, I appeal to all delegates, not to allow this resolution to be adopted. I call on them to vote against a decision that infringes the rights of millions of citizens and does not match the spirit of the ILO. This day will go down in ILO history. Each one of you will be involved in this history. I ask you to support Belarus which is in favour of social dialogue and not to stand aside.

Mr Orda
Worker (Belarus)
(Original Russian)

All of you here are witnessing what is basically unjustified and illegal action. So-called free trade unions which are supposed to defend workers are demanding sanctions to the detriment of workers in their country. They are calling for harm to be done and this is nothing more than a betrayal of people's interests. Trade unions should not do this. If you want to cause people harm, and deprive them of their jobs and wages, you are not a trade union. The ILO does not have the moral or legal right to support these inhuman demands. When speaking to the Conference, the United Nations Special Rapporteur stated very clearly that the coercive unilateral measures violated the Charter of the United Nations. Also, the ILO should not take decisions which encouraged sanctions.

We are today witnessing the fact that the governing organs of the ILO, which are examining the Belarus issue, are extremely biased. Unprecedented pressure is being applied from all sides for a decision to be taken against Belarus. Moreover, this is being done by those who should be impartial. The principle of pluralism is completely destroyed. The position expressed by the Workers' group gives the impression that we are unanimously requesting coercive measures to be applied against Belarus. This is absolutely not the case. At the meeting of the Workers' group on 5 June, trade unions from various countries which represent tens of millions of workers were categorically against such measures. This has, however, been completely ignored by the group heads. Not a word was said about this at the sitting of the General Affairs Committee. The facts are being completely distorted and manipulated. Loud statements are constantly being made to the effect that workers are allegedly being punished in Belarus for their trade union activities. The fact that these people's activities have nothing to do with trade unions or the protection of workers' rights is being consciously hidden. At the Workers' group meeting a week ago, we proposed that concrete evidence be presented to show that these people were punished for carrying out trade union activities. Such facts have not been presented. So they do not exist, and such information is untrue and distorted. I will present to you one specific fact: those we call the innocent victims, so as to achieve their political goals, attempted to intervene in a technical process at a dangerous chemical plant. Such provocations led to a man-made disaster, as a result of which not only a company but a whole city could have been destroyed.

So I have a specific question to ask the ILO. Is the ILO willing to justify and encourage such illegal actions throughout the world? I would like to thank delegations that have expressed their support, for the fact that you are not afraid to tell the truth. You have approached us and asked why such unjust actions are being taken in relation to Belarus.

Ms Barbou des Places

Government (Sweden), speaking on behalf of the European Union and its Member States

I have the honour to speak on behalf of the European Union and its Member States. Bosnia and Herzegovina, North Macedonia, the Republic of Moldova, Montenegro, Serbia, Iceland and Norway align themselves with this statement. The EU and its Member States are committed to the promotion, protection, respect and fulfilment of human rights, including labour rights, such as those under Conventions Nos 87 and 98. We strongly support the indispensable role of the ILO in developing, promoting and supervising the application and implementation of ratified international labour standards, particularly the fundamental Conventions.

The question of the observance by Belarus of its obligations under ILO fundamental Conventions Nos 87 and 98 was the subject of three complaints made to the Committee on Freedom of Association in 1995, 1996 and 2000. The article 26 complaint that started the formal process of the case we are still discussing today was filed during the 2003 session of the International Labour Conference. As we expressed at the 2022 session of the International Labour Conference, during the 346th and 347th Sessions of the Governing Body and, most recently, last week at the General Affairs Committee of the Conference, as well as on many previous occasions, we deeply regret the lack of meaningful progress by the authorities of Belarus towards the implementation of the nearly 19-year-old recommendations of the Commission of Inquiry from July 2004 as regards the implementation of ILO Conventions Nos 87 and 98. Moreover, we continue to be deeply concerned about the steep deterioration in human rights, including labour rights, in Belarus since the 2020 presidential elections, which were neither free nor fair. These concerns have worsened further since Belarus' involvement in the Russian Federation's war of aggression against Ukraine.

The EU and its Member States are alarmed by the disappearance of virtually all space for the safe existence of an independent trade union movement in Belarus. Given the close links between the Federation of Trade Unions of Belarus and the authorities of Belarus, this organization cannot be considered representative of Belarusian workers. We join the call of the Committee of Experts on the Application of Conventions and Recommendations on the authorities of Belarus to abandon their policy of destroying the independent trade union movement and silencing the free voices of workers, as well as to engage with the ILO with a view to fully implementing all outstanding recommendations of the ILO supervisory bodies without further delay.

