

PENDING AND NEW CASES  
BEFORE THE COMMITTEE ON FREEDOM OF ASSOCIATION

June 2008

*New cases are marked in **bold** letters. Should you wish to have more information on a particular case concerning your country, we suggest that, given the confidential nature of the complaints, you contact directly the relevant authorities of your Government dealing with ILO matters.*

ARGENTINA

- Case No. 2463 - The complainant organizations allege that during strikes carried out in a hospital of pediatrics, the administrative authority fixed minimum services unilaterally and repeatedly, in violation of the maximum level established by the legislation and finally, through the clause 61/05, the strike was prohibited
- Case No. 2499 - The complainant organization alleges acts of anti-union harassment on behalf of the authorities of the Judicial Authority of the Catamarca Province, against the founding members of the provincial branch of the Trade Union of Employees in the National Justice System, as well as the violation of the right of assembly of workers.
- Case No. 2515 - Discrimination and impediments in the obtention of the trade union status (personería gremial)
- Case No. 2531 - The complainant organization alleges that the judicial branch authorities of the Province of Mendoza infringe its collective bargaining rights
- Case No. 2593 - Acts of anti-union discrimination on the part of the authorities of the Secretariat for the Environment and Sustainable Development against affiliates and delegates of the ATE, by refusing to negotiate with the ATE over the latter's demands and meeting exclusively with representatives from the UPCN
- Case No. 2603 - The complainant organization alleges the anti-union transfer of a union leader and the refusal of the Minister of Treasury and Public Works of Salta Province to effectuate the retention of the union quotas of its affiliates
- Case No. 2606 - The complainant organization alleges its exclusion of the negotiation process of salary increases and that agreements were reached with only one organization

- Case No. 2614 - The complainant organizations object to the Agreement No. 30 issued by the higher Court of Justice of the Corrientes Province concerning the regulation of the right to strike in the Judicial Authority and also the complainant organizations have objections against the decision to deduct the days of strike of the wages of the judicial authority workers
- Case No. 2623 - The FAC denounces the impossibility to participate in collective bargaining in the sector as an employer

#### BOLIVIA

- Case No. 2582 - The initiation of administrative disciplinary procedures against trade union leaders in the judicial sector, including the suspension of functions and the withholding of salaries

#### BRAZIL

- Case No. 2470 - Acts of repression against unionized workers, because of their participation in industrial action and work stoppages within the frame of collective bargaining process; establishment of a parallel trade union instigated by the company; pressure on workers so that they discontinue their trade union's membership
- Case No. 2588 - Favoritism on the part of the enterprise General Motors towards unions less representative and established under the employer's auspices and financial support. Obstructions to the free elections of the union with which the workers wish to affiliate and benefits to the leaders of the union linked to the employer

**Case No. 2635 - Acts of anti-union discrimination**

**Case No. 2636 - Dismissal of a trade union leader**

#### BURUNDI

- Case No. 2425 - The complainant organization (SYMABU) alleges that the Government still refuses to implement collective contracts negotiated in 2003, which deal, inter alia, with the working conditions of judges

#### CAMBODIA

- Case No. 2262 - The complainant alleges anti-union dismissals of trade union officials and members in three garment factories (INSM, Top Clothes Cambodia and Splendid Chance), favouritism by the Government in respect of particular trade union organizations and acts of violence and intimidation against trade union members by a rival trade union organization in collusion with the Government and employers, to the detriment of the interests of workers in garment factories

- Case No. 2318 - Murder of the President of the Free Trade Union of the Workers of the Kingdom of Cambodia (FTUWKC), after having received death threats

#### CAMEROON

- Case No. 2476 The complainant organization alleges that the authorities interfere in internal trade union activities and give preferential treatment to certain persons and groups within the confederation, in particular as regards the designation of trade union representatives to national and international conferences, made without consulting confederations

#### CAPE VERDE

- Case No. 2622 - The complainant organization objects to certain provisions of the new Labour Code as well as the law-making process and its adoption

#### CHAD

- Case No. 2581 - The complainant organizations allege several violations of Conventions Nos. 87 and 98, including the following: the adoption of a law extending the definition of essential services to activities in the strict sense of the term; the repression of workers who had participated in a public sector strike; the security forces' seizure of the Chad teachers' union's funds and the occupation of its headquarters, preventing access to the latter for twelve days; the confiscation, at the airport, of the passport of Mr. Djibrine Assali, the secretary general of the Union of Chad unions, preventing him from attending the International Labour Conference; and the adoption of a decree by which the Government refused to recognize the union confederation with it had been negotiating for several weeks

