



**2020  
ITUC GLOBAL  
RIGHTS INDEX**

The World's Worst  
Countries for Workers

Thousands of people occupied the Plaza de la Dignidad, Santiago, Chile on 6 December 2019 to oppose the Piñera government's plan to dismantle labour protections and reduce access to health, education and social protection. The peaceful protest was brutally attacked by the police, with several people killed.

Credit: Paulo Slachevsky / @pslachevsky Flickr

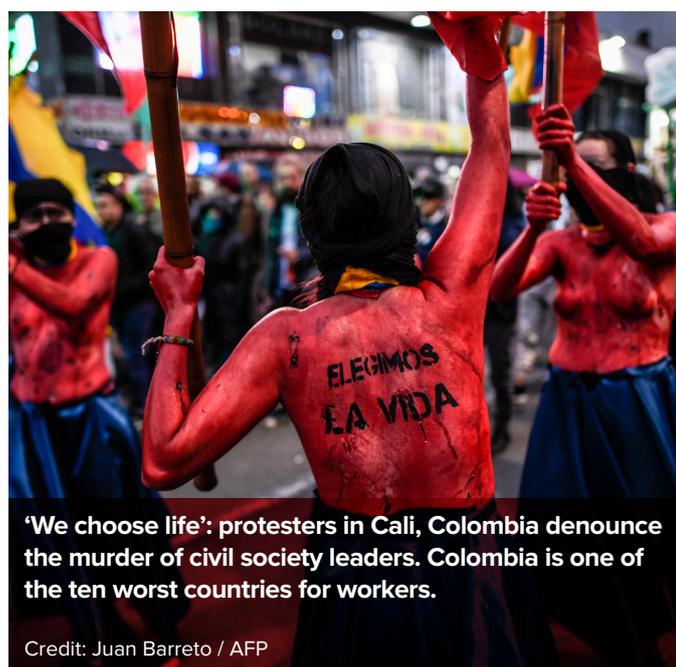
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# Foreword

The breakdown of the social contract is exposed in the 2020 ITUC Global Rights Index with violations of workers' rights at a seven-year high. The trends by governments and employers to restrict the rights of workers through violations of collective bargaining and the right to strike, and excluding workers from unions, have been made worse in 2020 by an increase in the number of countries which impede the registration of unions – denying workers both representation and rights.

An increase in the number of countries that deny or constrain freedom of speech shows the fragility of democracies while the number of countries restricting access to justice has remained



'We choose life': protesters in Cali, Colombia denounce the murder of civil society leaders. Colombia is one of the ten worst countries for workers.

Credit: Juan Barreto / AFP

unacceptably high at last year's levels. A new trend identified in 2020 shows a number of scandals over government surveillance of trade union leaders, in an attempt to instil fear and put pressure on independent unions and their members.

These threats to workers, our economies and democracy were endemic in workplaces and countries before the Covid-19 pandemic disrupted lives and livelihoods. In many countries, the existing repression of unions and the refusal of governments to respect rights and engage in social dialogue has exposed workers to illness and death and left countries unable to fight the pandemic effectively. As we look towards the recovery and rebuild resilient economies, the 2020 ITUC Global Rights Index is a benchmark against which we will hold governments and employers to account.

The Middle East and North Africa is the worst region in the world for working people for seven years running with the ongoing insecurity and conflict in **Palestine, Syria, Yemen** and **Libya**, coupled with the most regressive region for workers' representation and union rights.

The seventh edition of the ITUC Global Rights Index ranks 144 countries on the degree of respect for workers' rights.

Eighty-five per cent of countries have violated the right to strike. Strikes and demonstrations were banned in **Belarus, Guinea, Senegal** and **Togo** and met with extreme brutality in **Bolivia, Chile** and **Ecuador**. In Iran and Iraq, mass arrests were made at protests.

Eighty per cent of countries have violated the right to collectively bargain. **Egypt** and **Honduras** both moved to circumvent collective bargaining rights by putting up obstacles to union registration and dismissing worker representatives.

The number of countries which impeded the registration of unions increased from 86 in 2019 to 89 countries in 2020. **Sudan** suspended all trade unions and associations, and in **Bangladesh**, of the 1,104 union registration applications examined between 2010 and 2019, 46 per cent were rejected by the Department of Labour.

The ten worst countries for workers in 2020 are the following: **Bangladesh, Brazil, Colombia, Egypt, Honduras, India, Kazakhstan, the Philippines, Turkey** and **Zimbabwe**.

**Egypt, Honduras** and **India** are new entries in 2020. Honduras has joined this group for the first time, while India's repressive labour legislation has seen it re-enter since it first appeared in 2016. Egypt was one of the ten worst countries in 2015, 2017, 2018 and makes a return in 2020.

**Jordan, Pakistan, South Africa, Togo** and **Venezuela** have all seen their ratings worsen in 2020. Pakistan has increased to category 5 (no guarantee of rights).

Eight countries have seen their ratings improve: **Argentina, Canada, Ghana, Namibia, Qatar, Sierra Leone, Spain** and **Vietnam**.

Workers were killed, including at trade union protests, in nine countries: **Bolivia, Brazil, Chile, Colombia, Ecuador, Honduras, Iraq, the Philippines** and **South Africa**; with six of the nine countries, the Americas became the deadliest place for workers. **Workers were exposed to violence in 51 countries.**

The number of countries which denied or constrained freedom of speech increased from 54 in 2019 to 56 in 2020, with extreme cases reported in **Hong Kong** and **Turkey**.

**Workers had no or restricted access to justice in 72 per cent of countries** with severe cases reported in **Bangladesh**, where labour courts have accumulated a three-year backlog, while a staggering 18,000 cases filed by workers were still pending. In **Iran**, as of March 2020, 38 labour activists were still arbitrarily imprisoned, often detained in remote secret prisons, subjected to ill-treatment and denied access to a lawyer.

**Workers experienced arbitrary arrests and detention in 61 countries.** Trade union leaders from **Indonesia, Korea** and **Turkey** were among high profile arrests in 2020.

The economic impact of the Covid-19 pandemic has put a spotlight on employment relationships which are deficient of rights. The recovery process could give us a new model for the global economy, a new commitment to workers' rights and renewed investment in compliance and the rule of law. It will take a New Social Contract to rebuild resilient economies. But unless we build trust in democracy, beginning with workplace democracy, we put at risk the very foundation of our societies.

**Sharan Burrow**

General Secretary,  
International Trade Union Confederation

# Highlights

This is the seventh edition of the ITUC Global Rights Index.

It documents violations of internationally recognised labour rights by governments and employers.

## Worst Region for Working People

Middle East and North Africa

## 10 Worst Countries for Working People

Bangladesh	NEW – India
Brazil	Kazakhstan
Colombia	The Philippines
NEW – Egypt	Turkey
NEW – Honduras	Zimbabwe

## Violations of Workers' Rights



The number of countries which impeded the registration of unions increased from 86 in 2019 to 89 countries in 2020.



85% of countries violated the right to strike. [123 out of 144 countries]



Workers were arrested and detained in 61 countries.



80% of countries violated the right to collective bargaining. [115 out of 144 countries]



Countries where freedom of speech and assembly was denied or constrained increased from 54 in 2019 to 56 in 2020.



74% of countries excluded workers from the right to establish or join a trade union. [106 out of 144 countries]



Workers experienced violence in 51 countries.

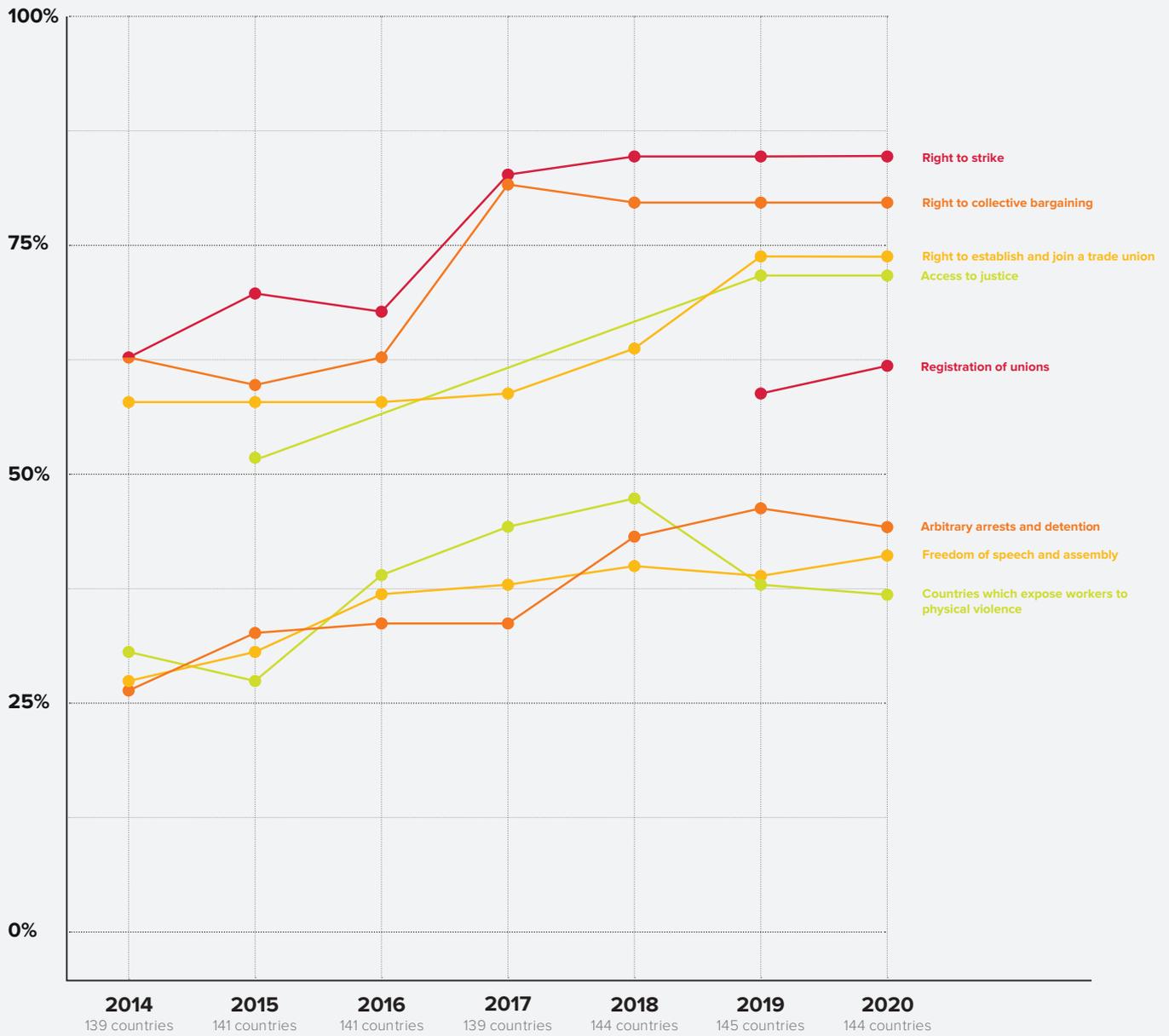


In 72% of countries, workers had no or restricted access to justice. [103 out of 144 countries]



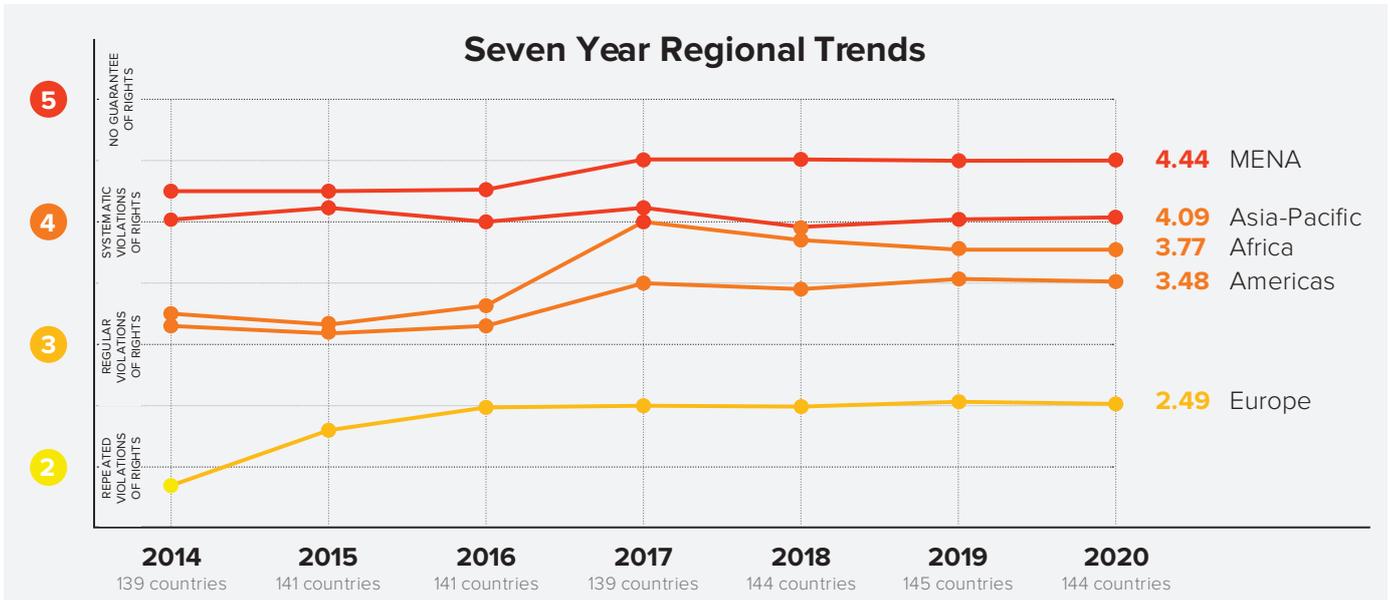
Workers were murdered, including at trade union protests, in nine countries: Bolivia, Brazil, Chile, Colombia, Ecuador, Honduras, Iraq, the Philippines and South Africa.

