INDEPENDENT TRADE UNIONS AND THEIR PLACE IN THE BELARUSIAN LABOR MOVEMENT

Lizaveta Merliak

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WORKERS UNIONIZED, BUT INDEPENDENT UNIONS NOT REGISTERED

Belarus is an absolute champion in appearing in black lists of violators of workers’ rights and continuous failure to fulfill ILO recommendations. The country appeared in a special paragraph of the ILO’s Labour Standards Committee eight times.

Belarusian Case №2090 involving the violation of workers’ rights has been discussed within the ILO since 2000. The rights violated by Belarus are fundamental: freedom of association and collective bargaining, covered by ILO Conventions 87 and 98, and the elimination of all forms of forced or obligatory labour covered by ILO Convention 29.

In 2004, the ILO appointed a commission to investigate violations of workers’ rights in Belarus. Following the work of the Commission of Inquiry, 12 recommendations were presented to the Belarusian government to remedy the situation. As a result of its failure to implement ILO recommendations in 2007, Belarus lost its trade preferences under Generalized Scheme of Preferences with EU and the US. This cost the state considerable money, but did not seem to matter to the government, as it did not change its approach.

Ironically, Belarus is also an absolute champion in unionization numbers. While the share of unionized labour has gone down globally, 96% of the working population of Belarus, 4 million, is considered to be a member of the FPB state union federation. Over 12,000 Belarusian workers are members of the BKDP or Belarusian Congress of Democratic Trade Unions.

Riding the wave of August 2020 protests, many Belarusian employees at both state-owned and private companies, decided they wanted to be organized in unions of their choosing. This was easiest for the workers at state-owned companies, where independent and free unions had already been established before 1994. These workers just needed to join an existing union. This affected Naftan, Belaruskali and Grodno Azot. For workers at state-owned companies with no existing independent union, like Peleng, Belarusian Metallurgical Plant, BelAZ, MAZ, and medical and educational institutions, the challenge was to establish their own independent unions on the spot, within one of the four existing BKDP affiliated unions. Private sector employees faced another level of complexity: to establish their own organizations at the same time as President Lukashenko demanded that the FPB leadership set up FPB unions at private companies by the end of 2020.

Three new union organizations applied for state registration, Peleng, EPAM Systems and BMZ, within the Belarusian Independent trade union. The applications for registration were rejected and the union activists at BMZ were dismissed and faced court charges.

One ILO recommendation to the Belarus government back in 2004 was that “... the Republican Registration Commission should be disbanded and all registrations should be made as a matter of mere administrative formality...”. In fact, no independent unions have been registered in Belarus for the last 20 years, with only one exception: the registration of a BITU structure in 2018 at UCE Trust Remmontazhstroy in Soligorsk. It took BiTU eight months, three applications to the registering authorities, and the loss of over 1,000 of its members due to tremendous pressure from management and Belarus authorities.

In short, although the rules are clear, as is the list of documents a union needs to provide with its application for registration, the game is not fair: registering agencies collude with employers find ways to refuse registration, unless it is registered, an organization is deemed illegal. So, if a union is illegal, its main goal—to bargain collectively—cannot be achieved. Worse, any action by an illegal organization is subject to the Criminal Code.

And yet, setting up new union organizations looks easy for FPB affiliates. Thus, Belkhimprofsoyuz recently reported that over 2020 and the beginning of 2021, it was able to register 74 new branches.

CLASH OF TITANS: THE FPB, BELKHIMPROFSOYUZ VS THE INDEPENDENTS

FPB in brief: 4 million members in 15 unions. President: Mikhail Orda. Vice-President: Alena Mankevich. Not affiliated to ITUC. Four unions affiliated to GUFs.

The FPB is a member of the General Confederation of Trade Unions that consists of several ex-Soviet Union national federations, like Russia’s FNPR and allies in Central Asia, and a member of the World Federation of Trade Unions (WFTU). The FPB itself consists of 15 industrial unions organizer into 7 regional branches. Those affiliated to Global Union Federations’ include:
- Belkhimprofsoyuz, the Belarusian trade union in the chemical, mining and oil industries, which is affiliated with the IndustriALL Global Union;
- Belarusian Union of Transport and Communication Worker, affiliated to International Transport Workers Federation or ITF Global;
- Belarusian Health Workers’ Union, affiliated with Public Service International; and
- Belarusian Union of Education and Science Workers, affiliated with Educational International.