#### CHILE

- Case No. 2465 - The complainant organizations allege hindrances in the negotiation process of a collective agreement, violent intervention by the police during a strike and detention of strikers
- Case No. 2626 - Restriction to the right to strike by the CODELCO state enterprise, including the detention of strikers

#### COLOMBIA

- Case No. 1787 - The complainants allege murders, abductions, physical assaults, death threats, and other acts of violence against trade union officials and members; the complainants also allege failure by the Government to adopt the measures needed to put an end to the serious situation of impunity

- Case No. 2355 - The complainant organization allege that the Government has imposed compulsory arbitration to the workers affiliated to the Union Sindical Obrera (USO) at the head office of ECOPETROL, that trade union leaders have been dismissed, and that the company has been militarized. They also allege that the Ministry of Social Protection has declared that a strike in the oil sector was illegal, as it considers it an essential service, which led to the dismissal of 248 workers and to criminal prosecutions against seven trade union leaders and activists of USO
- Case No. 2356 - Anti-union dismissals during the restructuring process of the National Service of Apprenticeship (SENA), including the dismissal of eight trade union leaders who enjoyed trade union privilege. Employer interference and its opposition to the registration of SINDETRASENA, which resulted in the refusal of registration by the administrative authority
- Case No. 2362 - Anti-union dismissals during a restructuring process, initiated in March 2004, at the head office of the group of enterprises AVIANCA-SAM-HELICOL. Subcontracting of the dismissed workers through work cooperatives, which means that said workers are not covered by the collective agreement signed with the group of enterprises. Threats against trade union leaders
- Case No. 2434 - The National Association of Telephone and Communications Technicians (ATELCA) alleges that the project of amendment of article 48 of the national Constitution concerning social security violates the principle of free and voluntary collective bargaining by making it impossible to establish the pensions regime through collective bargaining and by deciding the invalidity of any collective agreement in force regulating pensions in a different way as established by the new regime from 31 July 2010
- Case No. 2497 - The complainant organizations allege that public enterprise of Pereira, following their restructuring in four independent enterprises, did not respect the provisions of the collective agreement concerning seniority benefit added to the pension of those workers having more than 20 years of service
- Case No. 2498 - The complainant organizations allege that the Government, through the Labour Inspection of the Antioquia Territorial Board of the Ministry of Social Protection, on several occasions, refused to register the National Union of Employees of Social and Non-Governmental Organizations (SINTRAONG'S). As a consequence, the complainant organization is prevented from exercising its activities
- Case No. 2522 - Dismissal of trade union leaders in a context of a restructuring process without starting the legal proceeding for the lifting of the trade union immunity established in the legislation

- Case No. 2560 - The complainant organizations allege pressure put on workers aimed and discouraging them from becoming SINTRABANCOL members; dismissals and change of labour conditions in violation of the collective agreement; as well as the request by the Bank of Colombia to withdraw the protection against anti-union discrimination enjoyed by several trade union leaders
- Case No. 2565 - The complainant organization alleges that the enterprise Omnitempus Ltda. requested that the inscription order, in the union registry, of the constitution, by-laws and the executive council of SINTRAOMNITEMPUS be declared as having no legal force; this was approved by the coordinator of the group on work, employment and social security. Once this decision was rendered, the enterprise dismissed the executive council of the complainant organization as well as 80 per cent of its membership
- Case No. 2573 - The complainant organization alleges that the enterprise Termotasajero SA refuses to grant free time to union leaders and does not recognize the trade union immunity guaranteed to certain union leaders. The employer has also violated the terms of the collective agreement and refuses to grant salary increases to those affiliated with the union
- Case No. 2574 - The complainant organizations alleges the non-compliance with the collective agreement signed in 1991 by COLPUERTOS in liquidation, and by unions in Colombian ports close to the Ministry of Public Works
- Case No. 2595 - The complainant organization alleges violations of union headquarters and the residences of union leaders, which had occurred on several occasions and without judicial warrants; arbitrary detentions of union leaders and affiliates accused of rebellion and terrorism; the sequestration of union leaders by paramilitary forces to threaten them not to bring a complaint against an enterprise. According to the complainant organization, the enterprise accuses the unions' leaders of being members of the armed groups- the reason for their detention by the public authorities. According to the complainant, the enterprises had on several occasions demanded the annulment of SINALTRAIBAL's registration; anti-union dismissals. The complainant organization alleges that the enterprise possesses ties to paramilitary organizations in order to cause grave harm to it.
- Case No. 2599 - The complainant organization alleges that the special administrative unit of the civilian aviation industry does not respect the trade union guarantees of the National Union of Civilia Aviation Industry Workers (SINTRAERONAUTICO).It alleges in particular the transfer of union personnel, the non-disclosure of evidence in disciplinary procedures and the non-application of resolution 01339 of 10 March 2005, issued by the former director of AEROCIVIL, which established trade union guarantees regarding rights, trade union leave and other benefits