We are alarmed by the prison terms imposed by Belarusian courts on trade union leaders and members for participating in peaceful assemblies or for exercising their civil liberties pursuant to their legitimate trade union activities. We call for their immediate release and for all related charges to be dropped.

Belarus must step up its efforts without further delay and aim for the full implementation of the recommendations of the Commission of Inquiry.

In light of the persistent failure to apply ILO fundamental Conventions Nos 87 and 98 and to implement the recommendations of the Commission of Inquiry, aggravated by the recent deterioration, it is time to step up action.

The EU and its Member States are committed to working with the ILO and its constituents to secure compliance by the authorities of Belarus with the Commission of Inquiry's recommendations. We call on all constituents to support the adoption of the draft resolution, which will send a strong message to the authorities of Belarus that they must respect human and labour rights and engage in a constructive dialogue with the ILO and its constituents.

Ms Zingales

Government (Bolivarian Republic of Venezuela)

(Original Spanish)

The Government of the Bolivarian Republic of Venezuela has taken note of the considerations relating to the subject of Belarus, which was examined by the General Affairs Committee. The Government of the Bolivarian Republic of Venezuela deplores the fact that this subject is closely linked to matters of a strictly political nature that are clearly outside the scope 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). We find it regrettable that, instead of continuing to strengthen social dialogue, there is an attempt to resort to this resolution proposed by the General Affairs Committee against the Government of Belarus, as its breadth exceeds the scope of the ILO's competence and its application would produce similar consequences to the application of unilateral coercive measures that run counter to the Charter of the United Nations and infringe on human rights in the country, including labour rights. The Government of the Bolivarian Republic of Venezuela states explicitly that it condemns, and therefore does not support, the measures contained in the resolution submitted to the Conference under article 33 of the ILO Constitution, and instead calls on the ILO to continue to provide technical assistance to strengthen social dialogue with a view to continuing the efforts and progress to which the Government of Belarus is committed.

Mr Inthalth

Deputy Minister of Labour and Social Welfare (Lao People's Democratic Republic)

The Lao People's Democratic Republic thanks the General Affairs Committee for the draft report, with which it, in principle, agrees. Our position is summarized in paragraph 41 of the report. In this connection, we would like to make two points.

First, the Lao People's Democratic Republic commends the progress made by the Government of Belarus in fulfilling its mandate under related ILO Conventions and other obligations, including the implementation of the recommendations of the Governing Body at its last session.

Second, my delegation reiterates that the imposition of country-specific resolutions and mandates without the consent of the States concerned is counterproductive and undermines the spirit of cooperation. We emphasize that the work of the ILO and its mechanisms should be conducted through genuine dialogue and cooperation, with the consent of the host country. This could be done by sharing best practices and lessons learned and providing capacity-building and technical assistance in accordance with the specific needs and priorities of the country concerned.

Ms Morgan

Government (United States of America), speaking also on behalf of Australia, Canada, Japan and the United Kingdom of Great Britain and Northern Ireland

We must once again recall that this July marks the 19th anniversary of the publication of the Commission of Inquiry's recommendations. We remain deeply concerned by the continued, flagrant refusal of Belarus to implement those recommendations, despite repeated attempts at engagement by the ILO's supervisory bodies. We reiterate our deep concerns that, as the Committee of Experts' most recent report has noted, Belarus has implemented a "policy of destroying the independent trade union movement and silencing the free voices of workers".

In fact, the situation for trade unionists has continued to deteriorate, unabated, even since the ILO Governing Body session convened in March 2023 to consider this matter. Multiple trade union leaders and members, including ILO Governing Body member Aliaksandr Yarashuk, have had sentences ranging from one and a half to nine years' imprisonment confirmed on appeal.

Since this was discussed at the March 2023 Governing Body session, Belarus also added the three imprisoned top officers of the Belarusian Congress of Democratic Trade Unions (BKDP) to the regime's list of extremists. These leaders joined a number of other trade union officers and activists already on the list. Trade union leaders demanding the right to organize independent unions, rather than reflecting extreme actions reflects their desire to be able to fully realize the rights of freedom of association to which they should be entitled. We recall that the principle of freedom of association is at the heart of the ILO's mandate.

