

Freedom

A Frontlines Report Prepared for the ITUC General Council
October 2015



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Introduction

OUR RIGHTS AND FREEDOMS ARE UNDER ATTACK. DEMOCRATIC SPACE IS SHRINKING AND PEOPLE ARE INCREASINGLY FACING INSECURITY AND FEAR.

Millions of people engulfed in conflicts fear for their lives, driving the greatest movement of refugees seeking safe haven since the Second World War. Global military spending stands at almost \$1.8 trillion, or 2.3 per cent of global GDP. The human and economic cost of armed conflict in Syria, Iraq and elsewhere is incalculable.

Hundreds of millions of people who are not affected by armed conflict also face real and pervasive fear from the repressive hand of authoritarian governments who deny individual rights and freedoms, freedom of association and rights at work.

And people everywhere fear the loss of jobs and income as unemployment continues at historic levels.

People have lost trust in governments. The ITUC Global Poll 2012 found only 13 per cent of people thought voters had any influence on economic decisions. The ITUC Global poll in 2013 found just 13 per cent of people believe their government is focused on the interest of working families, and there is not a single country in the 2014 Global Poll where a majority believes the economic system is fair to most people.

Jobs are being shed, and youth unemployment is becoming structural with signs of social breakdown and social unrest. Inequality is increasing, and the wage share is failing to rebound due to economic stagnation and attacks on minimum wages and collective bargaining. Social protection is under attack at a time when it is desperately needed, reinforcing the impoverishment being driven by austerity and corporate domination of politics. Corruption is becoming even more endemic with yet more evidence emerging of its pernicious effect in every region.

Climate instability is escalating further risk, with catastrophic weather events wreaking havoc on countries and communities, and the spectre of major dislocation and conflict caused by climate change moving ever closer.

Humanity is facing enormous challenges, and these challenges can only be met through engagement and involvement of people in finding the solutions and putting them in place. Democracy is central to the capacity of people to shape their future. Yet for workers and their unions, for civil society and for people everywhere rights enshrined in law, freedom of association, freedom of speech and freedom of assembly are under attack – democratic space itself is shrinking.

Closing Democratic Spaces

THERE IS NO REAL DEMOCRACY WITHOUT FREE, REPRESENTATIVE AND INDEPENDENT TRADE UNIONS.

Collective representation democratises workplaces, allowing workers to gain a fair share of the income their work produces and to negotiate decent working conditions. Unions and collective bargaining reduce inequality by raising wage floors, contributing to poverty reduction and to sustainable economies. Economic demand is dependent on people's purchasing power, and stagnation in the global economy is in large measure due to political decisions to limit or altogether preclude collective bargaining. Thus, trade unions are by definition drivers of a progressive movement for just and equal societies.

However, workers do not exist in isolation from their communities. Democracy and the rule of law are essential in order for unions to be able to effectively contribute to social and economic policies and to hold government accountable when the concerns of working people are not reflected in decision-making processes.

This is why trade unions have stood at the frontlines of struggles for democratic change and social justice throughout history. In many countries we are the organised voice of opposition to governments operating at the behest of corporate power and vested interests. Unions successfully mobilised against the racist apartheid regime in South Africa, and resisted the military dictatorships by organising strikes and mass protests in countries such as Brazil.

More recently, the UGTT has been crucial in mobilising and negotiating the democratic transition in Tunisia while avoiding the level of bloodshed suffered in other countries during the so-called "Arab Spring". Unions

were the driving force behind the drafting of a Tunisian constitution which guarantees fundamental principles such as the separation of powers, an independent judiciary, freedom of association, the right to organise and the right to strike. The achievements of the UGTT form part of the great tradition of union activism for democracy and the rule of law around the world.

However, repressive governments and their corporate allies are further intensifying their efforts in cracking down on democratic spaces. Trade unions, civil society organisations and social movements which demand public scrutiny, accountability and participation pose a potent threat to the concentration of power that benefits a small elite.

Fundamental rights, such as freedom of assembly, association and expression, which not only form the pillars of democratic societies but also enable workers and citizens to have a say in decision-making, are under attack under the guise of a security agenda in many countries.

Threats of terrorist activity are being used as a Trojan horse by governments as a pretext to clamp down on fundamental freedoms which are the mainstay of any democratic society. In other countries, austerity measures and the desire to attract foreign investment have been used to propagate repressive laws and policies, stifling participation.

Legal and institutional barriers are being introduced in order to limit active public influence. Almost half of the world's states have implemented controls that affect tens of thousands of organisations across the globe curtailing the right to freedom of assembly, association and expression.

In other cases, the lack of a legal framework has reinforced the traditional marginalisation of women, young people, and minorities. In these cases, existing cultural norms and power relations determine who participates in political life and who is left at the margins.

