

ARE THE INDEPENDENT DEMOCRATIC
TRADE UNIONS OF BELARUS THE ENGINE
OF SOCIAL REFORMS?



ISBN 978-9955-772-36-1



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Edited by Eastern Europe Studies Centre

Design by Irena Kalediene

Designed and printed by



Printing House KOPA
U0002033, www.kopa.eu



This publication has been produced with the assistance of the European Union. The contents of this publication are the sole responsibility of the Eastern Europe Studies Centre and can in no way be taken to reflect the views of the European Union.

February 2012, Vilnius

SUMMARY

The study of the trade union activities is based on the results of the sociological survey that was carried out by means of the method of the in-depth interview and expert survey of the leaders of the independent trade union movement of Belarus. The research in question is aimed at the study of the present situation in the democratic trade union movement of Belarus and making out the ways of the most efficient use of the potential of trade unions in the formation of public opinion of the country. The target group of the given public opinion survey are the members and leaders of the independent democratic trade unions of Belarus as well as the members of other non-governmental organisations (NGO's) created under them. 31 respondents, who are the representatives of the leading entities of the democratic trade unions of Belarus, were interviewed in the process of the survey. The survey was carried out in June-July of 2011.

The aim of the research is the analysis of the present role (political, economic and legal) and the assessment of the potential of the trade unions within the Belarusian society.

The study outlines the possibilities of the independent trade union organisations in the consolidation of the human rights and the culture of democracy. The possibilities of the interaction and communication of trade union organisations with other entities of the civil society as well as with the official organisations and entities of the authorities have been investigated. In-depth expert survey enabled to bring out the reasons of the weak interaction inside the democratic trade unions and the problems of insufficient cooperation among them.

Comparative analysis of the activities of the trade union organisation of Belarus, other post-soviet countries and the European Union (EU) states has been carried out in the survey. Analysis of the legal basis and the role of the state in the development of independent trade unions of Belarus have also been made. The survey concentrated on the problems that arise within the trade unions and other public organisations and political parties in the conditions of considerable constraints on the part of the state. Strengths and weaknesses as well as threats and opportunities for the development of the public organisations in the Belarusian milieu were ascertained on the basis of the situation in the trade unions. Internal and external resources of the independent trade unions in making the employees more active in the defence of their rights and freedoms have been defined.

On the basis of the given survey its authors propose certain recommendations for the successful development of the civil society in Belarus, consolidation of the role of public organisations and first of all that of the independent trade union amalgamations. Recommendations related to the strategic interaction and cooperation of the leaders of the trade union organisations aimed at the consolidation of the status of the trade union movement in Belarus are also made.

Organisers of the project will be happy if the materials proposed in the given work could serve as a useful source of information for the Federation of Trade Unions of Belarus (FTUB) as well as other interested organisations and groups.

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LIST OF ABBREVIATIONS

AFL-CIO	The American Federation of Labour and Congress of Industrial Organisation
ASM	Belarusian Trade Union of Workers of Automobile and Agricultural Machine Building
BKDP	Belarusian Congress of Democratic Trade Unions
BNP	Belarusian Independent Trade Union (Belarusian Independent Miner Trade Union)
FTUB	Federation of Trade Unions of Belarus
FPU	Federation of Trade Unions of Ukraine
ILO	International Labour Organisation
ITUC	International Confederation of Trade Unions
IFMW	International Federation of Metal Workers
REP	Belarusian Radio and Electronic Industry Workers' Union
REPAM	The Trade Union of Workers in the Radio and Electronic Industry, Automobile, Machinery, Metalworking Industry and Other Branches of the National Economy
SPM	Free Metal Workers' Union
SPB	Belarusian Free Trade Union
WU	Belarusian Workers' Union

PART 1

CURRENT SITUATION AND THE ORGANISATIONAL STRUCTURE OF THE BELARUSIAN TRADE UNION MOVEMENT

1.1 CURRENT SITUATION IN TRADE UNIONS

According to the data of the Ministry of Justice of 1 July 2011 as many as 36 professional unions and 22856 trade union organisations, which are parts of the given trade unions, were registered. In the first six months of 2011 alone 273 new organisational entities of professional unions were registered and included into the registry¹. The role of trade unions as NGO's, however, is not ascribed great value in the minds of the majority of Belarusian citizens.

Results of the surveys show that the society ignores trade unions as the institute of the civil society.

Thus, according to the results of the public survey, which is carried out by the IISEPS² - one of the leading sociological centres operating in Belarus, the number of people that trust official trade unions for the last 8 years is unchanging and amounts to around 30% of the surveyed whereas the number of those who trust independent and free trade unions – to 27.5%. The share of the percentage of the trust and distrust people place in the official and independent professional unions is approximately the same, which may testify to the fact that the majority of the community ignore trade unions as one of the most important institutes of the civil society.

The majority of the Belarusian population fail to understand the essence and the role of the existence of professional unions and the mission of the trade union movement in general. Widely spread among a substantial part of the population of the country is the idea related to trade unions – they fail to give us anything at all. Besides, even today people are of the opinion that trade unions are the entities, which open an opportunity of receiving some pecuniary compensation for the holiday trip, free of charge medical treatment, assistance in solving one's social problems, etc. Such perception of professional unions was shaped in the Soviet Union era. Trade unions play the role of the social support of the working population as part of the enterprise structure, which may not be influenced by the workers, but which may grant, in cases of "adequate behaviour" certain social welfare.

... people's perception of trade unions is accompanied by the conviction that they are only an appendix to the enterprise administrations and in terms of the state an appendix to the authorities, and not independent organisations which have, first and foremost, to defend the interests of the workers.

1 Not a single independent trade union among them

2 Independent Institute of Socio-Economic and Political Sciences. More information available at: <http://www.iiseps.org>

48.05% of the Belarusian participants of the on-line survey carried out on the site mojazarplata.by³ in February-April of 2011 agree that the key role of trade unions is to safeguard the rights of workers. However, around 41.43 % of the respondents said that trade unions were not necessary at all. 4.68 % of them are of the opinion that the role of a trade union is "to collect membership fees". Besides, 5.32% of the respondents think that the ultimate aim of a trade union is to distribute discount coupons to cover part of the travel expenses for health purposes, whereas 5.19% of the interviewees are of the opinion that a trade union is necessary for the distribution of the material aid.

On the other hand, perception of the trade unions among the community members is associated with the belief that they are nothing more than an appendix to the administrations of the enterprises and in terms of the state – an appendix to the authorities but not independent organisations, which have, first and foremost, to safeguard the interests of the workers. The fact that a big number (over 90%) of citizens are members of the official trade unions and there are only an insignificant number of free and independent trade unions is instrumental to that.

1.2 EVOLUTION OF THE INDEPENDENT TRADE UNION MOVEMENT IN BELARUS

Independent trade union movement of Belarus goes back to the workers' movement. It commenced in 1989 after the first demonstrations of the miners in Soligorsk. The workers put forward not only economic demands, i.e. to raise salaries, improve working conditions, but also political demands – liquidation of the political Communist Party monopoly. Soligorsk miners established close cooperation ties with the Miners' Union of Russia and the first independent union of Belarusian miners (Soligorsk town) appeared as a subsidiary of the Miners' Union of the USSR. On the initiative of Michail Sobol, Georgy Muchin, Aleksandr Galkevitch and Viktor Ivashkevitch an organizing committee to form Belarusian Workers' Union (WU) was set up in Minsk and its constitutive conference took place on 1 October 1989. Workers' Union included the representatives of a number of the enterprises of Minsk, Borisovo and Soligorsk.

The peak of protest events was the strike of Minsk subway in 1995 with the ultimate aim of social demands. The strike was fully terminated by using task force as well as Army units. Since then democratic trade unions of Belarus had to live under constant repressions from the state authorities.

In April 1990 a strike was organised at the machinery building amalgamation Gomelmash in Gomel. The strike was organised to request the payment of monetary compensations related to the consequences of the Chernobyl calamity in 1986. Strike committee was set up and it made a decision to convene a coordination council of Gomel strike committees.

³ <http://mojazarplata.by/main> is an information site, which carries out anonymous and quite objective surveys. It is part of the international research network of the Wage Indicator Foundation. The project commenced in the Netherlands as the mechanism worked out by the Dutch trade unions and the Amsterdam University to assist women in the comparison of their own wages with those of the men who have similar professions.

In April 1991 some major demonstrations of the workers of the biggest factories and plants of Minsk were staged. Strikes and rallies were a reaction to the rise of prices for foodstuffs and manufactured goods. Tens of thousands of workers went daily to the Independence Square to protest against the rise of prices and demand the replacement of the top officials of the Government. Similar events were organised in other towns as well. Workers' protest reached special tension in Orsha (Vitebsk region) wherein the demonstrators blocked the railway and for a long time stopped the operation of the major railway node. Strike committees as well as individual trade union committees coordinated the organisation and the process of the rallies. Protest movement of the workers was part of the national manifestation of the discontent towards the soviet authorities.

In the wake of a number of major strikes in Minsk, big regional centres and major enterprises strike committees started gradual transformation into the free and independent trade union organisations; at first at the enterprises and later the process of uniting themselves into regional organisations started. In Belarus professional workers' organisations of a new type were created: Free and Independent Trade Unions and Confederation of Labour of Belarus. In 1993 they united into the Belarusian Congress of Democratic Trade Unions (BKDP).

The summit point of protest events was the strike of Minsk subway in 1995. A decision to declare a strike on 6 July 1995 was made as a reaction to the refusal of the administration to start talks related with the adherence to the provisions of the collective agreement and conclusion of a new tariff agreement at the meeting of the members of the Belarusian Free Trade Union (SPB) of the Belarusian Minsk subway. A couple of days later the strike of the subway employees was fully suppressed since task force and army units as well as strike-breakers (engine drivers of locomotives from Moscow) were used to that end. On 21 August 1995 President Decree No. 336, which suspended the activities of the SPB, was signed.

New trade unions carried a great authority in the period of workers' mass rallies but after 1995, having found themselves under the most oppressive thumb of the authorities; they gradually started losing their former influence in the working collectives. To a great extent, this was happening not without the efforts of the authorities.

Irrespective of the hard legal conditions trade unions proceeded with their fight for their lawful existence. The greatest gain of the trade unions in the litigation disputes was the fact that the Constitutional Court of the Republic of Belarus twice deemed the decree No. 336 as not being in line with the provisions of the Constitution and the international acts that were ratified by Belarus.

In 1997 owing to the actions of the international solidarity of foreign trade unions and international associations with the Belarusian organisations (International Labour Organisation (ILO), AFL-CIO), diplomatic support of the USA and European states, the SPB resumed its legal activities.

In 2000 the Federation of Trade Unions of Belarus (FTUB) at its congress made an attempt to raise the efficiency of the work in the field of safeguarding labour and social rights as well as interests of the workers and to this end an appropriate action programme for the period of 2001-2005 was drawn up.

On 14 December 2001 the authorities interfered roughly into the activities of trade unions by issuing a Resolution of the Council of Ministers of Belarus No. 1804, which prohibited the payment of the membership fees by a direct transfer. This resulted in the speedy reduction of the number of the FTUB members and later in the loss of a considerable part of its property. After the presidential election of 2001 wherein the chairman of the FTUB V.Goncharik took part, the authorities started open interference into the activities of the SPB, which resulted in the formation of the mass entity of workers that were completely loyal to them.

In 2002 L.Kozik was appointed/elected chairman of the FTUB who heads the union “properly” to the present day. Coming of L.Kozik to the FTUB resulted in the restructuring of the organisation and first and foremost oppositionist member trade unions of the FTUB – Belarusian trade union of the workers of automobile, and agricultural machinery building (ASM) ⁴ and the Belarusian Radio and Electronic Industry Workers’ Union (REP) which openly opposed accession to the FTUB.

In 2003 A.Buhvostov was debarred from the leadership at the extraordinary Congress of the ASM, and the organisations that stayed in the independent ASM united with the trade union REP. The Trade Union of Workers in the Radio and Electronic Industry, Automobile, Machinery, Metalworking Industry and Other Branches of the National Economy (REPAM) appeared. This trade union was registered with the Ministry of Justice. Half a year later the registration of the trade union was repealed by the instructions of the President Administration. In April 2010 the members of the trade union ASM, left REPAM and joined the ranks of the Free Metal Workers’ Union (SPM).

1.3 MAIN ACTORS OF THE MODERN TRADE UNION MOVEMENT IN BELARUS

THE FEDERATION OF TRADE UNIONS OF BELARUS (FTUB)

Since the end of the 1980s the restructuring of the trade union movement commenced against the background of the aggravation of the socio-economic situation of the country. Decision related to a more radical turn to the interests of the working people was made in 1987 at the 16th Congress of the Belarusian trade unions. The routine 17th Congress of the Belarusian trade unions (held in 4-6 October 1990) arrived at the conclusion that trade unions have to safeguard the interests of the broad masses of the population irrespective of their political national or religious orientation. Expressing the will and striving of the trade unions of the Republic towards independence, consolidation and unity of actions, renewal of the trade union movement, the 17th Congress of Trade Unions of the Republic formed the Federation of the Trade Unions of Belarus (FTUB).

On 5-6 October 1990 the trade union forum worked as the 1st Congress of the FTUB. The congress adopted the statute of the FTUB and the action plan of the trade unions. The basic task that the Federation defined for itself was the consolidation of the forces and coordination of the actions of the trade unions of the Republic and their amalgamation to fulfil the tasks that were common for the trade

4 More information available at: http://www.fpb.by/ru/menu_left/organisation/r_komitet/sovet_prof_avto/

unions of the Republic or those that were going beyond the line of possibilities of individual member organisations.

The 1st Congress of the FTUB proclaimed the policy of equal partnership and, where necessary, constructive opposition to the Government of the Republic and to the executive and economic bodies in provinces. The FTUB proclaimed about the readiness to carry out an independent economic expertise of the government or economic projects, proposal of alternative programs related to the economic or legal issues.

24 newly created independent trade unions, 1 Republican trade union committee and 6 regional associations of trade unions signed the declaration related to the education of the FTUB.

At present the FTUB unites 28 sectoral trade unions, 6 regional associations of trade unions and 1 urban association of trade unions. The number of the trade union members amounts to over four million people.

THE BELARUSIAN CONGRESS OF DEMOCRATIC TRADE UNIONS (BKDP)

By 1993 the Belarusian Independent Trade Union (BNP), uniting the independent trade union of miners and chemical industry workers, Belarusian Free Trade Union (SPB) uniting workers of different trades, Free Metal Workers' Union and Democratic Union of Transport Workers (DUTW) were already in operation in Belarus. There was a necessity for all independent trade unions to unite and in 1993 a Constitutive Congress was convened where in the national trade union centre Belarusian Congress of Democratic Trade Unions (BKDP) was formed and registered on 13 December 1993.

Today the BKDP has 4 affiliates: the Belarusian Independent Trade Union (BNP), the Belarusian Free Trade Union (SPB), the Free Metal Workers' Union (SPM) and the Belarusian Trade Union of Workers of Radio & Electronics Industry (REP). Belarusian trade unions that achieved the Republican status abide by the Regulations and fail to deem as their members the employers and their representatives with the exception of the elected leaders of the trade union bodies that may be considered to be the subjects (members) of the BKDP.

The number of the BKDP members was not stable all the time since the number of member organisations was altering. Its maximum number used to be around 20 thousand members in 2002. At present the number of the BKDP members is around 10 thousand people.

Independent trade unions are in operation at the motor-vehicle and tractor factory producing spare parts and aggregates in Bobruisk, OAO Belshina, factory Zenit in Vileika of Minsk region, RUP Lios in Baran of Vitebsk region and many other enterprises of the country. All in all, the BKDP unites over 30 primary organisations.

Since 2003 the BKDP is a member of the International Confederation of Trade Unions (ITUC)⁵. The Chairman of the BKDP is one of the Deputy Chairmen of the Executive Council of ITUC.

5 More information available at: <http://www.ituc-csi.org>

The structure of the Belarusian Congress of Democratic Trade Unions (Chairman – Alexander Yaroshuk)

Name of the trade union	Chairman (November 2011)	Number of members (approximately)	Sectoral membership
Belarusian Independent Trade Union (BNP) Full name: Belarusian independent trade union of miners, chemical industry workers, workers of oil refinery, energy workers, builders and other workers	Nikolaj Zimin	7000	Mining, oil-chemistry industry, energy, transport, building and other sectors workers
Belarusian Free Trade Union (SPB)	Michail Kovalkov	1000	Workers of metal working, energy, transport, oil-chemistry and other sectors of industry, teachers and medical doctors
Belarusian Radio and Electronic Industry Workers' Union (REP)	Genadij Fedinich	1500	Radio-electronic and other sectors of industry
Free Metal Workers' Union (SPM)	Vasilij Levchenkov	600	Metal working and other sectors

THE BELARUSIAN INDEPENDENT TRADE UNION (BNP)

In 1990 miners of Soligorsk were prepared to unite into a single organisation and the first in Belarusian Soviet Socialist Republic organisation of the Independent Trade Union of Miners of the USSR uniting no less than 400 people appeared.

