

**2019  
ITUC GLOBAL  
RIGHTS INDEX**

The World's Worst  
Countries for Workers

Demonstrators show their support for ex-President of Brazil Lula da Silva during a protest in Rio de Janeiro in April 2018. #LulaLibre

Credit: Gian Martins/Mídia NINJA/AFP

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# Foreword

Democracy is in crisis. The systematic dismantling of the foundations of workplace democracy and the violent repression of strikes and protests put at risk peace and stability. The 2019 Global Rights Index saw the use of extreme violence against the defenders of workplace rights, large-scale arrests and detentions.

The breakdown of the social contract between workers, government and business has seen **the number of countries which exclude workers from the right to establish or join a trade union increase from 92 in 2018 to 107 in 2019.** All regions in the world had an increase in exclusions of workers, with the greatest increase occurring in Europe, where 50 per cent of countries now exclude groups of workers from the law, up from 20 per cent in 2018.



Women across Brazil protested against far-right candidate and eventual winner Jair Bolsonaro.

Credit: Cris Faga/NurPhoto/AFP

Worldwide, new technology has allowed employers to use various mechanisms to avoid paying minimum entitlements and exclude workers from labour laws. Recent technological leaps in the ways that work can be allocated and accessed has resulted in increased incidences of workers being denied rights under the guise of flexibility and as platform workers. Decent work is being affected and rights are being denied by companies avoiding rules and regulations.

No worker should be left behind because their employer chooses to adopt a business model that obscures employment responsibility or their government refuses legislation to enforce workers' rights. More and more governments are complicit in facilitating labour exploitation or allowing the rule of law to be avoided because workers are forced to work in the informal sector of the economy.

The sixth edition of the ITUC Global Rights Index ranks 145 countries on the degree of respect for workers' rights.

Six-year trend data analysed in the 2019 Global Rights Index exposes the systematic attempts to undermine freedom and democracy. The ongoing attacks on the foundations of workplace democracy have seen the growth in low-wage insecure jobs. While the world is more than three times wealthier than thirty years ago, inequality is now an overwhelming global risk. More people go to bed hungry than have been lifted out of extreme poverty.

**Eighty-five per cent of countries have violated the right to strike.** All strikes and demonstrations were banned in **Chad**, while court orders were used to stop strike actions in **Croatia, Georgia, Kenya** and **Nigeria**.

**Eighty per cent of countries have violated the right to collective bargaining.** Europe, traditionally the mainstay of collective bargaining rights, saw companies in **Estonia, the Netherlands, Norway** and **Spain** seek to undermine or circumvent workers' rights.

**Authorities impeded the registration of unions in 59 per cent of countries** with state repression of independent union activity in **Argentina, Algeria, Egypt, India, Panama** and **Paraguay**.

The ten worst countries for workers in 2019 are the following: **Algeria, Bangladesh, Brazil, Colombia, Guatemala, Kazakhstan, the Philippines, Saudi Arabia, Turkey** and **Zimbabwe**.

**Brazil** and **Zimbabwe** are in the ten worst countries for the first time, with the adoption of regressive laws, violent repression of strikes and protests, and threats and intimidation of union leaders.

**Eswatini, Iraq, Sierra Leone, Thailand** and **Vietnam** have all seen their ratings worsen in 2019 to category 5 (no guarantee of rights) with a rise in attacks on workers' rights in law and practice.

The signing of the peace agreement between **Ethiopia** and **Eritrea** in July 2018 has led Eritrea's rating to move from the 5+ grouping of countries in conflict, to 5 (no guarantee of rights). Serious human and labour rights abuses are present in the country including the use of indefinite national service.

The **Middle East and North Africa** (MENA) remains the world's worst region when it comes to fundamental rights at work. **Egypt** dissolved all independent labour unions, and **Saudi Arabia** continues to keep millions of migrant workers trapped in modern slavery.

Trade union members were killed in ten countries: **Bangladesh, Brazil, Colombia, Guatemala, Honduras, Italy, Pakistan, the Philippines, Turkey** and **Zimbabwe**; **workers were exposed to violence in 52 countries**. Worldwide, 53 trade union members were killed in 2018. In **Colombia** alone, 34 were murdered.

Attempts by countries to silence their people in an age of anger against corporations, politicians and

governments who have failed to deliver for workers are on the rise.

**Fifty-four countries denied or constrained freedom of speech and assembly**. Shrinking democratic space was witnessed in **Hong Kong, Mauritania, the Philippines** and **Turkey**.

**Workers had no or restricted access to justice in 72 per cent of countries**, with severe cases reported in **Cambodia, China, Iran** and **Zimbabwe**.

**The number of countries where workers experienced arbitrary arrests and detention increased from 59 in 2018 to 64 in 2019**. Mass arrests of workers were seen in **China, India, Turkey** and **Vietnam**.

Trade unions are on the front lines in a struggle to claim democratic rights and freedoms from the corporate greed that has captured governments such that they act against workers' rights. We need a New Social Contract between workers, governments and business to rebuild trust as people lose faith in democracies. It's time to change the rules.

**Sharan Burrow**

General Secretary,  
International Trade Union Confederation

# Highlights

This is the sixth 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

Algeria	Kazakhstan
Bangladesh	The Philippines
Brazil	Saudi Arabia
Colombia	Turkey
Guatemala	Zimbabwe

## Violations of Workers' Rights



Authorities impeded the registration of unions in 59% of countries.



85% of countries have violated the right to strike.



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



The number of countries which exclude workers from the right to establish or join a trade union increased from 92 in 2018 to 107 in 2019.



Workers had no or restricted access to justice in 72% of countries.



Countries where workers were arrested and detained increased from 59 in 2018 to 64 in 2019.



54 countries denied or constrained freedom of speech and assembly in 2019.



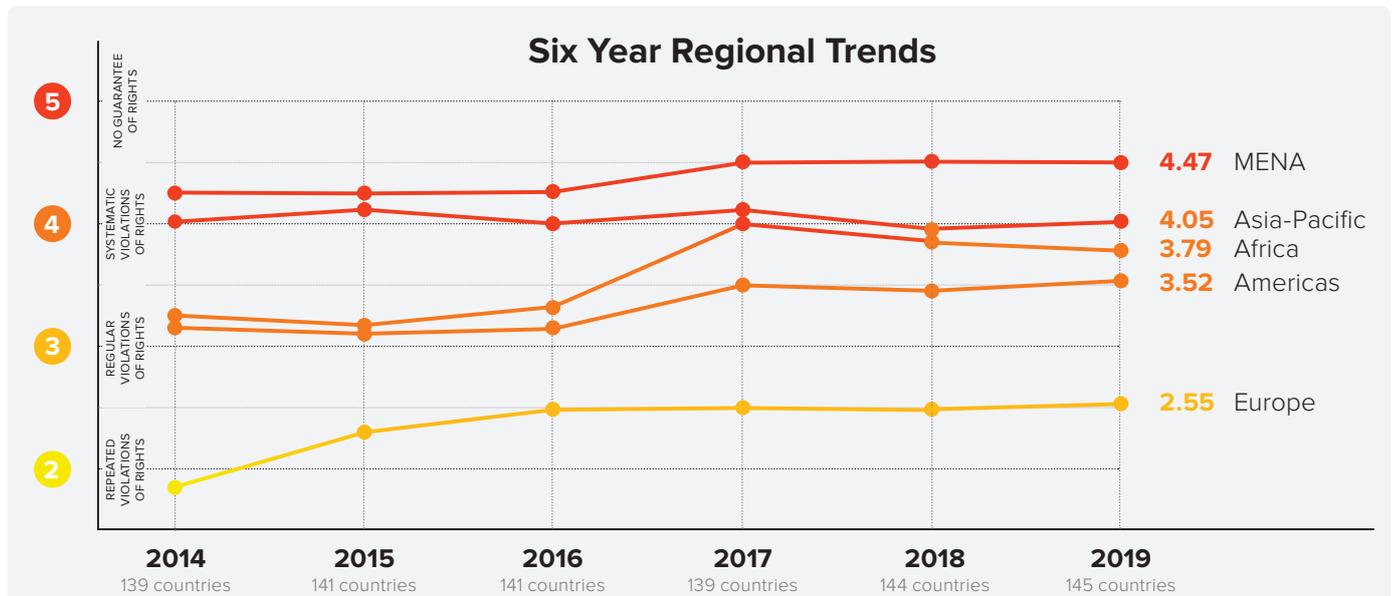
Workers experienced violence in 52 countries.



Trade unionists were murdered in 10 countries.

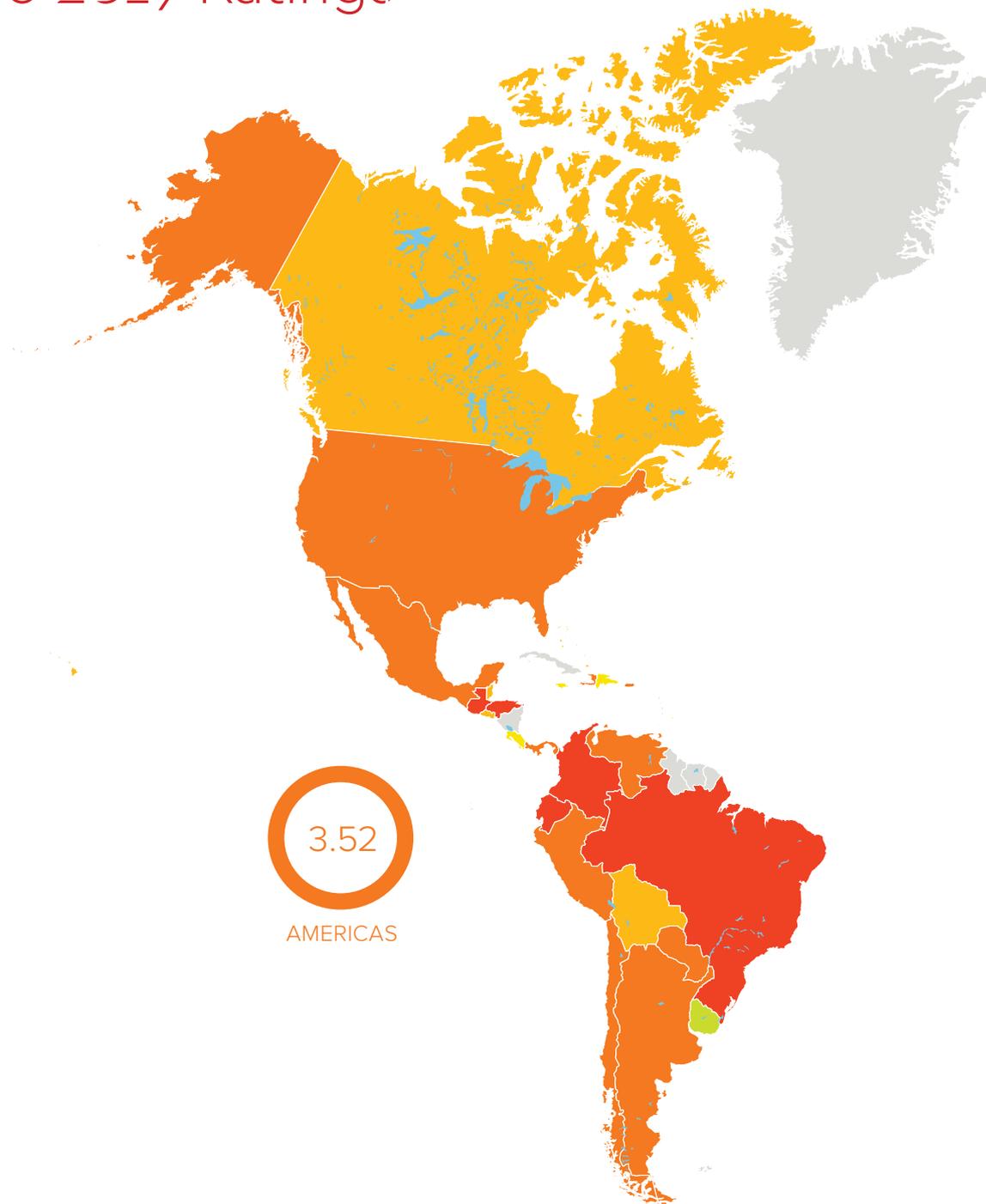
## Companies Violating Workers' Rights

- Anlima Textile, (Suppliers to: Zara, H&M, Tesco and Walmart), **Bangladesh**
- Ashiana Garments Industries Ltd, **Bangladesh**
- Ryanair, **Belgium, Portugal, the Netherlands**
- Jasic Technology, **China**
- Croatia Airlines, **Croatia**
- Bimbo, **Guatemala**
- Northwest Transportation Company, **Ecuador**
- Bisco Misr, **Egypt**
- Ceramica, **Egypt**
- Majestic, **Egypt**
- TS Laevad, **Estonia**
- Tarkwa Mine of Goldfields, **Ghana**
- Ternium, **Guatemala**
- Tamil Nadu Rubber Corporation, **India**
- Haft Tapheh, **Iran**
- HEPCO, **Iran**
- National Steel Industrial Group, **Iran**
- Dunnes Stores, **Ireland**
- Kenyatta Hospital, **Kenya**
- Kenya Airways, **Kenya**
- Teachers Service Commission, **Kenya**
- Fu Yuen Garment Co Ltd, **Myanmar**
- Norse Production, **Norway**
- Prosegur, **Paraguay**
- AB InBev, **Peru**
- State Railway of Thailand, **Thailand**
- Sumifru, **The Philippines**
- NutriAsia, **The Philippines**
- TSTT, **Trinidad and Tobago**
- Goodyear, **Turkey**
- Renault, **Turkey**
- Istanbul Airport, **Turkey**
- Amazon, **USA and Europe**
- Uber, **USA, Europe, India, South Korea, Australia**
- Pouchen footwear factory, **Vietnam**