## Seven-Year Violations of Rights Trends



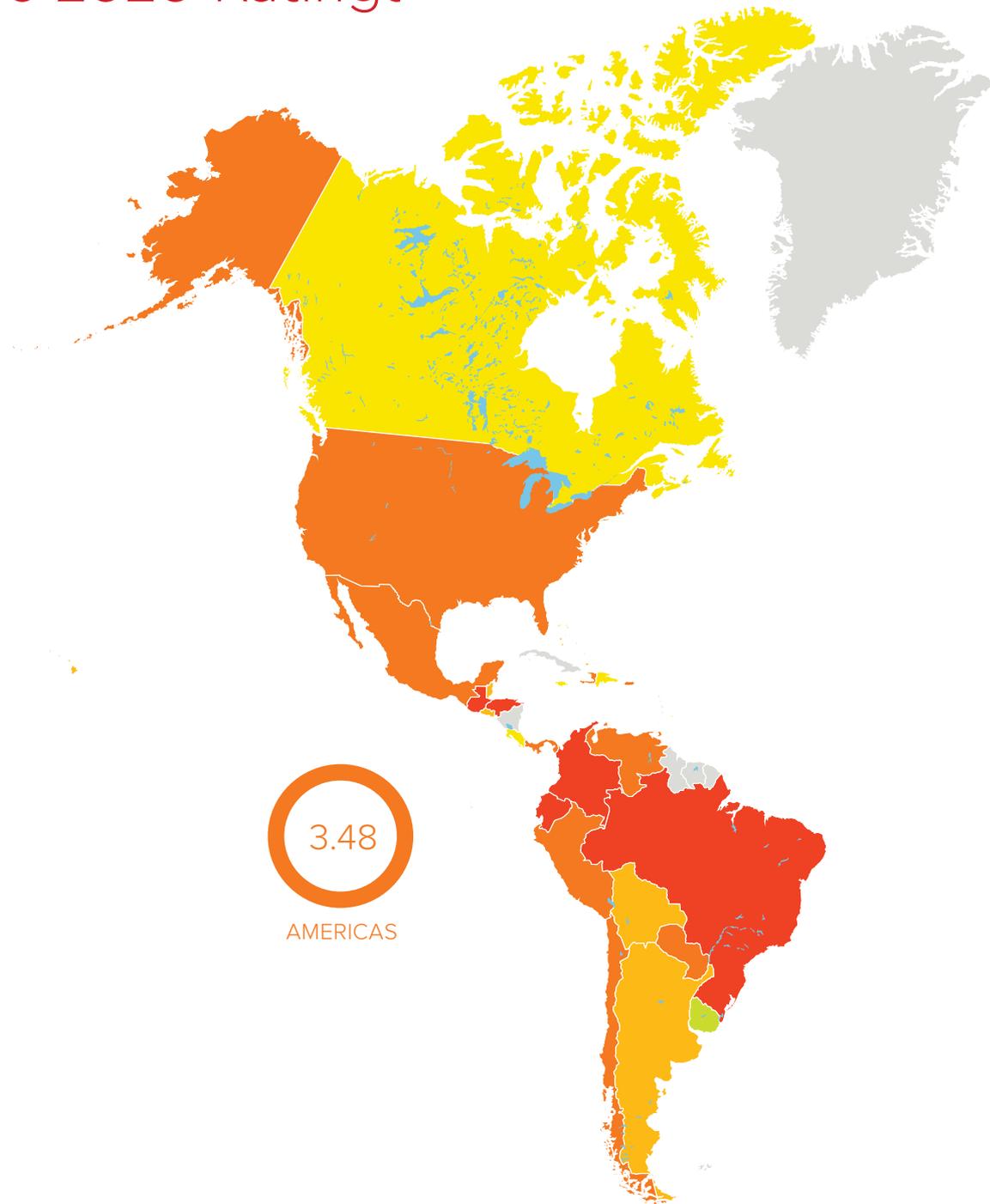
## Companies Violating Workers' Rights

- National Road and Motorists' Association Limited, **Australia**
- Gulf Air, **Bahrain**
- Petrobras, **Brazil**
- IAMGOLD S.A., Norgold S.A., Avocet Mining PLC and Andover Mining Corporation, **Burkina Faso**
- NagaWorld, **Cambodia**
- Sorya Transportation, **Cambodia**
- Brasseries du Cameroun, **Cameroon**
- Jumia, **Côte d'Ivoire**
- China Civil Engineering Construction Company, **Djibouti**
- Egyptian Railway Maintenance and Service Company, **Egypt**
- Orglo, **Egypt**
- Eastern Tobacco Company, **Egypt**
- Suez Station For Public Transport, **Egypt**
- Fiji Transport Authority, **Fiji**
- Gildan Activewear, **Honduras**
- Chiquita, **Honduras**
- Cathay Dragon Airline, **Hong Kong**
- Pricol, **India**
- Tamil Nadu Generation and Distribution Corporation, **India**
- Telangana State Road Transport Corporation, **India**
- Motherson Automotive Technologies & Engineering (MATE), **India**
- Bumi Menara Internusa, **Indonesia**
- Haft Tappeh Sugar Cane, **Iran**
- HEPCO Industrial Complex, **Iran**
- Karun Cement, **Iran**
- Jomo Kenyatta International Airport, **Kenya**
- Kerugoya Hospital, **Kenya**
- EasyJet, **The Netherlands**
- Ryanair, **The Netherlands**
- Transavia, **The Netherlands**
- Jumbo Supermarkets, **The Netherlands**
- Gall & Gall, **The Netherlands**
- Action supermarkets, **The Netherlands**
- Lidl supermarkets, **The Netherlands**
- Municipality of Gazi Baba, **North Macedonia**
- Agency for Real Estate, **North Macedonia**
- Jibreeni, **Palestine**
- Anabtawi Group Investment & Development, **Palestine**
- Agroindustrial Cayalti, **Peru**
- Coca-Cola, **The Philippines**
- NutriAsia, **The Philippines**
- Peerless Products Manufacturing Corporation (Pepmaco), **The Philippines**
- Pioneer Float Glass Manufacturing Inc., **The Philippines**
- Port of Gdynia, **Poland**
- Anglo American Platinum, **South Africa**
- ArcelorMittal, **South Africa**
- State Railway of Thailand, **Thailand**
- WASA, **Trinidad and Tobago**
- Municipality of Izmir Aliaga, **Turkey**
- Deliveroo, **United Kingdom**



The ITUC Global Rights Index depicts the world’s worst countries for workers by rating countries on a scale from 1 to 5+ on the degree of respect for workers’ rights. Violations are recorded each year from April to March. Detailed information exposing violations of workers’ rights in each country is published in the ITUC Survey found at [survey.ituc-csi.org](https://survey.ituc-csi.org).

# The 2020 Ratings



3.48  
AMERICAS

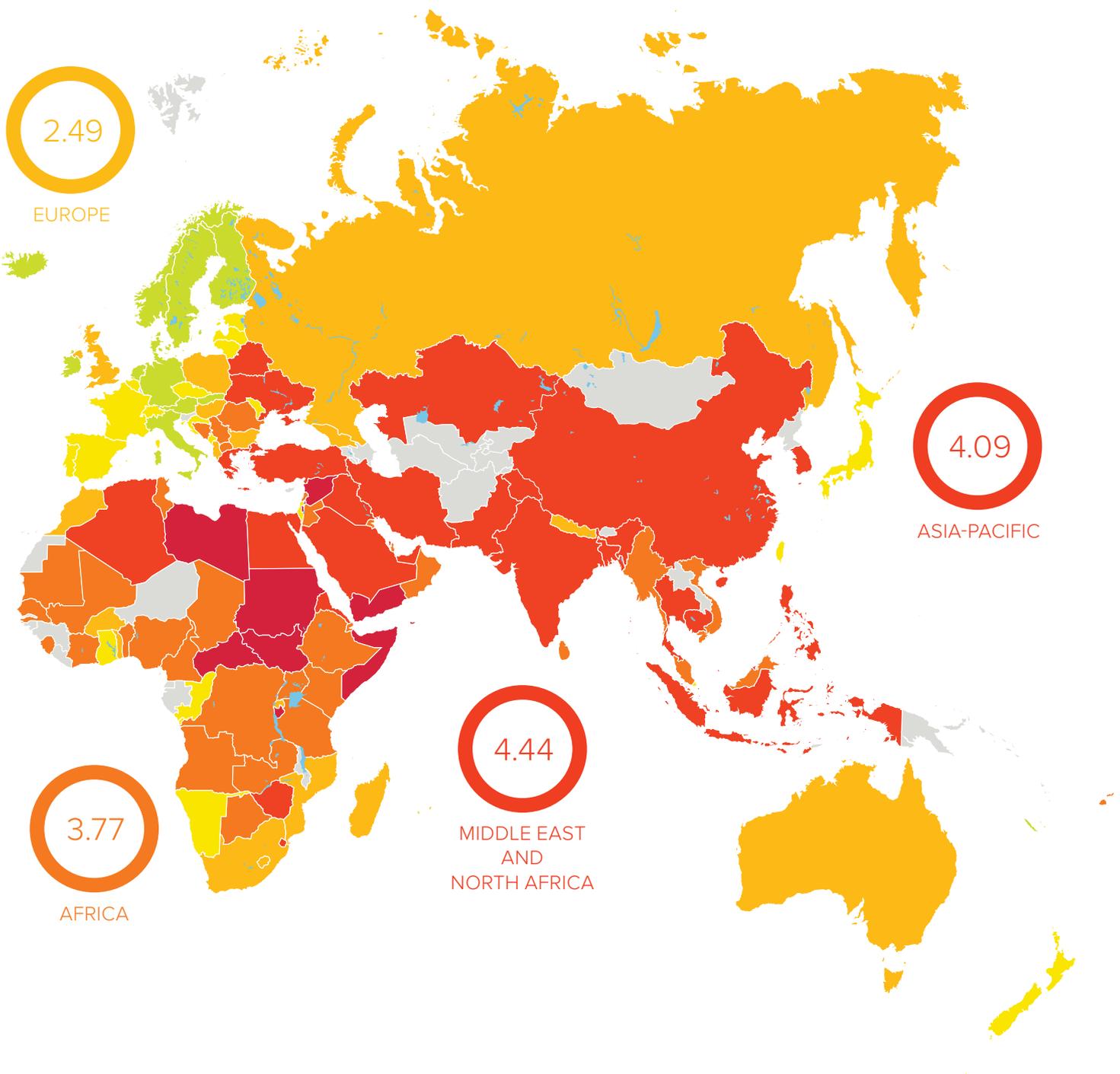
## Improved rating:

- |                |   |           |   |
|----------------|---|-----------|---|
| Vietnam 4      | ↘ | Ghana 2   | ↘ |
| Qatar* 4       | ↘ | Namibia 2 | ↘ |
| Sierra Leone 4 | ↘ | Spain 2   | ↘ |
| Argentina 3    | ↘ | Canada 2  | ↘ |

## Worse rating:

- |                |   |
|----------------|---|
| Pakistan 5     | ↗ |
| Jordan 4       | ↗ |
| Venezuela 4    | ↗ |
| South Africa 3 | ↗ |
| Togo 3         | ↗ |

\*Qatar was last rated in 2018. The country was going through a period of rapid legislative reform in 2019 and was not rated in the 2019 ITUC Global Rights Index.



- 5+** No guarantee of rights due to the breakdown of the rule of law
- 5** No guarantee of rights
- 4** Systematic violations of rights
- 3** Regular violations of rights
- 2** Repeated violations of rights
- 1** Sporadic violations of rights
- No data

# The 2020 Country Ratings

## Rating 5+

No guarantee of rights due to the breakdown of the rule of law

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• Burundi	• Palestine	• Sudan
• Central African Republic	• Somalia	• Syria
• Libya	• South Sudan	• Yemen

## Rating 5

No guarantee of rights

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• Afghanistan	• Eritrea	• Korea (Republic of)
• Algeria	• Eswatini	• Kuwait
• Bahrain	• Greece	• Laos
• <b>Bangladesh</b>	• Guatemala	• Pakistan
• Belarus	• <b>Honduras</b>	• <b>The Philippines</b>
• <b>Brazil</b>	• Hong Kong	• Thailand
• Cambodia	• <b>India</b>	• <b>Turkey</b>
• China	• Indonesia	• Ukraine
• <b>Colombia</b>	• Iran	• United Arab Emirates
• Ecuador	• Iraq	• <b>Zimbabwe</b>
• <b>Egypt</b>	• <b>Kazakhstan</b>	•

## Rating 4

Systematic violations of rights

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• Angola	• Lebanon	• Sri Lanka
• Benin	• Malaysia	• Tanzania
• Bolivia	• Mali	• Trinidad and Tobago
• Bosnia and Herzegovina	• Mauritania	• Tunisia
• Botswana	• Mexico	• Uganda
• Cameroon	• Myanmar	• United States of America
• Chad	• Nigeria	• Venezuela
• Chile	• North Macedonia	• Vietnam
• Congo (Democratic Republic of)	• Oman	• Zambia
• Côte d'Ivoire	• Panama	•
• Djibouti	• Peru	•
• Ethiopia	• Qatar	•
• Fiji	• Romania	•
• Haiti	• Senegal	•
• Jordan	Serbia	•
• Kenya	• Sierra Leone	•

## Rating 3

### Regular violations of rights

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Albania	•	Georgia	•	Nepal	•
Argentina	↘	Hungary	•	Paraguay	•
Australia	•	Lesotho	•	Poland	•
Bahamas	•	Liberia	•	Russian Federation	•
Belize	•	Madagascar	•	Rwanda	•
Bulgaria	•	Mauritius	•	South Africa	↗
Burkina Faso	•	Morocco	•	Togo	↗
El Salvador	•	Mozambique	•	United Kingdom	•

## Rating 2

### Repeated violations of rights

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Barbados	•	France	•	Montenegro	•
Belgium	•	Ghana	↘	Namibia	↘
Canada	↘	Israel	•	New Zealand	•
Congo (Republic of)	•	Jamaica	•	Portugal	•
Costa Rica	•	Japan	•	Singapore	•
Croatia	•	Latvia	•	Spain	↘
Czech Republic	•	Lithuania	•	Switzerland	•
Dominican Republic	•	Malawi	•	Taiwan	•
Estonia	•	Moldova	•		•

## Rating 1

### Sporadic violations of rights

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Austria	•	Iceland	•	Norway	•
Denmark	•	Ireland	•	Slovakia	•
Finland	•	Italy	•	Sweden	•
Germany	•	Netherlands	•	Uruguay	•

#### Comparison with 2019 score:

No change or new in 2020

Worse rating

Improved rating

•

↗

↘

Countries in **bold** are the ten worst countries for working people in 2020

# Worst Region in the World

REGION		2020	SCALE	
<b>MENA</b>	18 COUNTRIES	<b>4.44</b>	(4) Systematic violations of rights to (5) No Guarantee of rights	
<b>Asia-Pacific</b>	23 COUNTRIES	<b>4.09</b>	(4) Systematic violations of rights to (5) No Guarantee of rights	
<b>Africa</b>	39 COUNTRIES	<b>3.77</b>	(3) Regular violations of rights to (4) Systematic violations	
<b>Americas</b>	25 COUNTRIES	<b>3.48</b>	(3) Regular violations of rights to (4) Systematic violations	
<b>Europe</b>	39 COUNTRIES	<b>2.49</b>	(2) Repeated violations of rights to (3) Regular violations	

## Middle East and North Africa

The Middle East and North Africa continued to be the world's worst region for workers' rights with an average rating of 4.44. The region was beset with conflict and a breakdown of the rule of law so that no guarantee of fundamental labour rights was possible in countries such as **Palestine, Syria, Yemen and Libya**.



### Exclusion of workers from labour protection

While **Qatar** has dismantled the kafala system, other countries in the region still relied heavily on this system of modern slavery and maintained the exclusion of migrants, the vast majority of their workforce, from the rights to freedom of association and collective bargaining. In the **United Arab Emirates**, foreign workers represented 89 per cent of the workforce in 2020. Under the kafala system, any attempt at escaping or fleeing an employer in the UAE is punishable by law. Runaway workers are imprisoned, deported, and face significant financial costs, including paying back their employers for the sponsorship fees without receiving salaries earned.

**Saudi Arabia** was going through a period of rapid legislative change between April 2019 and March 2020 and is not rated in the 2020 ITUC Global Rights Index while these reforms are being passed into law and implemented.

In **Lebanon**, over 250,000 migrant domestic workers, from African and Asian countries,

were employed in private households in 2020. Horrendous reports of abuses have been exposed, like the case of a Filipino 28-year-old domestic worker, Halima Ubpah, who came to Lebanon in 2007, leaving behind her husband and three daughters, with a promised monthly salary of US\$100. For ten years Halima was beaten and psychologically abused on a daily basis and her employers would lock her up in a room to sleep every night before the start of the next day. Concerns about exploitation and the lack of legal protection for migrant domestic workers in Lebanon led a number of sending countries, including Ethiopia, Nepal and the Philippines, to impose a ban on their nationals from travelling to work as domestic workers in Lebanon.

### **Dismantling of independent unions and violent attacks on workers**

In **Algeria** and **Egypt**, most independent unions were still unable to function as the authorities refused to grant them recognition, while prominent trade union leaders faced state persecution. In **Egypt**, at least 27 independent unions still sought registration with the authorities, following their arbitrary dissolution in March 2018. In **Algeria**, CGATA offices were administratively closed by the authorities on 3 December 2019, without any cause. Furthermore, **Kaddour Chouicha**, a CGATA executive member, was briefly detained on 24 October 2019 in Oran for his participation in a peaceful sit-in calling for the release of political dissidents. On 9 December 2019, as he returned to the police station to recover his cell phone, which had been confiscated, he was again arrested on spurious charges, summarily prosecuted the next day and sentenced to a one-year prison sentence.

In **Iran**, dozens of workers were beaten and detained by security forces during demonstrations at **HEPCO Industrial Complex** in Arak and at the **Haft Tappeh Sugar Cane factory**. **Esmail Bakshi**, a prominent labour activist from the Haft Tappeh Sugar Cane Workers' Union, was arrested on 20 January 2019, just one month after he was released from an earlier arrest in December 2018. Bakshi had published a letter in which he wrote about the torture he was subjected to during his first detention period. After several protest actions organised by his colleagues

and following international calls, Esmail Bakshi was finally released on 30 October 2019.

### **Ban on strike action and assembly**

In **Iraq**, over 600 protestors were killed by government forces in October and November 2019 during widespread protests, which were supported by the Conference of Iraqi Federations and Workers Unions, calling for jobs, improved social services and an end to widespread state corruption. During the protests, government security forces attacked demonstrators using live ammunition, explosives and stun grenades. At least 81 people were also arrested during the protests.

Freedom of assembly was largely restricted in the region with 13 out of 18 countries prohibiting or cracking down on protests and strikes. In **Bahrain**, May Day processions have been banned for years, despite GFBTU's repeated requests. In **Morocco**, teachers' protests were violently dispersed by police forces in March and May 2019.

### **Violations of workers' rights in Middle East and North Africa**



All 18 countries excluded workers from the right to establish or join a trade union.



17 out of 18 countries violated the right to collective bargaining.



All 18 countries violated the right to strike.

The Asia-Pacific region again followed the MENA region as the second worst region in the world for workers' rights. The average rating for countries in Asia-Pacific is 4.09, an increase from last year's 4.08 average.

In 2020, workers and trade union members and leaders remained subject to extreme violence, intimidation and anti-union discrimination from both governments and employers. Strikes and protests were brutally repressed, while prominent union leaders were arrested on trumped-up charges and sentenced to heavy prison terms in several countries.



74% Workers had no or restricted access to justice in 74% of countries.

### Violent attacks on workers

In **the Philippines**, officers from the National Police dispersed the picket line of **Peerless Products Manufacturing Corporation (Pepmaco)** in Calamba, Laguna, and arrested 18 workers on 19 August 2019. The workers were thrown into a police van and taken to Calamba City Jail, with no explanation as to the charges retained against them. They were held overnight and released the following day.

In **Nepal**, union leaders from the Nepal Press Union (NPU) and the Federation of Nepali Journalists (FNJ) were among nine journalists arrested on 16 September 2019 as they protested against job losses in Kathmandu. In **India**, over two hundred striking workers from **Motherson Automotive Technologies & Engineering (MATE)**, located at Sriperumbudur, an industrial hub 40 kilometres from Chennai, were arrested by the police on 24 September 2019 when they staged a protest rally in front of the Deputy Labour Commissioner (DLC) office in Irunkatukotai, to demand recognition of their newly formed trade union.