The Belarusian Independent Trade Union (Belarusian Independent Miner Trade Union, BNP) formed on 3 June 1993 on the initiative of the Independent Union of Miners of Soligorsk. At first it was formed as a Republican trade union the basis were major primary organisations at the budgetary enterprises of mining and oil-chemistry industry of Belarus. The BNP is the only alternative trade union that underwent the period of pressure from the state authorities in 2001-2005 without considerable loss of its members. So far the given trade union is one of the financially strongest organisations among other member organisations of the BKDP.

Today the BNP is the biggest independent trade union association in the Republic of Belarus. The organisation unites around 7 thousand workers of different industry sectors. The most active so far are the organisations at the enterprises of petro chemistry in Soligorsk (RUP PO Belaruskalij) Mozir (Mozirskij NPZ), Novopolock OAO Naftan), Grodno (OAO Grodno Azot), Bobruisk (OAO Belshina) – the most efficient major organisational structures at the enterprises operating on a stable basis.

The BNP is also a member of the International Federation of Chemical, Energy, Mine and General Workers' Unions.⁶

⁶ More information available at: www.icem.org.

THE BELARUSIAN FREE TRADE UNION (SPB)

The Belarusian Free Trade Union (SPB) is a comparatively big multi-sector trade union within the composition of the BKDP. According to its regulations, the SPB is a Republican voluntary public association of workers promoting and safeguarding their professional, occupational and socio-economic rights and interests. It unites metal workers, energy sector workers, transport workers and workers of the chemical industry and other sectors of industry, as well as teachers and medical doctors.

The SPB was formed on the basis of strike committees that led the strike movement of the workers in April-May 1991. Constitutive Congress of SPB took place on 16-17 November 1991. As a result of the oppositionist actions of the authorities SPB was registered only in June 1992. The activities of the SPB were suspended down to 19 December 1997 by the Decree of the President of the Republic of Belarus No. 336 on 21 August 1995 for the participation in the strike of Minsk subway. Constitutional Court of the Republic of Belarus deemed President's Decree on the suspension of the activities of the SPB as a contravention of the Constitution of the Republic of Belarus, laws and international legal acts that had been ratified by the Republic of Belarus. The SPB was reregistered with the Ministry of Justice of the Republic of Belarus on 30 June 1999.

A considerable decline of the SPB membership took place. According to the data of the internal statistics in 1995 the trade union had 100 primary organisations, in 2005 around 20 and in 2011 only 12. The number of its members in the same period decreased from 10 thousand in 1995 to 950 in 2011.

The main sectors wherein the SPB operate are metalworking, chemical, petrochemical (Bobruisk, Novopolock, Polock, Svetlogorsk) industry and energy.

THE BELARUSIAN RADIO AND ELECTRONIC INDUSTRY WORKERS' UNION (REP)

The Belarusian Radio and Electronic Industry Workers' Union (REP) was formed on the basis of Minsk and Vitebsk regional subdivisions of the Trade Union of Radio-Electronic Industry of the USSR in 1990 and its indispensable leader is Genadij Fedinich who in the past was an engineer of the precise electronic machinery building, chairman of the trade union committee NPO Planar. As far back as 2000 that major sectoral national trade union within the framework of the FTUB still had around 200 thousand members. Practically at the same time in September 1990 one more important in terms of numbers (220 thousand workers) the Belarusian Trade Union of Workers of Automobile and Agricultural Machine Building (ASM) was formed within the same framework of the FTUB and was lead by Alexander Buhvostov. The latter grew famous in 1990 when he became the leader of the strike committee of Gomel. He organised the march from Gomel to Moscow, the participants put forward to the all-union Government the request to take measures to liquidate the consequences of the calamity at the Chernobyl nuclear power plant.

After L.Kozik came to the FTUB restructuring of the organisation was carried out and first and foremost among the oppositionist member trade unions of the FTUB – the ASM and the REP, which overtly opposed joining the FTUB.

On 23 December 2003 A.Buhvostov was dismissed from the leadership (by way of infringing the procedure of voting) at the extraordinary Congress of ASM. As a result, the organisations that stayed in the independent ASM united with the REP. In fact, formation of the third association of trade unions in Belarus has been stated. The formal side of the issue was solved at the 4th Extraordinary Congress of the Belarus Automobile and Agricultural Machinery Workers' Union on 3 February 2004. The new name of the trade union was The Trade Union of Workers in the Radio and Electronic Industry, Automobile, Machinery, Metalworking Industry and Other Branches of the National Economy (REPAM). The given trade union was registered with the Ministry of Justice. Half a year later the registration of the trade union was revoked by the order of the President's Administration. The trade union was given back its

Democratic trade unions in Belarus are represented by four major organisations united into the Belarusian Congress of Democratic Trade Unions (BKDP). The number of democratic trade unions as well as the number of their members changed with time. In the last years the quantitative composition of the democratic trade unions declined considerably under the pressure exercised by the authorities.

earlier name of the Belarusian Radio and Electronic Industry Workers' Union known as the REP. The International trade union movement refused to recognise the revocation of the REPAM registration. The institute of co-chairmanship of the trade union was introduced to ensure the principle of collegiate leadership. 3 people may form a primary entity.

In April 2010 the members of the trade union ASM left REPAM and joined the ranks of the Free Metal Workers' Union (SPM).

In the last five years the number of its members doubled. In early 2005 more than 700 people were the members of the trade union. At present the number exceeds 1500 people. The number of primary organisations grew accordingly. And where in 2005 the trade union had 14 primary organisations today it has 39.

THE FREE METAL WORKERS' UNION (SPM)

In 1995 Free Metal Workers' Trade Union (SPM) separated from SPB. The Constitutive Congress of the Free Trade Union of Metal Workers took place on 30 August 1995. Free Trade Union of Metal Workers was registered in the Republic of Belarus on 16 October 1995. The SPM is a full-fledged member of the International Federation of Metal Workers (IFMW).

Pavel Petrovitch Maisievich, the worker of Minsk automatic lines factory, was elected the first chairman of the SPM. The trade union was formed by the workers themselves and the engineering technical workers and was not dependent either on the administration of the enterprises or the authorities.

More progressive collective agreements, the results whereof are still used by the workers of the given enterprises have been concluded at all enterprises with the participation of the SPM.

Irrespective of the attempts of the authorities to terminate the activities of the SPM since 1999 there were important events in the life of the trade union – active participation in the rallies and pickets to

defend the workers' rights including those against the contract system of employment, mass rally of the members of the SPM at MAZ factory to defend their rights, successful joint action with the members of ASM to increase wages in the press-forms and stamping shop at MAZ, support to defend the trade union partner at OAO Lios etc.

At present, the SPM has more than 20 organisations and groups. 4 organisations are registered and 2 of them concluded a collective agreement. The total number of the SPM members is 600.

1.4 UNIONIZATION IN DEMOCRATIC COUNTRIES AND IN BELARUS - COMPARATIVE ANALYSIS

The term unionization in the given research means the degree of the extent to which labour force is involved in the trade union movement.

It is assumed that high rate of unionization consolidates the trade union movement in the country as well as the general level of the protection of workers by the trade unions in question. At the same time such conclusion is not quite correct. Mostly, this rule functions in the democratic countries, which have a well-established legal system and, as will be showed later, it fails to function in the post-soviet countries.

The rate of unionization is radically different in various countries. Its scope is the result of a lengthy development the roots whereof are in the combination of national, institutional, economic, political and socio-cultural conditions as well as the strategy and tactics that are pursued by the trade unions.

It is usually assumed that three institutional conditions must be in place for the successful unionization:

- 1) immediate access of the trade unions to work places;
- 2) involvement of the trade unions into the management of unemployment benefits;
- 3) existence of a centralised system of collective agreements.

It is the presence of all the above factors that were instrumental in the high rate of unionization in the Scandinavian countries (80-90% - in Denmark, Finland and Sweden) and in Belgium. And on the contrary, the absence of all those conditions lead to a considerably low level of unionization in the Anglo-Saxon and in a number of other European countries (in the USA - 12%, in Germany, Greece, Holland, Slovak Republic and Great Britain – 20-29%). In the countries of the first and the second group the rate of unionization corresponds to the degree of collective agreements concluded by the workers. However, there are European countries wherein there is a gap between those indices and that is usually related to the national legislation that provides for the prevalence of sectoral agreement for all enterprises of the given sector thus, it is valid for all workers irrespective of the fact whether one is a member of the trade union or not. For example, at the end of 1990 in France 10% of hired workers were trade union members and collective agreements were valid for 85% of the employed.⁷

7 Collective Bargaining in Europe, ed. by Commission Consultiva Nacional de Conventions Colectivos, Madrid, 2004. p. 324.

Conditions that were mentioned are necessary but they are clearly insufficient for a successful unionization. At present, the basic trend in the majority of the developed countries is a dropping number of workers belonging to trade unions, even if all enumerated conditions are fully satisfied. Thus in the USA the rate of unionization dropped from 34% in 1954 to 13% in 2002, in Japan from 35% in 1970 to 22% in 2000. It happens seldom that in some country (one of the exceptions are Scandinavian countries) trade unions unite more than half of the hired workers. The world index of the inclusion of workers into trade union movement in 1970 was 29% for the private sector and towards the beginning of the 21st century fell below the line of 13% (approximately 160 million trade union members against 1.3 billion hired workers).

The reasons for the loss of the popularity of trade unions are hidden in the external phenomena of the public life that are independent of trade unions as well as in the inner delineations of the trade unions themselves.

EXTERNAL FACTORS OF UNIONIZATION

Three basic external factors that counteract the development of trade unions in modern times are usually singled out.

1) Growing international competition due to economic globalization

In the face of the formation of the international labour market not only jobless compatriots become the competitors for the workers from the developed countries but masses of workers from the less developed countries as well. People of that group who have more or less the same level of knowledge are prepared to do the same scope of work for a considerably smaller remuneration. This is the reason why firms of the developed countries use extensively the work of the workers-migrants who are not members of a trade union or simply move their business to the developing countries where trade unions are weaker.

2) Decline of the traditional branches of industry in the epoch of scientific-technological revolution

For a long time trade union movement was based on the professional solidarity of the workers of the traditional branches of industry (metallurgists, miners, dockers, etc.) With the development of the Scientific Technological Revolution certain structural shifts take place – the part of the employment in the industry declines whereas employment in the sphere of services grows. The so-called “financialization” of the economy is taking place i.e. the lion’s share of profit is created in the financial sector of the economy. Since financiers are not in need of the participation of major labour resources to create their income they are also not inclined to share their profits. This leads to the inequality in the society. It is only blue collar workers (workers who have comparatively low qualification) who strive to pass from the hired workers of the service sphere to the membership in trade unions whereas white collar or gold collar workers (highly skilled workers) fail to see trade unions as defenders of their rights but rather attendants of forceful egalitarianism. In new branches the work is, as a rule, more individualised and that

is why workers strive not only to create a “single front” in the assertion of their rights but also improve their individual skills and thus their value in the eyes of their employers. This is the reason why although trade unions are also formed in the new branches their membership is small and less active than the trade unions of the old branches. Thus in the USA in 2000 the part of the trade union members in the branches of industry, building, transport and communications was from 10 to 24% of all employed while in the sphere of commercial services – less than 5%.

3) Growing influence of liberal ideology on the activities of the governments in the developed countries

In the second half of the 20th century growing popularity of neo-classical economic theory gave impetus to the deterioration of the relations between the government and the workers. In the last decades of the 20th century Governments of many countries pursued a purposive policy of inducing competition, which had to reduce the influence of trade unions and restrict the sphere of their activities.

INTERNAL REASONS FOR THE DECLINE OF THE POPULARITY OF TRADE UNIONS

Apart from the enumerated external reasons of the crisis of the trade union movement internal factors are at work as well – modern workers fail to strive for the membership in trade unions due to certain peculiarities of the trade unions themselves.

- 1) Obsolete organisational structures, difficulties that many trade unions face are related to out-date organisational structures, discrepancy of the attitude of the leaders toward the problems of democracy and power in the trade unions, trends in economics and the socio-political situation.
- 2) Taking too much time to work out new strategy and tactics, as well as narrow corporative orientation of some trade organisations. In the last half of the century of their existence official trade unions became a part of the existing system, grew bureaucratic and in many cases assumed an attitude separating them from the workers. Failing to be involved, as earlier, into the workers’ movement, trade unions cease to perceive the problems that are burning for their members.

All this led to the contraction of the trade union basis, decline of the membership, displacement of the balance of forces in the collective agreement process on behalf of the employers, drop of the prestige, etc.

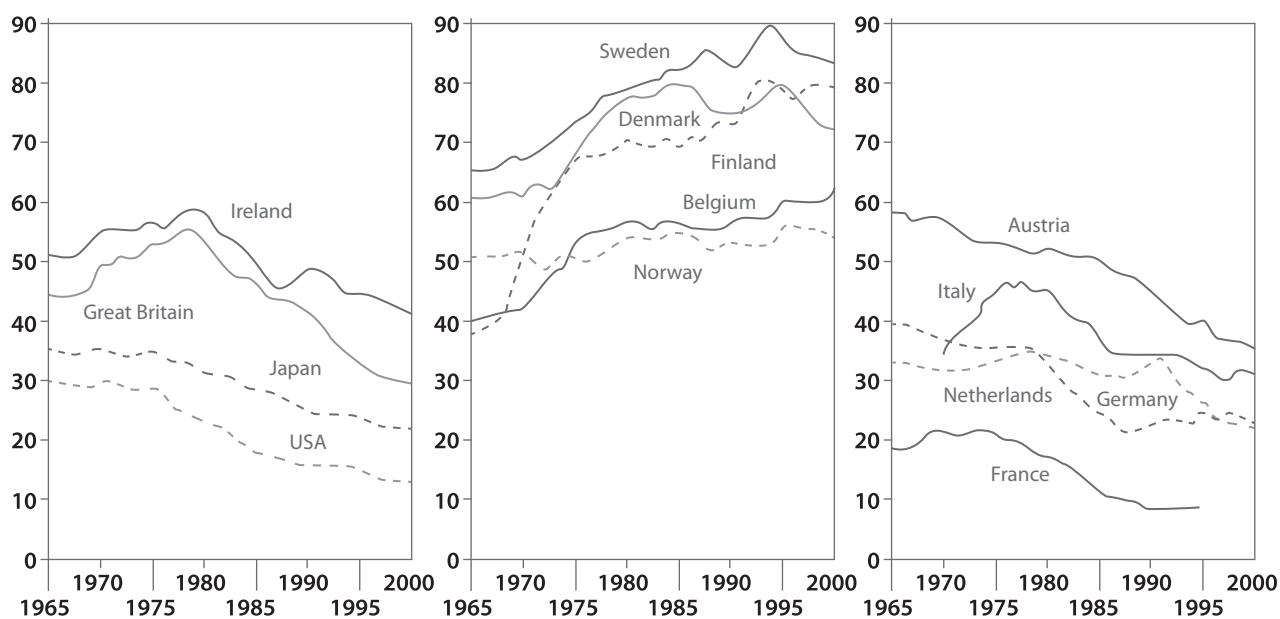
The world tendency of the decline of the trade unions is characteristic of Belarus as well. The influence was exercised by the external factors:

- Globalization and growth of the international competition;
- Reduction of the role of the traditional branches of the economy;
- Liberalization policy.
- As well internal reasons:
- Organisational structures are not in line with modern times;
- Strategic and tactical “sluggishness” of trade unions.

Phenomena of crisis in the trade union ranks are best seen in the analysis of the scope of the affiliation to trade unions in different countries. The process of the decline of the part of trade union members within the general body of the employed in the developed countries commenced in the 1980s and continued in the next decade (in the USA and France this process came into view in the 1970s). The greatest decrease of the given indicator during the period from 1980 to 2003 could be observed in Great Britain, Italy, Germany, and France respectively by 21.4%, 15.9%, 12.3%. It was only in Finland Belgium and Denmark that the part of the trade union membership within the general body of the employees grew respectively by 4.7%, 1.3%, 1%. Sweden succeeded in maintaining its positions. At the same time the situation with different trade unions is not uniform. Thus, in 2003 the level of the membership within the Confederation of Swedish Trade Unions (Landorganisationen I Sverige) among blue-collar workers, and this is highly symptomatic, dropped, to proceed with the tendency that was manifest in recent years (-1.4%).

The dynamics of the alterations of the trade union membership in different countries within the last 35 years is presented in the Chart 1.

