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International Centre for Trade Union Right

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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

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Prime Minister's Office, Islamabad, Pakistan

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Pir Syed Sadaruddin Shah Rashidi, Federal Minister
Ministry of Overseas Pakistanis & Human Resource Development
Zahid Hamid, Federal Minister - Ministry of Law and Justice

All Pakistan Workers Confederation
Pakistan Trade Union Federation
Pakistan Railway Workers Union

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Dear Prime Minister Shahid Khaqan Abbasi,

The International Centre for Trade Union Rights is writing to express its concerns about the arrest and detention of the leader of a train drivers' union and a number of train drivers and their deputies in Pakistan.

ICTUR understands that on 24 October, Junaid Awan, General Secretary of the Karachi Division of the Pakistan Railway Workers Union (PRWU), was arrested and detained in police custody for three days. On 27 October a magistrate remanded the union leader to remain in police custody for a further three days. We are informed that Awan was held under Section 7 of the Anti-Terrorism Act (ATA) of 1997, Section 29 of the Railway Regulations Authority Ordinance of 2002, and Sections 147, 149, 353 of the Pakistan Penal Code of 1860. The arrest follows in the wake of a workers' meeting, on 7 October, calling for the reintroduction of the axed Shah Latif and Mehran express trains. Awan's lawyer said that the meeting had been called with the permission of the railway authorities.

While responding to the arrest and detention of Awan, ICTUR has also been made aware of a case earlier this year in which six train drivers and five deputy drivers were arrested in July at Rawalpindi station, following their participation in strike action called by the PRWU over operational issues, 'running allowance', and a lack of promotion opportunities. We are informed that the arrested drivers are: Mohammad Yaqoob, Anjum Ali;

Mohammad Yasin; Raja Bashir; Mohammad Fayyaz; and the President of the Loco Running Wing of the PRWU, Raja Hafeez. The deputy drivers are: Anjum Sagheer; Waqar Hussain; Khyzir Hayat; Raja Hafeez Ahmad; and Fiaz Ahmad. All were reportedly held under Section 7 of the Anti-Terrorism Act (ATA) of 1997, and under the Railway Regulations Authority Ordinance of 2002. We believe that all those arrested have since been released from detention.

ICTUR wishes to express its concern over these arrests, and to urge the authorities to ensure that trade unionists in all sectors of industry in Pakistan, including on the railways, be permitted to engage in the kind of legitimate trade union activities described in the cases above. ICTUR notes that the arrest of a trade unionist for participation in a peaceful strike or for participating in trade union activities, or for calling a lawful meeting, is furthermore a serious violation of international human rights law.

ICTUR reminds the government of its obligations under international law, including the International Labour Organisation's Conventions. The principles of freedom of association are enshrined in ILO Conventions 87 and 98, which Pakistan has ratified. According to the ILO's Committee on Freedom of Association, it is "incumbent upon the government" to show that the arrest, detention and sentencing of a trade union official is "in no way occasioned by the trade union activities of the individual concerned"; and that "no one should be deprived of their freedom or be subject to penal sanctions for the mere fact of organizing or participating in a peaceful strike" (Digest of decisions and principles of the Freedom of Association Committee of the Governing Body of the ILO, Fifth Edition, 2006, para. 94 and 672).

ICTUR calls on the government to investigate these cases, and 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.

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 horizontal line extending to the right.

Daniel Blackburn, Director