There has been immense increase in the number of arbitrary arrests and detentions of workers for exercising their rights in a legitimate and peaceful manner. According to the findings of the 2015 ITUC Global Rights Index, the number of countries where these were used to silence and intimidate activists rose from 35 to 44 in the past year.

Last year the Hong Kong Commissioner of Police announced that “key organisers” of the Umbrella movement, including trade union leaders, would be arrested in response to the peaceful assemblies and protests carried out.

In Europe, activists have been arrested or subjected to criminal charges for opposing austerity measures through strikes and protests, including in established democracies such as Spain.

Uzbekistan and neighbouring countries have repeatedly used trumped-up criminal charges against civil society activists.

Some 1,400 people were sentenced to death in Egypt in 2014 for protests-turned-riots related to political unrest. And around 1,900 detainees were tortured after being detained for participating in Bahrain’s 2011 protest movement.

According to the Committee to Protect Journalists, 61 journalists were killed worldwide in 2014, while information compiled by Global Witness revealed that at least 116 environmental activists were murdered in 2014.

Repressive governments have also used burdensome and vague registration processes lacking transparent criteria as an obstacle to trade unions and civil society. Applications are not reviewed in a set time limit, and applicants are not given an explanation or an appeal process when being denied registration. Applications are held indefinitely and denied without explanation.

In at least 57 countries, laws restrict the free establish-

ment of trade unions without previous authorisation, limiting their ability to carry out peaceful and legitimate activities. Civil society activists are also increasingly targeted through such processes. In China a new law has been adopted that requires NGOs to register with the police and obtain approval to carry out activities, and submit annual activity plans and budgets to a supervisory unit.

Moreover, governments have started to control and cut funding for democracy and fundamental rights-related programmes. International support groups face harassment and threats of vexatious legal action, and international solidarity actions are increasingly prohibited.

India has labelled environmental NGO Greenpeace as “anti-national”, blocking its bank accounts, deporting foreign workers and preventing local staff from travelling abroad. Licences for more than 13,000 organisations in India have been revoked for alleged violations of a law on foreign funding.

The Belarussian dictatorship is targeting independent trade unions fighting for the genuine representation of workers, by controlling and limiting solidarity funds from abroad.

In Kazakhstan and Azerbaijan there are serious restrictions to foreign support for trade unions.

Central governments certainly play a major role in the global trend to close democratic space. Local politicians are often also part of the problem having corrupt relationships with security forces, businesses and organised crime, rendering peaceful and legitimate activities difficult and even dangerous. This is particularly prevalent on issues such as land and resources, involving energy companies, extractive industries, large scale agriculture and property development. In addition, some multilateral organisations are known to condone abuses by governments or contractors.

A recent report by Human Rights Watch, *At Your Own Risk*, has revealed that the World Bank failed to support an enabling environment for public participation and social accountability in countries where it has programmes and where space is limited or closing. Nor has the World Bank proactively raised with governments efforts to undermine these rights — even in cases where people

have been targeted for abuse precisely because they attempted to communicate rights-related concerns to World Bank Group accountability mechanisms. Government and company officials have intimidated or harassed critics of World Bank Group-financed projects, threatened them with physical assault, death, and baseless criminal charges and placed them under surveillance. Some women activists have faced gender-based threats and abuse. In other cases, government and company officials have threatened critics' livelihoods, including by threatening to terminate employment, cutting employment benefits, or increasing workload.

People are responding by organising globally and making their voices heard outside of established politics. In many places around the world, citizens from various backgrounds rally behind issues and causes that deeply affect their lives but are ignored by their governments.

In Chile, after a twenty-year absence of popular mobilisation, a broad coalition of students and trade unions have started to demand universal and democratic public education, stronger measures protecting workers' rights, and the separation of business from party elites and policy making. On 28 March 2015, more than 100,000 people took to the streets, and a fortnight later, over 200,000 demonstrated nationwide expressing their discontent with the inadequacy of the education reform.

Tens of millions of Indian workers joined a national strike called by ten major trade union bodies in September 2015 protesting at plans announced by Prime Minister Modi to deprive large segments of India's workforce of labour-law protection at the behest of local and foreign investors.

Indonesia's main trade union centres KSBSI, KSPI and KSPSI launched a national campaign over minimum wages and labour laws with a 25,000-strong demonstration of workers in Jakarta this September.