Chart 1. Change of the number of trade union members among 100 employees in Europe, the USA and Japan (1965-2000)

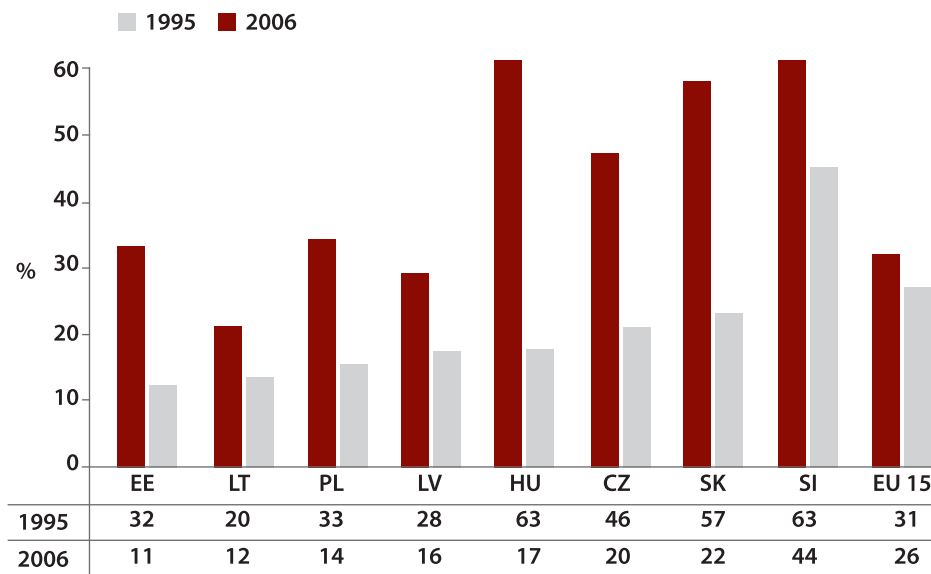


Source: Tadeush Pato. *The state of the trade union movement in Europe*. Available at: http://scepis.ru/library/id_905.html

Similar tendency is typical not only of the above presented so-called old democracy countries but for some other countries of Europe. Chart 2 shows the dynamics of the change of the number of trade union members in the East European countries in the period of 1995-2006. As is seen in the Chart 2,

a considerable reduction of the number of trade union members can be observed in all new states. A relatively stable number of the trade union members in the remaining EU countries are conditioned by the positive dynamics of the trade union membership in the Scandinavian countries.

Chart 2. Reduction of the trade union members in the East European countries in the period of 1995-2006



Source: Van Gyes et al. 2007; Hülsmann/Kohl 2006 (ETRO); personal report BwP

According to the report on the labour relations of 2002, European Commission related the general decline of the membership in the trade unions of many countries that applied for the accession to the EU, to a number of the following factors: decline of the standard of living in the 1990s, high percentage of the unemployed, privatisation and sector shifts, growth of the small and medium enterprises. Trade unions in the countries that recently joined EU experienced the decline of the membership throughout all last decade due to the reasons related to the economic and political transition period as well as with the heritage left by the preceding system, when membership was 100%. It is evident that the immediate decline started right after the lifting of the obligation to be a trade union member. According to the report of the European Industrial Relations Observatory, in 2002 the following assessment data with regard to the membership of workers in the trade unions may be adduced:

- 80-89% in Belgium, Denmark, Finland and Sweden'
- 70-79% in Italy,
- 60-69% in Cyprus and Malta,
- 50-59% in Luxembourg,
- 40-49% in Austria and Slovenia,
- 30-39% in Hungary, Ireland and Portugal,
- 20-29% in Germany, Greece, Holland, Slovakia and Great Britain
- 10-19% Estonia, Latvia, Poland and Spain

It should be noted that the above data also fail to reflect the picture of the membership of workers in the trade union. The report informs that the level of affiliation of the workers to the trade unions is measured basically by the membership of workers in trade unions, i.e. the percentage of trade union members within the total number of the employed. The data used here are based on the national data where in the majority of the countries retired workers and passive trade union members are included as well. Where those trade union members who are beyond the boundaries of the employment sphere are not taken into account, e.g. in Austria, Belgium, Finland, Denmark and France active trade union members account for around 20% of all the employed. More than that: the most representative trade unions of Italy (The Italian General Confederation of Labour, The Italian Confederation of Workers' Trade Unions, Italian Labour Union) unite around 49% of workers who are already retired workers.

1.5 SITUATION OF TRADE UNION MOVEMENT IN THE POST-SOVIET COUNTRIES

The situation of the trade union movement is radically different in the post-soviet countries. At the same time certain general tendencies can also be observed. We shall now analyse the situation in the trade union movement in the Ukraine, Russia and Belarus.

TRADE UNION MOVEMENT IN THE UKRAINE

According to the data of the 1st January 2011, the number of trade union members, that are registered in the dominant association of the Federation of the Trade Unions of the Ukraine (FPU) amounts to 8478 thousand people, which accounts for more than 70% of the general number of able-bodied population. The biggest trade union association that is a part of FPU is the trade union of the workers of education and science accounting for 2 million 20 thousand people, which shows that all students have been included as the members of the trade union. It may be assumed that a similar method of inclusion into the composition of a trade union is practiced in other organisations.

At the same time, reduction of the quantity of the trade union members may be observed in the Ukraine much in the same way as in the European countries. Thus, according to the data of the FPU the number of trade union members decreased by 212.8 thousand people which accounts for 2.5% of the total number of trade union members. Besides, 62.1 thousand people left trade unions of their own will.

FPU singles out the objective and subjective reasons of the decline of the number of trade union members. Objective reasons are first and foremost those that may be associated with the economic situation in the country and the processes of the globalisation of economics. This concerns the general decline of the production scope, privatisation processes and the restructuring that leads to the reduction of the number of those employed in the traditional sectors of economy (agro-industrial complex, construction, metallurgy, coal industry, energy, etc.).

The tendency for the trade union organisations to leave the sector trade unions and to join the professional associations continues.

Subjective reasons are mainly associated with the motivation to become a trade union member.

TRADE UNION MOVEMENT IN THE RUSSIAN FEDERATION

Around 80% of workers employed at the enterprises are members of the Federation of Independent Trade Unions of Russia.

Irrespective of such impressive figure it hardly shows the achievements of the trade union movement. The issue of becoming a trade union member at this or that enterprise is, as earlier noticed, purely rhetorical and is resolved automatically in the process of admission to work.

It should be noted that the majority of workers in Russia fail to consider themselves to be members of trade unions although in legal terms they are members of trade unions and pay membership fees. Thus, according to the data of Russia Public Opinion Research Centre⁸ of 2008 every third able-bodied citizen of Russia in 2007 stated to sociologists about his/ her membership in a trade union whereas in 2008 – only every fourth. Moreover, only 20% of people, who are trade union members, think that these organisations exercise a considerable influence on the status of workers. The overwhelming majority of respondents, however, think that the given influence is rather weak. And two thirds of 1.6 thousand respondents of the survey carried out in 46 regions of Russia simply stated that there was no trade union at their enterprise at all.

Surveys of the last years' show that only one third of the members of primary trade union organisations approached them with some of their problems. Those who did approach in the overwhelming majority of cases (80%) showed anxiety, as in the soviet times, related to the issues of social-everyday life at the level of the given enterprise. Thus, it may be stated that the safeguarding function that is classical for the western trade unions is not of primary importance for the Russian trade unions.

SITUATION IN THE TRADE UNION MOVEMENT OF BELARUS – COMPARATIVE VIEW

According to the data of the FTUB, irrespective of the decline of the number of trade union members in individual member organisations of the FTUB (first of all, due to the decline of the number of the employed in the respective branches of economy and labour migration) the number of trade union members is growing permanently in the last years and accounts for more than 85 % of the general number of the employed people (the number of members in the alternative BKDP accounts somewhat more than 2%).

8 More information available at: <http://wciom.ru>

The number of people who become trade union members within the structures of the FTUB is increasing constantly and at present it accounts for 94.1% (in 2003 the given index was 89.8%) The best indices of the membership in a trade union may be ascribed to the Belarusian Trade Union of workers of Tax and other Financial Authorities "Jedinstvo"- 99%, Belarusian Trade Union of Workers of Oil and Gas Industries – 98.2%. Thus, nearly all able-bodied population of the Republic of Belarus, as in the soviet times, are members of trade unions.

Irrespective of the fact that the number of the FTUB members has grown and in some sectors accounts for nearly 100%, the percentage of trust to them by the population is only 30%. This shows the passive role of the FTUB.

To compare this data with the degree of trust in the trade unions of the FTUB, which in the last years accounts for around 30%, a conclusion may be drawn that members of the official trade unions in the overwhelming majority of cases distrust those trade unions and fail to perceive them as protectors of their rights.

KEY TENDENCIES IN THE TRADE UNION MOVEMENT IN THE UKRAINE, RUSSIA AND BELARUS IN COMPARISON WITH THE EU

Thus, it may be stated that although the rate of unionisation is an important index of the power of trade unions as well as their representativity, nevertheless, there are other factors that define the role and position of trade unions in the society. The first here is the mobilisation power - the ability of trade unions to carry out collective actions to defend the interests of the workers. A good example of that could be the recent events in France on 29 January and 19 February of 2009 when trade unions, which unite only 8.5% of hired workers, were able to organise protest actions that were attended by many thousands of people against the anti-crisis policy of the Government that ignored the interests of the working people. The actions of the trade unions were supported by the public opinion: 78% of respondents, according to the survey, carried out by the magazine Paris Match justified the performance of the trade unions⁹. Again, after practically 100% devaluation of the Belarusian rouble in spring 2011 it was only individual trade unions that made statements related to the deterioration of the workers' life but they organised no collective actions to defend their interests. Traditional passivity of the trade union organisations of the post-soviet countries is apparent and non-resistance to the almighty authorities that was shaped throughout the long soviet decades may be observed.

1.6 INTERRELATIONSHIP OF THE INDEPENDENT TRADE UNIONS OF BELARUS WITH THE OFFICIAL TRADE UNIONS, NON-GOVERNMENTAL AND GOVERNMENTAL ORGANISATIONS

The analysis of the interrelationship of the independent and free trade unions with the state and the organisations of the employers that are subordinate to them as well as with the official trade unions has to be carried out through the prism of the authoritarian command-administrative system that was formed in Belarus, which provides for serious restrictions in the given relationship. It is worthwhile to narrow down the analysis of those issues to the interrelationship within the framework of the social partnership as the system of institutions and mechanisms of the coordination of interests of the participants of the production process - workers and employers - that is based on the equal cooperation. It is necessary to separate the questions of the relationship into two parts: legal conditions for the implementation of the trade union activities in the Republic of Belarus and the peculiarities proceeding from the legal regulation of the trade unions within the context of the social-labour relations within the framework of the social partnership, interrelationship with the authorities, employers, traditional trade unions.

LEGAL REGULATION OF THE TRADE UNION ACTIVITIES

Legal status of the trade union organisations of Belarus is defined first of all by the Constitution of the Republic of Belarus that ensures the right of the citizens to assembly (Art.35) and to association (Art.36). Articles 13-14 and 41-43 of the Constitution are devoted to the issues related to labour relations. Provisions of the Constitution related to labour relations and rights of the workers have been developed in the Labour Code approved on 26 July 1999. Issues related to labour relations, social partnership, mechanisms of the protection of the workers' and employers' rights and their duties were defined in it. It is Labour Code that regulates the professional activities and the issues of concluding collective agreements as well as other labour relations.

On 22 April 1992 the Law on the Professional Unions providing for the rights and duties of trade unions was passed. Multiple changes and amendments altered its primary content considerably.

The Law on Public Associations passed on 4 October 1994 (its new wording was passed on 19 July 2005) as well as the Decree of the President of the Republic of Belarus of 26 January 1999 No.2 On Some Measures Regulating the Activities of Political Parties, Professional Unions and Other Public Associations regulate the issues of the registration of professional unions.

Specific issue of Belarus is the fact that rights and duties of professional unions and their members are also regulated by the decrees and orders of the President, their power being superior to that of laws (see Appendix 3).

INTERACTION WITH THE AUTHORITIES

Bodies of the state power establish their interrelationship only with the trade unions of the FTUB, as for the trade unions that belong to the BKDP the interrelationship in question can hardly be called a relationship of the social partnership. Discrimination on part of the state of the free and independent trade unions may be observed. The list of the following discriminatory relations may be singled out:

Refusal to register new trade unions. In recent years not a single new trade union association has been registered. It should be noted that professional unions are formed on a regular basis; nevertheless, they are also regularly refused state registration in the absence whereof they may not start their activities.

Belarusian trade union Mistier (Together), which unites self-employed workers was refused (repeatedly) registration by the decision of the board of the Ministry of Justice of 23 January 2010. The Ministry of Justice is of the opinion that "the list of the founders of the trade union is not authentic, the requirement of the minimum of founders to form a Republican trade union failed to be met and the order of its formation was violated. Legal service of the BKDP, which rendered assistance in the filing of papers, maintains that the full scope of measures requested for the registration of the trade union was taken.

Such actions of the authorities call forth certain pessimism of the trade union activists.

We attempted to register on the national level the union of the self-employed, those who work in the small trade. Twice papers were submitted for registration but the Supreme Court refused it. Delta-Style in Soligorsk organised their independent trade union and they were refused registration without any grounds. Our actions fail to bring positive results.

Refusal to register organisational structures of trade unions. The same problems arise when organisational structures of the independent and free trade unions have to be registered.

In March 2009 the Belarusian Radio and Electronic Industry Workers' Union (REP) was refused the registration of three city structures of the trade union of the radio-electronic industry workers: in Vitebsk, Mogiliov and Gomel. The founders are requested to prove the affinity of the interests in the field of radio-electronic industry. This was stated by the chairman of REP Genadij Fedinich. Analogical structures are registered in Borisovo, Rechitse, Minsk and no problems at all. In Gomel, Vitebsk and Mogiliov something has to be proved.

The interview also presents it as one of the major problems:

There is also the problem of the refusal to register in some localities. Where an organisation is not registered it may not appeal to the authorities or the employer since for them it simply does not exist. This is so since our system of registration is permissive and not that on application. As long as we have the existing system we can hardly expect any

changes. That is why we attempted 7 times to register the primary organisation in Mogiliov, 3 times in Gomel and Vitebsk. So far we failed although all papers were prepared in full accordance with the existing laws.

It is obvious that the absence of the official status prevents a trade union structure from being a full-fledged subject of the social partnership.

Speaking about our particular region I can say that (this happened not only in our region but in others as well) our independent trade union movement was not registered. Legally we have no status. And although I applied 8 times in the course of 8 years we were not registered. That is why we are not able to influence the procedure of the conclusion of a collective agreement or labour agreement. It seems to me that state officials did that on purpose.

We shall now point to the event that is unique even for Belarus- in order to get rid of the primary organisation of the independent trade union, the factory was closed.

The administration of the Soligorsk factory manufacturing elite female underwear COOO Delta Style issued the order on the dismissal of the workers that had to be transferred to OAO Kupalinka since the enterprise was being liquidated. The BNP members whereof are employed at Delta Style were of the opinion that in this way the administration decided to get rid of the primary organisation of the BNP.

Unequal conditions of payment for the trade union office space. On 20 September 2005 making a speech at the 5th Congress of the FTUB Alexander Lukashenko made statements that were important for all trade union movement of the country. While answering the question about violations of the Law on Trade Unions which occurred when local organisations of PO Belarukalij and other enterprises of the concern Belneftechim imposed office rentals on the trade unions, A.Lukashenko replied quite categorically that it would be imposed further on as long as there are two trade unions at the given enterprise. After that the President gave the instruction to the then head of the concern Belneftechim B.Sivoj and the chairman of the FTUB L.Kozik to do away with the independent trade union organisations in the given sector. The logical end of the speech of the head of the state at the Congress of the FTUB was his statement that in the coming year 2006 all political parties and free trade unions would be swept away. Fortunately, the authorities failed to make concrete steps along the lines of the liquidation of independent trade unions.

The authorities of Belarus discriminate the democratic trade unions by:

- refusing the registration of new trade unions;
- refusing to register the structural trade union organisations;
- imposing high lease prices for the office space whereas the FTUB use the office buildings free of charge.

Certain preferences exist only for the FTUB trade unions. On 26 October 2005 Decree of the President No. 503 on the Supplements to the President's Decree of the Republic of Belarus No. 495 of 30 September 2002 was issued by means whereof the FTUB was granted an exclusive right to use free of charge the premises that are state property. Organisations of the BKDP have to lease the premises from the employer on the commercial basis. The situation has not changed to this day.

