



The Honourable Volodymyr Zelenskyy
President of Ukraine
Office of the President of Ukraine
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By registered mail

cc: e-mail: letter@apu.gov.ua

Embassy of Ukraine in Sweden

2020-06-26

Violation of international labour standards (ILS) relating to the draft law #2681 “On trade unions”

Dear Mr President,

We write to you on behalf of the Swedish trade union confederation - LO.

We have followed with concern the apparent rush to pass draft law No. 2681 and other draft labour legislation in violation of relevant international labour standards and have had occasion to express these concerns to your government and parliament earlier this year.

However, as we understand it, on 27 May the draft bill 2681 was considered by the Committee of the Verkhovna Rada of Ukraine on Social Policy and Protection of Veterans Rights – a step towards its passage into law.

We recall that we have drawn your attention to very serious violation of Conventions 87 and 98 of the International Labour Organization (ILO) in this draft, including provisions:

- Limiting the exercise of the right to freedom of association by arbitrarily reducing the number of workplace unions;
- Denying managerial staff the right to form or join a union;
- Setting a minimum membership threshold which undermines the right of workers to form or join unions of their choice, especially workers in small- and medium-sized enterprises;
- Creating a new trade union supervisory body with wide and unchecked powers to control the activities of trade unions;
- Removing the employer’s obligation to provide collective bargaining information to trade unions;
- Removing trade union access to the check-off system for trade union membership dues collection and granting the government power to confiscate trade union property, thereby undermining trade union independence and autonomy.

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The Swedish Trade Union Confederation



We are deeply concerned at the lack of any meaningful involvement of unions regarding draft legislation No. 2681 developed by members of the Parliament and its non-compliance with the Constitution of Ukraine and its international obligations.

We reiterate that under international labour standards, the government of Ukraine is responsible to the International Labour Organization (ILO) for ensuring compliance with its obligations. Also, at the national level, you, Mr President, are the guarantor of the Constitution of Ukraine. The government cannot renege on these national and international obligations.

In compliance with the letter and spirit of the principles of freedom of association underpinning the constitution of the ILO and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), the government of Ukraine has a duty to ensure that legislation with implications for the exercise of labour and trade union rights have the full and meaningful involvement of representative trade unions.

More so, we make reference to paragraph 5(c) of the Tripartite Consultation (Activities of the International Labour Organization) Recommendation, 1976 (No. 152) obliging Member States to consult representative trade unions on “the preparation and implementation of legislative or other measures to give effect to International Labour Conventions and Recommendations”.

We call on your good offices to take steps, working together with the leaders of the Ukrainian Parliament, to suspend any further deliberations on this draft legislation and to immediately seek the ILO’s technical expert advice and support to analyse the draft bill while taking concrete steps to engage in meaningful consultation with the representative trade unions. Any passage of the draft trade union law number 2681 without the full and meaningful involvement of trade unions as well as its non-compliance with international labour standards and the Constitution of Ukraine will undermine the reputation of Ukraine as a reliable international and trade partner.

We count on your cooperation.

Susanna Gideonsson, President of LO Sweden

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