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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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**December 2016**

Attn:

**Prime Minister Ranil Wickremesinghe**  
**Prime Minister's Office**  
**58 Sir Ernest De Silva Mawatha**  
**Colombo 07**  
**Sri Lanka**

CC:

W. D.J. Seneviratna, Minister of Labour  
Ravindra Samaraweera, State Minister of Labour  
Attorney General's Department

Dear Prime Minister Ranil Wickremesinghe,

The International Centre for Trade Union Rights is writing to express its grave concerns about the deployment of armed forces to remove striking workers from their protest at Hambantota port.

ICTUR understands that on the 10 December 2016, Sri Lankan naval troops were sent to remove protesting dockworkers during a strike – led by the Magampura Port Workers Union – against privatisation and job insecurity. It is understood that the government sent heavily armed soldiers to remove the strikers who had prevented two vessels from leaving the port. According to media reports, soldiers fired into the air to intimidate the workers, the Commander of the Navy threatened the strikers and assaulted a journalist, and four workers were hospitalised with injuries due after soldiers beat them with poles and rifles. On the same day, State Minister of Defence Ruwan Wijewardene was questioned about the events in Parliament and responded that “in such situations, the strikers are no longer civilians but pirates; the navy is entitled even to shoot at them.”

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 use of force by the authorities should only be resorted to in due proportion to the danger to law and order that the authorities are attempting to control. The 1990 United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (Principle 9) permits the use of firearms only in defence against imminent threat of death or serious injury and only when less extreme methods are insufficient. The ILO Committee of Freedom of Association further recommends that states should investigate assaults on the physical or moral integrity of trade unionists through instituting an independent judicial inquiry immediately to investigate and determine responsibility (*ILO Digest, paras. 46, 50, 184, 191*).

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 complaints of those injured in the attacks on strikers, to determine responsibility for the decision to deploy armed soldiers to the port, to hold those responsible for harm to account. The government should also issue a clarification on the claim made by Minister Wijewardene, which is wholly without merit under international law; the occasion of a strike *does not* warrant the deployment of lethal force. 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 horizontal line extending to the right.

Daniel Blackburn, Director