

735. The Committee notes that the versions of the complainant confederation and the Government are contradictory.

736. As regards the grievance concerning the refusal to grant official recognition to the Federation of Free Trade Unions of Côte d'Ivoire ("Dignité") and measures of anti-trade union reprisals, the Committee recalls the importance it attaches to the respect of Article 2 of Convention No. 87, ratified by Côte d'Ivoire, to the effect that workers and employers may form and join organisations of their own choosing in full freedom, irrespective of the name of these organisations, trade unions, federations or confederations. Consequently, any measures taken against workers because they attempt to constitute organisations of workers outside the existing trade union organisation are incompatible with the principles that workers should have the right to establish and join organisations of their own choosing without previous authorisation [see Digest of decisions and principles of the Freedom of Association Committee, 3rd edition, 1985, paras. 222 and 233].

737. Therefore, the Committee requests the Government to indicate whether the trade union federation "Dignité" has been registered and, if not, to register it as soon as possible and to keep the Committee informed in this respect.

738. It also requests the Government to give the precise reasons for the arrest and 12-day detention of 29 trade union activists belonging to "Dignité" who, according to the complainant confederation, had taken part in a demonstration to put forward social and economic claims.

739. It also requests the Government to give the precise reasons for the transfer to the interior of the country, during the school year, of three teachers who, according to the complainant confederation, merely wanted to establish the trade union federation "Dignité".

The Committee's recommendations

740. In the light of its foregoing interim conclusions, the Committee invites the Governing Body to approve the following recommendations:

- (a) The Committee urges the Government to respect the principle whereby workers should in practice be able to form and join organisations of their choosing in full freedom to safeguard their occupational interests, irrespective of their name. Therefore, the Committee requests the Government to indicate whether the trade union federation "Dignité" has been registered and, if not, to register it as soon as possible, and to keep the Committee informed in this respect.

- (b) The Committee also urges the Government to ensure that no measures be taken against workers wishing to set up workers' organisations outside the existing trade union organisation.
- (c) The Committee further requests the Government to give the precise reasons for the arrest and 12-day detention of 29 trade union activists belonging to the trade union federation, called "Dignité", who, according to the complainant confederation, had taken part in a demonstration to put forward economic and social claims.
- (e) The Committee finally requests the Government to give the specific reasons for the transfer to the interior of the country of three teachers who, according to the complainant confederation, had merely wanted to set up the trade union federation "Dignité".

Geneva, 6 November 1991.

Roberto Ago,
Chairman.

280TH REPORT

Cases Nos. 997, 999 and 1029

COMPLAINTS AGAINST THE GOVERNMENT OF TURKEY
PRESENTED BY

- THE WORLD CONFEDERATION OF LABOUR (WCL)
- THE WORLD FEDERATION OF TRADE UNIONS (WFTU)
- THE INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (ICFTU)
AND SEVERAL OTHER TRADE UNION ORGANISATIONS

REPRESENTATION PRESENTED BY THE GENERAL CONFEDERATION OF
NORWEGIAN TRADE UNIONS (LO), UNDER ARTICLE 24 OF THE CONSTITUTION,
CONCERNING NON-OBSERVANCE OF THE RIGHT OF ASSOCIATION (AGRICULTURE)
CONVENTION, 1921 (No. 11), AND THE RIGHT TO ORGANISE AND
COLLECTIVE BARGAINING CONVENTION, 1949 (No. 98)
BY THE GOVERNMENT OF TURKEY

1. The Committee on Freedom of Association, set up by the Governing Body at its 117th Session (November 1951), met at the International Labour Office, Geneva, on 31 October, 1 and 6 November 1991 under the chairmanship of Mr. Roberto Ago, former Chairman of the Governing Body.

2. The Committee had before it various complaints of infringements of trade union rights in Turkey presented by a number of trade union organisations (Cases Nos. 997, 999 and 1029), as well as a representation concerning the non-observance by Turkey of the Right of Association (Agriculture) Convention, 1921 (No. 11), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), made by the General Confederation of Trade Unions of Norway under article 24 of the Constitution of the ILO in June 1982.

