

XS: M-A, Doug, Joe, Jack, Gus, Jack, Larry,
IP, Militant, NO

c/o INPRECOR,
April 6th, 1978

TO: Sections and Sympathising Organisations
Members of the United Secretariat

From: Bureau of the United Secretariat

Subject: Situation in Sri Lanka

APR 15 1978

Dear comrades,

The Bureau wishes to draw your attention to the present situation in Sri Lanka.

In essence, the UNP government is in the process of launching a many-sided attack on basic trade union rights. This being part of a general assault on democratic rights in the island.

The Sri Lanka government has presented its trade union proposals in a so-called "White Paper on Employment Relations"; they include a series of measures which, among other things, would virtually eliminate the right to strike and entitle employers to sack workers at will. These proposals are backed up by a range of punitive measures - automatic dismissal, imprisonment and fines - against individuals, groups of workers and trade union organisations which resist them.

The main features of the "White Paper" are analysed in materials we have included as annexes.

Supporters of the Fourth International, especially through the Ceylon Mercantile Union, have played an important role in the response to these attacks. They have taken part in the formation of a broad front of trade union organisations which is organising protest activity. This front includes all the important unions in the country apart from those controlled by the UNP. We have included information about this front in the annexes to this circular.

The comrades of the Revolutionary Marxist Party, Sri Lanka section of the Fourth International, have informed us that urgent international solidarity action is vital. They have explained that such action will play an important part in assisting the Sri Lanka trade union movement to meet the bourgeois offensive. Already SOHYO (the General Council of Trade Unions of Japan) has issued a statement opposing the "White Paper". In Britain, the Institute of Workers Control has expressed its opposition to the policy of the Sri Lanka government (this was done before the

White Paper was published) and has pledged itself to help to organise activity in solidarity with the Sri Lanka trade unions. In October of last year, the International Union of Food and Allied Workers Associations circularised its affiliated unions alerting them to the developing attack on trade unions in Sri Lanka.

The Bureau suggests that sections and sympathising organisations publish as soon as is feasible articles in their press about the attack on trade union rights in Sri Lanka. It should also be possible to get material on this question into a wide range of journals, especially - in some countries - those associated with the trade union movement.

In addition, the Bureau suggests that comrades discuss the best way they can organise solidarity action including:

- the gaining of signatures from prominent trade union and working class leaders calling upon the Sri Lanka government to withdraw the proposals;
- resolutions of a similar nature through trade union and working class organisations;
- similar protest statements from members of parliaments, deputies, prominent intellectuals, champions of human rights and suchlike. Where appropriate such statements should include pledges of solidarity with the Sri Lanka trade unions.

Comrades in countries having either an historical link with Sri Lanka or containing a Sri Lanka community should consider whether they can initiate activities going beyond the above suggestions (the calling of protest meetings, organisation of pickets, support groups, etc.)

We ask comrades to inform us quickly of all steps that they take in solidarity with the trade union movement in Sri Lanka. They should also inform us of proposals they have for future action. They should send copies of any solidarity statements to the CMU, No. 3, 22nd Lane, Kollupitiya, Sri Lanka.

Comrades writing articles on the question should consult Inprecors Nos 66, 68, and new series Nos 4, 12, 13 and 17; for Intercontinental Press they should consult the 1977 index; and for IP/Inprecor, Vol. 16, No. 5.

We have appended annexes containing material which should be useful for this work. Extra copies can be supplied.

Revolutionary Greetings,
Dave Windsor,
(For Bureau)

copy/

JOINT TRADE UNION DECLARATION ON THE WHITE PAPER ON EMPLOYMENT RELATIONS

The undermentioned trade union organisations have considered the draft law prepared by a Cabinet sub-committee and published as the White Paper on Employment Relations by the Ministry of Labour on 31st January 1978, and we completely reject it.

We are unanimously of the view that, apart from its other objectionable features, the draft law is designed:

1. to suppress the fundamental right to strike of employees in Sri Lanka

(a) by making any strike illegal in any service that the President may declare to be an "essential service", at any time before or after the commencement of a strike in that service, merely by order published in the Gazette, and

(b) by laying down a compulsory procedure for the disposal of industrial disputes in all undertakings in which so-called Employees Councils may be established under orders of the Minister of Labour, and by making it illegal for employees to strike at any of the various stages of that procedure or after their final disposal, irrespective of whatever opposition the employees may have with regard to the manner of such disposal or to any delays in that regard or as to the final disposal of such disputes, whether by settlement between so-called Employees Councils and the employers or by the so-called Conciliation Committees that are to be set up, and

