

Africa

In Africa, the implementation of labour laws - when in place- and respect for trade union rights, remain problematic. Numerous violations were again recorded in 2010. In addition to the structural issues, unions in the region often have to grapple with anti-union actions both from private employers and governments. Lawful strikes are difficult to call in many countries, and [strike](#) repression is rife and often leads to violence.

The most common form of industrial action, a strike is a concerted stoppage of work by employees for a limited period of time. Can assume a wide variety of forms. See general strike, intermittent strike, rotating strike, sit-down strike, sympathy strike, wildcat strike repression is rife and often leads to violence. In Swaziland, where constitutional freedoms have been suspended by a state of emergency in force since 1973, trade unionists who had gathered for May Day celebrations were brutally attacked by police, who also carried out violent arrests and searches. Siphho Jele, one of the arrested unionists, died in custody. Unionists in South Africa also faced harsh police repression and violence throughout the year. On several occasions police fired rubber bullets and used tear gas and water cannons to break strikes. Workers on picket lines were also harassed and intimidated, and approximately 100 South African unionists were arrested in 2010.

In Djibouti, unions operate in a very difficult environment. For several years, trade unionists have been subjected to constant harassment by the authorities, and in March 2010 the [ILO](#) expressed its deep concern at the government's complete lack of goodwill to settle cases of trade union rights' violations. Arrests, imprisonments, injuries and dismissals are also common, as evidenced by the apprehension of 300 striking railway- and dock workers.

An [ILO](#) Commission of Inquiry also confirmed in March that the government of Zimbabwe is responsible for serious and systematic violations of fundamental trade union rights. Arrests, detentions, violence and torture of trade unionists and workers occurred while nationwide events were organised by the unions.

Unprecedented social protests began in Tunisia after the self-immolation of an unemployed graduate on 17 December and the suicide of another man. Many protesters, who were demanding actions against unemployment and corruption as well as respect for fundamental rights, were beaten by the police, arrested and fired at with live bullets. Government interference in the trade union movement was constant up until the final days of 2010.

Violence against workers and trade unionists were common in Africa in 2010. For example, in Uganda, police fired live ammunition during a [strike](#), killing two workers and severely injuring a third; in Zambia, protesting mineworkers were shot and injured by their Chinese managers; in Mauritania, riot police used extreme violence against demonstrators on several occasions; and in Algeria, anti-riot police brutally suppressed a [strike](#) in Rouïba.

[Organising](#) is a difficult task in the region. In Sudan, the Labour Code essentially denies trade union freedoms, and only allows for one trade union federation – which is controlled by the state. Workers in Libya and Egypt faced a similar situation. Although [freedom of association](#) and the right to organise is recognised in other African countries, legal restrictions make free [organising](#) difficult in countries like Botswana, Djibouti and Lesotho. In practice unions also face considerable hurdles. For example, in Equatorial Guinea the authorities do not recognise

unions, and in Eritrea trade unions only enjoy limited rights to organise and all unions are kept under close scrutiny by the totalitarian government.

[Organising](#) in the export processing zones ([EPZs](#)) proves an even bigger challenge to unions: employers often refuse to recognise unions, and abuse and harassment of workers who join unions is widespread. Violations of trade union rights occur in the [EPZs](#) in countries like Nigeria, Ghana, Kenya, Mozambique and Togo.

In countries where unions are allowed to organise freely the problem of union proliferation may occur. The situation is perhaps the gravest in the Democratic Republic of Congo, where the authorities and employers have purposely encouraged the formation of hundreds of unions over a number of years with the view of weakening the trade union movement. A lack of objective criteria for [recognition](#) of representative unions in the labour laws of Côte d'Ivoire and Senegal has also undermined the work of representative unions and contributed to union division. In 2010, yellow unions were reported for example in Burundi and Ethiopia.