3. The Committee submits, for the Governing Body's approval, a report on the pending cases and the representation presented by virtue of article 24 of the Constitution of the ILO.

4. The Committee has examined the substance of these cases 23 times since 1981. It has submitted several interim reports to the Governing Body, most recently in November 1990 [see 276th Report of the Committee, approved by the Governing Body at its 248th Session in November 1990].

5. The International Confederation of Free Trade Unions (ICFTU) sent communications dated 8 February and 28 May 1991 containing new allegations and supplementary information.

6. The Government sent the following communications:

- 8 February and 9 April 1991: comments and observations on outstanding and new allegations;
- 14 May 1991: information on new developments in the labour situation;
- 10 June 1991: updated information on the assets of the DISK and its affiliates;
- 7 October 1991: verdict, dated 16 July 1991, of the Supreme Military Court of Appeals in the case against the DISK and its affiliates.

7. Furthermore, the representative of the Government provided related information to the International Labour Conference Committee on the Application of Standards in June 1991.

8. Turkey has not ratified the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); however, it has ratified the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), as well as the Right of Association (Agriculture) Convention, 1921 (No. 11).

A. Previous examination of the cases

9. Following the series of initial complaints presented in the aftermath of the military take-over of September 1980, the Committee has examined this case from a dual perspective looking, on the one hand, at the legislative aspects and, on the other hand, at the factual issues. At its most recent examination of the case, in November 1990, the Committee summarised the history of these cases, and recalled in some detail the factual and legal issues they raised.

10. In the interim report that it submitted to the Governing Body in November 1990, the Committee made the following recommendations:

- (a) Noting that ten years have passed since the original complaints were presented in these cases, the Committee cannot but stress that it expects the Government to pursue its efforts to give effect to its recommendations concerning both the legislative and factual aspects of these cases.
- (b) As regards the factual issues, the Committee notes that the appeals filed by DISK, its affiliated organisations and its leaders have been examined by the Office of the Chief Prosecutor of the Supreme Military Court of Appeals and are to be transmitted to the Supreme Military Court of Appeals for a final ruling; the Committee regrets the length of time involved and

hopes that the final judgement will be rendered without delay and that the Government will immediately inform the Committee.

- (c) While again observing with dismay the length of time taken to administer justice in the criminal trial against Mr. Celâl Ozdogan, Chairman of OTOMOBIL-IS, the Committee repeats its request to the Government to inform it of developments in the proceedings which were due to continue in October 1990.
- (d) As regards the legislative aspect, the Committee again asks the Government to take the necessary measures to amend the statutory and constitutional provisions which continue to breach the fundamental principles of freedom of association and free collective bargaining. It requests the Government to state its intentions regarding these amendments.

B. New allegations

11. In its communication of 8 February 1991, the ICFTU expressed its concern, among others, about the fact that on 26 January 1991 the Government issued Decree No. 91/1413 which provides:

Due to the invasion and annexation of Kuwait by IRAQ and the resulting Gulf crisis which turned into war, and because it is endangering our national security, the strikes and lockouts decided upon, and the strikes going on in workplaces listed in the attached list are to be postponed for 60 days, effective on 27.1.1991 at 7.00 o'clock local time.

This Decree is decided upon by the Council of Ministers in accordance with section 33 of Act No. 2822.

Attached to the Decree is a list of some 160 enterprises.

12. The ICFTU alleges that under Act No. 2822 the Government can only suspend a strike when it is likely to cause prejudice to the country's national security and public health. According to the ICFTU and its affiliate, Türk-Is, none of the strikes that have been suspended would affect national security or public health. The circumstances did not constitute a situation of national emergency under which a strike prohibition could have been justified. Rather, the Decree represented an extension of already onerous legislation whose intent and effect was to restrict severely basic trade union rights, in this case the right to strike. The Decree not only banned strikes, but strengthened the mechanism of compulsory arbitration under pretext of the Gulf war, thus restricting the right to voluntary collective bargaining. So far, the Turkish Government has failed to bring section 33 of Act No. 2822 into line with Article 4 of ILO Convention No. 98, in spite of repeated requests by the Committee on Freedom of Association to amend the legislation accordingly.

