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In reply please quote:

Circular N° 2(2014)

To all affiliated organisations
To all Global Union Federations and TUAC

For information:

To all General Council Members
To all Women's Committee Members
To all Youth Committee Members

GS/JSV

15 January 2014

ITUC Campaign to Establish an ILO Commission of Inquiry in Fiji

Dear Friends,

Since taking power through a coup d'état in 2006, Commodore Bainamarama has systematically restricted or denied the right to freedom of association in law and practice in Fiji. ILO supervisory mechanisms have detailed extremely serious and systematic violations of the right to freedom of association, from harsh beatings, threats, arrests on false charges and constant surveillance to severe restrictions on worker's rights in the public sector and private sector 'essential industries'. The ILO and social partners have sought to engage in a constructive dialogue with the regime in order to find solutions to these extremely serious violations - but to no avail. Indeed, the regime even expelled an ILO mission in September 2012 that was sent to verify the numerous allegations made by Fijian workers. To date, the regime continues to refuse to allow the mission to return.

A complaint for an ILO Commission of Inquiry was filed at the International Labour Conference in June 2013. Since then, the regime has only intensified its attack on unions. It refused to bargain with workers in the nation's sugar mills who are fighting for decent wages and safe working conditions and then threatened and intimidated workers who voted to support a strike with dismissal or worse. Most recently, the regime extended the scope of the Essential National Industries Decree to bust unions and break collective bargaining agreements in several industries, including in forestry, firefighting, municipal government and airports. The Attorney General explained at the time that the purpose of the decree was to allow employers to deal directly with workers without the union.

Representatives of the international trade union movement will need to work diligently in the next two months to ensure that an ILO Commission of Inquiry is established at the March 2014 Governing Body. We have attached two model letters for this purpose. If your government is a member of the ILO Governing Body (either titular or deputy), we request that you send "**Letter A**" and follow up with a visit to the appropriate official and urge them to support the establishment of the Commission of Inquiry in Fiji at the next Governing Body. If your government is not a member of the ILO Governing Body, we request that you send "**Letter B**," which calls upon your government to press the government members of the ILO Governing Body to support the Commission of Inquiry.

You will need to fill in the blanks where indicated. If you are not sure whether your government is a member of the ILO Governing Body, that information is available at: http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/---reloff/documents/meetingdocument/wcms_083528.pdf.

We have also enclosed a detailed factsheet on the labour situation in Fiji and the key reasons why a Commission of Inquiry is necessary now. Please familiarize yourself with this information and be sure to enclose a copy of it in your correspondence with your government.

Be sure to keep us informed as to the responses from your government. Also, do not hesitate to ask for any additional information or clarification. Please contact Jeffrey Vogt, Legal Advisor, Department of Human and Trade Union Rights at jeffrey.vogt@ituc-csi.org with any questions or updates. Please also send a copy of any correspondence to tur@ituc-csi.org.

Yours sincerely,

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

General Secretary

Encl: ITUC factsheet on the ILO Commission of Inquiry in Fiji
Model Letter A
Model Letter B