Most of the work with international partners for the FPB is done by Belkhimprofsoyuz, whose president is Sviatlana Klochok and vice-president Valer Tsitou. The union has over 140,000 members and is organized into:

1 A Global Union Federation (GUF) is an international federation of national trade unions organizing in specific industry sectors or occupational groups
workers in line. of the state and the corporations to control and keep state union's conciliatory stance supporting the intention single agreement per company. The agreements became 2012 before a Presidential Decree introduced concluding a union had concluded its own collective agreement until back in the late 80s and early 90s. In the early years, each union emerged at those enterprises after a wave of strikes has the evidence to prove it. Historically, the independent with the corporations and the state for decades, and BITU But Belkhimprofsoyuz has been working hand-in-glove their workers. These industrial giants have two trade unions representing Belaruskali, Naftan, Belshyna, and the Mozyr Oil Refinery. is evident at chemical enterprises like Grodno Azot, BITU is based at state-owned enterprises in the chemical industry with legally registered union branches: Grodno Azot, Naftan and Belaruski are in the ranks of Belkhimprofsoyuz, together with the Ukrainian unions affiliated to Federation of Trade Unions of Ukraine, FPU, especially Atomprofspilika, the Atomic Energy and Industry Workers of Ukraine.

In 2014 and 2019, BITU, the Belarusian Independent Trade Union, made two attempts to have Belkhimprofsoyuz excluded from IndustriALL for complying with to the statutes of the global union due to the government and employer power over the union, as well as its undemocratic internal organization and external relations. The top management of state-owned companies like Belaruskali are in the ranks of Belkhimprofsoyuz, including even the company's CEO. These “rank-and-file members” use their position to discriminate against independent union members, blocking their promotions and threatening them with dismissal. The global union has sent two executive committee missions to Belarus with recommendations that Belkhimprofsoyuz refrain from interfering in BITU affairs, and work together on common challenges such as the short-term contract system.

The clash of interests between Belkhimprofsoyuz and BITU is evident at chemical enterprises like Grodno Azot, Belaruski, Naftan, Belshyna, and the Mozyr Oil Refinery. These industrial giants have two trade unions representing their workers.

But Belkhimprofsoyuz has been working hand-in-glove with the corporations and the state for decades, and BITU has the evidence to prove it. Historically, the independent union emerged at those enterprises after a wave of strikes back in the late 80s and early 90s. In the early years, each union had concluded its own collective agreement until 2012 before a Presidential Decree introduced concluding a single agreement per company. The agreements became shallower every time they were concluded because of the state union's conciliatory stance supporting the intention of the state and the corporations to control and keep workers in line.

After the protests in August 2020, the collective agreements of Grodno Azot, Naftan and Belaruski were amended in favour of the corporations, which was made possible with the support and even the initiative of Belkhimprofsoyuz. Now workers can be dismissed without the consent of their union, including elected representatives of trade unions. The new Collective Agreement with Belaruskali has a clause according to which trade unions promise not to organize or call for a strike or any other action involving the refusal of workers to perform their work duties, in full or in part.

The Federation of Trade Unions of Belarus claims to be the country’s largest public organization, uniting some 4 million workers. The FPB and its affiliated unions officially nominated Aliaksandr Lukashenko candidate for 2020 presidential elections. During the election, its appointed members were either observers or members of election committees. When the protests broke out at industrial enterprises, FPB affiliates started to lose members, and many remaining members were collecting signatures for their locals to leave the FPB. Union officials began visiting state-owned enterprises to talk to the collectives and persuade FPB members to remain in the ranks of the state union. One of the two Vice-Presidents under Orda, who had been appointed by Lukashenko, Alena Mankevich, was on those tours going from one enterprise to another.

In February 2021, the FPB began collecting signatures under a petition complaining to the ILO about possible EU economic sanctions against Belarus. Employees of state-owned companies were forced in many cases to sign the petition and reported on this in social media. On May 1, 2021, the only organized demonstration in the country was organized by the FPB in front of the US embassy, condemning potential sanctions.

**INDIGENOUS UNIONs: A FIGHT FOR SURVIVAL**

**BKDP unions in brief:** Over 12,000 union members are organized in four BKDP affiliates. President: Aliaksandr Yarashuk. Vice-President: Siarhei Antusevich. Affiliated to ITUC. Affiliated with GUFs.


