

12TH AFRECON

**12TH REGIONAL CONFERENCE FOR
AFRICA AND ARAB COUNTRIES
(AFRECON)**

**TRADE UNION RIGHTS AND
CHALLENGES OF PUBLIC SERVICES UNIONS
IN THE MENA AND AFRICAN REGION**



SOLIDARITY • STRENGTH • SERVICE

**GABORONE SUN CONFERENCE CENTRE,
BOTSWANA
22-25 SEPTEMBER 2015**

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INTRODUCTION

The political, economic and cultural circumstances on the African continent are characterised by hugely variegated conditions. The population of Africa is approximately 1.11 billion, and is predicted to triple by 2050. Africa has huge disparities in the distribution of wealth, concentrations of private and public investment, labour and democratic participation. The continent includes the eighteen countries ranked lowest in the United Nations Development Programme's 2014 Human Development Index. Many of these countries have been beset by civil conflict and political instability for prolonged periods, and much of the African population remains at risk of food insecurity, high unemployment, poverty and inequality, and environmental degradation. According to the ITUC 2015 annual survey, five African countries (Central African Republic, Eritrea, Libya, Somalia, Sudan and South Sudan) provide no guarantee of rights due to the breakdown of the rule of law, and North Africa (alongside the Middle East) is identified as the "world's worst region when it comes to fundamental rights at work". At the other end of the spectrum, the UNDP has classified 17 out of 52 African countries as having achieved high and medium levels of human development. South Africa stands alongside Brazil, Russia, India and China, in the BRICS club of "newly emerging" economic powers. Within the Southern African Development Community (SADC), South Africa enjoys significant economic and political dominance – comprising 60% of trade, 70% of GDP as well as a primary source of foreign direct investment for other SADC states.

In many regions, analysis is plagued by with a lack of adequate information. In accordance with the 2008 Declaration on Social Justice for a Fair Globalization, the ILO is supporting African states through technical assistance and capacity building at national, sub-regional and regional levels, to establish appropriate indicators with which to monitor the progress made in the implementation of the ILO Decent Work Agenda. However, the data for indicators collected so far has been somewhat piecemeal, and consistent reliable data on topics such as unionization and social dialogue remain scarce.

The conditions of African labour in the colonies and exploitation of the continent's natural resources have played a critical formative role in the history of contemporary African nation states. For many, independence did not bring the political or economic liberation either desired or anticipated, and genuine decolonisation is still regarded by some political actors as incomplete. As the ILO notes, "African countries are among those that have benefitted least from the wealth and advantages created by globalization".

Africa in general and sub-Saharan Africa in particular has experienced significant growth acceleration since the mid-1990s. The continent has seen average gross domestic product (GDP) growth rise from just above 2% during the 1980s and 1990s to above 5% between 2001 and 2014. Angola and Equatorial Guinea had double-digit growth rates for the period 2000-2010. With the global economic and financial crisis, most African countries have continued to record strong economic growth; despite a slowdown, the continent's average growth rate from 2008 to 2012 was about 2 percentage points higher than the global average. Variances reflect differences in income levels, availability of natural resources, macroeconomic policies, and political and social stability; GDP growth remains highest in East, West and Central Africa, and lowest in Southern Africa and North Africa, which is still affected by the consequences of the 2011 uprisings. Critics have long maintained that the failure to engender growth in sub-Saharan Africa prior to the mid-1990s was concurrent with the Structural Adjustment Programmes (SAPs) of the 1980s and 1990s (see below, Section III). Oil price shocks and the resulting debt crisis as well as policy mistakes and poor governance, are also plausible factors.

Despite recent growth trends, the region still had a per capita GDP in the late 2000s barely above that of the 1980s. The main challenges in all regions are to diversify and make growth more inclusive. To a significant degree, growth has not resulted in job creation or poverty reduction. Unemployment and inequality have increased on the continent over the past decade. Moreover, some of the highest rates of growth in Africa in recent years have been achieved in environments where civil, political and trade union rights are severely restricted.

