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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

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**Attn:**

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**CC:**

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Kenyan National Union of Teachers (KNUT)  
Trade Unions Congress of Kenya (TUC-Kenya)  
Education International (EI)

**April 2017**

Dear President Uhuru Kenyatta,

The International Centre for Trade Union Rights wishes to express its deep concern regarding recent legal action taken against the Kenyan National Union of Teachers (KNUT).

ICTUR understands that in proceedings initiated by Bridge International Academies' (BIA) against KNUT, an injunction has been issued prohibiting the union and its general secretary, Wilson Sossion, from making statements regarding BIA. This is in the wake of criticisms of BIA's operations in Kenya published by the 'Unite for Better Education' campaign of Education International, which showed that in Kenya BIA students are 'taught largely by unqualified, overworked, teaching staff', who 'are forced to use a scripted curriculum-developed in the US', which is 'not approved by Kenyan

authorities'.<sup>1</sup> It is further understood that in February 2017 a Kenyan court ordered the closure of Bridge schools in the city of Busia for non-compliance with basic educational standards.

These legal actions against KNUT represent a clear violation of core ILO Conventions 87 and 98. According to the ILO's Committee on Freedom of Association, workers should enjoy freedom of opinion and expression: the right to express opinions through the press or otherwise is an essential aspect of trade union rights and should be guaranteed (*Digest of decisions and principles of the Freedom of Association Committee of the Governing Body of the ILO, Fifth Edition*, paras. 154-157). Furthermore, the Committee has stated, that "the application of measures designed to control publication and means of information may involve serious interference by administrative authorities with this activity" and "should be subject to judicial review at the earliest possible moment" (*ILO Digest*, para. 166).

ICTUR calls on the government 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, including freedom of expression. ICTUR further takes this opportunity to encourage Kenya to ratify ILO Convention 87 on freedom of association, which is guaranteed under the 2010 Kenyan Constitution (Article 41, Chap. 4, Pt. 2).

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

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<sup>1</sup> See: <https://www.unite4education.org/resources/kenya/bridge-vs-reality-a-study-of-bridge-international-academies-for-profit-schooling-in-kenya/>