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 2019 Ratings



## New in 2019:

Afghanistan 5

## Improved rating:

Benin 4

Bolivia 3

Eritrea 5

Mauritania 4

Mauritius 3

Mexico 4

Moldova 2

Nigeria 4

Pakistan 4

## Worse rating:

Belgium 2

Belize 3

Brazil 5

Canada 3

Chile 4

Eswatini 5

Iraq 5

Namibia 3

N. Macedonia 3

Rwanda 3

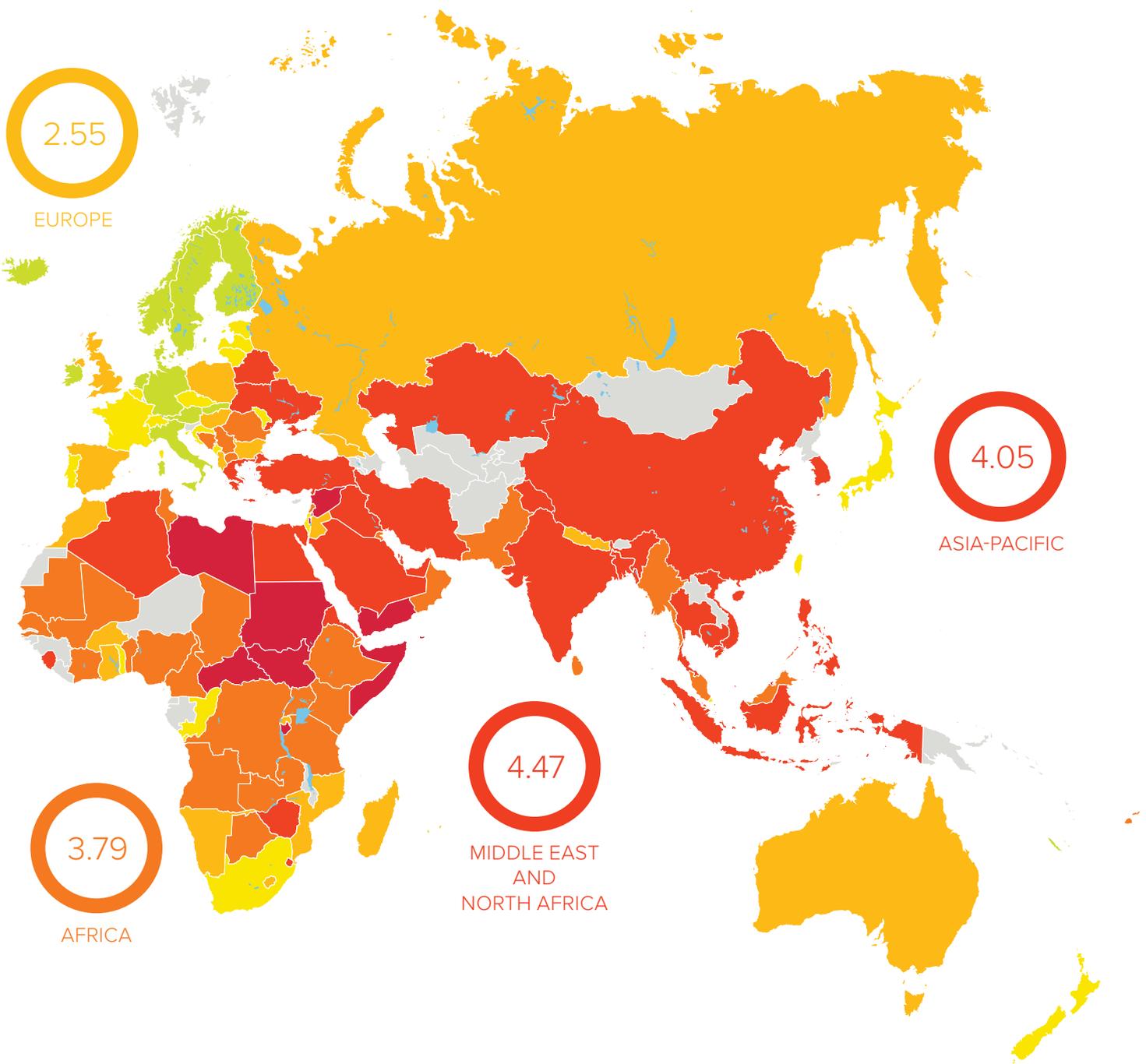
Sierra Leone 5

Sri Lanka 4

Thailand 5

Venezuela 4

Vietnam 5



- 5+** No guarantee of rights due to the breakdown of the 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 2019 Country Ratings

## Rating 5+

No guarantee of rights due to the breakdown of the 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	• Eswatini	↗ Laos
• <b>Algeria</b>	• Greece	• <b>Philippines (The)</b>
• Bahrain	• <b>Guatemala</b>	• Qatar
• <b>Bangladesh</b>	• Honduras	• <b>Saudi Arabia</b>
• Belarus	• Hong-Kong (China)	• Sierra Leone
• <b>Brazil</b>	↗ India	• Thailand
• Cambodia	• Indonesia	• <b>Turkey</b>
• China	• Iran	• Ukraine
• <b>Colombia</b>	• Iraq	↗ United Arab Emirates
• Ecuador	• <b>Kazakhstan</b>	• Vietnam
• Egypt	• Korea (Republic of)	• <b>Zimbabwe</b>
• Eritrea	↘ Kuwait	•

## Rating 4

Systematic violations of rights

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

### Rating 3

#### Regular violations of rights

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Albania	•	Georgia	•	Mozambique	•
Australia	•	Ghana	•	Namibia	↗
Bahamas	•	Hungary	•	Nepal	•
Belize	↗	Jordan	•	Poland	•
Bolivia	↘	Lesotho	•	Russian Federation	•
Bulgaria	•	Liberia	•	Rwanda	↗
Burkina Faso	•	Madagascar	•	Spain	•
Canada	↗	Mauritius	↘	United Kingdom	•
El Salvador	•	Morocco	•		•

### Rating 2

#### Repeated violations of rights

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Barbados	•	France	•	Montenegro	•
Belgium	↗	Israel	•	New Zealand	•
Congo (Republic of)	↘	Jamaica	•	Portugal	•
Costa Rica	•	Japan	•	Singapore	•
Croatia	•	Latvia	•	South Africa	•
Czech Republic	•	Lithuania	•	Switzerland	•
Dominican Republic	•	Malawi	•	Taiwan	•
Estonia	•	Moldova	↘	Togo	•

### Rating 1

#### Sporadic violations of rights

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

#### Comparison with 2018 score:

No change or new in 2019	•
Worse rating	↗
Improved rating	↘

# Worst Region in the World

REGION		2019	SCALE	
<b>MENA</b>	19 COUNTRIES	<b>4.47</b>	(4) Systematic violations of rights to (5) No Guarantee of rights	
<b>Asia-Pacific</b>	22 COUNTRIES	<b>4.05</b>	(4) Systematic violations of rights to (5) No Guarantee of rights	
<b>Africa</b>	39 COUNTRIES	<b>3.79</b>	(3) Regular violations of rights to (4) Systematic violations	
<b>Americas</b>	25 COUNTRIES	<b>3.52</b>	(3) Regular violations of rights to (4) Systematic violations	
<b>Europe</b>	40 COUNTRIES	<b>2.55</b>	(2) Repeated violations of rights to (3) Regular violations	

## Middle East and North Africa

In 2019 the Middle East and North Africa (MENA) continued to be the world's worst region for workers' rights with an average rating of 4.47. In **Libya, Palestine, Syria and Yemen**, conflicts still rage and fundamental liberties and rights are trampled.



## Exclusion of workers from labour protection

In a repressive context for civil liberties generally, most **Gulf countries** continue to exclude migrants, the overwhelming majority of their workforce, from any labour protection. The year was marked with the exposure of horrifying abuses from **Saudi Arabia**, where migrant workers are trapped in exploitation and forced labour. The exclusion of migrant workers from the labour law means nearly 90 per cent of the work-force are unable to have access to their rights to form or join a trade union.

The ILO estimates 164 million people are migrant workers, 13.9 per cent of whom are found in Arab countries. In October 2018, an Indonesian worker was secretly executed by the Saudi authorities for allegedly beating her employer to death with a stick in self-defence against attempted rape.

## Dismantling of independent unions and violent attacks on workers

**Algeria** and **Egypt** remain dangerous places for trade unionists, as the authorities still seek to quash any attempt at organising an independent labour movement. In Egypt, all independent unions were dissolved in March 2018 and given 60 days to re-register their organisation based on new arbitrary requirements established in Law no. 213/2017 on Trade Unions. Out of 1,000 independent unions, only 122 were able to successfully register their status under the new law and within the timeframe. Independent unions in Algeria were subjected to a similar fate – in March 2018 the Ministry of Labour, operating outside of any legal framework, required all 65 certified unions to present proof of their representativity for re-registration. According to the list published by the Ministry, only 17 trade unions met the criteria. The applications filed by two independent unions, Confédération Générale Autonome des Travailleurs en Algérie (CGATA) and the SNATEG (National Autonomous Union of Sonelgaz Gas and Electricity Workers), were rejected.

In both countries, workers' attempts at organising protests were systematically crushed. At **BiscoMisr**, an Egyptian food-manufacturing company, workers were held in custody for 60 days for striking, while seven workers at **Ceramica** and **Majestic**, who were protesting against their employer's failure to pay their wages, were arrested and later charged with inciting a strike. All were sentenced to 15 days' detention.

In **Iran**, the authorities intensified their crackdown on labour protests by violently attacking workers and carrying out mass arrests. In October 2018, over 250 truck drivers were detained during a nationwide strike against low wages. Similarly, in May 2018, 15 employees of the **Heavy Equipment Production Company (HEPCO)** were arrested for taking part in a strike to protest wage arrears. In October 2018, the Criminal Court of Arak sentenced the HEPCO workers to between a year and two and a half years in prison and 74 lashes for "disrupting public order" and "instigating workers to demonstrate and riot".

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



All 19 countries exclude workers from the right to establish or join a trade union.



18 out of 19 countries violated the right to strike.



18 out of 19 countries violated the right to collective bargaining.



The Asia and the 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 4.05, an increase from last year's 3.95 average rating and the biggest rise for any region in 2019.



10 trade unionists were murdered in the Philippines in 2018.