LABOUR SITUATION

I) EMPLOYMENT ISSUES

Sub-Saharan Africa has the highest workforce participation rate in the world, estimated at 70.9 per cent (compared with a global average of 63.5 per cent in 2014). However, rates of working poor and vulnerable employment are also the highest in the world. Agriculture remains Africa's largest economic sector, accounting for approximately 60% of the continent's employment and one quarter of GDP. The ILO acknowledges that the terms of trade for agriculture, trade liberalization policies and subsidized international competition have negatively impacted on the successful development of agriculture to the detriment of workers in the sector. Informal employment is a key feature of African states' labour markets.

Despite strong growth trends, the majority of African economies have been unable to create sufficient numbers of formal jobs. As of 2012, the ILO recorded seven African countries with a percentage of informal employment of over 80 per cent: Benin, Cameroon, Mali, Senegal, Tanzania, Uganda and Zambia. In South Africa, around one-third of employment is in the informal sector. Commonly, workers in the informal economy are excluded from – or provided insufficient protection under – domestic labour regulations. In one 2011 ILO study, a set of multidimensional policies is identified which would “facilitate transition to formality and decent work”: i) Promoting formal employment, ii) Reducing informal employment and iii) Increasing decent work in the informal economy. However, “informality is not merely a transitional phenomenon.” A South African government Committee of Inquiry report in 2002 highlighted that for most developing countries, “where stable full-time waged formal sector labour was never the norm, it is increasingly unlikely that it will become the norm.” Child labour is also often identified as a widespread challenge in the informal economy. According to a 2012 ILO report, female unemployment is 1.5 times higher than male unemployment for much of the continent.

II) TRADE UNIONISM IN AFRICA

Trade unions have played a particularly high profile role both in organising resistance to neoliberal economic reforms and promoting transitions to multi-party democracy on the continent. Across the continent, in the early 1990s, trade unions were at the forefront of civil society protests and strikes demanding political pluralism. In Ghana, for example, the Trade Union Congress (TUC) was actively involved in the democratic transition of the early 1990s and had ten members on the Consultative Assembly that drafted the new civilian Ghanaian constitution adopted, by referendum, in 1992. The TUC subsequently opposed government austerity measures and called for “circumspection” in the privatization process.

This transition to democratic pluralism has however some produced tensions within the trade union movement. The challenges of single union monopolies have in some countries been substituted with the proliferation of workers' unions, as the processes of transition have been exploited to weaken and divide the labour movement.

The levels of trade union membership in Africa, are in a few cases, quite high as a proportion of formal (waged and salaried) workers, for example, in the case of Ghana, Sierra Leone, and also South Africa, with Kenya, Mauritius and even Egypt also showing at least moderate levels of unionisation. Switching to an analysis of unionisation as a proportion of overall employment, however, gives a completely different picture, with levels everywhere dropping, in most cases to very low levels indeed, for example, Ethiopia, Niger, and Uganda, with only 1 percent levels of unionisation. South Africa remains comparatively high on this analysis, with Egypt and Mauritius also posting moderate levels on unionisation even on the wider analysis of all workers. The ILO (unfortunately forced to rely on dated and incomplete information) reports as follows in Fig 2.

Fig. 2: Trade Union Density in MENA/AFRICA
(source: ILO, most recent available data)

Country	Year	Proportion of waged and salaried workers	Proportion of total employment
Egypt	2007	26.1	16.1
Ethiopia	2007	12.9	1.0
Kenya	2007	35.5	4.1
Malawi	2006	20.6	2.7
Mauritius	2007	28.2	14.8
Niger	2008		1.1
Sierra Leone	2008	46.8	3.6
South Africa	2008	39.8	24.9
Tanzania	2009	18.7	2.2
Uganda	2005		1.1

In particular, the high incidence of informal and precarious employment prevalent in African states and a unionised workforce concentrated in the public sector, presents a significant challenge for the organisation of workers. As a result, even where collective bargaining rights are respected and bargaining is extensive in the formal economy, the proportion of workers covered sometimes represents only a fraction of the workforce.