In **Hong Kong**, disproportionate violence was used by the police against protesters, including 19 live rounds, 15,972 rounds of tear gas and tens of thousands of rubber bullets, sponge bullets and bean bag rounds in blatant violation of international laws. At least 6,943 protesters have been arrested for taking part in assemblies and protests. Protesters were reportedly tortured, sexually abused and their access to lawyers was obstructed during detention.

## Arrests of union leaders

In **Cambodia**, the Phnom Penh Municipal Court issued a fresh summons against **Ath Thorn**, president of the Cambodian Labour Confederation (CLC), to answer a charge stemming from a 2013 protest at a factory in the Meanchey district. Mr Thorn was asked to appear in court on 30 October 2019 to answer questions over the protest, which turned violent in front of SL Garment Factory on 1 November 2013. Mr Thorn faced charges of incitement to commit a crime, despite the fact that the owner of the SL factory had withdrawn the lawsuit in 2015.

In **Fiji**, **Felix Anthony**, national secretary of the Fiji Trades Union Congress (FTUC), was arrested on 1 May 2019, along with some 30 other trade unionists, as he was taking part in a tripartite meeting with the government, the employers' association and International Labour Organization representatives in Suva. He was later released. However, he remained charged with "malicious behaviour" and "creating public anxiety" for talking to a journalist about the expiry of workers' contracts at the Water Authority. In May 2019, more than 2,000 workers' contracts were terminated by the **Water Authority of Fiji**, which led to protests and the arrest of trade unionists and union members, including Mr. Anthony.

In **China**, dozens of labour activists were arrested on spurious grounds in 2019. On 20 January 2019, five prominent labour activists, **Zhang Zhiru, Jian Hui, Song Jiahui, Wu Guijun** and **He Yuancheng**, were arrested by the police in Shenzhen, Guangzhou and Changsha. They were refused permission to meet with their lawyers. On 5 March 2019, it was confirmed that all five of them were formally arrested on charges of "gathering a crowd to disturb social order". As of February 2020 they remain under arrest without having had a trial and were likely to face lengthy imprisonments.

## Violations of workers' rights in Asia-Pacific



87% of countries excluded workers from the right to establish or join a trade union.



91% of countries violated the right to collective bargaining.



20 out of 23 countries violated the right to strike.



In **Burundi, Central African Republic, Somalia, South Sudan** and **Sudan**, millions of people were still deprived of basic protection due to the internal conflicts that plagued these countries. Violence against prominent union leaders and crackdowns against strikers and protesters escalated, while a ban on strikes and protests was implemented in **Senegal**.



Workers experienced violence in 41% of countries.

### Increase in violence and dismantling of independent unions

In **Zimbabwe**, the president of the Zimbabwe Hospital Doctors Association (ZHDA), Dr **Peter Magombeyi**, and the president of the Amalgamated Rural Teachers' Union of Zimbabwe (ARTUZ), **Obert Masaraure**, were kidnapped, beaten up and subjected to torture. They had both denounced harassment and persecution by security forces. In **South Africa**, two union leaders were murdered in 2019: **Tshililo Tshimangadzo Mositho**, former provincial chairperson of SAMWU in Limpopo, and **Roland Mani**, deputy provincial secretary of the South Africa Municipal Workers' Union (SAMWU) in Limpopo.

Strikes were brutally crushed in **Eswatini**, where police forces fired live ammunition during a march of 8,000 public service workers in Manzini on 2 October 2019. Ten workers were injured. Another march attended by 3,500 civil servants on 25 September to protest against low pay and rising living costs in the country was violently dispersed by the police with tear gas, rubber bullets and water cannons, severely injuring fifteen workers.

In **Sudan**, all trade unions and professional associations were dissolved by a decree of the Sovereignty Council, which also seized all unions' properties and assets. The Council further announced its decision to revise trade union laws and prepare for new elections of leaders of trade unions under these new laws. Police raided the offices of the Sudan Workers Trade Union Federation (SWTUF) and the Sudan Journalists Union (SJU).

## Arrests of trade union leaders and workers

In **Kenya**, leaders of the Kenya Aviation Workers Union, including Secretary-General **Moses Ndiema**, were imprisoned on 6 March 2019 for their role in instigating a strike of employees at the **Jomo Kenyatta International Airport**. In **Cote d'Ivoire**, several trade union leaders in the public and education sectors were arrested on charges of “public disorder”, including Mrs **Sagne Kotchi**, teacher and COSEFCI coordinator; Mr **Johnson Zamina Kouassi**, teacher and CNEC general secretary; **Raphaël Kouamé Kouamé**, teacher and CESCO general secretary; and **Lucien Goudalé**, teacher and COSEFCI general secretary.

Workers were dismissed for joining unions or participation in strike actions in **Burkina Faso**, **Cameroon**, **Ethiopia**, **Lesotho** and **Nigeria**.

## Violations of workers' rights in Africa



95% of countries exclude workers from the right to establish or join a trade union.



97% of countries violated the right to collective bargaining.



38 out of 39 countries violated the right to strike.



Workers in the Americas faced extreme violence and repression. Mass demonstrations against socially regressive policies were met with extreme police brutality while governments declared a state of emergency in **Bolivia, Chile and Ecuador.**



The Americas became the most deadly place for workers. Six of the nine countries (Bolivia, Brazil, Chile, Colombia, Ecuador and Honduras) in the ITUC Global Rights Index where trade union members were killed are in the Americas.

### Attacks on trade unionists

Several union leaders were assassinated in **Brazil, Honduras** and **Colombia**, while many more received death threats and were physically attacked. The situation in these countries was compounded by the total lack of action by the authorities to investigate and prosecute these crimes, leaving trade unionists and their families without protection or remedies.

In **Colombia** alone, fourteen trade unionists have been killed between 2019 and 2020. The latest victim of this unending string of violent crimes was trade unionist **Alexis Vergara**, who was shot dead on 10 March 2020 by unknown assailants shortly after he had finished work for the day, in the Caloto zone of Cauca. Alexis was a delegate in the SINTRAINCABAÑA union, which represents workers in the sugarcane industry. Alexis' work in the union had been focused on campaigns around protecting employment rights and coordinating relations between different unions.

## Violent repression of protests and strikes

In 2019, many countries in the Americas were shaken by brutal government responses to social movements protesting socially regressive policies and political coups. Mass demonstrations in **Bolivia**, **Chile** and **Ecuador**, which were actively supported by trade unions, were met with extreme police brutality, resulting in the death of many protesters. In **Chile**, at least 23 people were killed in anti-government protests and 2,300 injured, with scores blinded by non-lethal projectiles. In **Bolivia**, at least, 31 protesters were killed during demonstrations. In **Ecuador**, the government responded to massive protests against far-reaching cutbacks by declaring a state of emergency. Heavy-handed riot police were sent against the protesters. Hundreds of people were arrested and at least one person was killed while 73 were severely injured.

In **the Dominican Republic**, a strike organised in the construction sector was violently repressed by the police forces, who used live ammunition and rubber bullets. Two protesters were severely injured. In **Argentina**, a strike organised in the electricity sector in Cordoba was violently dispersed by the police with rubber bullets. Several strikers were injured while others were arrested and briefly detained. In **Peru**, workers were prevented from taking action as several strikes were preventively declared illegal by the administration, especially in the mining and the public sectors.

## Violations of workers' rights in the Americas



64% of countries excluded workers from the right to establish or join a trade union.



68% countries violated the right to collective bargaining.



18 out of 25 countries violated the right to strike.



Working people from across Brazilian society calling for a change to economic policy. Several union leaders were assassinated in Brazil, with no action by the authorities to investigate the killings.

Credit: Mateus Bonomi / AGIF via AFP

In several European countries, social movements and strikes have been curbed by the authorities, leading to arbitrary arrests and some violence, while in some Eastern European countries, independent trade union movements were still heavily suppressed.



Workers were arrested and detained in 26% of countries in Europe.

### Arrests during protests and disruption of strikes

In **France**, mass social movements against pension reform in late 2019 and 2020 were violently repressed by the police, who used tear gas to disperse protesters. Many others were arbitrarily arrested and detained, including the wife of the CGT-journalist union secretary general, who was taken to the police station as she was peacefully demonstrating in Paris. Several CFDT union offices were raided and vandalised by masked men in Paris and Dijon in December 2019 and January 2020.

In the **Netherlands**, a court, which had been petitioned by **EasyJet** over a collective agreement conflict with the company union, granted the company's request to impose a longer period of notification for strike action. EasyJet then used this delay to move 14 pilots from Belgium to replace the 15 Dutch pilots on strike and operate their flights.

## Prosecution of union leaders

On 7 January 2020, the Court of Cassation of **Belgium** upheld the conviction of **Bruno Verlaeckt**, president of the Antwerp branch of the Algemene Centrale (industry branch of ABVV-FGTB), for malignant obstruction of traffic during a general strike. While no individual act could be proven, the Court held Verlaeckt responsible solely for his role in organising the strike. No penalty was imposed. However, this decision set the course for further convictions as the Correctional Court in Liège decided to prosecute 17 persons on similar charges for a strike held in October 2015, including **Thierry Bodson**, secretary-general of the Walloon FGTB; **Antonio Fanara**, regional secretary of the Metal branch of the ABVV-FGTB; and **Gianni Angelucci**, ABVV-FGTB trade union representative at FN Herstal.

In Eastern Europe, a number of prominent union leaders remained under strict restrictions of their freedom of movement after they were prosecuted on trumped-up charges and heavily sentenced. In **Belarus**, **Gennady Fedynich** and **Igor Komlik**, two leaders of the Belarusian Radio and Electronics Industry Workers' Union (REP), were prosecuted in 2018 on the spurious charges of tax evasion and sentenced to four years' suspended imprisonment and a ban on holding senior positions for five years. Two years on, Fedynich and Komlik are still under strict house arrest order: they must be in their home from 7 p.m. to 6 a.m. on weekdays, they do not have the right to leave their home on weekends and they do not have the right to leave Minsk. In **Kazakhstan**, **Larisa Kharkova**, former CNTUK chairperson, remains under house arrest order, while **Erlan Baltabay** was prosecuted and jailed twice in 2019. Currently, he is not allowed to be involved in any trade union activity for the next seven years.

## Violations of workers' rights in Europe



38% of countries excluded workers from the right to establish or join a trade union.



56% of countries violated the right to collective bargaining.



72% of countries violated the right to strike.



# The World's Ten Worst Countries for Workers

## Bangladesh



- » Violence
- » Mass dismissal
- » Regressive laws

Workers in Bangladesh could not exercise their basic rights at work without fear of retaliation and brutal repression. In the garment sector, which represents an overwhelming share of the country's export economy, over 500,000 workers employed in EPZs were not allowed to form or join unions, which left them without real power to bargain for better working conditions. The situation is likely to worsen as the EPZ Act is projected to be applied to newly created Special Economic Zones (SEZs), which are expected to employ millions of workers.



**Garment workers in Dhaka, Bangladesh rally against the unlawful sacking of employees at Euphoria Apparels Ltd. Working people in Bangladesh face violence, mass sackings and regressive laws to stop them organising unions.**

Credit: Mamunur Rashid / Nurphoto via AFP

### Retaliation against striking workers

When 50,000 garment workers went on strike in December 2018 and January 2019, in protest over wages, at least 750 were sacked in the immediate aftermath, while over 50 were injured as a result of heavy-handed police intervention. Further reprisal followed. By February 2019, over 11,600 workers had lost their jobs. Between April 2019 and March 2020, at least 522 workers still faced criminal charges after employers and the police filed cases against over 3,000 unidentified workers. At least two workers were being held on attempted murder charges, which carry a life sentence. The use of criminal complaints against large numbers of “unknown” people is a common practice in Bangladesh, allowing the police to threaten virtually anyone with arrest. Workers were also approached by representatives of “yellow unions” that pressured them to sign a document stating that they accepted responsibility for the damage to the factories. They were told that if they signed this letter and submitted it to the Bangladesh Garment Manufacturers and Exporters Association (BGMEA), they would receive one month's notice and get their back wages.

## Brazil

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- » Murder
- » Threats and intimidation
- » Brutal repression of strikes

Brazil's descent into violence continues in 2020 as the police cracked down heavily on strikes, firing tear gas, beating up strike organisers to frighten protesting workers, and arresting and detaining many people. During the year, trade union leaders also faced arbitrary arrests and received multiple death threats, including the president and vice-president of the Sindicato dos Rodoviários do Amapá. On 17 December 2019, **Max Délis's** car was set on fire, while **Genival Cruz** received death threats by phone the following week.

### Case of murder

On 11 June 2019, trade unionist **Carlos Cabral Pereira** was shot by two unidentified men on a motorcycle, close to his home in Rio Maria (Pará). He died on the way to the hospital. Carlos Cabral Pereira was the president of the Rural Workers Trade Union of Rio Maria, a trade union that represented rural workers of the community of Rio Maria, as well as one of the directors of Brazilian Workers Central (Central de Trabalhadores do Brasil). He was well recognised in the region as a social leader who promoted the rights to access to land by peasant workers. For years, he had publicly denounced threats against him.

## Colombia

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- » Murders and extreme violence
- » Union busting and dismissals

Colombia remains one of the worst violators of trade union rights with a horrendous record for impunity regarding the murders of trade unionists. Between January 2019 and March 2020, 14 union leaders were assassinated. In addition, four attempted murders, one case of enforced disappearance and 198 cases of threats to life were recorded. Most of these crimes remained unresolved as the government still failed to address the culture of impunity in the country while the justice system remained dysfunctional and under-resourced. The sectors most affected by such extreme degree of violence and disregard for human life were the education, transport and mining and energy sectors.

### Cases of murder

On 29 January 2019, **Dilio Corpus Guetio** was shot dead at around 6 a.m. after leaving his home in the town of Suárez to go to work. A car pulled up and one of the passengers opened fire. Dilio Corpus Guetio, 44 years old, was a member of the FENSUAGRO trade union and worked to coordinate peasant farming communities. Dilio was at least the second FENSUAGRO trade unionist murdered in 2019, following the killing of **Wilmer Antonio Miranda** on 4 January, also in Cauca. Several FENSUAGRO members have been targeted and murdered by paramilitaries and other armed groups organising workers in the agricultural sector and defending their rights.



- » Severe obstacles to union registration
- » Arrests during strikes
- » State repression

Since the dissolution of all independent unions in 2018, workers and their representatives have sought the re-registration of their unions but have faced an arduous and arbitrary process. On 14 July 2019, the minister of manpower pledged to complete the registration of newly established unions and on 5 August, Law No 142 amending the Trade Union Act was adopted, slightly decreasing the required number of workers to form a trade union. However, the authorities still imposed excessive and absurd registration requirements, such as obtaining the employer's approval and stamp. As of December 2019, at least 27 independent unions at national level awaited their official recognition, leaving workers without representation and depriving them of their right to collective bargaining.

In addition, strikes were systematically suppressed, with workers arrested and detained by police forces.

### Cases of arrest of striking workers

On 6 June 2019, State security forces arrested seven employees of the **Egyptian Railway Maintenance and Service Company** (Ermas) who had organised a strike to demand a pay rise. The charges brought against them were "inciting strike and public disorder". On 14 September, workers at the **Orglo** factory staged a strike to claim the payment of an overdue allowance. Security forces arrested 19 workers and referred them to the Ismailia prosecution. Thirteen of them were released while six others were charged with "gathering, blocking road traffic, rioting, damaging the economy and disrupting vital facilities". They all were sentenced to a 15-day prison sentence. On 6 October, seven protesting workers at the **Eastern Tobacco Company** met the same fate, as they were arrested for "inciting strike" and condemned to a prison sentence and a fine.



- » Murders and extreme violence
- » Union busting and dismissals

Honduras has long been plagued by endemic violence against workers. Engaging in trade union activities remained extremely dangerous and often resulted in death threats and murder. Impunity prevailed as the government failed to provide timely and adequate protection to trade unionists who received death threats and failed to investigate and prosecute anti-union crimes.

Furthermore, employers largely used union-busting practices, such as summary dismissals, to circumvent workers' representation and collective bargaining. In June 2019, for example, **STAR S.A.**, a subsidiary of **Gildan Activewear**, closed down its textile plant to evade the application of a collective agreement, which had finally been concluded after ten years of struggle by SITRASTAR, the company union. This collective agreement should have been the first to be concluded within the Gildan supply chain.

### Case of murder

On 16 November 2019, two men shot and killed **Jorge Alberto Acosta** in a snooker hall just four blocks from his house in La Lima, Cortes. Jorge, 62, was a union leader for SITRATERCO, the oldest union in the country, which represents Chiquita banana workers. In early 2018, banana workers had held a 77-day strike after **Chiquita** illegally relocated its medical centre — which provided full healthcare to working families for over 60 years — to a far-off location and replaced it with an expensive, low-grade private medical centre. Workers on the picket line were met with live bullets from military police and mass layoffs from Chiquita. After the strike ended in April 2018, Jorge and his fellow trade unionists began receiving death threats, and were subject to physical attacks, surveillance, and break-ins. They repeatedly denounced these threats to government officials, who never investigated nor provided adequate protective measures for threatened union leaders.



