



ITUC International Trade Union Confederation
CSI Confédération syndicale internationale
CSI Confederación Sindical Internacional
IGB Internationaler Gewerkschaftsbund

Ayuba Wabba

President
Président
Präsident
Presidente

Sharan Burrow

General Secretary
Secrétaire générale
Generalsekretärin
Secretaria General

The Prime Minister
Mr Christian Louis Ntsay
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HTUR/ZM

20 October 2022

ITUC demands the unconditional release of Mr Zotiakobanjina Fanja Marcel Sento from detention

Dear Prime Minister,

I am writing on behalf of the International Trade Union Confederation (ITUC) representing 200 million workers in 163 countries including Madagascar, to protest at the arrest and detention of Mr. Zotiakobanjina Fanja Marcel Sento, a trade union leader, who was sentenced on 31 August 2022 to 12 months in prison with a fine of 400,000 Ariary.

Mr. Sento was elected on 16 June 2022 to represent workers in the textile company E-TOILE SA. As part of his union activities, he published on his Facebook account the outcomes of the four meetings held with the management of the company that took place on 30 June and 17, 20 and 31 July 2022. On 28 August 2022, Mr Sento was arrested and detained at the Antanimora Antananarivo detention centre for publishing his views on Facebook following a complaint by the company. He was convicted and jailed after a court hearing on 31 August 2022.

Mr. Prime Minister, the arrest, detention and subsequent imprisonment of Mr. Sento for exercising his trade union rights are contrary to Madagascar's obligations under ILO Convention 87 and the principles of freedom of association protected by the Convention. The said principles provide that "...Freedom of opinion and expression and, in particular, the right not to be penalized for one's opinions, is an essential corollary of freedom of association, and workers, employers and their organizations should enjoy the freedom of opinion and expression in their meetings, publications and in the course of their trade union activities..." and "... The right of workers and employers organizations to express their opinions through the press or other social communication media is a fundamental element of freedom of association and the authorities should abstain from unduly impeding its lawful exercise, and should fully guarantee freedom of expression in general and that of workers and employers organizations..."

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Furthermore, we draw your attention to the UN Guiding Principles on Business and Human Rights which also require States to protect against human rights abuses within their territory and/or jurisdiction by third parties, including business enterprises. We reiterate that the action of the management of the Etoile company to cause the arrest and detention of Mr Senta is an act of anti-union discrimination done solely to silence workers' representatives, thereby violating his human rights. The state authorities, including the police, must not criminalise the exercise of trade union rights protected under ILO conventions and the Fundamental Principles and Rights at Work.

We urge your high office to intervene in this matter without delay and to unconditionally release Mr Sento from detention.

We look forward to receiving your favourable reply.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'A. B.', written in a cursive style.

General Secretary

cc: Madame Ranampy Gisèle, Ministre du Travail, de l'emploi, de la fonction publique et des lois sociales:: sp@mftpl.gov.mg

cc; Mbolanomena Masoandro USAM usam_sg@yahoo.fr

cc :Mr Chris Siau, Directeur Général de la société E-TOILE, chrisj@alsicohitec.com