- Case No. 2600 - The complainant organizations allege the violation on the part of the enterprise, Productos de Aluminio Munal SA, of the collective agreement in force; the anti union dismissal of union members and union leaders, and the prohibition imposed on temporary workers assigned to another enterprise from joining the union. The complainant organizations also allege, with respect to the enterprise “Compañía Manufacturera Andina “CMA”, the signing of a collective agreement with workers not affiliated with the trade union, which is not respected by the enterprise; pressure and threats against workers; the refusal to grant salary increases to workers affiliated with the union as of 1<sup>st</sup> June 2007 and the dismissal of several trade unionists
- Case No. 2612 - Pressures on workers of GRANAHORRAR, once the BBVA (Banco Bilbao Vizcaya Colombia), merged with GRANAHORRAR so that they join a collective accord in exchange for their remaining in the Bank. Pressure on other workers who were covered by the collective agreement so that they join the accord containing clauses that considerably worsen the conditions established in the collective agreement. Anti-union dismissals of workers just after their joining of the trade union organization
- Case No. 2617 - Denial of trade union leave, refusal to provide premises to the trade union. Denunciation of trade union members as a guerrilla group by the Director-General of the National Prison Service (INPEC). Disciplinary proceedings against trade union leaders following information meetings

#### COMOROS

- Case No. 2619 - Harassment and dismissal of teacher trade union leaders because of a strike on the Anjouan Island; refusal by the authorities to initiate collective bargaining with the national trade union or workers in ports and dismissal of dockers, including trade union leaders, following a strike

#### DEMOCRATIC REPUBLIC OF THE CONGO

- Case No. 2607 - Interruption by the employer of the collective bargaining process and dismissals of trade union delegates

#### COSTA RICA

- Case No. 2490 - (1) Declaration of unconstitutionality of collective agreement clauses in state enterprises concerning economic benefits, paid trade union leave, life insurance, etc., by the Constitutional Chamber of the Supreme Court of Justice; and (2) unilateral determination by the Government of salaries in the public sector

- Case No. 2518 - Dismissals of union officials and trade unionists, non-fulfillment of collective agreements, limits to the right to strike and other anti-union or intimidations practices in enterprises in the banana sector (Chiquita-Chiriqui Land Company, Collin Street Bakery Incorporated, Agroindustrial, Frutales S.A., Santa María del Monte, Compañía Bananera Atlántica Limited, Talamanca y Zavala, and Cariari S.A.)
- Case No. 2542 - Restrictions to the right of a trade union organization to express and to disclose their opinions on a free trade agreement
- Case No. 2604 - Disciplinary procedures against two leaders of the Employees' Trade Union of the National Insurance Institute (Unión de Personal del Instituto Nacional de Seguro); violations of the collective agreement

### CÔTE D'IVOIRE

- Case No. 2633 - The complainant organization alleges infringements to freedom of association and acts of anti-union discrimination in several companies in Côte d'Ivoire, and in some cases in spite of their being called to order by the authorities**

