

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Turkey: Planned legislation fails to guarantee workers' rights

Amnesty International has written to the Turkish authorities expressing concern that draft labour rights legislation fails to meet International Labour Organization (ILO) standards.

While the draft legislation contain some positive developments, namely in the protection of some public sector workers' rights to collective bargaining, it still falls significantly short of Turkey's workers' rights obligations.

The Turkish authorities must ensure that legislation is brought into line with ILO Conventions to which it is party as per the detailed guidance issued by the ILO Committee of Experts.

In particular, Amnesty International raised the following concerns with the Minister for Labour and Social Security:

The maintenance of thresholds of union membership required for collective bargaining at the sector, enterprise or workplace level constitute a breach of workers' fundamental right to freely and voluntarily choose their associations, and unreasonably restrict their rights to collective bargaining.

At the very least, a union that does not have a majority in a workplace should be able to represent and bargain for those workers who have chosen to be members of that union.

Draft provisions on the right to strike also fall well short of ILO standards. The legislation should only limit the right to strike to workers in essential services as narrowly defined by the ILO. Political, solidarity and general strikes should also be permitted.

Significantly, the draft legislation also fails to address judicial processes that allow employers to challenge and undermine organising efforts in workplaces and enterprises. Bureaucratic procedures for authorising collective bargaining will also stay in place.

Amnesty International has organised a postcard appeal calling on the Turkish authorities to ensure that the ILO standards are applied in the labour law reform. So far 20,000 appeals have been made, including 15,000 from across Turkey.

Following Constitutional amendments approved in a referendum in 2010, the government of Turkey have an opportunity and a responsibility to deliver law reform that ensures the rights of workers in Turkey. Amnesty International has urged the government to ensure that labour law reform meets the standards of the ILO Conventions and follows the guidance of the Committee of Experts.

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