We further reiterate that this is just the latest in the Lukashenko regime's attempts to silence trade union leaders as part of its broader crackdown against the democratic opposition, civil society, independent journalists, and all other sectors of society and everyday life in Belarus.

We continue to urge the immediate unconditional release of all trade union leaders and members and the over 1,500 political prisoners unjustly detained for participating in peaceful assemblies or for otherwise exercising their fundamental freedoms. We welcome the Director-General's continued efforts to seek access to ascertain the conditions of arrest and detention and welfare of the detained trade unionists.

We fully support the recommendation of the General Affairs Committee that this Conference adopt the resolution concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution on the subject of Belarus. The measures proposed in subparagraphs 3(a)–(d) of the resolution are both appropriate and in fact necessary at this time to secure compliance by the Belarusian authorities with Belarus's international obligations under article 33 of the ILO Constitution.

Indeed, we again underscore that it is the ILO's responsibility to use all means of action at its disposal to ensure the respect of the rights which are at the very heart of its mandate. We commit to use all appropriate tools to hold to account those in Belarus repressing fundamental freedoms, including freedom of association.

Mr Nbhan

Government (Syrian Arab Republic)
(Original Arabic)

We welcome the information that has been submitted to us by the Government of Belarus on the tangible decisions and measures that it has taken. And we commend the spirit of cooperation that we have seen from the Government of Belarus and its willingness to continue with that cooperation with the ILO and its organs. In this regard, my delegation supports the continued cooperation between the Government of Belarus and the Organization. We object to the adoption of measures against Belarus because this is not the right way to achieve the implementation of Conventions that Member States have adhered to on a voluntary basis. The role of the Organization should be one of support and assistance in the implementation of Conventions and should not involve imposing sanctions and provocative measures against Member States, which will negatively affect all parties – the Government, the employers and the workers – and will have a detrimental effect on their lives. My delegation once again reiterates the importance of not politicizing the work of the ILO because that would undermine the Organization and would call into question the principles on which the ILO is built. Such politicization would also jeopardize the United Nations principle of non-intervention in the internal affairs of other nations.

Ms Bohorquez Palacios

Government (Nicaragua)
(Original Spanish)

The Government of Nicaragua supports the people and Government of Belarus and opposes the adoption of any action or measure that exceeds the competence of this Conference, which is attempting to illegally and absurdly apply article 33 of the ILO Constitution in open contravention of the Charter of the United Nations. Nicaragua reaffirms that it is the duty of all nations to foster friendly relations based on respect for the principle of equal rights and our obligation under the Charter of the United Nations not to intervene in the domestic matters of any State. We reject the political manipulation and disinformation campaigns aiming to discredit Belarus internationally in order to justify unprecedented illegal and unilateral restrictive measures against our sister country. Nicaragua emphasizes that Belarus has been a Member of the ILO for almost 70 years and has always recognized the Organization's authority in matters of social and labour law. The country has ratified 51 ILO Conventions. Consequently, the Government of Nicaragua calls on all ILO Member States and social partners to prevent the adoption of measures and resolutions against Belarus. We reiterate that Nicaragua does not support reports or resolutions that infringe on the sovereignty and self-determination of peoples. We urge Member States and the organizations participating at this 111th Session of the Conference to redouble their efforts to establish true cooperation mechanisms, ensuring equal conditions and respect for the sovereign equality of States.

Mr Markovskii

Government (Russian Federation)
(Original Russian)

The Russian Federation entirely shares the evaluation set out by the representative of Belarus. The Russian Federation's position is well known and has been put forward in different

fora, including during meetings of the Governing Body and, one week ago, at the sitting of the General Affairs Committee. I will repeat its main elements.

The development of the labour and social sphere is one of the priorities in the domestic policy of Belarus, the Government of which has made significant progress in this area, as evidenced by objective studies carried out by United Nations organizations. In the current circumstances, there are no objective grounds for invoking article 33 of the ILO Constitution in terms of applying the severest form of sanctions against a Member State. Primarily, workers would be deprived of the benefits of technical assistance and international cooperation in the labour and social sphere, and would suffer the effects of the sanctions that would inevitably result from such measures. Applying article 33 would be absurd and would run counter to the aims and purposes of the ILO, as laid down in its Constitution.

