



KAMU EMEKÇİLERİ SENDİKALARI KONFEDERASYONU

CONFEDERATION OF PUBLIC EMPLOYEES TRADE UNIONS

LA CONFEDERATION DES SYNDICATS DES TRAVAILLEURS DE SERVICE PUBLIC



Ankara, 12th November 2009

Ref: 2009-732/02-114

Subject: One day Warning Strike in Turkey

Dear Colleagues,

As it is known, organizing, establishing trade unions and being member of these trade unions are the basic human rights. Strike and collective bargaining are among the most effective means to protect and expand the rights of the trade unionists.

In our country, Public Employees Trade Unions Law No.4688 violates many articles of ILO Conventions No. 87, 98 and 151 by obstructing our rights to strike and collective bargaining. The arrangements related to the rights to organize, strike and collective bargaining must be aligned with the signed ILO conventions. On the other hand, many decisions of the European Court of Human Rights given in 2006, 2007 and 2008 as a result of the legal proceedings initiated by the affiliated trade unions to our Confederation against the practices aimed at restricting the right to strike and collective bargaining, are ignored by the Government. Particularly after the decision of the ECHR, it is obvious that the table of collective agreement is against the international law. At the same time, disregarding them is also contrary to the Article 90 of Constitution which states that in terms of domestic law international agreements ratified by our country have a binding force for all the administrations and the courts. Instead of our right to strike and collective bargaining, collective agreement mechanism have been put out in Law No.4688 which has no function and enforcement, and by which government unilaterally determine wages and other rights. After the 8th collective agreement in 2009, it has been once again confirmed that there achieved no gains mainly in financial issues, but rather there are usurpation of rights. Whatever talked in collective agreement, and whatever decided in conciliation committee, the final decision is given by the Council of Ministers and by the Prime Minister.

There occurs again no improvement from the last collective agreement which has been made for 9 years, and to which our Confederation has not participated for the last 3 years because our demand for collective bargaining has been rejected by the government. For these reason, KESK has decided one-day warning strike with the motto of "Collective Bargaining Yes Or Strike" on 25th November 2009.

Our warning strike will not be limited by collective bargaining. It will be organized against all forms of exploitation, oppression and discrimination which increase especially with the recent global crisis. Besides this, our warning strike will be in the same day with the International Day of Solidarity and the Struggle for the Violence against Women. Keeping in mind that collective bargaining is one of the important tools in struggling against the gender based discrimination, we will get the opportunity to give voice our demands against all types of gender-based discrimination and violence more intensively and effectively.

The support and solidarity of your Union with regard to one-day warning strike, and sharing this support with Turkish public will increase our determination to carry out our legitimate and actual struggle.

Thank you in advance for showing the necessary sensitivity. I wish you success in your work.

Yours sincerely,

Emirali ŞİMŞEK
General Secretary