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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

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**December 2016**

**Attn:** Prime Minister Mian Muhammad Nawaz Sharif  
Prime Minister's Office, Islamabad, Pakistan

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

International Union of Foodworkers

All Pakistan Workers Confederation

Dear Prime Minister Nawaz Sharif,

The International Centre for Trade Union Rights is writing to express its concerns about a series of significant trade union rights violations in Pakistan.

As reported by the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF), sixty-three members and officers of the Quetta Serena Hotel Union were arrested on November 30 for peacefully protesting in front of their workplace after union members were denied entry, issued disciplinary notices and prevented from working. It is understood that the union had held a rally on 29 November at the Quetta Press Club to protest on-going union busting by the hotel management. According to the IUF, the union has been attempting to negotiate a new collective agreement with management at the hotel since July 2015; rather than negotiating with the workers' recognized bargaining representative, and contrary the requirements of Pakistan's labour law, management signed an agreement with a group of individual workers in October 2015, and subsequently began harassing union members and officers. When workers reported to work on 30 November 2016, union members were refused entry and rather than entering discussion with the protestors, the management called the police.

ICTUR further understands that on 29 September 2016, police in Banda Daud Shah arrested more than 100 workers of MOL Pakistan, a foreign oil and gas exploration company, for protesting at the main gates of the Central

Processing Facility Makori. Workers at MOL Pakistan had been on strike for several weeks to demand better wages and permanent jobs.

Trade unionists have also complained of a on-going campaign of union-busting by the management of PepsiCo's Frito-Lay plant in Lahore. The workers' union was officially registered by the Pakistani government on June 18, and five days later, granted legal collective bargaining status. However, the IUF report that PepsiCo management at the Frito-Lay plant responded to the creation of the new 650 strong union with a coordinated programme of harassment and deception, with union officers targeted for disciplinary procedures on false charges, union members denied overtime and pressured to leave the union, and the union president transferred out of the plant to prevent contact with members. It is further understood that the company registered a fake national union claiming to represent workers at two different sites in order to undercut the Lahore workers' demand for a negotiated collective agreement.

These widespread incidents of union busting and police intimidation constitute anti-union discrimination and a serious violation of the principles of freedom of association, enshrined in the ILO Conventions 87 and 98, which Pakistan has ratified. According to the ILO's Committee on Freedom of Association, the government is responsible for preventing all acts of anti-union discrimination, and for taking suitable measures to remedy such cases brought to their attention, including through reinstatement and the amendment of legislation where no such remedies are available (*Digest of decisions and principles of the Freedom of Association Committee of the Governing Body of the ILO*, Fifth Edition, 2006, paras. 817, 835, 837-8). Furthermore, 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"; "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" (*ILO Digest*, para. 94 and 672).

The above incidents are a cause for concern and ICTUR calls on the government to investigate these reports and 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 dark ink, appearing to read 'D. Blackburn', followed by a long horizontal line extending to the right.

Daniel Blackburn, Director