### Violent attacks on workers

Physical violence against workers and trade unionists intensified dramatically. In **Pakistan**, labour leader **Abdul Khaliq Sher** was killed after attending a meeting with the power-loom factory owner, Muhammad Jamil, on Gojra-Samundri Road on 8 March 2018. The police reported that Jamil and Khaliq exchanged harsh words after which the former, along with his accomplices Malik Amjad and Muhammad Tariq, shot dead Abdul Khaliq Sher. Investigations are still ongoing at the time of writing. In **the Philippines**, violence against workers escalated with 10 assassinations in 2018. On 20 October 2018, nine striking sugar cane workers and members of the National Federation of Sugar Workers (NAMASUFA) were shot dead by an unknown group of men while occupying private land in Hacienda Nene to protest delays in land reform and calling for improvements to their living and working conditions. On 31 October, Danny Boy Bautista, a 31-year-old harvester and active NAMASUFA member, was shot four times by an unidentified gunman during strike action at **Sumifru**, a Japanese fruit exporting company.

## Repression of strike action

Strike actions were brutally repressed and severely punished by the governments of **Bangladesh, Cambodia, India, Myanmar** and **Thailand**. In **Vietnam**, 50,000 workers from the **Pouchen footwear factory** in Tan Tao industrial industrial zone in Ho Chi Minh City, the biggest economic hub in the Southeast Asian country, took to the streets to protest a bill creating new special economic zones, on 9 and 10 June 2018. Vietnamese security forces responded by dispersing the demonstration with tear gas and water cannons. Five hundred protesters were taken into custody, and many were beaten up by the police in jail.

In November 2018, the **State Railway of Thailand (SRT)** began enforcing its claim for 24 million Baht (US\$730,000) in damages against the State Railway Union of Thailand (SRUT) and seven of its officials. The claim, which began in 2011, arose out of 2009 industrial action by SRUT, where workers protested against a railway accident that had killed seven workers. In many countries including **Bangladesh, Cambodia** and **Indonesia**, union-busting measures were frequent and workers attempting to form a union were systematically dismissed. In **China, Jasic Technology** dismissed workers throughout the year when they tried to organise their own trade union. More than 40 workers were also arrested and accused of “gathering a crowd to disturb social order”.

## Violations of workers’ rights in Asia-Pacific



91% of countries exclude workers from the right to establish or join a trade union.



21 out of 22 countries violated the right to strike.



All 22 countries violated the right to collective bargaining.



Protesters chant slogans against a proposal to grant 99-year concessions in planned special economic zones, which some view as sweetheart deals for foreign firms during a demonstration in Vietnam.

Credit: Kao Nguyen/AFP

**Burundi, Central African Republic, Somalia, South Sudan and Sudan** were still plagued by internal conflicts which further deteriorated the humanitarian situation and deprived millions of basic protection. In other African countries, the year was marked by an escalation of violence against workers during protests.



### Increase in violence

Police brutality reached unprecedented levels in **Cameroon, Chad, Ghana, Eswatini** and **Zimbabwe**, as security forces fired live ammunition at protesting workers. In Cameroon, a dockers' strike was brutally repressed by the police. Several dockers were injured, and one protester lost his forearm when he attempted to deflect a grenade thrown by the police. In Zimbabwe, during the brutal repression of worker protests in January 2019, 70 protesters sustained gunshot wounds and 12 workers were killed.

### Ban on strike action and assembly

Authorities and employers increasingly resorted to court bans to curb any attempts at organising strikes in **Nigeria, Benin** and **Gabon**, for example. In **Kenya**, the Teachers Service Commission (TSC) failed to show up for a mediation meeting called by the Labour Cabinet Secretary, while at the same time, securing a court order suspending a planned strike by the Kenya National Union of Teachers (KNUT). Similarly, some governments, like the government of **Burkina Faso**, resorted to blanket bans on demonstrations to undermine workers' rights to peaceful assembly. In **Chad**, the Security Minister invoked security reasons to impose a ban on all demonstrations and threatened to suspend the activities of all political parties and all civil society associations which would "attempt to defy the authority of the State".

## Arrest, detention and imprisonment

A significant number of African trade union leaders were arbitrarily arrested and detained in 2019. In **Zimbabwe**, the ZCTU president and general secretary were taken into custody on 21 and 25 January 2019 and charged with subversion for “mobilising the nation to participate in anti-fuel hike protests”. The ITUC-Africa general secretary, who had traveled to meet with the ZCTU leadership and the Zimbabwean Ministry of Labour, was later arrested in his hotel room and arbitrarily detained at Harare International Airport. In **Kenya**, the KNUT general secretary and other officials were arrested for allegedly inciting nurses to strike at the Kenyatta Hospital. In **Guinea**, authorities intensified their crackdown on unions and arbitrarily arrested several union officials while they were conducting union business, including the SLECG general secretary during their Congress; the UGTG deputy general secretary; and the general secretary of the port workers’ union during a police raid in the union offices.

## Violations of workers’ rights in Africa



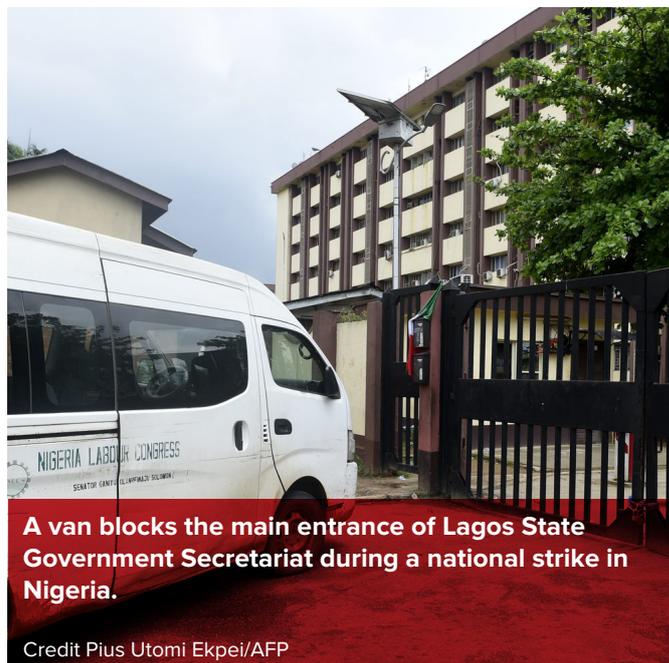
90% of countries exclude workers from the right to establish or join a trade union.



92% of countries violated the right to collective bargaining.



38 out of 39 countries violated the right to strike.



The situation of workers in the Americas worsened compared to last year, with an average country rating of 3.52. In many countries, trade unionists experienced violent attacks.



34 trade unionists were murdered in Colombia in 2018.

### Increase in violence and impunity

Death threats and intimidation cases against union members were recorded yet again in **Honduras** and **Haiti**, while several union leaders were assassinated in **Brazil** and **Guatemala**. In **Colombia** alone, 34 trade unionists were murdered in 2018, while another 10 cases of attempted murders and 172 cases of threats to life were registered. On 4 November 2018, **Edilberto Niño Cristancho**, who was an organising leader for SINTRAIMAGRA in the palm oil industry, was found seriously injured and rushed to the hospital. He later died of his injuries. Before his death, Cristancho managed to tell police what had happened. He was overpowered by two unidentified assailants who stabbed him 18 times in a taxi in Villavicencio in the Meta province. The situation in Colombia and Guatemala was compounded by the total lack of action by the authorities to investigate and prosecute these crimes.

### Dismissed for being in a union

Workers who attempted to form unions were summarily dismissed. In **Ecuador**, **Northwest Transportation Company** dismissed 22 workers after they formed a union, while in **Trinidad and Tobago**, **TSTT**, the state communication company, dismissed 503 workers without any justification, the majority of whom were CWU members. Many cases of massive lay-offs as reprisal for unionising remained unresolved, and dismissed workers still await their reinstatement. In **Paraguay**, 327 workers dismissed by **Prosegur** in 2012 still awaited their reinstatement ordered by the courts. They had been fired after the dissolution of their union in 2012, and their lockout was in retaliation against their strike action. Employers still resorted to union-busting practices such as casualisation of the workforce to circumvent collective bargaining. In **Peru**, **AB InBev** dismissed 1,500 workers and replaced them with casual employees to avoid the application of the collective bargaining agreement.

## Denial of union registration

In many Latin American countries, the authorities denied registration to unions on dubious grounds. In **Panama**, the government still refused to grant status to eight legally formed unions in the public sector despite its renewed assurances to the ILO in October 2018 that it would do so. At least 14 unions have been denied registration in **Argentina**, despite having applied for recognition as early as 2007. In **Paraguay**, OTEP, the teachers' union created in 2017, was still denied registration by the Ministry of Labour, while Sitrande, the electricity sector union, was prevented from carrying out activities and saw its account frozen due to the refusal of the government to grant its registration renewal. It is believed that the government acted in retaliation following a massive strike organised by Sitrande in 2014.

## Violations of workers' rights in the Americas



68% of countries exclude workers from the right to establish or join a trade union.



19 out of 25 countries violated the right to strike.



20 out of 25 countries violated the right to collective bargaining.



People protest President Lenin Moreno's economic measures during a trade union demonstration in Ecuador.

Credit: Rodrigo Buendia/AFP

Conditions in Europe worsened in the last year due to an increase in violent attacks against trade union leaders and a growing trend of charging and sentencing workers for their participation in strike action. The average country rating increased to 2.55.



### Violent attacks and murder of trade unionists

In 2018, trade union leaders were murdered in **Turkey** and **Italy**. In **Turkey**, **Abdullah Karacan**, president of the rubber and chemical workers' union Lastik-İş, was shot dead by a gun-wielding assassin on 13 November 2018. He was visiting workers at a **Goodyear** tyre factory in Adapazari. Two other union representatives were also wounded in the attack. In **Italy**, **Soumayla Sacko**, a 29-year-old agricultural worker and trade unionist from Mali, was killed in San Calogero on 2 June 2018 while collecting materials to help build the city of tents and shacks where he and his co-workers lived. For the last two years, he had been active in the Unione Sindacale di Base (USB) trade union and fought to improve the appalling conditions of labourers. In **Kazakhstan**, **Dmitry Senyavskii**, leader of the Fuel and Energy Workers' Union Karaganda Region local branch, was brutally beaten at his home in Shakhtinsk by two unidentified assailants.

### Repression of strike action and protests

A number of strike actions were brutally dispersed by police forces, and protesting workers were prosecuted and sentenced for their participation in strikes. In **Belgium**, 18 FGTB members were charged for blocking a road during a protest. The president of the FGTB Antwerp branch was sentenced but no penalty was imposed. Similarly in **France**, 5 CGT and FO members were summoned by the police for distributing flyers at a tollgate. The general secretary of CGT Lot was charged with "illegal occupation of public roads" and his trial scheduled for May 2019. In **Turkey**, 43 workers of new **Istanbul Airport** construction site were facing trial following a massive crackdown on their protest against deplorable working and safety conditions, in October 2018. The police violently dispersed the protest and took into custody over 400 workers. In **Belarus** and **Kazakhstan**, the authorities maintained their repression of independent unions, prosecuting and sentencing trade union leaders on trumped-up charges.

## Erosion of collective bargaining

In many European countries, like **the Netherlands**, **Estonia** and **Spain**, companies often bypassed collective bargaining with unions and pushed for individual agreements directly with workers. In **Norway**, after a 35-day strike and the conclusion of a collective agreement to end the dispute, the owners of **Norse Production**, a salmon producer, bankrupted the company and established a new subcontractor at the same place and with the same management. None of the unionised workers from Norse Production were hired in the new company and the collective agreement was not renewed.

## Violations of workers' rights in Europe



40% of countries exclude workers from the right to establish or join a trade union.



68% of countries violated the right to strike.



50% of countries violated collective bargaining rights.



Amazon workers go on a strike after company aims to block salary increases, cut wages and reduce payments for those working weekends or holidays as part of a new contract agreement in Spain.

Credit: Burak Akbulut/Anadolu Agency/AFP

# The World's Ten Worst Countries for Workers

## Algeria



- » State repression
- » Arrest and criminal prosecution of union leaders
- » Severe obstacles to union registration

The government of Algeria further intensified its repression against independent trade unions by subjecting them to an illegal procedure for their re-registration. Out of the 65 registered unions in the country, only 17 organisations met the arbitrary and excessive criteria imposed by the government. Registration was still denied to CGATA and SNATEG.