The ILO has moreover noted that the scarcity of reliable trade union density indicators, differing methods of calculation and insufficient data collection, creates challenges for analysis. Citing more recently published statistical data (covering slightly different countries), the ILO proffers the following tentative overview:

“[U]nion density rates are and remain generally very low especially in western and Central Africa, such as in Niger (0.3 per cent in 2010), Benin (1.6 per cent) and Cameroon (1.9 per cent), while they are significantly higher in eastern and more so in southern Africa: 18.1 per cent in Ethiopia, 25.2 per cent in Mauritius, 30.0 per cent in South Africa, and 38.0 per cent in Zambia (the highest observed thus far). The most interesting features of this dimension are that women are better represented than men in eastern countries; the opposite is true in the southern states, while in all countries, trade unions are more present in towns.”

SUMMARY

- **The high level of workforce participation in Africa belies varied and often highly disadvantageous conditions of work. The vast majority of African workers are employed in the informal economy and do not enjoy adequate labour rights protection**
- **Disadvantageous terms of trade exacerbate the problems of working poor, particular in relation to agriculture, which remains the continent’s largest sector for employment**
- **Consequently, unionisation rates are low and unionised labour is concentrated in the public sector – although a scarcity of empirical data on the situation in many countries hinders comprehensive analysis**

II. TRADE UNION RIGHTS

Both the legal framework and exercise of trade union rights in African countries vary widely. The following overview provides specific country examples of the legal framework and practice of trade union rights in a selection of African states to highlight key restrictions and challenges. The continent comprises a wide spectrum of practices and a similarly wide gap between law “on the books” and law “in practice”.

I) RIGHT TO FORM AND JOIN UNIONS

Restrictions on freedom of association continue to occur in a number of countries, as well as outright repression of trade union activities in some states. Often, the relevant authorities are afforded wide discretion to prevent or delay registration. Freedom of association is enshrined in the constitutions of some countries, as under the 2010 Kenyan constitution. But the Registrar may refuse to register a union where another union already exists. In Uganda, under the 1995 Constitution and the Labour Unions Act 2006, freedom of association is provided for all employees, except the armed forces. At the other end of the spectrum, union recognition (as well as political opposition) is almost wholly denied in Equatorial Guinea: the government has repeatedly refused to register local unions. Many countries impose legal requirements that hinder freedom of association.

In Cameroon, heavy fines may be imposed on unregistered unions that carry out union activity. In Zambia, freedom of association is recognised in the 1996 Constitution, but the 1993 Industrial and Labour Relations Act is based on the “one industry, one union” principle, and new unions are unable to achieve recognition where an existing union is already established. Improvements in legal protections of trade union freedoms often do not prove adequate in practice. Despite the constitutional right to form unions, there is considerable resistance to worker unionisation in Kenya’s export processing zones (EPZs), where the Tailors and Textile Workers Union (TTWU) have reported that freedom of association is often restricted. The obstruction by employers of legitimate union activity in EPZs is also reported, for example, in Ghana and Nigeria.

In 2013, the ITUC reported that, of the 123 companies operating in Nigerian EPZs, only five companies permitted unionisation but amongst these union leaders had faced victimisation and dismissal. Similarly, in Uganda, although the Labour Unions Act 2006 removed requirements for 51% consent of workers to gain union recognition in the workplace, companies in the private sector reportedly still refuse to recognize unions.

The royal family in the Kingdom of Swaziland continues to trample on the rights of workers. In 2011, a Public sector bill was introduced in order to cripple the ability of public sector workers to come together to defend, promote and protect their rights. The trade unions in Swaziland do not have the right to freedom of expression and association. This is affecting effective mobilization of workers in Swaziland to demand fair working conditions for their members.