### DJIBOUTI

- Case No. 2450 - The complainant organizations, the Djibouti Trade Union of Labour (UDT) and the General Union of Djibouti Workers (UGDT), allege that the Government: refuses to take the necessary measures to ensure the re-hiring of trade unionists who had been dismissed following a protest strike against the impact of an IMF-initiated structural adjustment program, in spite of a Government commitment to that effect; continues to harass and dismiss trade unionists without cause; adopted a new Labour Code which will lead to the disappearance of a free and independent trade union movement; and shows favouritism in the designation of workers' delegates at regional and international conferences. The UDT further alleges the unfair dismissal of a high-level trade unionist (postal sector); the authorities' interference in trade union activities; the creation of a yellow trade union, controlled by the authorities; continued harassment of trade unionists; and the lethargy of courts in the face of complaints filed by the trade unionists

### ECUADOR

- Case No. 2538 - Dismissal of ten workers following the constitution of a works council in the Foundation for Sciences and Technology (FUNDACYT), and refusal of the authorities to approve the works council and give it the necessary information to allow it to exercise its right of defiance; collective agreement which received no reply; new administrative action to dissolve the works council and to encourage workers to disaffiliate

- Case No. 2625 - The complainant organization alleges that the Supreme Court of Justice punished and dismissed, disregarding the rules of due process, leaders of FENAJE because of their defending job stability and career of judicial service workers; moreover, they allege that penal pursuit was initiated and an arrest warrant was issued against two leaders of FENAJE

#### EL SALVADOR

- Case No. 2505 - Unlawful and unjustified denial of legal personality to the Trade Union of Workers of Maintenance Companies of the International Airport of El Salvador
- Case No. 2551 - Provisional detention order against trade union leaders of the informal sector and accusations under the Special Anti-terrorism Act for having mobilized workers of this sector and for carrying out acts of protest
- Case No. 2557 - Dismissal of trade union leaders and members of the Sweets and Pastry Industrial Trade Union (SIDPA); acts of interference by the enterprise “Productos Alimenticios Diana SA de CV” with the aim of dissolving the trade union
- Case No. 2571 - Dismissals and acts of anti-union discrimination and intimidation from the enterprise “Calvo Conservas El Salvador SA de C. V.”
- Case No. 2615 - Violations to the right to bargain collectively
- Case No. 2629 - Refusal to grant legal personality to the Salvadorian Judicial Employees’ Trade Union**
- Case No. 2630 - Coercion to give up membership of the complainant organization and to become a member of a parallel organization through threats of dismissal; recognition of this parallel organization as a collective bargaining agent; attempt to dissolve the complainant organization; risk of deterioration of the collective bargaining clauses**

#### ERITREA

- Case No. 2449 - The complainant organizations allege that three senior trade union executives have been arrested by police and security forces in March and April 2005. They have been since then detained incommunicado and without charges; they have not been allowed access to legal counsel; and the authorities refuse to give any information on their whereabouts and the reasons for their arrest

## ESTONIA

- Case No. 2507 - The complainant organizations alleges that a draft Act (Employees' Representatives Act), submitted to Parliament in June 2006, violates freedom of association Conventions and principles, as it: reduces workers' rights to choose themselves their representatives; removes the right of trade unions to represent workers in information and consultation procedures at the workplace; aims in the long term at banishing trade unions from the workplace; does not create appropriate conditions for effective dialogue with employers; consistently gives preference to employees' representatives, elected at a general meeting, over trade union shop stewards

## ETHIOPIA

- Case No. 2516 - The complainant organizations allege serious violations in the trade union rights of the Ethiopian Teachers' Association (ETA) including interference in its internal organization preventing it to function normally, and interference by way of torture, threats, detentions, harassment, dismissals, and transfers

## FRANCE

- Case No. 2457 - The complainant organization (CGT-FO) alleges that two legislative amendments introduced in 2005 led to a lowering of trade union and collective bargaining rights guaranteed by Conventions Nos. 87 and 98, and of the rights protected by Convention No. 158. Order No. 2005-892 modifies the calculation of staff in enterprises by providing that workers less than 26 years old hired from June 2005 will not be taken into account in that calculation; this provision allows employers to escape several obligations established in the Labour Code (recognition of trade union representatives; establishment of staff committees; organizing election of staff delegates). Order No. 2005-893 creates a new type of employment contract, the so-called "new recruitment contract", without definite duration but not benefiting during the first two years from the protections of the Code, in particular the obligation to consult trade unions on terminations of employment contract and dismissals for economic reasons. This provision gives employers the right to terminate this type of contract at any time, without any reason and at minimal cost, simply by sending registered mail to the worker.