Unions in Africa also have to struggle with a lack of respect for [social dialogue](#) and [collective bargaining](#). This problem can take many shapes, including very weak [social dialogue](#) (e.g. Liberia), exclusion of some trade union organisations from tripartite structures (e.g. Mali and Mauritania), negative climate or hostile stances towards unions (e.g. Namibia and Benin), failure to implement tripartite protocols and decisions (e.g. Togo and Malawi), and lack of or limited [collective bargaining](#) in the public sector (e.g. Angola, Central African Republic, Egypt and Libya). Strikes or threat of strikes are often necessary to force the authorities to the bargaining table.

The labour laws of many African countries contain excessive restrictions on trade union rights. In addition to the oft-recurring limitations imposed on free [organising](#), the right to [strike](#) is commonly very restricted and, as a consequence, lawful strikes are difficult to call. Where workers do go on [strike](#), repression often follows in the form of violence, arrests, harassment and dismissals, as evidenced by the events in for example Algeria, Egypt, Kenya, Senegal, South Africa and Swaziland. In general, the application of labour laws and [ILO](#) conventions is problematic, also since the labour inspectorate is often weak and inefficient. The conditions in which the latter have to work are often extremely difficult. They often lack decent means of communication and transport and are generally seriously understaffed. This further complicates the enforcement of trade union rights on the continent.

Benin - 2011

- [Introduction](#)
- [Background](#)
- [Legal](#)
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Population: 8,900,000

Capital: Porto Novo



Strikers had their salaries docked in violation of the legislation. The government banned all demonstrations regarding the disappearance of a high-ranking official, a member of the opposition party and a public-service trade union. The trade unions have reproached government for their disregard for [social dialogue](#). Trade union rights remain severely restricted.

ILO Core Conventions Ratified:

29 87 98 100 105 111 138 182

reported violations - 2011

Murders: none reported

Attempted Murders: none reported

Threats: none reported

Injuries: none reported

Arrests: none reported

Imprisonments: none reported

Dismissals: none reported

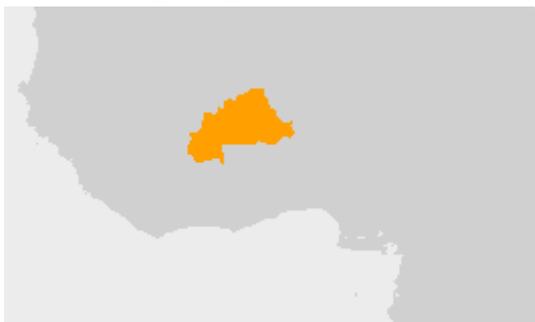
Documented violations - actual number of cases may be higher

Burkina Faso - 2011

- [Introduction](#)
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- [Legal](#)
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Population: 15,800,000

Capital: Ouagadougou



Within the country, trade unions continued to strengthen their inter trade union actions and succeeded in making their voice heard, not only on work-related issues but also on major socio-economic issues. However, public and private companies often fail to respect trade union rights.

ILO Core Conventions Ratified:

29 87 98 100 105 111 138 182

reported violations - 2011

Murders: none reported

Attempted Murders: none reported

Threats: none reported

Injuries: none reported

Arrests: none reported

Imprisonments: none reported

Dismissals: none reported

Documented violations - actual number of cases may be higher

Côte d'Ivoire - 2011

- [Introduction](#)
- [Background](#)
- [Legal](#)
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- [Violations](#)

Population: 21,100,000

Capital: Yamoussoukro



The political crisis has prevented the full exercise of trade union rights. The absence of criteria governing representativeness and growing divisions continue to undermine the trade union movement. While there are limitations, fundamental trade union rights are guaranteed by law.

ILO Core Conventions Ratified:

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reported violations - 2011

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Attempted Murders: none reported

Threats: none reported

Injuries: none reported

Arrests: none reported

Imprisonments: none reported

Dismissals: none reported

Documented violations - actual number of cases may be higher

For more information, please check the following address:

<http://survey.ituc-csi.org/Africa-Global.html?lang=en>