



# Governing Body

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Institutional Section

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## Report on the status of pending representations submitted under article 24 of the ILO Constitution

**Summary:** As requested by the Governing Body, this document provides information on the status of pending representations submitted under article 24 of the ILO Constitution

**Author unit:** International Labour Standards Department (NORMES).

**Related documents:** [GB.334/PV.](#)

1. At its 334th Session (October–November 2018), the Governing Body approved a series of measures concerning the operation of the procedure for the representations submitted under article 24 of the ILO Constitution and asked the Office to make available an information document on the status of pending representations at each March and November session of the Governing Body. <sup>1</sup>
2. The table below lists the representations submitted under article 24 of the ILO Constitution that are currently pending before the Governing Body. Taking into account the time elapsed since the submissions of certain representations, the designation of members is urgently awaited in **10 ad hoc tripartite committees** which will proceed with the examination of **12 representations**. In particular:
  - The designation of **Government members** is urgently awaited in seven committees: **Brazil** (Convention No. 169); **Ecuador** (Convention No. 169); **Guinea** (Conventions Nos 81, 95 and 187); **Peru** (Conventions Nos 111, 156 and 176); **Peru** (Conventions Nos 100, 102, 111 and 183); **Sudan** (Convention No. 111 – two representations); and **Tunisia** (Convention No. 81).
  - The designation of **Employer members** is urgently awaited in seven committees: **Colombia** (Convention No. 102); **Ecuador** (Convention No. 169); **Guinea** (Conventions Nos 81, 95 and 187); **Peru** (Convention No. 1 – two representations); **Portugal** (Convention No. 149); **Sudan** (Convention No. 111); and **Tunisia** (Convention No. 81).
  - The designation of a **Worker member** is urgently awaited in one committee: **Portugal** (Convention No. 149).

Country	Convention	Complainant organizations	Representation status
Argentina	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Labour Relations (Public Service) Convention, 1978 (No. 151); Collective Bargaining Convention, 1981 (No. 154)	Two representations submitted by the Federation of Trade Unions of Municipal Workers of Santa Fe Province (FESTRAM) and the Federation of Municipal Trade Unions of Santa Fe Province (FESIM), respectively	At its 342nd Session (June 2021), the Governing Body decided that both representations were receivable and, as they relate to Conventions dealing with trade union rights, to transmit them to the Committee on Freedom of Association (CFA) for examination as per the procedures set out in the Standing Orders on articles 24 and 25 of the Constitution (GB.342/INS/9/6, paragraph 7). Both representations are pending at the CFA.

<sup>1</sup> GB.334/PV, para. 288(1)(b).

Country	Convention	Complainant organizations	Representation status
Brazil	Indigenous and Tribal Peoples Convention, 1989 (No. 169)	Union of Rural Workers of Alcântara (STTR), and Union of Family Agriculture Workers of Alcântara (SINTRAF)	At its 337th Session (October–November 2019), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.337/INS/13/5, paragraph 5). The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. Efforts to undertake conciliation ended and the Government communicated its observations. In the process of designating members of the ad hoc tripartite committee. <b>Designation of the Government member is urgently awaited.</b>
Chile	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Single Central Organization of Chilean Workers (CUT)	At its 334th Session (October–November 2018), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.334/INS/14/2, paragraph 5). The ad hoc tripartite committee was established and held its first meeting during the 336th Session (June 2019) of the Governing Body. The Government's observations were submitted. At the request of the tripartite committee, the Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The parties have jointly accepted conciliation and requested ILO assistance which is in process.
Chile	Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35); Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37)	National Federation of Municipal Workers of Chile (FENTRAMUCH)	At its 340th Session (October–November 2020) the Governing Body decided that the representation was receivable and set up an ad hoc tripartite committee to examine it (GB.340/INS/19/1, paragraph 5). In the process of designating members of the ad hoc tripartite committee. The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The parties have jointly accepted conciliation and requested ILO assistance which is in process.

