

**President**

*John Hendy QC*  
Lawyer, UK

**Vice Presidents**

*Kurshid Ahmed*  
General Secretary, All Pakistan  
Workers Confederation

*Professor Jan Buelens*  
Advocaat, Progress Lawyers'  
Network, Belgium

*Dr. Anita Chan*  
Academic, Australia

*Dr. Ericson Crivelli*  
Advogado, Crivelli Advogados  
Associados, Brazil

*Professor Keith Ewing*  
Academic lawyer, UK

*Fathi El-Fadl*  
Director, Trade Union Rights  
Centre (independent NGO), Sudan

*Esther Lynch*  
Confederal Secretary,  
European Trade Union  
Confederation

*Lornts Nagelhus,*  
Advokat, LO Norway

*Yoshikazu Odagawa,*  
Secretary General,  
Zenroren, Japan

*Jeffrey Sack QC*  
Lawyer, Canada

*Jitendra Sharma*  
Senior Advocate,  
Supreme Court of India

*Jeff Sissons,*  
General Counsel,  
New Zealand Council  
of Trade Unions

*Surya Tjandra,*  
Lawyer and Director of the  
Trade Union Rights Centre,  
Indonesia

*Ozlem Yildirim,*  
Policy Officer,  
International Department  
CGT France

**Director**

*Daniel Blackburn, MA,*  
barrister

**Researcher**

*Ciaran Cross, LL.M.*



**International Centre for Trade Union Rights**

*Centro Internacional para los Derechos Sindicales*  
*Centre International pour les Droits Syndicaux*

Address: 177 Abbeville Road, London SW4 9RL , UK  
Tel: +44 (0) 20 7498 4700  
Fax: +44 (0) 20 7498 0611  
E-mail: ictur@ictur.org  
Web: www.ictur.org

ICTUR was founded to  
defend and extend trade union rights and  
to raise awareness of these rights and their violations  
around the world

**By e-mail:**

contact@tccb.gov.tr  
cumhurbaskanligi@tccb.gov.tr,  
receptayyip.erdogan@basbakanlik.gov.tr

**Fax:** +90 (312) 422 10 00

**Attn:**

President Recep Tayyip Erdoğan,  
Cumhurbaşkanlığı Külliyesi 06560  
Beştepe-Ankara, Türkiye

**CC:**

International Department, Türk Büro Sen and Kamu-Sen  
International Departments, Birleşik Metal İş and DİSK  
International Department, TÜRK-İŞ  
International Department, KESK  
Kemal Özkan, Assistant General Secretary, Industriall, Switzerland  
Esther Lynch, European Trade Union Confederation, Brussels

February 2017

Your Excellency,

The International Centre for Trade Union Rights is greatly concerned about the continuing climate of violence and intimidation for trade unionists in Turkey. The incidents cited below add to the catalogue of concerns around the Turkish government's response to the failed 2016 coup attempt. According to the estimates of the international labour movement, this response has resulted in the dismissal or suspension of over 120,000 employees – mainly from the public sector. Some 35,000 citizens have been arrested and detained. Amnesty International has reported torture of detainees. Furthermore, over 1,000 organisations have been closed down, among them the trade union confederations Cihan-Sen and Aksiyon-İş. Without counting the tens of thousands of members of those organisations, the ETUC estimated in December 2016 that some 20,000 trade union members - from the Turk-is, Hak-is, Disk and KesK unions - have been dismissed or suspended from their jobs.

ICTUR further understands that on 11 February 2017, the Chairman of the Türk Büro Sen union, Fahrettin Yokuş, was shot at in Ankara.

According to reports of the incident, Yokuş escaped without injury, but his driver was shot in the foot and taken to hospital. It is understood that Yokuş has been campaigning for voters to reject the proposed constitutional reform in the upcoming April referendum. It is also reported that on 24 January 2017 the headquarters of the Kamu-Sen public sector employees' union was attacked following a public announcement from the head of the union, İsmail Koncuk, in support of a "no" vote in the referendum. A crowd of 25 people reportedly entered the union building without authorisation, threatened the union leader and called on him to resign.

Also in January 2017, ICTUR understands that the Turkish government continued to use decrees citing national security threats to ban strikes at several enterprises. On 18 January, a strike at the Asil Çelik steel mill in Bursa was banned. On 20 January, over 2000 workers in the thirteen factories owned by ABB, General Electric and Schneider Electric were informed that their strike was banned, mere hours after it had begun. There follows in both cases statutory 60-day "postponement" periods for negotiations - during which parties must reach an agreement. These decrees therefore effectively bar workers from striking indefinitely.

ICTUR wishes to remind the government that these measures amount to serious, widespread and on-going violations of workers' freedom of association, enshrined in the ILO's fundamental Conventions, all eight of which Turkey has ratified. According to the ILO's Committee on Freedom of Association the rights of workers can only be "exercised in a climate that is free from violence, pressure or threats of any kind against the leaders and members of these organizations, and it is for governments to ensure that this principle is respected." (*Digest of decisions and principles of the Freedom of Association Committee of the Governing Body of the ILO*, Fifth Edition, 2006, paras. 42-45). An independent judicial inquiry should be instituted immediately to investigate assaults on the physical or moral integrity of individuals, in order to determine responsibility, punish those responsible and prevent repetition (*ILO Digest*, paras. 46, 50, 184, 191). The Committee has also made clear that the 'inviolability of trade union premises is a civil liberty which is essential to the exercise of trade union rights' (*ILO Digest*, para. 178).

Regarding the banning of strikes, the Committee has noted that the "responsibility for suspending a strike on the grounds of national security or public health should not lie with the Government, but with an independent body which has the confidence of all parties concerned" (*ILO Digest*, para. 571). This is clearly not the case in Turkey. In March 2015, the Committee of Freedom of Association concluded its response to a complaint submitted by Kristal-İş union by calling for the

government to reform the relevant regulation: "... the Committee requests the Government to take the necessary measures for the amendment of section 63 of Act No. 6356 so as to ensure that the final decision whether to suspend a strike rests with an independent and impartial body" (*Case No. 3084*, para. 873(b)).

Alongside these recent incidents, ICTUR is greatly concerned by the reported mass dismissals of trade unionists, and the violations of fundamental rights and freedoms that have occurred since the 2016 coup attempt, and urges the government to respect the rule of law. ICTUR therefore calls on the government to address the concerns and to undertake all necessary measures to ensure the fundamental freedoms of workers to join and form unions and to take action in defence of their interests.

ICTUR will report these incidents in the journal *International Union Rights*, which was established in 1993, and which enjoys a readership in more than 100 countries.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'D. Blackburn', followed by a long horizontal line extending to the right.

Daniel Blackburn, Director