## GUATEMALA

- Case No. 2203 - Anti-union dismissals and refusal to reinstate workers; destruction of trade union office; employers' interference in trade union elections
- Case No. 2241 - Anti-union dismissal with delay in proceedings for legal settlement which was thus unsuccessful

- Case No. 2295 - Dismissal of trade union members by the entity “Committee for the Blind and Deaf of Guatemala”; non-compliance of the judicial order of reinstatement; new judicial decision (Court of Appeal) ordering, in violation of the national legislation, not to execute the reinstatement although the previous judicial decision was firm and after ignoring essential procedural guarantees
- Case No. 2341 - Interference by the labour inspection in internal affairs of the Workers’ Trade Union of the Quetzal Port Enterprise; illegal destitution of seven members of the complainant organization’s executive board
- Case No. 2361 - The complainant organization alleges that the mayor of Chinautla refused to negotiate a collective agreement, and that the municipal authorities dismissed trade union members and leaders, and committed acts of interference
- Case No. 2445 - Murder or attempted murder, threats, assaults and detention orders against trade unionists and theft of union property; raids in unions’ headquarters; numerous labour disputes in agriculture firms and the public sector; delay and inefficiency of legal processes in case of violation of freedom of association; corrupt practices in the justice and criminalization of labour disputes
- Case No. 2540 - Murder of a trade union leader
- Case No. 2568 - Acts of discrimination against trade unionists committed by the enterprise “Agroindustria Albay”
- Case No. 2609 - Murder of a trade union leader, death threats against trade unionists, acts of intimidation by armed persons, assault on physical integrity of a trade unionist, illegal detention of trade unionist in a trade union headquarters

#### HONDURAS

- Case No. 2517 - Dismissal of a number of trade union leaders and members after the constitution of a trade union in the enterprise “Tiara-Zona Industrial de Procesamiento Calpules (San Pedro Sula)”

#### INDIA

- Case No. 2512 - The complainant organization alleges serious interferences in trade union activity by way of acts of anti-union discrimination against its officials and members, including the creation of puppet unions, dismissals and suspensions for trade union activities, physical violence, unjust disciplinary hearings and false criminal charges, arbitrary reduction of wages, transfers of its active members to other factories, other sections, or other more difficult, dangerous and/or onerous workstations, without the appropriate training or without respecting the necessary health and safety requirements; the employer furthermore failed to recognize the complainant organization

## INDONESIA

- Case No. 2472 - The complainant organization alleges that its affiliate All-Indonesian Federation of Wood, Forestry and General Workers' Union (SP Kahutindo), since its establishment, has faced constant harassment and repeated violations of minimum labour standards and trade union rights by the employer PT Musim Mas, as follows: employer's refusal to recognize SP Kahutindo; establishment of a rival yellow union by the employer; following a legal strike, dismissal of 701 workers and eviction of these workers and their families from housing on plantation estates; non-renewal of contracts of 300 contract workers following the same strike; arrest of six trade union leaders, including the SP Kahutindo chairman, under accusations of crime against public order for causing damages to persons of property (five were sentenced to prison terms ranging from 14 months to two years; the sixth one is currently undergoing trial on the same charges); intimidation, harassment and disciplinary transfer of trade union members and officials. Many of these violations took place with the complicity of police forces; and the labour authorities failed to intervene to protect workers' rights, despite requests to that effect
- Case No. 2494 - The complainant organization that Securicor Indonesia, in the context of a merger with Group 4 Falck, refused to enter into negotiations with the trade union over terms and conditions of employment in the merged enterprise, which led to a strike by more than 600 workers. The employer committed several acts of anti-union discrimination and harassment, including: preventing the union president and officials to enter company premises; dismissing 238 union officials and members, refusing to reinstate them in spite of several court orders to that effect; and attempting to coerce and intimidate union members by calling their families. The complainant organization also alleges that many union officials and members were repeatedly summoned by the police for unwarranted interrogation; that the judiciary systematically favours employers; and that the legislation lacks adequate procedures to enforce workers' rights to freedom of association and collective bargaining