- » Brutal repression of strikes
- » Mass dismissals
- » Regressive laws

In 2020, the police used disproportionate violence against workers protesting to call for the payment of due wages and better working conditions. Thousands of workers were detained for exercising their right to strike. On 10 October 2019, thousands of contract workers from the **Tamil Nadu Generation and Distribution Corporation** (TANGEDCO) were arrested in nine regions across the state. Over 10,000 contract workers in TANGEDCO had been protesting for their status to be regularised.

The situation is likely to get more tense as in the name of rationalising industrial laws, the Modi government is currently adopting a range of flexible labour market practices that reduce protections for workers in the informal economy, which constitute 94% of the workforce, weaken and undermine unions, remove regulatory burden on harmful business conduct, disempower the individual worker and weaken social cohesion and mutual responsibility at the workplace. This is done by replacing predictable and long-term employment contracts with fixed-term, flexible, temporary contract labour and other categories of precarious work, engaging in practices that prefer workers' committees over trade unions and turning a blind eye to employers who engage in anti-union practices including failing to recognise and negotiate with representative trade unions.

## Case of mass dismissal

The Telangana government announced on 6 October 2019 the dismissal of 48,000 employees of the **Telangana State Road Transport Corporation** (TSRTC) after they launched an indefinite strike demanding better retirement conditions, a revision of their salaries and fresh recruitment to reduce the workload on employees. Some 1,200 employees remained, including those who did not join the strike and others who returned to their duties before 6 p.m. on 5 October, a deadline fixed by the government for the unions to call off their strike. A week later the chief minister said he would be open to the TSRTC workers returning to their jobs, but only if they agreed to waive their right to union representation and give an undertaking that "they would not join any employees' union. Protests continued, and police detained activists during a day-long shutdown on 19 October. The chief minister still refused to accede to the workers' demands. Instead he threatened to privatise the whole service.



Working people in India taking part in a general strike with several demands, including an end to anti-union tactics such as mass dismissals, repression of strikes and regressive laws.

Credit: Javed Sultan / Anadolu Agency via AFP



- » State repression
- » Severe obstacles to union registration
- » Prosecution of union leaders

Independent trade unions in Kazakhstan continued to face an orchestrated state policy to weaken solidarity, which included sentencing of leaders on trumped-up charges and failure to register unions. Without independent unions to defend their rights, workers in Kazakhstan were deprived of civil liberties and left without protection against employer abuses.

### Case of union registration impeded

Since it was deregistered and dissolved on 28 March 2017, the Confederation of Independent Trade Unions of Kazakhstan (CNTUK) has been prevented by the government from registering under a new name. Between July and September 2018, the founders of the union made three attempts at registering their union with the authorities. Every time, their request was denied on dubious grounds. Since then, the founders have been unable to register their union and consequently, to function as a union. Their leader, **Larisa Kharkova**, former CNTUK chairperson, remains under strict restriction of her freedom of movement: she must stay at home after 8 p.m. and has a duty to register twice a month with the authorities.

### Case of prosecution of union leader

In August 2019, the leader of the Independent Oil and Energy Workers' Union in Kazakhstan, **Erlan Baltabay**, was again arrested and sentenced to an additional five months' imprisonment for union-related activities and for not paying a fine imposed when he was previously released from prison on humanitarian grounds. Baltabay was originally sentenced to seven years' imprisonment in July 2019 on spurious charges of "misappropriation of funds". He was released in August 2019 after being pardoned by the president and given a fine of an undisclosed amount in exchange for his remaining prison sentence. Baltabay insisted on his innocence and refused to pay the fine or recognise the presidential pardon. Baltabay argued in court that the criminal charges levied against him were politically motivated and unfounded from the start. On 19 December 2019, the court rejected Baltabay's appeal and he was returned to prison for five months for not paying this fine and served that term in full. On 20 March 2020, Baltabay was released from jail. Currently, he is not allowed to be involved in any trade union activity for seven years.



An anti-government protest in Almaty, Kazakhstan. Independent trade unions in Kazakhstan face an orchestrated, anti-union state policy.

Credit: Ruslan Pryanikov / AFP



- » Violence and murder
- » Arbitrary arrests
- » Union busting practices

In the Philippines, union members were particularly at risk of violence, intimidation and murder. In a context of extreme state violence and suppression of civil liberties, employers' tactics to label unions as "subversive organisations", in a process commonly known as "red-tagging", exposed their members to violence and repression. On 5 October 2019, the management of the **Coca-Cola** plant in Bacolod City held a meeting for all employees to denounce the company union as subversive. On 17 October, two men identifying themselves as military officers visited the home of an elected officer of the Bacolod City Coca-Cola union. The men referred to the 5 October meeting, denounced the union and threatened that the government "had ways of silencing troublemakers".

In 2019, an increasing number of trade unionists were arrested in their homes and charged on dubious grounds, such as illegal possession of firearms, which had been planted by security forces. Seventeen workers also faced a string of trumped-up charges following the violent dispersal of a strike on 6 July at a factory run by condiment giant **NutriAsia** in Cabuyao City, Laguna.

### Cases of murder

Union organiser **Dennis Sequeña** was shot on 2 June 2019 in Barangay Bunga in Tanza, Cavite, while meeting a group of workers. He was shot by a gunman who arrived riding in tandem on a motorcycle. The gunman and his accomplice escaped using the same motorcycle. Sequeña was brought by his colleagues to the hospital, but doctors failed to revive him. Sequeña was a union organiser, an active member in the Freedom of Association Committee of the Nagkaisa Labour Coalition and the Department of Labour and Employment (DOLE)-Nagkaisa Technical Working Group on Freedom of Association since 2018. He assisted Cavite workers facing labour problems and advised workers on how to unionise and improve their wages and working conditions. His murder brought the total number of assassinated labour rights defenders under the Duterte administration to 43.

Later in the year, **Reynaldo Malaborbor**, a union leader and community organiser, was killed on 4 November 2019. He was repeatedly shot in the head by an unidentified man while walking with his wife near their residence at 9:30 p.m. in Barangay Banay-banay. Police said the gunman managed to flee the scene of the crime by foot. Malaborbor was a long-time activist involved in several labour organisations. Before becoming a peasant farmers' activist, Malaborbor was a union president in Universal Robina Corporation in Calamba, and an organiser for the Trade Unions of the Philippines-February Six Movement. In 2010 he was one of three farmers arrested and accused by the military of illegal possession of firearms and explosives. He had spent five years in detention before the case was dismissed in 2015.



- » Dismissals and discrimination
- » Arrests and prosecution of union leaders

Turkey remained one of the most hostile countries in the world for trade unionists. Since the attempted coup in 2016, the Turkish government severely restricted civil liberties and cracked down on independent trade unions, especially in the public sector. In a climate of fear and under the constant threat of retaliation, workers struggled to unite and form unions, while employers actively deterred any attempt to do so by firing union organisers and engaging in union busting practices.

### Cases of prosecution of trade union leaders

In 2019, trade union leaders continued to face arrests and prosecution on botched charges, as Erdogan tried to suppress critical voices. On 9 March 2020, **Arzu Çerkezoglu**, the president of the DISK trade union centre, faced criminal charges with a possible prison term for her criticisms of Turkey's ruling party AKP in June 2016. She was later acquitted. The entire seven-member KESK Board who, in January 2018, had called for peace and warned about the impact of the Turkish army's incursion into Afrin, Syria, in particular on Kurdish people, was also charged and prosecuted. Charges were thrown out by the 4th High Criminal Court in Ankara on 3 March 2020.

However, systematic targeting of union leaders continued as on 5 March 2020, at 5:30 a.m., Turkish police raided the house of **Umar Karatepe**, director of communication of DISK. He was arrested and taken to the police headquarters in Istanbul. Charges were unspecified but reportedly related to several statements made on his account on social media.



- » Prosecution of union leaders
- » Violence and threats

In the aftermath of the violent attacks against workers during the general strikes organised by ZCTU in October 2018 and January 2019, Zimbabwe continued its crackdown against trade unions.

### Cases of prosecution of union members

Twenty-eight ZCTU members still faced criminal charges after their arrest over a year ago. If convicted, they could be sentenced to a mandatory ten-year jail term. ZCTU president **Peter Mutasa** and general secretary **Japhet Moyo**, both of whom had been arrested and charged with subversion, were released in February 2019, but they remained under strict release conditions, banned from traveling and forced to check in regularly at the police station. Furthermore, both leaders received anonymous letters containing death threats and bullets. The letters warned them against continuing with the planned strike action on 22 July 2019 and threatened to kill the two and harm their families. The letter said: "We have hired mercenaries to deal with you once and for all – unless you stop what you are planning." Japhet Moyo received further threatening letters, with one of them containing a threat to rape his daughter.

## Cases of kidnapping

The president of the Zimbabwe Hospital Doctors Association (ZHDA), Dr **Peter Magombeyi**, was kidnapped on 14 September 2019 by three unidentified men, and for days his whereabouts were not known. Before his kidnapping, he had received a message from an unknown source which contained death threats. For years, Dr Magombeyi has been at the forefront in fighting for better working conditions for all doctors in the country. He was eventually released and left outside Harare. Earlier in the year, on 5 June 2019, **Obert Masaraure**, the president of the Amalgamated Rural Teachers' Union of Zimbabwe (ARTUZ), was abducted at his house. ARTUZ leadership had denounced the relentless harassment and persecution by security forces, reporting twelve cases of members of the security forces interrogating and harassing their members ahead of the "unions for job action" planned on 3 June 2019. During their time in captivity, both Magombeyi and Masaraure were subjected to torture and ill-treatment.



# Most Violated Rights in the World

**RIGHT TO STRIKE** – Criminalisation of the right to strike in 85% of countries.

**RIGHT TO COLLECTIVE BARGAINING** – Erosion of collective bargaining in 80% of countries.

**RIGHT TO ESTABLISH OR JOIN UNIONS** – Exclusion of workers from labour protection in 74% of countries.

**RIGHT TO CIVIL LIBERTIES** – Restrictions on access to justice in 72% of countries.

**RIGHT TO TRADE UNION ACTIVITIES** – De-registration of unions in 62% of countries.

**RIGHT TO CIVIL LIBERTIES** – Arbitrary arrests, detention and imprisonment in 42% of countries.

## 1. Increasing criminalisation of the right to strike

In 2020, strikes have been severely restricted or banned in 123 out of 144 countries. In a significant number of these countries, industrial actions were brutally repressed by the authorities and workers exercising their right to strike often faced criminal prosecution and summary dismissals.



### Regional: Percentage of countries which violated the right to strike

<b>MENA</b>	100%
<b>AFRICA</b>	97%
<b>ASIA-PACIFIC</b>	87%
<b>EUROPE</b>	74%
<b>AMERICAS</b>	72%

## Prosecution of union leaders and workers for participating in strikes

### Asia-Pacific



In **Thailand**, ten years after the events that triggered the charges against them, the trial of thirteen leaders of the State Railway Union of Thailand (SRUT) began on 11 November 2019. They were charged with corruption and misconduct, including negligence of duty. If found guilty, they face a sentence of up to five years' imprisonment, a fine of 20,000 Thai baht and termination of their employment by the **State Railway of Thailand** (SRT). The thirteen SRUT leaders are **Wirun Sakaekum, Prachaniwat Buasri, Nittinai Chaiyaphum, Sorawut Phothongkam, Thawatchai Boonwisoot, Saroj Rakchan, Sawit Kaewwan, Thara Sawangtham, Liam Mokngam, Pinyo Ruenphet, Arun Deerakchat, Bunjong Bun-net and Supichet Suwanachatri**. They had all been summarily dismissed in retaliation for their organising a nationwide rail safety campaign following a fatal train derailment on 5 October 2009 at Khao Tao Station, operated by the SRT. In March 2018, the Supreme Labour Court had already ordered seven of the SRUT leaders to pay damages amounting to approximately 24 million Thai baht (approximately US\$726,116).

In Vietnam, on 21 May 2019, the People's Court of Binh Thuan Province held a trial against labour activists Dang Ngoc Tan and Pham Thanh, two protesters who had participated in mass demonstrations against the bills on Special Economic Zones and cybersecurity in 2018. They were sentenced to 17 years and 11 years in prison, respectively, for "deliberate destruction of public property". The two had already been tried in 2018 for "disturbing public order" and had been sentenced to four years in prison. On 7 March 2019, Dang Ngoc Tan was also sentenced to three years in prison by the People's Court of Tuy Phong district for his participation in other protests in Phan Ri Cua town and Hoa Minh. In total, Dang Ngoc Tan and Pham Thanh were convicted to 24 and 15.5 years in prison, respectively. Dang Ngoc

Tan is only 19 years old. In addition, Tan and Thanh also had to pay a compensation of 3.6 billion Vietnamese dong (US\$154,210) and more than 1 billion Vietnamese dong (US\$42,836), respectively, for allegedly burning four fire trucks and twelve police cars during the protests. Over 127 activists who had participated in the June 2018 protests have been either convicted or otherwise harassed for joining the protests.

### Middle East and North Africa



In October 2017, in a context of increasing state repression, the **Egyptian** prime minister had issued an order to refer cases of protest, strike and sit-in to State Security Courts after they have been tried by the general courts. In October 2019, 26 shipyard workers were condemned by the military court to a suspended one-year jail term and a fine of 2,000 Egyptian pounds for their participation in a strike. In **Iran**, four **Karun Cement** workers, **Farshad Khodadadian, Khorram Aghabigi, Peyman Soleimani** and **Amin Hatami**, were summoned on 17 June 2019 to answer to judicial authorities. Over three years ago, these workers had a case opened against them following the factory director's complaint against them for participating in workers' protests at the factory. They were charged with "disturbing the society's order" and "participating in illegal gatherings".



## Europe



74% of countries in Europe violated the right to strike.

On 7 January 2020, the Court of Cassation of **Belgium** upheld the conviction of **Bruno Verlaeckt**, president of the Antwerp branch of the Algemene Centrale (industry branch of ABVV-FGTB), for malignant obstruction of traffic during a general strike. While no individual act could be proven, the Court held Verlaeckt responsible solely for his role in organising the strike. No penalty was imposed. However, this decision set the course for further convictions as the Correctional Court in Liège decided to prosecute 17 persons on similar charges for a strike held in October 2015, including **Thierry Bodson**, secretary-general of the Walloon FGTB, **Antonio Fanara**, regional secretary of the Metal branch of the ABVV-FGTB and **Gianni Angelucci**, ABVV-FGTB trade union representative at FN Herstal.

In **Portugal**, the **National Union of Dangerous Goods Drivers** (SNMMP) called a walkout in September 2019 to protest fuel-tanker drivers' dangerous and precarious conditions, including fifteen-hour-long shifts, excessive overtime (up to 500 hours for some drivers in 2019 alone) and a base salary of €600. In response, the government ordered fuel-tanker drivers, under threat of prosecution, to go back to work. Subsequently, fourteen drivers were being accused of carrying out a crime of disobedience, facing up to two years of imprisonment, while some drivers were threatened with dismissal.

## Africa



97% of countries violated the right to strike.

In **Zimbabwe**, in October 2018, a national protest organised by ZCTU against a financial tax increase and rising prices was violently repressed by police forces. Workers were beaten up and ZCTU Harare offices were cordoned off by 150 policemen. Thirty-three ZCTU members were arrested and charged with “disrupting public order”. Over one year after their arrest, 28 of these trade unionists still face criminal charges. Nineteen reappeared in Mutare Magistrate’s Court on 4 February 2020. If convicted, they face a mandatory ten-year jail term. In **Kenya**, leaders of the **Kenya Aviation Workers Union**, including **Moses Ndiema**, the secretary-general of the union, were imprisoned on 6 March 2019 for their role in instigating a strike of employees at the **Jomo Kenyatta International Airport**.

## Americas



72% of countries violated the right to strike.

In **Brazil**, **João Luiz Pereira Rodrigues**, the president of SIND-DEGASE, a civil servants’ union, was arbitrarily arrested during a strike organised in Rio de Janeiro against precarious conditions of work in the socio-educational sector. The courts also imposed that the strike be stopped within 24 hours. In **Argentina**, union leaders of the Association of State Workers (ATE) in Mendoza were arbitrarily jailed and sentenced on 18 June 2019 for the second time in less than one year. The courts condemned them to three months in prison for a demonstration they had organised at the entrance to the regional airport. Among the leaders sent to jail were **Robert Macho**, the ATE-CTA secretary general in Mendoza.

## Dismissals for participating in strike action

### Africa

In **Djibouti**, railway workers, employed by the **China Civil Engineering Construction Company (CCECC)**, suffered a multi-week suspension after protesting low wages, insecure jobs and poor working conditions including a lack of drinking water, toilets and accommodation, in July 2019. The Chinese state-owned company refused to abide by Djibouti's labour code and did not respond to a request from national trade union centre UDT to discuss and resolve the concerns raised. In **Cote d'Ivoire**, over 120 workers at **Jumia Côte d'Ivoire**, a subsidiary of the Nigerian e-commerce company, were sacked after participating in a strike between 9 and 13 July 2019 to demand better working conditions. In **South Africa**, the mining company **Anglo American Platinum (AAP)** fired over 643 workers in Mototolo (Limpopo) after they staged a strike to demand better medical coverage. **ArcelorMittal South Africa (AMSA)** further retrenched 2,000 workers just a few months after a strike organised by the National Union of Metalworkers of South Africa (NUMSA) in March 2019 to end outsourcing at the company.



