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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

By e-mail:

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Attn:

Julius Maada Bio

President of the Republic of Sierra Leone

State House, State Avenue, Tower Hill,

Freetown

Sierra Leone

CC:

Clément Nyaletsossi Voule, United Nations Special Rapporteur on the
rights to freedom of peaceful assembly and of association

Unions: SLLC, ITUC Africa, OATUU

January 2019

Dear President,

The International Centre for Trade Union Rights is concerned at the recent arrests of trade unionists, raiding of union premises, and apparent interference in trade union democracy in Sierra Leone.

ICTUR understands that on 14 December, police stormed the offices of the Sierra Leone Labour Congress (SLLC) and arrested eight union leaders in an apparent attempt to prevent the SLLC affiliated Sierra Leone Commercial Motor Bike Riders Union (SLCMBRU) from holding its National Delegate Conference, at which leadership elections were due to be held.

The arrested leaders include:

- MB Williams, Vice President, SLLC
- Emmanuel Pratt, Chairman of the Financial and General Purposes Committee, SLLC
- Edward Kamara, Vice Chairman of the Financial and General Purposes Committee, SLLC
- Aron Bioma, National Coordinator of the Informal Economy Committee, SLLC
- Ballard Y Koroma, Executive Committee, SLLC
- Obia Kamara, President of the MBRU

ICTUR is informed that other union leaders have complained of being ‘trailed and stalked’ by police, with the assumed intention that they two were targeted for arrest. Further, the African regional organisation of the International Trade Union Confederation Africa described the arrests as ‘the latest in a continuing effort by officials of the Sierra Leone Government to interfere in trade union administration and to suppress their activities’. The ITUC region has further confirmed that in their view government officials ‘have been trying to impose leaders on the Motor Bike Riders Union in a desperate attempt to hijack the union’.

ICTUR wishes to remind the government that the principles of freedom of association are enshrined in the International Labour Organisation Conventions 87 and 98, which Sierra Leone has ratified.

The ILO Committee on Freedom of Association has emphasised that ‘freedom of association implies the right of workers and employers to elect their representatives in full freedom’ (*Freedom of Association: Compilation of decisions of the Committee on Freedom of Association*, ILO, 6th Edition, 2018, para. 585), and that ‘the right of workers’ organizations to elect their own representatives freely is an indispensable condition for them to be able to act in full freedom and to promote effectively the interests of their members. For this right to be fully acknowledged, it is essential that the public authorities refrain from any intervention which might impair the exercise of this right, whether it be in determining the conditions of eligibility of leaders or in the conduct of the elections themselves’ (*Freedom of Association*, para. 589). ‘When the authorities intervene during the election proceedings of a union, expressing their opinion of the candidates and the consequences of the election, this seriously challenges the principle that trade union organizations have the right to elect their representatives in full freedom’ (*Freedom of Association*, para. 640)

The Committee has in other cases made clear that the arrest and detention of trade unionists ‘for reasons connected with their activities in defence of the interests of workers constitutes a serious interference with civil liberties in general and with trade union rights in particular’; this is the case, ‘even where they are merely summoned or questioned for a short period’ (*Freedom of Association*, paras. 120-6). Further, the Committee has affirmed that ‘it is not possible for a stable industrial relations system to function harmoniously in the country as long as trade unionists are subject to arrests and detentions’ (*Freedom of Association*, para. 127). In all such cases, it is ‘incumbent upon the government’ to show that such measures are ‘in no way occasioned by the trade union activities of the individual concerned’ (*Freedom of Association*, para. 158).

ICTUR recalls that Sierra Leone’s engagement with the ILO supervisory mechanisms has been a cause of concern within the international arena for some time, and that in 2018 the ILO Committee of Experts on the Application of Conventions and Recommendations expressed ‘deep concern that the Government’s report has not been received’ and that it was ‘therefore bound to repeat its previous comments made in 2010’ (*Report of the Committee of Experts on the Application of Conventions and Recommendations*, ILC.107/III(A), ILO, 2018).

ICTUR urges the government to comply with the recommendations of the ILO Committee and to desist from further interference with trade union democracy, to cease the harassment and arrest of trade unionists, and to

take all measures necessary to ensure that it fulfils its commitments under international law to protect and promote fundamental rights of workers to take collective 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