## ISLAMIC REPUBLIC OF IRAN

- Case No. 2323 - The complainant organization alleges that at least four workers have been killed and some 40 workers injured by riot police in the context of a strike and related protests, and that other workers were arrested and kept for interrogation
- Case No. 2508 - The complainant organizations allege that the authorities and the employer (Sherkat-e Vahed) committed several and continued acts of repression against the local trade union at the bus company, including: harassment of trade unionists and activists; violent attacks on the union founding meeting; violent disbanding, on two occasions, of the union general assembly; arrest and detention of large numbers of trade union members and leaders under false pretences (disturbing public order, illegal trade union activities); mass arrest and detention of workers

(more than 1,000) for planning a one-day strike. The complainant organizations also alleged that the authorities have arrested Mr. Mansour Osanloo, chairperson of the union executive committee, under very serious charges (including contacts with Iranian opposition groups abroad, instigating armed revolt against authorities); he had been detained for over six months at the time of filing the complaint and is being denied due legal process

Case No. 2566 - The complainant organization alleges the continued repression of teachers and the obstruction of their exercise of legitimate trade union activities, including the arrest and detention of teachers following protest demonstrations

Case No. 2567 - The complainant alleges the government interference in the elections of the Iran Confederation of Employers' Associations (ICEA) and the subsequent dissolution of the Confederation by administrative authority, giving official support given to a new and parallel employers' confederation

#### JAPAN

Case No. 2177 - The complaints allege that the upcoming reform of the public service legislation, developed without proper consultation of workers' organizations, further aggravates the existing public service legislation and maintains the restrictions on the basic trade union rights of public employees, without adequate compensation

Case No. 2183 - The complaints allege that the upcoming reform of the public service legislation, developed without proper consultation of workers' organizations, further aggravates the existing public service legislation and maintains the restrictions on the basic trade union rights of public employees, without adequate compensation

#### REPUBLIC OF KOREA

Case No. 1865 - Arrest and detention of trade union leaders and members; government refusal to register newly established organizations; adoption of labour law amendments contrary to freedom of association in the companies Dong-hae Co.; Changwon Specialty Steel Co. and OMRON Electronics Korea

Case No. 2569 - The complainant organizations allege the following: absence of dialogue with the teacher organization in the development and implementation of a system of teacher evaluation; prohibition of the right to assemble; denial of the right to strike in the Teacher Union Act; imposition of disciplinary sanctions against 436 teachers who participated in a union assembly on 22 November 2006, and imprisonment of two teacher union members who posted images of North Korean posters on the teacher union web site in order to promote peace education

Case No. 2602 - The complainants allege that since 2004 until today “illegal dispatch” workers, i.e. precarious workers in disguised employment relationships, in Hyundai Motors Corporation Ulsan, Asan and Jeonju plants, Hynix/Magnachip, Kryung electronics and KM&I are denied their freedom of association and collective bargaining rights be being excluded from the protection of law (TULRAA) and face recurring retaliatory dismissals, compensation suits to threaten union members into withdrawing from the union and physical assaults, while the Public Prosecutors’ Office has been downplaying the extent of the problem.

Case No. 2620 - The complainant alleges the Government’s refusal to register its affiliate, the Migrant’s Trade Union (MTU), as well as the arrest and deportation of the MTU’s leaders

#### LEBANON

Case No. 2621 - Interference by the authorities in the election of the trade union leaders of the General Federation of Labour of Lebanon

#### LUXEMBOURG

Case No. 2492 - The complainant organization, legally established in July 2004 and representing more than 75 per cent of all agents of the Central Bank of Luxembourg (agents with public law status), alleges that the authorities refuse to grant it the formal agreement necessary to defend the collective interests of its members, despite several demands to that effect since October 2004

#### MALAYSIA

**Case No. 2637 - The Government’s refusal to allow the migrant domestic workers to establish an organization for defending their interest. Condition imposed by the immigration Department that migrant workers do not join trade unions.**

#### MAURITIUS

Case No. 2616 - The complainant organizations allege the use of repression measures against the trade union movement, including criminal prosecutions, in violation of the right to strike

#### MEXICO

Case No. 2478 - Dismissal of the General Secretary of the National Union of Workers in Mines, Metallurgy and Allied Sectors of Mexico, by decision of the Secretary of Labour; freezing of bank accounts of the Union; these decisions and acts of protest because of occupational accident brought to a work stoppage by more than 270,000 workers of the b.m. Union