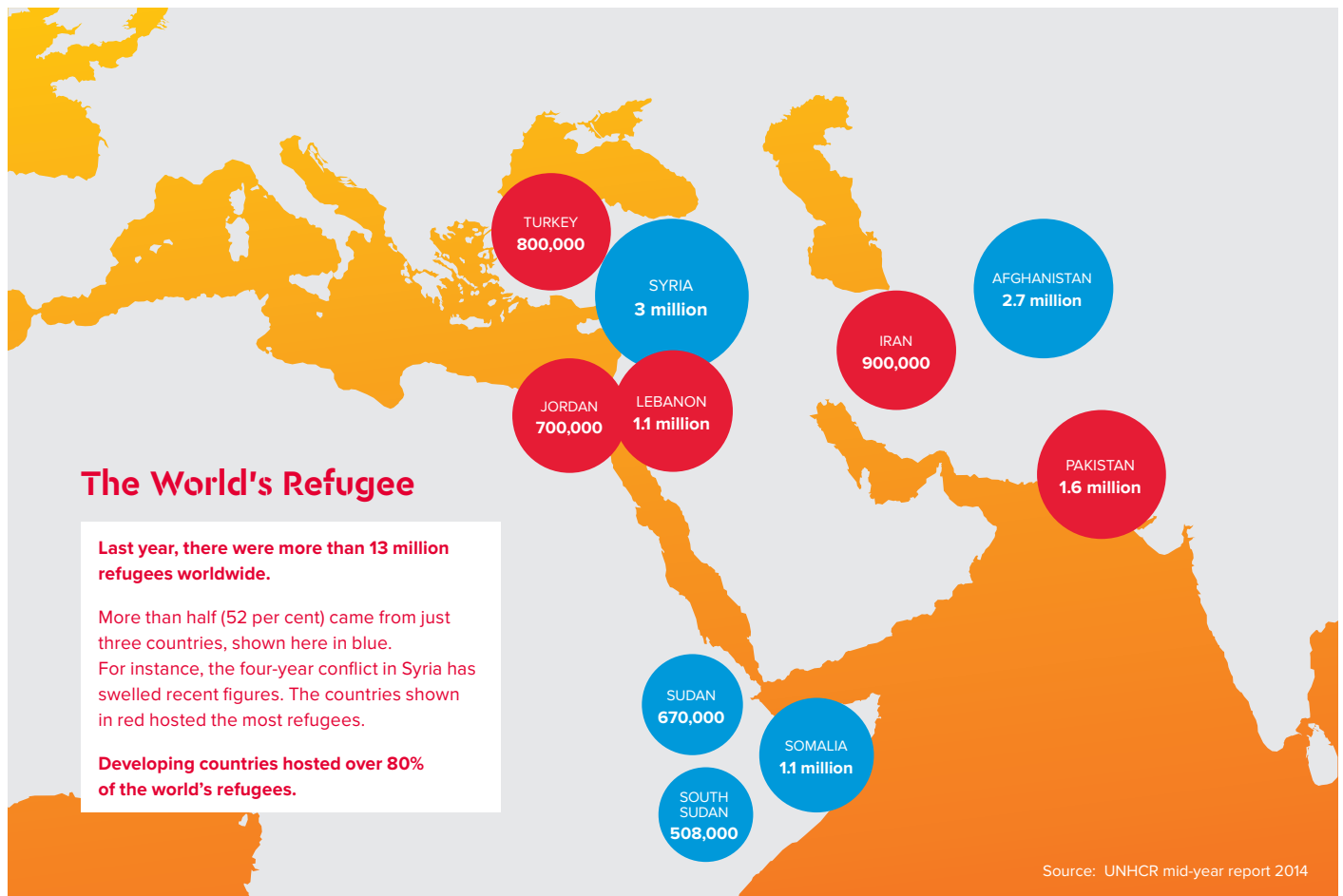
Protests are attended in large numbers but still remain mostly peaceful despite often disproportionate and violent reactions from the security forces. It is clear that in all countries, including democracies with progressive governments, political space and democracy must be demanded and defended by workers and citizens.

The Consequences of Attacks on Rights and Freedoms and ITUC Responses

Consequence: Conflict and Displacement

The most dramatic and tragic consequence of the current state of global affairs is the scale of displacement of people due to armed conflict. Governments in some countries are attacking their own citizens, people are

taking up arms against each other in ethnic and land-based conflicts and people are fleeing from their homes due to the fear of terrorism and extremism.



The world faces the worst refugee crisis since the Second World War, with 80 per cent of displaced persons in developing countries. Recent events have awakened governments in Europe to the crisis but not all have yet accepted responsibility for accepting refugees fleeing war, terror and abject poverty. Countries like Turkey, Lebanon and Jordan need more assistance. In almost all nations the compassion of people is ahead of that of their governments.

New figures from UNHCR show nearly 60 million people were displaced from their homes by the end of 2014. Half of the displaced are children. Nearly 14 million people were newly displaced in 2014. Turkey, Iran and Pakistan host the largest numbers of refugees. One in four refugees are hosted in developing countries.