13. In communications to President Ozal, on 21 December 1990 and 7 January 1991, the ICFTU strongly protested the Turkish Government's continuing intransigence towards reaching a settlement in the miners' strike launched at the end of November in support of wage claims, social benefits and job security. In December, the action quickly spread to other industries. The ICFTU was particularly worried by reports that armed security forces, on 6 January, halted the peaceful miners' march from Zonguldak to Ankara, prevented humanitarian aid from reaching the demonstrators and, under the State Security Act (DGM), arrested 201 marchers for allegedly politically motivated offences. The ICFTU and several international trade secretariats immediately called for the unconditional release of the detained strikers and urged the Turkish Government to respect international labour standards in its dealings with the country's trade union movement. The ICFTU and the international trade secretariats made similar representations to the Turkish authorities when Türk-İs and its sectoral unions engaged in nationwide industrial action on 3 January 1991 to demand a democratic system and respect of trade union rights, and when subsequently a case was opened by the State Security Court against the unions involved in the action.

14. All these actions took place in the context of ongoing threats against trade union rights and freedoms; they constitute further evidence of a deteriorating industrial relations climate and illustrate the increasingly hostile environment in which Turkish unions currently operate.

15. In its communication of 28 May 1991 the ICFTU comments on the developments relating to the adoption, on 12 April 1991, of Act No. 3713 concerning Measures Against Terrorism. While welcoming the repeal of sections 140-142 and 163 of the Turkish Penal Code (which made it impossible for DISK to function since the 1980 military coup), the ICFTU is deeply worried by provisional section 9 of the new Act. Under this provision, the funds and assets of DISK and its affiliated organisations (close to US\$500 million) - presently under trusteeship of the judiciary - will be confiscated by the Government. According to the ICFTU, curators are presently being requested to hand over the funds to the Ministry of Labour; therefore, the funds and assets of DISK will not be returned to their rightful owners. This measure constitutes a clear breach of international labour standards adhered to by Turkey; it completely bypasses the ongoing legal proceedings launched in 1986 by DISK to recover its funds, which are still pending before the Ankara Military Supreme Court; it is also in direct contradiction with the strong recommendations made in that respect by the Committee on Freedom of Association.

C. The Government's replies

16. In its communication of 8 February 1991, the Government states that it genuinely intends to amend its legislation so as to

improve it in line with ILO recommendations, while taking national requirements into account. It will pursue its efforts to achieve tripartite consensus on wider legislative changes. The Government stresses that its willingness to cooperate with the ILO supervisory bodies is demonstrated by its past attitude.

17. As regards section 12 of Act No. 2822 (which provides that trade unions must represent 10 per cent of the workers in a branch and more than half of the employees in a workplace to be allowed to bargain collectively with the employer) the Government refers to its original stand. This section has been examined several times by the Government in close consultation with workers' and employers' associations. The Government's position has been that obtaining a social consensus on this issue would be a prerequisite for any legislative initiative in view of "national conditions", a noteworthy rule which is cited in Article 4 of Convention No. 98. In the absence of any written request either from the workers' or employers' associations to amend this section and, on the contrary, in view of insistent verbal representations made by these organisations to maintain the existing provisions, the Government found no grounds for launching any amendment initiative. The implementation so far of section 12 has paved the way for the elimination of weak workshop unions which had almost no financial source and efficiency to offer necessary services to their members, and which were vulnerable to employers' domination. This provision also helped in practice the emergence of powerful labour unionism. There are examples of mergers between trade unions which failed to meet the numerical requirements. It also encouraged workers to join the unions which they believe will advocate for their rights professionally and prudently. The Government therefore strongly believes that any relaxation in this requirement would only serve for the emergence of weak trade unions that can hardly enforce their members' interests.