## MYANMAR

- Case No. 2268 - Total absence of guarantees for freedom of association in the legislation, including laws, military decrees and orders which blatantly violate freedom of association principles and provide penal sanctions for anyone who attempts to exercise their rights; disbanding of trade unions and forcing them underground or into exile; murder and detention of trade unionists; continuing repression of seafarers freedom of association rights; arrest and dismissal of workers in relation to their exercise of their freedom of association rights at, in particular, the Unique Garment Factory, the Myanmar Texcamp Industrial Ltd. and the Myanmar Yes Garment Factory

## NETHERLANDS

- Case No. 2628 - **The complainants allege government intervention with respect to their collective bargaining rights**

## NICARAGUA

- Case No. 2544 - The complainant organization alleges the refusal of the authorities to the inscription and registration of its organization and the dismissal of all its members
- Case No. 2601 - Violation of collective agreements and dismissals of trade union leaders and trade unionists
- Case No. 2613 - The complainant organization alleges numerous dismissals and anti-union transfers

## PAKISTAN

- Case No. 2520 - Unfair and discriminatory practices against Karachi Shipyard Labour Union (CBA), an affiliated union of the National Trade Union Federation Pakistan (NTUF); the CBA not duly recognized by the management of Karachi Shipyard and Engg Works Ltd, which has ignored its concerns and has not settled its charter of demands; the CBA registration unlawfully cancelled

## PANAMA

- Case No. 2576 - The complainant organizations allege transfers and unjustified dismissals in the private security sector (company of transnational security Group 4 Securicor and its Panamanian subsidiaries: G4 SA and G4S Valores), physical aggressions and threats against trade union leaders, retention of the trade union fees that have been deducted from the workers; and interference from a security enterprise in the establishment of a trade union

## PARAGUAY

- Case No. 2526 - Dismissal of one trade union leader of the bank sector

## PERU

- Case No. 2248 - Dismissal of the General Secretary of the Workers' Trade Union of Petro Tech Peruana S.A. Mar y Tierra and of various trade unionists covered by trade union immunity; request lodged by the company with the authorities to have the trade union deregistered
- Case No. 2400 - Dismissal in the company GLORIA S.A. of two workers recently unionized (Rubén Villegas and Fernando Paholo Trujillo); harassing of the legal defence secretary of the trade union Mr. Gilver Arce Espinoza (extra work, ill-treatments, suspensions with wage deductions) and also of other worker members of the trade union
- Case No. 2527 - Dismissal of trade union leaders and other workers with expulsion from their houses after the constitution of the trade union in the company "Minera San Martín SA"; death threats against the trade union leaders
- Case No. 2533 - The complainant organization alleges the dismissal of trade union leaders and other acts of anti-union discrimination; request for cancellation of registration by a company and obstructions in collective bargaining
- Case No. 2539 - Dismissal of seven trade union leaders by the company Owens Illinois Perú SA
- Case No. 2553 - Anti-union dismissals by the enterprise "Mar y Tierra de IMI del Perú SAC"; pressure on a trade union leader to leave the trade union; obstacles to collective bargaining; judicial action against the registration of the trade union by the enterprise
- Case No. 2587 - Legislation restricting the right to strike in the educational sector
- Case No. 2594 - Dismissals, threats of dismissal and other acts of intimidation as a result of the formation of a trade union in the enterprise Panamerica Television SA (actually named Panam Contenidos SA)
- Case No. 2596 - Acts by the employer (the Peruvian Air Force) to dissolve the Single Union of Workers of the Education Institute of the Peruvian Armed Forces (FAP) "Manuel Polo Jiménez"-SINPOL; refusal on the part of the employer to negotiate and various acts of anti-union discrimination
- Case No. 2597 - Refusal by authorities to grant registration to the Union Workers of the Contracting and Allied Enterprises of the Minera Barrick Misquilchilca SA anti-union discrimination: discrimination in access to employment

- Case No. 2624 - The complainant organization alleges the mass dismissal of workers because of the creation of the Single Trade Union of Workers engaged by the town hall of Miraflores
- Case No. 2627 - Practices contrary to the right to bargain collectively in the SEDAPAL Company, discrimination against a trade union and dismissal or transfer of trade unionists
- Case No. 2638 - Restrictions to the right to strike and to bargain collectively**
- Case No. 2639 - Restrictions to the right to bargain collectively in the public sector**