INTERACTION WITH THE ADMINISTRATIONS OF THE ENTERPRISES

Relations with the employers (administration of the enterprise) practically may not be called relations of the social partnership. Rather, there are stable activities of the administration of the enterprises targeted to the ousting of free and independent trade unions. The following methods of the said battle may be enumerated:

Exercising pressure on the activists and rank and file members of the trade union organisations – the most widely spread method

This is what the survey of activists tells us:

On 6 September 2009 the worker of the workshop No. 8 OAO Naftan Alexander Nasedkin joined the BNP. As soon as the accounting office started the rearrangement of trade union fees the shop superintendent S.I.Jevtushek started to block without delay the entry of his subordinate into the independent trade union. Under the threats of his superior to lose his job Alexander Nasedkin was forced to exit from the independent trade union.

Administrations of enterprises make efforts to do away with the free and independent trade unions:

- Exercise pressure on the activists and rank and file members of trade union organisations;
- Activists are usually the first to be dismissed;
- Deny trade union activists bonuses;
- Fail to transfer membership fees;
- Take away the premises and trade union property.

The chairman of the primary organisation of the BNP at the OAO Naftan Ivan Sviatoho informed the director general of the enterprise V.V.Jakushev about the discrimination of the member of the Independent Trade Union and requested to make an inspection of the given fact and arraign the guilty. There was absolutely no reaction on the part of the director general.

Dismissals for sundry reasons, e.g. in connection with the termination of the validity of the contract. From the interview with the activists of trade unions:

The chairman of the Free Trade Union of the workers of Lukolmskaja GRES Andrej Gabriel was dismissed from work in connection with the termination of the period provided in the contract on 30 September 2009. Talking to Gabriel about the reasons of his dismissal the director of the subsidiary of Lukolmskaja GRES RUP Vitebskenergo G.N.Koroliiov declared, "Your case is closed already, you displayed too great activity". Dismissal of the trade union leader was the result of the two-year battle for the right of carrying out collective bargaining with the employer and the conclusion of an agreement on the accession of the Free Trade Union of the Lukolmskaja GRES to the collective contract. Agreement between RUP Vitebskenergo, primary organisation of the Lukolmskaja GRES of the Belarusian professional union of energy workers, electro-technical and fuel industry within the composition of the FTUB and Free Trade Union of the workers of Lukolmskaja GRES on the accession of the members of the FTUB to the collective agreement of Lukolmskaja GRES for 2007-2009 was signed on 6 August 2009. A.A.Gabriel signed it on behalf the Free Trade Union of the workers of Lukolmskaja GRES and on 24 August he was warned about the termination of the contract.

More than that: even preliminary agreements with the administration are of no use here. From the interview with the trade union activists:

Primary organisation of the Mozir oil refinery is "on the wave". People are invited and are urged to leave the trade union. Although the chairman had a conversation with the enterprise director and they agreed that there would be no action of the given kind. Unfortunately, they continue to the present day. There is the ordinance of the authorities to do it even at the expense of the harm to the factory.

It should be noted that difficulties in forming a primary trade union in non-governmental organisations are not less and maybe even greater.

Do you work with the non-governmental structures? I mean non-governmental enterprises, with the owners?

As for the non-governmental sector we certainly would like to work with them. But the conditions are exactly the same there, the same risks (maybe bigger). In the given case if a person at an enterprise takes no risks, he will not be sacked. As for the private business – he risks his business, risks his cause.

They will not let any trade unions in?

No. We had a case: once a worker who used to work with us did something at Coca Cola to form a free trade union. The person whom he involved and who agreed to head the organisation was dismissed in the course of two days. An employer today is the most degraded sphere. There is a complete licence. We brought that youngster back but soon he resigned himself since he was sure they would not let him work. He was given reprimands with no motivation at all.

Administrations of the enterprises fail to pay bonuses

- 1) Representatives of primary organisations are refused passes, as a rule, they are a legal inspector of the trade union, member of the commission of labour protection, chairman of the primary organisation, staff worker of the trade union committee;

Administration of the OAO Mozir oil refinery on 22 January 2010 blocks the permanent pass of the leader of independent trade union Jurij Shvets, which he used for many years, and insisted on the issuance of a provisional one. Such actions are considered to be an infringement of the law on the professional unions and international norms in accordance wherewith representatives of trade unions are entitled to visit without hindrance the enterprises wherein the members of the given trade union work. What is more, according to the registration in the local bodies the legal address and the managing body of the primary organisation of the BNP of OAO Mozir OR are located immediately at the enterprise. Jurij Shvets lodged a complaint with the procurator's office of Mozir about the unlawful restriction of access to the work places for the members of his organisation.

- 2) Administration stops the transfer of membership fees;
- 3) Administration takes away the premises and the property of the trade union.

INTERACTION OF THE PROFESSIONAL UNIONS

The given issue may also be divided into two parts – interaction inside the BKDP and interaction with the FTUB trade unions.

Interaction inside the BKDP

As for the interaction inside the BKDP it is basically of constructive character and common positions are coordinated. Difficulties arise, first and foremost, with the ambitions of the trade union leaders, which are resolved with time, among other things, by means of contracts.

I fail to see any manifestations of rivalry. No hitches. Failure to understand is possible. The more so that now the trade unions united into the Congress and if problems arise they may be resolved. Speaking quite frankly, friction between the leaders of the trade unions is possible. But is not among the rank and file members of the trade union.

At the same time it is difficult to trace concrete cases of mutual cooperation of democratic trade unions in the interviews. The BKDP membership is given as an example of mutual cooperation and this may not be denied. As for other issues the answers of the respondents are basically more negative:

Independent trade unions have to interact with one another. But there are no contacts. There is no interaction. All of them participate in the programmes of the Congress. But as for solidarity there is no sense of solidarity, there is no contact between the sector trade unions.

Human factor plays a major role. If the leaders of the independent trade unions compete that is the human factor. We are united into the Congress of democratic trade unions and we influence our joint activities. Cooperation could be in place if we grew cleverer and more compliant.

They cooperate. They cooperate as well as compete. They have no wish to compete and no wish and possibility to cooperate closely. And how are they going to compete? What do they do? One campaign is brighter than the other. Those and those are on a very low level and if they start to clash they will be drowned in the discord.

Clear-cut examples of mutual cooperation apart from meetings and conferences can hardly be adduced. When it comes to real cooperation, there is none.

It is apparent that any movement ahead is built on the personal qualities, ambitions of the personality that organises the given movement. At the same time too great ambitions may show the absence of progress.

We communicate normally. Mainly, we exchange with each other information related to our problems, we discuss the possible ways out of the situation. It is extremely difficult to overstep the fact that laws are ignored, that is why it is difficult to raise the efficiency. We have to interact more. And have fewer personal ambitions. It is good that people have their own world-view. But one has to think whether it is a correct one. It could be erroneous. Proper I is sometimes placed much higher up than anything else.

Interaction between democratic trade unions in Belarus sometimes turns into confrontation and the competitive fight between the leaders, but basically it is constructive. The example of cooperation is the association of the organisations into the BKDP.

Interaction with the trade unions of the FTUB

As for the interaction with the FTUB trade unions in some cases it does exist mainly on the level of personal contacts but is usually aggravated by the mutually tense positions. Basically the communication is boiled down to the resolution of concrete tasks within the boundaries of individual workers' collectives (conclusion of joint collective agreements).

Apart from the contacts at the meeting of the National Council I fail to remember that I could have had contacts with the FTUB. Maybe 2-3 years ago there was a joint seminar of the heads of trade unions and ILO, yet I would not say it was a positive contact. But there was no agreement between the FTUB and the independent trade unions - just let us be friends, let us strive for the common goals and improvements for the working people. The FTUB considers us to be competitors and are unwilling to recognise us. The President himself appointed the head of the administration. This shows the merging of the state and the trade union, trade union being the fourth branch of power.

The issue is that all of us worked in the FTUB and possess lots of contacts with those people who worked and continue working there. On a purely human level, we have contacts. I worked there, I live in the neighbourhood and many ways I use are at the side of the federation. I bump into people when I go to work or in the shops. If this happens within the zone of visibility of the federation they try to glide by unnoticed and pretend not to see me. When this happens 3-4 blocks away then you hear " You know I was in a hurry and had no time to talk". I have co-workers whom we accepted to work in the FTUB and they say openly - sorry we are simply afraid to get exposed. If this happens we shall lose our work with the rest of the consequences.

Internal leaders and activists of the independent trade unions are in favour of cooperating with the official trade unions. They recall the instances of cooperation they had heard about. At the same time they confirm the full absence of contacts with them or their trade union structure.

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Interrelationship of the trade unions of the BKDP and the trade unions of the FTUB exist on the level of personal contacts, but is aggravated by the mutually tense position.

In principle, contacts certainly exist. But they are so episodic and you could hardly say that there are full-fledged consultations and that they are of some systemic character. They are rather random contacts and consultations, although they may hardly be called consultations. Exchange of information and how it is going to be used – that is a personal business of each organisation. There are no joint actions.

And were there any cases of informal exchange of experience at the time of the present crisis?

For me, none. I simple never heard of that.

It has to be said that in all issues of the interrelation the FTUB strives to dominate and impose their own attitude and often not to take into consideration the opinion of the BKDP.

Great anxiety is caused by the attempts of the FTUB to impose their own procedure of conducting collective bargaining, which discriminates the trade union - members of the BKDP and restrict their right to conduct collective bargaining on the trade unions that are not its members and on the employers. Thus, the Presidium of the FTUB in its

Resolution of 30 July 2009 No. 134 established the Rules of the Procedure of Preparation, Conclusion and Signing of a Collective Agreement in organisations. In the given Rules containing a reference to the decree of the President of the Republic Belarus of 15 July 1995 No. 278. On the Development of Social Partnership in the Republic of Belarus, which recommends concluding a single collective agreement in the organisations, the FTUB defines a single procedure of conducting collective bargaining for all trade unions and employers. According to the given Rules only the structures of the FTUB may initiate collective bargaining, they form a single bargaining body and are participants of the procedure of signing collective agreements. The FTUB is not a subject that enjoys the right of issuing standard legal acts, its documents are not subject to state registration and inclusion into the register of standard legal acts and may be valid only inside the organisation. Thus, assisted by the employers and the authorities the FTUB make attempts of imposition and using of its status at the enterprises, wherein some trade unions are in operation, and ousting of the structures of trade unions, i.e. members of the BKDP, from the process of bargaining.

From an interview: At present the policy of the Federation led by its present head is boiled down to the substitution of all those who worked earlier. And put people who are far away from trade unions and may be subordinated. Where earlier we had at least some contacts with our former colleagues, today we have none. We are considered to be enemies.

There is a considerable deterioration of the interrelationship on the initiative of the official trade unions and the leadership of the organisations even in the organisations, which experience approximately equal influence of traditional and independent trade unions.

There is the experience of having our trade union and the official trade union at the enterprise. There are pluses and minuses. But in the last half a year I see only minuses. In the 19 years of the work of 2 trade unions at the enterprise all new things were confronted with great hostility and especially the word "independent". When we appeared part of the people came to us from the official trade union. Nobody would like that. In addition, we brought that split between the administration of the factory and the trade union. The split was due to the fact that the other trade union was forced to work the way it should. Kind of tandem was broken. In some years of work the representatives of the other trade union understood that they had to do in the same way as the independent trade union did. They failed to show great initiative but they never obstructed our work. I used to joke- down to the last year the other trade union started turning into the independent one. Last year the leaders were deposed as a result of the conspiracy of the administration and the FTUB. They placed their own persons in that position. Now the newcomers are forced to join their trade union, our members as well. When such things happen I have no contacts with them now and I'll have none in the future. There were different opinions earlier but there was no fight between the trade unions. It was even a pattern how the administration and two trade unions managed to find common grounds.

However, you may not say that at present there is no interaction at all. The general attitude, however, is that it is impossible to come to some understanding related to the realistic interaction with the FTUB.

Since many of us are former members of the FTUB friendly and personal contacts on a purely human basis are still maintained. There are lobby talks when such consultations take place in the process of the meeting of the national council related to the occupational and social issues as well as the council of the development of the legislation. Although I do not think that it is possible to come to terms with the FTUB.

It is also important that the initiative of cooperation with the trade unions of the FTUB belongs practically fully to the free and independent trade unions. Unfortunately, the other party does not support that initiative.

As for the FTUB there are normal leaders at the enterprises. We propose cooperation to them. On the other hand, obstacles are put on their way. They are afraid to cooperate with us. We are not.

INTERACTION WITH POLITICAL PARTIES

Political activities of the trade unions of the BKDP are basically oriented to the cooperation with the democratic political parties, moreover, not only those of the social-democratic course but national-democratic and liberal as well. The REP is the most active among the trade unions, its former co-chairman A.Buhvostov is the leader of the Working Party and after it was divested of registration – the chairman of the organizing committee for the formation of the Workers' Party. At present the leader of the REP Fedinitch is one of the organisers of the National Assembly, that democratic forces plan for the autumn of 2011.

Professional unions of the BKDP participated as the supporters of the democratic forces in the election of the President and members of Parliament as well as local authorities. The climax of the participation was the nomination in 2001 of the Chairman of the FTUB V.Goncharik as a single candidate of the democratic forces to the post of the President of the Republic of Belarus. Members of the trade unions basically are nominated as candidates to the members of Parliament by the political parties members whereof they are.

The respondents voiced different standpoints on the interaction with the political parties – from positive to the full rejection of political activities, emotional and pragmatic.

Membership in the party helps. On the one hand, this brings new ideas; on the other, position of our trade union is proclaimed in the parties.

Trade union is an organisation of one enterprise or some of them meant to safeguard our economic rights. And there should be no political demands in the given organisation. As citizens we may have our political attitudes. But as trade unions we protect only economic interests.

We have nothing against our members belonging to some party. You may be a threefold party member; it makes no difference to us. Everyone has his political predilections.

Today there is not a single existing party in the Republic of Belarus, which has a part in the system of state governance, by means of which we could consolidate our achievements and political rights. That is why there is no close cooperation with any political organisation.

Practically all respondents consider multi-polarity of the views of the trade union members and the possibility to participate in the party activities to be important. At the same time in a number of interviews you can trace a peculiar Belarusian mentality and disguised artifice that helps the organisation to survive in the conditions of hostile environment.

Trade union members but not its leaders may belong to any political party. If leaders are preoccupied with politics we shall be completely strangled. We inform one another, exchange printed materials.

The attitude presented in the given interview may be considered to be the most typical:

Democratic trade unions perceive the necessity of close cooperation with the political parties and political struggle. But under the pressure exercised by the authorities they often give up political activities and focus on the social policy.

The socium of Belarus is sufficiently big – that is political parties and civic initiatives. From my standpoint, world experience and practice, social trade unions always used to lobby their interests through political structures. My understanding is that they have to be the closest partners. Since trade unions try to get through some social interests social democratic attitudes are the closest. But in our country there is an opinion that trade unions may not go into politics. Our trade unions also have no consensus about that. Should trade unions cooperate with some party or not. There are different points of view. This attitude has never been fully explored. That is why it is a great weakness.

1.7 EXTERNAL AND INTERNAL RESOURCES OF THE INDEPENDENT TRADE UNION MOVEMENT

According to the Resource Mobilisation Theory, the attraction of different resources (material, financial, organisational, institutional, etc.) is one of the most important preconditions for the existence of the professional unions, since unlike the institutional structures they do not have sufficient constant and stable income sources allowing reaching their goals. Among the income sources, the membership fees may be mentioned but, as it will be shown later, their quantity prevents the engagement into the trade union activities on the professional level.

It is common practice to differentiate between the external and the internal resources and the importance of those resource groups for the successful development of trade unions may be subject to various circumstances. The level of the legal development of the society, presence of democratic traditions, development of the institutional resources, the level of the welfare of the society and its financial possibilities may be ascribed to the external resources. It may be said that external resources are objective conditions wherein the activities of organisations are carried out and which predetermine their success and peculiarities. Organisational potential, people working in a trade union, leadership, solidarity may be ascribed to the internal resources. Division of them into tangible whereto finances, logistics, means of communication are ascribed and intangible – skills and abilities of the participants and leaders of organisations - is of great importance.

EXTERNAL PROBLEMS OF THE TRADE UNIONS OF BELARUS

The underlying external resource is the legislative basis that regulates the functioning of trade unions. It goes without saying that perfection of the legal regulation is the key issue, which has to be instrumental in the development of the trade union movement, make up the legal basis and the possibilities for the legitimate fulfilment of their ultimate goal – protection of the labour rights of hired workers. As has already been mentioned, the legal basis for the functioning of free and independent trade unions fail to correspond fully to the generally accepted international-legal norms. We shall analyse the main problems of the given legal resource and the possibility of using it by the free and independent trade unions. At the same time we shall concentrate our attention on two processes – the process of forming a new trade union (trade union organisation) including the aspect of its registration as the final accord of the given process as well as on the process of the development of its functions – participation in the collective bargaining.