Bringing an end to conflict and displacement requires real political commitment, international cooperation and action which goes beyond the specific interests of any nation. Trade union action must be part of this, and the ITUC is responding through our frontlines and priority areas work on peace and migration.

Response: Peace

The ITUC is committed to non-proliferation of nuclear and other weapons of mass destruction, and the implementation of the UN Arms Trade Treaty and will coordinate a union delegation to the Disarmament for Development Conference in Berlin in September 2016.

Regional and sub-regional activities will also focus on

Response: Migration

Migration is an ITUC priority, and in addition to the 2016 plans outlined, we will continue to fight for social protection and the right to work along with other civil and political rights for all refugees and asylum seekers. We will continue to demand adequate resourcing for assistance to displaced persons and for displacement to be recognised as a development challenge.



"People here are doing what they can, they share but they don't have enough for themselves. We are here because of the war, what we want is for the war to stop and we want to go home."

**Busan,
Syrian Refugee in Turkey**

Photo: ITUC

the attacks on freedom of association and its role in ensuring stability, economic security and social peace.

The Arab Trade Union Confederation has initiated work on countering terrorism with a major conference in 2015, and has developed a follow-up work-plan for 2016.

We recognise the compassion and generosity of the Turkish people in opening their homes and communities to two million refugees, and congratulate Germany on their leadership in Europe. All nations need to do more to welcome refugees, and address the causes and consequences of this global crisis.

Consequence: Corruption

Corruption is invading the spectrum of human activity. Governments, public officials, corporations and sporting, cultural and community bodies are being caught up in, or damaged by, corruption scandals in every region. Added to this, corporate tax evasion continues to cause enormous fiscal harm, and companies are increasingly able to use the possibilities of the digital economy to avoid the law, including labour law. Many countries lack the political will to legislate and prosecute, and thus the rule of law cannot keep up.

The scandals around FIFA have opened a new front in the fight against corruption, and shown the links between corruption and violation of workers' rights.

Corruption is undermining our financial systems, our democracies and the rule of law.



"I speak as a player, if Qatar does not change its way we will have the World Cup of shame and slavery for not respecting human rights."

Abdeslam Ouaddou,
ex-Moroccan Footballer

Photo: Damienne Caron

Response: Global Coherence

Tax evasion is a major issue with support for the OECD Principles to end base erosion and profit shifting (BEPS) now agreed by the G20.

The campaign for a financial transaction tax (FTT) continues.

The CGU has a tax network coordinated by the PSI and international governance with UN responsibility is called for.

And the "sports rights" work with the IOC started with the Play Fair campaign resulting in the commitment by the Olympics Committee to "human rights and inter-

national obligations" for host cities/nations and now extended to athletics and other sports. The Institute for Human Rights and Business and the OECD have significant initiatives for rights and transparency concerning the rule of law in host nations and sporting bodies.

