

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



Petition Of The Member Organizations Of The Eastern Partnership Civil Society Forum Georgian National Platform

Member organizations of the Eastern Partnership Civil Society Forum Georgian National Platform express their concern over the illegal dispersal and detention of striking trade union members from Kutaisi metallurgical plant *Herkulesi* with some of them on hunger strike, which took place in the evening of September 15, 2011.

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According to the information provided by the Trade Unions Confederation, a member of the Eastern Partnership Civil Society Forum Georgian National Platform, workers of Herkulesi Plant were exercising their right to strike guaranteed by Article 33 of the Constitution of Georgia, requesting improvement of unbearable working conditions at the factory and reinstatement of their 17 colleagues to work that have been fired for pursuing trade union activities. Full-scale strike that began on September 13 was preceded by a token strike on September 2.

Procedures of strike were implemented in full compliance with the requirements of the Georgian legislation. Therefore, the decision of the law enforcement agencies to disperse the strike lacked legal grounds.

Member organizations of the Georgian National Platform condemn the illegal actions of law enforcement agencies and strongly believe that the following fundamental rights – right to strike, right to freedom of assembly and association, right to collective bargaining, and freedom of labor were violated. The noted action also contains elements of crimes punishable under the Criminal Code of Georgia, such as infringement of the right to strike, illegal encroachment on personal freedom, infringement of the right to assembly and manifestation, prosecution and discrimination based on trade union affiliation. Therefore, we call on

the Georgian authorities not to allow gross intrusion in activities of an independent organization and immediately ensure comprehensive, full-scale and objective investigation for the purpose of instituting adequate penalties against the offenders.

International organizations and diplomatic missions accredited in Georgia to examine the aforementioned incidents and correspondingly evaluate the activities carried out against a civil society institution.

Signatories:

1. Association European Studies for Innovative Development of Georgia;
2. Youth Alternative;
3. Coalition for Civil Development;
4. Green Alternative;
5. Local Democracy Agency – Georgia;
6. Human Rights Centre;
7. Caucasian Institute of Economic and Social Studies;
8. Association of Disabled Women and Mothers of Disabled Children-DEA;
9. Center for the Protection of Constitutional Rights;
10. Public Policy Institute;
11. Center for Environmental Law;
12. Center for Cultural Relations – Caucasian House;
13. Open Society – Georgia Foundation (OSGF);
14. Georgian Young Lawyers' Association (GYLA);
15. International Society for Fair Elections and Democracy (ISFED);
16. Public Advocacy;
17. Union Article 42;

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18. Association Elkana;
19. Energy Efficiency Fund;
20. Multinational Georgia;
21. The Georgian Trade Union Confederation;
22. Levan Mikeladze Foundation;
23. European Integration Forum;
24. Transparency International – Georgia (TI Georgia);
25. The Centre for Strategic Research and Development of Georgia (CSRDG);
26. Healthy World;
27. Association “Woman and Business”;
28. "ABCO - Georgia";
29. Civic Development Institute;
30. Association for Farmers Rights Defense (AFRD);
31. Liberal Academy Tbilisi;