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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS IN ANY PART OF THE WORLD

Written statement* submitted by International Confederation of Free Trade Unions, a non-
governmental organization in general consultative status

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[13 March 2003]

*This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

The International Confederation of Free Trade Unions (the largest international trade union body, set up in 1949 and comprising 231 national affiliated trade union centres in 150 countries and territories on all five continents, with a membership of 158 million) is gravely concerned at the large extent of violations of civil and political rights of trade union members, leaders, and activists around the world.

Our annual world-wide Report on Violations of Trade Union Rights indicates that each year, on average, approx. 200 trade unionists are killed because of their trade union activities (the bulk of them in Colombia), approx. 4,000 are detained, arrested and/or sentenced to (sometimes long) prison terms, a further 1,000 are injured, beaten, tortured or otherwise mistreated, and at least 10,000 unionists are sacked in retaliation for their legitimate trade union activities.

The following is a list of the worst cases since last year's Session of the Commission on Human Rights.

A. The Americas

Colombia: at least 178 unionists were killed in 2002, many others were arrested, beaten up during demonstrations, or made to disappear. The ICFTU will be pleading for a reinforcement of the UN's OHCHR presence in Colombia, as well as for EU support to ILO programmes in that country, especially in the area of protection.

Venezuela: In the wake of the complex political situation affecting this country, many violations of trade union rights occurred in 2002 and early 2003, including mass-dismissals affecting thousands of workers involved in strike action. In February, the authorities issued an arrest warrant against Carlos Ortega, President of the ICFTU-affiliated Central de Trabajadores de Venezuela and other trade union leaders involved in a major national strike. This measure, as well as the arrest of the leader of national employers' organisation (Fedecamaras), led to strong protests by the ILO and the international free trade union movement.

Guatemala: the trade union movement has been under increased attack both from private sector employers and from the government and analysts fear the situation may develop along the lines of a "Colombian scenario".

El Salvador: in this country also, the trade union movement is under increasing pressure from employers and from the government, particularly as concerns the public sector. The privatisation of the social security (i.e. health) system has led to a drastic reduction of trade union rights in the sector, affecting both the medical profession and trade union activists in this profession.

Haiti: trade unions are under extreme pressure from a dictatorial regime; many have been intimidated, threatened and physically attacked, as a result of which many had to go into hiding; this has had a very negative effect on trade union structures and activities.

Central America's Free Trade Zones: Nicaragua, the Dominican Republic and other countries in that region systematically oppose any trade union organising work in

their free trade zones, where workers' rights, especially those of young working women, are routinely violated.

B. Africa

Zimbabwe: in the wake of government-sponsored political violence against the democracy movement, the Zimbabwean trade union movement was repeatedly attacked in 2002. Repressive measures included arrests, beatings, disruption or interdiction of statutory trade union meetings, limitation of international trade union contacts and others. In February 2002, police violently prevented a Labour Forum organised by the ICFTU-affiliated Zimbabwe Congress of Trade Unions (ZCTU) from taking place. Workers preparing to take part in the meeting were dispersed by riot police firing tear gas.

Swaziland: in this last remaining African feudal monarchy, the trade union movement is at the vanguard of the democracy movement. Its members and leaders have suffered the brunt of repression, which included arrests, physical attacks, public death threats against the union's leadership, etc...

Democratic Republic of Congo: In 2002 and early 2003, many trade unionists were arrested, charged and sentenced for legitimate trade union activities. In at least one case, 8 unionists were sentenced after an unfair trial in which some senior executives of their employer, a major foreign investor, joined the accusing parties.

The Sudan: independent trade unions are forbidden in the Sudan by law; any attempt to organise independently from the government-controlled national union centre is severely punished; forced labour also remains a serious problem in certain parts of the country.

Libya: Independent trade unions do not exist in Libya. The right to strike is not recognised. Migrant workers (the bulk of the economy) have absolutely no say over their conditions of work, are not allowed to form or join trade unions (even the government controlled GUP/N), have no protection from discrimination and face mass expulsions, attacks on migrant workers and their families and even killings.

Violations of trade union and other workers' rights' rights also occur, though to a lesser extent, in several other African countries, including Djibouti, Ethiopia, Uganda, Central African Republic, Cameroon, Mauritania, Morocco and others.