(c) by making it illegal for employers to strike in any undertaking after an industrial dispute in that undertaking may be referred by the Minister of Labour to an Arbitrator, Industrial Court or Labour Tribunal even without the consent of the employees, or with a view to procuring the alteration of any of the terms and conditions of any collective agreement or settlement, or of any Order of a Labour Tribunal or Award of an Arbitrator or Industrial Court, under the provisions of the Industrial Disputes Act, and

(d) by making it illegal for employees to strike FOR ANY REASON, unless written notice of the intention to commence the strike has been given by them or their trade unions to the employers not less than 21 days before the date of commencement of the strike and not more than 30 days from that date, and

(e) by making EVERY EMPLOYEE who participates in or aids or abets any strike that may be made illegal by any of the devices above-mentioned liable to AUTOMATIC DISMISSAL on the basis of being deemed to have vacated employment thereby, and by also making every such employee and every officer of a trade union that conducts or abets such a strike liable to PROSECUTION AND PUNISHMENT BY IMPRISONMENT AND/OR A FINE, on that account, and

2. TO DEPRIVE EMPLOYEES IN SRI LANKA OF THE RIGHT TO DEAL OR TO BARGAIN COLLECTIVELY WITH EMPLOYERS THROUGH THEIR TRADE UNIONS, in all undertakings that may be specified by the Minister of Labour for the establishment of the fake Employees Councils mentioned above, over which the employees will have no control, and
- 3: TO EMPOWER AN EMPLOYER TO GET RID OF ANY EMPLOYEE, irrespective of length of service, by termination of employment, without giving any reason for so doing and without any right of redress for the employee whatsoever, in order to victimise the employee or for any other reason, merely by payment of the limited compensation prescribed for such termination, and
4. TO DEPRIVE EMPLOYEES OF THEIR EXISTING LEGAL RIGHTS TO RECEIVE RELIEF OR REDRESS, INCLUDING REINSTATEMENT, IN RESPECT OF AN UNJUST TERMINATION OF EMPLOYMENT; by making the decision of an employer to terminate the employment of an employee on the findings of a so-called domestic inquiry instituted by the employer UNCHALLENGEABLE before a Labour Tribunal or Arbitrator appointed under the Industrial Disputes Act, on the ground that the employer's decision is unjust, and
5. TO EMPOWER EMPLOYERS TO PUNISH BY TERMINATION OF EMPLOYMENT OR OTHERWISE ALL OR ONLY CERTAIN SELECTED EMPLOYEES for participation in a partial cessation or reduction in the "normal performance" of work in any undertaking, in combination or on a common understanding with each other, by making any such concerted action by the employees unlawful in any circumstances.

In the circumstances, we declare that the real purpose of the draft law is to prevent the workers of Sri Lanka from exercising their fundamental rights as workers, and to deprive them of any security of employment, in order to enable their more ruthless exploitation in the interests of foreign and local capital.

WE FURTHER DECLARE THAT WE SHALL UNITEDLY OPPOSE ANY SUPPRESSION OR RESTRICTION OF THE EXISTING RIGHTS OF WORKERS IN SRI LANKA, INCLUDING THE RIGHT: (1) to bargain collectively or to enter into collective agreements with individual employers or groups of employers, (2) to strike to take any other form of collective action in pursuance of their interests, as they may deem fit, (3) to engage in trade union activity, including picketing and participation in meetings involving stoppages of work, (4) to have recourse to Labour Tribunals and Arbitrators for redress, including reinstatement, against unjust termination of employment.

(2) Picketing against White Paper - 2nd March 1978

The Joint Trade Union Action Committee (JTUAC), consisting of the 16 organisations listed below, has decided that there should be daily picketing commencing from 2nd March 1978, during the lunch intervals, against the anti-working class proposals contained in the White Paper on Employment Relations!

Ceylon Mercantile Union

Ceylon Bank Employees' Union¹

Sri Lanka Independent Trade Union Federation²

Ceylon Federation of Trade Unions³

Central Council of Ceylon Trade Unions⁴

Ceylon Trade Union Federation⁵

Sri Lanka Government Workers Trade Union Federation⁶

Public Service Trade Union Federation⁷

Government Workers' Trade Union Federation⁸

Technical Services Trade Union Federation⁹

Local Government Workers' Trade Union Federation¹⁰

Sri Lanka Jathika Guru Sangamaya¹¹

Ceylon Teachers' Union¹²

Government Clerical Service Union¹³

Sri Lanka Rajaya Lipikava Sangamaya¹⁴

Ceylon Federation of Labour¹⁵

The agreed slogans to be written or printed on placards for the picketing..are the following:

(1) WITHDRAW DRAFT LAW FOR SLAVERY!

