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To: The ILO International Labour Standards Committee

Athens, June 1st 2016

Subject: Complaint by the World Federation of Trade Unions against the Government of Kazakhstan on labour rights and trade Union freedom in Kazakhstan

Currently in Kazakhstan, the Government is engaged in unprecedented and drastic reform of the labor relationships. On 27 June 2014 the government's proposed new Law of RK "On Trade Unions" and in November 23, 2015 - a new "Labour Code of the Republic of Kazakhstan" were adopted.

The authors of these, in essence, anti-worker, anti-Union laws, under the guise of demagogic arguments about "maximum liberalization of the labor market", in fact, achieved the removal of all legislative restrictions on the establishment of the employer's standards of operation, wage and order layoffs. All it launched on the level of contractual relations between employers and groups, where the first will always be in pole position, and to impose its own rules to employees.

For Kazakhstan, which is all the more widespread use of slave labour, this means not only as a conscious surrender of the workers in slavery to employers.

The rights of the trade unions are extremely limited while the regulations around the right to strike make it virtually impossible and equated to criminal offence. The Criminal Code already contains provisions which criminalizes organizing and participating in "illegal strikes", for "inciting" them, for "inciting social hatred" and participating in illegal meetings and rallies.

The new Labour Code aims at maximum reduction of labour "costs" in conditions of growing global economic crisis and falling prices for oil and metals.

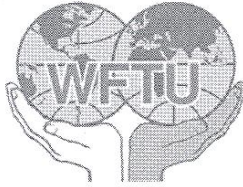
136 businesses have already moved to a flexible mode of operation, sending their employees to forced vacation, many of them without pay. In the oil sector more than 40,000 oil workers are going to be dismissed and more than 70,000 in other industries. All this takes place in the framework of a large-scale privatization of the remaining assets of state property, commercialization of medicine, education and plans of the authorities to again rise the retirement age.

Active for almost a year now, the new law "On Trade Unions", which supplements the Labour Code, violates many international conventions and covenants signed by the Government of Kazakhstan. This law violates the right to freedom of association, as organizing of trade unions becomes impossible and illegal. In Kazakhstan tramped down the right of workers to form trade unions, the General democratic right of Association. About 600 unions could be eliminated as a result of this policy of the government.

For example, the re-registration of Mangistau regional independent Trade Union "Aktau", Union oil "Oil Construction Company", the East Kazakhstan regional Trade Union "Protection of Labour", the Association of Trade Unions "Odak", Kostanai

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independent Trade Union "Miner" and many others has not been authorized. For many years the Ministry of Justice of Kazakhstan refused under false pretenses the registration of the Kazakhstan Association of Trade Unions "Zhanartu", a member of the World Federation of Trade Unions.

It becomes impossible under this law, to organize a National Branch Organization in a sector of the economy as it must have primary organizations in most of the regions of Kazakhstan simultaneously, but even after that it will need in voluntary compulsory order to engage in the current national Federation, to pay her portion of the contributions, and the management and primary Trade Union organizations will be appointed by the parent body of the Federation.

This allows the full control and manipulation of the State and Employers of the Trade Union Movement by creating and manipulating trade unions-puppets.

At the meeting of the 104th session of the International Labour Conference in June last year in Geneva, the Committee on the application of standards of the International Labour Organization (ILO) noted that the actions of the Government of Kazakhstan to restrict the freedom of Association of workers, is a violation of the Convention (No. 87 of the International Labour Organization "Concerning freedom of Association and protection of the right to form unions"). The conference adopted recommendations to the Government to amend the country's legislation, but in the end they were ignored.

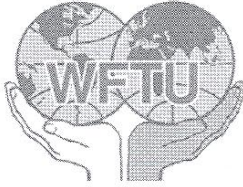
In addition, higher pressure has been extended to representatives of trade unions who are independent from employers and the authorities and members of the World Federation of Trade Unions. Even threats of physical violence by unknown persons against the co-Chairman of the Trade Union "Zhanartu" and a member of the trade Union "Aktau" Mukhtar Umbetov and his family have been documented.

In addition to threats against Mukhtar Umbetov, does not stop the prosecution against the Chairman of independent Trade Union of oil industry "Oil Construction Company" Amin Eleusinov and his companions who were initiated in the autumn of last year collecting signatures oilmen of Mangistau region under the letter against the adoption of the new Labour Code. Subsequently these activists became part of the coordinating Council of labor collectives of Mangistau region.

The criminal case brought against Amin and his associates immediately after the commencement of collecting signature is still open. This criminal case and the instructions not to leave the country has blocked his participation in international trade union activities of the WFTU. Employers also do not stop their attempts to destroy this Union, which also has been banned from re-registration by the authorities.

As World Federation of Trade Unions we ask from the ILO and the International Labour Standards Committee to intervene for the respect of the labour rights and trade union freedom of the workers in Kazakhstan, for the full recognition of all trade union Organizations members of WFTU and others who represent workers according to the International Conventions and the end of


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victimization, prosecution and threats against the militant trade unionists by the Government, the authorities and the Employers of Kazakhstan.


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