### Cases of state persecution

During a demonstration organised on 27 December 2018 to demand that the state cease from criminalising trade union activities and implement ILO recommendations, 15 trade unionists were arrested, including SNATEG General Secretary **Abdelkader Kawafi** and SNT ENERGIE General Secretary **Zakaria Ben Haddad**. Earlier in the year in February 2018, Kawafi had already appeared in court, along with SESS leader **Kaddour Chouicha**, for “defamation and inciting an illegal assembly”. Both had been arrested while they were waiting at a café in July 2016 for the end of a court hearing where Salah Dabbouz, LADDH president, was prosecuted.

## Bangladesh



- » Violence
- » Mass dismissals
- » Arrest of union leaders

Workers in Bangladesh were exposed to mass dismissals, arrests, violence and state repression against peaceful protests. In the garment sector, strikes were often met with extreme brutality by police forces. On 8 January 2019, **Sumon Mia**, a 22-year-old employee of **Anlima Textile** in the Kornopara area of Savar, was killed and another 50 injured after police fired rubber bullets and tear gas at around 5,000 protesting workers on the outskirts of Dhaka. The protests had begun after a reported 50,000 garment workers, many making clothes for international retailers such as Zara, H&M, Tesco and Walmart, walked out of their factories demanding the implementation of the recent 51 per cent government increase of the monthly minimum wage to 8,000 Taka (US\$94).

## Case of arrest of union leaders

In February 2018, 12 leaders and members of the Garments Workers' Trade Union Centre (GWTUC) were charged with attempted murder and vandalism after representatives of the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) pressed criminal charges against them for their participation in a peaceful protest outside **Ashiana Garments Industries Ltd** in Dhaka. The charges were patently false, as of the 12 leaders charged, only three were actually present at the Ashiana protest, while two of them, the GWTUC general secretary and president, were not even in Dhaka at the time of the alleged events. The union believes that the real reason for the arrests was its leading role in the campaign to increase the minimum wage for garment workers.



**Garment workers in Bangladesh mobilise to demand a pay rise.**

Credit: Mamunur Rashid/NurPhoto/AFP

## Brazil

NEW



- » Violence
- » Murder
- » Collective bargaining undermined

The situation of workers in Brazil dramatically worsened in the last year with the adoption of regressive laws that severely undermined collective bargaining rights in the country and the rise to power of far-right president Jair Bolsonaro. Many strikes and protests were repressed with violence by state security forces, and union leaders faced threats and intimidation. On 8 November 2018, the president of the civil servants union of the municipality of Bahia, **Aroldo Pereira de Souza**, was ambushed on a road and shot three times by unknown gunmen. He died on the way to the hospital. Pereira de Souza had been involved in a teachers' strike.

### Undermining of collective bargaining

Since the adoption of Act No. 13.467, the entire collective bargaining system has collapsed in Brazil. The revised Consolidation of Labour Laws (CLT) established as a general principle that collective agreements prevail over legislation, and that it was therefore possible through collective bargaining not to give effect to the protective legal provisions, with the sole limit of a few labour rights set out in the Constitution. Almost two years on, the Act has had dramatic effects on industrial relations with a drastic decline of 45 per cent in the number of collective agreements concluded in 2018. There is also a worrying trend of employers withdrawing labour rights and pressing for lower wages at company level.

## Colombia

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

Colombia remained the deadliest country for workers and union members with 34 assassinations in 2018, 10 attempted murders and 172 recorded cases of threats to life. Of the 34 murders, ten were members of FENSUAGRO (the agricultural sector union) and 13 were teachers. Most of these crimes remained unresolved, as the government still failed to allocate the necessary means for the timely investigation and prosecution of the cases. Without any adequate protection provided to them, trade unionists and their families remained under constant threat to their lives.

### Cases of murder

On 14 April 2018, **Efren Zúñiga Dorado** was found dead, a bullet in the head with signs of torture. It is also believed that he was forced to dig his own grave before being executed. Zúñiga Dorado worked as a teacher in Piendamó and was a member of ASOINCA, where he actively worked to defend public education workers.

On 4 November 2018, **Edilberto Niño Cristancho**, an organising leader for SINTRAIMAGRA in the palm oil industry, was found seriously injured and rushed to the hospital where he succumbed to his injuries. Before his death, Cristancho managed to tell police that he was overpowered by two assailants who stabbed him 18 times in a taxi in Villavicencio in the Meta province.

## Guatemala

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

Guatemala remained plagued by endemic violence compounded by a climate of impunity. Four trade union members and leaders were assassinated in the last year. In total, over 90 trade unionists have been assassinated since 2004, and no concrete action has been adopted by the state to prevent those crimes or investigate and prosecute these historic cases.

In addition, many private companies resorted to union-busting practices and anti-union dismissals to prevent the formation of unions. Since the creation of Sintrabimbo, the company union, in 2016, **Bimbo** management has systematically dismissed any worker joining the union. So far, 250 workers have been sacked. Courts have ordered reintegration, but Bimbo stubbornly refuses to abide by the judicial decisions. Similar practices have been reported at **Ternium Guatemala**.

### Cases of murder

**Domingo Nach Hernández**, member of the union of civil servants of the municipality of Villa Canales, was found dead on 20 June 2018, days after being abducted by unidentified men. His death occurred in a context of dispute for the reinstatement of workers at the municipality. On 6 July 2018, **David Figueroa García**, representative of the Sindicato del Centro Universitario de Petén (CUDEP), was shot dead by an unknown assassin on a motorcycle. Days before, Figueroa García had reported to his fellow members that a group of men had approached and threatened him.

## Kazakhstan



- » State repression
- » Arrest and prosecution of union leaders

Repression against the independent labour movement intensified in Kazakhstan as unions affiliated to the Confederation of Independent Trade Unions of Kazakhstan (CNTUK), arbitrarily dissolved in 2017, have become targets of state persecution and brutal physical attacks. **Larisa Kharkova**, former CNTUK chairperson, remained under strict restriction of her freedom of movement after refusing to pay a fine of 6 million tenge (US\$15,805) for alleged damages.

### Cases of state repression

This year, the latest in a long line of harassed union leaders was **Erlan Baltabai**, chair of the Fuel and Energy Workers' Union (FEWU). He was suspected of embezzling trade union funds. As part of the investigation, the authorities have repeatedly summoned Baltabai for questioning, searched his home and FEWU offices, and seized trade union documents. His relatives have also been interrogated. The ongoing investigation has effectively paralysed FEWU from carrying out any formal activities.

On 10 November 2018, **Dmitry Senyavskii**, leader of the FEWU Karaganda Region local branch, was violently attacked at his home in Shakhtinsk by two unidentified assailants. Subsequently hospitalised with serious injuries, including a broken arm and concussion, he was unable to travel to Astana for a meeting with ITUC representatives.

## The Philippines



- » Violence and murder
- » Brutal repression of public protests
- » Repressive laws

Workers and trade unionists in the Philippines faced violent attacks and intimidation. Protests were brutally repressed by police forces in an attempt by government forces to suppress political dissent. With martial law in Mindanao extended for the third time until the end of 2019, the threat of an escalation of violence and abuses grows.

### Cases of murder

On 20 October 2018, nine striking sugar cane workers and members of the National Federation of Sugar Workers (NAMASUFA) were shot dead by an unknown group of men while occupying private land in Hacienda Nene to protest delays in land reform and calling for improvements to their living and working conditions. Among those killed were two minors and three women. Over the past year, authorities in the Philippines have repeatedly made public statements accusing NAMASUFA of being "fronts" for illegal armed groups. This attack came just before President Duterte made a statement on 28 October stating that any further occupations of land by farmers should be dealt with harshly: "My order to the police is to shoot them. If they resist violently, shoot them, and if they die, I do not care."



Thousands of people took to the streets in the Philippines to protest President Rodrigo Duterte and mark the 46th anniversary of the Martial Law declared by the late dictator Ferdinand Marcos.

Credit: Noel Celis/AFP



- » Abuse of migrant workers and forced labour
- » State repression

Rights to freedom of association and of assembly as well as the right to collective bargaining continued to be denied to all workers in Saudi Arabia. The 8.3 million migrant workers in the country, representing 90 per cent of the private sector workforce, were most affected by this blatant denial of civil liberties. While a number of origin countries expressed concern regarding the slave-like working and living conditions of their citizens in Saudi Arabia, migrant workers still fell prey to severe physical and psychological abuses. Vietnamese migrant domestic workers reported being forced to work 18 hours a day. They were also denied food, frequently assaulted by their employers and prevented from returning home.

### Case of murder of a migrant worker

In October 2018, **Tuti Tursilawati**, an Indonesian domestic worker, was secretly prosecuted and sentenced to death by the Saudi authorities for allegedly beating up her employer to death with a stick in self-defence against attempted rape. She had managed to run away, but was then raped instead by nine Saudi men before the police brought her into custody. Her beheading, which occurred unbeknownst to her family and the Indonesian government, sparked calls for Jakarta to review its agreement with Saudi Arabia and demand consular notification and respect for workers' civil rights. The Saudi government did not respond to any of these demands.





- » Murder
- » Crackdown on strikes
- » Mass dismissals and discrimination

Since the attempted coup and the severe restrictions on civil liberties imposed by the government, workers' freedoms and rights have been relentlessly denied with police crackdowns on protests and the systematic dismissal of workers attempting to organise. On 13 November 2018, **Abdullah Karacan**, president of the rubber and chemical workers' union Lastik-İş was shot dead by unknown gunmen while visiting workers at a **Goodyear** tyre factory in Adapazari.

### Cases of prosecution of workers

On 14 September 2018, over 10,000 workers went on strike at the construction site of the new **Istanbul Airport** to protest their poor health and safety conditions at the site. The protest was violently dispersed by police and military with teargas. Two days later, the police conducted mass arrests and detained over 400 workers. While most were released shortly after, 43 workers, including three trade union representatives, were charged for disrupting freedom to work, violating the law on demonstrations and public assemblies, damaging public property and resisting the police. A total of 31 workers were held in pre-trial detention in Silivri prison, including **Özgür Karabulut**, Dev Yapi-İs president, charged for a speech he made to the workers during the strike.

On 2 November 2018, 26 trade union members were sentenced to a suspended five-month prison sentence for "disobeying the law on meetings and demonstrations" after taking part in a protest in front of **Renault's** Oyak plant in March 2016. Workers were demanding the right to organise in the company. The protest was violently dispersed by police.



- » State violence
- » Arrest of union leaders
- » Mass dismissals

This year, Zimbabwe fell into a pattern of violent attacks against workers and trade union members. Protests organised by ZCTU on 14-16 January 2019 against a 150 per cent fuel price hike were repressed by state security forces with live ammunition. Twelve workers were killed and 70 sustained gunshot wounds. In total, over 320 persons were injured, while accounts of severe beatings and torture by government forces were reported to the Zimbabwe Human Rights Commission.

### Cases of arrest of trade union leaders

Following the January crackdown, the ZCTU president, **Peter Mutasa**, and the general secretary, **Japhet Moyo**, were arrested and charged with subversion. While they were released from custody a few days later, they remained under strict release conditions, banned from traveling and forced to check in regularly at the police station. Moyo was even forced to give up the deed to his personal home as a guarantee against skipping bail.

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". If convicted, they face a mandatory ten-year jail term.

# Most Violated Rights in the World

**RIGHT TO STRIKE** - Increasing 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 59% of countries.

**RIGHT TO CIVIL LIBERTIES** - Arbitrary arrests, detention and imprisonment in 44% of countries.

## 1. Increasing criminalisation of the right to strike

In 2019, strikes have been severely restricted or banned in 123 out of 145 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. Three regions – Africa, the Americas and MENA – all had an increase in the number of countries that violated the right to strike from last year.



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

<b>AFRICA</b>	97%
<b>MENA</b>	95%
<b>ASIA-PACIFIC</b>	95%
<b>AMERICAS</b>	76%
<b>EUROPE</b>	68%

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

### Europe



In **Belgium**, 18 FGTB members were charged for blocking the road during a protest. The FGTB president of the Anvers branch was sentenced, but no penalty was imposed. Similarly, in **France**, 5 CGT and FO members were summoned by the police for distributing flyers at a tollgate. The general secretary of CGT Lot was charged with “illegal occupation of public roads” and his trial set for May 2019.

In **Turkey**, 43 workers at the new **Istanbul Airport** construction site were facing trial following a massive crackdown on their protest in October 2018 against their deplorable working and safety conditions. The police violently suppressed the protest and took into custody over 400 workers.