(2) HANDS OFF TRADE UNION RIGHTS!

(3) HANDS OFF WORKERS' RIGHTS!

(4) HANDS OFF THE RIGHT TO STRIKE!

(5) WE DONT WANT FAKE EMPLOYEES COUNCILS!

The JTUAC has decided that a Joint Action Committee should be set up in each workplace where there are two or more unions represented in the JTUAC, for the purpose of organising joint picketing on 2nd March and thereafter. All branch Committees in workplaces where there are unions represented in the JTUAC should contact the representatives of those unions.....

+ Footnotes added

(1) under left leadership; (2) SLFP-led; (3) led by pro-Moscow CP; (4) Led by MEP; (5) Shanmugathan CP-led (ex-pro Chinese, now supports Albania; (6) SLFP-led; (7) CP (Moscow) led; (8) LSSP-led; (9) Independent left, close to LSSP; (10) Left- leadership; (11) led by pro-Moscow CP; (12) Mixed left, including JVP, Maoists and others; (13) led by LSSP breakaway group - the so-called Vasu LSSP; (14) led by pro-Moscow CP; (15) LSSP-led.

NB: Some of these organisations refused to sign the common trade union declaration (4, 10 and 13). These small groups gave sectarian reasons for this refusal.

signatures

A.T. Navaratne, President, Ceylon Bank Employees' Union

Batty Weerakoon, General Secretary, Ceylon Federation of Labour

L.W. Panditha, General Secretary, Ceylon Federation of
Trade Unions

P.B. Tampoe, General Secretary, Ceylon Mercantile Union

N. Sanmugathan, General Secretary, Ceylon Trade Union Federation

H.N. Fernando, President, Ceylon Teachers' Union

G.E.H. Perera, President, Government Workers' Trade Union
Federation

J.A.K. Perera, President, Public Service Trade Union Federation

H.M. Wilbert, President, Samastha Lanka Rajaye Lipikara
Sangamaya

T.U. de Silva, Assistant Secretary, Sri Lanka Government
Workers' Trade Union Federation

Alavi Mowlana, Joint Secretary, Sri Lanka Independent Trade
Union Federation

Gunaratne Banda, General Secretary, Sri Lanka Jathika Guru
Sangamaya

H. Ratnapala, Assistant Secretary, Technical Services Trade
Union Federation.

Colombo, 10th March 1978

COPY/

CEYLON MERCANTILE UNION LEAFLET

Resolution adopted unanimously at General Membership Meeting
on 1st March 1978

This General Membership Meeting of the Ceylon Mercantile Union held at Hyde Park, Colombo, on 1st March 1978:

ENDORSES: the decision of the General Council of the Union of 15th February 1978, denouncing the draft law prepared by a Cabinet Sub-Committee and published as a White Paper on Employment Relations by the Ministry of Labour on 31st January 1978, as it is designed to put an end to the right of workers to negotiate and to enter into collective agreements with employers or to strike or to take other forms of collective action through trade unions or otherwise, and to place the workers completely under the dictatorship of employers, in the interests of local and foreign capital:

CONFIRMS the decision of the General Council

- to oppose the implementation of the anti-working class proposals contained in the White Paper by all possible means, including a general strike, and
- to combine with other sections of the working class who may be ready to struggle likewise, as well as
- to call upon international organisations of the working class and organisations of workers in other countries for their support: and

RESOLVES that the General Council and the Executive Committee of the Union take all necessary action accordingly

1st March, 1978

COPY/

THE GENERAL COUNCIL OF TRADE UNIONS OF JAPAN (SOHYO)

Tokyo, 8th March, 1978

The President,
Presidential Residence
Republic of Sri Lanka

Sir,

We of the General Council of Trade Unions of Japan (SOHYO) with a membership of 4.7 million have maintained and strengthened for over twenty years friendly relations with the working people and trade unions of your country. We have deepened mutual understanding and strengthened friendship through the exchanges of delegations or exchanges of views on other occasions.

The improvement of living and working conditions of working people is a common aspiration of workers and trade unions in Asian Region, and from this standpoint we have been deeply concerned with inroads of Japanese capital into Asian countries. Needless to say, Japanese capital making inroads into the Region aims at greater profits brought about by the exploitation of cheap labour in the Region, which has already caused various problems in many places in Asia. In this sense, we cannot help being anxious about the fact that more and more Japanese capital is now flowing into your country.