Public sector workers face particular obstacles for the exercise of freedom of association. In Algeria, thirteen autonomous unions have been awaiting formal recognition from the Ministry of Labour for several years, while union activists have faced arrest, harassment and dismissal.

PSI affiliate in Algeria SNAPAP is consistently subjected to attacks and threats by the government. There has been an attempt to kill the president of the union by cutting his car breaks, the property of the union has been destroyed by state security agents and numerous activists have been fired, arrested, detained and threatened. Since the end of the Mubarak regime, an independent trade union movement has risen in Egypt. However, the unions are often threatened, prevented from collecting union fees and their members from doing their union work.

In Ethiopia, teachers, civil servant and health workers may not form or join trade unions but may only join ‘associations’. In Lesotho public service workers may only join ‘associations’. In Uganda, the Prisons Act 1958 restricts union activity by workers in the prison service. Such

exclusions have important implications: in Zambia, the exclusion of certain categories of public service workers from the relevant labour legislation has been identified as a key cause of the continuing decline in union membership.

In 2001, the Union of Kenyan Civil Servants (UKCS) – banned since 1980 – was re-registered, and in 2003 the University Academic Staff Union was registered after a 10-year battle. In Mozambique, although the 1990 Constitution guarantees freedom of association, legislation recognising union rights for workers in the public administration was only approved in 2014 and is still in the process of formalisation. Previously, the Civil Service Union (Sindicato Nacional da Função Pública, SINAFP) has been denied legal status. The new law provides for legal recognition of SINAFP and this is anticipated to further increase union membership, although workers in defence and security services, prison workers and judges, are still excluded from the bill.

In Cameroon, the law does not permit for unions that combine public and private sector workers, and workers in Burundi are similarly prevented from combining public and private organisations. In Cameroon public servants' unions further require authorisation before affiliating to any international organisation.

In Botswana, trade union legislation conferring basic trade union rights does not apply to the prison service. Botswana has also been criticised at the ILO for a lack of protection against acts of government interference in trade union activities.

In Mauritania, magistrates are banned from organising. Mozambique has a ban on organising for fire-fighters, the judiciary and prison officers. In Namibia prison officers did have the right to organise but this was withdrawn and their union was derecognised. In Nigeria there are bans on organising in a wide list of sectors classed as 'essential'. And Rwanda maintains a ban on civil servants organising.

Despite the ratification of the Convention 87, freedom of association remains a major challenge for trade unions in Chad. Due to a strike in public administration in 2011, trade union leaders were victims of arbitrary arrest, imprisonment and other all kinds of threats. To succeed in its mission, the government used the judiciary. Currently, the national centers and other workers associations are fighting for human and trade union rights.

Other restrictions also hinder the freedom of association of foreign workers. In the Democratic Republic of Congo the right to join and form unions is provided for without excessive restrictions, under the 2006 constitution and 2002 Labour Code. Foreign workers are however barred from holding union office until they have been resident for 20 years. The issues of trade union monopolies and trade union proliferation are of particular concern in a number of African countries and represent a clear hindrance to freedom of association (see below, Section III).

II) COLLECTIVE BARGAINING

Collective bargaining regimes vary widely across the African continent and across public-private sector divisions. In South Africa, for instance, collective bargaining takes place at sector, enterprise and plant levels. There are 47 bargaining councils covering an estimated 2.5 million workers across both the private and public sectors (including national and local government). Additionally, collective bargaining occurs in non-statutory structures (including in mining, automobile manufacturing, contract cleaning and private security). Where there is limited bargaining and union organisation, wages are determined through sectoral determinations implemented by the Department of Labour. In Cameroon and Mali, there are no legal mechanisms for compelling employers to enter into negotiations; in Mali some collective bargaining agreements (CBAs) have reportedly not been renegotiated since 1956.

