THE YEAR 2004 STARTED WITH THE UNFAIR DISMISSAL OF THE ZIMBABWE CONGRESS OF TRADE UNIONS PRESIDENT MR. LOVEMORE MATOMBO BY HIS EMPLOYER THE ZIMPOST, A PARASTATAL OWNED BY THE GOVERNMENT. THE ZIMPOST IS ALLEGING THAT (I) MR. MATOMBO (AND OTHER EXECUTIVE MEMBERS OF HIS UNION) DISRUPT-ED A BOARD MEETING AND THEY ACTED IN A DISRESPECTFUL MANNER, AND (II) ATTENDED THE ORGANISATION OF AFRICAN TRADE UNION CONGRESS IN SUDAN IN DECEMBER 2003 WITHOUT PERMISSION FROM HIS EMPLOYER.

Key facts

● The existence of the Zimbabwe Congress of Trade Unions (ZCTU), the umbrella body of 35 trade unions in Zimbabwe, has been a cause of concern to the government which sees it as a threat to its monopoly of power.

● The Government is known to be sponsoring splinter trade unions, such as the Zimbabwe Federation of Trade Unions (ZFTU), which is bankrolled by the ruling party, ZANU PF, and run by war veterans. The Government ensures that the ZFTU attend important international fora including the International Labour Conferences in order to steal the thunder from the ZCTU. In 2003, the ruling party organised May Day celebrations for the ZFTU with cash inducement in order to lure people to attend.

● In October 2003, some 200 trade union activists and officials were arrested for holding demonstrations throughout Zimbabwe.

● Several cases of brutal murder, torture, rape, imprisonment and dismissal of hundreds of trade unionists occurred in 2003. ZCTU leadership is constantly under police surveillance.

● On Friday 23 May 2003, the government attempted to deport the Commonwealth Trade Union Council (CTUC) director, Ms. Annie Watson. The deportation aborted after the intervention of the Zimbabwe Congress of Trade Unions (ZCTU), indicating that this would have serious implications from the international community.

● There are a number of laws that have become a stumbling block to the operation of the labour movement. These include the Labour Relations Act (Chapter 28:01), the Public Order and Security Act (POSA) which curtails the right to assembly, and the Access to Information and Protection of Private Act (AIPPA) aimed at censoring the operation of the media through licensing of media houses and personnel. AIPPA makes it an offence to criticise the president and government policies and undermines collective bargaining by giving employers the right to deny workers the relevant information.

● In January 2004 the ZCTU withdrew its three representatives from the National Social Security Authority (NSSA) board over allegations of mismanagement and corruption at the multibillion-dollar public pension fund.
Special paragraph

In its report, adopted by the International Labour Conference in 2003, the Committee on the Application of Standards devoted a special paragraph to Zimbabwe in relation with Convention No. 98 on Right to Organise and Collective Bargaining Convention, 1949. That paragraph reads as follows:

The Committee took note of the written information submitted by the Government, the oral statement made by the Government representative and the ensuing discussion. The Committee noted once again that the comments of the Committee of Experts dealt with problems relating to the application of Article 2 (protection against acts of interference), Article 4 (promotion of collective bargaining) and Article 6 (scope of application) of the Convention. The Committee noted the Government’s statement that in the context of the ongoing reform of the labour legislation, the amendments to the Labour Relations Act adopted on 7 March 2003 and that the statutory instrument on the protection of workers’ organisations against acts of interference by employers’ organisations and vice versa had been adopted in 2003. Noting that the Committee of Experts had made certain comments on the provisions of the draft amendments transmitted with the Government’s report, the Committee considered that it would be appropriate for the Committee of Experts to examine the conformity of the amended legislation with the provisions of the Convention. The Committee nevertheless noted with concern the allegations made concerning the persistent violations of the Convention in law and in practice. The Committee expressed firm hope that in the very near future the necessary measures would be adopted to guarantee that the rights set out in the Convention were effectively applied to all workers and employers, and to their organisations. The Committee requested the Government to provide detailed information in this regard in its next report so that it could be examined by the Committee of Experts. The Committee noted that the Government was willing to accept technical assistance and requested it to accept a direct contacts mission to examine the whole situation in situ and to inform the Committee of Experts on legislative developments and on the outstanding issues. The Committee decided to include its conclusions on this case in a special paragraph of its report.

Trade union demands

The situation in Zimbabwe remains a serious concern for the ILO Workers’ Group, which is calling for:

- The Government of Zimbabwe to cease the continuous arrest, wanton intimidation and detention of the leadership of the labour movement and other components of civil society.
- The Government of Zimbabwe to take steps immediately to bring its legislation and practices into line with freedom of association and in so doing comply with the recommendations drawn up by the ILO’s supervisory bodies, and for the government to stop interfering in the affairs of trade union organizations immediately.
- The ILO constituents to seize every opportunity to express the organization’s concern about the situation in Zimbabwe in international forums and in particular vis-à-vis the various bodies of the Southern African Development Community (SADC) and the African Union (AU) so that measures can be planned to put pressure on the Government of Zimbabwe and by so doing demonstrate their unequivocal commitment to the founding principles of the AU and the peer review structures proposed in the New Partnership for Africa’s Development (NEPAD).
- Trade unions throughout the world to continue their campaign of solidarity with Zimbabwe labour movement and their efforts to restore freedom of association in the country.

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