Further, we are also deeply concerned with the labour policy of your government, which can be gathered from documents including the "White Paper on Employment Relations" published by your government in January 1978. We entertain serious apprehensions that the basic ideas shown in these documents might be contrary to the established principles of the ILO and other international conventions and lead to severe restriction or denial of basic trade union rights.

Your excellency,

We believe that the guarantee of basic trade union rights is a principle to be universally accepted and that these rights should be respected and guaranteed by every government. We do hope that the policy of your government complies with this principle.

continued over/

We, workers and trade unions of Japan, give our support to various demands of workers and trade unions of Sri Lanka for improving living and working conditions, against industrial pollution and labour accidents and for establishing basic trade union rights. We will further strengthen our friendship and solidarity with them.

It is our great pleasure that your excellency and your government amicably respond to the wishes and requests of workers of Sri Lanka and Japan.

Signed
Motofumi Makieda,
President

COPY/

INTERNATIONAL UNION OF FOOD AND ALLIED WORKERS ASSOCIATIONS

Geneva, October 18, 1977

To: all affiliated unions

Concerns: Attack on Trade Union Rights in Sri Lanka

Dear Sisters and Brothers,

Following the general elections in Sri Lanka a new government, known as the United National Party Government, took office in July 1977. Only two weeks after its election to office, the government in a policy statement on August 4, made clear its intention to re-structure the existing trade union movement in Sri Lanka and place all trade unions under state control. Since that date, the government has reaffirmed that position through various announcements, press releases, etc. It has announced its policy to replace the existing "multiplicity of unions" by a system whereby only one union, subject to state control, will be allowed for each workplace. Four government ministers have already been appointed to draft legislation that in essence denies the basic trade union rights which have existed in Sri Lanka since independence. Such legislation will include the denial of the right of workers to join or belong to trade unions of their own choice, the denial of the right of trade unions to make their own rules in relation to strikes, election of leadership, collection and disposal of funds, and subjection of trade unions to general state control.

The situation in Sri Lanka is a serious one. Under the former rule of the United Front Government relations between the government and the unions were already strained. In light of the country's deteriorating economic conditions workers have been experiencing considerable hardships. Unemployment for 1977 reached 1,300,000. It is clear that the government is seeking instruments to paralyse the trade unions so as to be able to drastically reduce the already low living standards, to dismantle such social benefits as may exist and to prepare the country for an influx of foreign capital on the terms dictated by the transnational corporations.

IUF-affiliated unions in Sri Lanka along with others, indicated to the Prime Minister that any legislation directly or indirectly restricting the rights of trade unions or the rights of workers to form or join trade unions will be strongly opposed. In addition an all-out campaign against the government's intended program has been organised.

We have been requested to assist our affiliated unions, and the labour movement of Sri Lanka generally, to defend their rights. This is an urgent matter. The Sri Lanka government hopes that by introducing legislation as rapidly as possible it will meet little resistance from organised labour.

We have sent a cable to the Prime Minister indicating our position and urge you to do the same. An international demonstration of support will not only help the situation of our brothers in Sri Lanka, but also reaffirm internationally the basic freedoms of association, expression, and industrial action to which the trade union movement is dedicated.

Telegrams, cables, letters, etc., should be sent to:

Prime Minister, (note by Windsor - see below)

Junius Richard Jayewardene,

Colombo,

Sri Lanka

We would appreciate receiving a copy of your message.

We thank you for your help in this matter. With best wishes,
I am

Yours fraternally,

Dan Gallin

General Secretary

Cable sent to the Prime Minister Junius Richard Jayewardene:

INTERNATIONAL UNION OF FOOD WORKERS, REPRESENTING 2.2 MILLION MEMBERS IN 61 COUNTRIES OPPOSES MEASURES AND LEGISLATION BY SRI LANKA GOVERNMENT TO RESTRICT EXERCISE OF EXISTING TRADE UNION RIGHTS AND FREEDOMS STOP IUF SUPPORTS PROTESTS BY SRI LANKA TRADE UNIONS AGAINST RESTRICTIVE MEASURES AND LEGISLATION AND URGES YOUR GOVERNMENT TO DROP ATTEMPTS TO INTERFERE WITH FREEDOM OF ASSOCIATION.

GALLIN GENERAL SECRETARY

Note by Windsor: Jayewardene is now President, and protests should be addressed to:

J.R. Jayewardene,

President of Sri Lanka,

Presidential Residence,

Sri Lanka.