Country	Convention	Complainant organizations	Representation status
Chile	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Federation of Associations of Officials of Municipal Education Administration Departments of the Ñuble Region (FEFUDAEM--ÑUBLE)	At its 341st Session (March 2021), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.341/INS/14/4, paragraph 5). The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. Efforts at conciliation have ended and the Government has communicated its observations. The ad hoc tripartite committee has been established.
Colombia	Maternity Protection Convention, 1919 (No. 3); Workmen's Compensation (Agriculture) Convention, 1921 (No. 12); Workmen's Compensation (Accidents) Convention, 1925 (No. 17); Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18); Sickness Insurance (Industry) Convention, 1927 (No. 24); Sickness Insurance (Agriculture) Convention, 1927 (No. 25); Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	Single Confederation of Workers of Colombia (CUT), General Confederation of Labour (CGT), and Confederation of Workers of Colombia (CTC)	At its 342nd Session (June 2021), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.342/INS/9/4, paragraph 5). The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. In the meantime, the Government communicated its observations on the complaint. In the process of designating members of the ad hoc tripartite committee. <b>Designation of the Employer member is urgently awaited.</b>
Costa Rica	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Workers' Representatives Convention, 1971 (No. 135)	Rerum Novarum Confederation of Workers (CTRN), Costa Rican Workers' Movement Confederation (CMTC), Unitary Confederation of Workers (CUT), and Juanito Mora Porras Trade Union Confederation (CSJMP)	At its 328th Session (October–November 2016), the Governing Body decided that the representation was receivable and, by virtue of article 3(2) of the Standing Orders, and since the representation related to a Convention dealing with trade union rights, it was referred to the Committee on Freedom of Association (CFA) for examination in accordance with articles 24 and 25 of the Constitution (GB.328/INS/18/3, paragraph 5). The case is currently pending before the CFA.

Country	Convention	Complainant organizations	Representation status
Ecuador	Indigenous and Tribal Peoples Convention, 1989 (No. 169)	Public Services International (PSI), National Workers' Federation of Provincial Governments of Ecuador (FENOGOPRE), and National Confederation of Public Servants of Ecuador (CONASEP)	<p>At its 341st Session (March 2021), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.341/INS/14/2, paragraph 5).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. In the meantime, the Government communicated its observations on the complaint.</p> <p>In the process of designating members of the ad hoc tripartite committee. <b>Designations of the Government and Employer members are urgently awaited.</b></p>
France	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Termination of Employment Convention, 1982 (No. 158)	General Confederation of Labour-Force Ouvrière (CGT-FO), and General Confederation of Labour (CGT)	<p>Declared receivable by the Governing Body at its 329th Session (March 2017). The process was closed as far as Convention No. 158 is concerned at the Governing Body's 344th Session (March 2022).</p> <p>With regard to Conventions Nos 87 and 98, the Governing Body decided that the allegations be referred to the Committee on Freedom of Association (CFA) for examination in accordance with articles 24 and 25 of the Constitution (GB.329/INS/21/2, paragraph 5). The elements relating to Conventions Nos 87 and 98 are pending at the CFA.</p>
France	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	Union of Performers and Teachers of Music, Dance, Drama and Performing Arts-related Occupations (SAMUP)	<p>At its 342nd Session (June 2021), the Governing Body decided that the representation was receivable and, as it relates to a Convention dealing with trade union rights, to refer it to the Committee on Freedom of Association (CFA) for examination in accordance with articles 24 and 25 of the Constitution (GB.342/INS/9/5, paragraph 5). The case is pending at the CFA.</p>

