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International Centre for Trade Union Rights

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

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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:
enquiries@beis.gov.uk

January 2017

Attn: Greg Clark, Secretary of State for Business, Energy & Industrial
Strategy
1 Victoria Street, London SW1H 0ET

CC: David Metcalf, Director of Labour Market Enforcement, BEIS

United Voices of the World (UVW)

Shane Enright, Trade Union Coordinator,
Amnesty International, UK

Dear Mr. Clark,

The International Centre for Trade Union Rights is writing to express its serious concern regarding the arrest of a trade union leader in London.

ICTUR understands that eight people were arrested in London on 7 January 2017 whilst demonstrating against the treatment of catering workers at Harrods. Among them was Petros Elia, General Secretary of the United Voices of the World (UVW) Union. The peaceful demonstration was organised to protest the company's policy of taking 75% of tips away from employees, effectively reducing each workers' income by £5000 annually. According to reports from the UVW, Mr Elia was later released without charge, but on police bail pending investigation. As part of his bail conditions, he is temporarily banned from going within 50 meters of Harrods, effectively preventing him from representing members of UVW at Harrods.

ICTUR recalls that the UK has ratified all eight of the fundamental International Labour Organisation Conventions. The arrest of trade unionists for activities related to the defence of the interests of those they represent constitutes a significant violation of the rights enshrined in ILO Convention 87, and which are further protected under a number of other international human rights treaties, to which the UK is party.

According to the ILO's Committee on Freedom of Association, "the

peaceful exercise of trade union rights [including demonstrations] by workers should not lead to arrests" and that "[t]he arrest, even if only briefly, of trade union leaders and trade unionists, and of the leaders of employers' organizations, for exercising legitimate activities in relation with their right of association constitutes a violation of the principles of freedom of association" (*Digest of decisions and principles of the Freedom of Association Committee of the Governing Body of the ILO, Fifth Edition, 2006*, paras. 672/3 and 62). We further note the Committee's clear guidance, that "the use of the forces of order during trade union demonstrations should be limited to cases of genuine necessity" (*Digest of decisions and principles of the Freedom of Association Committee of the Governing Body of the ILO, Fifth Edition, 2006*, para. 150). Moreover, "police authorities should be given precise instructions" to ensure that "people are not arrested simply for having organized or participated in a demonstration" (*ILO Digest*, para. 151).

The Committee on Freedom of Association has further stated that the rights of workers can only be "exercised in a climate that is free from violence, pressure or threats of any kind against the leaders and members of these organizations", and it is "incumbent upon the government" to show that the arrest, detention and sentencing of a trade union official are "in no way occasioned by the trade union activities of the individual concerned" (*ILO Digest*, paras. 42-45, 94).

ICTUR calls on the government to comply with its obligations under international law, and to investigate thoroughly the circumstances around the arrest of Mr Elia and the other protestors. ICTUR further calls on 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