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April, 12th , 2021 № 6

Guy Ryder
Director General
International Labor Organization
(ILO)

Сс.: АСТРАV,

Olga Kulaeva,
Director of Moscow ILO Office

Sharan Barrow,
ITUC General Secretary

Ref.: URGENT INTERVENTION OF THE ILO SOUGHT IN BELARUS CONCERNING Amendments to the Labor Code of the Republic of Belarus (draft law "On Amendments to laws" on labor relations) and the draft law "On Amendments to the Law of the Republic of Belarus" On Mass events in the Republic of Belarus» № 1491 dated 03/31/2021.

Dear Director General,

On March 31, 2021, the Council of Ministers of the Republic of Belarus has submitted to the Parliament the draft laws "On amendments to laws" (on labor relations) to the Labor Code of the Republic of Belarus and "On Amendments to the Law of the Republic of Belarus" On Mass events in the Republic of Belarus " № 1491 dated

03/31/2021. On 8th April 2021 the House of Representatives the National Assembly of the Republic of Belarus has approved the draft laws in the first reading.

Amendments and additions to the Labor Code are aimed at opposing the strike movement in Belarus and further tightening the requirements for holding strikes. They introduce additional grounds for dismissal of workers for calls to strike, organization and participation in strikes, and also impose a ban on strikes at enterprises having hazardous manufacturing.

The draft law recognizes the absence of an employee from his/her workplace in connection with his/her serving administrative penalty in the form of administrative arrest as a separate ground for dismissal of an employee on the initiative of an employer. To terminate the contract on this basis, the draft law cancels the prior notification (consent) of the respective trade union.

For suppressing mass protest actions, the requirements for holding mass events are being unprecedentedly toughened, the declarative principle of their holding is abolished. The draft law on amendments to the Law on Mass Events prohibits publicly calling for the organization and holding the public events prior to obtaining permission to hold them as well as establishes responsibility of political parties and public associations (including trade unions) for their members committing actions that violate the established procedure for holding public events.

The above changes in the legislation heavily aggravate the already depressing situation with workers and trade unions rights in Belarus. They allow the government to violate grossly and shamelessly the norms of the fundamental ILO Conventions; continue ignoring the implementation of recommendations of the ILO Inquiry Commission and of the ILO Supervisory bodies.

The Belarusian Congress of Democratic Trade Unions (BKDP) kindly requests the ILO urgently to intervene in this situation and urge the government of Belarus to withdraw the aforementioned draft laws as well as to urge it unconditionally to implement all the recommendations of the ILO Commission of Inquiry and the ILO Supervisory bodies.

Yours faithfully,
Aliaksandr Yarashuk
President of BKDP