Country	Convention	Complainant organizations	Representation status
France	Labour Inspection Convention, 1947 (No. 81)	General Confederation of Labour (CGT) of Social Affairs of Franche-Comté; Interdepartmental union CGT-Work, Employment and Vocational Training (CGT-TEFP) of the Departmental units 21 (Côte d'or), 58 (Nièvre) and 71 (Saône and Loire) of the Regional Directorate for Enterprises, Competition, Consumer Matters, Labour and Employment (DIRECCTE) Bourgogne Franche-Comté; and CGT-TEFP	At its 342nd Session (June 2021), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.342/INS/9/1, paragraph 5). The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. In the meantime, the Government communicated its observations on the representation. <b>The ad hoc tripartite committee has been established and its report is ready to be presented to the Governing Body at its 346th Session.</b>
Guinea	Labour Inspection Convention, 1947 (No. 81); Protection of Wages Convention, 1949 (No. 95); Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF)	At its 341st Session (March 2021), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.341/INS/14/6, paragraph 5). In the process of designating members of the ad hoc tripartite committee. The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. No reply has been received and the Government's observations are awaited. <b>Designations of the Government and Employer members are urgently awaited.</b>
Mexico	Social Security (Minimum Standards) Convention, 1952 (No. 102)	Workers' Federation of the State of Sonora and nine other unions in the State of Sonora	At its 340th Session (October–November 2020), the Governing Body decided that the representation was receivable and set up an ad hoc tripartite committee to examine it (GB.340/INS/19/6, paragraph 5). In the process of designating members of the ad hoc tripartite committee. The parties jointly accepted conciliation with ILO assistance and conciliation is in process. The Office has asked the parties to report on the results of the conciliation process by 31 October 2022.

Country	Convention	Complainant organizations	Representation status
Mexico	Social Security (Minimum Standards) Convention, 1952 (No. 102), Labour Administration Convention, 1978 (No. 150), Occupational Safety and Health Convention, 1981 (No. 155), Chemicals Convention, 1990 (No. 170)	Sindicato Nacional de Trabajadores de la Industria Minero Metalúrgica (CTM)	<p>At its 345th Session (June 2022), the Governing Body decided:</p> <p>(a) that the representation was not receivable in relation to Conventions Nos 150 and 170; and</p> <p>(b) that it was receivable in relation to Conventions Nos 102 and 155 and to set up a tripartite committee to examine it. (GB.345/INS/6/2, paragraph 5).</p> <p>The parties jointly accepted conciliation with ILO assistance and conciliation is in process.</p>
Peru	Hours of Work (Industry) Convention, 1919 (No. 1)	Federation of Mineworkers of Shougang Hierro Peru and Annexes [Federación de Trabajadores Mineros de Shougang Hierro Perú y Anexos (FTMSHPYA)]	<p>At its 340th Session (October–November 2020), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.340/INS/19/5, paragraph 5).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The Government’s observations have been received. At its 341st Session (March 2021), the Governing Body decided that this representation be examined together with the representation presented by the Santa Luisa de Huanzala Mineworkers’ Union (STMSLM) on the same Convention (see below).</p> <p>In the process of designating members of the ad hoc tripartite committee. <b>Designation of the Employer member is urgently awaited.</b></p>
Peru	Hours of Work (Industry) Convention, 1919 (No. 1)	Santa Luisa de Huanzala Mineworkers’ Union (STMSLM)	<p>At its 341st Session (March 2021), the Governing Body decided that the representation was receivable and that it would be examined together with the representation alleging non-observance by Peru of Convention No. 1 declared receivable in November 2020 (see above) (GB.341/INS/14/7, paragraph 6).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The Government’s observations have been received.</p> <p>In the process of designating members of the ad hoc tripartite committee. <b>Designation of the Employer member is urgently awaited.</b></p>

Country	Convention	Complainant organizations	Representation status
Peru	Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Workers with Family Responsibilities Convention, 1981 (No. 156); Safety and Health in Mines Convention, 1995 (No. 176)	National Federation of Mining, Metal, Iron and Steel Workers of Peru (FNTMMSP)	At its 340th Session (October–November 2020), the Governing Body decided that the representation was receivable and to set up an ad hoc tripartite committee to examine it (GB.340/INS/19/7, paragraph 5). The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The Government has communicated its observations. In the process of designating members of the ad hoc tripartite committee. <b>Designation of the Government member is urgently awaited.</b>
Peru	Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Social Security (Minimum Standards) Convention, 1952 (No. 102); Maternity Protection Convention, 2000 (No. 183)	College of Nurses of Peru (CEP) and Federation of Nurses of Peru (FEP)	At its 342nd Session (June 2021), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.342/INS/9/2, paragraph 5). The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The Government communicated its observations. In the process of designating members of the ad hoc tripartite committee. <b>Designation of the Government member is urgently awaited.</b>
Poland	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Collective Bargaining Convention, 1981 (No. 154)	Trade Union of Engineers and Technicians LOTOS Group (ZZIT LOTOS Group)	At its 341st Session (March 2021), the Governing Body decided that the representation was receivable with regard to Conventions Nos 87 and 98 (not with regard to Convention No. 154 as Poland has not ratified Convention No. 154) and, as it relates to Conventions dealing with trade union rights, it referred it to the Committee on Freedom of Association (CFA) for examination in accordance with articles 24 and 25 of the Constitution (GB.341/INS/14/5, paragraph 5). The representation is pending at the CFA.
Poland	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and Workers' Representatives Convention, 1971 (No. 135)	Academic Union at the University of Physical Education and Sport in Gdańsk (AWFIS)	At its 343rd Session (November 2021), the Governing Body decided that the representation was receivable and, as it relates to Conventions dealing with trade union rights, it referred it to the Committee on Freedom of Association (CFA) for examination in accordance with articles 24 and 25 of the Constitution (GB.343/INS/14/2, paragraph 5). The representation is pending at the CFA.