### Turkey - Renault

On 2 November 2018, 26 trade union members were criminally convicted for their part in a 2016 strike at a **Renault** factory in Bursa. The workers were found guilty of “disobeying the law on meetings and demonstrations” and sentenced to a five-month prison sentence, suspended for five years, after taking part in a protest in front of Renault’s Oyak plant in March 2016. Two workers who had posted messages in support of the workers’ protest on social media were sentenced to prison terms of three years and four months for incitement. The 2016 protest took place following a series of dismissals during a union campaign by members of the Birleşik Metal workers’ union. Renault had repeatedly refused to allow union elections to take place and had fired ten workers including two worker spokespersons. The demonstrators were demanding respect for their right to organise and that dismissed workers be reinstated. The protest was violently dispersed by police.

### Asia-Pacific



In **Myanmar**, eight union leaders of the Confederation of Trade Unions of Myanmar (CTUM) and the Myanmar Industries Crafts and Services Trade Union Federation (MICS-TUF) were charged by the police for violating Article 20 of The Right to Peaceful Procession and Peaceful Assembly Act, which bans public processions and assemblies and incurs heavy prison sentences.

### Middle East and North Africa



In **Iran**, 15 employees of the **HEPCO** were arrested for taking part in a strike to protest wage arrears and were later sentenced by the Criminal Court of Arak, in October 2018, to between a year and two and a half years in prison and 74 lashes for “disrupting public order” and “instigating workers via the internet to demonstrate and riot”.

## Dismissals for participating in strike action

### Africa



In **Zimbabwe**, 16,000 nurses were fired by the government in a context of unrest and industrial action. Nurses had walked out on 16 April 2018 over unpaid allowances and other issues.

## Asia-Pacific

Following the January 2019 strikes by garment workers in **Bangladesh** to protest low wages, 7,000 workers were sacked by their factories, most of which make clothes for well-known western brands. The protests ended with the government promising to raise their pay, but when workers returned to work, many found they no longer had a job. At least 750 workers at various companies in the manufacturing hub of **Ashulia** found notices hanging on their factory gates informing them of their dismissal along with photos of their faces. In addition, hundreds of garment workers were arrested and more than 30 cases were filed against the workers.

## Europe - Ryanair

The airline Ryanair, a company notorious for its business model based on the exploitation of workers through low wages and insecure jobs, retaliated against its workers during the Europe-wide strikes of 2018 aimed at denouncing working conditions and demanding recognition of union and collective bargaining. In **Belgium**, the management sent letters to all striking workers to threaten them with dismissal for gross misconduct, while in **Portugal** it threatened striking cabin crew with a freeze of their career prospects. In **the Netherlands**, Ryanair management even coerced workers to replace their colleagues on strike with threats of disciplinary dismissal.



“Ryanair must change”. Unions across multiple countries staged the biggest strike in Ryanair’s history in a bid to address the legal loopholes that allowed the airline to employ workers across the EU under Irish contracts.

Credit: John Thys/AFP

## 2. Erosion of collective bargaining

In 2019, serious restrictions to collective bargaining were recorded in 116 countries. The Americas saw the biggest rise in the number of countries which violated the right to collective bargaining, and every country in the Asia-Pacific region violated the right to collective bargaining.



### Regional: Percentage of countries which violated collective bargaining rights

<b>ASIA-PACIFIC</b>	100%
<b>MENA</b>	95%
<b>AFRICA</b>	92%
<b>AMERICAS</b>	80%
<b>EUROPE</b>	50%

## Attacks on collective bargaining

### Americas



Employers still resorted to union-busting practices such as casualisation of the workforce to circumvent collective bargaining. In **Peru**, **AB InBev** dismissed 1,500 workers and replaced them with casual employees to avoid the application of the collective bargaining agreement.

The adoption of regressive laws in **Brazil** severely undermined collective bargaining rights. Since the adoption of Act No. 13.467, the entire collective bargaining system has collapsed in Brazil. The revised Consolidation of Labour Laws (CLT) established as a general principle that collective agreements prevailed over the legislation, and that it was therefore possible through collective bargaining not to give effect to the protective provisions of the legislation, with the sole limit of a few labour rights set out in the Constitution. Almost two years on, the Act has had dramatic effects on industrial relations with a drastic decline of 45 per cent in the number of collective agreements concluded in 2018. There is also a worrying trend of employers withdrawing labour rights and pressing for lower wages at company level.

## Europe



50% of countries in Europe violated collective bargaining rights.

In **the Netherlands, Norway** and **Spain**, companies often bypassed collective bargaining with unions and pushed for individual agreements directly with workers. In **Estonia**, during the negotiations of the collective agreement in which EMSA, the Independent Seamen's Union of Estonia, was demanding a wage increase, the management of **TS Laevad**, a ferry company, completely sidelined EMSA and organised a meeting with workers to offer them similar advantages to those demanded by the union for all workers. This tactic, which was denounced by EMSA, had one objective only: bypassing and discrediting the union.

## United States and Europe – Amazon

**Amazon** has a long history of suppressing freedom of association: it has hired law firms, fired worker spokespersons and even shut down a call centre to suppress organising efforts. Amazon workers took action over working conditions and collective bargaining rights urging customers to boycott Prime Day sales in July 2018. Workers at warehouses in **England, France, Germany, Italy, Spain** and **Poland** engaged in strike action. Concerns vary by country and included an increase in hours, lack of health benefits and difficulties in establishing collective bargaining agreements.

### 3. Exclusion of workers from labour protection

Under international labour standards, all workers without distinction have the right to freedom of association. In 2019, 107 out of 145 countries surveyed excluded certain categories of workers from this right, often on the basis of their employment status from informal workers to non-standard forms of employment. All five regions saw an increase in the number of workers who are excluded from their right to establish or join a trade union. This was highest in Europe, which saw a 50% increase in countries which exclude workers.



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

MENA	95%
AFRICA	92%
ASIA-PACIFIC	91%
AMERICAS	80%
EUROPE	50%

#### Migrant workers

##### Middle East and North Africa



Migrant workers who represent 164 million workers worldwide and are too often excluded from any labour protection are most affected with the denial of the right to form or join a trade union. This leaves them vulnerable to exploitation and severe abuses. In the **Gulf countries**, migrant workers, who account for 13,9 percent of the population but represent the overwhelming majority of the workforce, are trapped in exploitation and forced labour. They are forced to work 18 hours a day and deprived of food and sleep. They are often physically, sexually and psychologically abused by their employers, and their identification papers are usually confiscated to prevent them from fleeing. In October 2018, **Tuti Tursilawati**, an Indonesia domestic worker employed in **Saudi Arabia**, was secretly prosecuted and sentenced to death by the Saudi authorities for allegedly beating up her employer to death with a stick in self-defence against attempted rape. She had managed to run away, but was then raped instead by nine Saudi men before the police brought her into custody. Her beheading occurred unbeknownst to her family and the Indonesia authorities.

##### Asia-Pacific



## Public sector workers

In a number of countries, certain categories of public employees are still denied the right to freedom of association, like firefighters and prison staff in **Japan**.

## Non-standard forms of employment

### Europe



There is a worldwide trend, which is particularly evident in Europe but spreading globally, to seek to exclude workers from employment rights through “non-standard” forms of employment, which reduces the organisational capacity of unions, as many workers are physically or psychologically isolated from permanent workers. Non-standard forms of work include 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 are found in platform, gig or digital work.

## USA, Europe, India, South Korea, Australia – Uber

Global ride-hailing company **Uber** is one of the world leaders for attacking workers’ rights. It cuts corners on employment standards and is under legal challenge in multiple jurisdictions. Workers face poverty wages, debt servitude, mental health issues, and health and safety due to long hours. Women and young drivers are disproportionately affected. Unions are demanding collective bargaining rights and the right to join a union; a living wage for all drivers, regardless of their employment status; decent, safe working conditions for all drivers, men and women. Uber is presently facing strikes and regulatory battles in **Australia, Belgium, South Korea, London, Mumbai, New York, Seattle, San Francisco** and many more cities across the world.



## Informal workers

### Africa



92% of countries in Africa exclude workers from the right to establish or join a trade union.

The **Republic of Congo** and **Malawi** are countries with large numbers of informal workers and are both rated 2. While this rating does not reflect the reality of all the violations of workers' rights in these countries, it does shed light on the immense structural issues and difficulties to identify, report and address violations in countries where the overwhelming majority of workers are employed in the informal sector. According to ILO statistics, in Africa 85.8 per cent of employment is informal. Workers in the informal economy are particularly vulnerable to abuses and exposed to inadequate and unsafe working, and living conditions and labour inspection services lack the adequate means to monitor their working conditions.

Unions are organising informal workers. The Malawi Union for the Informal Sector (MUFIS), which was officially registered in 2004, counts approximately 14,550 members, who work in the following informal sectors: home-based workers, street vendors, waste pickers, construction workers, domestic workers and small-scale tea farmers.

### ILO Recommendation No. 204 on the Transition from the Informal to the Formal Economy Recommendation, 2015

The ILO stresses the need to facilitate the transition of workers and economic units to the formal economy, to promote the creation, preservation and sustainability of enterprises and decent jobs in the formal economy and to prevent the informalisation of formal economy jobs. Such results can only be achieved through the realisation of freedom of association and the right to collective bargaining for workers in the informal economy. Unions have a crucial role to play in this by extending membership and organising workers in the informal economy. They have the capacity and should protect the rights and interests of members in the informal economy, encourage their participation in the union and promote inclusive legislation.

## 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 104 countries out of 145, workers had no or reduced access to justice, and the due process of law and justice was denied. Trade union leaders were often detained and prosecuted on trumped-up charges, and their trials were frequently fraught with disregard for due process and lack of impartiality.



### Regional: Percentage of countries which deny workers access to justice

<b>MENA</b>	95%
<b>AFRICA</b>	90%
<b>ASIA-PACIFIC</b>	73%
<b>AMERICAS</b>	68%
<b>EUROPE</b>	48%

### Cases of denial of justice

#### Middle East and North Africa



#### Iran – Ali Nejati

Iranian authorities are notorious for their relentless persecution of labour activists in the country. Many activists have been arrested and imprisoned without trial, sometimes in remote and secret prison facilities where they have been tortured. On 29 November 2018, security forces stormed **Ali Nejati**'s house without presenting any legal warrants and arrested him with force. Ali Nejati is a retired prominent unionist and member of the workers' union of **Haft Tapeh** sugar cane complex. His lawyer said he was charged with "disrupting public order", "collusion and assembly against national security" and "cooperation in establishing a group intended to disrupt peace and security". Detained in Ahwaz prison, he was taken to hospital on 13 December 2018 after being harshly pressured under interrogation. His lawyer indicated that his arrest was related to his posing an alleged threat to national security and to a previous, unserved one-year sentence related to his labour activism.

#### Iran - National Steel Industrial Group

Forty-one workers were arrested for their participation in a strike at the **National Steel Industrial Group** in Ahvaz, Khuzestan province, that had gathered over 4,000 workers on 9 November 2018. On 17 and 18 December 2018, 41 detained workers were transferred to the Sheiban Prison in Ahvaz. Their lawyer said that 35 of the workers had been released on bail, but seven workers remained detained and some had not had access to legal representation.

## Asia-Pacific



### Cambodia – 2013 Veng Sreng crackdown

Seven national trade union leaders from CLC, CUMW, CCU and FTUWKC were prosecuted by the Phnom Penh Municipal First Instance Court on 7 and 11 December 2018 for their alleged participation in a strike action organised in 2013 that had ended in clashes with the police. Even though the employer had dropped the charges since, the case was reopened by the authorities. The judge amended the charges using provisions of the Criminal Code on instigating violence without informing the defendants and their representative lawyers. After a mockery of a trial, the seven leaders were convicted and given heavy prison sentences of up to two and a half years under suspension and ordered to pay damages of 35 million riel (US\$8,750) to two victims allegedly injured in the strike.

