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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:

President Pierre Nkurunziza
Présidence de la République du Burundi
Boulevard de l'Indépendance
Bujumbura, Burundi

CC:

Félix Mpozeriniga, Ministère de la Fonction Publique, du
Travail et de l'Emploi

Burundi Confederation of Unions (COSYBU)

Mamadou Diallo, Director, Trade Union Rights,
International Confederation of Trade Unions (ITUC)

Dear President Pierre Nkurunziza,

The International Centre for Trade Union Rights is writing to express its serious concern regarding the arrest of four trade unionists in Burundi.

ICTUR understands that on 28 December 2016, four trade unionists were arrested, including the Chairman of the Burundi Confederation of Unions (COSYBU), Tharcisse Gahungu, the Chairman of the Burundi Cotton Processing Company Union (COGERCO), the Chairman of the Coffee Processing Company Union (SODECO), and a further COSYBU member.

It is understood that their arrest in the Mugongo-Manga Commune was prompted by a meeting to be held with members of the Burundi Tea Company (OTB) trade union. According to media reports, COSYBU witnessed a letter from the OTB Director General requesting the Minister of Public Security to call off the meeting. It is reported that the letter urged the Minister to "take all necessary measures to prevent the meeting planned to constitute a syndicate for Burundi tea farmers", and that the union "would create disorder and chaos in the tea industry by

pitting farmers against their traditional partner, the OTB, while they already have an association led by this state office".

ICTUR wishes to remind the government that Burundi has ratified all eight of the fundamental International Labour Organisation Conventions. The arrest of trade unionists for activities related to the defence of the interests of those they represent poses a significant violation of the rights enshrined in ILO Convention 87. According to the ILO's Committee on Freedom of Association, the peaceful exercise of trade union rights by workers should not lead to arrests, nor should workers be deprived of their freedom or be subject to penal sanctions for the mere fact of organising (*Digest of decisions and principles of the Freedom of Association Committee of the Governing Body of the ILO, Fifth Edition, 2006, para. 672-3*). The Committee has further stated that 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 "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, paras. 42-45, 94*).

ICTUR calls on the government to ensure the swift and immediate release of these four trade unionists, to undertake all necessary measures to comply with its obligations under international law, and 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