Refusal to register trade union structures is a constant headache of the trade union activists. Practically in all interviews the leaders of free trade unions spoke of the difficulties arising with the registration of the newly formed organisations.

They do not succeed in registering once, twice. it is very difficult to form them. Some of them are in a suspended state – they were divested of their legal address, and it is possible to form something new but it is extremely difficult to register.

At present, the refusal to register was brought out onto the international level.

The issue of the restriction of rights and interests of the Belarusian workers due to their membership in a trade union (Case No. 2090) was 7 times discussed by the managing bodies of ILO. Since 2000 the Case No. 2090 on the violation of the workers' rights in Belarus is examined at the ILO 11 times. In the given period the country was included into the special paragraph of ILO as the country wherein workers' rights are roughly violated.

In 2004 a special ILO commission that investigated the violation of workers' rights in Belarus passed 12 recommendations to remedy the situation. Refusal of the Belarusian government to implement the ILO recommendations resulted in the expulsion of the country from the Generalized System of Trade Preferences of the EU. Belarusian economy failed to receive millions of Euro. To regain the preferences the government of Belarus has to implement the ILO recommendations, in particular to grant the independent trade unions the right to register their primary organisations, to give them the right to work on equal terms with the official trade unions, to stop the persecution of citizens for their trade union membership, to give the right to all trade union associations to participate in the resolution of important social problems of the country. Nevertheless, the infringement of the trade union rights in Belarus persists. The pressure and discrimination against the independent trade unions persists.

It should be noted that some recommendations were partly implemented. It was noted in one of the interviews:

Assisted by such instrument as ILO we forced the government by way of its loss of preferences in 2007 to make steps in the reinstatement of our rights. And the most important step was the reinstatement of us in the social dialogue on the national level; we again were the members of the national council for labour and social issues. We may try to influence the essence of the international economic policy including the interests of the trade union members themselves and those of the workers. We think this is the most important result; we participated twice in the preparation (in 2007) of the general agreement. Last time the general agreement was signed on 30 December last year for the period of 2011-2013. We did a lot of work in the preparation – we had to compare the earlier agreement and the present one.

At the same time the situation with the recommendations related to the registration of the independent trade unions and their structures is in fact unchanged. As was noted by the head of the BKDP Alexander Yaroshuk on 7 July 2011 in his presentation on the situation in the trade union movement in Belarus at the Committee of norms and standards of ILO, in which he, in fact opposed the above-mentioned opinion:

The main problem is not resolved – the problem of the registration of independent trade unions. Without the resolution of the given problem, without legalisation any formation of a new organisation loses any sense. And without new organisations the task

of the development of the independent trade union movement may not be assigned. It is impossible to go beyond the boundaries of the ghetto, reservation wherein we were imprisoned by the ruling regime.

And any moves of the government such as the reinstatement to the organisations of the BKDP the preferential tariff for the lease of the premises or granting the possibility to be a party signing the General Agreement, fail to restore the trade union rights in the country. Figuratively speaking, they simply improve ghetto conditions but give no chance to leave it. History tells us quite clearly what fate awaits those who are closed in a reservation.

The other interviewed members of the independent trade unions confirm his words:

We have one big problem that was here prior to the crisis situation and in the time of crisis – registration of our new organisations. When it appeared in 1999 after the issuance of the President's Decree No. 2 On the Registration of Public Organisations it has never been done away. Although a lot has been accomplished by our trade union including first and foremost the Congress. The problem of the violation of trade union and workers' rights was raised on the international level. The given problem that the government promised to solve never went further than the words uttered.

We were told in the interviews that the basic problems that arise in the process of the formation of new trade union organisations are related, first of all, to the obstacles created by the authorities and administrations of the enterprises. As a result, the situation is such that from the moment of their formation it is extremely difficult for the independent trade unions not only to get a legal status but also simply survive.

The most important problem in the crisis situation is that so far our trade union is unable to exert influence on the employer, it is not sufficiently powerful and does not have numerous membership. So far we may not participate in the collective bargaining because nobody talks to us. And the fact that there is no registration in place also aggravates the situation. We tried to register ourselves twice but we are not registered in the district, they refuse to give premises or invent something else. This complicates our work and divests us of a possibility to work more efficiently with the people.

As a result, part of the independent trade unions have to live a semi-legal way of life which influences the performance of their functions:

Today, we may not say that we are able to develop our organisation further. The laws by which we have

Democratic trade unions of Belarus enjoy a great support of the international labour solidarity as well as that of the international labour organizations. Trade unions were able to revenge to the state for the violation of their rights by making it loose trade preferences of the EU.

to abide, figuratively speaking, placed us in a ghetto, a reservation. So far we failed to register any new organisations. If we want to act we must have legal status. Legal address at the enterprise is premises. Head of the enterprise has to give some premises. In the absence of premises there is no legal address, which means we may not exist.

Participation in the bargaining, in the process of preparation and conclusion of the collective agreements is problematic for the independent trade unions. Formally, the laws provide for the conclusion of a collective agreement with all organisations representing the workers in the given organisation or for the joint agreement signed by all trade unions. Organisations, which have many members in the independent and free trade unions, have more or less realistic possibilities of the conclusion of the collective agreement.

There is the issue of the conclusion of the collective agreements. That is one more transgression of our rights, in particular the infringement of the provision of the ILO Convention No. 98 on the conduct of collective bargaining. Where we have two trade unions at the enterprise, e.g. in Soligorsk Belaruskalij or Mozir oil refinery, then those two trade unions have the right to conclude separate collective agreements. One collective agreement may be concluded. But this is in the ideal case when two trade unions cooperate and make proposals for the safeguarding of workers. But if there is only a formal approach to an issue, i.e. to prepare and give us an agreement- we do not want that. But it is very difficult to sign separate agreements at the enterprise. We did that prior to 2005. Today we fail to do that. At some enterprises two options are being discussed - ours and theirs - and somehow they unite them into one. But usually it is ours that constitutes the basis. It is more matter-of-factly and more attractive. In other organisations they accede to the agreement that was prepared by the federation and administration. It is kind of formality – sign it and accede to it. That is our failure. We have to single this out as our main direction in our future strategies, since these are the underlying rights of our workers.

At the same time numerous membership is not a guarantee against arbitrary actions of the administration of the enterprise and the official trade union.

Since 1993 when our organisation was set up we participated in the conclusion of collective agreements either together with the FTUB or separately. But we always had collective agreements. Last year we concluded the agreement with the employer and were the first to lodge the application. The employer proposed to make bargaining together with the federation of trade unions. The bargaining was being made for more than half a year and a brilliant collective agreement was reached. An hour before the signing of the collective agreement the trade union federation informed us that they were not going to conclude any joint collective agreement. We were thrown out of the collective agreement, deleted everywhere wherever we were mentioned and they concluded an agreement without us but with the trade union federation. We continue our fight for half a year to resume bargaining and they concluded an agreement with us.

The given provision of the law for the majority of organisations is not abided by since it is ignored either by the authorities of the official trade unions or its implementation requires considerable effort.

The employer is unwilling to conclude the collective agreement. The answer of the factory is the following. The (official) trade union has 11 thousand members. And there are only some of you and you want a collective agreement. According to the legislation- "Yes". We fight and we win. We agreed during our last talks that we should accede to the supplementary agreement.

INTERNAL PROBLEMS AND THE POSSIBILITIES OF TRADE UNIONS

As has already been mentioned, organisational resources of the trade unions including the office of the organisation at the enterprise and financial resources that primary organisations possess are ascribed to the internal resources; then also people – participants of the trade union movement, peculiarities of recruiting new members of trade unions; leadership, solidarity.

Organisational resources of the trade union organisations of Belarus

Organisational resources, first and foremost, are premises and their technical equipment. As a general rule, after the registration of a trade union an employer gives premises wherein the activities may be carried out. In fact, the situation with the premises is quite impressive.

The issue of premises for the independent and free trade unions is not simple. So far many do not have their own premises and are located outside the organisation:

Our premises are outside the territory of the enterprise. We strive to get premises on the territory of the enterprise, where a plate "Independent Trade Union OOO Belshina" is affixed on the door and into which anyone willing may enter. What we do have is far away from it. This is an important problem since we have to work with the people.

Premises of the trade union committee often are a kind of indicator of the interrelationship of the employer and the trade union. Where premises are given and are not "taken away" later it may be assumed that the employer accepted the trade union and in principle is prepared for a dialogue.

In the case of a serious conflict between the trade union and the employer, first of all, the trade union's premises are taken away. By the way, trade unions fail to consider this as a serious obstacle. In general, since the bureaucratic apparatus of the free trade unions is not big (often due to the shortage of funds to maintain it) possession of private premises are considered to be a welcome but not the key issue for the efficient work.

Independent trade unions as well as any other organisations face the challenge of accumulating finances. In general, three sources of financing may be singled out – trade union fees, international grants, voluntary donations of private persons and organisations. Financing of independent trade unions dif-

fers considerably from that of the official ones in terms of scope, sources and the way of the budget formation. First of all, unlike official trade unions the independent ones have no inherited property and financial resources that is why the amount of means in their possession is considerably smaller. Basically they must rely on the membership fees. That is why the financial welfare depends directly on the number of trade union members.

Shortage of funds in the independent trade unions also influences the number of skilled professionals in the electoral posts:

This again is the difficult material status of the trade union. That is the shortage of people who consider their work to be a serious business, who discharge their duties professionally and with responsibility and it may be said that the most important thing is the problem of the personnel.

Yet independent trade unions are more often and more willingly rendered financial support from the international trade union funds although it is difficult to define the real significance of the support within the framework of the given investigation. In view of the specific character of the Belarusian situation respondents spoke about the contacts with foreign partners quite willingly and practically said nothing related to the possibility of their financial support to the trade union activities.

As for the attraction of donations of various Belarusian sponsors, those cases are quite episodic and may be considered rather an exception than a typical source of financing. In the majority of cases they are personal in character and are accomplished by handing in cash and are not advertised either by a donor or by the trade unions.

The ways of the budget formation depend on the status of the trade union at the enterprise. First of all the majority of organisations prefer to transfer membership fees via the accountant's office – it is more convenient and ensures a stable addition to the budget.

There are certain peculiarities in the REP, which is also organised by the territorial principle. They have to collect membership fees directly from their members.

Our problem lies in the fact that we do not have payment by cheque and 90 % of fees are gathered manually. That is very difficult.

We need money to live and to work. We are not a protection instrument. We are the organisation, which may organise the workers to protect their rights. When you have to give away 10-15 thousand roubles (membership fees) by payments in cheque that is one thing, the money is simply deducted. And here you must simply give it away. The problem is purely psychological - how to part with your money although we do not have tough regulation of membership fees.

Insufficient financing and lack of qualified managers of the middle rank is the weakness of independent trade unions.

Restricted financing is one of the reasons why there are few dismissed trade union activists in the structure of independent trade unions. In the majority of cases trade union work is done alongside with the main occupation in the workplace, which, first of all, makes the chairmen of trade union organisations more vulnerable and, second, they may allocate less time for the trade union issues.

There are no full-time workers in our organisation who could work and receive salary. All of them work on the voluntary basis from project to project as coordinators.

By and large, irrespective of the restricted resources free trade unions are more flexible, more mobile and more capable of survival under any unfavourable conditions.

The very fact of our existence as a trade union is a great achievement; as it is known, membership in a trade union is a civil courage. The very fact that people dare afford that civil step to themselves speaks volumes about them.

Peculiarities of recruiting workers to the membership of an independent trade union

As for the recruitment to the membership of the FTUB trade unions, by taking a job the worker practically automatically signs an application of the transfer of trade union membership fee to the official trade union as a mandatory condition for getting the given job. Becoming a member of the independent trade unions has its own peculiarities. It takes place in the atmosphere of enmity embodied by the administration of the enterprise and the official trade union. As a result, the issue of recruiting into the independent trade unions has to be addressed from the point of view of two aspects:

- 1) Becoming a member of the trade union;
- 2) Preservation of the existing primary structures of the trade unions.

Due to a certain threat for the worker his membership at an independent trade is always his conceivable choice. As the respondents note:

That is the complexity of the work with the new people because their fear of those trade unions that are independent of state.

The sense of fear leads to the minimal growth of the trade union membership. At the same time a conceivable choice of people practically prevents the trade unions from the decreasing membership.

We are 10 thousand, for a long time 10 thousand already. They are the same people who irrespective of repressions continue their membership in the trade union, i.e. they are motivated. They know what a subjugated trade union is. They want an independent trade union.

It follows that the system of motivation and attraction of new members into the independent trade unions has its differences. First of all, it is associated with the fact that independent trade unions lay

emphasis on the protective functions of the trade union, try to persuade people that common welfare may not be reached if we function one by one. That is why even the smallest chance to reach the common goal is a powerful stimulus of participation. It is not material but ideological and moral stimuli, personal interests and the sense of duty that are used to attract new members.

When a person comes daily to his workplace to earn his living and his superior meets him and asks him when he is going to leave the free trade union. Nevertheless, he stays in it. Is he an active man? Such pressure is exercised on all our members. But they still persist with the membership of independent trade unions. They believe that assisted by the independent trade unions they may get a better life.

...to attract new members it is not material but rather ideological and moral stimuli and the sense of duty that are used...

Fear of discrimination on the part of the employer, pressure, which the organisations titling themselves independent trade unions and their members experience, results in the number of their supporters growing smaller due to the fear of losing the loyalty of the boss, wages, bonuses and finally the workplace. The following is one of the descriptions of a typical situation:

The first problem is the discrimination of the workers. The discrimination consists of the following. As soon as a person perceives that he needs a democratic trade union he is collectively attacked by the foreman, head of the department, head of the workshop and the ideologist. And the man is so intimidated and he is threatened that his contract will not be extended. The man is at a loss and thinks that he would rather not enter the independent trade union. It seems that the majority understands that it is absolutely pointless to be in the other trade union, many of them are not members of any trade unions at all and are not in a hurry to join one.

The knowledge of the workers about the activities of the independent trade union is important. Reliable information about the achievements of the trade union leads to the premeditated joining of the trade union. And vice versa, absence of information in addition to the pressure by the administration exercised on the members of the independent trade union calls forth the decline of membership. Here are some respondents' examples:

The system of short-term contracts that stops the workers, lack of information since in this or that way the staff at the enterprises changes, and if, for example, 5 years ago I could hardly find a person at the enterprise who did not know about the existence of the organisation today, I am sure, that after the campaign of mass pressure when the organisation grew considerably smaller and when that time was over, many people changed, there is a change of generations in the work stations. And if those young people who come and start working heard nothing about the trade unions at school, at the university. It is natural that without that information it is very difficult to explain to them what an independent trade union is.

A member of our trade union worked in one of the workshops. New norms were introduced there. The people were not informed about it. All this is against the law. We used to meet the director, solved different issues. People from that (state) trade union see what is happening. They were sent to ten devils by the other trade union. They came to us. We studied their case deeply and understood that within the framework of the law justice may be re-instituted. As a result, 5 people came to us.

In general, the respondents are sure that if the political situation in the country changes, the number of independent trade unions will grow considerably.

If the situation is adequate the free trade union will be requested. When something happens members of the state trade union come to us. A couple of warriors who could lead people are necessary. And warriors are only among us. There are 200 of us that are a great potential. The employer exercises pressure and persecution on us periodically. In 2006 they were on a mass scale. Pressure was exercised on the members of the trade union by telling them that their contracts would not be extended. The most steadfast 200 stayed. Later everything was normal again and towards the end of 2009 we again had 400 members. In early 2010 enormous pressure on people was exercised again, heads of the workshops threatened that contracts would not be extended. We showed to the people that we side with those whose contracts were terminated, we defended them. The examples are very good. They stopped intimidating us... And all of them look at us-what is free trade union going to say?

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The absence of the possibility to form a primary structure limits joining of the ranks of the independent trade unions. As respondents say:

There are many people, those willing to join our trade union but people are full of fear. Addressing us... we do not advertise their family names before they let us do it. If we had a possibility to form primary organisations in any enterprises, social, technical and metallurgic institutions our potential would be much higher. We could put forward our requirements and regulate our relations with any category of workers.

The fact that they are mainly oriented to the workers and block the coming of the managing rank representatives into the organisation is a very important peculiarity of the independent trade unions (this concerns first of all major enterprises). This may be accounted for by different reasons. First, workers are the most numerous group. Second, it is workers that form that key group of the workers that may exert influence on the economic situation of the enterprises.

Minuses of the trade union membership based on the attraction mainly of the workers are related to the low level of education of the trade union members, inability to carry out talks with the leadership, psychological barriers associated with the status of the subordinate hired worker, which may not be easily overcome.