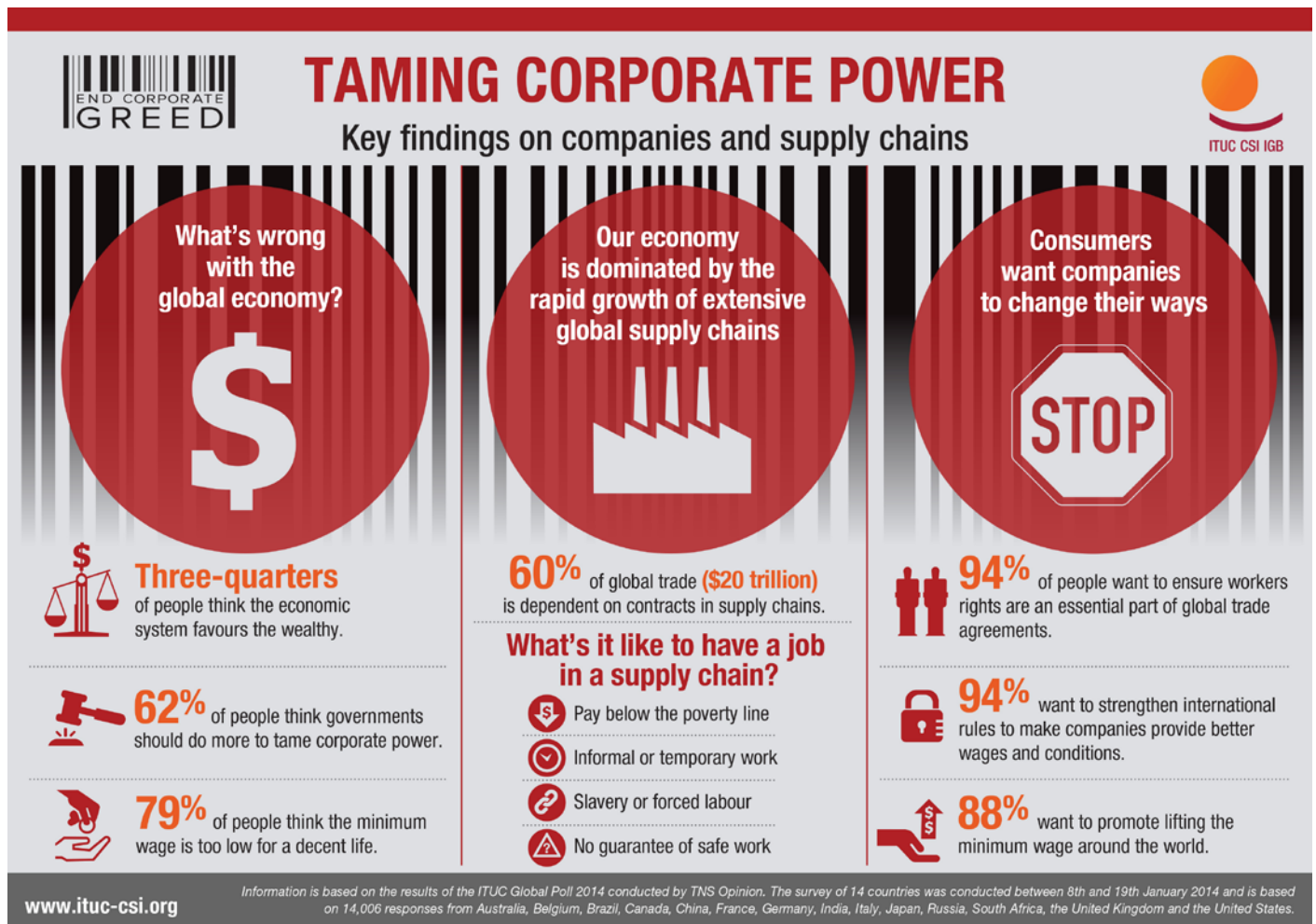
The call for an "independent reform commission" for FIFA has now been supported by major sponsors. The campaign will continue with pressure for commitment to labour rights in all host cities/nations, including in Qatar. Further, such fundamental rights must be respected in the supply chains of all construction, production, transport and services associated with sporting events.

Response: Taming Corporate Power

The power of MNEs has now become so dominant that it has corrupted global trade. CEOs know their profits are too often driven by low wage levels that people cannot live on; that these profits risk safety with the result of indefensible workplace injuries and deaths; that these profits are increased by tax evasion or tragically linked to pollution of community land and water even while their lobby teams are turning governments against the rule of law that would hold them to account.

The hidden workforce of corporations through supply chains equals tens of millions of workers and increasingly includes informal work and slavery.

The ITUC campaign to “end corporate greed” will drive a global mobilisation against the corruption of supply chains and for a minimum living wage, rights, safe and secure work backed by both national and cross-border rule of law. The G7 has recognised the seriousness of the issue but now needs to act.



Response: Eliminating Slavery

Qatar has been the focal point of work to end slavery and that will continue. The ITUC has also extended this work to the UAE, Mauritania, Niger and Paraguay. The ILO Forced Labour Protocol enables us to organise within and across nations.

But corporations using slave labour will also be targeted with exposure and where possible with litigation.