Rebecca Sy from the Hong Kong Dragon Airlines Flight Attendants Association was dismissed by the Cathay Dragon airline after admitting to posting on social media in support of the Hong Kong pro-democracy movement.

Credit: Sunny Mok / EyePress via AFP

### Asia-Pacific

In **India**, the **Pricol** car parts company in Coimbatore, Tamil Nadu, dismissed 294 workers for their part in a 100-day-long strike. In **Hong Kong**, the **Cathay Dragon airline** dismissed the chairperson of the Hong Kong Dragon Airlines Flight Attendants Association, Ms **Rebecca Sy**, on 21 August 2019. No official reason was given for her dismissal, but it came immediately after she was asked to confirm that a screenshot of a social media post expressing support for the pro-democracy movement was hers. After the 5 August general strike, the Civil Aviation Administration of China (CAAC) put pressure on Cathay Pacific over its staff's involvement in the pro-democracy movement and issued a broadly scoped directive to Cathay Pacific to prohibit the staff of Cathay Pacific taking part in "unlawful assemblies" and "radical actions" in the anti-extradition bill protests from flying over mainland Chinese air space. The company bowed to that pressure and warned of terminations for supporting or joining the protests. The CAAC ban has had a ripple effect to limit the right to freedom of assembly and expression of employees in the aviation sector. By the end of November 2019, 37 employees of Cathay Pacific, Cathay Dragon, Hong Kong Airlines and the Hong Kong Airport Authority had been fired for associating with the protests.

### Americas

In **Peru**, the 620 workers of the **Agroindustrial Cayalti** started an indefinite strike in June 2019 demanding the payment of outstanding wages for the last five months. The company responded to this legitimate demand by firing six of the striking workers.

## 2. Erosion of collective bargaining

In 2020, serious restrictions to collective bargaining were recorded in 115 countries. The lack of good faith bargaining by employers demonstrates the broken social contract. Instead, collective bargaining agreements are being torn up with mass layoffs in **Brazil** and the sacking of workers' representatives in **Cameroon**.



### Regional: Percentage of countries which violated the right to collective bargaining

<b>AFRICA</b>	97%
<b>MENA</b>	94%
<b>ASIA-PACIFIC</b>	91%
<b>AMERICAS</b>	68%
<b>EUROPE</b>	56%

### Asia-Pacific



In **Australia**, ferry captains employed by the **National Road and Motorists' Association Limited** (NRMA), who own **My Fast Ferry**, have been protesting their low-wage conditions and casual employment for months. Workers were being paid below the industry's collective agreement rates and were casually employed. In December 2018, the Fair Work Commission found that the skippers could be collectively owed as much as AU\$1 million due to underpayment. With the Construction Forestry Maritime Mining and Energy Union (CFMMEU), workers organised work stoppages throughout 2018 and 2019. However, the NRMA categorically refused to sit at the negotiation table and repeatedly cancelled mediated meetings with the CFMMEU. Instead, the company took the CFMMEU to court seeking significant damages for making false and injurious claims. On 11 September 2019, the Federal Court dismissed the proceedings. It was calculated that the NRMA had spent more in legal costs than it would have done had it paid the workers what they were asking.

In **Cambodia**, **NagaWorld** airport hotel and **Sorya Transportation** refused to engage in collective bargaining with the respective company unions. NagaWorld even brought the matter before the arbitration council as a stalling tactic, which meant that workers could not enter into collective action while the matter was pending.

## Middle East and North Africa



94% of countries in Middle East and North Africa violated the right to collective bargaining.

In **Oman**, employers regularly hindered collective bargaining processes by refusing to attend scheduled meetings or unduly delaying negotiation meetings, ignoring the demands of unions and sending representatives who were not entrusted with any bargaining or decision power with the sole purpose of stalling negotiations. In **Palestine**, the dairy factory **Jibreeni** refused to negotiate with representative unions, while the **Anabtawi Group Investment & Development (AGID)** undermined collective bargaining with the unions by entering into negotiations with individual workers instead, a practice of bad faith bargaining.

## Europe



56% of countries in Europe violated collective bargaining rights.

In **Poland**, at the **Port of Gdynia**, a collective dispute arose in April 2019. The employer refused to engage in talks regarding the lack of training of newly admitted people, particularly in dangerous work. In **North Macedonia**, the **Municipality of Gazi Baba** and the **Agency for Real Estate** engaged in negotiations with unions but refused to include representatives from the Confederation of Free Trade Unions of Macedonia (KSS).

In the **Netherlands**, unions observed an increasing trend to shift from sectoral agreements to company agreements with the intent of minimising labour costs in return for employability. Companies often used the competitiveness and employability argument with their employees to incite them to accept lower conditions of work at the enterprise level. In addition, companies, including **Ryanair, Transavia, Jumbo Supermarkets, Gall & Gall, Action** and **Lidl supermarkets**, tended to circumvent collective bargaining with representative unions.

## Africa



97% of countries in Africa violated collective bargaining rights.

In **Cameroon**, les **Brasseries du Cameroun**, owned by the **Castel Group**, have persistently refused to appear at the negotiation table to address their refusal to implement the company agreement. The management successfully prevented a strike action by announcing their attendance to a mediated meeting with the labour administration and the unions. As the strike was suspended, the company again refused to discuss any of the unions' demands. Some days later, les Brasseries du Cameroon fired three of the most outspoken union leaders: **Papana Bondoa Yves William, Kouotchop and Mbarga Pie-Claude**.

## Americas



68% of countries in the Americas violated collective bargaining rights.

In **Brazil**, **Petrobras** decided to close down its fertiliser plant and to lay off 396 direct employees and 600 subcontracted workers, without first discussing alternatives with the company union. The mass layoffs violated the collective agreement signed in November 2019 in which Petrobras agreed to no mass layoffs for five years without prior consultation with the unions. Workers from more than 30 Petrobras units came together for the strike. Various campaigns were run across the twelve Brazilian states in which the oil company operated. On 4 February, the Brazil's employment court ruled that if the workers continued to strike, large unions with more than 2,000 members, like the Federação Única dos Petroleiros (FUP), would be fined 500,000 reales (US\$116,000), while smaller unions would be fined 250,000 reales (US\$58,000). President Jair Bolsonaro's government supported the privatisation of Petrobras. Over five years, the oil company has cut its investments in Brazil by 50 per cent, resulting in the loss of 270,000 direct and subcontracted jobs.

### 3. Exclusion of workers from labour protection

Under international labour standards, all workers without distinction have the right to freedom of association. However, in 2020, 106 out of 144 countries surveyed excluded certain categories of workers from this right, often on the basis of their employment status. Migrant workers, domestic workers, temporary workers, those in the informal economy and workers in the platform economy usually fell outside of the scope of labour legislation, while certain categories of public employees were still denied the right to freedom of association, like firefighters and prison staff in **Japan**.



#### Regional: Percentage of countries which violated the right to establish or join a trade union

<b>MENA</b>	100%
<b>AFRICA</b>	95%
<b>ASIA-PACIFIC</b>	87%
<b>AMERICAS</b>	64%
<b>EUROPE</b>	38%

### Migrant workers

#### Middle East and North Africa



100% of countries in Middle East and North Africa excluded workers from the right to establish or form a trade union.

Countries in the region still relied heavily on the kafala, a system of modern slavery, and maintained the exclusion of migrants, the vast majority of their workforce, from the rights to freedom of association and collective bargaining. In the **United Arab Emirates**, foreign workers represented 89 per cent of the workforce, while 94.8 per cent (over 750,000 workers) of all domestic workers in the UAE were migrant workers. Under the kafala system, any attempt at escaping or fleeing an employer in the UAE is punishable by law. Runaway workers are imprisoned, deported and face significant financial costs, including paying back their employers for the sponsorship fees without receiving salaries earned.

Ninety per cent of all Kuwaiti households employed a foreign domestic worker. There were over 620,000 migrant domestic workers in **Kuwait**, accounting for over 21.9 per cent of the country's total employment. Domestic workers earned less than 20 per cent of the average national wage set at US\$147 per month for domestic workers.

In **Lebanon**, 28-year-old domestic worker, Halima Ubpah, was locked up for over ten years inside her employers' house, and she only received one phone call from her family a month after she arrived before being completely isolated from the outside world. She was beaten and psychologically abused on a daily basis, and her employers would lock her up in a room to sleep every night before the start of the next day.

## Africa



95% of countries in Africa excluded workers from the right to establish or join a trade union.

In Botswana, on 19 September 2019, migrant workers who had decided to organise and form a union sent all the relevant application forms for registration, but they were denied recognition by the Registrar.

## Informal workers

In 2020, 2.5 billion people worldwide were employed in the informal economy. Workers in the informal economy were particularly vulnerable to abuses, as they were excluded from labour laws in many countries: they were exposed to inadequate and unsafe working conditions, earning less certain, less regular and lower incomes, enduring longer working hours, deprived of the right to collective bargaining or representation and often underemployed or in ambiguous employment status.

In South Asia, informal work represented 82 per cent of total employment, while in Sub-Saharan Africa, it rose to 85.8 per cent.

## Insecure Work

Insecure forms of work included temporary work; part-time, on-call, and contracts with zero or variable working hours; temporary agency work; and disguised and dependent self-employment, in which many of the workers were found in platform, gig or digital work. As the use of these forms of employment spread worldwide, the lack of protection granted to these workers became more blatant.

## Africa

In **Burkina Faso**, contractual workers and agency workers could not join unions, as union membership was systematically punished with immediate dismissal. Such practices were frequent in the mining sector where companies like **IAMGOLD S.A.**, **Norgold S.A.**, **Avocet Mining PLC** and **Andover Mining Corporation** implemented a strict “no-union” policy.

## Europe



38% of countries in Europe excluded workers from the right to establish or join a trade union.

Many workers in **Armenia** were not allowed to form and join trade unions, including workers in the informal sector, domestic workers and workers in the gig economy. In the **United Kingdom**, workers in the gig economy were not classified as employees and have been prevented from seeking trade union recognition for the purposes of collective bargaining. In December 2018, the High Court confirmed that workers at **Deliveroo** were not “in an employment relationship” with the firm, so the right to collective bargaining did not apply, leaving workers without union representation in 2019 – 2020.

## Asia-Pacific



64% of countries in Asia-Pacific excluded workers from the right to establish or join a trade union.

In **South Korea**, three years after coming to office, President Moon Jae-in’s administration still failed to ratify core ILO Conventions 87 and 98 on freedom of association, the right to organise and collective bargaining, despite manifesto pledges. Furthermore, the administration seemed to be on the brink of further restricting the rights of atypical workers, namely workers in the informal economy, platform workers, self-employed, freelancers, non-regular and contract workers. These workers were already vulnerable to severe violations, as they did not benefit from the protection of the labour laws. KCTU and FKTU organised mass rallies in April and November 2019 to demand better recognition of rights for all workers and equal treatment for irregular workers. In 2019, 7.48 million workers in South Korea were non-regular workers, part-timers and outsourced labourers, accounting for 36.4 per cent of the country’s salaried employees.

## 4. Restrictions on access to justice

Access to justice and due process of law are basic principles of the rule of law. In their absence, people are unable to have their voice heard and to assert their rights. In 103 countries out of 144, workers had no or reduced access to justice, and the due process of law and justice was denied.



### Regional: Percentage of countries where access to justice was denied or constrained

<b>MENA</b>	94%
<b>AFRICA</b>	85%
<b>ASIA-PACIFIC</b>	74%
<b>AMERICAS</b>	64%
<b>EUROPE</b>	51%

### Asia-Pacific



In **Bangladesh**, labour courts have accumulated a three-year backlog, while a staggering 18,000 cases filed by workers were still pending. Attempts to file criminal complaints against factory owners or the industrial police, for violence or intimidation, were routinely refused. In some cases, police have refused to record criminal complaints and failed to initiate impartial investigations. Unions could not even access courts directly to denounce unfair labour practices. Instead, they were required to file these cases with the Department of Labour, which wielded wide discretion over the decision to initiate legal claim. It was estimated that less than 10 per cent of reported cases were filed. Even if authorities found that factories had unfairly dismissed workers for unionising, they could only file complaints in labour courts, where cases were often inordinately delayed.

In **Hong Kong**, at least 6,943 protesters were arrested for taking part in the pro-democracy assemblies and protests in 2019. Protesters were reportedly tortured, sexually abused and their access to lawyers was obstructed during detention.

## Middle East and North Africa



94% of countries in Middle East and North Africa denied workers access to justice.

In **Iran**, as of March 2020, 38 labour activists were still arbitrarily imprisoned, often detained in remote secret prisons, subjected to ill-treatment and denied access to a lawyer. Another 46 labour activists were released on bail, awaiting trial and under heavy government surveillance.

## Europe



51% of countries in Europe denied workers access to justice.

In **Croatia**, the government brought property claims before court to evict the UATUC from its offices in the cities of Zagreb, Požega, Daruvar, Šibenik and Split, without presenting any valid cause. Courts have acceded to these abusive claims and ordered the eviction of UATUC from its legally acquired offices. The UATUC has challenged these decisions and demanded that the government respect unions' right of property. Appeals are still pending.

## Americas



64% of countries in the Americas denied workers access to justice.

In **Guatemala, Colombia** and **Honduras**, the pervasive climate of repression, physical violence and intimidation against workers and trade unionists was compounded by the governments' failure to pursue the many historic cases of murders and other violent crimes. The labour justice system remained broken and only a handful of the hundreds of murder cases were resolved, usually many years later.



## 5. De-registration of unions

The right to official recognition through legal registration is an essential facet of the right to organise, since that is the first step that workers' organisations must take in order to be able to function efficiently and represent their members adequately. Between April 2019 and March 2020, authorities impeded the registration of, de-registered or arbitrarily dissolved unions in 89 countries out of 144.



### Regional: Percentage of countries which impeded the registration of unions

<b>MENA</b>	89%
<b>ASIA-PACIFIC</b>	70%
<b>AFRICA</b>	69%
<b>AMERICAS</b>	64%
<b>EUROPE</b>	36%

### Middle East and North Africa



Following the dissolution of all trade unions in March 2018, many independent organisations in **Egypt** still sought to register their status under the new, more restrictive law. CGATA and SESS, two independent and active unions in **Algeria**, have been seeking registration for the past seven years. The authorities have persistently refused to grant them recognition on the dubious motive that the two organisations do not fulfil the legal requirements.

In **Bahrain**, the Gulf Air Pilots Union has been seeking official recognition for years, but authorities still refused to proceed to its registration, thus depriving workers from representation in the company. As a result of the authorities' refusal, **Gulf Air** stopped deducting membership fees from wages, despite the check-off agreement which was concluded.

## Asia-Pacific



In **Afghanistan**, NUAWA's offices have remained closed by the authorities since May 2018, with the union forced to use a floor of the Labour Ministry building for office work. The government of Afghanistan prevented NUAWA from organising its congress according to its own constitution and insisted that the congress be held under the control of a commission established by the Ministry of Justice. NUAWA's bank account has remained frozen, making it impossible for the union to hold its 2020 congress. In addition, on 29 December 2019, the Ministry of Justice arbitrarily, and without any official authority, fired NUAWA's elected executive board and congressional committee. In all effects, the union is now prevented from carrying out any activities.

In February 2020, the **Fijian** government suspended five trade unions for "failing to submit their annual audited reports". It said the unions also faced penalties and deregistration if they continued to fail to comply with legislation. According to the Registrar of Trade Unions, the unions "were given ample time to submit their financial records". The five suspended unions are the **Hot Bread Kitchen Employees Trade Union, the Fiji Maritime Workers Association, the Viti National Union of iTaukei Workers, BPSS Co Limited Workers and Carpenters Group of Salaries Association and the iTaukei Land Trust Board Workers Union.**

In **Bangladesh**, of the 1,104 union registration applications examined between 2010 and 2019, 46 per cent were rejected by the Department of Labour. Of the 575 unions which were registered, 62 unions have been busted or are inactive due to anti-union retaliation, and 81 unionised factories have closed.

## Americas



In **El Salvador**, the elected executive board of the Union of Workers of the Salvadoran Social Security Institute (STISSS) was overthrown in April 2019 by a small group of dissident members. This illegitimate extraordinary assembly dissolved the executive board and chose a new executive board, all in violation of the union's statutes and due process. The Labour Ministry knowingly accepted the registration of this new, illegal executive board and notified the legitimate leaders on 4 September 2019. In response, STISSS issued a denunciation, stating that the registration represented a violation of statutes and due process. Unions feared that this was a concerted effort to legitimise the new leadership on behalf of the Salvadoran government.

## Europe



Since it was deregistered on 28 March 2017, the Confederation of Independent Trade Unions of **Kazakhstan** (CNTUK) has been prevented by the government from registering under a new name.

## Africa



In **Sudan**, all trade unions and professional associations were dissolved by a decree of the Sovereignty Council which also seized all unions' properties and assets. The Council further announced its decision to revise trade union laws and prepare for new elections of leaders of trade unions under these new laws. Police raided the offices of the Sudan Workers Trade Union Federation (SWTUF) and the Sudan Journalists Union (SJU).

## 6. Arbitrary arrests, detention and imprisonment

A large number of governments increased pressure against workers asserting their rights and unions supporting them by specifically targeting prominent trade union leaders. Workers were arrested and detained in 61 out of 144 countries in 2020.



