



Brussels, Geneva, 13 December 2018

Mr Guy Ryder
Director-General
International Labour Organization (ILO)
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Update: unjust verdict against union leaders in Belarus upheld, elected union leaders forced to step down

Dear Mr Director-General,

We are writing to you on behalf of [IndustriALL Global Union](#) and the [International Trade Union Confederation](#) (ITUC) to give you a further update on the situation in Belarus and particularly about ongoing persecutions of independent trade union leaders of the Belarusian Radio and Electronics Industry Workers' Union (REP), Gennady Fedynich and Ihar Komlik.

The City Court of Minsk decided on 9 November to uphold the guilty verdict against two trade union leaders in Belarus. Currently, both Fedynich and Komlik have been removed from their elected leadership union positions.

In an unfair trial and in the absence of convincing evidence, both leaders were convicted for large-scale tax evasion and have been ordered to pay a large fine, which together with all court expenses along with administrative fines total approximately US\$25,000. In addition, they are subject to a four-year suspended imprisonment, and a ban on holding senior positions for five years.

IndustriALL and the ITUC strongly disagree with this court's verdict, and its decision to uphold its unfair ruling.

The entire case is based on accusations of illegal use of international aid supposedly received by the union in 2011-2012. The authorities accused the leaders of non-registration of the aid with governmental authorities and nonpayment of taxes on the income received from the aid.

According to numerous eye-witnesses of the trial, most of the evidence presented in court seemed either rigged or collected in violation of legal norms in Belarus, or were not relevant to the period in question. Some witnesses declared they had been forced to take testify in court under duress.

Even if the accusations against the union leaders could be proven in court, receiving international aid cannot be considered as a violation per se, as the right to donate, receive and use foreign aid falls under articles 5 and 6 of the ILO Convention 87 on Freedom of Association and Protection of the Right to Organize, ratified by Belarus.

In 2002, the ILO recommended to the Government of Belarus to amend its national legislation so that national workers' and employers' organizations could receive financial assistance from international workers' and employers' organizations in pursuit of their legitimate aims. Unfortunately, fourteen years after the adoption of the recommendations, trade unions still cannot freely use foreign aid in Belarus and suffer interference in their internal affairs.

Consequently, we reiterate our position and strongly believe that the court ruling seeks to exert pressure on the trade union's leadership to undermine the activities of the trade union, and prevent its active participation in society.

The verdict issued by the court against Gennady Fedynich and Ihar Komlik, is a violation of human rights and freedom of association, in contravention of national legislation, and contrary to Belarus' international obligations.

As long as the verdict remains in force and in light of the severe restriction on their fundamental freedoms, which will negatively affect the normal working and living conditions of both leaders, we consider Fedynich and Komlik as political prisoners.

Therefore, we urge you to raise the issue of political prisoners in Belarus in your communications with the authorities of Belarus and support our demand to review the verdict, and provide a full and unconditional acquittal of Gennady Fedynich and Ihar Komlik.

Looking forward to your reply,

Kind regards,



Valter Sanches
General Secretary
IndustriALL Global Union



Sharan Burrow
General Secretary
International Trade Union Confederation