

TURKEY

In its pursuit of economic growth, the government of Turkey is giving low priority to guaranteeing the rights of workers, and is ignoring the role that free trade unions play in national development. Because of its cavalier attitude toward internationally recognized worker rights, Turkey should be denied the benefits of GSP.

1. Right to Organize/Freedom of Association

Under the Turkish constitution workers have the right to form "unions and higher level organizations [federations and confederations] for the purpose of protecting and extending the economic and social rights and interest of their members in their labor relations." This basic right is greatly watered down by the labor code and by the policies and practices of the government and private employers.

The government sets a bad example, first of all, by forbidding 1.5 million civil servants and 500,000 teachers from joining or organizing a union. Since 1980, in state-owned enterprises and in the private sector, where workers over the years developed an impressive labor movement, unions have been hamstrung because of a repressive labor code and because of actions by public and private employers to curtail unions.

The law delves deeply in union internal affairs and denies union members the right to make certain decisions that ought to be theirs to make. No one may become active in organizing a union until after he or she has at least a year's seniority in a work place. Union members may only elect as officers those who have worked in their office or plant for 10 years. An officer of a local union, as well of a federation or confederation, may be elected for only four consecutive terms.

Other matters that properly are up to the unions are determined by the government. The law sets up occupational categories into which union organizations must fit, and permits a federation of unions to function within a category only if it has a membership of at least 10% of the workers in that category. The auditing of union books can be called for by a number of agencies--the President's office, the Labor Ministry, and the Finance Ministry--and is an instrument often used arbitrarily.

Recently the government established its first free trade zones--in the port cities of Antalya and Mersin on the Mediterranean coast--and has prohibited any union activity in those two zones during their first ten years of operation.

The government's most extraordinary intervention into labor affairs has been its five-year-long trial, which ended in December 1986, against leaders of the Confederation of Revolutionary Trade Unions (DISK). The military tribunal of Istanbul ordered the permanent disbandment of DISK and confiscated all its assets on the basis of illegal activities involving "organizing in order to establish the supremacy of one social class over another." DISK leaders, 265 of them, including six top officers, were sentenced to up to 10 years in prison, with time off for time already served. While the sentences are being appealed, a procedure that may take up to two years, the convicted leaders are at liberty.

In a statement on the military court's decision, the ICFTU said: "The outcome of this unjust trial, in which normal trade union activities have been considered as crimes, is a flagrant violation of basic trade union rights."

Although the government justifies its crackdown on DISK on the grounds that it advocated change through revolutionary means, the police authorities also closely monitor the more centrist Turkish Confederation of Labor (Turk-Is). The police sit in, uninvited, at union conventions and sometimes tape record them. They make reports that cause union leaders to be summoned to the public prosecutor's office to "explain" this or that action, such as inviting an opposition political leader to sit on the platform at a union conference.

When an AAFLI representative from Washington met privately with a small group of union officials in an Istanbul union office recently, three policemen waited outside and afterward quizzed the interpreter about the discussion. For many, such police intrusion has a chilling effect on behavior.

On March 24, 1987, police forces intervened and broke up a peaceful demonstration during which Turk-Is leaders sought to present a petition for labor reforms to Parliament. The government had for many months completely ignored the case made for reforms made by Turk-Is, and the demonstration was planned as a way of dramatizing the issues. The Turk-Is petition remains ignored.

Another example of the hold that the bureaucracy has on labor is that unions can affiliate to international organizations only with government approval.

The labor code bans "political involvement" by labor unions. Specifically, unions cannot directly support political parties or candidates, a restriction that severely limits their ability to defend their members' interests through political action. One important reform that Turk-Is seeks is to change public policy

and practices that isolate unions from participation in normal democratic political processes.

Meanwhile, however, the ruling Motherland Party continues to push changes that would make the already restrictive labor code even more restrictive. The latest move is a bill introduced in Parliament that will give the government greater control over a union's financial affairs and will increase the opportunity and likelihood of politically motivated harassment through auditing of union accounts.

2. Right to Bargain Collectively

Workers in the non-agricultural private sector and in state-owned enterprises have the right to bargain, but legal and political restrictions apply. For example, disputes unresolved at the company level must be submitted to an arbitration board, which is weighted in favor of the employer and government, and whose findings are de facto binding.

The right to strike, guaranteed under the constitution, is heavily encumbered. Strikes are illegal not only in the government service but in numerous other fields, such as public utilities, coal mining, oil and natural gas production and distribution, banking and notary services, transportation, schools, hospitals, and other medical service institutions. Administrative bodies and military authorities have the right to postpone strikes or declare them illegal based on ill defined criteria.

The bargaining power of unions is further weakened by the fact that they are prohibited by law from collecting monies for strike or solidarity funds.

The combination of these and other forms of repression has had its impact at the bargaining table. Worker wages have fallen 60% in real terms since 1979, and continue to decrease.

3. Minimum Wages

Although the labor code provides for a minimum-human-needs wage adjusted to inflation, government regulations have set up a tripartite commission to fix the minimum wage. Currently, that minimum is 42,000 Turkish lira (\$53.85) a month. Rent for a very modest Ankara apartment is 40,000 to 50,000 lira per month.

Enforcement of that minimum is very deficient with an understaffed labor inspection corps unable to check on non-union employers who ignore the minimum.

4. Occupational Safety and Health

Minimal safety and health standards are established by law, but observance of those standards is lax. Unions, on the defensive on many fronts, have a hard time being heard when they seek remedial measures. One union leader recently told us it may take as long as two years to force an employer to comply with even minimal contract requirements, such as the provision of safety shoes to those working in hazardous areas.

5. Women Workers

Participation of women in the work force is low. According to Turk-Is, only 10% of its membership is female. Women who do work in industry are largely confined to "female" jobs with lower pay scales than those of males. Cultural and religious norms, unchallenged by public policy, have a heavy influence on restricting the role of women in paid employment.

Conclusion

In its evolution toward democracy, Turkey must pay more attention to the basic rights of its working men and women. Until the government of Turkey does so--until it begins to listen and act upon Turk-Is appeals for reform--Turkey should be disqualified from receiving the benefits of GSP.

