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International Centre for Trade Union Rights

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

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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

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Attn:

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CC:

Clément Nyaletsossi Voule, United Nations Special Rapporteur on the
rights to freedom of peaceful assembly and of association
Mourad Zemali Minister of Labour, Employment and Social Security
Fafa Sid Lakhdar Benzerrouki, President, National Human Rights Council
Syndicat National des Travailleurs de l'Électricité et du Gaz (SNATEG)
Global Union Federation: Industriall

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Dear President,

The International Centre for Trade Union Rights is concerned at the recent
arrests of trade unionists in Algeria.

ICTUR understands that on 27 December 2018, fifteen trade unionists were
arrested during a protest in Algiers to demand the reinstatement of eleven
leaders of the independent union Syndicat National des Travailleurs de
l'Électricité et du Gaz (SNATEG) who have been fired from the state-
owned gas and electricity company Sonelgaz for their trade union
activities. The trade unionists arrested were reportedly held in police
custody for six hours and forced to sign a document denouncing their own
behaviour before they could leave. Those arrested include Abdelkader
Kawafi, general secretary of SNATEG, Zakaria Ben Haddad, general
secretary of energy workers' union Syndicat National des Travailleurs de
l'Énergie (SNT ÉNERGIE); and Mezayani Moussa, a member of the
Syndicat National du secteur des Industries (SNSI).

**ICTUR wishes to remind the government that the principles of
freedom of association are enshrined in the International Labour
Organisation Conventions 87 and 98, which Algeria has ratified.**
Following the 2016 complaint submitted by SNATEG and supported by
national and international unions, the ILO Committee on Freedom of
Association addressed the large number of dismissals of union
representatives at Sonelgaz in 2018 (see ILO Committee on Freedom of

Association Case No. 3210 (Algeria); Interim Report - Report No 386, June 2018, para. 120). The Committee expressly urged the Government to:

- '[M]ake inquiries in order to establish the grounds for these dismissals and, if they prove to have resulted from legitimate trade union activities, to take the necessary steps to secure the workers' reinstatement without loss of pay and ensure the application of the corresponding legal sanctions against the enterprise. If reinstatement is not possible for objective and compelling reasons, the workers concerned should be paid adequate compensation so as to constitute a sufficiently dissuasive sanction against anti-union dismissals';
- '[T]ake all necessary measures to ensure peaceful labour relations in the enterprise and to address the serious acts of anti-union discrimination reported. To that end, it urges the Government to ensure that all of the allegations of discrimination that the Committee has before it are investigated promptly...';
- And to 'allow SNATEGS to carry out its activities without interference or intimidation'.

The Committee has in other cases made clear that the arrest and detention of trade unionists 'for reasons connected with their activities in defence of the interests of workers constitutes a serious interference with civil liberties in general and with trade union rights in particular'; this is the case, 'even where they are merely summoned or questioned for a short period' (*Freedom of Association: Compilation of decisions of the Committee on Freedom of Association*, ILO, 6th Edition, 2018, paras. 120-6, 970-4). In all such cases, it is 'incumbent upon the government' to show that such measures are 'in no way occasioned by the trade union activities of the individual concerned' (*Freedom of Association*, para. 158).

ICTUR urges the government to comply with the recommendations of the ILO Committee and to desist from further interference with or intimidation of trade unionists, and to take all measures necessary to ensure that it fulfils its commitments under international law to protect and promote fundamental rights of workers to take collective 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,



Daniel Blackburn, Director