Country	Convention	Complainant organizations	Representation status
Portugal	Nursing Personnel Convention, 1977 (No. 149)	Portuguese Nurses' Union (SEP)	<p>At its 340th Session (October–November 2020), the Governing Body decided that the representation was receivable and set up an ad hoc tripartite committee to examine it (GB.340/INS/19/10, paragraph 5).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The Government has communicated its observations.</p> <p>In the process of designating members of the ad hoc tripartite committee.  <b>Designations of the Employer and Worker members are urgently awaited.</b></p>
Slovenia	Occupational Safety and Health Convention, 1981 (No. 155) and Protocol of 2002 to Convention No. 155	Free Trade Unions of Slovenia (ZSSS)	<p>At its 344th Session (March 2022) the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it. (GB.344/INS/17/3, paragraph 5)</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The parties expressed their interest in entering into a conciliation process.</p>
South Africa	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Solidarity Trade Union (South Africa)	<p>At its 344th Session (March 2022), the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it. (GB.344/INS/17/1, paragraph 5).</p> <p>The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. The Government's observations are awaited.</p> <p>In the process of designating members of the ad hoc tripartite committee.</p>
Sudan	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Sudanese Workers Trade Union Federation (SWTUF)	<p>At its 342nd Session (June 2021), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.342/INS/9/3, paragraph 5).</p> <p>The complainant declined the possibility of undertaking efforts at conciliation in the form for submission of the representation. The Government communicated its observations.</p> <p>In the process of designating members of the ad hoc tripartite committee.  <b>Designations of the Government and Employer members are urgently awaited.</b></p>

Country	Convention	Complainant organizations	Representation status
Sudan	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Sudanese Independent Trade Union Organizations (SITUOs)	At its 345th Session (June 2022), the Governing Body decided that the representation was receivable and that it would be examined by the same tripartite committee that is examining the representation submitted by the Sudan Workers Trade Union Federation (SWTUF) (GB.345/INS/6/1, paragraph 6). The Government's observations are awaited. In the process of designating Government and employer members of the ad hoc tripartite committee.
Tunisia	Labour Inspection Convention, 1947 (No. 81)	Union of Labour Inspectors	At its 340th Session (October–November 2020), the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it (GB.340/INS/19/3, paragraph 5). The Office informed the complainant and the Government of the possibility of undertaking efforts at conciliation with ILO assistance should it be requested. In the meantime, the Government communicated its observations. In the process of designating members of the ad hoc tripartite committee. <b>Designations of the Government and Employer members are urgently awaited.</b>
Uruguay	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), Right to Organise and Collective Bargaining Convention, 1949 (No. 98), Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Association of Locally Employed Functionaries of the Diplomatic Missions and Consular Offices of Uruguay Abroad (ASFUCOUREX)	At its 344th Session (March 2022) the Governing Body decided that the representation was not receivable in relation to Convention No. 111; The Governing Body decided that the representation was receivable in relation to Conventions Nos 87 and 98 and, as it relates to Conventions dealing with trade union rights, it referred it to the Committee on Freedom of Association (CFA) for examination in accordance with the procedure set out in the Standing Orders on articles 24 and 25 of the ILO Constitution (GB.344/INS/17/2, paragraph 5). The representation is pending at the CFA.