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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 violation
around the world

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CC:

W.D.J. Seneviratna, Minister of Labour

**Ravindra Samaraweera, State Minister of Labour, Attorney General's
Department**

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Dear Prime Minister Ranil Wickremesinghe,

The International Centre for Trade Union Rights wishes to express its serious concerns at the spate of recent attacks on trade unionists in Sri Lanka.

ICTUR understands that on 29 January, M Sujeewa Mangala, vice-president of the All-Ceylon Telecommunication Employees Union, was forcefully abducted by armed men, held captive, threatened, and told to abandon an on-going strike organised by temporary workers at Sri Lanka Telecom (SLT), in which Mangala has played a leading role. Mangala was released, blindfolded and dumped by the roadside, three days later on 1 February.

It is understood that some 2100 of approximately 8000 workers at SLT are classified as "temporary" even though many have worked at SLT for more than a decade. "Temporary" workers are employed through SLT Human Capital Solutions, a manpower company that is itself a wholly owned subsidiary of SLT; these workers receive lower pay and conditions than permanent workers. To protest their job insecurity, these workers began a strike on 26 December 2016. It has been reported that the Minister of Labour, W.D.J. Seneviratne has recommended that temporary workers at SLT be absorbed as permanent employees in a letter dated 23 July 2016, and that subsequently recommendations to that effect have been made to the CEO of SLT. A partially state-owned company, SLT is chaired by Kumarasiri Sirisena, brother of Sri Lankan President Maithripala Sirisena.

Also highly concerning are reports that on 1 February, Sri Lankan riot police attacked workers protesting the government's plan to privatise the East Terminal of Colombo harbour. It is understood that the protestors' were prevented from delivering their petition to the House of the President of Sri Lanka, as riot police deployed water cannons and tear gas to block the demonstration.

ICTUR wishes to remind the government that Sri Lanka has ratified all eight of the fundamental International Labour Organisation Conventions. The use of force against workers is a grave violation of the principles of freedom of association, enshrined in the International Labour Organisation Conventions 87 and 98. Following the interpretation of the ILO's Committee on Freedom of Association, the rights of workers can only be "exercised in a climate that is free from violence... and it is for governments to ensure that this principle is respected" (*Digest of decisions and principles of the Freedom of Association Committee of the Governing Body of the ILO*, Fifth Edition, 2006, paras. 42-45). The Committee has further noted that an independent judicial inquiry should be instituted immediately to investigate assaults on the physical or moral integrity of individuals, in order to determine responsibility, punish those responsible and prevent repetition (*ILO Digest*, paras. 46, 50, 184, 191). Failure to hold guilty parties to account creates a culture of impunity, "which reinforces the climate of violence and insecurity, and which is extremely damaging to the exercise of trade union rights" (*ILO Digest*, paras. 48 and 52).

ICTUR calls on the government to take steps to ensure that it complies with its obligations under international law, to promptly and effectively investigate the circumstances of Mr Mangala's abduction and to hold those responsible to account. ICTUR further urges 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.

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