

WORKERS' GROUP OF THE GOVERNING BODY OF THE I.L.O
GROUPE DES TRAVAILLEURS DU CONSEIL D'ADMINISTRATION DU B.I.T
GRUPO DE LOS TRABAJADORES DEL CONSEJO DE ADMINSTRACION DE LA O.I.T
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**Permanent Mission of the Republic of
Kenya to the United Nations Office in
Geneva**

Avenue de la Paix, 1-3 (1st floor)
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Declaration

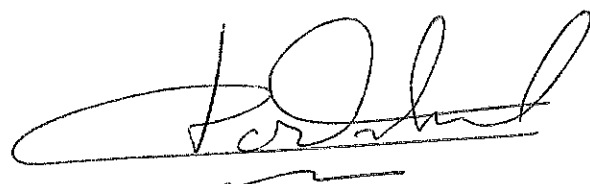
The Workers' group of the Governing Body of the International Labour Organization learned of the sentencing by the Kenyan High Court of Justice on 10 October 2012, of Brother Francis Atwoli, General Secretary of the Kenyan Central Organisation of Trade Unions (COTU(K)), and member of the Workers' group of the Governing Body.

Mr Atwoli was sentenced to three months' imprisonment in default of payment of a fine of 500,000 Kenyan shillings imposed for having defied a Court decision which forbade a so-called "illegal" strike by tea plantation workers - members of the Kenya Plantation and Agricultural Workers Union (KPAWU), of which Mr Atwoli is also the General-Secretary. The Kenyan High Court of Justice also sentenced Mr Atwoli to offer a public apology by making an announcement, at his expense, in two Kenyan newspapers. COTU(K) paid the fine, which allowed its General Secretary to return home.

The Workers' group of the ILO's Governing Body are indignant about this judgement which is contrary to the principles of ILO conventions on the right to organise and collective bargaining, and the group has expressed its strong solidarity with Francis Atwoli in his struggle for the liberation of workers' rights in Kenya.

In this context it is important to underline the principle developed by the Committee on Freedom of Association that the right to strike is one of the essential means at the disposal of workers, and their organizations, to promote, and to defend, their economic and social interests.

The Workers' group of the ILO's Governing Body hope that the Kenyan justice system will reconsider this judgement in respecting workers' rights.



Luc Cortebeeck,
President of the Workers' Group of the ILO