### Regional: Percentage of countries which arrested and detained workers

ASIA-PACIFIC	74%
MENA	50%
AMERICAS	48%
AFRICA	33%
EUROPE	26%

### Asia-Pacific



On 21 June 2019, in **Korea**, the police arrested **Kim Myeong-hwan**, chairman of the Korean Confederation of Trade Unions (KCTU), after a Seoul court issued an arrest warrant, citing him as a flight risk. Over the past three months, he and KCTU officials had clashed with riot police during rallies held in front of the National Assembly over a controversial bill that would dangerously extend working hours. Kim was fully cooperating with the government’s investigation at the time of his detention. On 27 June, Kim was released on 100 million won bail (US\$86,421), following a court ruling that his release would not constitute “a risk of evidence destruction”.

On 17 May 2019 in **Indonesia**, **Reni Desmiria**, secretary of the SPBMI (BMI Workers’ Union), was arrested at her home by police armed with automatic weapons. She was a contract worker at a seafood processing factory in Lampung run by **Bumi Menara Internusa (BMI)**, a major supplier for the global seafood industry. Over 1,000 workers were employed in the factory, and most were not permanent and did not have social security or healthcare cover. Her arrest was made after the company brought charges, having decided eight years after hiring her that she was guilty of “submitting a fake high school certificate in order to get the job”. It was perhaps no coincidence, however, that the decision to arrest her was made after she had successfully enrolled many workers in the mandatory government health insurance scheme. Not only did her “crime” require the police to be armed at her arrest, the company also felt it required the maximum criminal penalty of six years’ imprisonment. On 2 June, BMI management visited Reni Desmiria in prison to inform her that she would be released immediately on condition that she resigned her position at the company, confirming that her arrest, imprisonment and prosecution were at the behest of BMI. She refused. Her trial went ahead, and in early September 2019, the court sentenced her to four months imprisonment, with time served.

## Middle East and North Africa



In **Algeria**, CGATA offices were administratively closed by the authorities on 3 December 2019, without any cause. Furthermore, **Kaddour Chouicha**, a CGATA executive member, was briefly detained on 24 October 2019 in Oran for his participation in a peaceful sit-in calling for the release of political dissidents. On 9 December 2019, as he returned to the police station to recover his cell phone, which had been confiscated, he was again arrested on spurious charges, summarily prosecuted the next day and sentenced to a one-year prison sentence.

In **Iran**, labour activist from the **Haft Tappeh Sugar Cane Workers' Union**, **Esmail Bakhshi**, was arrested on the evening of 20 January 2019 by unknown security forces, just one month after he was released from an earlier arrest in December. Mr Bakhshi was detained from 18 November to 12 December 2018, after playing a leading role in the Haft Tappeh Sugar Cane Workers' strike. He was tortured by the Iranian regime's security forces while in jail, a fact which the Iranian government has denied. Bakhshi had recently published a letter in which he wrote about the torture he was subjected to when he was detained for the first time. His letter has inspired many victims of torture in Iran to come forward and speak up about their torture in prison. On 30 October 2019, Esmail Bakhshi was released after ten months' imprisonment.

In **Egypt**, trade unionists **Rached Kamel** and **Mustapha Massri**, employed by **Suez Station For Public Transport**, were arrested on 25 September 2019, following a strike organised by workers to protest the wage and bonus freeze applied since 2014. On 6 October 2019, the public prosecutor's office arrested seven workers of **Eastern Tobacco Company** on the charge of "incitement of strike action and obstruction of work". They were detained for four days as part of an investigation it launched into workers earlier in the year. So far, seventeen workers in total have been summoned before the prosecutor's office. They were released on bail with a deposit of 1,000 Egyptian pounds for each worker.

## Europe



In August 2019, the leader of the Independent Oil and Energy Workers' Union in **Kazakhstan**, **Erlan Baltabay**, was again arrested and sentenced to an additional five months' imprisonment for union-related activities and for not paying a fine imposed when he was previously released from prison on humanitarian grounds. Baltabay was originally sentenced to seven years' imprisonment in July 2019 on spurious charges of "misappropriation of funds". He was released in August 2019 after being pardoned by the president and given a fine of an undisclosed amount in exchange for his remaining prison sentence. Baltabay insisted on his innocence and refused to pay the fine or recognise the presidential pardon. Baltabay argued in court that the criminal charges levied against him of large-scale misappropriation of funds were politically motivated and unfounded from the start. On 19 December 2019, the court rejected Baltabay's appeal. He was returned to prison for five months for not paying this fine and served that term in full. On 20 March 2020, Baltabay was released from jail. Currently, he is not allowed to be involved in any trade union activity for seven years.

In **Turkey**, on 9 March 2020, **Arzu Çerkezoglu**, the president of the DISK trade union centre, faced criminal charges with a possible prison term for her criticism of Turkey's ruling party AKP in June 2016. She was later acquitted. The entire seven-member KESK Board who, in January 2018, had called for peace and warned about the impact of the Turkish army's incursion into Afrin, Syria, in particular on Kurdish people, was also charged and prosecuted. Charges were thrown out by the 4th High Criminal Court in Ankara on 3 March 2020. However, systematic targeting of union leaders continued as on 5 March 2020, at 5:30 a.m., Turkish police raided the house of **Umar Karatepe**, director of communication of DISK. He was arrested and taken to the police headquarters in Istanbul. Charges were unspecified but reportedly related to several statements he made on his account on social media.

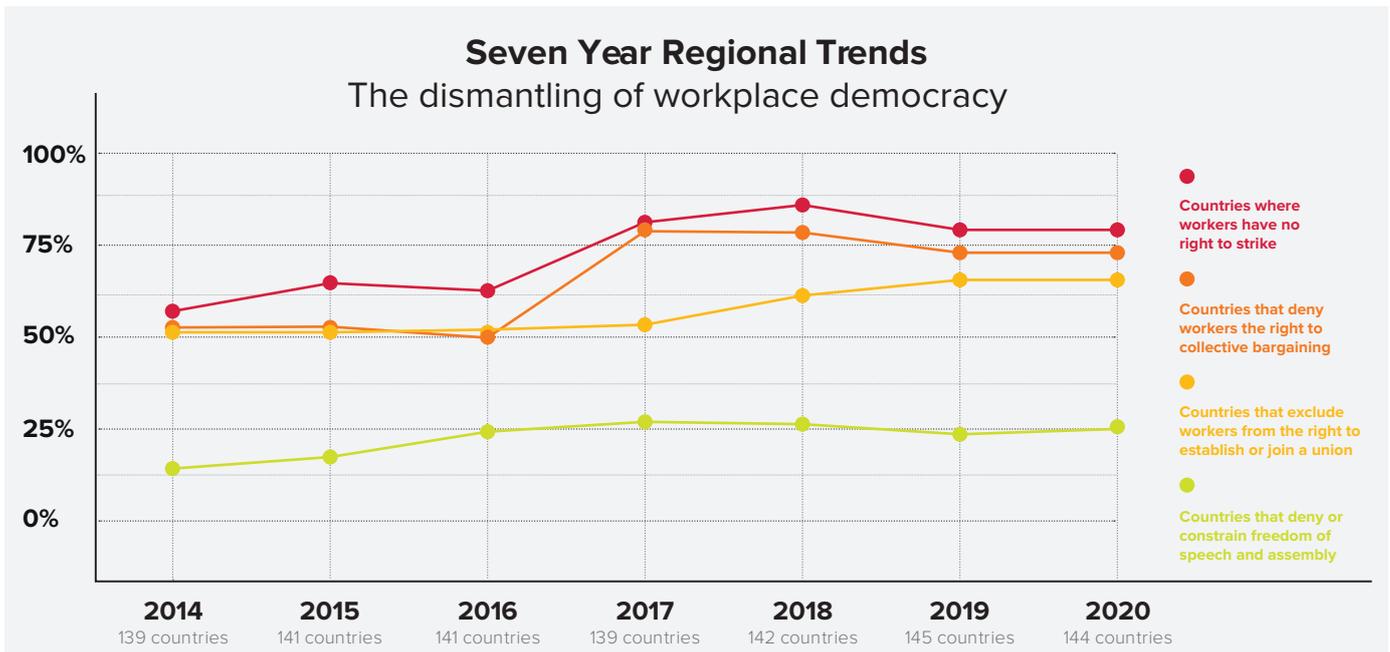
# Global Trends for Workers in 2020

## 1. Democracy in crisis

### The dismantling of workplace democracy and the breakdown of the social contract

The Global Rights Index has tracked the key elements of workplace democracy for seven years, including the right to form and join a trade union, the right to collective bargaining and the right to strike as well as the right to free speech and assembly, which symbolises a healthy democracy.

The number of countries that restricted freedom of speech and assembly has seen the highest increase in 2020. Restrictions on the right to strike have seen the biggest increase in seven years followed by the right to collective bargaining and the right to establish and join a trade union.



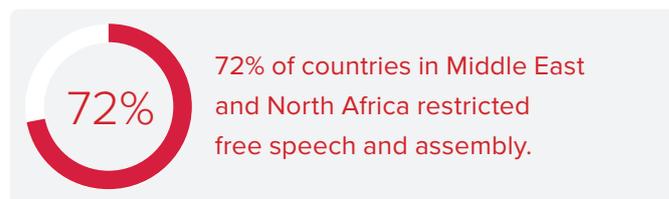
## Restrictions on free speech and assembly



### Regional: Percentage of countries which restricted free speech and assembly

MENA	72%
AFRICA	41%
ASIA-PACIFIC	39%
AMERICAS	32%
EUROPE	26%

## Middle East and North Africa



In **Iraq**, over 600 protestors were killed by government forces throughout October and November 2019 during widespread protests supported by the Conference of Iraqi Federations and Workers Unions, calling for jobs, improved social services and an end to widespread state corruption. During the protests, government security forces continuously attacked demonstrators using live ammunition, explosives and stun grenades. At least 81 people were arrested during the protests.

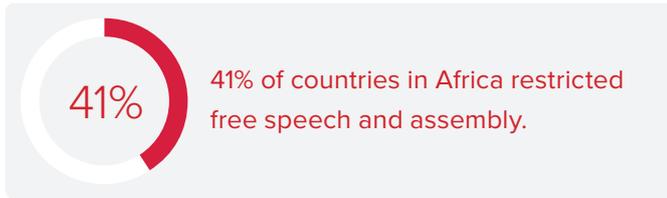
## Americas



On 26 August 2019, **Watson Duke**, president of Trinidad and Tobago's Public Services Association (PSA), was charged with seditious intent under section 4(1)(b) of the Sedition Act and arrested for statements he made in a speech back in 2018. At the time, there were rumours of possible mass retrenchment at public companies, which included the national water company, **WASA**.

This is not the first time in recent years that the Act has been used to charge trade unionists. After Duke was released from police custody a few days later, the general secretary of the National Trade Union Centre (NATUC), Michael Annisette, called on the attorney general to repeal the Sedition Act and hand-delivered to the ministry a joint letter containing the request. Other unions involved were the Oilfield Workers Trade Union, the Transport and Industrial Workers Trade Union, PSA, the National Union of Government and Federated Workers, and the Seamen and Waterfront Workers Union. Annisette said the big question was why the government of an independent country would retain a colonial-era law specially designed for the purpose of stifling the free expression of the trade union movement and working people.

## Africa



Blanket bans on strikes and protests were implemented in **Togo** while in **Senegal**, the Dakar authorities prohibited the holding of four protests scheduled on 28 June 2019 and for which permission had been duly requested by the teachers' unions. The authorities claimed that the ban was justified to "ensure public order in the capital". In **Eswatini**, a meeting that was attended by members of various public service unions on 28 January 2019 to discuss the court ruling to cancel the planned strike action on that day was declared illegal by the principle secretary of the Ministry of Education and Training, who circulated a message to all head teachers stating that it would be "illegal for any teachers to attend the meeting without prior permission from her office". This year again, the government in **Guinea** banned all demonstrations, justifying this measure by the risks to public safety. No less than 20 demonstrations were banned by local authorities. The security forces used tear gas against those who challenged the ban and arrested dozens of protesters.



A protest in Ankara, Turkey against government economic policies. Union activists in Turkey are regularly prosecuted for speaking out against the government.

Credit: Adem Altan / AFP

## Europe



In **Turkey**, trade unionists were regularly prosecuted by the authorities for their speeches, as President Erdogan sought to suppress critical voices. **Arzu Çerkezoglu**, the president of the DISK trade union centre, and the entire seven-member KESK Board were prosecuted for criticising the ruling party AKP and calling for peace in Syria. They were later acquitted. On 5 March 2020, however, Turkish police raided the house of **Umar Karatepe**, director of communication of DISK. He was arrested and taken to the police headquarters in Istanbul. Charges were unspecified but reportedly relate to several statements made on his account on social media.

## Asia-Pacific



Between June and December 2019, the **Hong Kong** police used the Public Order Ordinance to object to 47 out of 537 applications for public procession or meetings in violation of the principle of freedom of peaceful assembly. On 23 August 2019, the Hong Kong Airport Authority (HKAA) obtained an injunction order to ban protests at the airport indefinitely. The Hong Kong Confederation of Trade Unions (HKCTU) was barred, due to the objection by HKAA and the company, from staging a rally outside Cathay Pacific's headquarters office at the airport on 26 August 2019 to protest the dismissals of employees associated with the anti-extradition protests. The union had to stage the protest far away from the workplace in Central district on 28 August.

## 2. Surveillance of workers

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In 2019-2020, a number of scandals emerged over government surveillance of trade union leaders in an attempt to instil fear and put pressure on independent unions and their members. Surveillance work without judicial authorisation and without knowledge of trade union organisations and their representatives violates freedom of association and protection of workers' representatives, as per ILO Conventions Nos. 87 and 98. It is also a serious attack on individual freedoms and personal security.

### Asia-Pacific

In **Hong Kong, Cathay Pacific** amended its social media policy under the pressure of the aviation ban by the Civil Aviation Administration of China (CAAC) on 9 August 2019 and cracked down on its staff who took part in allegedly “unlawful public protests” related to the anti-extradition bill movement. Cathay’s social media policy restricted employees’ work- and non-work-related social media usage that are considered by the management as breaching the CAAC ban and negatively affecting the company. A peer-reporting mechanism was put in place to allow management’s surveillance of the political opinion of its employees on social media. **Rebecca Sy**, a senior union leader of Hong Kong Dragon Airlines Flight Attendants’ Association (HKCTU affiliate union), was terminated by Cathay Dragon on 21 August 2019 for sharing sympathetic posts with the protests on her private Facebook account. She was shown screenshots of her standing in front of a cabin full of sticky notes and accused by the manager of creating a “Lennon Wall”, even though they were birthday post messages. With Sy, thirty-seven employees of Cathay Pacific and Cathay Dragon have been terminated as a result of peer and management surveillance of their political opinions.

In **Bangladesh**, a new section of the Department of National Security (NSI) under the Home Ministry was created to target garment trade unionists for surveillance. Since September 2019, garment federations have been visited by industrial police asking them for their monthly activities, expenditures, members’ names, participants of their activities, as well as the labour disputes they handled. Members reported that information about their participation in trade union activities was sent to their home villages to verify their data and create pressure.

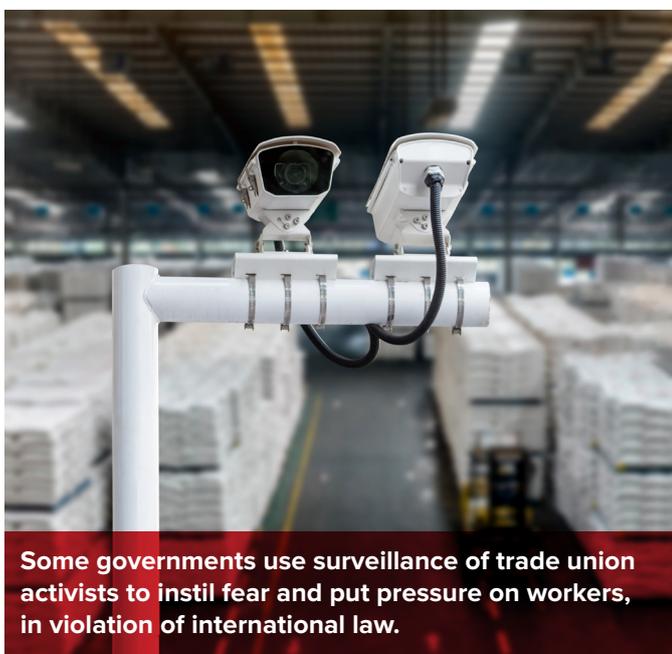
In **the Philippines**, the general secretary of the Alliance of Concerned Teachers (ACT), **Raymond Basilio**, received death threats on his personal mobile phone during an ACT press conference on 11 January 2019. The press conference had been called to denounce the constant harassment and threats faced

by the union's members and leaders. The caller, who appeared to know about Basilio's personal details and about his family, claimed an order had been issued for Basilio's assassination unless he agreed to cooperate with the caller's demands. The ACT also learned of the unlawful profiling of its members by the police. At a solidarity meeting in Manila on 21 February 2019, the ACT reported 34 recorded cases of police profiling, surveillance, and harassment of teacher trade unionists in ten regions. A leaked memo from the Manila Police District revealed that the police were ordered to conduct an "inventory" of all educators who were ACT members.