The above situation could be explained. As a rule, middle management rank of the enterprises is more dependent on the employers than the workers of the given enterprises. That is why recruitment of them into the ranks of independent trade unions is extremely difficult. As a rule, all those managers are members of the official trade unions.

The given shortcoming, however, is obliterated in the case when the branch trade union guarantees not only the training of the primary trade union organisation leaders but renders methodical and legal aid as well.

An important factor of the new member recruitment is the value orientations of the workers, which in the case of young people coming to the enterprise differs considerably from those of the older generation. The matter is that in the last 20 years a new generation, which was formed in the period of social and economic transformations, appeared and the system of values and expectations of the representatives of the given generation differs substantially from those whereupon, in principle, all activities of a trade union are based. It goes without saying that this radically influences the status and development of the trade union movement.

Today young people are more educated; they have the Internet and have an idea what a trade union may give them. Earlier there were presents on the occasion of the New Year, there were sanatorium and travel passes. And today the younger generation think they may do things themselves and protect themselves. Unfortunately, many young people want to leave the country since they see no future in the country. Some go to Lithuania or Poland to study, many go to the USA and Russia. They are elite people, sufficiently skilled workers.

Training of the leaders of the organisation, methodical and legal aid help to overcome the gaps of education of the activists from the working class environment.

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The issue of the motivation of the younger generation to become activists of the trade unions worries the respondents. Since the future of those organisations to a considerable degree depends on the coming of educated and thinking young people to the leadership of trade unions. The following are considered to be the most important internal obstacles:

Absence of new young leaders who understand the tasks of the trade union movement.

In one of the interviews the importance of the leading personnel of the independent trade unions was pointed out:

Today the age of our leaders is pre-retirement age, in 90% of cases. 5 years will pass and if we fail to change we shall, unfortunately, be in no way different from our competitors, the FTUB. As was common in the past we shall be carried out from the trade union offices "feet first" (in coffins) and only then we shall change the leaders and alongside with that

the attitudes, world outlook, the organisation in general. When one is 60, it is much more difficult to accept the world as it is than for a 30 year-old person who has just started working and has never yet thought of a pension. One also has to think about it... how to balance everything for the further development of the organisation, how to attract new members, young people since without them we shall have no movement whatsoever in the future.

The issues of leadership in trade union

The issue of attracting new people to the trade union leadership is closely connected with the issues of leadership in them. It is not only the activities of the trade union that depends on the personal qualities of the leader but also the possibilities of the interaction with the other social and political partners. A number of respondents raised the issue of leadership in their answers, which shows that trade union leaders are anxious about it.

Trade union is a very interesting partnership of people. Leaders are leaders who created themselves. The merit of those people is that they could talk to workers in the same language; they understood one another and could lead people. Certainly there was a great shortage of the experience of management, deficit of knowledge and intellect. Those qualities of the leaders were accompanied by ambitiousness, which manifested itself in the fight against each other, inside the organisation. Many famous and well-functioning organisations degraded, some of them disappeared for good. We also failed to escape this infant malady; it hasn't been done away even today. Unfortunately, lots of energy is wasted on the fight with the like-minded people and not on the fight against our common opponent or the adversary.

Trade union solidarity

Respondents are also anxious about the issues of solidarity of independent trade unions. It turned out that belonging to the same organisation, i.e. the BKDP, does not mean an automatic duty to show solidarity in your actions.

There is no such profound solidarity so far. It fails to manifest itself in the actions. Do you remember there were such moments, for example, dockers went on strike in some country? Solidarity strike commenced in Asia and everywhere. I visited many countries and I know the international movement very well. That is why trade unions show solidarity in many countries. If, for example, problems arise among metalworkers they, no doubt, will be supported by chemists and textile workers, all, all of them. If some factory goes on strike in this country I am not sure that other trade unions would organise solidarity strikes.

The sense of solidarity is closely associated with the workers' perception of the possibility to achieve some changes in the country. Absence of the given possibility decreases the likelihood of solidarity actions. As has been said in one of the answers:

First of all, the sense of solidarity and people's awareness is absent among the people working at the enterprises; they lack belief that we may change something. People are disappointed with their abilities to undertake certain moves, which could exercise some impact on the alteration of the existing power and the situation.

Insufficient solidarity also manifests itself in the corporate structure of some independent trade unions the main goal whereof is to protect their own members.

I would also like to say about the absence or insufficient development of tradition to show solidarity among us. It happens so that for example miners get the highest salaries. It is one of the highest in Commonwealth of Independent States and Central Europe. But they are a corporate trade union they fight only for their salary. What salary of a teacher is like makes no difference for them. They struggle and we do. If only we could organise a single front in the struggle for the underlying values. As is in Europe miners go on strike. Or take the underground workers. They understand that workers struggle for their rights and they do not grumble. We do not have anything of the kind. We do not have the tradition of the sense of solidarity.

To sum up what has been said the following basic problems that trade unions face may be singled out.

External problems:

Political. The basic external problem defined in the answers is the actions of the authorities, a political one.

The authorities interfere into the activities of the trade unions, prohibiting by cheque payments of the membership fees, refusing premises for the official registration, and undertaking direct repressive measures against the rank and file members of the organisation.

Workers are afraid to loose their jobs or studies for the sole reason of being a trade union member.

Social. The society sees no possibility to defend their rights by way of trade unions. Since traditionally trade unions in the Belarusian society are perceived as organisations of social aid, through which certain resources are parceled out (passes to the sanatorium, material aid, etc). Historically, certain stereotypes towards the trade unions were shaped in the course of some decades. That is why they are not accepted by the society as an efficacious force able to resolve the problems of the workers. Disappointment of ordinary workers in the hope that situation may be altered.

National self-awareness is not sufficiently formed. Such important constituent parts of self-awareness as esteem to oneself and the closest kin, defence of one's interests have to be further developed.

National self-determination as a nation failed to take place. This is not going to happen soon. We have to go through the stage of self-esteem of a concrete person. The person has to learn to hold himself and the person next to him in esteem. We, as trade unions, that unite people to defend their interests at least the economic ones, help to do it. We try to unite, find common interests, how to defend one's interest. Further on we go higher up. When a person learns to hold himself in esteem he will learn to do the same with the person next to him. He will start holding his country in esteem, its history and its traditions. But that is the process of more than one day.

The growth of the national self –awareness is important for the independent trade union movement as well.

Young people who are more active will be the beginning of that national self-awareness. I like to hear young people speak Belarusian language, not the one used on television. We may not wait for the generation shift; we have to work with the existing one.

Legal. Contract system of employment allows the dismissal of the worker if he participates in the activities of the independent trade unions. In the absence of registration of a trade union organisation, which is possible only when the legal address is in place, organisational activities go beyond the legal framework. State bodies have a possibility to influence the provision or non-provision of the legal address to certain organisations.

Internal problems

Absence of a complete action plan. Leaders of the organisations speak about the strategies of the development but rank and file members maintain that such programme is non-existent. It is evident that such differences in the opinion of the respondents is called forth, first of all, by the insufficient information related to the strategic directions of trade union activities that rank and file members receive. Besides, it may be the case that the strategy of the trade union development is not sufficiently concrete and clear to the rank and file members of the organisation. It seems that it would be worthwhile to remedy the situation by organizing the discussion of the strategy of the trade union development and modernizing it in accordance with the opinion of the majority of the organisation members.

We have the BKDP, which unites 4 sector trade unions. But we may not say that they are 4 sector trade unions. Their structure is not yet finished it is still vague and confused. People do not know what they have to do. That is why one of the basic tasks is to finish the construction of the sector trade unions and put them on the sector principle.

Insufficient cooperation among organisations. It has been called forth by the competitive struggle with the similar democratic organisations first of all for the resources (financial from donor organisations, human resources in the form of the volunteers, activists, professionals, young people) as well as by the absence of solidarity between trade unions and the society in general. Minimum cooperation among the independent trade unions is strongly associated with the personal ambitions and qualities of the

leaders. Competitive struggle can often be observed among the leaders. But independent trade unions are united into the BKDP. It is the given union that is understood as the joint work.

There is a trade union centre, which unites 4 independent trade unions. And there are no more independent trade unions in Belarus. Joint work is perceived only as participation in the BKDP programmes.

Weak sides of the independent trade unions are the following:

- Absence of the complete action plan
- Insufficient cooperation between the organisations
- Small membership
- Low activity

Independent trade unions have to maintain contacts among themselves. But there are no contacts. All of them participate in the programmes of the Congress, i.e. the BKDP. But as for solidarity there is no sense of it. There are no contacts between sector trade unions.

At the same time there is a very clear understanding of the necessity for the consolidation of the independent trade unions and joint work for the common interests:

Trade union is strong when it has many members, when they are solidary and united. This so far is not here. The organisations are isolated and small. That is why they are rather sources of information. We conduct court defence to a certain degree, legal aid. For example: so far we are not able to influence actively the policy in the field of wages, in the field of labour protection and workers' rights.

Low trade union density. In the course of many years the general density of independent trade unions stays practically unchanged and consists of people that are motivated not only and not so much economically but also politically.

There are 10 thousand of us and 10 thousand for a long time already. They are the same people who irrespective of any repressions continue their membership in the trade unions, i.e. they are motivated. They know what a subordinated trade union is. They want an independent trade union.

Trade union activists understand the importance of this problem.

If we have small membership, we may not exert serious influence. Small membership presupposes material moderation, too small fees to do any serious work.

Low activity is one of the constituent parts of the low density of the trade unions and some respondents place those two constituent parts alongside with each other. At the same time, low activity is a direct internal problem of many trade unions. Weak organisational work first of all influences the activities of the trade union members.

Here, the activities of the independent trade unions are not sufficient. More vigorous and more enlightening work could be done with people who could say their authoritative word. This is related first of all to the organisational work that is non-existent.

Influence of the measures of the enterprise administrations and state authorities on the activity of the trade unions should also not be belittled. Making use of the broad administrative resource and contract system lowers the activity of the trade union considerably.

*Counter-attacks of the authorities against our activity reduce the rate of our activities.
A better situation could be welcome.*

PART 2

ROLE OF TRADE UNIONS IN THE MODERN LIFE OF BELARUS

2.1 TRADE UNIONS AS A SOCIAL MOVEMENT

Institutional possibilities of the independent trade unions of Belarus were analysed in the previous parts. At the same time when the institutional possibilities of the assertion of one's rights have been exhausted and it is necessary to draw the attention of the society and the authorities to the importance of the resolution of the problems that were posed, protest actions of social and political orientation become an indispensable element of the trade union activities.

The protest action of the miners in Soligorsk in 1989 may be considered to be the starting point of the protest movement in Belarus. The wages of the miners at that time were considerably lower than those of the other Soligorsk enterprises. The working day, however, often was 11 hours since the time used to go down into the pit and going to the work place and back was not taken into account. Average mortality rate of Soligorsk miners was 49 years.

The miners put forward not only economic but also political demands – raise of the wages, improvement of work conditions and liquidation of the Communist Party monopoly.

In April 1992 the major machine building amalgamation of Gomel, Gomselmash went on strike. Their demand was a payment of monetary compensations for the consequences of the Chernobyl calamity in 1986. Analogous rallies of workers took place in other cities of the Republic as well.

The first national strike in the Republic of Belarus was organised in April 1991. The first spontaneous rally started on 3 April at the Minsk electro-technical factory. Workers of automatic lines in Minsk factory and Minsk gear factory joined the strikers. Next day Minsk automobile factory stopped its operation. The workers marched from their enterprises to the Government building. More than 50 thousand people participated in the protest rally. Republican strike committee uniting 98 enterprises was set up to coordinate the activities. Tens of thousands of workers and blue-collar workers came to the Independence Square every day to protest against rising prices for foodstuffs and manufactured goods and the requests to replace the Government. Since 10 April the strike turned into a national one. Strike committees appeared in Orsha, Molodechno, Borisovo, Soligorsk, Lida and Gomel. Workers' protest was extremely tough in Orsha where the strikers blocked the railway and paralysed the work of the major railway node for a long time.

As a result the Council of Ministers of the Belarusian SSR complied with the absolute majority of the economic demands of the strikers: to raise salaries, pensions and compensations in proportion to the growth of prices. The Presidium of the Supreme Soviet refused to take into consideration the political

demands of the workers: to start without delay the implementation of the Declaration on the state sovereignty of Belarusian Soviet Socialist Republic, to work out and pass a new law on the elections on the multi-party basis, to revoke party committees from enterprises and cut the expenditures on the maintenance of the state apparatus by one third. Political demands were complied with some months later after the coup of State Committee for the State of Emergency in Moscow collapsed.

In April 1992 miners of Belaruskalij went on strike again. Their demands included the raise of salaries, social guarantees, betterment of the working conditions. The strike lasted for 44 days. In parallel, miners and their family members started hunger strike. It lasted for 18 days. Even the march on foot to Minsk was organised. The strike was deemed to be illegal but finally the independent trade union celebrated a real victory. Tariff agreement, which provided that minimum salary has to correspond to the minimum consumer budget was signed for the first time in Belarus. Wages in PO Belaruskalij grew 3-4 times. The first collective agreement was concluded with the employer in 1993. The working time of the miners was cut by one hour. Vacation for those, who work as miners, was extended to 66 days.

The climax of the strike movement in Belarus was the strike of Minsk Underground in 1995. It all started with the bus drivers' strike in Gomel. Workers of bus and trolleybus depot of Minsk supported them. Trolleybus drivers of depot No. 1 of Minsk went on strike on 15 August in support to the workers of the Underground. The Underground workers terminated their work on 17 August as a sign of solidarity. They demanded from the administration of the Underground to abide by the provisions of the contract on employment. Minsk authorities and the administration refused to meet the demands of the strikers. On 18 August after the hasty payment of salaries to the trolleybus drivers they terminated their strike. This allowed the authorities to carry the passengers alongside the underground lines. Strikebreakers were hastily summoned from Moscow by the mayor of Minsk – some dozens of engine drivers were sent as new staff teachers from Moscow Underground aiming to ensure the normal functioning of Minsk Underground. From 18 to 21 August a decree related to the Underground was issued to release 58 participants of the strike. OMON (special police unit) at gunpoint ousted the participants of the strike from the territory of the Underground.

In October 1996 an attempt was made to organise a protest march Soligorsk-Minsk. Its basic demands could be read on the slogans in the hands of the participants: "Proper and timely pension for the pensioners"; "Benefit for the jobless to live and not to die"; "Proper salaries for medical doctors and teachers and not a beggar's benefit". The police, however, stopped participants of the action. They were imposed administrative punishments and had to pay fines.

... when institutional possibilities for the assertion of one's rights are exhausted, and it is necessary to draw the attention of the society and the authorities of the country to the importance of the resolution of the existing problems, protest actions of the social and political direction become an indispensable element of the activities of the trade unions...

All actions that followed were mostly spontaneous and related to the untimely payment of salaries.

In September 2001 more than 800 workers of the Minsk Tractor Factory blocked the transport movement along Dolgobrodskaja Street in front of the main entrance to the factory. The reason for that action was two-week delay of salary payment. The workers started leaving only after the administration promised to pay the salaries on the same day.

In 2002 a number of workers¹⁰ under the threat of the strike forced the management to pay salary arrears to the workers.

In 2003 workers of the Republican unitary enterprise Zenit in Mogiliov and Bobruisk shoe factory went on strike and demanded raised salaries and salary arrears.

In July 2005 spontaneous strikes were called at eight Minsk enterprises, including such major ones as MAZ, NPO, Integral, Motovelozavod – very small salaries provoked the workers to strike; in the machine-tool association named after Kirov and at the factory named after Lenin the stimulus was the threat to move the enterprises to the territory outside the capital.

In the same year striking workers of UTPK Polock Construction Trust No. 22 demanded the raise of wages and the improvement of working conditions, workers of the timber post of the foreign enterprise Euronaturpaket in Vasilevichi Rechinsk district went on strike demanding the payment of their wages, miners of Belaruskalij threatened to go on strike.

Spontaneous strike of the workers of Minsk metalworkers on 25 November 2005 was one of the biggest protest actions of 2005. About 200-300 people blocked the Partizanskij Avenue in the area of the gatekeeper's office thus paralyzing the transport movement in that major artery from Koshevoj Street to Vanejev Square. The workers put forward exclusively economic demands. In particular, they demanded to redeem the arrears for October and advance payment for the present month. The participants of the action also declared that a complicated financial-economic situation formed at the enterprise in the present time, the factory operates with stoppages and considerable redundancy is planned in the near future. The workers also voiced apprehensions that the enterprise may go bankrupt. The workers terminated the strike after the administration of the enterprise promised to redeem arrears by 30 November, but did not return to their workplaces promising to continue the protest actions, if the wages are not paid in the given period.