Specific restrictions on public sector workers are in place to prohibit collective bargaining on wages in many countries. For example, in Benin, the 1998 Labour Code regulates individual and collective labour issues, including wages and working conditions. Workers in public administration are not covered by the Code, and pay in the public sector is set

administratively. In Senegal, collective bargaining in the public sector is subject to executive and legislative powers over wage setting. While public servants in mainland Tanzania and Zanzibar are governed by public service laws, there is a fragmentation of labour law regimes for private sector workers in the two areas respectively, weakening capacity for social dialogue. In Zanzibar, there are no registered agreements. Similarly, in Zimbabwe, there is legislation recognising the right to engage in collective bargaining but regulations are highly fragmented and undermine the capacity of unions to bargain for all public sector workers.

In Cameroon the Government introduced a directive preventing senior officers from participating in trade union activities. Furthermore trade union officials are threatened; their phones and e-mails are tapped. The Government is victimizing union officials, whilst others are wrongfully dismissed without paying them their entitlement or benefits.

Government involvement in collective bargaining arrangements often hinders workers' bargaining power. Commonly, there are legal requirements to register CBAs with the authorities, who have discretion to approve them. For example, in Nigeria collective bargaining is practised in many sectors, but private sector collective agreements must be registered and approved by the Ministry of Labour – as is also the case in Mali and the Gambia. In Zimbabwe's negotiating forums have been established for both the public sector and for the health sector, however, their decisions or conclusions are still subject to consideration by the Minister for approval or rejection. The ILO CEACR has requested the amendment of legislation in Niger that grants the Minister of Labour discretion to determine which workers' organisation is representative for the purposes of public sector collective bargaining in some circumstances.

In Benin, a new National Consulting and Collective Bargaining Commission was created in 2008. The Commission issues recommendations on collective agreements and minimum wage classifications. Private sector collective agreement negotiations are presided over by labour inspectors and the Minister of Labour has discretion to extend the scope of agreements to become binding on other workers. Collective bargaining agreements may not however establish conditions less favorable than under the 1998 Labour Code. In Senegal, a tripartite National Charter for Social Dialogue was concluded in 2002 covering private and public sector employment, which is intended to strengthen collective bargaining, and ensure that "negotiations can be held with the full participation of the State, in its capacity as both employer and the guarantor of the general interest". The Charter established a National Social Dialogue Committee, which facilitated a protocol agreement between the government and unions in the health sector in 2007. However, the authorities reportedly blocked collective bargaining in the education sector in 2008. Similarly, in Rwanda, the 2009 Labour Code provides for a nascent system of formal collective bargaining, and the first such agreement was reached in 2011. However, high levels of government involvement in negotiations have been reported and as yet no agreements have been concluded in the public sector. In a novel move, the President of the Gambia unilaterally imposed a four-day working week on the civil service in 2013, in order "to allow Gambians to devote more time to prayers, social activities and agriculture", a development which was opposed by the Gambian Workers' Confederation. In South Africa, workers employed under Expanded Public Works Programmes (EPWPs) have "little incentive" to join trade unions because "wages and conditions of work are determined by the Minister of Labour, and there is no prospect of collective bargaining."

Even when agreements are established, it is widely reported in many countries that employers in practice often do not honour agreements. Other practical challenges include the training and capacity of bargaining parties. In Tanzania, labour laws provide for formal collective bargaining, but it is reported that a "lack of negotiation skills coupled with lack of trust between the parties have all contributed to a failure to have a good number of CBAs". In South Africa, while it is estimated that over 50 per cent of bargaining council coverage is linked to the public service (including local government), the outsourcing of some workers undermines their collective bargaining rights. In municipal services such as waste collection, a 2014 ILO study of non-standard employment in the public sector in South Africa study reports that work is sometimes rendered by a mixture of both government employees and external contractors, which negatively impacts on the maintenance of labour standards,

as workers “doing equivalent work are not being treated alike”. The study concludes that, “despite the South African government’s commitment to freedom of association, and the right of workers to form or join a trade union, it is arguably complicit in supporting non-standard work arrangements which make the exercise of these rights difficult, and which are arguably calculated to frustrate the exercise of trade union rights.”

