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Lawyer and Director of the
Trade Union Rights Centre,
Indonesia

Ozlem Yildirim,
Policy Officer,
International Department
CGT France

Director

Daniel Blackburn, MA,
barrister

Researcher

Ciaran Cross, LL.M.



International Centre for Trade Union Rights

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

Address: 177 Abbeville Road, London SW4 9RL , UK
Tel: +44 (0) 20 7498 4700
Fax: +44 (0) 20 7498 0611
E-mail: ictur@ictur.org
Web: www.ictur.org

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:

dtpdf@mfptls.gov.mg
sp@mfptls.gov.mg
cellcom@primature.gov.mg
rakototafikac@gmail.com
jbmhrt@gmail.com

Attn:

Maharante Rakotonandrasana Jean de Dieu Benjamin
Ministre de la Fonction Publique, de la Reforme de
l'Administration, du Travail et des Lois Sociales
Republic of Madagascar

CC:

President Hery Rajaonarimampianina
Prime Minister Olivier Mahafaly Solonandrasana
Solo Paulin, Directeur du Travail et de la Promotion des Droits
Fondamentaux
International Transport Workers Federation
Syndicat General Maritime de Madagascar

May 2017

Dear Minister Maharante Jean de Dieu,

The International Centre for Trade Union Rights is writing to express its deep concerns about the rights of workers in Madagascar.

ICTUR understands that forty-three dockworkers from the Port of Toamasina were dismissed after they joined the Syndicat Général Maritime de Madagascar (SYGMMA). It is understood that these workers were fighting for an end to insecure, low-paid work, and unsafe working conditions at the port. Despite SYGMMA's attempts locally to have the union recognised at the Port of Toamasina, and to get the workers reinstated, the Société de Manutention des Marchandises Conventionnelles (SMMC) has repeatedly refused to meet with the union and the regional Labour Inspectorate to discuss their case. It is further understood that the SMMC has failed to enforce a 2014 Supreme Court ruling recognising the right of SYGMMA to organise at the Port of Toamasina.

ICTUR wishes to remind the government of its commitments under international law, as a party to all of the fundamental ILO Conventions. The treatment of the Toamasina dock-workers represents a serious violation of their trade union rights, enshrined in International Labour Organisation's Conventions 87 and 98, which Madagascar has ratified. Article 1 of Convention 98 provides that workers shall “enjoy adequate protection against acts of anti-union discrimination in respect of their employment” specifically in respect of acts calculated to cause the dismissal of or otherwise prejudice workers because of union membership or participation in union activities.

ICTUR calls on the government to ensure that the sacked dockworkers are promptly reinstated and to undertake all necessary measures to protect 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