In 2006 the strike of the seamstresses of the Baranovichi factory Baverti who were in danger of losing their jobs due to the merging of their enterprise with the other, spontaneous strike in the glass factory Nioman in Berezovka (Lidskij district) because of very low wages, short-term spontaneous strike of cutters of the Vitebsk factory Krasnij Oktiabr because of wage cut and bad conditions of work were reported.

10 Ambulance workers in Mogiliov, workers of the Gomel factory of starter motors, peasants of the kolkhoz Dribinskij (Mogiliov district), Lepelskij (Lepelskij district) Zhabinkobskij tarmac-concrete factory, Baranovichi factory of machine-tool accessories, machine operators of the kolkhoz Madalinskij (Kobrin district), machine operators and milkmaids of the kolkhoz Avangard (Tolochinskij district), machine operators of the enterprise Ozernij (Gorodokskovo district)

On the initiative of the activist of the SPB, the worker of the joint-stock company Lavsanstroj Nikolaj Rasiuk the strike of the workers of the Construction Board No. 129 of the above mentioned company was conducted on 28 November 2008. Around 30 people participated in it. The cause of the protest was the delay in the payment of wages. The administration conducted an hour talks with the strikers. The strike was terminated after the strikers were promised the payment of their wages in the course of the day.

PROTEST MOVEMENT IN 2011

There were practically no spontaneous workers' actions of the given type in the subsequent years. Radical deterioration of the economic situation in Belarus in 2011 led to the resumption of the spontaneous protest actions.

Thus, on May 2011 the workers of the boiling and fermentation workshop of COAO Rechicapivo refused to start their work due to non-payment of the premium pay provided in the contract. "We warned the management that we would not start our work before we get our premium pay. They are 30% of the monthly salary. Where the monthly salary of the worker of the main workshop is 510.53 thousand the sum of 150-160 thousand of the premium pay is also some sum of money" – one of the workers said. According to her words, the workers also deliberated the possibility of the mass handing in of the applications to quit the job. Deputy chairman of the district executive committee Vocheslav Pomaileko came to the factory to settle down the situation at the factory. The incident was resolved by 11 o'clock. The workers were paid their money and received copies of their employment contracts.

On 7 June hundreds of automobile drivers took part in the action Stop Petrol in Minsk. The action was called forth by a sharp raise of prices for fuel in Belarus. The central avenue of the city - the Independence Avenue - was practically blocked for some hours. Its outcome was that the President instructed the respective authorities to cut the prices for car fuel considerably.

On 1 July 2011 30 workers of the construction board No. 187 of Slonim refused to start their work due to the delay of the payment of wages. In the morning the workers came to the prosecutor's office to lodge a complaint. Deputy chairman of the Slonim executive committee Anatolij Vinckovsky arrived at the prosecutor's office and talked to the workers. They complained that the wages had to be paid by 25 June 2011 and they failed to receive them on 1 July. They said it was not the first time of the wage payment delay. A. Vinckovsky promised to the workers that wages would be paid on the same day in the afternoon and asked the workers to go to their working places. According to the words of the director of the construction board Victor Braitchuk after the meeting with the deputy chairman of the executive committee the workers returned to their work places.

LEGAL CONDITIONS AND PROBLEMS OF THE PARTICIPATION OF TRADE UNIONS IN THE PROTEST ACTIONS

Thus, as it is seen from the material above, in 1995 practically all strikes in Belarus were spontaneous and no participation of the trade unions in their organisation may be traced. This may be accounted for by some reasons.

First of all, over-regulated legal provisions of the respective legislation related to the strikes result in the legal form of protest becoming practically unrealizable. A strike may be organised only by a group of workers but multiple coordination mechanisms and the possibility of the judicial investigation of the employment dispute may bring all attempts to organise strikes to nothing.

...legal form of protest in the form of strike becomes unrealizable in practice ...

There are protests of the workers in the form of spontaneous strikes. They are often accompanied by spontaneous unsanctioned rallies and are not registered as such by the statistical bodies. This results, among other things, in the distortion of the official statistics of the real situation of the protest movement in the employment sphere. Not a single of the above mentioned strikes of 2005 were registered by the state statistics. A very good example of the official covering up of the information on the situation of the workers' protest actions are the words of the director general of the company COAO Rechicapivo belonging to Heineken Natalja Savostenko related to the strike of the Rechica beer brewers. She stated that nobody went on strike: "We worked in the nighttime as well as in the morning. And nobody left and nobody was away for a second," - she said.¹¹

Second, legislation related to the organisation of mass protest actions such as pickets, meetings, marches and demonstrations is of the repressive kind. The possibility to organise them is fully dependent on the permits of the authorities. That is why at present practically complete refusal to permit the organisation of the strikes to protest not only against the issues related to the public-political but also social problems of peoples' life may be observed. That is where the respondents' nostalgia for the 1990s stems from, when the legislation and activity of the workers were different. To sum up, common opinion that appear among the answers of the respondents is that at present the only possibility to defend their rights is negotiation and judicial defence.

Actions that were organised coincided with the formation of our trade union in 1991. There was a strike, an important event; the year 1992 exceeded all expectations. 42 strikes. Then we had the moments of truth – this way or that. People were patient. The strike was deemed illegal. But people failed to drift or back out. We moved further on. It was said that we have to do this and that. Otherwise all this will lead nowhere. Then there were marches in towns. That was a long time ago. That is history already. Today even a picket is not allowed with a reason of, for example, flue virus. This means no possibility to gather together in the city. The main work today is bargaining with the employers. Because in those talks you reach an understanding with the employer. The contract provides that strike is an extreme measure. That is why everything has to be resolved in the talks.

The actions organised in the 1990s reached their goal. The workers receive their salaries; the system of recuperation is in place. Today such actions are not possible since the system of the authorities is against any actions. An action is a hunger strike, or simply a strike. Actions are different. But the existing system of power deprives the population of any actions.

11 More information available at: http://telegraf.by/2011/05/v_belarusi_nachalis_pervie_zabastovki

The third factor restricting the given protest movement of workers is the failure to believe in the possibility of the organisation of protest actions:

As for today's situation we have a problem of aspirations and the possibilities to bring them into being. When we think today that we have the possibilities to exert influence on certain structures of power such requests, unfortunately, fail to proceed from the workers. That means we have to push people. I think that having the experience of the workers' struggle of 1991 we could play the role of consolidation. Unfortunately, today the authorities learned to block that discontent by certain one-time measures, for example, small salary raise, one-time payments. That overwhelming sense of fear tells on people. That is why there are no clearly pronounced, grotesque actions on the part of trade unions, including the independent ones.

And as a conclusion related to the fact that workers are not prepared for the active protection of their rights:

The main and the basic role that may be played first of all by the independent trade unions is the informational role to bring to people an alternative point of view as opposed to that of the authorities about the state of the economy and enterprises wherein our members are employed.

To sum up all three constituent parts, the premeditated refusal of the representatives of the independent trade unions to organise actions to voice political demand may be detected:

We organised actions in 1992 and our demands were also political. It was the revocation of the Supreme Soviet. There were numerous economic demands, too. When the strike was over the political demands were not complied with. We understood then that certain demands might not be complied with. We may demand but it is impossible to alter something in the existing political situation. That is why trade unions have to solve economic problems. We put forward our demands, the employer does his. And in the middle we have to get something. We may get something and there will be a result. If we put forward political demands we shall get nothing. No state will concede to the demands of the workers if political demands are put forward. That is why trade unions have to be preoccupied with economic demands.

Actions are not only pickets and meetings. Actions are a demand to the employer to raise pay, which is step by step complied with. We shall continue our activities to achieve the level of March in terms of income and standard of living. If we manage to achieve this it will be the action not worse than the one in 1991 by its scope.

Thus, the majority of activists perceiving the importance of mass protest actions devoted to the protection of workers' rights see no possibility to organise and hold them in the present situation.

That is why the answer to the questions of the interviewer seems absolutely logical:

What steps did you take or are going to take to protect the interests of your trade union members?

At present (apart from resolution of labour disputes at the enterprises by means of talks and conclusion of collective agreements - author) we are busy examining cases in courts, applications to the Department of Labour Protection, Persecutor's Office, support the movement, which is taking place, i.e. Revolution via social networks. It may be said that this is... a mute scream of people.

2.2 ROLE OF PROFESSIONAL UNIONS IN THE BELARUSIAN SOCIETY

To answer the question that was posed - what is the place that professional unions take in the modern society - it is important to learn the opinion of the given society.

Unfortunately, the public opinion surveys that are carried out in the course of many years give practically one and the same picture of the attitude of Belarusian citizens to the professional unions. As in the soviet times, trade unions in the public consciousness of Belarus are perceived first of all as the structure which distribute passes to sanatoriums, give passes to children camps and render to the workers material aid, etc. at the same time only a small proportion of the society perceive trade unions as an organisation that has to protect the rights and interests of hired workers.

... as in the soviet times trade unions in the public consciousness of Belarus are perceived as a structure, which distributes passes to sanatoriums, children camps and renders the workers material aid.... Only a small part of the society perceive trade unions as organisations, which are meant to protect the rights and interests of hired people...

It has to be stated that trade unions are not popular in the Belarusian society. As it is visible from the sociological data presented in the Appendix 1, the degree of trust towards the trade unions seldom amounts to 30% whereas distrust towards the trade unions is felt by nearly half of the population of the country, and distrust towards trade unions grows every year. To what extent is this answer valid? To get an answer we again have to go into the history of events.

In the course of the 1990s the professional unions were in the real opposition to the authorities. However, they grew loyal to the state authorities.

On 5 October 1990 the FTUB was formed in place of the Belarusian Council of Professional Unions (Belsovprof). This was not the change of the signboard. Belsovprof was a constituent part of the All-Union Central Council of the Professional Unions and the FTUB was initially created as an independent organisation. The first Congress of the

FTUB defined as the main trade union goal the consolidation of forces and coordination of the actions of the trade unions of the Republic, unification of them to carry out the tasks that are common for the trade unions of the Republic or going beyond the boundaries of the possibilities of the individual member organisations. The policy of the equal membership and, if necessary, constructive opposition to the Government of the Republic, executive and economic entities in places was declared at the 1st Congress of the FTUB.

At the same time conditions for the free elections of trade union committees, their chairmen and accordingly actions related to the realistic and not only stated protection of the workers' interests were formed in the primary organisations. In the course of the 1990s the greater majority of the elections of the chairmen of the trade union committees were organised on the alternative basis, there was the rotation of the leaders of the majority of primary organisations. Unfortunately, the given process left aside the city, district, region and Republican trade union bodies wherein the overwhelming majority of functionaries of the soviet trade union movement remained.

Absence of the skills, abilities and the will to protect workers' rights after the substitution of the independent leadership of the FTUB in 2001-2002 and the complete subordination of the given organisation to the state resulted in their complete inertia in the field of the protection of workers' rights.

In the course of the 1990s the professional unions were in the real opposition to the authorities. And here you could not agree more with A.Golubev and A.Hodiko who were of the opinion that opposition was called forth by the strong ties of the trade unions with the directorate of enterprises, opposition of the director corps to the authorities restricting the interests of the directorate.

That opposition of trade unions was also called forth by the deprivation of the trade union rights to fulfill certain tasks: the right to legislative initiative, legal inspection, management of the labour protection system, improvement of sanitary conditions, social insurance fund and the right to participate in the distribution of the income of the enterprise. It has to be noted that being in the opposition to the authorities trade union leaders, as was common in the soviet times, have never opposed the director corps. Protection of workers' rights was not their major task and was substituted by the mutually profitable cooperation of the directorate and trade union functionaries.

Such fusion of the directorate of the state enterprises and the official trade union organisations resulted in the fact that after the substitution of the director corps by the managers that were loyal to the authorities the organisational structures of the official trade unions at the enterprises also grew equally loyal to the state authorities.

Such fusion of the directorate of the state enterprises and the official trade union organisations resulted in the fact that after the substitution of the director corps by the managers that were loyal to the authorities the organisational structures of the official trade unions at the enterprises also grew equally loyal to the state authorities.

The absence of skills and abilities as well as the will to protect the workers' rights after the substitution of the independent leadership of the FTUB in 2001-2002 and the introduction of the complete subordination of that organisation to the state resulted in practically complete absence of real actions of the trade unions related to the protection of workers' rights. This inability is most clearly expressed in the present time after Belarus found itself in the grip of the major financial and economic crisis. It was only

the Belarusian Trade Union of Workers of Chemical, Mining and Oil Industries of all official trade unions that was bold enough to put a statement on their site (www.himprof.by) on the impossibility to reduce the standard of living of the Belarusians and further growth of prices for the most important goods and services.

Sociological surveys register the attitude of the citizens to all trade unions. At the same time taking into consideration the fact that the independent trade unions make up less than 1% of all of the trade unions, the opinion of the population shows the attitude toward the FTUB as the body for the distribution of certain social privileges handed over by the state. The belief inherent in the perceptions of the society that the trade unions are only an appendix to enterprise administrations (and in terms of the state – appendix to the authorities) and not independent organisations, that first and foremost have to protect workers' interests, is undoubtedly correct.

Activities of the democratic trade unions influence the formation of the national self-awareness of the Belarusian society, culture of the democratic behaviour, principles of the protection of one's rights and interests, respect for the human rights, laws and Constitution.

The FTUB is fully controlled by the state. The actions to support the workers are not organised. Those actions that may be held or were held by the FTUB are directed to the support of the authorities as well as "to let the steam off", to relieve the collective of negative emotions and to create the semblance of activities. Earlier we had devaluation; trade union in the same carriage with the employer. It was 8-10 years ago, when there was the action "NO to the Impoverishment of People!" People were simply pushed in to the Act Hall, made some noise, let off steam. That is duping of the people. Nothing is achieved but the action is kind of in place. But nothing changed after that action. I do not think that the FTUB will ever organise an action after which something might change.

Independent trade unions make up an alternative to the official trade unions that are loyal to the state and are headed by the former state manager. Irrespective of the low density and strong pressure exercised by the state, independent democratic trade unions play an important role in the formation of the civil society in Belarus. The influence of the democratic trade unions on the formation of the national self-awareness of the Belarusian society, formation of the culture of democratic behaviour, defence of one's rights and interests, respect to human rights, laws and Constitution were pointed out in the course of the interview.

Independent trade unions advocate the freedom of economy and the society; and that they may be full-fledged organisations only in the conditions of democracy. Freedom is the prerequisite of existence for the new trade union. The activities of independent trade unions in the conditions of the authoritarian and not free society may be only restricted. Nevertheless, even in such conditions independent trade unions are subjects that exert influence on the policy of the authorities.

Unlike the FTUB, independent trade unions are subjects of the international trade union movement.

Joint activities of the BKDP, branch independent trade unions and the international trade union organisations makes it necessary for the authorities to take into account the opinions of independent trade unions.

Independent trade unions are a party of the preparation of the trilateral agreement on the national level. And although the independent trade unions are isolated from the conclusion of the given agreement, the latter includes some of their proposals and the general content of the agreement takes into account the opinion of the democratic trade unions.

Where the entities of the trade unions in the organisations are relatively multiple such trade unions exercise even greater influence. Besides, they are the parties of the preparation and conclusion of agreements together with the entities of the official trade unions, they may control whether the administration abides by the provisions of the given agreements and undertake the protection of the rights of the workers' collective of the enterprise.

It has also to be noted that active citizen's position is typical of the democratic trade unions. Democratic trade unions points to the problems of the gender equality, formation of the leader's qualities of young people and making the Belarusian civil society more active.

2.3 RECOMMENDATIONS

In the course of the interview people often said that there was the necessity of the broad education activities among the population of Belarus to do away with the stereotype of the role of a trade union in their personal life and that of the society. That is also stressed by the investigations carried out earlier.

The matter is that the reason of such small importance of trade unions in the socio-political and economic life of the country is hidden not only and not so much in the inefficient activities of the trade union leaders. On the contrary, in the absolute majority of the cases, all reforms in the FTUB, its restructuring in the direction of the real trade unionism started from the top (V.Goncharik, F.Vitko). But the bottom of the trade unions and the society in general failed to accept that restructuring and they continue their non-acceptance, or least, they stay indifferent.

It should be stressed that the level of the perception of the trade unions as a public institution in Belarus is very low. In particular, citizens perceive the FTUB as a pro-state entity. There is a stable notion of the trade unions only as organisations distributing passes for travels, material aid, etc. in the society. As a result of the high degree of paternalism of the Belarusian society the understanding, that a trade union has to protect their rights not instead of them but only together with them, is not formed among the workers.

