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Trade union leaders and workers at Foxconn India in prison

Dear Prime Minister,

On behalf of the International Trade Union Confederation (ITUC), which represents more than 176 million workers through its 301 affiliates in 151 countries and territories, including India, I wish to protest against the continued imprisonment of 12 union leaders and workers in Vellore central prison.

The ITUC has been informed by IMF that criminal cases have been filed against trade union leaders and workers at the Foxconn plant located in a Special Economic Zone in Chennai, India after they took strike action for union recognition and wage rises.

According to our information twelve Foxconn workers and union leaders remain in prison in Chennai, India after hundreds of workers striking the plant were arrested on October 9.

More than 1,200 permanent workers belonging to the Foxconn India Thozhilalar Sangam (FITS) union, which is affiliated to Center For Indian Trade Unions (CITU), at the plant have been involved in weeks of struggle to have their union recognized by management so as to negotiate wage rises and other demands.

On October 9, police arrested hundreds of workers who had been picketing and striking the plant for several days. Around 319 workers including the trade union leaders were remanded into judicial custody and transferred to Vellore central jail. Remaining workers were let off and around 200 women workers were taken to a bus stop and asked to leave. When the women refused and demanded to be arrested also, they were abused and forced off the police vehicle.

On October 13, the court granted bail to 307 workers. The remaining 12 workers and union leaders remain in jail, including A. Soundhirarajan, CITU State General Secretary and E. Muthu Kumar, CITU District Secretary, Kanchipuram and FITS President.

In addition to the latest rounds of arrests, the company has retaliated by deducting eight days of wages from striking workers' pay, suspending 23 union activists and leaders, and refusing to negotiate with the union on the grounds that it has entered an agreement with an alternative union the Foxconn India Thozhilalar Munnetra Sangam (FITMS).

It is understood that Foxconn management reached a wage agreement with FITMS 15 days after FITS lodged its wage demands. FITMS claims memberships of 696 workers and reached a wage agreement with Foxconn for a wage increase to INR 8,999 (US\$ 177). There are approximately 7,800 workers at the Foxconn India plant, of this 1,800 are employed on a permanent basis and 6,000 are contract or trainee workers.

Throughout the dispute, the FITS sought assistance from the Deputy Labour Commissioner (DLC) to resolve the issues, including calling on the government authority to conduct an election to determine the majority union at the site. It is our understanding that the DLC advised the company to negotiate and not take actions that would lead to the victimization of the workers, however, police have been used to repeatedly harass, arrest and detain the striking workers.

As a member of the International Labour Organisation, the government of India has an obligation to uphold the principle of freedom of association and collective bargaining, and refrain from using police forces to prevent workers from the enjoyment of these rights.

We therefore urge you to ensure that all trade union leaders and workers are released from prison, and that the criminal charges against them be dropped. We also urge you to ensure that Foxconn will respect fundamental workers' rights in India.

I thank you for your attention to this important matter.

Yours sincerely,

General Secretary