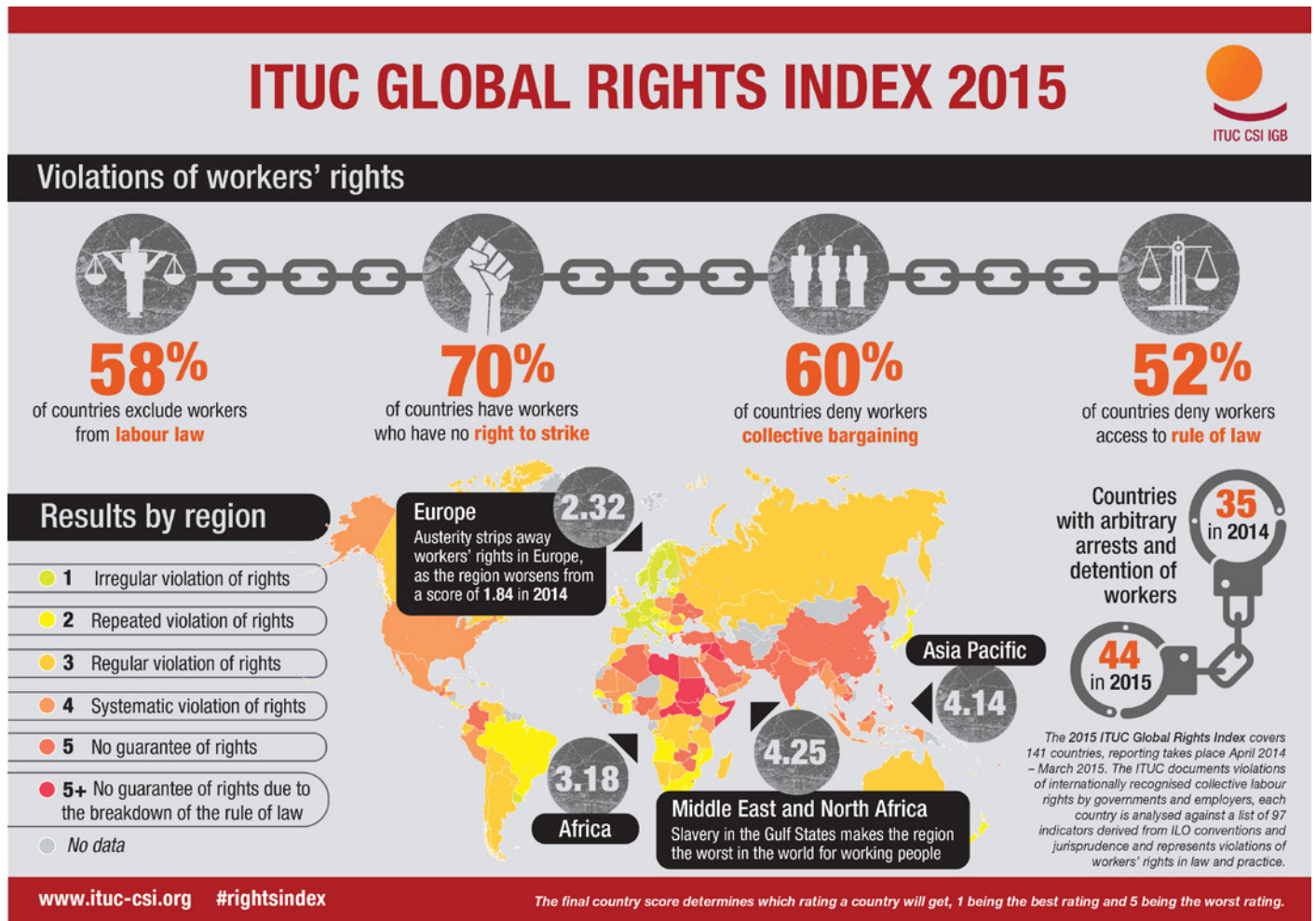
Response: Countries at Risk

The ITUC, with TUCA, campaigned successfully for the special UN International Commission Against Impunity in Guatemala to continue its work, which has now resulted in corruption charges against the President of Guatemala and other top officials.

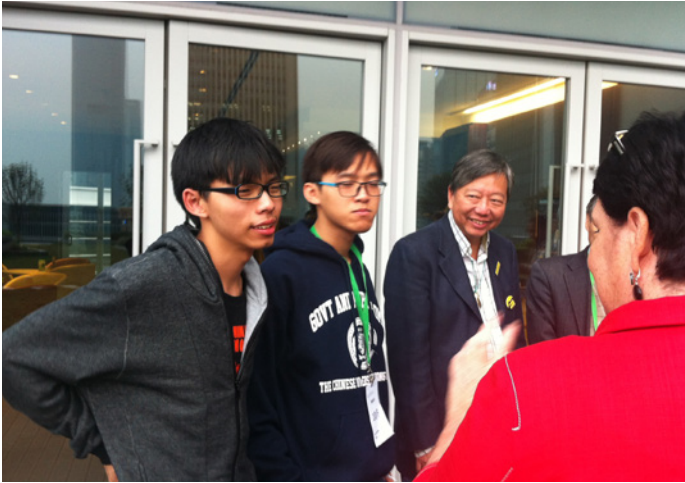
The link between corruption and egregious violations of workers' rights, including the murders of many trade unionists, is clear in Guatemala, and the beginning of a new chapter in Guatemala's history may now be possible.

Consequence: Impunity and Violent Crime

Conflict in many countries has resulted in impunity and violent crime. Along with Guatemala trade unionists are arrested, imprisoned, assaulted and tragically murdered. The ITUC Global Rights Index recorded an increase in arrests in 2015.



Violence against women is increasing. Thirty-five per cent of women worldwide have experienced violence whether physical and/or sexual, and between 40 and 50 per cent of women experience unwanted sexual advances, physical contact or other forms of sexual harassment at work.



"Being involved in the civic square action is the best mission I have made in the four years I've been involved in social student movements. I will not regret it... if I have to pay the price."