III) RIGHT TO STRIKE

Compulsory conciliation procedures or dispute requirements strongly hinder exercise of the right to strike in a high number of countries, to the extent that “unlawful” strikes are sometimes the norm. In Zambia, for example, although most workers (other than those in essential services and the police, judicial and security services) have the right to strike, lengthy procedural requirements render almost all strike actions in practice illegal. The ITUC noted in 2013 that no lawful strike had been conducted in the country since 1994. Other countries, including Republic of the Congo, Kenya and Cameroon also impose lengthy and complex requirements to exhaust conciliation and arbitration procedures before strike action. In Kenya, for example, the Ministry of Labour can refer disputes to binding arbitration and potentially lawful strikes are frequently disrupted by government interference and delay.

Explicit restrictions on certain categories of workers are widespread, particularly for public sector workers. In Mozambique and Cameroon, as in a number of other countries, civil servants, the police and armed forces are prohibited from striking. In Burkina Faso, labour inspectors and uniformed personnel are banned from striking. Following a strike by magistrates in April 2001, the Minister of Justice implemented a major reform of the justice system, which also now prohibits magistrates from striking. In Kenya, members of military, police and prison guards are prohibited from striking. Workers in EPZs also commonly face restrictions on the right to strike. In 2003, strikes called by EPZ workers in Kenya were declared illegal and workers were dismissed. Similarly, in Nigeria, the Export Processing Zones Act 1992 provides for a moratorium on strikes in EPZs, for ten years from the commencement of an enterprise’s operations. Lesotho maintains a ban on public sector strikes generally, as does Benin, where threats and harassment were recently reported against the organisers of public sector strike action.

In a number of countries, the right to strike is restricted in “essential services”, which often comprise an excessive proportion of workplaces or are determined by ministerial discretion. For example, in Benin, the right to strike is restricted or prohibited in “essential services”, which include energy, water, air transport and telecommunications. In Nigeria, strikes are prohibited in “essential services”, defined in the 1990 Trade Disputes Act, including banking, postal, transport, port, harbour and dock services. In the Republic of the Congo, refusal to provide statutorily required “minimum service” in “essential services” during strikes is considered gross misconduct. In Burkina Faso, the government also has the right to requisition private and public sector workers to ensure minimum service in “essential services”. In Mozambique, “essential services” include Export Processing Zones (EPZ). In Kenya, workers in “essential services” have a legal right to strike after giving a period of notice. In Botswana, strike action lasted for 8 weeks in 2011, in support of the demand for a 16% wage increase by five public sector unions. Consequently, the Government of Botswana introduced a new Essential Services Law to restrict public sectors workers from embarking on strike action in future. The government also fired participants in the strike.

Criminal charges for participation in “unlawful” strike action are alarmingly common in African countries. In Nigeria, the Trade Union (Amendment) Act 2005 sets out penal sanctions including fines or up to six months imprisonment for participating in strike action deemed illegal. Strikes concerning government social or economic policy are unlawful under the Act. In Cameroon, workers participating in unlawful strikes can face significant fines and a 2007 strike by prison workers led to fifty workers being detained by the military. A teachers’ strike held in Kenya in 2009 was ruled unlawful by the Industrial Court, resulting in arrests and detentions of tens of striking teachers. In Zambia, under the Public Order Act, police permission is required for public meetings and demonstrations, and the Act has been used to arrest local government workers protesting against lengthy pay arrears. Police officers may also arrest without warrant striking workers whom they believe to be from “essential

services". The Zambian High Court in 2013 dismissed a civil society application to review the Public Order Act. In Benin, strikes may be declared illegal on grounds of social order or the national interest. In 2009, demonstrations were banned and a 48-hour general strike to protest repression of trade union rights, which was widely observed by public sector workers, was ruled illegal. Striking teachers who demanded that the government honour an agreement with trade unions on wage index increases, were arrested in 2012, and only released following union pressure. In Egypt, workers face serious repercussions for organising protests under autocratic laws which have effectively criminalized freedom of assembly: intimidation, detention and violence are used against workers involved in strike action. In 2014 the leadership of Jordan Electricity union were arrested while supporting a sit-in in the sector. This strike was against privatization of electricity in Jordan.