18. According to the latest statistics released by the Ministry of Labour and Social Security in January 1991, the rate of organised workers in the total workforce is 58.11 per cent. These positive developments have enhanced confidence in labour unions and increased the rate of organised workers. This also led to the vitalisation of the free collective bargaining system. Figures concerning the collective agreements concluded in both public and private sectors since 1983 attest to the existence of a well-established and well-functioning free collective bargaining mechanism in Turkey.

19. With regard to the provisions imposing compulsory arbitration in certain situations (section 33 of Act No. 2822), the Government once again indicates that this provision is only intended for extremely delicate circumstances that may arise and has never been used since its introduction as a vehicle to interfere into the operation of free collective bargaining system. To substantiate this fact, the Government submits detailed information on suspensions of strikes by the Council of Ministers under section 33 of Act No. 2822. There have been 12 cases of suspension, the first being on 20 February 1985. The last six of the suspensions were effected on 10 August

1990, apparently during the peak of the Gulf crisis, at worksites considered to be strategic. Three of these cases were later referred to the Supreme Court Arbitration Board, the only cases referred to this Board so far. In two of the cases, the Council of State (i.e. High Administrative Tribunal) returned verdicts revoking the Council of Ministers' decisions. In one of the cases, the Council of Ministers withdrew its decision and a strike was called. In six of the cases, the parties reached an agreement within the 60-day suspension period.

20. The Government gives statistical information pertaining to strikes that took place before and after 1983, which demonstrates that the collective bargaining system is operating freely and without intervention.

21. Concerning the Committee's recommendations that the Government amend the provisions of the Turkish Constitution which run counter to the freedom of association principles (trade unions prohibited from engaging in any political activity; ban on various forms of strikes; teachers prohibited from striking) the Government states that it finds it extremely difficult to accept any obligation not stipulated by any Convention it has ratified.

22. In its communication of 9 April 1991, in reply to the new allegations made by the ICFTU, the Government states that Decree No. 91/1413 which postponed a number of strikes and lockouts was based on a deep concern that these strikes and lockouts would jeopardise national security during a period of war in a neighbouring country, where extensive military activities were taking place. This Decree is based on section 33 of the Collective Agreements, Strikes and Lockouts Act (No. 2822) which reads in part as follows:

Any lawful strike or lockout that has been called, ordered or commenced may be suspended by order of the Council of Ministers for 60 days if it is likely to be prejudicial to public health or national security.

The intention of the Decree was not to impose restrictions on the exercise of basic trade union rights but merely to adopt a protective measure during extremely delicate circumstances which involved a serious threat to national security.

23. The allegation that the Government used the Gulf war as a pretext to strengthen the mechanism of compulsory arbitration, thus restricting the right to voluntary collective bargaining, is totally groundless. If this had been the case, the Government would have used its right to postpone strikes based on national security reasons immediately after 17 January 1991, the date of the commencement of the war. Indeed, strikes have continued in spite of the war on Turkey's south-eastern border. The developments in the war and the immediate threat to the national security of the country necessitated the suspension of these strikes starting only from 27 January 1991. This decision was taken under conditions which would be valid for any

country who is in the proximity of a war that threatens national security. However, the decision did not prevent the continuation of the free collective bargaining process in Turkey. Consequently, following these negotiations, agreements were reached among the workers' and employers' unions in the metal and mining sectors. Agreements were reached in 143 workplaces employing 79,000 workers; 88 per cent of striking workers are now enjoying the benefits set in collective agreements that have been recently signed.

24. In any event, the execution of this Decree of the Council of Ministers that postponed all strikes during the Gulf war was suspended on 26 February 1991 by a ruling of the Council of State (High Administrative Tribunal) and consequently strikes could then be called again.