In addition, the Philippines National Police and the Philippines Export Processing Authorities established Joint Industrial Peace and Concern Offices (JIPCO) in export processing zones to spy on trade unions and "militant" labour actions in the name of combatting communist infiltration of the labour force in industrial zones. The authorities claimed to be promoting the competitiveness of the Philippines and protecting labour rights and welfare against radical insurgencies. JIPCOs have been set up in Clark Freeport Zone in Pampanga, Bulacan, and are to be expanded to the whole of Central Luzon.

## Americas

In **Chile**, the computer system of the Carabineros de Chile was hacked in October 2019, exposing monitoring and systematic surveillance activities carried out by intelligence agencies against workers' organisations, directly linked with the mass demonstrations of 2019. Among the documents revealed were detailed follow-up files that reported on activities of the trade union movement, such as legal strikes in companies, the collective bargaining process of Agrupación Nacional de Empleados Fiscales (ANEF) and the profiling of various union leaders. Among the "marked" people were various union leaders such as **Bárbara Figueroa**, president of the Central Unitaria de Trabajadores (CUT-Chile); **Mario Aguilar**, president of the Chilean College of Teachers; **Mario Villanueva Olmedo**, leader of the National Federation of University Professionals of Services of Health (FENPRUSS); **Esteban Maturana Doña**, leader of the National Confederation of Municipal Health Officials (CONFUSAM); and **Carolina Espinoza Tapia**, leader of the same Confederation.



Some governments use surveillance of trade union activists to instil fear and put pressure on workers, in violation of international law.

### 3. Legislative power

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Lawmaking is an effective and powerful instrument for social transformation and the protection of labour rights.

In the last year, several countries adopted progressive laws which further advanced workers' rights and social progress. However, in other countries, governments passed regressive legislation that seriously undermined workers' basic rights at work.

#### Repression under the law

##### Belarus

On 1 January 2019, the much-protested Decree No. 1 entered into force. The decree is supposedly designed to enable the government of Belarus to help citizens find jobs, encourage the unemployed to enter employment and assist more Belarusians to become self-employed. Opponents from the trade union movement within Belarus and the international trade union movement have opposed the introduction of the decree on the basis that it contains elements of forced labour and creates supplementary ways to manipulate workers' rights in addition to a fixed-term contracts system. There are also many concerns regarding the lack of transparency surrounding how the decree will be enforced.

Furthermore, on 26 January 2019, new amendments to Law No. 114-3 on Mass Events entered into force. These amendments, which were not discussed with the social partners, provide for stricter conditions and rules to organise public assemblies and demonstrations, including the strict determination of specific areas in the city. For instance, in the city of Minsk, assemblies are allowed in only six public squares. As a result, their format is imposed on organisers and participants of mass events, since rallies and pickets can be held only in these designated squares, while processions and demonstrations are prohibited.

In addition, Decree No. 49 of 24 January 2019 adopted by the Council of Ministers provides that organisers of mass events have to pay for a number of expenses related to the event, such as public order services, medical care, and cleaning. With such constraints, independent trade unions do not have the financial ability to organise public assemblies.

## Legislative reform

### Qatar

Since 2017, Qatar has engaged in a set of important reforms which culminated in January 2020 with the abolition by ministerial decree of the exit visa requirement. This decision means that domestic workers, workers in government and public institutions, workers employed at sea and in agriculture, as well as casual workers are free to leave the country either temporarily or permanently without having to obtain the permission of their employers. This covers all workers not covered by Law No. 13 of 2018, which had already removed the requirement to obtain exit permits for most workers protected under the Labour Law.

Meanwhile, a new evidence-based minimum wage law that applies to all nationalities and all sectors will be implemented later in 2020. These reforms constitute a major milestone for migrant workers in Qatar and will set an example for other Gulf countries still applying the kafala.

### Vietnam

The amended Labour Code was passed by the Vietnamese parliament on 20 November 2019. The Vietnamese Labour Code will now allow independent grassroots workers representative organisations (WROs) of workers' own choosing to operate. The independent union will still be required to get permission from state authorities to operate, but are entitled to the same rights to recruit members, bargain collectively, represent members in disputes and organise strike actions. However, the VGCL exclusively enjoys the right to consolidate upper level organisations, enter into check-off agreements with employers and receive external and foreign financial support.

These amendments constitute an important step towards freedom of association. However, implementation will be key to ensure that these rights are effectively enjoyed and exercised by Vietnamese workers.

# The ITUC Global Rights Index Explained

## 1. Documenting violations

The ITUC documents violations of internationally recognised collective labour rights by governments and employers. The methodology is grounded in standards of fundamental rights at work, in particular the right to freedom of association, the right to collective bargaining and the right to strike.

Questionnaires are sent to 331 national unions in 163 countries to report violations of workers' rights by indicating relevant details.

Regional meetings with human and trade union rights experts are held where the questionnaire is disseminated, explained and completed.

The ITUC contacts unions directly by phone and email when it becomes aware of violations to confirm relevant facts.

Legal researchers analyse national legislation and identify sections which are not adequately protecting internationally recognised collective labour rights.

## 2. Publication of violations in the ITUC Survey

Documented information is summarised and consolidated by ITUC staff in the form of text. This information is publicly accessible on the website of the ITUC Survey at [survey.ituc-csi.org](https://survey.ituc-csi.org).

## 3. Coding of text

The text under each country in the ITUC Survey is read against a list of 97 indicators derived from ILO Conventions and jurisprudence and represents violations of workers' rights in law and in practice.

A country receives a point for each time textual information corresponds to an indicator. Each point has the value of 1. After coding the text for a country, the number of points is added up to arrive at a total score.

## 4. Rating countries

Countries are rated in clusters from 1-5+ depending on their compliance with collective labour rights. There are five ratings with 1 being the best rating and 5+ the worst rating a country could get. The level of economic development, size or location of the country is not taken into account given that fundamental rights are universal and workers in all parts of the world must have access to them. A high-rated cluster means that workers in the country have no right to their collective voice due to government failure to guarantee rights.

# Description of the Ratings

## **1. Sporadic violations of rights**

Collective labour rights are generally guaranteed. Workers can freely associate and defend their rights collectively with the government and/or companies and can improve their working conditions through collective bargaining. Violations against workers are not absent but do not occur on a regular basis.

## **2. Repeated violations of rights**

Countries with a rating of 2 have slightly weaker collective labour rights than those with the rating 1. Certain rights have come under repeated attacks by governments and/or companies and have undermined the struggle for better working conditions.

## **3. Regular violations of rights**

Governments and/or companies are regularly interfering in collective labour rights or are failing to fully guarantee important aspects of these rights. There are deficiencies in laws and/or certain practices which make frequent violations possible.

## **4. Systematic violations of rights**

Workers in countries with the rating 4 have reported systematic violations. The government and/or companies are engaged in serious efforts to crush the collective voice of workers putting fundamental rights under threat.

## **5/No guarantee of rights**

Countries with the rating of 5 are the worst countries in the world to work in. While the legislation may spell out certain rights, workers have effectively no access to these rights and are therefore exposed to autocratic regimes and unfair labour practices.

## **5+. No guarantee of rights due to the breakdown of the rule of law**

Workers in countries with the rating 5+ have equally limited rights as countries with the rating 5. However, in countries with the rating 5+ this is linked to dysfunctional institutions as a result of internal conflict and/or military occupation. In such cases, the country is assigned the rating of 5+ by default.

# List of indicators<sup>(i)</sup>

The methodology is grounded in standards of fundamental rights at work, based on international human rights law, and in particular ILO Conventions

Nos. 87 and 98, as well as the jurisprudence developed by the ILO supervisory mechanisms.

## I. Civil Liberties

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### A. Violations in Law

1. Arrest, detention, imprisonment, charging and fining of trade unionists

ILO Compilation of CFA decisions paras. 119-159

General Survey 1994 paras. 31-32

General Survey 2012 paras. 59-62

2. Violation of the right to freedom of expression and of the rights of assembly and demonstration

ILO Compilation of CFA decisions paras. 202-232; 233-268

General Survey 1994 paras. 35-39

General Survey 2012 paras. 59-62

3. Lack of guarantee of due process of law

ILO Compilation of CFA decisions paras. 160-189

General Survey 1994 paras. 29-32

General Survey 2012 paras. 60-62

### B. Violations in Practice

4. Murder or enforced disappearance of trade unionists

ILO Compilation of CFA decisions paras. 81-118

General Survey 1994 paras. 28-30

General Survey 2012 paras. 59-62

5. Committed against trade union leaders

Violation of (4) is committed against a union leader

6. Severity

Widespread and/or systematic violation of (4)

7. Other types of physical violence

ILO Compilation of CFA decisions paras. 67-118; 275-298

General Survey 1994 paras. 28-30, 33; 35-39

General Survey 2012 paras. 59-62

8. Committed against trade union leaders

Violation of (7) is committed against a union leader

9. Severity

Widespread and/or systematic violation of (7)

10. Threats, intimidation and harassment

ILO Compilation of CFA decisions paras. 67-118

General Survey 1994 paras. 28-30, 33

General Survey 2012 paras. 59-62

11. Committed against trade union leaders

Violation of (10) is committed against a union leader

12. Severity

Widespread and/or systematic violation of (10)

13. Arrest, detention, imprisonment, charging and fining of trade unionists

ILO Compilation of CFA decisions paras. 119-159

General Survey 1994 paras. 31-32

General Survey 2012 paras. 59-62

14. Committed against trade union leaders

Violation of (13) is committed against a union leader

15. Severity

Widespread and/or systematic violation of (13)

16. Restriction to the right to freedom of movement

ILO Compilation of CFA decisions paras. 190-201

General Survey 1994) para. 34

General Survey 2012 paras. 59-62

17. Committed against trade union leaders

Violation of (16) is committed against a union leader

18. Severity

Widespread and/or systematic violation of (16)

19. Infringement of the right to freedom of expression and/or the right to freedom of assembly and demonstration

ILO Compilation of CFA decisions paras. 233-268; 202-232

General Survey 1994 paras. 35-39

General Survey 2012 paras. 59-62

20. Committed against trade union leaders

Violation of (19) is committed against a union leader

21. Severity

Widespread and/or systematic violation of (19)

22. Lack of guarantee of due process of law

ILO Compilation of CFA decisions paras. 160-189

General Survey 1994 paras. 29, 31-32

General Survey 2012 paras. 59-62

## II. Right to establish or join unions

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### A. Violations in Law

23. Exclusion from the right to establish and join unions  
ILO Compilation of CFA decisions paras. 315-418  
General Survey 1994 paras. 45-67
24. Restrictions on the freedom of choice of union structure and composition  
ILO Compilation of CFA decisions paras. 472-513; 546-560  
General Survey 1994 paras. 79-90
25. Conditions for union registration  
ILO Compilation of CFA decisions paras. 427-444  
General Survey 1994 paras. 68-70
26. Union registration  
ILO Compilation of CFA decisions paras. 419-426; 448-471  
General Survey 1994 paras. 68-70  
General Survey 2012 paras. 82-87; 89-90
27. Union monopoly  
ILO Compilation of CFA decisions paras. 475-501  
General Survey 1994 para. 91
28. Favouritism/discrimination between unions  
ILO Compilation of CFA decisions paras. 514-524; 1187-1230  
General Survey 1994 para. 104; 225-234  
General Survey 2012 para. 166-167; 173-175; 194-197
29. Dissolution/suspension of legally functioning union  
ILO Compilation of CFA decisions paras. 979-1013  
General Survey 1994 paras. 180-188  
General Survey 2012 para. 162
30. Dismissal and suspension of trade unionists allowed under the legislation  
ILO Compilation of CFA decisions paras. 1072-1185  
General Survey 1994 paras. 199-210, 213
31. Other anti-union discrimination measures allowed under the legislation  
ILO Compilation of CFA decisions paras. 1072-1185  
General Survey 1994 paras. 199-212
32. Lack of effective legal guarantees against anti-union discriminatory measures  
ILO Compilation of CFA decisions paras. 1134-1162  
General Survey 1994 paras. 214-224  
General Survey 2012 paras 166-167; 173-193
33. Right to establish and join federations and confederations and to affiliate with international organizations of workers  
ILO Compilation of CFA decisions paras. 1014-1071  
General Survey 1994 paras. 189-198  
General Survey 2012 para. 163
34. Lack of guarantee of due process of law  
Lack of due process regarding violations (23)-(34)

### B. Violations in Practice

35. Serious obstacle to exercise the right to establish and join trade unions  
The vast majority of the population is excluded from this right in practice  
General Survey 1994 paras. 12, 93  
General Survey 2012 para. 51
36. Exclusion from the right to establish and join trade unions  
ILO Compilation of CFA decisions paras. 315-418  
General Survey 1994 paras. 45-67
37. Restrictions on the freedom of choice of union structure and composition  
ILO Compilation of CFA decisions paras. 472-513; 546-560  
General Survey 1994 paras. 79-90
38. Conditions for union registration  
ILO Compilation of CFA decisions paras. 427-444  
General Survey 1994 paras. 68-70  
General Survey 2012 paras. 82-87; 89-90
39. Union registration  
ILO Compilation of CFA decisions paras. 419-426; 448-471  
General Survey 1994 paras. 68-70  
General Survey 2012 paras. 82-87; 89-90
40. Union monopoly  
ILO Compilation of CFA decisions paras. 475-501  
General Survey 1994 para. 91
41. Favouritism/discrimination between unions  
ILO Compilation of CFA decisions paras. 514-524; 1187-1230  
General Survey 1994 para. 104; 225-234  
General Survey 2012 paras 166-167; 173-175; 194-197
42. Dissolution/suspension of legally functioning union  
ILO Compilation of CFA decisions paras. 979-1013  
General Survey 1994 paras. 180-188  
General Survey 2012 para. 162
43. Dismissal and suspension of trade unionists  
ILO Compilation of CFA decisions paras. 1072-1185  
General Survey 1994 paras. 199-210, 213
44. Other anti-union discrimination measures  
ILO Compilation of CFA decisions paras. 1072-1185  
General Survey 1994 paras. 199-212
45. Committed against trade union leaders  
Violation (44) and/or (45) is committed against a trade union leader
46. Severity  
Widespread and/or systematic violation of (44) and/or (45)
47. Lack of effective legal guarantees against anti-union discriminatory measures  
ILO Compilation of CFA decisions paras. 1134-1162  
General Survey 1994 paras. 214-224  
General Survey 2012 paras 166-167; 173-193

48. Infringement of the right to establish and join federations and confederations and to affiliate with international organizations of workers  
ILO Compilation of CFA decisions paras. 1014-1071

General Survey 1994 paras. 189-198  
General Survey 2012 para. 163  
49. Lack of guarantee of due process of law  
Lack of due process regarding violations (35)-(48)

### III. Trade union activities

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#### A. Violations in Law

50. Exclusion from the right to carry out union activities  
ILO Compilation of CFA decisions paras. 315-418  
General Survey 1994 paras. 45-67

51. Infringements of the right to freely determine the conditions of eligibility for representative  
ILO Compilation of CFA decisions paras. 606-631  
General Survey 1994 paras. 116-121  
General Survey 2012 paras. 101-107

52. Interference in electoral process  
ILO Compilation of CFA decisions paras. 585-605; 632-665)  
General Survey 1994 paras. 112-115  
General Survey 2012 paras. 101-107

53. Infringement of the right to administer freely a union (including the right to draw up freely constitutions and internal rules, and the right to control financial administration)  
ILO Compilation of CFA decisions paras. 666-715  
General Survey 1994 paras. 108, 109-112, 124-127  
General Survey 2012 paras. 100,112-114

54. Infringement of the right to freely organize activities and to formulate programmes  
ILO Compilation of CFA decisions paras. 716-750  
General Survey 1994 paras. 108, 109-112, 124-127  
General Survey 2012 paras. 100,112-114

55. Lack of guarantee of due process of law  
Lack of due process regarding violations (50)-(54)

#### B. Violations in Practice

56. Exclusion from the right to carry out union activities  
ILO Compilation of CFA decisions paras. 315-418  
General Survey 1994 paras. 45-67

57. Infringements of the right to freely determine the conditions of eligibility for representative  
ILO Compilation of CFA decisions paras. 606-631  
General Survey 1994 paras. 116-121  
General Survey 2012 paras. 101-107

58. Interference in electoral process  
ILO Compilation of CFA decisions paras. 585-605; 632-665)  
General Survey 1994 paras. 112-115  
General Survey 2012 paras. 101-107

59. Infringement of the right to administer freely a union (including the right to draw up freely constitutions and internal rules, and the right to control financial administration)  
ILO Compilation of CFA decisions paras. 666-715  
General Survey 1994 paras. 108, 109-112, 124-127  
General Survey 2012 paras. 100,112-114

60. Infringement of the right to freely organize activities and to formulate programmes  
ILO Compilation of CFA decisions paras. 716-750  
General Survey 1994 paras. 108, 109-112, 124-127  
General Survey 2012 paras. 100,112-114

