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International Centre for Trade Union Rights

Centro Internacional para los Derechos Sindicales
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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:

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Attn:

Paolo Gentiloni Silveri
Prime Minister of Italy

Giuliano Poletti
Minister of Labour and Social Policies
Ministero Del Lavoro E Delle Politiche Sociali
Direzione Generale per l'Impiego, l'Orientamento e la Formazione
Via Fornovo 8, Rome

CC: SI Cobas

FEBRUARY 2017

Dear Paolo Gentiloni and Giuliano Poletti,

The International Centre for Trade Union Rights wishes to express its serious concerns at the arrest of a trade union leader by the Italian authorities.

ICTUR understands that police in Modena province arrested Aldo Milani – the national coordinator of the SI Cobas trade union – on 26 January 2017, and that he faces what the union informs us are ill-founded charges of extortion, related to an industrial action that the union was taking against a food processing company owned by the Levoni Group in Modena. The Levoni Group's grievance against Milani and SI Cobas is linked to the union's campaign for the reinstatement of 55 union members who were sacked from Levoni plants after organising a strike. According to SI Cobas, an intermediary - who we are told was brought into the negotiations at the insistence of the Levoni management - was apparently given a sum of money, following which Milani was arrested for extortion.

ICTUR wishes to remind the Italian government that fundamental rights must be fully respected and in order to guarantee the principles of freedom of association, enshrined in the International Labour Organisation Convention 87 and 98, which Italy have ratified. The freedom of association of trade unionists is further protected under Article 11 of the European Convention on Human Rights. According to the ILO's Committee on Freedom of Association, unless attended by appropriate judicial safeguards, the arrest and sentencing of trade unionists constitutes a serious interference with trade union rights, and a violation of the principles enshrined in the United Nations International Covenant on Civil and Political Rights, (*Digest of decisions and*

principles of the Freedom of Association Committee of the Governing Body of the ILO, Fifth Edition, 2006, paras. 72, 75, 93, 97, 106, 109). It is "incumbent upon the government" to show that the arrest, detention and sentencing of a trade union official are "in no way occasioned by the trade union activities of the individual concerned" (ILO Digest, para. 94). The Committee has further found that the government is responsible for preventing all acts of anti-union discrimination, and for taking suitable measures to remedy such cases brought to their attention, including through reinstatement and the amendment of legislation where no such remedies are available (ILO Digest, paras. 817, 835, 837-8).

ICTUR therefore calls on the Italian authorities:

- **immediately to review the charges against Milani and the basis upon which they have been brought,**
- **to initiate an independent investigation into the build-up to his arrest, with particular regard for fundamental workers' rights, and for the rights of freedom of expression and association**
- **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 wishes to further take this opportunity to call on the government to take action (as per ICTUR's letter of November 2016) regarding the killing of a striking worker at a GLS plant in Piacenza, Italy on 14 September 2016. Abd Elsalam Ahmed Eldanf - a member of the Unione Sindacale di Base (USB) - was killed when he was struck by a lorry during a union protest. We remain gravely concerned that no investigation has been initiated, as the Piacenza Prosecutor's office did not acknowledge that any strike or protest had taken place and classified the incident as a "traffic accident," despite the fact that picketing workers claim to have heard management instruct the truck driver to drive through the picket.

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 horizontal line extending to the right.

Daniel Blackburn, Director