BITU is based at state-owned enterprises in the chemical industry with legally registered union branches: Grodno Azot (538), Naftan (423), Belaruski (3,139), UCE Remmontazhstroy (175), Belshyna, Mozyr Oil-refinery (684). It concludes collective agreements together with Belkhimprofsoyuz. There are union locals in Soligorsk and Novopolotsk. At Belineftekhim, the state-owned oil and chemical enterprise, BITU is part of tripartite negotiations
in the Tariff Agreement Committee together with Belkhimprofsoyuz. Recently, after a wave of strikes, new organizations emerged in the IT sector at Peleng and EPAM Systems. There were several attempts to legalize them through state registration, but the process is ongoing after several rejections by registering authorities and even court applications in several instances. At BMZ, over 200 workers decided to establish a BITU local, but activists are being harassed: at least 29 BMZ workers have been arrested and/or fired, and lost their jobs for participating in peaceful gatherings to express their civic position. Three were criminally prosecuted and have been sentenced to 2.5-3 years in prison for attempting a warning strike on August 17, 2020.

BITU made important statements after the 2020 election: to stop violence; to declare the election results invalid; to declare the All Belarusian Congress of February 2021 invalid as it did not represent the workers of Belarus. These statements have made the union’s position clear for both current and potential members.

BITU has strong bonds with independent unions in the region and in similar industries in Poland, Lithuania, Germany, the Netherlands, and Norway.

REP, Belarusian Union of Radio Electronic Industry Workers. President: Vassily Beresnev. Vice-Presidents: Zinaida Mikhniuk, Dmitry Borodjko. Ex-President Hennadz Mikhniuk is substitute member on the Executive Committee of IndustriALL. Total membership: 3,000. Recently it organized new locals at MAZ, MTZ, BelAZ, and the Minsk Motor plant, although none is registered to date. Active in public campaigns. Affiliated with IndustriALL. Strong ties to Denmark’s 3F and UK union solidarity groups.

SPM, the Free Metalworkers Union. President: Aliaxandr Bukhvostau. Vice-President: Aliaxandr Yeudakimchyk. Total membership: around 1,000 in locals at Grodno, Mogilov, Zhlobin and the Minsk Wheel Tractor Plant (MKTZ), the Managing Company of the Belkommunmash Holding, the Kozlov Minsk Electrotechnical Plant and the Minsk Cable Networks Branch of Minskenergo, although none are registered to date.

The SPM president was the leader of the Belarusian Labour Party, which was liquidated in 2004 by the Supreme Court. Today, Bukhvostau is a member of “A Just World,” a Belarusian leftist party. The union is active in the left political movement. The left agenda is noticeable in the publications of the union. Affiliated with IndustriALL.

SPB, the Belarusian Free Trade Union. President: Mikalaj Sharakh. Total membership: 1,500 organized in locals at Polotsk Steklovolokno, the Bobrujsk Tractor Parts and Components Plant, Brest State University, and the Novolukomli Hydroelectric Plant. SPB recently gained new members in education and healthcare. It has new independent branches: Panatseja uniting medical workers, and Adukatar uniting education workers and students. SPB plans are to lead the discussion of broad reforms in the country’s healthcare and education systems. The union plans to apply for affiliation with the PSI and EI GUFs.

**STRIKE COMMITTEES AND GROWING RIFTS WITH UNIONS**

BITU supports the strike committees at Grodno Azot, Naftan, Belaruskali, and BMZ, and, to some extent, Belaruskali. It communicates with Yara International on the violations of workers’ rights (dismissals, withholding of bonuses), union rights (discrimination against union members and leaders) and health and safety violations (numerous accidents) at Belaruskali; with Pirelli and other tire manufacturers on violations at BMZ; and with Helm and Ameropa on violations at Grodno Azot. Depending on the case, this is done in cooperation with the Global Union Federations, affiliated trade union centres, the Belarusian community abroad, Tsikhanouskaya’s Coordination Council, the Pavel Latushka National Anti-Crisis Management Centre, and strike committees where applicable.