### China – Jasic Technology Factory



**Shen Mengyu**, a worker activist, was seized at her home on 11 August 2018 by three unidentified men believed to be from China’s security forces and forcibly bundled into an unmarked car. Another advocate, **Xiao Hu**, was detained at around the same time. Both were prominent supporters of the workers at the **Jasic Technology factory** who had been trying to establish an independent workers’ union. Shen Mengyu had been one of the authors of an open letter recently published that was highly critical of the owner of Jasic Technology and the personnel manager. The police refused to investigate her disappearance and dismissed it as a “family dispute”. They claimed that all four surveillance cameras at the site of the abduction were “out of order”. According to some reports, Shen was being detained in a house in Shenzhen, an unofficial detention centre or “black jail”, and kept under 24-hour surveillance. Such methods are a common method of repression in China, making it easier for police to keep someone indefinitely, cut off from access to a lawyer, family or the media.

## Africa



### Zimbabwe - Kwasi Adu Amankwah

The ITUC Africa general secretary was forcibly removed by security forces from his hotel in Harare at 2 a.m. on 26 February 2019 and taken to Harare International Airport, where he was detained for several hours. Officials refused to allow a lawyer from ZCTU to see Adu Amankwah at the airport. He had traveled to Zimbabwe to show solidarity with the ZCTU and Zimbabwean workers. He was scheduled to meet with the ZCTU leadership and the Zimbabwean Ministry of Labour to discuss the withdrawal of charges against Japhet Moyo and Peter Mutasa, ZCTU leaders.

## 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 2018 and March 2019, authorities impeded the registration of, de-registered or arbitrarily dissolved unions in 86 countries out of 145. Many unions in all regions faced difficulties in registering including in **Argentina, Belarus, Burkina Faso, Colombia, Guatemala, Honduras and Panama.**



### Regional: Percentage of countries which have de-registered unions

<b>MENA</b>	95%
<b>ASIA-PACIFIC</b>	73%
<b>AMERICAS</b>	68%
<b>AFRICA</b>	56%
<b>EUROPE</b>	47%

### Middle East and North Africa



In **Egypt**, all independent unions were dissolved in March 2018 and given 60 days to re-register their organisation. Out of 1,000 independent unions, only 122 were able to successfully register their status under the new law within the time frame.

Independent unions in **Algeria** were subjected to a similar fate, as in March 2018 the Ministry of Labour, operating outside of any legal framework, required all 65 certified unions to present proof of their representativity for re-registration. According to the list published later in the year by the Ministry, only 17 trade unions met the criteria. Algerian authorities continued to deny recognition to the *Confédération Générale Autonome des Travailleurs en Algérie* (CGATA), which has been seeking registration since 2013. Despite its undeniable representativeness in the public service, CGATA remained excluded from national social dialogue processes.

In **Afghanistan**, a new entrant to the 2019 Index, the authorities intensified their repression against the National Union of Afghanistan Workers and Employees (NUAWE) by raiding the union's offices several times in April and May 2018 and by instructing the Justice Ministry to cancel NUAWE's registration unless it handed over its legally acquired property to the government.

**Saudi Arabia** continues to deny independent unions.

## Asia-Pacific



In autocratic regimes like **China**, civil liberties are blatantly denied, and any attempt at forming independent unions is relentlessly thwarted by the authorities.

## 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. On 6 and 27 August 2018, the Ministry of Justice refused registration of the organisation under its new name, Congress of Free Trade Unions of Kazakhstan. On 4 September 2018, the government accepted another name that was proposed, the Confederation of Free Trade Unions; however, registration was again declined based on the fact that one of the founding members was subject to court proceedings concerning an unpaid utility bill.

## Americas



In **Paraguay**, OTEP, the teachers' union created in 2017, was still denied registration by the Ministry of Labour, while Sitrande, the electricity sector union, was prevented from carrying out activities and saw its accounts being frozen due to the refusal of the government to grant its registration renewal.

## Africa



In Senegal, several trade union organisations, including SARAA (Syndicat autonome de la recherche Agricole alimentaire) and SYROTEL (Syndicat de travailleurs et opérateurs de télécommunications), were denied recognition by the authorities, preventing them from carrying out any trade union activities.

## 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 64 out of 145 countries in 2019.

Arrests of prominent union leaders were part of the massive crackdown on strike actions which were on the increase in 2019. Three-quarters of countries in the Asia-Pacific arrested workers, and one in four countries (25%) in Europe arrested workers.



**Regional: Percentage of countries which have arrested and detained workers.**

ASIA-PACIFIC	73%
MENA	53%
AFRICA	49%
AMERICAS	36%
EUROPE	25%

### Europe



In **Kazakhstan**, following the arbitrary dissolution of the Confederation Independent Trade Unions of Kazakhstan (CNTUK) in 2017, its leaders had been prosecuted on false charges and sentenced in early 2018. **Nurbek Kushakbayev**, deputy chair of the CNTUK, and **Amin Yeleusinov**, chair of CNTUK's affiliate (the Trade Union of the Oil Construction Company), were sentenced to two-and-a-half years in prison and a temporary ban on public activities after their jail term. After 16 months in prison, Kushakbayev and Yeleusinov were freed on 22 and 28 May 2018. However, former CNTUK leader **Larisa Kharkova**, who had been sentenced to four years of restrictions on her freedom of movement, a ban on holding public office for five years and 100 hours of forced labour on trumped-up charges of embezzlement, remained under strict restriction of her freedom of movement after refusing to pay a fine of 6 million tenge (US\$15,805) to fully compensate for alleged damages.

### Africa



In **Guinea**, authorities intensified their crackdown on unions and arbitrarily arrested several union officials while they were conducting union business. The SLECG general secretary was arrested during their Congress, while the UGTG deputy general secretary was arrested in his hotel room in Boké where he had travelled to check working and safety conditions in mines. The general secretary of the port workers' union was taken into custody during a police raid in the union office and later sentenced to 13 days in jail and a 500,000 GNF fine.

## Zimbabwe – Japhet Moyo and Peter Mutasa

**Zimbabwe** Congress of Trade Unions (ZCTU) Secretary General **Japhet Moyo** and President **Peter Mutasa** were taken into custody respectively on 21 and 25 January 2019, following the nationwide peaceful protest that was brutally repressed by police forces and the army. Moyo was arrested on 21 January 2019, and Mutasa presented himself for arrest in the company of his lawyer on 25 January after being forced into hiding for several days. A few days prior to Mutasa's arrest, police had broken into his home while he was out and allegedly assaulted his brother. While Mutasa was in hiding, ZCTU staff reported avoiding their offices for fear of police seeking his whereabouts. Zimbabwean authorities have a history of targeting ZCTU leaders. In October 2018 already, Mutasa and Moyo – along with 33 other trade unionists – were arrested and later released during an attempt to stop a national workers' protest against a financial tax increase and rising prices. Some trade unionists were beaten, ZCTU Harare offices were cordoned off by some 150 police and ZCTU leaders not already in jail were forced into hiding. In addition, Kwasi Adu Amankwah, ITUC Africa general secretary, who had traveled to meet with the ZCTU leadership and the Zimbabwean Ministry of Labour, was arrested in his hotel room and arbitrarily detained at Harare International Airport.

# Global Trends for Workers in 2019

## 1. Democracy in crisis

The systematic dismantling of the building blocks of freedom and democracy is taking place through sustained attacks on workers' rights and workplace democracy with restrictions on the right to strike, free speech and assembly.

### Strike action and assembly



**WORLDWIDE:** Strikes have been severely restricted or banned in 123 countries out of 145.

### Regional: Percentage of countries that have violated the right to strike

AFRICA	97%
MENA	95%
ASIA-PACIFIC	95%
AMERICAS	76%
EUROPE	68%

### Africa



38 out of 39 countries in Africa violated the right to strike.

Authorisations to go on strike were denied on dubious motives in the following countries: **Benin, Burkina Faso, Fiji, Gabon, India, Namibia, Nigeria** and **South Africa**.

### Americas



19 out of 25 countries in the Americas violated the right to strike.

In **Canada**, 50,000 postal workers were deprived of their right to strike and forced back to work on 27 November 2018 following the adoption of a special law by the federal government. Postal workers had been on strike since 22 October 2018 to demand better working conditions and wages. Law C-89 provided penalties ranging from Can\$1,000 (US\$744) to Can\$50,000 (US\$37,199) for any worker refusing to go back to work and a Can\$100,000 (US\$74,397) fine for any union contravening the law. Several trade unionists who had taken to the street to show support for the postal workers were arrested and taken into custody by the police. They were released shortly after.

### Europe



68% of countries in Europe violated the right to strike.

There was also a growing number of countries where the authorities or employers resorted to court orders to ban strike actions on the dubious pretext that such actions disrupted economic activities. In **Georgia**, the

Tbilisi City Court banned **Tbilisi Metro** workers from going on strike during working hours, stating that the right to strike is fundamental but not absolute and that the disturbance to traffic was not acceptable. This ruling runs counter to the principles enshrined in ILO Convention No. 87.

### Croatia - Croatia Airlines

The airline filed for a judicial ban on strike action in a protracted dispute over the negotiation of a collective agreement. The Supreme Court upheld the ban, while conditions for a legal strike had already been met for a year but the union, in good faith, had been postponing the industrial action in an attempt to reach an agreement.

## Restrictions on free speech and assembly



**WORLDWIDE:** 54 countries denied or constrained freedom of speech and assembly in 2019.

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

MENA	68%
ASIA-PACIFIC	64%
AFRICA	33%
EUROPE	30%
AMERICAS	8%

### Asia-Pacific



64% of countries in Asia-Pacific restricted free speech and assembly.

### The Philippines – Martial law on Mindanao

Since 23 May 2017, martial law has been imposed on Mindanao and habeas corpus has been suspended, among other civil liberties. Its three consecutive extensions in December 2017, 2018 and 2019 are an orchestrated attack on trade union and human rights.

Military operations on the island have turned into a manhunt against trade unionists as the government has tagged them rebel supporters and declared that if they did not surrender to clear their names, they would face charges or run the risk of being killed.

### Hong Kong – City University

In August 2018, the school authority of City University unilaterally removed posters placed on the union board, also known as the democracy wall, of the City University Staff Association which called for “Hong Kong independence”.

### Africa



33% of countries in Africa restricted free speech and assembly

### Mauritania – Union’s Facebook posts withdrawn

On 29 December 2018, **Samory Ould Beye**, CLTM general secretary, was taken into custody by the Director of National Security following the publication of a post on his Facebook page. The authorities also demanded that the post, which was merely Ould Beye’s opinion on rising tensions between Mauritania’s ethnic groups, be withdrawn.

## Europe



Restrictions on the right to strike have seen the biggest increase in six years followed by the right to collective bargaining and the right to establish and join a trade union.

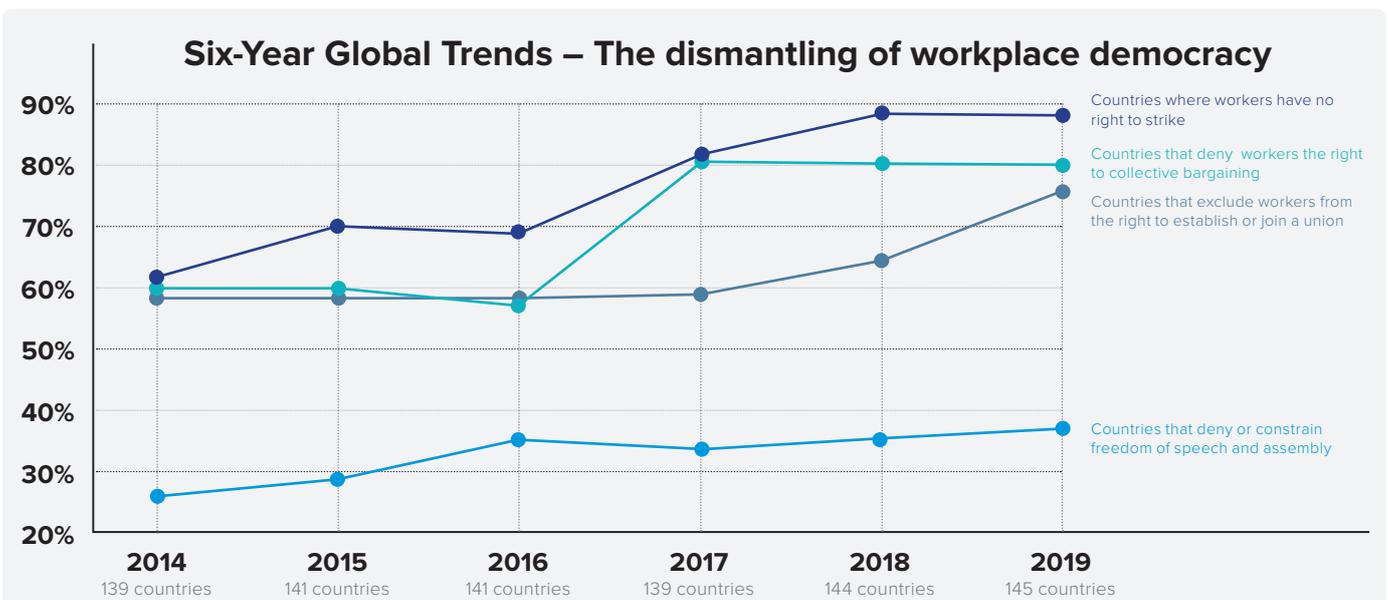
This global trend has led to rising inequality, stagnant wages and the breakdown of the social contract.

