

Geneva, 29 May 2020

Mr. Volodymyr Zelensky
President of Ukraine
11 Bankova St. 01220 Kyiv, Ukraine

By e-mail: Presidentpressoffice@apu.gov.ua; pressoffice@apu.gov.ua;
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IndustriALL Global Union calls on the Government of Ukraine to withdraw draft labour law # 2681

Dear Mr. President,

I am writing this letter to you as the General Secretary of [IndustriALL Global Union](http://www.industrial-union.org), which represents more than fifty million workers in mining, energy and manufacturing sectors throughout the world, including Ukraine, to express our opposition, as well as our deep concern, regarding the new draft law # 2681. Therefore, we urge you to withdraw immediately this draft law, which infringes on fundamental labour rights.

IndustriALL Global Union joins our affiliates, the Ukrainian trade union federations, and the International Trade Union Confederation (ITUC) in voicing our strong protest and opposition to the imposition of a new anti-union draft law # 2681, which was introduced by the Parliamentary Committee on Social Policy and Protection of Veterans on 27 May.

It is our firm view that this draft law is in contravention of the Constitution of Ukraine, fundamental conventions of the International Labour Organization (ILO), particularly the Convention 87 on Freedom of Association and Protection of the Right to Organize, and the Convention 98 on the Right to Organize and Collective Bargaining, as well as the provisions of the EU-Ukraine Association Agreement.

We are extremely concerned about the potential impact of this draft on trade unions and workers. Its current provisions, inter alia, would seriously undermine the freedom of association in Ukraine:

- allowing only two unions per company;
- setting a minimum membership of a union by at least ten members which deprive workers of small businesses of their right to form or join a union;
- allowing the creation of external “control commissions” with unspecified power over unions;
- excluding unions that have “managerial” staff among their members from collective bargaining;
- removing employer’s obligation to provide collective bargaining information to unions within one week;
- undermining the tripartite social dialogue obligations; and
- seizing the union property that was in the union’s possession for nearly 30 years since Ukraine’s independence.

Furthermore, if this draft were adopted, these changes would eliminate the system of social dialogue in Ukraine, which is the basis of the European social model that your Government is trying to be part of.

We would like remind you that in the middle of the COVID-19 crisis, Mr. President, democracy, democratic rules and democratic governance are key in overcoming the current challenges. Trade unions are the key actors in establishment and development of the democratic infrastructure of your country as elsewhere in the world. I urge you to create the necessary enabling environment for trade unions to operate properly rather than putting barriers in front of them.

Our global union expects you to put people's rights and expectations first, before business and economic interests.

Therefore, we call on you to remove this draft law without any delays, and act in full accordance with international labour conventions, which have been ratified by Ukraine, and the EU-Ukraine Association Agreement.

Please know that our tens of millions of members throughout the world are in support and solidarity with the Ukrainian people, workers and trade unions in their legitimate struggle for their fundamental rights. We strongly urge your government to come together with trade unions and find solutions to the problems, if they existed, through a genuine constructive dialogue.

I expect your prompt action and reply.

Yours sincerely,



Valter Sanches
General Secretary

CC:
IndustriALL Global Union's Ukrainian affiliated trade unions