



Governing Body

345th Session, Geneva, June 2022

Institutional Section

INS

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Report of the Director-General

Second Supplementary Report: Appendix

Composition of the Commission of Inquiry appointed to consider the complaint concerning non-observance by Myanmar of the Forced Labour Convention, 1930 (No. 29), and the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made under article 26(4) of the ILO Constitution by the Governing Body on its motion

1. At its 344th Session (March 2022), in light of the developments in Myanmar outlined in document GB.344/INS/12 and recalling the resolution for a return to democracy and respect for fundamental rights in Myanmar adopted by the International Labour Conference at its 109th Session (2021), the Governing Body, inter alia:
 - (j) decided in accordance with article 26(4) of the ILO Constitution to establish a Commission of Inquiry in respect of the non-observance of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Forced Labour Convention, 1930 (No. 29).
2. The Director-General proposes that the Commission of Inquiry be composed as follows:

Chairperson: **Judge Raul Cano Pangalangan** (Philippines): Professor of Law, former Dean and a retired judge of the International Criminal Court. A graduate of Political Science and Law from the University of the Philippines, Pangalangan received his LL.M. (1986) and S.J.D. (1990) from Harvard University and his Diploma in Public International Law from The Hague Academy of International Law (1987).

He was the dean of the University of the Philippines College of Law at UP Diliman from 1995 to 2005 and lectured at The Hague Academy of International Law, where he had earlier served as Director of Studies. Pangalangan was elected as a judge of the International Criminal Court on 24 June 2015 and served in this position until 10 March 2021, but continued in office until 16 May 2021 to finish ongoing proceedings in accordance with paragraph 10, article 36 of the Rome Statute. He is also a Member of the Permanent Court of Arbitration (The Hague).

Members: **Judge Dhaya Pillay** (South Africa): Judge of the High Court in Pietermaritzburg and Durban since 2010. Prior to this she was a judge of the Labour Court of South Africa for ten years and served as judge on the Supreme Court (2018) and the Constitutional Court (2021). Admitted as an attorney in 1982, she specialized in human rights and administrative law disputes arising from various emergency and security laws in force at the time. After turning to labour law and industrial relations, Judge Pillay was selected to be involved in the drafting of key pieces of national legislation, including the Public Service Labour Relations Act, the new Labour Relations Act, and clauses of the Constitution relating to the Public Service Commission and Electoral Commission. She was a Senior Commissioner (part-time) of the Commission for Conciliation, Mediation and Arbitration (CCMA) from 1996 until her appointment to the bench.

Dr Faustina Pereira (Bangladesh): Advocate, Supreme Court of Bangladesh, Senior Fellow, Centre for Peace and Justice, and Professor, BRAC University. Her areas of specialization are gender, access to justice, sustainable development and legal empowerment. She obtained her doctorate in International Human Rights Law in 1998 from the University of Notre Dame, United States of America, and completed her post-doctorate in 2002 from the National University of Ireland, Galway, as a Bank of Ireland Fellow. Dr Pereira has served in senior leadership positions in national and international human rights organizations, including as Director, Human Rights and Legal Aid Services at BRAC, Director of Public Interest Litigation, Advocacy and Research at Ain o Salish Kendra (ASK) and as Director, Strategic Global Legal Innovations, at the International Development Law Organization (IDLO).

▶ Draft decision

3. **The Governing Body appointed the following persons to serve on the Commission of Inquiry: Judge Raul Cano Pangalangan (Philippines) as Chairperson; and Judge Dhaya Pillay (South Africa) and Dr Faustina Pereira (Bangladesh) as members.**