### Turkey – Istanbul Airport

**Özgür Karabulut**, president of the union Dev Yapı-İş, was arrested on 5 October 2018 for a speech he made to the workers at the **Istanbul Airport** construction site during a protest. He was charged with violating the law on demonstrations and public assemblies and resisting the police, and was remanded in prison pending trial.

### 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 six 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.



## 2. Silencing the age of anger

The increasing use of violent attacks on workers, arrests and murder is being used to silence workers.

### Serious injuries and deaths



**WORLDWIDE:** Workers experienced violence in 52 countries.

### Regional: Percentage of countries where workers have experienced violent attacks

ASIA-PACIFIC	45%
AFRICA	44%
MENA	42%
AMERICAS	36%
EUROPE	20%

The last year was marked by a significant increase in the degree of violence applied to repress strikes and in the disproportionate use of lethal weapons to curb demonstrations. Often, police and army forces have used tear gas, batons, rubber bullets and even live ammunition against protesting workers, causing deaths and serious injuries, especially in the Asia-Pacific and Africa.

Violent attacks against and targeting of trade union leaders also increased. In 2018, 53 trade union members were murdered in targeted assassinations in eight countries. (**Brazil, Colombia, Guatemala, Honduras, Italy, Pakistan, the Philippines and Turkey**). In 2019, trade unionists were killed in **Bangladesh** and **Zimbabwe** following excessive use of police force during protests.

### Asia-Pacific



Workers experienced violent attacks in 45% of countries in Asia-Pacific.

In **Bangladesh**, one garment worker was killed and 50 were injured after the police fired rubber bullets and tear gas at 5,000 workers protesting on 8 January 2019. Police also raided the homes of some workers, shooting them with rubber bullets and vandalising their houses.

In Myanmar, dozens of garment workers employed at the **Fu Yuen Garment Co Ltd**, a textile factory, were seriously wounded after 40 armed thugs attacked the protesters with metal bars and wooden sticks. The police were called in but made no arrest.

### Africa



Workers experienced violent attacks in 44% of countries in Africa.

In **Zimbabwe**, during the brutal repression of workers' protests in January 2019, 12 people were killed and 70 were injured.

In **Eswatini**, a peaceful demonstration, organised by the Trade Union Congress of Swaziland (TUCOSWA) to deliver a petition to the deputy prime minister's office, was brutally repressed by armed forces on 29 June 2018. The police prevented workers from reaching the deputy prime minister's office by using water cannon and tear gas canisters, and attacked demonstrators with batons. Four members of TUCOSWA were gravely injured and taken to the hospital, while **Majembeni Thobela**, a security guard who was marching this day, received severe beatings and was left unconscious covered with blood on his face from head injuries. The police did not even bother to rush him to the hospital,

and first aid was later applied to him by other marchers. Many demonstrators ran for safety, with pursuing police beating everyone in sight with batons. Some were cornered and severely assaulted by the police. A week after the events, two people were still in a critical state in hospital.



In **Ghana**, the army was called in to violently disperse a peaceful demonstration of mine workers on 13 March 2018 at the **Tarkwa Mine of Goldfields**. Military forces used pepper spray, tear gas and fired warning shots. They also chased and hit workers with batons. During the clashes, one worker was hit by a bullet and rushed to the hospital by the union leadership.

## Americas



While Colombia continues to be one of the most dangerous country for trade unionists, intimidation campaigns and threats were frequent in **Chile** and **Honduras**.

In **Haiti**, **Jean Bonald Golinsky Fatal**, CTSP president, received death threats following his denouncing of state persecution of trade unionists and the criminalisation of

trade union activities. He also appeared on a list of five persons, one of whom, **Lionel Alain Douge** executive director of the tripartite commission on the application of the HOPE Act, was murdered in December 2018.

## Europe



In **Kazakhstan**, **Dmitry Senyavskii**, leader of the FEWU Karaganda Region local branch, was violently attacked at his home in Shakhtinsk by two unidentified assailants on 10 November 2018.

## Mass arrests during protests



### Regional: Percentage of countries where workers have experienced arrests and detentions

ASIA-PACIFIC	73%
MENA	53%
AFRICA	49%
AMERICAS	36%
EUROPE	25%

In addition to the blatant attacks on the fundamental right to freedom of peaceful assembly and demonstration, the criminalisation of the right to strike remains a worrying trend. A significant number of workers and trade unionists were arrested and faced charges for their participation in strikes in many countries, including **Algeria, Bangladesh, Belgium, Cambodia, France, Myanmar, Turkey** and **Zimbabwe**. In **Spain**, the right to strike has been gravely undermined in the last years with the revival of section 315.3 of the Criminal Code, a legislative vestige of the Franco era, which punishes the exercise of the right to strike with a seven-year prison sentence. This provision has been extensively used by the previous and current governments to suppress strikes in Spain. UGT and CCOO have surmised that so far, over 300 workers have been charged under this provision simply for exercising their right to strike.

### Asia-Pacific



In **India**, there were many incidents of mass arrests of workers during peaceful demonstrations. On 23 July 2018, 580 **Tamil Nadu Rubber Corporation** workers were arrested during a strike to demand a wage

increase, while hundreds of midday meal workers were detained for attempting to hold a protest on 6 August 2018. During a similar protest on 30 July, many women midday meal workers who tried to march on a state minister's home to protest a proposed privatisation were injured during a baton charge by the police. Around 3,000 workers took part in the protest and many were arrested, including leaders of the Mid-Day Meal Scheme Workers Union, President **G. Varalakshmi** and **Secretary K. Swarupa Rani**.

In **Vietnam**, peaceful protests against a bill on EPZs on 10 June 2018 were violently repressed by the police, militia and thugs, using tear gas and water cannons. One demonstrator was knocked unconscious and 500 protesters were detained. During their time in detention, protesters were beaten up and their cell phones and other belongings were confiscated. Police released many detainees but still kept dozens of others, threatening to prosecute them on allegations of "violating national security rules and "causing public disorders."

## Africa

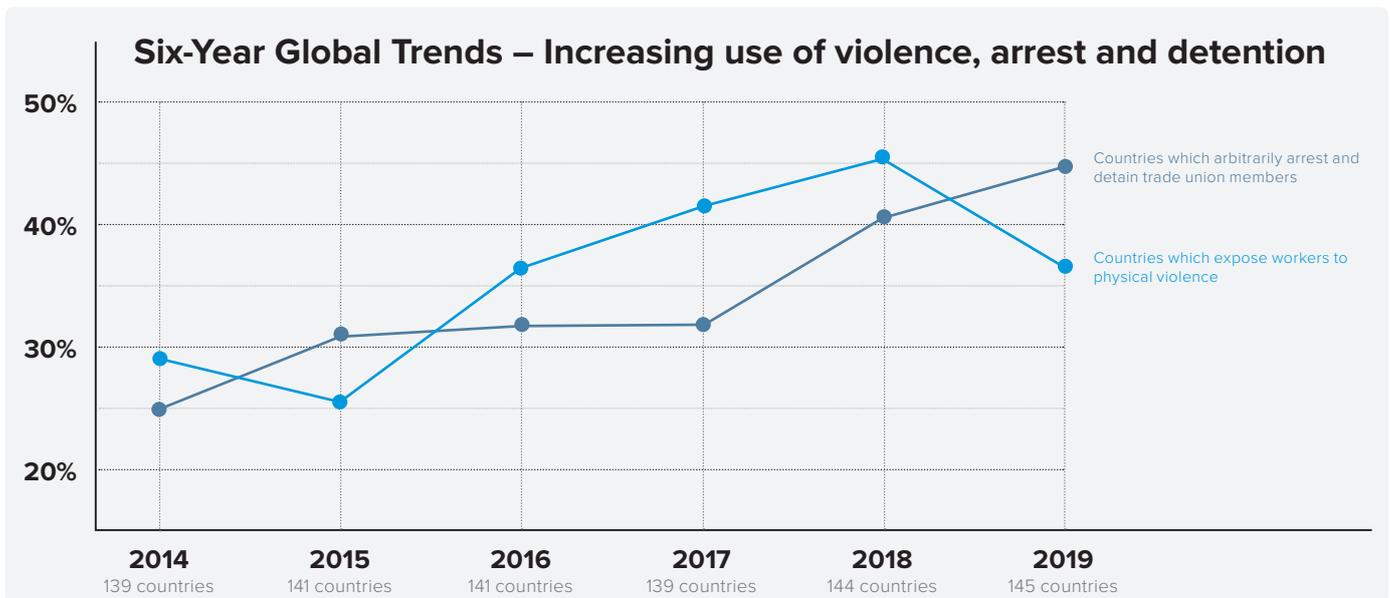


In **Chad**, the security minister invoked security reasons to impose a ban on all demonstrations and threatened to suspend the activities of all political parties and all civil society associations which would “attempt to defy the authority of the State”.

## Workers on the front lines

The repression of workers, use of brutal violence and murder are on the increase. Six-year trend data from the Global Rights Index shows a significant increase in the number of countries where workers are exposed to violence and the number of countries where workers are arbitrarily arrested.

Violence and threats in retaliation for the exercise of freedom of association deprive workers of their rights and create a climate of fear that chills the exercise of that right by others. Trade union activities are harshly repressed, and in a large number of countries, workers risk their life for asserting their basic rights at work.



### 3. Legislative power

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Law-making 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 – Jordan, Turkey**

##### **Jordan – Serious restrictions of freedom of association**

Jordanian labour law has long restricted the rights of workers to exercise their right to freedom of association, to organise and to bargain collectively. These limitations include prohibiting migrant workers, who represent 50% of the Jordanian workforce, from forming their own unions, permitting unions in only 17 sectors set by the government and limiting one union per sector, among others. The latter in particular has made it difficult for new unions to register and carry out activities in the country.

In April 2019, the Parliament adopted amendments to the Labour Law that not only fail to fix these long-standing problems but in fact impose new restrictions on unions. These provisions give discretionary powers to the labour authorities to interfere in trade union structures, to arbitrarily dissolve unions and to replace union leadership with an interim administrative body and to infringe on the rights of trade unions to draw up their constitutions and to elect their representatives in full freedom. These amendments, which gravely undermine freedom of association and trade union activities in the country, are pending royal assent.

##### **Turkey – Serious interference in trade union activities**

In July 2018, the government of Turkey adopted Presidential Decree No. 5 under the pretext of “restructuring government institutions following presidential elections”. According to the decree, the State Supervisory Council, an institution directly accountable to the Office of the President, has been vested with excessive powers limiting the right of trade unions to organise their internal administration, rules and activities. The State Supervisory Council has now the authority to investigate and audit trade unions at any given time. All documents and activities of trade unions may come under investigation without a court order. It also falls under the discretion of the State Supervisory Council to remove or to change the leadership of trade unions. These provisions grant wide discretion to the State Supervisory Council and entail a serious risk of interference in an already tense context for unions in Turkey.

#### **Positive legislative developments – Ireland, New Zealand**

##### **Ireland – Banning zero-hour contracts**

On 20 December 2018, the Irish Parliament adopted The Employment (Miscellaneous Provisions) Bill, which aimed to address the challenges caused by the increased casualisation of work and to strengthen the regulation of precarious employment.

Under the legislation which came into force in March 2019, zero-hour contracts are outlawed, except in situations of genuine casual employment and where they are essential to allow employers to provide cover in emergency situations or to cover short-term absence.

