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PERC/AL/pw

Brussels, 20 March 2012

Dear President,
Dear Prime-Minister,
Dear Chairperson

Kyrgyz Draft Labour Code

The International Trade Union Confederation (ITUC) has been informed by the Federation of Trade Unions of Kyrgyzstan (FPKg) that a new Labour Code will be considered by the Parliament of Kyrgyzstan this week. The ITUC requests that the hearings be postponed.

According to our information, the draft law does not provide a sufficiently supporting environment for collective bargaining as prescribed by ILO Conventions 98 and 154, both ratified by Kyrgyzstan. It also limits the workers' right to strike by introducing an excessive list of sectors where strikes are prohibited. This is in clear violation of ILO Convention 87. Overall, the new legislation worsens the situation of workers of Kyrgyzstan.

Furthermore, there was no process of consultation with representative workers' and employers' associations, in violation of ILO Co. 144, also ratified by Kyrgyzstan.

The ITUC urges the Parliament of Kyrgyzstan to postpone the adoption process and the Government of Kyrgyzstan to ensure full and genuine consultations with the social partners about the new law prior to any parliamentary discussions.

The ITUC strongly advises the Government to avail itself of the technical assistance of the International Labour Office in order to ensure that the provisions of the new law are in conformity with the ILO conventions ratified by your country.

The ITUC is willing to support such a request, which can be submitted by the Government or by the Federation of Trade Unions of Kyrgyzstan.

Once again, the ITUC urges you to postpone the hearings and to ensure that the new labour code is not enacted.

We remind you that the government of Kyrgyzstan must fulfill its obligations and respect trade union rights. Should the Labour Code be adopted at this stage, the ITUC will not hesitate to take up this matter with the ILO to ensure that the International Labour Standards are respected and that all the workers in Kyrgyzstan enjoy nothing less than the rights that are guaranteed to them under international law.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'A. B.', written in a cursive style.

General Secretary

Encls.: Unofficial Russian translation

CC: - FPKg
- ITUC Moscow Office