C. Asia

China: while it has notably purported to improve its co-operation over human rights issues with the international community, including the UN, the EU and the ILO, the People's Republic of China continues to systematically deny its working citizens the right to organise independently from the centrally-controlled trade union organisation (ACFTU). Repression of independent workers' movements rose considerably in 2002, in the wake of workers' protests against the non-payment of retirement, bankruptcy,

health, social and other statutory benefits. Social unrest reached unprecedented heights in the North-Eastern province of Heilongjiang (home to China's oil industry) and in the central province of Liaoning, where at least two independent labour leaders were tried in early January 2003, after having spent ten months in jail on trumped-up charges of "endangering state security". The charges apparently rested on blatantly false evidence of "car-bombing" and similar offences; indeed, local administrative and trade union officials denied that any such acts had taken place. The outcome of the trial of the so-called "Liaoyang Four" was unknown at the time of writing. It has been suggested that central PRC authorities are debating how to deal with the case, after the announcement of the trial was met by a barrage of criticism by the international free trade union movement, human rights organisations and other actors. The ILO Committee on Freedom of Association was expected to issue in March 2003 its report on a formal ICFTU complaint concerning this case; lodged back in April 2002¹.

Republic of Korea: At least 220 trade unionists were arrested in the course of 2001, and approx. 50 remained in jail at the end of 2002, including Dan Byung-ho, President of the KCTU, one of the ICFTU's two affiliated organisations in the country. Last January 10th, a trade union activist from the Doosan Heavy Industries and Construction company immolated himself at his workplace, after the company had obtained a court order blocking the payment of his wages and access to his bank account, in retaliation for his role in a 47-days strike. Such cases are not exceptional in Korea. On the other hand, civil servants and teachers still experience enormous difficulties in organising trade unions. Their rallies are disrupted, demonstrations attacked by riot-police, and police surveillance and harassment of trade union activists and leaders is part of their daily routine. At present, 30 national and regional leaders of the Korean Teachers & Education Workers Union (Chunkyojo) are facing criminal charges; many of them also risk dismissal if convicted. The previous leadership has already been dismissed in similar circumstances.

Turkey: trade union rights continue to be massively violated, both in the private and the public sector. Many public servants' union leaders have been arrested and tried. Even when acquitted, they have been either dismissed from their jobs or offered to take up positions in other parts of the country, often hundreds of kilometres away from their families. Trade union rallies and demonstrations have also been violently attacked and dispersed by police in 2002.

Hong Kong SAR (PRC): ICFTU affiliates in Hong Kong have expressed serious concern at restrictions on independent union activity, in particular, international trade union relations and co-operation, which the HK SAR Government intends to introduce in April 2003, notably through a revision of Art.23 of Hong Kong's "Basic Law". Such a move would also curtail efforts by many Hong Kong-based labour rights' NGO's monitoring workers' rights and working conditions on China's Mainland.

¹ For further information please contact: turights@icftu.org

Burma: As demonstrated once again last October by the ICFTU in a 300+ pages report sent to the ILO Committee of Experts on the Application of Conventions and Recommendations, forced labour remains ripe in Burma, in spite of the recent opening of an ILO Liaison Office in Rangoon. Moreover, a human and trade union rights officer of the underground FTUB (Federation of Trade Unions – Burma) was assassinated by an army officer last April, in retaliation for a guerrilla attack on an army column into which the unionist had forcibly been recruited as porter. Furthermore, Burma's Military Intelligence (MI) has recently started a disinformation campaign targeting FTUB offices and installations in Thailand, alongside Burma's border, thereby seriously disrupting the union's activities.

Serious violations of trade union rights also continue to occur in other Asian countries, including Thailand, Pakistan, Bangladesh, Indonesia, Japan and others.

D. Europe

Belarus: interference in internal union affairs by the government is the rule in Belarus, where a new President of the main national union centre was personally appointed by the Head of State; trade unionists are harassed, fined and sometimes imprisoned, including the editor of the country largest independent union newspaper. At the time of writing, the Democratic Congress of Trade Unions was threatened with eviction from its premises, with the ensuing risk that its request for renewed registration, at a different address, would be rejected by the authorities.

Violations of workers' rights also occurred in other European countries, including Croatia, Slovakia, Serbia and others.

E. Middle-East:

Palestine-Israel: trade union and other workers' rights have been deeply affected by the repression of the second Intifada, including denying Palestinian workers the right of entry into Israel in order to work, as well as at least one attack on a Palestinian union headquarters. While condemning with equal vigour all killings of innocent civilians by both parties to the conflict, the ICFTU has supported and continues to encourage the Israeli and Palestinian trade union movements to co-operate in order to improve workers' rights and conditions.

Though some improvements in the workers' rights area have been reported in Bahrain and in Saudi Arabia, trade union rights' remain virtually ignored throughout the Middle-East, in particular in the Gulf States. Migrant workers have virtually no rights at all and are heavily exploited, while child labour remains a serious problem in some countries, for instance in traditional camel races where young children are often forced to jockey camels in a hazardous and dangerous practice.