25. As regards the miners' march from Zonguldak to Ankara, the Government points out that the Meetings and Demonstrations Act, No. 2911 contains provisions concerning the organisation and conduct of such meetings or demonstrations, in order to maintain public order. Sections 9 and 10 state that it is compulsory to apply to and inform the competent authorities 72 hours in advance of a demonstration, failing which the demonstration shall be dispersed. The organisers of the miners' march did not observe that requirement and consequently the march was halted. The security forces ordered the miners to disperse and when their orders were ignored they arrested 201 persons; 168 of them were released on 12 January 1991 following their interrogation, and the other 33 were released the next day by the examining magistrates.

D. New developments

26. In its communication of 14 May 1991, the Government indicates that, on 12 April 1991, the Turkish Parliament adopted Act No. 3713 concerning Measures Against Terrorism and gives other information on new developments which, it submits, would have a positive impact on working life and freedom of association in Turkey.

27. The Government states that Act No. 3713 generally eliminates restrictions on freedom of expression and association. Section 23 of the Act repeals:

- the Law on Treason Against the Country (Law No. 2);
- the Law on the Protection of the Freedom of Conscience and the Right to Hold Meetings (Law No. 6187);
- sections 140, 141, 142 and 163 of the Turkish Penal Code No. 765;
- paragraphs 7 and 8 of section 5, and paragraph 2 of section 8 of the Law on Associations (Law No. 2908);

- the Law on Publication and Broadcasting in Languages Other than Turkish (Law No. 2932).

28. With a view to amending various legal provisions - including those in the labour legislation - the Government has initiated a public consultation process through committees under the coordination of the Ministry of Justice. It expects to submit amendment proposals to the Parliament in the near future. The Government also considers amending the following constitutional provisions, which have been criticised by the ILO on several occasions: paragraph 51(7): requirement of at least ten years as a worker to become an executive in a labour union or in higher organisations; paragraph 54(5): binding arbitration of labour disputes in cases where strikes or lockouts are prohibited or postponed; paragraph 54(7): prohibition of politically motivated strikes and lockouts, solidarity strikes and lockouts, general strikes and lockouts, occupation of work premises, labour go-slows, production decreasing and other forms of obstruction.

29. The Government also held on 8 May a tripartite meeting with the participation of the leaders of the most representative employers' and workers' organisations (TISK and Türk-İs), during which the parties agreed: to establish a committee to define and formulate proposals concerning the amendment and improvement of the constitutional and legal provisions affecting working life (upon agreement of the parties, these proposals will be submitted to the ministry concerned); to create a committee (composed of the general secretaries of the employers' and workers' confederations concerned, and the Under-Secretary of the Ministry of Labour) to initiate and establish a mechanism for the peaceful settlement of disputes, and to improve social dialogue; and to continue holding regular tripartite meetings.

30. During the proceedings of the Committee on the Application of Standards at the 1991 International Labour Conference, the Government representative indicated that on 1 June 1991 a draft Bill had been submitted to the Parliament with a view to lifting the 10 per cent numerical requirement imposed on trade unions in order to be allowed to negotiate a collective agreement.

31. Finally, in its communication of 7 October 1991, the Government indicates that, on 16 July 1991, the Supreme Military Court of Appeals issued its final verdict in the cases against the DISK and its affiliates; it attaches a copy of that decision. The Government, states that, as a result of this judgement, the decision suspending the activities of the DISK has been overturned and all the unionists on trial have been acquitted. According to the Government, DISK and its affiliates can now carry out all their trade union activities in full freedom.

E. The Committee's conclusions

32. Before dealing with the new developments announced by the Government in its communication of 14 May 1991, the Committee wishes to deal with the new allegations submitted by the ICFTU in its communication of 8 February 1991.