This problem may be surmounted by way of the targeted activist and educational activities of the trade unions. For the complete overcoming of the freeloader attitude of the citizens to trade unions and the protection of one's own rights, however, serious efforts (and not only those of the trade unions, since

the whole Belarusian society suffers from the paternalism of the citizens in general) as well as a sufficiently long period are necessary.

The majority of the interviewed leaders of the democratic trade unions fail to see the possibility of establishing relations with the official trade unions. At the same time the complete breakage of the contacts with the FTUB is also impossible and unproductive. It is necessary to attempt the cooperation with the FTUB trade unions but only having clearly established priorities for the support and development in the future trade union movement of Belarus in the direction of its real democratization. Organisation of the training of trade union activists with the mandatory attraction of the actors of the international trade union movement, various monitoring measures and workshops, etc. could be quite promising. Attempts could also be made to organise the above measures on the level of the primary trade union entities and organisations where in a number of cases joint activities of the independent and official trade unions may be a greater success than those on the central level.

The overwhelming majority of people fail to distinguish between the independent and official trade unions. That is why independent trade unions face the same attitude of the society as those who are members of the official ones (disbelief of the society that they will protect the interests of their members, understanding of the role of the trade unions only as the distributors of sundry social privileges, etc.). Subjective factor is also at work in the attitude towards the members of independent trade unions (intimidation, fear, unwillingness to show up, etc.).

Irrespective of that trust of the citizens, the independent trade unions grew and exceed trust in the FTUB. Quite often in the cases of the rough violation of the workers' rights their last hope to get help is the alternative trade union and here they do get the help.

Proceeding from the external and the internal problems of the democratic trade unions and proceeding from the answers received during the interview the following recommendations related to the consolidation of the activities of the independent trade unions may be made:

Solidarity and association

The majority of respondents noticed certain "friction" on the level of the trade union leaders. Irrespective of the cooperation within the framework of the BKDP as well as joint ideas and attempts, the organisations are not united to reach common goals.

Training

The majority of trade union leaders consider the absence of a leader and knowledge to be the basic obstacles in the activities of trade unions. The opinion of the young and the older leaders related to the necessity to raise human capital coincides. Basic fields of knowledge, which have to be formed in the members of trade unions, were defined: economic, legal, organisational, communicational and publishing.

Communication

Internal and the external communication of the organisation is of great importance.

Actions

There is the necessity to organise training workshops, lectures, and schools for the activists and members of trade unions with the participation of foreign partners as well as making use of the Belarusian trainers and teachers of the Higher Educational Institutions.

RECOMMENDATIONS FOR THE TRADE UNION LEADERS:

Solidarity and consolidation

Prompt consolidation and closer cooperation (in the future, perhaps, even association) of the organisations representing the independent trade union movement of Belarus are necessary the more so that at the bottom level mutual understanding, solidarity and cooperation could exist.

Professionalism, planning and accountability

Trade union activists of all levels should be directed to the every day systemic work with the rank and file members, making not only real plans but also be regularly accountable about the present activities of the trade union. The workers have to know that their trade union structure has the ability to function and they have to see that their membership fees are not wasted.

Information policy

Correctly established information policy of the trade unions of all levels plays an important role in the resolution of this and many other tasks. Primary organisations must have their own efficient and (if possible) comparatively cheap means of information to inform their rank and file members (bulletins, leaflets other means of mass media) about the current issues and for the dissemination of their own achievements and services within the environment of the potential trade union members. The potential of the modern means of communication, i.e. the Internet, has to be employed. The best way to attract the workers, that are not yet members of any trade union, to your side is the demonstration of the real efficiency of the created trade union structure by concrete examples of the successful protection of their workers' interests by its activists. The most advantageous in this respect is the situation when as many as possible members of the working group are aware of the victories of the trade union (for example labour disputes) and the fame about them is communicated from mouth to mouth.

Monitoring

Representatives of the independent trade unions must undertake the monitoring of the status of labour relations and especially at the enterprises wherein their primary organisations are not yet formed and to propose to the workers the services of the qualified professionals of the trade union (lawyers, labour protection professionals, etc.) in the emergency cases and at the same time induce their attraction to the trade union movement.

Education programmes

Great attention has to be paid to the issues of the organisational planning, keeping of the financial discipline and maintenance of the partner relations not only with the employers but also with the representatives of other trade union structures alongside with the education programmes of the trade unions related to the issues of the labour law, psychology and the essentials of the bargaining process. Attraction of the foreign specialists-analysts and activists of the independent trade union structures from other countries to participate in the trade union education programmes must necessarily be associated with the vitally important problems of the development of the national trade union movement so that the experience of the foreign colleagues after a non-durable analysis and the creative adaptation might be used in the local conditions. Those forms of training, which contain a great number of practical examples and illustrations as well as training through the immediate exchange of the experience in the round-table form, have the highest rate of utility. Special importance has to be ascribed to the training of the trade union activists to assimilate the technologies of the organisation support of the new primary organisations especially in the conditions of the adversarial attitude of the authorities and the employer.

To form the staff of professionals

Presence of staff professionals (especially solicitors), the work of training and retraining whereof always has to be in the centre of attention of the managing levels of the trade union structure, in the composition of the managing bodies. It is of great importance for the efficient trade union activities of the multiple primary organisations. Primary organisations having a moderate number of members have to be serviced by the professionals from the central apparatus either in the form of periodically planned visits or via the mobile communication.

Active participation in the political processes

Trade union structures have to resume fully their activities of putting forward legislative initiatives not only in the field of the labour law but also the one related to those problems that are associated with the development of all institutes of the civil society of the country. Trade union structures have to find political allies in the face of other responsible organisations and political parties on that platform. The drawback of such activities is the possibility of growing pressure on the trade union structures by the authorities in connection with their strong civil position. The merits are the possibilities to strengthen the solidarity of those organisations as well as joint protection of their interests. Trade unions will also receive additional methodical, educational and other assistance for the implementation whereof multiple structures of the civil society of Belarus possess the necessary knowledge and skills.

CONCLUSION

The role of the democratic trade unions may not be lessened since the fact of its existence alone plays an important role in the creation of the “demanding society” and shows the possibility of the alternative activities. At the same time trade unions have a great experience and “could play a bigger consolidation role, could undertake more aggressive actions and carry out the educational work”.

The potential of the trade unions is not exploited fully. The majority of the interviewed respondents said that trade unions could accomplish more. At present democratic trade unions of Belarus are united officially but their cooperation in practice is insufficient. Cooperation manifests itself only in the programmes of the BKDP. More often than not, outside the programmes trade unions act as competitors especially in their struggle for finances.

It must be emphasized: “The formation of the democratic trade unions as organisations has not been finished. There is no clear-cut branch structure; the hierarchical structure is not distinct”.

Serious obstacles are in the way of the democratic trade unions in the form of the refusal to register them that paralyze the whole activities of the trade union organisation. At the same time joining of the “state trade unions” is mandatory on taking the job. Irrespective of the fact that many workers perceive trade unions of the FTUB as an additional control body they have to join them and pay membership fees.

The majority of the respondents pointed to the weak cooperation of the independent trade unions and stressed the importance of such interaction.

Social partnership among the employers, the trade union and the authorities is in place and manifests itself in the process of the conclusion of collective agreements. In practice the government and the employers (basically they are state enterprises) as well as the official trade unions act together trying to exclude the independent trade unions from the given process. It is evident that irrespective of the presence of three subjects such cooperation can hardly be called multilateral.

Cooperation on the international level plays an important role in the existence of the Belarusian independent trade unions. Close cooperation of the trade unions with the international organisations and trade unions of Russia may be considered to be an indisputable achievement of the independent trade unions. Cooperation with the trade unions of Kazakhstan may also be productive since the problems of three countries after the introduction of the single customs space are becoming common.

APPENDIXES

APPENDIX No. 1. RESULTS OF THE SOCIOLOGICAL INVESTIGATION

Dynamics of trust in the trade unions

	Trade unions of the FTUB			Free and independent trade unions		
	Trust	Distrust	Trust index	Trust	Distrust	Trust index
12.1997	7.2	27.3	-0.201	9.5	22.4	-0.129
10.1998	14.9	29.2	-0.143	14.5	27.1	-0.126
11.1999	17.8	33.0	-0.152	19.8	28.5	-0.087
10.2000	18.6	32.3	-0.137	18.9	27.4	-0.085
10.2001	22.2	36.7	-0.145	25.5	36.1	-0.107
10.2002	21.0	39.4	-0.184	27.5	34.0	-0.065
09.2003	31.3	41.5	-0.103	36.3	34.5	+0.019
11.2004	30.6	44.8	-0.142	33.2	40.0	-0.068
09.2005	30.2	41.9	-0.117	33.2	38.1	-0.049
06.2006	30.8	49.2	-0.184	31.1	46.0	-0.149
12.2007	32.8	45.9	-0.135	36.1	41.6	-0.056
06.2008	32.2	45.9	-0.137	34.0	39.1	-0.051
06.2009	29.7	44.8	-0.151	32.2	40.6	-0.084
06.2010	32.4	47.6	-0.152	31.8	46.5	-0.147
06.2011	27.6	50.6	-0.232	33.5	36.7	-0.032

APPENDIX No. 2. KEY RESULTS OF THE IN-DEPTH SURVEY

The survey was carried out on the national level by the ISEPR (NISEPI). Sample size- 1500 respondents over 18 years old, margin of error- 0,03. Trust index includes the values from +1 to -1 and is calculated as the quotient of the sum of the positive (I trust) and negative (I distrust) answers to the number of all respondents who answered the question.

What is the general level of the trust of the society in trade unions on the whole?

Speaking of the independent and official trade unions the level of trust is not very high somewhere 3 on the scale of 5. If we work in the given direction and map out a correct strategy there is a chance that people will trust us. If we fail to work in the given sphere trade unions will continue their survival efforts or will finish their existence.

Most probably, it would be weird to say that the trust is high. We have not yet forgotten the Soviet times with the deformed image of the role and place of trade unions. But we have hopes that in our conditions we have too few options. If around 30% trust us I think that it is very high. There is a trust in trade unions. When it is sometimes higher than the trust in the political parties, we certainly think that this is a considerable resource and big advance.

Trust is little, somewhere on the level between 20% to 25%. Speaking in terms of the broad masses of the population independent trade unions are considered to be oppositional (not without reason, I would say). The FTUB is considered to be some entity on top of the enterprise directorate since they are useless and you may not get anything from them, there is no belief that they can protect but at the same time we think "let them be" they do not stand in our way, a couple of thousands deducted from my wages will not solve anything but I am a trade union member and I shall not be dismissed from my work for that.

The degree of trust in independent trade unions is higher. But membership in the independent trade unions is a conscious one. We have an active civic position.

Trust is not very high, maybe 20% know them. But it is higher than trust in the FTUB. Real activity, independent trade unions are more active although we do not organise competition in the best drawing. But from the standpoint of the discussion of labour conditions all this is much more active.

The attitude towards the independent trade unions is positive and I know what I am talking about. And as for the FTUB, they know of its existence and that they will not solve anything. I am not able to give figures but I feel that the attitude to the independent trade unions is positive. As for the FTUB I would not say that the attitude is bad. Why should I go to them? They will never do anything.

Examples of the successful popularization of the trade union attitudes and achievements

I can't name concrete campaigns, the only thing I remember is getting acquainted with the Soligorsk independent trade union, that of the miners. When I got acquainted with its representatives I saw that a great number of people are members of the trade union. I may assume that the campaign devoted to the attraction of people to the trade union namely at that enterprise was more than successful. This is witnessed by the collective agreements that the independent trade union concluded and the number of its members.

The BKDP, our organisation, is the organisation of the systemic position and we have the access to the Government, we may say something, and make our proposals. And in this or that way influence the decision taking process. This is what our oppositionist parties or public organisations may not afford. We do have that possibility. I would like to stress the fact that the unique character of our organisation consists namely in the possibilities that it possesses.

Conducting investigations, including surveys, is a very good instrument. When we carried out our recent surveys we inserted the text informing that where people want to get an objective, independent and interesting information they may subscribe to our distribution or come to our presentation. And as the practice shows around 60-70% of people leave the contact data. Accordingly, the index of approaching new people by means of this instrument is sufficiently high.

We participated twice in the preparation (in 2007) of the General Agreement. Last time the General Agreement for the period of 2011-2013 was signed on 30 December of the last year. We did a lot of work in the process of the preparation: we compared the former agreement with the present one.

Let me tell about that commission. The last actions that were noticed were our work in the council on the perfection of the legislation in the sphere of work that operates within the framework of the Ministry of Labour. That is a trilateral council. We raise the most acute issues on the infringement of the trade union rights and make proposals on the amendments to the laws enabling the Government to meet the requirements of the ILO, in particular, the registration of the trade unions, to alter the permission principle into the notification principle in the registration of the trade unions and political parties. This work is passed over to the national council on the social and labour issues, which concludes the agreement. We introduced proposals into the last agreement, which were taken into consideration and introduced into the federal agreement. That is a serious input on the national scale as well. And then the protective measures on the level of the enterprises and regions. That means that some steps were made. But this is clearly insufficient.

We reinstated two women in one of the factories, they did not work for about 6 months, we brought them back to work and they were paid their salaries for that period. That happened. We reinstated a woman in her former work in Krichevo. At present we work on the Mogiliov issues – school and oncology clinic. But those issues are still in the process.

Fear has to grow smaller. We raise a sufficiently big wave. We allowed 10 people into to the trade union. They brought applications and one man was informed that his contract would not be extended. We told him that we might raise a wave, hold a meeting. He consented. Information was put on the site. "Turners are wanted" whereas the man was being dismissed. To cut a long story short the man was left alone. They do not want any trouble. All collective interceded.

... to understand people better, their motivation. But this is a very profound knowledge. I learned so many things in all those years of the work in the trade union. The most difficult issue is to persuade people to join the trade union. People see that something is happening in the trade union. Here is the last

example. We had certification. There was the list No. 1 and No. 2. If you are on the list No. 1 you retire 10 years earlier and if on No. 2 – 5 years earlier. I found out that foundry had always been on the list No. 1. During the last certification nearly all of them were moved from the list No. 1 to the list No. 2. We stood through it. We needed half a year for that. We were told that methods had changed. To which we replied that the conditions of work are the same. Those who worked with the casting of plastic were deleted from the list No. 2 for good. Only additional charges and coupons for milk were left. We stood through that too. The most important thing is that people themselves wanted it and were less timid.

APPENDIX No. 3 LEGISLATIVE ACTS REGULATING THE ACTIVITIES OF THE TRADE UNIONS

1. Decrees of the President of the Republic of Belarus:

No. 278 of 15 July 1995 On the Development of the Social Partnership in the Republic of Belarus;
No. 252 of 5 May 1999 On the National Council for Labour and Social Issues;
No. 327 of 19 July 2005 On the Supplementary Measures for the Protection of Labour, Social-economic Rights and Interests of Workers;
No. 240 of 6 May 2010 On the Implementation of the Public Control by the Trade Unions;
No. 24 of 28 November 2003 on the Reception and Use of the Foreign Irretrievable Aid (Grants).

2. Resolution of the Council of Ministers of the Republic of Belarus:

No. 1282 of 18 September 2002 On the Deduction of Monetary Sums from the Workers' Salaries for the Production of the Payments by Cheque;
the Resolution of the Ministry of Justice No. 48 of 30 August 2005 On the Approval of the Standard Acts Related to the Issues of the Processing and Analysis of the Documents Related to the State Registration of Political Parties, Professional Unions, other Public Associations, their Associations as well as the State Registration and Deletion from the State Register, Registering and Striking off the Register of their Organisational structures.

3. Republic of Belarus ratified around 50 Conventions of ILO, the enactment whereof is also mandatory in the country. Among them the Convention on the Freedom of Association and Protection of the Right to Organisation (Convention 87; entered into force in the Republic of Belarus on 6 November 1957) and the Convention on the Use of the Principals of the Right to the Organisation and Conclusion of Collective Agreements (Convention 98; entered into force in the Republic of Belarus on 6 November 1957).

4. It should be noted that some provisions of the valid legislation restrict the rights of trade unions that are guaranteed in Belarus by the ILO Conventions signed by it. For example the Decree of the President No. 24 of 28 November 2003 restricts considerably the international financial aid to the trade unions of Belarus. The latter neither may nor be used for the organisation of meetings, rallies, demonstrations, pickets strikes and even for conducting the workshops. It may pose a threat of termination of the activities of the organisation, i.e. the beneficiary of the aid. Besides, permission of the authorities to receive and use of the foreign irretrievable aid (grants) is necessary. Decree of

the President No. 2 of 26 January 1999 On the Regulation of the Activities of Political Parties, Trade Unions and Other Public Associations sometimes creates unsurpassable obstacles when a legal address has to be approved. They are non-existent for the FTUB and it is practically only trade unions belonging to the BKDP that come across them everywhere.

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