**Joshua Wong,
Hong Kong student leader**

Photo: ITUC

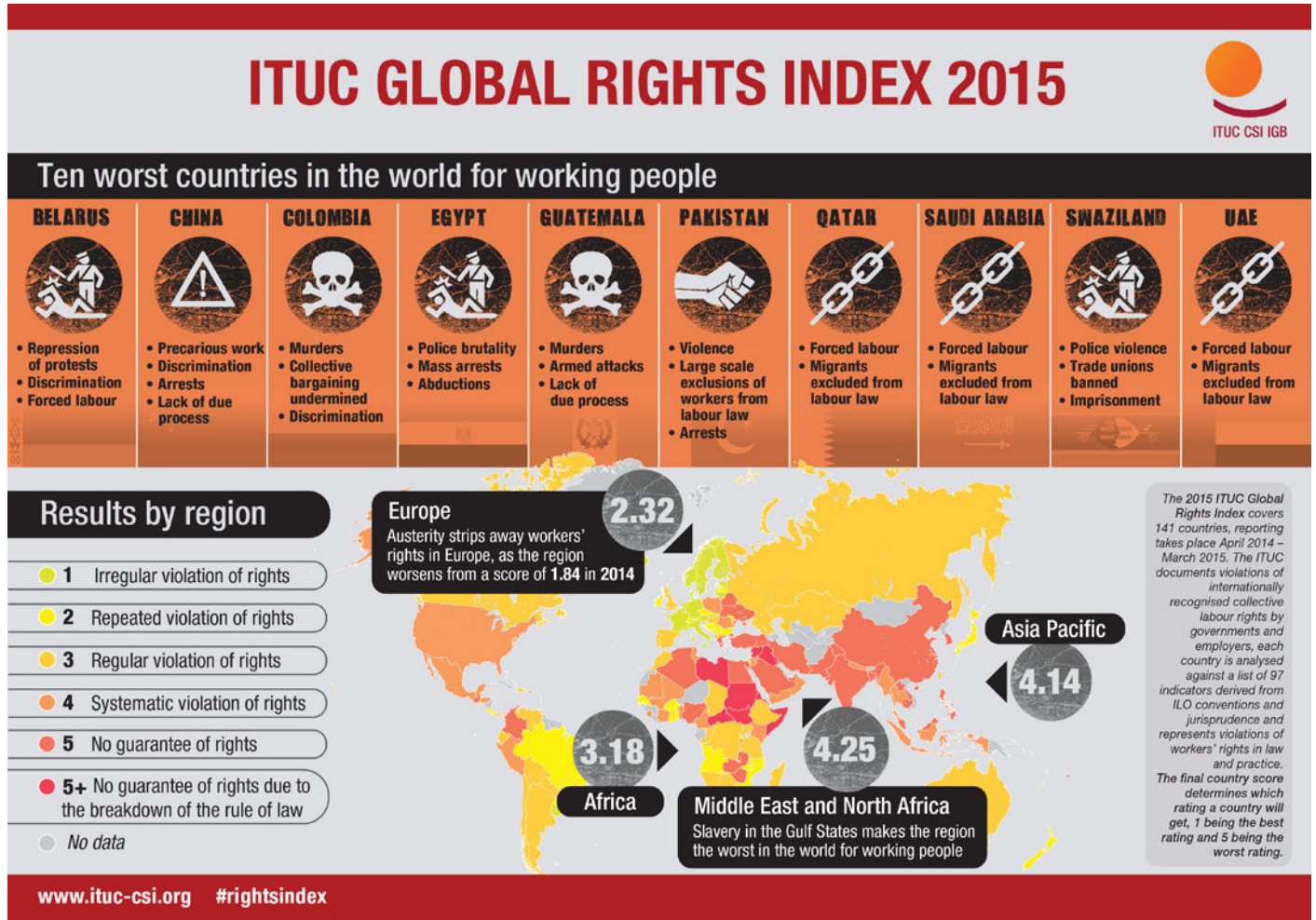
Response: Countries at Risk

The ITUC watch list is focused on both national and international remedies for impunity. Amongst ongoing organising and advocacy, the current demands for ILO Commission of inquiries include Guatemala, Fiji and Qatar.

The ITUC is also committed to a securing a new ILO standard on gender-based violence.

Consequence: Inequality and Attacks on Workers' Rights

The attacks on workers' rights has escalated, and while the Global Rights Index finds the Arab states to be the most oppressive region for workers, Europe has shown the greatest deterioration in rights in 2015.