33. As regards Decree No. 91/1413 which suspended ongoing and upcoming strikes, the Committee notes that it was adopted at the height of the Gulf crisis which had then turned into a war, and that it was suspended one month after its adoption. Furthermore, it appears from the available information that the collective bargaining process continued at least partly, and that collective agreements covering a substantial number of workers have been concluded. The Committee considers, as does the Committee of Experts, that a general prohibition of strikes can only be justified in the event of an acute national crisis and for a limited period of time only [Digest of decisions and principles of the Freedom of Association Committee, 3rd edition, 1985, para. 423; General Survey on Freedom of Association and Collective Bargaining, 1983, para. 206]. It seems that both conditions were satisfied in the circumstances and the Committee considers that this aspect of the case does not call for further examination.

34. With respect to the events surrounding the miners' march from Zonguldak to Ankara, the Committee notes from the complainant's own admission that these new allegations are submitted as evidence of an allegedly deteriorating industrial relations climate and of the increasingly hostile environment in which Turkish unions currently operate. The Committee recalls that its function is not to formulate general conclusions on the trade union situation in a given country. In the present case, the Committee has not been provided with enough information to make an informed decision (i.e. the text of relevant provisions in Act No. 2911; whether or not a request was made to hold a march and if so, whether it was arbitrarily withheld; whether the circumstances involved a threat to public order, etc). However, the Committee recalls certain principles elaborated over the years on that issue. The right to organise public meetings, demonstrations and marches - particularly in pursuit of purely trade union objectives - is an essential aspect of freedom of association. Like other persons or organised groups, workers and their organisations must however respect the law of the land, which may entail complying with certain reasonable formalities, e.g. obtaining a permission, ensuring that public order is maintained, etc. That permission, in turn, should not be arbitrarily withheld and the authorities should refrain from any interference which would restrict the right of unions to hold their meetings or marches in full freedom. Furthermore, recourse to the forces of order should be limited to cases of genuine necessity and, in cases where public order is not seriously threatened, people should not be arrested simply for having organised or participated in a demonstration [Digest, op. cit., paras. 154-168]. The Committee requests the complainants and the Government to provide further

information on the allegations relating to the events during the miners' march from Zonguldak to Ankara on 6 January 1991.

35. Dealing now with the recent developments, the Committee notes that the Government adopted on 12 April 1991 Act No. 3713 concerning Measures Against Terrorism. While it may be too early to appreciate fully and precisely the extent and effect of this new Act in practice (on which, indeed, the complainants have not yet fully commented) the Committee notes that the first four parts (sections 1-22) establish new provisions regarding terrorism and terrorist organisations; the fifth part, entitled "Temporary provisions", provides among others that for "crimes committed until 8 April 1991" (which would apparently cover the leaders of DISK and of its affiliates): death sentences will not be executed and are replaced by ten year sentences; persons sentenced to life imprisonment will serve eight years; all other persons convicted will serve one-fifth of their sentence; and pre-trial detention will be taken into account in the calculation of the sentences. As mentioned earlier, section 23 also repeals several Acts restricting freedom of expression and association, as well as certain sections of the Turkish Penal Code.

36. As regards the trade unions' assets that were confiscated, the Committee notes that temporary section 9 of Act No. 3713 provides as follows:

The moveable and immoveable property and the income from such property of Confederations and Trade Unions affiliated to Confederations whose administration was handed over to an inspector by a court's decision prior to this Law entering into force and based on provisions lifted under section 23 of this Law and all their monetary possessions will, according to section 46 of Law No. 2821 on Trade Unions, be handed over to the competent institution to make savings; the moveable and immoveable property of associations and foundations will be handed over to the Treasury.

37. In its communication of 28 May 1991, the ICFTU had alleged that, for all practical purposes, the assets of DISK and its affiliated organisations (amounting to US\$500 million) would be confiscated by the Government, which has allegedly requested the curator to hand over the funds to the Ministry of Labour. The Government has not yet replied to these allegations, but merely provided in its communication of 10 June 1991 information on the current situation of said assets.