#### PHILIPPINES

- Case No. 2528 - The murder and disappearance of trade union leaders, grave threats, continuous harassment and intimidation and other forms of violence inflicted on leaders, members, organizers, union supporters/labour advocates of trade unions and informal workers' organizations

#### ROMANIA

- Case No. 2611 - The complainant organization alleges the refusal by the Court of Auditors (Cour des Comptes) to sign a collective agreement after its negotiation
- Case No. 2632 - The complainant organization alleges that the Government drafted a Bill restricting the subjects which could be bargained collectively as well as the level of negotiation**

#### RWANDA

- Case No. 2618 - The complainant organizations denounce difficulties encountered to carry out activities in numerous companies as well as facilities and benefits granted by the Government to a trade union centre to the detriment of the others

#### SRI LANKA

- Case No. 2519 - Refusal to negotiate wage increment issues by the state-owned enterprise Sri Lanka Ports Authority (SLPA) despite several attempts by the unions to compel negotiations, including a peaceful "work to rule" action in which 14 workers participated in; filing of a complaint by third unconnected party to collective bargaining; judicial intervention restricting the rights to strike of trade unions

## SWITZERLAND

- Case No. 2265 - The complainant alleges that the legislation provides inadequate and insufficient protection to trade union delegates and representatives, in particular with respect to anti-trade union dismissals for which only a small, non-dissuasive compensation is provided

## THAILAND

- Case No. 2634 - The complainant alleges that the Thai Summit Eastern Seaboard Autoparts Industry Co., Ltd (TSESA) has engaged in a systematic pattern of obstruction and violation of the workers' rights to organize and bargain collectively**

## TOGO

- Case No. 2598 - Intervention by security forces to prevent a protest march and the holding of a trade union meeting; the occupation of locales of the trade union confederation; failure of the State to comply with its obligations under an agreement entered into with the social partners

## TUNISIA

- Case No. 2592 - The refusal to recognize a trade union federation, interference by the authorities in union activities, acts of anti-union discrimination against union leaders and the violation of collective bargaining rights-particularly of the duty to bargain in good faith

## TURKEY

- Case No. 2537 - Representation alleging non-observance by Turkey of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made under article 24 of the ILO Constitution

## UKRAINE

- Case No. 2605 - The complainant organization alleges that the authorities refuse to register the amendments to the Statutes of the Federation of the Employers of Ukraine (FEU)

## UNITED STATES OF AMERICA

- Case No. 2608 - The complainant alleges that recent decisions of the National Labor Relations Board have restricted the coverage of the National Labor Relations Act limiting the protection afforded against anti-union discrimination and interference and refusing applications of meaningful remedies

## URUGUAY

- Case No. 2501 - Evaluation of professional performance with anti-union purposes against four trade unionists in the teaching profession with the support of the qualifications board and the Council of Secondary Education. The denunciations made by the trade union organization were not contested nor resolved. Accusations of serious disciplinary breaches along with a request for administrative investigation, for carrying out trade union activities
- Case No. 2530 - The complainant organization objects the decision of the administrative authority to declare essential the land transportation
- Case No. 2631 - **The complainant organization objects to the resolution No. 70/007 issued by the Ministry of Labour and Social Security which declared the air traffic control to be an essential service and that the Ministry of National Defence had to determine the services to be fulfilled during the strike; and the resolution of the Ministry of National Defence declared various services of the aeronautical sector to be essential services**

## VENEZUELA

- Case No. 2254 - Lack of consultation and social dialogue from the Government with the most representative employers' organizations, in particular as regards legislation; obstacles to civic and union freedom as well as freedom of association of employers; verbal attacks against employers and their leaders by the President of the Republic; constant violation of employers' interests; illegal occupation of productive land, included with help of the National Guard; anti-employers guidelines of economic policy which caused the closure of firms; serious restrictions of the exchange control system used for discriminatory purposes for a large number of firms; detention of the president of FEDECÁMARAS for his activities and violation of due process; physical assaults and ill-treatments against this leader; harassment and intimidation against employers' organizations and their representatives
- Case No. 2422 - Suspension and disregard by the National Electoral Council of the trade union electoral process of the complainant organization; denial of the Ministry of Labour to initiate the collective bargaining procedure in the health sector

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