Strike committees were formed in August 2020 at Grodno Azot, Naftan, Belaruskali, and BMZ and continue to be active. The Grodno Azot strike committee is headed by Yury Ravavoj, who is based in Warsaw. Its approximately 50 members all belong to BITU and it has strong links to Belarus’s independent union. With its own channels of information, the strike committee recently joined forces with strike committees at BMZ and Naftan, and now the committees act together. Communicate with the Belarusian community in Boston is supported by the BySol Foundation.

Belaruskali’s strike committee is headed by Anatol Bokun. It has about 130 members, 90% of whom belong to BITU. Its co-chairs include BITU Vice-President Sierhei Charkasau. Many striking workers have left Belarus. Moreover, BITU and the strike committee have a principled disagreement on the issue of Belaruskali’s contract with Norway’s Yara International AKA. BITU communicates with the union and management at Yara, notifying them of violations of worker and union rights, discrimination, accidents, and poor quality occupational safety and health standards at Belaruskali. Yara then negotiates improvements with Belaruskali management. This cooperation is supported by BKDP, global unions, and Sviatlana Tsikhanouskaya’s team.

Meanwhile, the strike committee is fighting to break the contract. It has allies among several Belarusian communities abroad, organizing petitioning campaigns to make Yara leave Belarus. These efforts are also supported by Latushka National Anti-Crisis Management.

**“DIVISION OF LABOUR” BETWEEN BITU AND STRIKE COMMITTEES**

Strike committees that appeared at state enterprises where BITU had a presence from the very beginning turned around and declared their independence from the union. BITU also considers the strike committees autonomous.
bodies, although it supports and legally protects its members on the strike committees. Thus, BITU provided updates on strike committees and violation of worker and union rights, as well as carrying out research into supply chains and finding support among the business partners of state-owned enterprises, which is one of the union’s primary goals. To protect the strike committee activists and leaders at Grodno Azot and Naftan from dismissals and arrests, and to offer them a certain status, they were elected BITU leaders and representatives. Later, company management deprived BITU of this protection by changing certain clauses in their Collective Agreements.

By law, Belarusian unions do not put forward political demands for a strike. However, in the cases of Grodno Azot and Naftan, the independent union became a platform for uniting new members with protest positions and allowing them to express their positions through strike committees that put forward political demands.

Strike committees used to hold meetings at union premises. Moreover, the ranks of committee at Belaruskali were openly recruiting new members based on a BITU poster at the union’s headquarters. Currently, the only strike committee with difficulties and disagreements is the one at Belaruskali. Unlike other committees, this one is the most diverse: its core was formed in August, and the majority joined much later, when the solidarity funds began supporting the new strikers financially. While the main goal of the core was to start a massive strike to push for political demands, the main goal of the latest version of the strike committee appears to be more getting Norway’s Yara International to leave Belarus. Relations between BITU and the strike committee at Belaruskali appear hostile from the committee side when it comes to Yara.

INITIATIVES AND RELATIONS AMONG COMMITTEES, UNIONS, EXILES AND THE OPPOSITION

Belarusian political centres in exile are keen to be involved in workers’ issues. They actively organize online events and periodic zoom calls with strike committees, but the independent unions are no longer invited to any of these.

While communicating with the political centres in exile, the Latushka Anti-Crisis Centre and Tsikhanouskaya’s Coordination Council and her experts on economic reforms, it began to be clear to the joint strike committee members at BITU that none of the political centres had a positive plan or vision of what would happen to huge state-owned corporations that employ hundreds of thousands Belarusians and provide quite decent salaries during and after a transition period. This failing encouraged the union representatives to start an independent initiative on their own.

Rabochy Rukh: The joint strike committee at Grodno Azot, Naftan and BMZ launched the Rabochy Rukh (RR) or Workers’ Movement initiative, with an online platform at www.stachka.org. The primary objective of this online platform is to consolidate human rights and freedoms in Belarus, including by means of a nationwide strike, as the most effective and unstoppable mechanism available to workers. Once the general demands of the people of Belarus to restore human rights and fundamental freedoms have been met, Rabochy Rukh will push for:

- the promotion of workers’ social and economic interests during the transition period;
- compliance between the legal framework of the Constitution and international law;
- the amendment of the short-term employment system;
- the reorganization of the wage scale system;
- the fostering of employee welfare;
- the abolition of state-controlled unions and the establishment of truly independent trade unions;
- other reforms affecting workers.