Finally, commenting on Member States' domestic policy and interfering in the activities of their law enforcement agencies and court system is a clear and gross violation of the mandate of the ILO's supervisory bodies and of the Organization as a whole. As previously, I have to observe that the measures being proposed against Belarus are political in nature and we cannot consider these measures as anything other than an attempt by a group of certain countries to use ILO mechanisms to exercise political pressure on the Government of Belarus. We express our disagreement with the proposed Conference resolution on this agenda item. We support the Government of Belarus in its demands to put this issue to a vote and also call on Member States to vote against the proposed resolution.

Mr Wang
Government (China)
(Original Chinese)

We remind the Conference plenary to focus on the facts and concrete measures described by the Government representative of Belarus. Many of the suggestions made by the Commission of Inquiry have already been implemented by Belarus, and we encourage the ILO to interact, communicate and cooperate more with the Government of Belarus. I really want to request this because the relevant parties are ignoring the positive progress achieved and instead are calling for more sanctions. What is the true intention of this kind of proposal? Are they trying to help with the country or to damage the country? We all know that sanctions will severely damage the rights and interests of the workers and the employers of the country. They will affect the country's socio-economic development. Such a result is not in keeping with the justice and equity promoted by the ILO, and is at odds with the ILO Constitution. We need to avoid the politicization of the mechanism and stop any attempts to use it as a tool. The Conference needs to stay highly alert for signs of using the ILO as a platform to smear and attack other Member States and interfere in other countries' internal affairs. We oppose the sanctions that might be taken against Belarus under article 33 of the ILO Constitution. Such an approach is disruptive, not constructive. We oppose the adoption of the draft resolution and support the proposal made by the Government representative of Belarus.

Mr Soto Martínez
Government (Cuba)
(Original Spanish)

We would like to thank the Government of Belarus for its statement. Also, we take note of developments in the dialogue between the Government, the ILO and the representative social partners of Belarus. This information demonstrates the will of the Government to honour the

obligations it has entered into in this Organization through tripartite social dialogue and the implementation of several of the recommendations made by the Commission of Inquiry.

Nothing can be gained from another State through duress and the application of unilateral coercive measures. Respectful dialogue and cooperation must prevail for results to be achieved. In this regard, the position of the countries involved is fundamental. On several occasions Cuba has expressed its conviction that, within the framework of the ILO, mechanisms of cooperation and assistance should be favoured over coercive mechanisms. We reiterate that the measures that are proposed for approval, based on the application of article 33 of the ILO Constitution, far from promoting dialogue and cooperation, will fuel the confrontation and harm workers and enterprises. Politicization and punitive approaches, which only serve to weigh down the Organization and run counter to its fundamental principles, must be avoided. To conclude, I would like to emphasize the importance of commitment to tripartite dialogue and the search for consensus as a fundamental principle of this Organization.

Mr Pakseresht

Government (Islamic Republic of Iran)

We believe that the plenary of the 111th Session of the International Labour Conference is about to make an important decision with considerable implications for workers and employers in Belarus. We see utilizing article 33 of the ILO Constitution for enforcing a Member's compliance with ILO standards as a last resort, and we do not support it in this case, in which we have documented evidence of the Government's efforts to bring its regulatory environment into line with the respective recommendations of the Commission of Inquiry. Additionally, we are certain that the measures proposed in the resolution will have a negative effect on workers by depriving them of opportunities for decent work and a decent life. We believe that the Conference should avoid making decisions that could complicate the situation in Belarus, on the understanding that the Government of Belarus is willing to receive technical assistance to implement the Commission of Inquiry's recommendations.

Mr Comberbach

Government (Zimbabwe)

We take the floor to express our opposition to the resolution before us, and indeed to the evident determination by some to heap further sanctions and isolation on Belarus – sanctions and isolation which will also impact heavily on the workers of that country. Whatever failings or delays there may have been in the past, the fact is that Belarus is cooperating with the ILO's structures and has expressed its willingness to continue and to further enhance such cooperation, with a view to improving its compliance with various ILO Conventions and the implementation of the recommendations of the Commission of Inquiry. This should be encouraged and supported not punished.

In such circumstances, it seems to make little practical sense to invoke article 33 or to impose further sanctions upon the country. In our view, this is an unnecessarily provocative step which may well have a counterproductive effect and is unlikely to have any practical or positive impact on the ground. Our hope is that wise sense will prevail and that, even at this late stage, this Conference will not make what, for our delegation, is a retrogressive and ultimately unhelpful step.

