

International Trade Union Confederation

Annual Survey of violations of trade union rights

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What is the ITUC Annual Survey?

- **Assessment of respect and denunciation of violations of Trade Union Rights (TURs)**
 - Overview per country
 - Focus on ILO Convention 87 and 98
 - **TUR legal framework**
 - What does the national legislation say?
 - **TURs in practice**
 - How does it work?
 - **TURs violations**
 - Violations in theory/practice vs. C87 and C98
- **An ITUC annual worldwide report**
 - Annual Edition (launch in June)
 - Website: <http://survey.ituc-csi.org>
 - Covering approx.145 countries
 - Source of information: affiliates, GUFs, NGOs and media

What are the fundamental trade union rights?

Fundamental trade union rights are enshrined in 2 of the 8 ILO Core Conventions

- C29 Forced Labour, 1930
- C87 Freedom of Association and Right to Organise, 1948
- C98 Right to Organise and Collective Bargaining, 1949
- C100 Equal Remuneration, 1951
- C105 Abolition of Forced Labour, 1957
- C111 Discrimination (Employment and Occupation), 1958
- C138 Minimum Age, 1973
- C182 Worst Forms of Child Labour, 1999

What are the fundamental trade union rights?

- **Freedom of Association is enshrined in C87 on Freedom of Association and the Right to Organise:**
 - The right of workers and employers to establish and join organisations
 - The right to establish organisations without previous authorization
 - The right to affiliate to international organisations of workers and employers
 - The right of workers and employers to draw up their constitutions and rules, to elect their representatives in freedom

What are the fundamental trade union rights?

- **The right to collective bargaining is enshrined in C98 on the Right to Organise and Collective Bargaining:**
 - **Protection against acts of anti-union discrimination**
 - **Protection against acts of interference**
 - **Promotion of collective bargaining**
- **The right to strike has been recognized by the ILO as a legitimate right which may be used by workers and their organisations to defend their economic and social interests**

What is the ITUC Annual Survey about?

- **Common violations of trade union rights monitored by the Annual Survey includes:**
 - Killings, arrests, imprisonment of trade unionists
 - Death threats and assaults on trade unionists
 - Dismissals for union activities
 - Harassment, discrimination and intimidation of trade unionists
 - Strikers repression

What is the ITUC Annual Survey about?

- **Examples of denial and restrictions of trade union rights includes:**
 - **Non recognition of TURs in some countries**
 - **Existence of state controlled union**
 - **Legal provision prohibiting the « obstruction of business »**
 - **Heavy government interference**
 - **Categories of workers being denied the right to organise such as workers in EPZs, migrant workers and domestic workers**

What is the ITUC Annual Survey about?

- **Cases of workers being prevented from exercising their trade union rights**
 - Failure to properly enforce the labour laws
 - Ineffective labour courts or industrial tribunals as well as labour inspection
 - Non genuine collective bargaining
 - Deportation of migrants workers who dares to organise or strike
 - Promotion of « yellow unions »
- **Example of employers' anti-union strategies**
 - Economic incentives offered to encourage workers to leave trade unions
 - Use of the union busting industry

Political, social and economic trends undermining trade union rights

- **Over the last years, the main trends heavily impacting trade union rights were related to:**
- **Restrictions of workers' rights, pressure on job security and terms of employment as well as undermining collective bargaining**
- **Anti-democratic nature of some regimes, political instability and armed conflicts**
- **Erosion of labour rights in EPZs with government striving to make their EPZs more attractive to investors by providing exemptions**
- **Exploitation of migrants and women domestic workers**

Political, social and economic trends undermining trade union rights

- **Weakening of terms and conditions of employment**
 - Precarious employment, temporary employment contracts
 - « Third party » labour agencies
- **Trend in subcontracting public services**
- **Increased use of outsourcing**

2010 Edition – main statistics

Killings (trade unionists and labour activists murdered or killed in connection with their trade union activities)	At least 101 (76)
Imprisonment (trade unionists and labour activists convicted by court in connection with their trade union activities)	At least 100
Death Threats	At least 35
Arrest for union activities	Approx. 1,900
Dismissals for union activities	Approx. 7,500

Edition 2010 – main violations

The Annual Survey shows an increasing anti-union repression worldwide which includes:

- **Killings** in Colombia, Guatemala, Honduras, Mexico, Bangladesh, Brazil, Dominican Republic, Philippines, India, Iraq and Nigeria
- Trade unionists **imprisoned** in a number of countries including Burma, People's Republic of China, Iran, South Korea, Turkey and Zimbabwe
- **Arrests** in Iran, Honduras, Pakistan,. South Korea, Turkey and Zimbabwe
- Demonstrating workers met with **beatings, arrest and detention** in Algeria, Argentina, Belarus, Burma, Côte d'Ivoire, Egypt, Honduras, India, Iran, Kenya, Nepal, Pakistan and Turkey.
- Anti-union **discrimination** and **harassment**
- **Impunity, lack of sanctions and weakness of penalties against offenders**

Edition 2010 – Effects of the economical and financial crisis

- More and more workers forced into various forms of precarious work
- ILO estimates that 50% of the global workforce is involved in vulnerable work
- Growth of informal employment and development of new “atypical” forms of employment seen across both regions and industrial sectors
- These workers have great difficulties to exercise their trade union rights
- If trade union rights are protected by legislation it very often comes with restrictions, e.g. broad definitions of “essential services”

Thank you!

**If you have any further questions, please don't
hesitate to contact us:**

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