



ILO SPECIAL SUPERVISORY SYSTEM ARTICLE 24 REPRESENTATION PROCEDURE

What is the Article 24 ILO Representation Procedure?

THE REPRESENTATION PROCEDURE IS GOVERNED BY ARTICLES 24 AND 25 OF THE ILO CONSTITUTION.

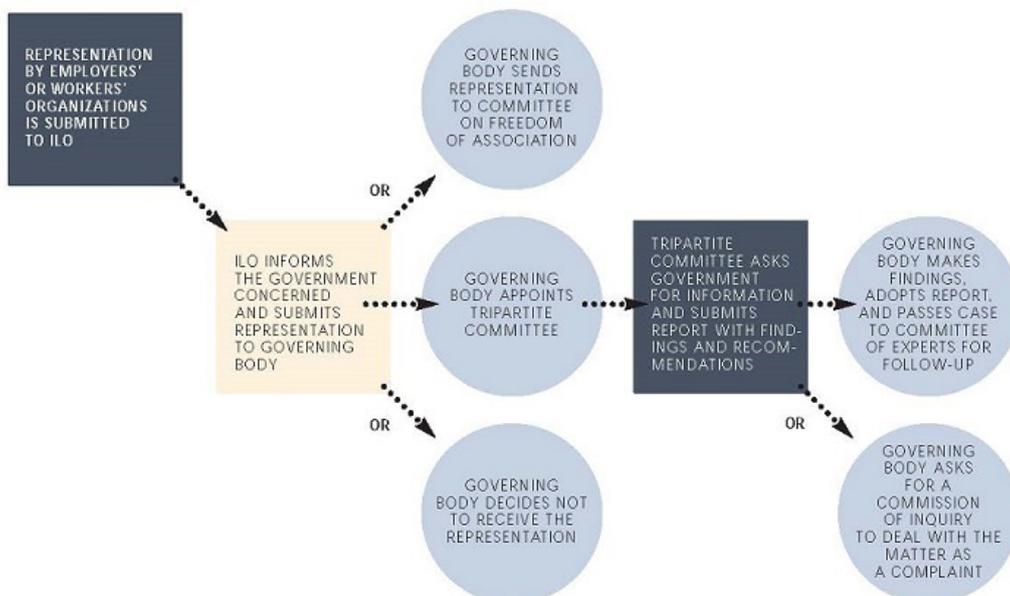
It gives an industrial association of employers or of workers the right to make to the ILO Governing Body (GB) a representation against any member State which, in its view, "has failed to secure in any respect the effective observance within its jurisdiction of any Convention to which it is a party".

If considered receivable by the GB, a three-member ad hoc tripartite GB committee may be set up to examine, in private and confidential sittings, the representation and the government's response. The subsequent report¹ to the GB states the

legal and practical aspects of the case, examines the information submitted, and concludes with recommendations. Where the government's response is not considered satisfactory, the GB is entitled to publish the representation and response. Representations concerning the application of Conventions Nos. 87 and 98 are usually referred for examination to the Committee on Freedom of Association (CFA).

In recent years, there has been a sharp increase in the number of representations from workers' organisations, leading to an increased workload for the ILO and the GB. Ways to streamline the procedure are currently being examined under the ILO Standards Initiative, including amending the receivability criteria which are vague - with the result that basically any representation filed is accepted.

The Representations procedure



¹ Adopted reports may be consulted [here](#).

Why is the Article 24 Representation procedure important for Employers?

It is important for Employers for the following main reasons:

- **As complainants**, Employers' Organisations may have recourse to an Article 24 representation procedure to provide high visibility in the GB to a specific violation, in law and practice, by an ILO Member State of a ratified Convention. Once adopted by the GB, the report of the tripartite committee can be widely disseminated and carries the moral weight of an official recommendation to an ILO member State.
- **As a member of the tripartite committee examining a representation**, the Employer representative has the unique opportunity to co-determine the analysis and content of the report, and thus the ILO response to particular issues related to the Convention in question. The Employer representative is a "co-owner of/ accountable for" the report that is proposed for adoption. The active involvement of an Employer representative defending the Employers' positions and priorities in the deliberations of the committee is of fundamental importance.

- **National employers of an ILO member State against which an Article 24 representation has been filed by a trade union** could be affected by the content of the report, for instance if the member State is requested to enact/amend legislation, in conflict with employer interests.

What is the role of the IOE in Article 24 Representation Procedures?

Given the private and confidential nature of Article 24 representation procedures, the direct influence of the IOE on the procedure and the outcomes is limited. However the IOE does:

- **inform** national Employers that an Article 24 representation has been filed against their government
- **assist** in the selection of a competent employer GB candidate to sit in the tripartite Committee
- **liaise** with the ILO Office to make sure this employer representative has all the necessary background material to undertake a comprehensive and informed examination of the representation
- **alert** national Employers as soon as the report of the committee has been adopted.

ARTICLE 24 PROCEDURES PENDING RESOLUTION BEFORE THE GB (SEPTEMBER 2015)

REGION	COUNTRY	CONVENTION	EMPLOYER REP. IN THE TRIPARTITE COMMITTEE
Americas (6)	Argentina	C.87	Alberto Echavarria (Colombia)
	Chile	C.169	Alberto Echavarria (Colombia)
	Chile	C.187	Kris de Meester (Belgium)
	Colombia	C.11 & 144	Juan Mailhos (Uruguay)
	Peru	C. 111	Alberto Echavarria (Colombia)
	Peru	C. 169	Alberto Echavarria (Colombia)
Europe (9)	France	C. 106	Chris Syder (UK)
	Moldova	C. 81	Lydia Horvatic (Croatia)
	Poland	C. 111	Garance Pineau (France)
	Poland	C. 102	Kris De Meester (Belgium)
	Portugal	C. 29 & 111	Garance Pineau (France)
	Spain	C. 106	Juan Mailhos (Uruguay)
	Spain	C. 131	Renate Hornung Draus (Germany)
	Ukraine	C. 95	Chris Syder (UK)
	United Kingdom	C. 29	Peter Woolford (Canada)
Arab States (1)	UAE	C. 29	Othman Alrayes (Bahrain)

For additional information,

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