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**International Centre for Trade Union Right**

*Centro Internacional para los Derechos Sindical*  
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ICTUR was founde  
to defend and extend trade union righ  
and to raise awareness of these righ  
and their violations around the worl

**By e-mail:**

Malcolm.Turnbull.MP@aph.gov.au

**Attn:**

The Hon. Malcolm Turnbull, MP, Prime Minister of Australia  
House of Representatives, Parliament House, Canberra ACT 2600

**CC:**

Ged Kearney, President, Australian Council of Trade Unions

Annalisa Ciampi, United Nations Special Rapporteur on the rights to  
freedom of peaceful assembly and of association

**NOVEMBER 2017**

Dear Prime Minister,

The International Centre for Trade Union Rights is concerned by two 'raids'  
carried out against trade union premises by the national police authorities.

ICTUR understands that on 24 October the federal police carried out raids on  
both the Victorian and national headquarters of the Australian Workers'  
Union (AWU). We are informed that warrants were issued prior to the raids,  
which were reportedly carried out to obtain evidence pertaining to political  
donations more than ten years ago. We further note that the current Leader of  
the Opposition was the leader of the AWU at the time the donations were  
reportedly made. And we note that current leaders of the AWU and Labor  
politicians have condemned the raids as politically motivated and an  
unjustified intrusion into trade union premises. We recall that trade union  
premises are protected under international law, on civil liberties grounds.

ICTUR wishes to remind the government of its obligations under the  
International Labour Organisation's fundamental Conventions concerning  
freedom of association, which Australia has ratified. The ILO's Committee  
on Freedom of Association has clearly stated that 'the inviolability of trade  
union premises is a civil liberty which is essential to the exercise of trade  
union rights' (*Digest of decisions and principles of the Freedom of  
Association Committee of the Governing Body of the ILO*, Fifth Edition,  
2006, para. 178). Whilst the Committee has accepted in principle that  
searches of trade union premises may be permitted in some circumstances, it  
has noted that 'searches of trade union premises should be made only  
following the issue of a warrant by the ordinary judicial authority where that

authority is satisfied that there are reasonable grounds for supposing that evidence exists on the premises material to a prosecution for a penal offence and on condition that the search be restricted to the purpose in respect of which the warrant was issued' (*Digest*, para. 185).

**ICTUR wishes to add its voice to those already raised by the Australian trade union movement, and by the International Trade Union Confederation, which we note has expressed its concern at these interventions. ICTUR views the use of the national police to conduct coordinated raids on trade union premises as excessive and disproportionate. ICTUR calls on the authorities to refrain from replicating this intervention, and to ensure that investigations of this kind be carried out peacefully and under proper civil procedures, without recourse to the use of the police, and with a proper respect for the premises of trade union organisations.**

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