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國際運輸勞連

International Transport Workers' Federation
Federación Internacional de los Trabajadores del Transporte
Fédération internationale des ouvriers du transport
Internationella Transportarbetarefederationen
Internationale Transportarbeiter-Föderation
Международная федерация транспортников
التنظيم عالمياً، النضال من أجل حقوقنا

Mr. Andris Berzins
President of the Republic of Latvia
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OGS/SMC/EC/va

Dear Mr. President,

We are writing to you as General Secretaries of the International Transport Workers' Federation (ITF), and the European Transport Workers' Federation (ETF), which represent respectively more than 700,000 civil aviation employee members in 256 trade unions from 120 countries around the world, and more than 250,000 civil aviation employee members in 34 trade unions in 82 European countries.

We have been informed by our affiliate, the Latvian Federation of Aviation Trade Unions (LAAF), that the Supreme Court delivered a verdict on 28 February 2014, against Mrs. Ausra Straume, deputy of LAAF and Chairwoman of the board of the Latvian Air Traffic Controllers' Trade Union (LGSVDA). We would hereby like to voice our grave concern over the Court's ruling, and its anti-union bias.

We understand that following a letter she sent as the leader, and on behalf of the LGSVDA to the Latvian Ministry of Transport on 2nd March 2012, Mrs Straume was suspended from her ATCO duty on 23rd March 2012, and a disciplinary investigation was initiated against her. In the letter she raised issues relating to social dialogue problems in SJSC Latvijas Gaisa Satiksme (LGS), and issues relating to this profession. The main issues highlighted in the letter were about training, rest times and fatigue.

On 15 March 2013, LGS issued an order to stop paying her salary, and on 27 March 2013 it issued another order prohibiting Mrs. Ausra Straume from entering company premises.

In April 2012, Mrs Straume took the case to court. The recent shocking verdict of the Court has ended the legal Latvian process.

Among other points, the verdict states that the letter of Mrs Straume on behalf of LGSVDA to the Latvian Ministry of Transport is not a trade union letter, but is instead her personal opinion and beliefs. This is totally unacceptable, as she signed the letter on behalf of LGSVDA.

This verdict goes directly against universally recognised principles of freedom of association, and legal protection of trade union representatives; seeing such a development as this in a European Union member state is unprecedented and contrary to ILO Conventions N° 87 and 98. The decision of the Supreme Court unfortunately reveals that these are not being respected in Latvia.

Moreover, as you know, ILO Convention 135 on Workers' Representatives concerns Protection and Facilities to be Afforded to Workers' Representatives in the Undertaking; and quite clearly states in Article 1: "Workers' representatives in the undertaking shall enjoy effective protection against any act prejudicial to them, including dismissal, based on their status or activities as a workers' representative or on union membership or participation in union activities, in so far as they act in conformity with existing laws or collective agreements or other jointly agreed arrangements".

To us the verdict of the Supreme Court does not respect this Convention but also infringes Latvian legislation, since the Latvian Government ratified this Convention on 27 January 1992. This issue will have to be seriously addressed.

The verdict also runs against the requirements stated in Directive 2003/42/EC of the European Parliament, and of the Council of 13 June 2003 on occurrence reporting in civil aviation, where it is clearly stated in Article 8 that; "Member states shall ensure that employees who report incidents of which they may have knowledge are not subjected to any prejudice by their employer".

What has been done to Mrs Straume so far is a big blow to not only trade union and workers' rights, but to civil liberties at large in Latvia and as an Air Traffic Controller as well. Please also take into consideration that this serious situation impacts directly in the international reputation of Latvia.

We trust that you will take the appropriate action to ensure that such unjust verdict is immediately addressed.

Yours sincerely,



Stephen Cotton
ITF Acting General Secretary



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