In practice, whether with or without the protection of the law, striking workers in Africa often contend with the deployment of (excessive and sometimes lethal) force by private or state security services. For example, unions launched a ten-day nation-wide general strike in Nigeria in 2003 to protest wage issues and fuel prices. At least 19 protesters were killed in a series of incidents that included police firing on unarmed protesters during the first day of the strike. In 2008, in Equatorial Guinea, two strikers were killed and four seriously injured by state security forces during a strike held by more than one hundred Chinese workers at a construction site. The 2009 US State Department Report on Human Rights Practices records that no action was taken against those responsible. In Zambia in 2010, Chinese managers shot and wounded 13 workers at the Collum coal mine during a protest for better pay and conditions organised by the Gemstone and Allied Workers' Union. Charges of attempted murder were dropped in 2011 after the company paid compensation. In Benin in December 2013, hundreds of workers demonstrating for minimum wage increases in the private sector and state-owned companies were attacked by police leaving several people injured, including union leaders. In Tunisia, the Tunisian General Centre (UGTT) was attacked by the Islamic government that came to power. Furthermore in 2013, after the assassination of leader of the opposition, the country entered in a political crisis which led to a new independent government.

SUMMARY

- **Full enjoyment of trade union rights continues to be denied workers in most countries. This is sometimes pursuant to the relevant law, which restricts trade union rights to particular categories of workers (ie. essential services, public sector, EPZs). Public sector workers face a particularly wide range of restrictions, on freedom of association, collective bargaining and the right to strike.**
- **Where the law does provide a framework for trade union rights, the authorities often undermine their exercise in practice, for example through undue delay, interference or, in extreme cases, violent repression.**
- **Some workers are wholly excluded from collective bargaining arrangements, or their bargaining power is limited by factors including requirements for government approval and lack of training.**
- **The exclusion of workers from legal protection of trade union rights potentially negatively impacts on the incentives for excluded workers to unionise. The inability of even those workers protected by adequate legislation to exercise these rights in practice is likely to negatively impact even on the incentives for all workers to unionise.**
- **Lengthy legal requirements (eg. conciliation procedures) and undue delay (eg. trade union registration) forces workers to sometimes organise outside of the law. Trade unionists may face a variety of sanctions for such activity. Moreover, in many countries, trade unionists are exposed to intimidation, violence and state repression even for legitimate trade union activities undertaken fully in accordance with the relevant laws.**