38. The Committee recalls in this regard that, as early as February 1982, it had observed in the present cases that the right to protection of trade unions' property "... is essential for the normal exercise of trade union rights and that the public authorities must refrain from any interference in the right of trade unions to organise their administration". The Committee also requested the Government to lift the measures of intervention in question as quickly as possible [214th Report, para. 574(e), approved by the Governing Body at its

219th Session]. The Committee considers that the circumstances may now lend themselves to some action being taken, particularly in view of the fact that the Government expresses its genuine desire to improve Turkey's labour law and practice, as well as freedom of association. The Committee therefore requests the Government to keep it informed of the measures taken in that respect.

39. The Committee further notes with interest that the Supreme Military Court of Appeals has finally issued its verdict in the case against the DISK, its leaders and its affiliates, and the Government's statement as to the effect of that judgement. Considering the importance of this issue for the individuals and organisations concerned, the Committee would appreciate being kept informed of the developments concerning the legal situation of the DISK.

40. As regards the other developments concerning the various constitutional and legislative amendments envisaged by the Government, and the setting-up of consultative tripartite committees, the Committee considers that these are positive intentions. While appreciating that the Government wishes to achieve tripartite consensus on wider legislative changes, the Committee feels however that, at some point, discussions must come to an end and be followed by concrete measures. Consequently, the Committee invites the Government to consider expanding and accelerating constructive tripartite discussions on amendments to be made to its constitutional and legislative provisions which are not in conformity with the principles of freedom of association, so that terms and conditions of employment may be regulated through voluntary negotiation, in accordance with Article 4 of Convention No. 98.

The Committee's recommendations

41. In the light of its foregoing interim conclusions, the Committee invites the Governing Body to approve the following recommendations:

- (a) The Committee requests the Government to return the assets of DISK and its affiliated organisations. It requests it to keep it informed of the measures taken in that respect and of the developments concerning the legal situation of the DISK.
- (b) The Committee invites the Government to pursue its efforts with a view to expanding and accelerating constructive tripartite discussions on amendments to be brought to its constitutional and legislative provisions which are not in conformity with the principles of freedom of association, so that terms and conditions of employment may be regulated through voluntary negotiation, in accordance with Article 4 of Convention No. 98.

(c) The Committee requests the complainants and the Government to provide further information on the allegations relating to the events during the miners' march from Zonguldak to Ankara on 6 January 1991.

Geneva, 6 November 1991.

Roberto Ago,
Chairman.

Copyright © International Labour Organisation 1991

The material in this publication may be reproduced without permission, but the source should be quoted as ILO, *Official Bulletin*.

1992 price:

Annual subscription: 120 Swiss francs

Price per number: 23 Swiss francs

ISSN 0378-5882 (Series A)

ISSN 0378-5890 (Series B)

The designations employed in the *Official Bulletin*, which are in conformity with United Nations practice, and the presentation of material therein do not imply the expression of any opinion whatsoever on the part of the International Labour Office concerning the legal status of any country, area or territory or of its authorities, or concerning the delimitation of its frontiers.

ILO publications can be obtained through major booksellers or ILO local offices in many countries, or direct from ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland. A catalogue or list of new publications will be sent free of charge from the above address.

Changes of address, orders, renewals and advertising correspondence should be addressed to: ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland.

Changes of address, indicating both the old and the new address, should be sent at least six weeks in advance. If possible kindly enclose a recent mailing label. Claims for undelivered copies must be made immediately on receipt of the following issue.

If this address is wrong, please return this sheet to the sender or, at least, the part bearing the address

Pour tout changement d'adresse, prière de renvoyer à l'expéditeur cette feuille ou, du moins, la partie comportant l'adresse

Sírvase indicar el cambio de dirección del destinatario y enviar esta hoja al remitente, o al menos la parte en que está escrita la dirección

**INTERNATIONAL LABOUR OFFICE
BUREAU INTERNATIONAL DU TRAVAIL
OFICINA INTERNACIONAL DEL TRABAJO
CH-1211 GENÈVE 22**

**P. P.
1211 GENÈVE 22**