

EPSU asks Turkish government to respect trade union rights and stop criminalisation trade union work

(14 January 2014) Edgar and Günter summarised it well what we had heard this morning sitting on the wooden benches in a cold courtroom in Ankara. "We are shocked that trade unionists are prosecuted in this manner in Turkey. If participating in strikes and demonstrations, and organising them is a criminal activity and seen as radical, then we are all radicals".

Together with the Austrian colleagues of EPSU affiliate GdG we had participated in the first hearing of the trial brought against 502 trade union leaders and their supporters. We were joined by Fatma a colleague of the Dutch union AbvaKabo and several other colleagues that composed the international trade union delegation that attended the hearing in which trade union leaders stood trial.

The reasons for the trial

The Turkish confederation KESK organised a demonstration to protest against the draft Public Services Trade Union law and against the changes proposed to the education system, 28-29 March 2012. The police intervened in the demonstration, prevented a press conference and used violence to break up the demonstration. Demonstrators were injured and damage to public properties were caused by police trucks. The public prosecutor brought complaints to 502 trade union leaders, members and others supporting the strike and action including from the confederations KESK and DISK and the professional organisations of doctors and of engineers and architects. The public prosecutor charged the union leaders with organising the strike and demonstration, and with the damages done to public property. It is the largest case against trade unionists in Turkey. Several hearings will take place in the course of the year.

The hearing

The first of these hearings in which the international delegation observed the proceedings was on Monday 13 January 2013 in the [Ankara Court](#). This hearing

focused on the leadership of KESK (including its President and General Secretary) Egitim-Sen (the Education union), the President of the Ankara branch of SES (the health union) and the former President of DISK. Several workers, teachers, also stood trial.

The unionists explained the reasons for the actions they had undertaken. The strike and demonstration were to protest the proposals of the ruling AKP party to introduce changes to the educational system which according to many would destroy the public spirit and allow more religious teaching. It raises the risks of pushing young women into traditional role of house-wive, and even might lead to child labour as the changes allow parents to keep children from school. It also changes the role of teachers. The strike and demonstration also underlined the protests against the law on public sector unions which would still curtail rights to collective bargaining and strike despite several times the European Court of Human Rights and the ILO had demanded profound changes from the Turkish government.

The union leaders defended the trade union rights, the rights to demonstrate and the right to strike and stressed how much these are part of democracy and democratising Turkey. Based on the evidence brought by the unions, it was clear that police had prevented workers from joining in the demonstration and that the government was seeking to criminalise the unions. The judge summarised the testimony checked by the lawyers of the union colleagues, seated on both sides of the court room in green cloaks. All asked for the case to be dismissed and pleaded not guilty. Our brothers and sisters standing trial could be convicted to 3-5 years in jail.

EPSU has sent a letter to the Prime Minister demanding the dismissal of the case and asking the government to stop criminalising the unions and to respect trade union rights, trade union activities and trade unionists as part of European protests.

More to come

Another hearing takes place on 23-24 January 2014 in Istanbul. Once again it involves trade unionists and leaders which have been pursued by the government during raids in February 2013. The Supreme Court already dismissed the cases but the prosecutor sent them back. Also in this case an international union group will observe the trial. The EPSU General Secretary will participate.

For more background information see the briefing below.

And on the general situation

It was also an opportunity to meet up with other union colleagues. [KESK and many others](#) had participated in a big rally against the corruption of the ruling party on Saturday 11 January. Following the demonstrations in Gezi Park and Taksim square, which were seen by some as demonstrating that people were resisting the more and more authoritarian regime, the situation is changing in Turkey.

The municipal elections are seen to be a moment that could lead to small changes in March 2014. Also in the unions changes are taking place with new leaderships and organising drives. While unions are opposing public private partnerships such as running hospitals financed partly with funds of the European banks they also offer opportunities for organising new members.

The changes to the trade union law make it easier for workers to become trade union members now the notary requirements have been abolished even though registrations go through an eState-portal. But there are still problems as employers learning about the union membership seek to dissuade workers from joining or seek them to become members of a different union.

And that is exactly how also in the public sector the court cases against KESK members are used to discriminate against the union members to hinder their work or prevent promotion as was explained by one of the human rights defenders in Turkey.

The court case was attended by union delegates from Austria, Cyprus, Denmark, France, Germany, Greece, Slovenia, Sweden, UK as well as a representative of ETUC and the EPSU Deputy General Secretary.

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