NOTES

1. African Economic Outlook (African Development Bank Group / OECD / UNDP, 2015)
2. These are: Niger, Democratic Republic of the Congo, Central African Republic, Chad, Sierra Leone, Eritrea, Burkina Faso, Burundi, Guinea, Mozambique, Guinea-Bissau, Mali, Liberia, Malawi, Ethiopia, Gambia and Côte d'Ivoire. Date from United Nations Development Programme, Human Development Index 2014. Available from: <http://hdr.undp.org/en>
3. Available from: http://www.ituc-csi.org/IMG/pdf/survey_global_rights_index_2015_en.pdf
4. African Economic Outlook (African Development Bank Group / OECD / UNDP, 2015) vii
5. World Bank, Regional Integration and Cooperation: Southern Africa – Southern African Development Community.
6. Sarah Mosoetsa and Michelle Williams (eds.) Labour In The Global South: Challenges And Alternatives For Workers (Geneva: ILO, 2012) 114
7. Trade union pluralism and proliferation in French-speaking Africa (Geneva; ILO, 2010)
8. Efficient Growth, Employment and Decent Work in Africa: Time for a New Vision -Employment Sector (Geneva: ILO, 2011) 13. Available from: <http://www.ilo.org/publns>
9. African Economic Outlook (African Development Bank Group / OECD / UNDP, 2015) 22
10. Decent Work Indicators in Africa: A first assessment based on national sources (Geneva: ILO, 2012) ix. Available from: <http://www.ilo.org/publns>; UNCTAD, Economic Development in Africa 2014: Catalysing Investment for Transformative Growth in Africa. UNCTAD/ALDC/AFRICA/2014 (UNCTAD: 2014) 2
11. African Economic Outlook (African Development Bank Group / OECD / UNDP, 2015) 28,29
12. Efficient Growth, Employment and Decent Work in Africa: Time for a New Vision -Employment Sector (Geneva: ILO, 2011) 15
13. African Economic Outlook (African Development Bank Group / OECD / UNDP, 2015) 28,29
14. UNCTAD, Economic Development in Africa 2014: Catalysing Investment for Transformative Growth in Africa. UNCTAD/ALDC/AFRICA/2014 (UNCTAD: 2014) 3
15. World Employment and Social Outlook: Trends 2015 (Geneva: ILO, 2015) 54
16. African Economic Outlook (African Development Bank Group / OECD / UNDP, 2015) 26
17. Efficient Growth, Employment and Decent Work in Africa: Time for a New Vision -Employment Sector (Geneva: ILO, 2011) 243
18. Among Benin's rural population, 99.7% of workers are reportedly engaged in the informal economy. Decent Work Indicators in Africa: A first assessment based on national sources (Geneva: ILO, 2012) 25. Available from: <http://www.ilo.org/publns>
19. Efficient Growth, Employment and Decent Work in Africa: Time for a New Vision -Employment Sector (Geneva: ILO, 2011) 18
20. Sarah Mosoetsa and Michelle Williams (eds.) Labour In The Global South: Challenges And Alternatives For Workers (Geneva: ILO, 2012) vi
21. Transforming the Present, Protecting the Future: Report of the Committee of Inquiry into a Comprehensive System of Social Security for South Africa. RP/53/2002 (Report submitted to the South African Minister for Social Development, March 2002)
22. Decent Work Indicators in Africa: A first assessment based on national sources (Geneva: ILO, 2012) 14. However, more recent statistics for sub-Saharan Africa depict a comparable unemployment rate across genders (with the female rate, at 8.7 per cent, only marginally higher than male rate, 6.9 per cent. World Employment and Social Outlook: Trends 2015 (Geneva: ILO, 2015) 54
23. Hayter, Susan and Stoevska, Valentina (2011), 'Social Dialogue Indicators: International statistical inquiry', International Labour Office (<http://laborsta.ilo.org/applv8/data/TUM/TUD%20and%20CBC%20Technical%20Brief.pdf>)
24. Decent Work Indicators in Africa: A first assessment based on national sources (Geneva: ILO, 2012) xiii
25. Including the Unión Sindical de Trabajadores de Guinea Ecuatorial (UST, English: Workers' Union of Equatorial Guinea), the Sindicato Independiente de Servicios (SIS, English: Independent Services Union), and the Asociación Sindical de Docentes (ASD, English: Teachers' Trade Union Association). Only the Organización Sindical de Pequeños Agropecuarios (OSPA, English: Syndicate of Smallholder Farmers) has been given legal recognition – in 2001 after a three-year process. The significance of OSPA's legal status is somewhat lessened by the nature of the farming sector and the dependency of smallholder farmers on agricultural production. OSPA was originally conceived of as a federation within the UST, but severed links with the UST after gaining recognition.
26. Labour Market Profile 2014: Ghana, Ulandssekretariatet and LO/FTF Council (Danish Trade Union, Council for International Development Cooperation). Available from: http://www.ulussekretariatet.dk/sites/default/files/uploads/public/PDF/LMP/Imp_ghana_2014_final_version.pdf

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