

## ITUC STATEMENT ON RECENT ATTACK ON RIGHTS OF BAHRAINI TRADE UNIONISTS

In 2011, nearly three thousand Bahraini workers, the majority of them trade unionists, were summarily fired for their participation in legitimate trade union activity and/or for their political opinions, which in many cases were expressed through participation in mass mobilizations earlier this year to call for economic and social as well as political reforms. The response by the government was brutal. Several were killed, tortured and/or arrested, and numerous activists received lengthy prison sentences handed down by military tribunals. A government-sponsored national dialogue that took place earlier this year was never a serious attempt at reconciliation and has thus not resulted in meaningful reforms.

Today, the repression continues. Despite unsupported government claims, few workers and even fewer trade union leaders have been reinstated, and politically-motivated dismissals continue in the public sector. Just as the government has launched yet another PR offensive, this time to avoid debate on the establishment of a commission of inquiry at the International Labour Organization (ILO), the government unilaterally and without notice amended the trade union law in an effort to silence the independent and democratic voice of Bahraini workers, the General Federation of Bahraini Trade Unions (GFBTU), our affiliate.

The recent amendments, an obvious act of retaliation by the government, mark yet another serious attack on the fundamental rights of Bahraini workers. The purpose of these amendments is clear – to further undermine the GFBTU and thereby eliminate an important voice for economic and social reform in Bahrain.

The amendments include:

- Article 8(1) was amended to prohibit the establishment of a general labour federation, allowing instead only the establishment of a federation of “similar” trade unions. **It is up to trade unions, not the government, to determine which unions may belong to a federation.** The ILO Committee on Freedom of Association has already found that such a requirement contravenes Article 5 of Convention 87.
- Article 8(3) allows the Minister of Labour to determine which trade union may represent Bahraini workers in international fora and in national level bargaining. These rights belong (as they do in most countries) to the most representative trade union(s) – here the GFBTU. This is a naked attempt by the government to prohibit the GFBTU from further denouncing government-sponsored violations of trade union rights before the International Labour Organization (ILO). Similarly, the GFBTU will no doubt be barred from participating in the setting of national labor and employment policy. We fear this article could be used to promote government-backed unions that will parrot a defense of the government’s anti-union and anti-democratic policies to the international community.

- Article 10 allows for the establishment of multiple unions at the enterprise level, so long as the union is not formed on the basis of sect, religion or race. Legislation permitting multiple unions in an enterprise is fully consistent with international law. The timing of this reform, however, raises obvious questions about the government's motivations. We also fear that the law will be invoked to deregister trade unions claiming that they were established along religious or sectarian lines even where there is no evidence of any such intent. **The GFBTU is a non-sectarian organization and no GFBTU-affiliated trade union has been formed on any of these prohibited bases.**
- Article 17 now includes language barring trade unionists who are held responsible for violations that led to the dissolution of a trade union organization or its executive council from nominating themselves to the membership of the executive council of any trade union organization within five years from the date of decision or final judicial ruling on the dissolution of the union. While a law barring the election of a trade union leader convicted of a crime related to his or her integrity, such as corruption or fraud, may be appropriate, we fear this amendment will be used to remove the trade union leadership that participated in the mobilizations earlier this year and bar them from future office. If used for that purpose, it would constitute a grave violation of the right of freedom of association.

Next month, the trade union leaders of a number of major enterprises, including Gulf Air, GARMCO, BAPCO, and DHL are to appear before the courts on charges related to this year's demonstrations. If convicted, it could lead to the dissolution of their executive councils, and potentially the unions, dealing a severe blow to the GFBTU.

The ITUC condemns this blatant retaliation against Bahraini trade unionists. The government cannot resort to legislation in the place of the police truncheon or the pink slip and expect to further social or industrial peace. The ITUC and its affiliates stand by the GFBTU and call upon the international community to condemn the government's ongoing attacks and to take all measures necessary to guarantee the free exercise of human and trade union rights in Bahrain.