The legislation also provides some important guarantees to improve the security and predictability of working hours for employees. Under the new provisions, employers must give employees basic terms of employment within five days and a new minimum payment must be made for employees called into work

but sent home again without work. In addition, a new right for employees whose contract of employment does not reflect the reality of the hours they habitually work was also created, whereby employees will be entitled to be placed in a band of hours that better reflects the hours they have worked over a 12-month reference period. Finally, the text provides strong anti-penalisation provisions for employees who invoke their rights.

This piece of legislation, which is a major step in improving working conditions for workers on insecure contracts or working variable hours, is the result of a long struggle by **Dunnes Stores** workers and union activists who lobbied on the issue of zero-hour contracts for the last four years. Now, as a result of this legislation, thousands of workers will be able to apply to their employer after 12 months seeking a new contract with secure hours.



**Workers from the Irish retail chain Dunnes Stores protest working conditions, including the company's use of zero-hour contracts prior to the passing of a 2018 law banning this type of abusive contract.**

## **New Zealand – Repeal of regressive labour laws**

The coalition government elected in 2017 continues its repeal of the regressive changes made in employment legislation in 2010 and 2013. Following close consultations with national unions, the Parliament adopted The Employment Relations Amendment Act 2018 on 5 December 2018, which restores protections for employees, especially vulnerable employees, and strengthens the role of collective bargaining in the workplace.

Specifically, the Act restores the following rights into employment law: prohibition of pay deductions for partial strikes (such as wearing T-shirts instead of uniforms as part of low-level industrial action); obligation for businesses to enter into bargaining for multi-employer collective agreements, if asked to join by a union; duty to conclude bargaining for single-employer collective bargaining; extended protections against discrimination on the basis of union membership status, including when intending to be a union member; right to reinstatement as the first course of action considered by the Employment Relations Authority for employees that have been found to have been unfairly dismissed; right for reasonable paid time for union delegates to undertake their union activities; and right of union representatives to enter workplaces without consent.

The New Zealand Council of Trade Unions (NZCTU) welcomed the progress made on the coalition government's commitment to rebalancing working people's rights.

# 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  
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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)

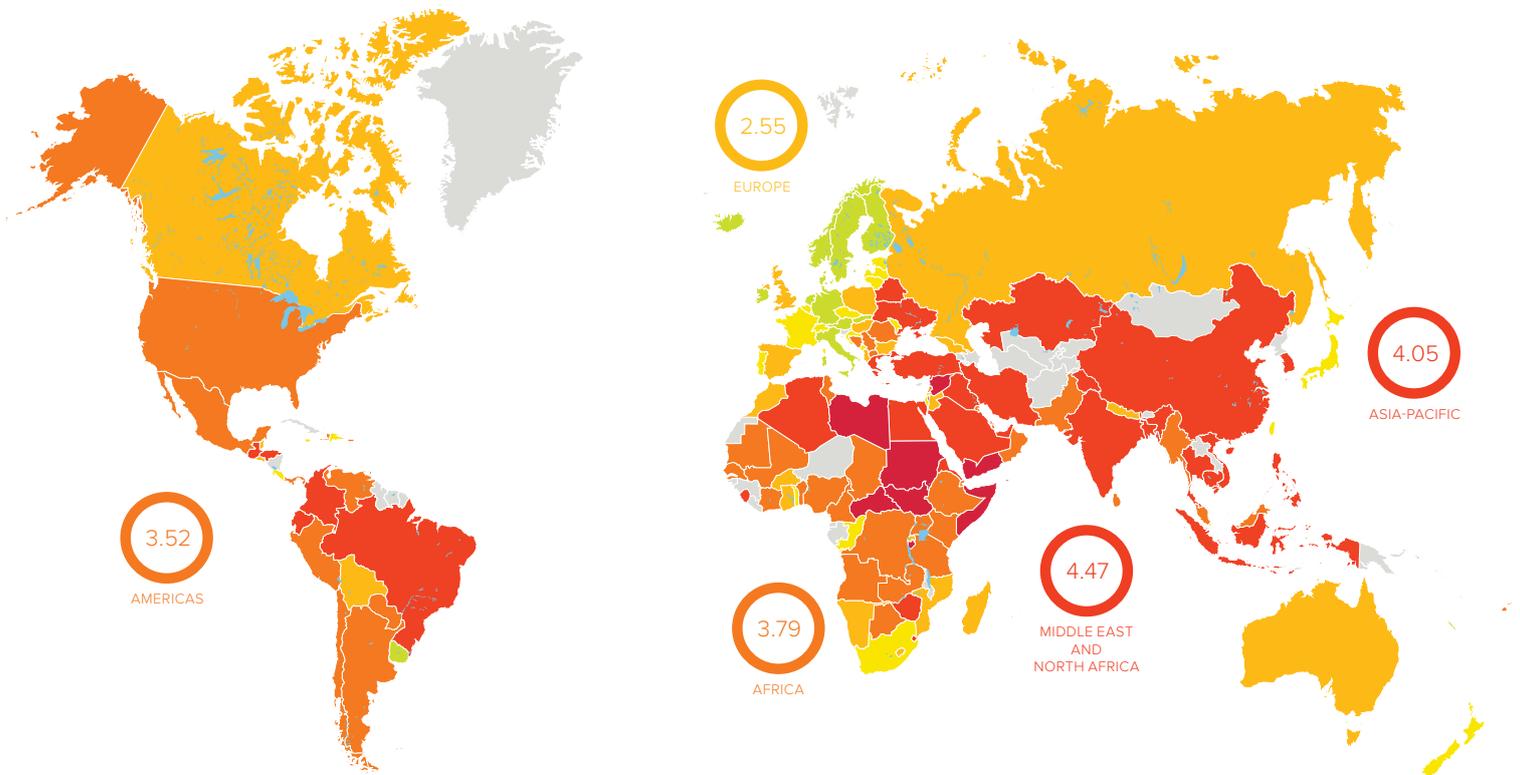
# 2019 ITUC GLOBAL RIGHTS INDEX

## Ten worst countries in the world for working people

 <p><b>Algeria</b></p> <ul style="list-style-type: none"> <li>» State repression</li> <li>» Arrest and criminal prosecution of union leaders</li> <li>» Severe obstacles to union registration</li> </ul>	 <p><b>Bangladesh</b></p> <ul style="list-style-type: none"> <li>» Violence</li> <li>» Mass dismissals</li> <li>» Arrest of union leaders</li> </ul>	 <p><b>Brazil</b> <b>NEW</b></p> <ul style="list-style-type: none"> <li>» Violence</li> <li>» Murder</li> <li>» Collective bargaining undermined</li> </ul>
 <p><b>Colombia</b></p> <ul style="list-style-type: none"> <li>» Murders and extreme violence</li> <li>» Union busting and dismissals</li> </ul>	 <p><b>Guatemala</b></p> <ul style="list-style-type: none"> <li>» Murders and extreme violence</li> <li>» Union busting and dismissals</li> </ul>	 <p><b>Kazakhstan</b></p> <ul style="list-style-type: none"> <li>» State repression</li> <li>» Arrest and prosecution of union leaders</li> </ul>
 <p><b>The Philippines</b></p> <ul style="list-style-type: none"> <li>» Violence and murder</li> <li>» Brutal repression of public protests</li> <li>» Repressive laws</li> </ul>	 <p><b>Saudi Arabia</b></p> <ul style="list-style-type: none"> <li>» Abuse of migrant workers and forced labour</li> <li>» State repression</li> </ul>	 <p><b>Turkey</b></p> <ul style="list-style-type: none"> <li>» Murder</li> <li>» Crackdown on strikes</li> <li>» Mass dismissals and discrimination</li> </ul>
 <p><b>Zimbabwe</b> <b>NEW</b></p> <ul style="list-style-type: none"> <li>» State violence</li> <li>» Arrest of union leaders</li> <li>» Mass dismissals</li> </ul>		

The 2019 ITUC Global Rights Index depicts the world's worst countries for workers by rating 145 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 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

# 2019 ITUC GLOBAL RIGHTS INDEX

## Violations of Workers' Rights



85% of countries have violated the right to strike.



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



The number of countries which exclude workers from the right to establish or join a trade union increased from 92 in 2018 to 107 in 2019.



Countries where workers were arrested and detained increased from 59 in 2018 to 64 in 2019.



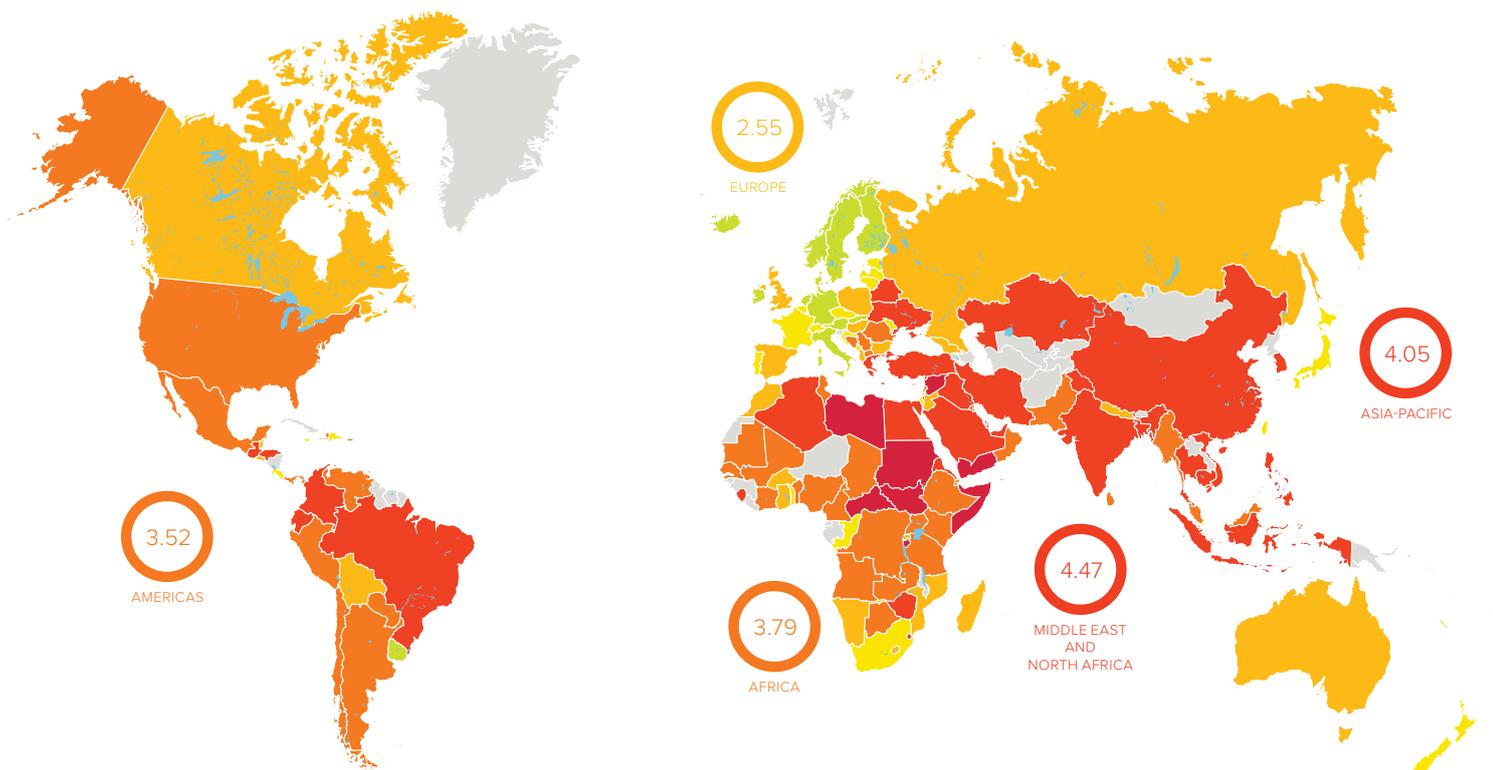
Workers had no or restricted access to justice in 72% of countries.



Authorities impeded the registration of unions in 59% of countries.

The 2019 ITUC Global Rights Index depicts the world's worst countries for workers by rating 145 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.

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## 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 331 affiliated organisation in 163 countries and territories on all five continents, with a membership of 207 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), 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.

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