61. Lack of guarantee of due process of law  
Lack of due process regarding violations (56)-(60)

## IV. Right to collective bargaining

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### A. Violations in Law

62. Exclusion from the right to collective bargaining  
ILO Compilation of CFA decisions paras. 1239-1288  
General Survey 1994 paras. 261-264  
General Survey 2012 paras. 168; 209
63. Exclusion/restriction of subjects covered by collective bargaining  
ILO Compilation of CFA decisions paras. 1289-1312  
General Survey 1994 para. 250
64. Compulsory arbitration imposed on collective bargaining  
ILO Compilation of CFA decisions paras. 1415-1419  
General Survey 1994 paras. 254-259  
General Survey 2012 paras. 246-250
65. Excessive requirements for the determination and/or recognition of trade unions entitled to collectively bargain  
ILO Compilation of CFA decisions paras. 1342-1403  
General Survey 1994 paras. 238-243  
General Survey 2012 paras. 224-240
66. Undermining and/or insufficient promotion of collective bargaining (including interference in collective bargaining process)  
ILO Compilation of CFA decisions paras. 1231-1288; 1313-1321; 1327-1341; 1322-1326; 1397-1403; 1404-1412; 1420-1470; 1501; 1510-1513; 1514  
General Survey 1994 paras. 244-249  
General Survey 2012 paras. 116-167; 198-200; 208; 214; 222-223
67. Violation of concluded collective agreements  
ILO Compilation of CFA decisions paras. 1313-1321; 1327-1341  
General Survey 1994 paras. 251-253  
General Survey 2012 paras. 201-207
68. Lack of guarantee of due process of law  
Lack of due process regarding violations (62)-(67)

### B. Violations in Practice

69. Serious obstacle to exercise the right to collective bargaining  
The vast majority of the population is excluded from this right in practice.
70. Exclusion from the right to collective bargaining  
ILO Compilation of CFA decisions paras. 1239-1288  
General Survey 1994 paras. 261-264  
General Survey 2012 paras. 168; 209
71. Exclusion/restriction of subjects covered by collective bargaining  
ILO Compilation of CFA decisions paras. 1289-1312  
General Survey 1994 para. 250
72. Compulsory arbitration imposed on collective bargaining  
ILO Compilation of CFA decisions paras. 1415-1419  
General Survey 1994 paras. 254-259  
General Survey 2012 paras. 246-250
73. Excessive requirements for the determination and/or recognition of trade unions entitled to collectively bargain  
ILO Compilation of CFA decisions paras. 1342-1403  
General Survey 1994 paras. 238-243  
General Survey 2012 paras. 224-240
74. Undermining and/or insufficient promotion of collective bargaining (including interference in collective bargaining process)  
ILO Compilation of CFA decisions paras. 1231-1288; 1313-1321; 1327-1341; 1322-1326; 1397-1403; 1404-1412; 1420-1470; 1501; 1510-1513; 1514  
General Survey 1994 paras. 244-249  
General Survey 2012 paras. 116-167; 198-200; 208; 214; 222-223
75. Violation of concluded collective agreements  
ILO Compilation of CFA decisions paras. 1313-1321; 1327-1341  
General Survey 1994 paras. 251-253  
General Survey 2012 paras. 201-207
76. Lack of guarantee of due process of law  
Lack of due process regarding violations (69)-(75)

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(i) Committee of Experts on the Application of Conventions and Recommendations (CEACR), Committee on the Application of Standards (CAS) and Committee on Freedom of Association (CFA). See in particular: the Compilation of decisions of the Committee on Freedom of Association (<https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:70001:0::NO>), ILO General Survey 1994 on Freedom of Association, 1994 ([https://www.ilo.org/public/libdoc/ilo/P/09661/09661\(1994-81-4B\).pdf](https://www.ilo.org/public/libdoc/ilo/P/09661/09661(1994-81-4B).pdf)) and ILO General Survey 2012 on fundamental Conventions ([https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_174846.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_174846.pdf)). The list of indicators is adapted from David Kucera and Dora Sari. 2018. “New Labour Rights Indicators: Method and Trends for 2000-2015”, International Labour Review (Accepted manuscript online: 9 MAR 2018)

## V. Right to strike

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### A. Violations in Law

77. Exclusion from the right to strike (including overly broad definition of essential services)  
ILO Compilation of CFA decisions paras. 751-757; 864-906  
General Survey 1994 paras. 161-162; 169  
General Survey 2012 paras. 132-134; 136-139; 143
78. Exclusion/restriction based on the objective and type of the strike  
ILO Compilation of CFA decisions paras. 758-786  
General Survey 1994 paras. 165-168, 173  
General Survey 2012 paras. 124-126, 142
79. Excessive prerequisites for exercising the right to strike  
ILO Compilation of CFA decisions paras. 789-814  
General Survey 1994 paras. 170-172  
General Survey 2012 paras. 144-148
80. Compulsory arbitration imposed on strike action  
ILO Compilation of CFA decisions paras. 816-823  
General Survey 1994 para. 153  
General Survey 2012 paras. 153-156
81. Absence or inadequacy of compensatory guarantees for lawful restrictions on the right to strike  
ILO Compilation of CFA decisions paras. 824-852  
General Survey 1994 paras. 164  
General Survey 2012 paras. 141
82. Interference of employers and/or authorities during strike action (including suspension and/or declaration of illegality of strikes by administrative authorities)  
ILO Compilation of CFA decisions paras. 914-916; 917-926; 927-929; 930-935; 977-978  
General Survey 1994 paras. 163; 174-175  
General Survey 2012 paras. 149-152; 157
83. Sanctions for the legitimate exercise of the right to strike  
ILO Compilation of CFA decisions paras. 951-975; 976  
General Survey 1994 paras. 176-178  
General Survey 2012 paras. 157-160
84. Lack of guarantee of due process of law  
Lack of due process regarding violations (77)-(83)

### B. Violations in Practice

85. Serious obstacle to exercise the right in practice  
Vast majority of population is excluded from this right in practice.
86. Exclusion from the right to strike (including overly broad definition of essential services)  
ILO Compilation of CFA decisions paras. 751-757; 864-906  
General Survey 1994 paras. 161-162; 169  
General Survey 2012 paras. 132-134; 136-139; 143
87. Exclusion/restriction based on the objective and type of the strike  
ILO Compilation of CFA decisions paras. 758-786  
General Survey 1994 paras. 165-168, 173  
General Survey 2012 paras. 124-126, 142
88. Excessive prerequisites for exercising the right to strike  
ILO Compilation of CFA decisions paras. 789-814  
General Survey 1994 paras. 170-172  
General Survey 2012 paras. 144-148
89. Compulsory arbitration imposed on strike action  
ILO Compilation of CFA decisions paras. 816-823  
General Survey 1994 para. 153  
General Survey 2012 paras. 153-156
90. Absence or inadequacy of compensatory guarantees for lawful restrictions on the right to strike  
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General Survey 1994 paras. 164  
General Survey 2012 paras. 141
91. Interference of employers and/or authorities during strike action (including suspension and/or declaration of illegality of strikes by administrative authorities)  
ILO Compilation of CFA decisions paras. 914-916; 917-926; 927-929; 930-935; 977-978  
General Survey 1994 paras. 163; 174-175  
General Survey 2012 paras. 149-152; 157
92. Committed against trade union leaders  
Violation (91) is committed against a trade union leader
93. Severity  
Widespread and/or systematic violation of (91)
94. Sanctions for the legitimate exercise of the right to strike  
ILO Compilation of CFA decisions paras. 951-975; 976  
General Survey 1994 paras. 176-178  
General Survey 2012 paras. 157-160
95. Committed against trade union leaders  
Violation (94) is committed against a trade union leader
96. Severity  
Widespread and/or systematic violation of (94)
97. Lack of guarantee of due process of law  
Lack of due process regarding violations (85)-(96)

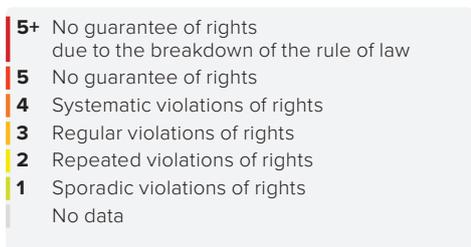
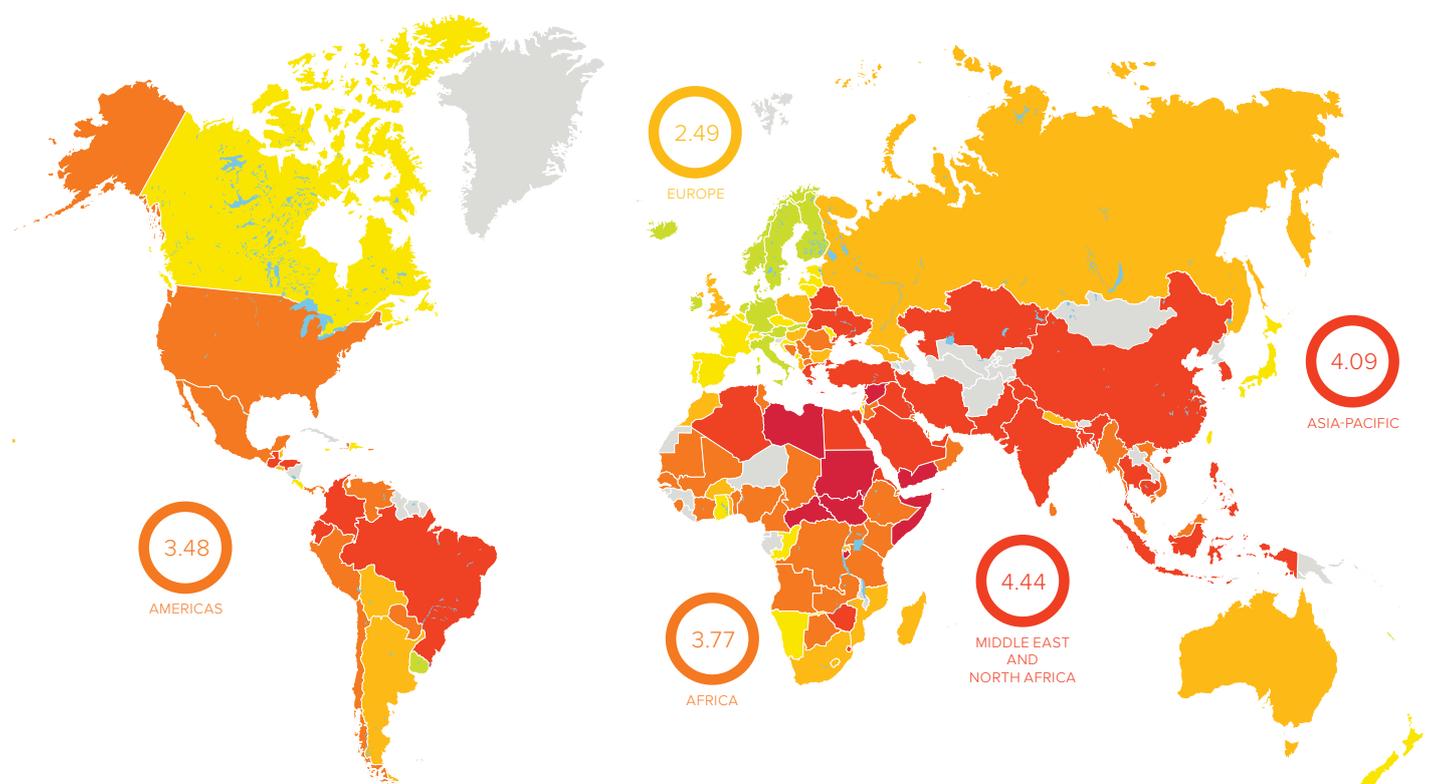
# 2020 ITUC GLOBAL RIGHTS INDEX

## Ten worst countries in the world for working people



The 2020 ITUC Global Rights Index depicts the world's worst countries for workers by rating 144 countries on a scale from 1-5+ based on the degree of respect for workers' rights with 1 being the best rating and 5+ the worst rating.

Violations are recorded each year from April to March. Each country is analysed against a list of 97 indicators derived from ILO conventions and jurisprudence and represents violations of workers' rights in law and practice.



# 2020 ITUC GLOBAL RIGHTS INDEX

## Violations of Workers' Rights



The number of countries which impeded the registration of unions increased from 86 in 2019 to 89 countries in 2020.



80% of countries have violated the right to collective bargaining.



Countries where freedom of speech and assembly was denied or constrained increased from 54 in 2019 to 56 in 2020.



85% of countries have violated the right to strike.



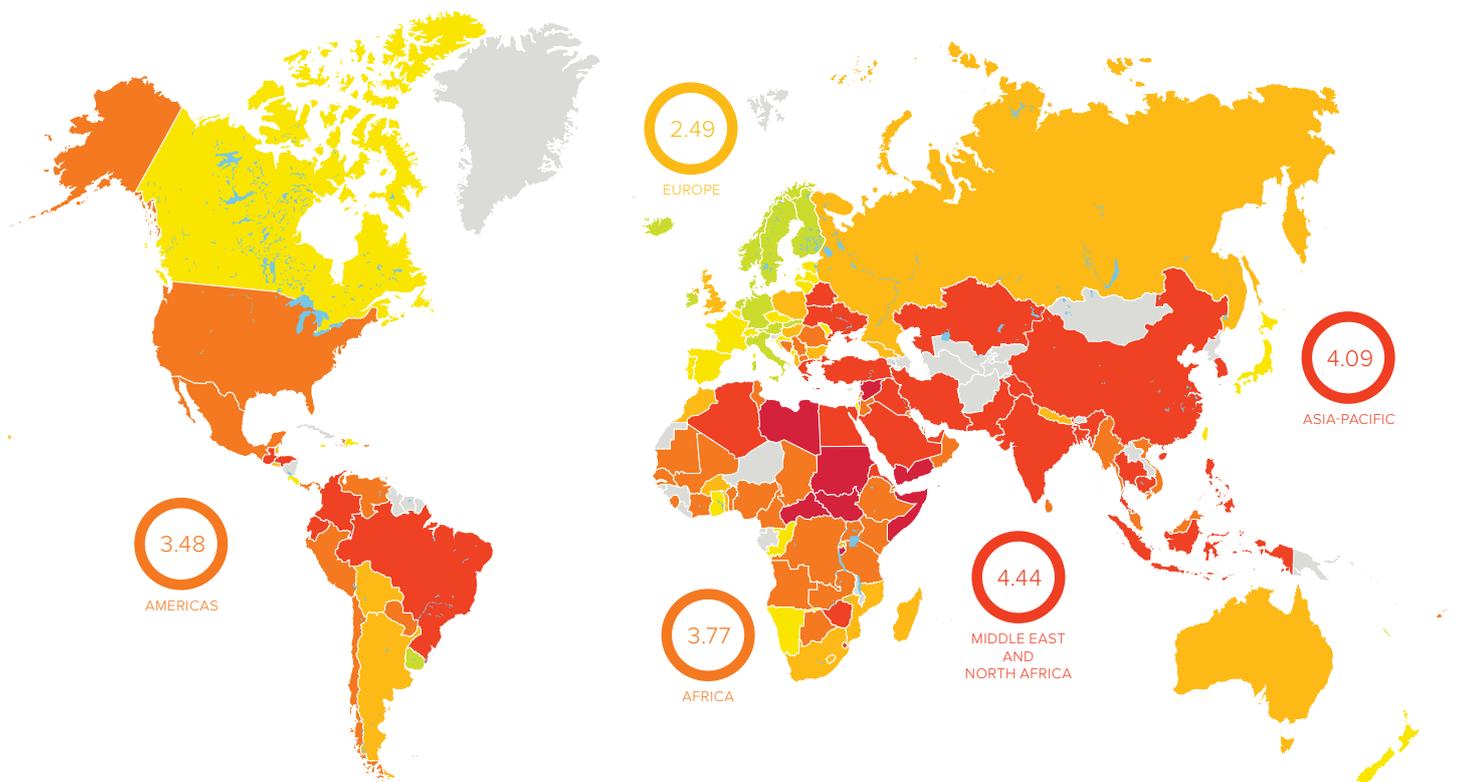
74% of countries excluded workers from the right to establish or join a trade union.



72% of countries restricted access to justice for workers.

The 2020 ITUC Global Rights Index depicts the world's worst countries for workers by rating 144 countries on a scale from 1-5+ based on the degree of respect for workers' rights with 1 being the best rating and 5+ the worst rating.

Violations are recorded each year from April to March. Each country is analysed against a list of 97 indicators derived from ILO conventions and jurisprudence and represents violations of workers' rights in law and practice.



- 5+** No guarantee of rights due to the breakdown of the rule of law
- 5** No guarantee of rights
- 4** Systematic violations of rights
- 3** Regular violations of rights
- 2** Repeated violations of rights
- 1** Sporadic violations of rights
- No data



## About the ITUC

**The International Trade Union Confederation (ITUC)** is a confederation of national trade union centres, each of which links trade unions of that particular country. It has 332 affiliated organisations in 163 countries and territories on all five continents, with a membership of 200 million, 40 per cent of whom are women. It is also a partner in “Global Unions” together with the Trade Union Advisory Committee to the OECD and the Global Union Federations (GUFs), both of which link together national unions from a particular trade or industry at international level. The ITUC has specialised offices in a number of countries around the world and has General Consultative Status with the Economic and Social Council of the United Nations.

The ITUC Global Rights Index depicts the world’s worst countries for workers by rating 144 countries on a scale from 1-5+ based on the degree of respect for workers’ rights. As the global voice of working people, the ITUC has been documenting and exposing violations of workers’ rights for three decades. This has been done through narrative information published in the ITUC Survey. This year is the seventh ITUC Global Rights Index and provides an opportunity to increase the visibility and transparency of each country’s record on workers’ rights.

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