

ANNUAL GENERAL MEETING
SECOND SESSION

29 October 2009

RESOLUTION

On the protection of freedom of association and freedom of expression
in the ILO

The Staff Union of the ILO, convened in its Annual General Meeting (second session) on 29th October 2009,

RECALLING that freedom of association is a fundamental right proclaimed by numerous international instruments, in particular by the Constitution of the ILO, Convention No. 87 of 1948 on Freedom of Association and Protection of the Right to Organize, Convention No. 98 of 1949 on the Right to Organize and Collective Bargaining, Convention No. 135 of 1971 on Workers' Representatives, and Convention No. 135 of 1971 on Labour Relations in the Public Service, recognized by the Staff Regulations and protected by the ILO Administrative Tribunal;

ALSO RECALLING that freedom of association has a corollary in freedom of expression, which makes it possible for union representatives to communicate freely with their members, and through which, as was emphasized by the Committee on Freedom of Association, "The publication and distribution of news and information of general or special interest to trade unions and their members constitutes a legitimate trade union activity and the application of measures designed to control publication and means of information may involve serious interference by administrative authorities with this activity";

EMPHASIZING that the General Assembly has already adopted important resolutions on this subject, and especially the resolution on social dialogue in the ILO, the resolution concerning the position of legal adviser to the ILO Staff Union, and the resolution in defense of freedom of association, collective bargaining and against arbitrary transfers;

FURTHER EMPHASIZING that Article 3, Paragraph 2, of the Recognition and Procedural Agreement concluded between the Administration and the Union on March 27, 2000 recognizes the right of the Union to benefit from facilities in the exercise from its activities, which are "without prejudice to acquired rights or long-standing customs and practices on this matter";

RECALLING THAT, according to a long-standing practice which constitutes an acquired right, the Union has always had the ability to publish "user broadcasts" by using the email system of the ILO, without any preliminary control of the contents of these messages by the Administration;

NOTING a deterioration of the situation as regards protection of freedom of association and the right to the collective bargaining within the ILO, leading to the Extraordinary General Meeting on March 10, 2009;

DENOUNCING the latest decision taken by the Administration on October 27, 2009 to censor a “user broadcast” of the Staff Union Committee, which invited the staff to read the Staff Union Bulletin No. 1401 called “Recruitment and Deception”;

CONSIDERING that this decision of the Administration constitutes a serious attack on freedom of association and freedom of expression within the ILO;

REQUESTS the Staff Union Committee to organize all actions which it deems necessary in order to ensure respect for the principles of freedom of association and freedom of expression within the ILO and to prevent all new attempts to censor “the publication and the distribution of news and information interesting in particular the trade union and his members”.