

# Freedom of Association: The Protection of Trade Union Rights Worldwide

by the International Centre for Trade Union Rights and the International Federation of Workers Education Associations



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**Freedom of Association and Collective Bargaining**  
The fundamental right of workers to organise is under global threat. From Britain to Bulgaria, from North America to New Zealand, from the Philippines to Saudi Arabia anti-union laws undermine the right to organise.

But union rights are not only under legal threat. In Africa and Latin America, and elsewhere, trade unionists face assassination, assault, kidnapping and detention. Much violence is state-sponsored and carried out by employers.

Sometimes it is carried out by the military or law enforcement agencies, sometimes by secret or special forces, or by employers' own security forces with state approval.

Trade union rights are vital for workers facing the global power of employers. With economic integration, uncontrolled capital flows and new technology, labour everywhere depends on its right to organise.

This map identifies the levels of ratification of the core freedom of association conventions of the ILO, and highlights some of the most serious violations of these rights that occur worldwide. (Source: ICTUR)

**What is freedom of association?**  
Freedom of association is the fundamental principle of the ILO. It means the right of workers and employers to freely form or join organisations that promote and defend their interests at work, without interference from one another or the State. The right to organise applies to all workers and employers, including persons in the 'informal sector', (i.e. generally those not working under contracts of employment). This right should be guaranteed by the State, regardless of occupation, sex, colour, race, creed, nationality or political opinion.

**What is collective bargaining?**  
Collective bargaining is a voluntary process through which employers (or their organisations), and trade unions (or in their absence, workers' representatives) discuss and negotiate their relations and interaction at the workplace, such as pay and other terms and conditions of work.

This process of bargaining aims to reach mutually acceptable collective agreements.

**What is meant by effective recognition of the right to collective bargaining?**  
Important conditions for effective recognition of the right to collective bargaining are that workers' organisations are independent and not under the control of employers, or employers' organisations - and that the process of collective bargaining can proceed without undue interference by the authorities.

**Why are these rights called fundamental?**  
Both freedom of association and effective recognition of the right to collective bargaining are fundamental

human rights at work, enshrined in the ILO Constitution since 1919. Freedom of association is closely linked with freedom of expression, the media, assembly and universal suffrage. These rights underpin democratic representation and governance.

**How can freedom of association and the right to collective bargaining contribute to economic development and growth?**  
Recent studies by the ILO and others suggest these rights, combined with democracy can also enhance export competitiveness and are associated with higher exports of labour intensive goods, productivity growth and innovation. In addition, collective agreements between workers and employers can make business negotiations more predictable, accountable and transparent. This contributes to the certainty and stability in the workplace that is essential for making sound investment decisions. There is also growing recognition that greater involvement of workers in the enterprise can improve the quality of management decision-making.

(Source: ILO)