Belarus

Freedom of Association and the Protection of the Right to Organise Convention, 1948 (No.87).
(Belarus ratified Convention No. 87 on 6 November 1956)

THE BELARUSIAN AUTHORITIES ARE USING EVERY MEANS AT THEIR DISPOSAL TO TAKE CONTROL OVER THE COUNTRY’S TRADE UNION ORGANISATIONS, IF NOT ELIMINATE THEM ALTOGETHER. THE FEDERATION OF BELARUSIAN TRADE UNIONS AND THE CONGRESS OF DEMOCRATIC TRADE UNIONS HAVE BECOME FAVOURITE TARGETS FOR REPRESSIVE MEASURES. PRESIDENT LUKASHENKO IS MAKING USE OF THE FULL ARRAY OF WEAPONS AVAILABLE TO HIM BY THE COUNTRY’S ADMINISTRATIVE AUTHORITIES TO SMASH ANY INDEPENDENT FORM OF TRADE UNIONISM.

Key facts

- The police intervened in force to break up a strike at the Minsk Underground. The strikers were dismissed. Demands made by the ILO’s Committee on Freedom of Association that they be reinstated have so far gone unheeded.
- Presidential Decree 2 makes the registration of trade unions virtually impossible if the respective employer or the State itself disapproves.
- The State has tried to change the unions’ leadership by intimidating trade unionists and interfering with elections to trade union posts.
- Trade union activists are dismissed.
- The bank accounts of trade union organisations have been frozen for months following excessive and arbitrary tax audits.
- Employers are encouraged by the State to set up their own company unions.
- Presidential Decree 8 states that the government must give its consent to any international support for the trade unions in Belarus.
- Trade union officials and representatives are refused access to the premises of companies where they have members. This runs contrary to the country’s legislation.
- Presidential Decree 11 provides for the disbandment of a union if a picket disrupts the activity of a company or the transport system.
- Government Decree 1804 makes it illegal to retain trade union dues at source (the check-off system), a measure which is designed to weaken the unions’ financial independence. This decree violates the law in Belarus and contradicts numerous collective agreements.
- In March and November 2001, the ILO’s Committee on Freedom of Association examined a complaint lodged jointly by all Belarus’ trade union organisations and demanded that the law be brought into line with Convention No.87. The Committee also called for the reinstatement - with compensation - of all unfairly dismissed trade unionists and for an end to interference of any kind by the State in union affairs.
Special paragraph

In its report adopted by the International Labour Conference in 2001, the Committee on the Application of Standards devoted a special paragraph to Belarus in relation with Convention No.87 on Freedom of Association and the Protection of the Right to Organise, 1948. That paragraph reads as follows:

The Committee took note of the written and oral information provided by the Government representative and the discussion which took place thereafter. It noted that the comments of the Committee of Experts referred to a number of discrepancies between recently adopted legislation, various decrees and instructions and the provisions of the Convention, in particular as concerns the right of workers and employers to establish organizations of their own choosing and the interference by the public authorities in trade union activities and the election of trade union representatives. The Committee expressed its grave concern at the issuance of instructions by the head of the presidential administration which called upon the ministers and chairs of government committees to interfere in the elections of branch trade unions and noted with regret the statements made before it that government interference in the internal affairs of trade unions continued. In this respect, the Committee urged the Government to take all necessary measures to put an end to such interference so as to ensure that the provisions of the Convention are fully applied both in law and in practice. Noting the Government's statement that measures were being considered to amend Presidential decree No. 2 on some measures on the regulation of the activity of, among others, trade unions, the Committee expressed the firm hope that the necessary steps would be taken in the very near future so as to ensure fully the right of workers and employers to establish organizations of their own choosing without previous authorization. The Committee also requested the Government to ensure fully the right of these organizations to function without interference by the public authorities, including the right to receive foreign financial assistance for their activities. The Committee urged the Government to supply detailed information in the report requested by the Committee of Experts for its coming session and expressed the firm hope that it would be able to note next year that concrete progress had been made in this case.

Trade union demands

In view of the gravity of the situation in Belarus, the Workers' Group is demanding:

- That the Belarusian government honour its international obligations by fully respecting Convention No. 87 on Freedom of Association and the Protection of the Right to Organise, in line with the recommendations made by the Committee on the Application of Standards and by the Committee on Freedom of Association.
- That the governments of the ILO Member States use every means at their disposal to bring pressure to bear on the Belarusian government to make it respect international labour standards.
- That the international trade union movement guarantee trade unionists in Belarus the solidarity they need.
- That the relevant employers' organisations use their influence, at both the national and international levels to step up the international political and economic pressure on the Belarusian authorities to make them respect freedom of association for both workers and employers.
- That the ILO Director-General restrict technical assistance provided by the ILO to Belarus only to workers' and employers' organisations until the government prove willing to implement the recommendations of the ILO's supervisory bodies.

FOR MORE INFORMATION PLEASE CONTACT:
The secretariat of the ILO Workers' Group
International Labour Office, 4 route des Morillons CH - 1211 Geneva 22, Switzerland
Tel : +41 22 738 42 02 Fax : +41 22 738 10 82 E-mail : wkgroup@ilo.org