The platform has great potential and the ambition to prepare for a nationwide strike. It offers an opportunity to unite workers by registering them online, securely collecting personal data, disseminating instructions, and building horizontal connections. It also can provide coordination at the local and national levels. It is a truly grassroots independent workers’ and strikers’ initiative that is technically being carried out as a multilevel chat-bot by technicians at the Golos platform—the one who counted votes via Telegram and Viber during the 2020 election,—, financially supported by the BySol Fund and INeedHelpBy. It started operating in mid-April, 2021. Today, more than 14,000 have registered with the platform, most of them from Minsk and Mogiliov. Notably, employees at private companies and small-scale entrepreneurs are actively joining the platform.

Rabochy Rukh can be adapted to many purposes, including research. It can set up focus groups for various labour-related studies, such as to test the mood, the views and readiness for changes of wide strata of Belarus’s working class: by industry, by region, by company ownership, and so on.

Profsoyuz Online: This is an NGO registered in Lithuania. At the beginning, it was strongly connected to BKDP, serving its purpose by assisting independent unions with reaching potential new members. At the moment, BKDP considers Profsoyuz Online harmful to unions. The platform disseminates inaccurate information and content that is not approved by BKDP. Initially, the project was very generously supported by a foundation, but after that, two key employees were dismissed. The platform collaborates with “Honest People” and other new initiatives that are similarly acting against independent unions or engage in questionable undertakings. One of those is to send letters to the ILO describing personal stories of violations of rights at work. However, the ILO does not work with individual cases. BKDP is not aware of the platform activities and is
considering withdrawing its recommendation for a grant. Meanwhile, a pilot project for BITU could be set up, based on the platform engine.

SOLIDARITY FUNDS AND HOW THEY WORK

Two funds support Belarusians who are being persecuted: BySol and ByHelp. BySol assists striking workers, strike committees, those who lost their jobs due to protest activities, and worker-related projects, such as Rabochy Rukh. ByHelp provides assistance to political and other prisoners, pays out fines, lawyers’ fees, and pay-to-stay in prison fees.

RELATIONS WITH THE EXPERT COMMUNITY

BKDP is represented in Tsikhanouskaya’s Coordination Council by its president, Aliaksandr Yarashuk. Bringing labour and union policy issues to the agenda of the Council has been very difficult. Although Tsikhanouskaya is surrounded by experts, they have little empathy for the future of workers. The reform models these economic experts are talking about are the same as the “shock therapy” that was visited on Hungary, Poland, Lithuania and Slovakia 30 years ago.

BITU has noticed that the expertise of the independent union movement is questioned by the new democratic political powers, unfortunately. This has been evident in the case of Yara International and in the engagement of all possible politicians in exile, who have been interfering, insisting on a destructive approach, and, worse, publicly bad-mouthing BKDP, BITU and their efforts. The only credible Belarusian political figure in exile is Sviatlana Tsikhanouskaya, as she was voted for by a majority of Belarusians. This means that any worthwhile communication on the future of labour must be with her office. To discuss this future, Belarusian unions need to have a well-developed, clear position and promote it through an effective public awareness campaign.

It seems that nowadays all independent economists, academics can be employed in developing future policies for the Belarus economy, and that they are all either neutral or friendly towards workers’ issues. There are several think-tanks in Belarus, and they are worth contacting and inviting them to participate in writing policy papers.

THE PROSPECTS FOR VARIOUS UNIONS

Should the political regime in Belarus turn 180 degrees, the FPB unions will be faced with the challenge to either “democratize” or disappear. Seemingly democratized unions historically are still subordinate to the corporations and continue to provide service-like functions rather than collective efforts. Russia’s FNPR and the Ukrainian affiliates of FPU are classic examples.

Free and independent unions will always be on the side of the workers, in distinct opposition to any corporation or government that does not act for the good of workers.

Should the Belarusian people win, strike committees will no longer be needed and will have to either transform into another form of workers’ organization or disband. The strike movement is worth some research that will be useful for the trade union movement. At the same time, the strike committees themselves are not potential research centres as they don’t typically engage individuals with research skills. The basic corporate research skills are outsourced to global Union Federations experts, BITU and representatives of the Belarusian community abroad.

The need for solidarity funds is likely to continue during the transition period, so the existing solidarity funds might as well be transferred into new forms of organizations or foundations.