Mr Akhmetov
Government (Kazakhstan)

Having carefully studied the proposed options for measures to be taken under article 33 of the ILO Constitution on the subject of Belarus, we would like to draw your attention to the fact that my delegation cannot support them. Bearing in mind the importance of dialogue and cooperation, as enshrined in the ILO Constitution, we are convinced that some of the proposed measures might be seen as contradictory to the principle of social dialogue. In addition, these measures could have a negative impact on the well-being of people in Belarus. In this regard, we suggest exploring alternative options to the measures under article 33.

We take note of the information provided by the delegation of Belarus on the implementation of the Commission of Inquiry's recommendations and previous Governing Body decisions. We also take note of the concerns raised by some delegations and encourage the Government of Belarus to continue to address them by taking concrete measures that would lead to tangible results.

We hope that the Government of Belarus will further strengthen interaction with the ILO through dialogue and in a spirit of tripartite cooperation. My delegation also believes that the country concerned will find ways to fulfil its obligations under the ILO Conventions.

The President

If there are no further requests for the floor or objections, may I take it that the Conference agrees to take note of the report of the General Affairs Committee?

(The Conference takes note of the report.)

As has been mentioned, the General Affairs Committee has made a number of recommendations that require a decision by the Conference.

Resolution concerning the final provisions of international labour Conventions

The President

The General Affairs Committee has recommended to the Conference that it adopt the proposed resolution concerning the final provisions of international labour Conventions, adding Spanish as one of the authoritative language versions of international labour standards, together with English and French. The proposed resolution is contained in Appendix I to the report of the General Affairs Committee in [Record of Proceedings No 1A](#).

If there are no objections, may I take it that the Conference wishes to adopt the resolution?

(The resolution is adopted.)

Abrogation or withdrawal of 24 international labour instruments

The President

The General Affairs Committee has recommended to the Conference that it take the decision, pursuant to article 52, paragraph 2, of the Standing Orders of the Conference, to submit the formal proposal for the abrogation of 1 international labour Convention and withdrawal of 4 Conventions, 1 Protocol and 18 Recommendations, as set out in Appendix II to

the report of the General Affairs Committee, to a final record vote. The vote will be held by electronic means later today.

If there is no objection, may I take it that this decision is adopted by the Conference?

(It is so decided.)

Convention and Recommendation concerning amendments to standards consequential to the recognition of a safe and healthy working environment as a fundamental principle

The President

The General Affairs Committee has recommended to the Conference that it adopt the proposed Convention and Recommendation contained in Appendices III and IV to its report, concerning amendments to standards consequential to the recognition of a safe and healthy working environment as a fundamental principle, through a final record vote. The vote is scheduled to take place electronically later today.

May I recall that, in view of the technical and formal nature of the amendments in question, a simplified process has been followed for submitting the proposed Convention and Recommendation to the Conference. Nevertheless, the rules for the adoption by the Conference of any international labour standard apply to each of these proposed instruments; in other words, in accordance with article 19(2) of the Constitution, a majority of two thirds of the votes cast by the delegates present is required for their adoption.

If there is no objection, may I take it that the Conference wishes to put the proposed texts to a final record vote?

(It is so decided.)

Resolution concerning the prompt ratification of the Safe and Healthy Working Environment (Consequential Amendments) Convention, 2023

The President

The General Affairs Committee has recommended to the Conference that it provisionally adopt the proposed resolution concerning the prompt ratification of the Safe and Healthy Working Environment (Consequential Amendments) Convention, 2023, the text of which is contained in Appendix V to its report, on the understanding that the resolution will accompany the Convention only if the Convention is adopted by the Conference through the final record vote on that instrument.

If there are no objections, may I take it that the Conference provisionally adopts the proposed resolution?

(The resolution is provisionally adopted.)

Resolution concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution on the subject of Belarus

The President

The General Affairs Committee has recommended to the Conference that it adopt the proposed resolution concerning the measures recommended by the Governing Body under

article 33 of the ILO Constitution on the subject of Belarus, as set out in Appendix VI to its report. However, as there appears to be an absence of consensus on this matter, may I take it that the Conference wishes to put the proposed resolution to a vote by “show of hands”? The vote will be held by electronic means later today.

(It is so decided.)