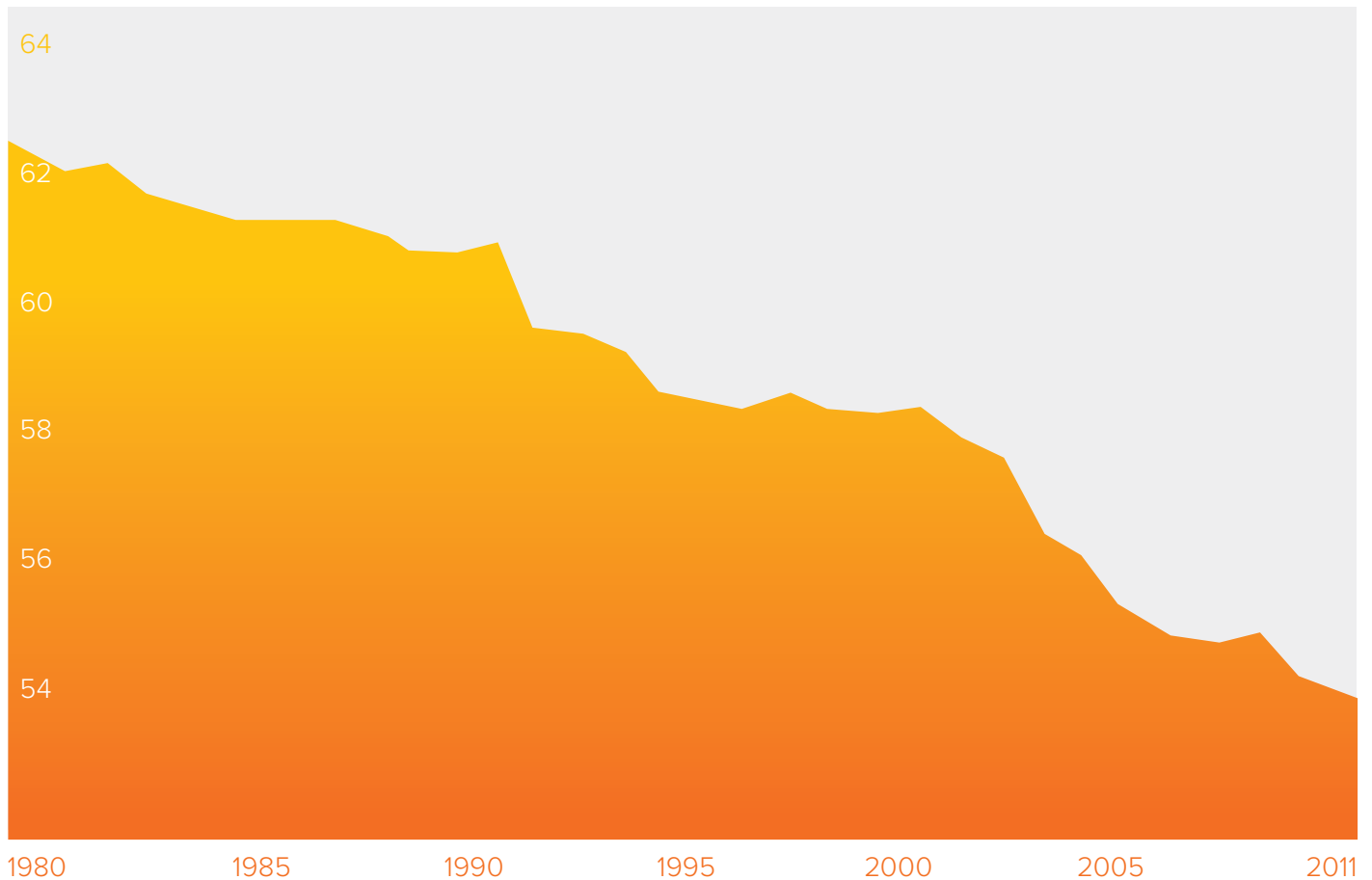
When combined with low wages and a slump in the wage share in almost every country, inequality is increasing and global demand has slumped, putting jobs at further risk.



"Employers don't share their wealth. If you can't bargain, you can't get a decent wage."

**Cristina,
Spain**

Labour income as share of total global output



Source: UNCTAD (2013) Trade and Development Report 2013, p. 14.

Response: Global Coherence

Inequality is now recognised as a global risk by all the IFIs, but the battle for the solutions – minimum living wages, collective bargaining, rights and social protection – continues.

The G20 Labour Ministers endorsed these measures as a large part of the answer to lift income share. The challenge is to get leaders to do the same and to drive implementation.

The refugee crisis demands global solutions. The ITUC supports the right to work alongside other political and social rights with the guarantee of social protection.

Response: Organising

Organising and mobilising members holds the key to building workers' power and in turn being able to balance the power through policy reform and collective bargaining. The ITUC Organising Academy is focussed on training lead organisers to ensure just that.

Defending democracy and basic freedoms is the cornerstone of the work of the ITUC, and is a key feature of many of our activities. In 2016, it is proposed to hold a one-day summit on Democratic Rights and Freedoms in connection with the 16th meeting of the ITUC General Council.

There can be no compromise on democratic rights and freedoms.

