

February 19, 2013

By email only

TO ENRIQUE PEÑA NIETO, PRESIDENT OF THE UNITED MEXICAN STATES

VIOLATIONS OF FREEDOM OF ASSOCIATION IN MEXICO

Dear President Peña Nieto,

On behalf of the Canadian Union of Public Employees (CUPE), an affiliate of the International Trade Union Confederation (ITUC), we are writing to express our grave concern at the serious violations of fundamental labour rights that are occurring systematically in Mexico.

We understand that you have inherited from the past administration serious labour conflicts that are still unresolved. The most recent is the decision of the Supreme Court to endorse unlawful dismissals of 16,599 workers from the Mexican Electrical Workers Union (SME). Notwithstanding the Court's decision, we call upon your administration to rectify this injustice reinstating the workers.

We draw your attention to other similar cases of clear persecution against trade unions that must be brought to an end, particularly in the cases of the Mine and metal Workers' Union (SNTMMSRM) and the Mexican Airlines Union.

We also wish to draw your attention to the epidemic problem of protection contracts negotiated between undemocratic unions and employers to drive down wages and prevent independent union representation. Most protection contracts give employers broad discretion to fix wages, working hours and conditions of work.

Once the protection contract is registered, it is extremely difficult to form an independent union and to sign a legitimate collective agreement. This corrupt system only works because, at the national level, the Ministry of Labour and Social Security (STPS) allows it to happen.

At the local level, protection contracts are registered with Local Conciliation and Arbitration Boards (CAB), on which the unions holding protection contracts are represented. These STPS and the CABs knowingly register these contracts - some of which are held by known criminals. The ILO Committee on Freedom of Association has called on the government to enter into a dialogue with national and international trade unions to put an end to this practice.

We are also deeply troubled by the recent amendments to the National Labour Law. Not only did the amendments fail to address long-standing concerns expressed by the trade union movement and the ILO, but they introduced several harmful provisions, such as allowing employers to set salaries without union consultation and even facilitating the creation of protection contract unions.

.../2



- 2 -

We realize that these are inherited problems. We believe these problems can be overcome however through dialogue. Thus, we respectfully request that consultations with the trade unions be initiated in order to develop concrete steps towards a new labour code which is compliant with international standards, and which renders illegal the negotiation of protection contracts.

Yours respectfully,



PAUL MOIST
National President



CHARLES FLEURY
National Secretary-Treasurer

sb/cope491

c.c.: Embassy of Mexico in Canada; International Trade Union Confederation; Public Services International;
Canadian Labour Congress