Closing of the sitting

The President

Before we reach the end of this morning’s proceedings, I would like to thank the members of the General Affairs Committee and the Secretariat for their work. Also, I would like to declare that the electronic votes on the items in question are now open and will remain so until 6 p.m. today. I urge you to cast your votes as soon as possible. The results will be announced this evening. I now declare closed this tenth plenary sitting of the 111th Session of the International Labour Conference.

(The Conference adjourned at 12.10 p.m.)

Monday, 12 June 2023, 7.30 p.m.

President: Mr bin Samikh Al Marri

Announcement of the results of the votes

The President

As announced this morning, multiple electronic votes were conducted today between midday and 6 p.m. I am pleased to announce the results of these votes. The quorum was set at 297 votes.

Convention concerning amendments to standards consequential to the recognition of a safe and healthy working environment as a fundamental principle

The President

I will begin by announcing the results of the final record vote on the Convention concerning amendments to standards consequential to the recognition of a safe and healthy working environment as a fundamental principle, the text of which is contained in Appendix III to the report of the General Affairs Committee, as set out in [Record of Proceedings No. 1A](#).

The result of the vote is as follows: 467 votes in favour, 10 votes against and 6 abstentions. As the quorum and the required two-thirds majority were reached, the Convention is adopted.

(The Convention is adopted.)

Recommendation concerning amendments to standards consequential to the recognition of a safe and healthy working environment as a fundamental principle

The President

With respect to the Recommendation concerning amendments to standards consequential to the recognition of a safe and healthy working environment as a fundamental

principle, the text of which is contained in Appendix IV to the report of the General Affairs Committee, the result of the final record vote is as follows: 472 votes in favour, 5 votes against and 6 abstentions. Considering that the quorum and the required two-thirds majority were reached, the Recommendation is adopted.

(The Recommendation is adopted.)

Resolution concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution on the subject of Belarus

The President

With respect to the resolution concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution on the subject of Belarus, the result of the vote by “show of hands” is as follows: 301 votes in favour, 54 votes against and 108 abstentions. As the quorum and the simple majority of 178 votes were reached, the resolution is adopted.

(The resolution is adopted.)

Abrogation or withdrawal of 24 international labour instruments

The President

Lastly, as a result of the final record vote on the abrogation or withdrawal of outdated maritime instruments, I am pleased to inform you that all 24 instruments have been either abrogated or withdrawn, the quorum and the required two-thirds majority having been reached. These instruments are:

Abrogated Convention

- The Seafarers’ Welfare Convention, 1987 (No. 163)

Withdrawn Conventions

- Social Security (Seafarers) Convention, 1946 (No. 70)
- Accommodation of Crews Convention, 1946 (No. 75)
- Social Security (Seafarers) Convention (Revised), 1987 (No. 165)
- Labour Inspection (Seafarers) Convention, 1996 (No. 178)

Withdrawn Protocol

- Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976

Withdrawn Recommendations

- National Seamen’s Codes Recommendation, 1920 (No. 9)
- Unemployment Insurance (Seamen) Recommendation, 1920 (No. 10)
- Labour Inspection Recommendation, 1923 (No. 20)
- Labour Inspection (Seamen) Recommendation, 1926 (No. 28)
- Seamen’s Welfare in Ports Recommendation, 1936 (No. 48)

- Seafarers' Social Security (Agreements) Recommendation, 1946 (No. 75)
- Seafarers (Medical Care for Dependants) Recommendation, 1946 (No. 76)
- Bedding, Mess Utensils and Miscellaneous Provisions (Ships' Crews) Recommendation, 1946 (No. 78)
- Ships' Medicine Chests Recommendation, 1958 (No. 105)
- Medical Advice at Sea Recommendation, 1958 (No. 106)
- Social Conditions and Safety (Seafarers) Recommendation, 1958 (No. 108)
- Seafarers' Welfare Recommendation, 1970 (No. 138)
- Crew Accommodation (Air Conditioning) Recommendation, 1970 (No. 140)
- Crew Accommodation (Noise Control) Recommendation, 1970 (No. 141)
- Prevention of Accidents (Seafarers) Recommendation, 1970 (No. 142);
- Merchant Shipping (Improvement of Standards) Recommendation, 1976 (No. 155)
- Seafarers' Welfare Recommendation, 1987 (No. 173)
- Labour Inspection (Seafarers) Recommendation, 1996 (No. 185).

(The detailed results of all the votes are available on the [Conference website](#).)

(The Conference continued its work in plenary.)