

STATEMENT ABOUT SPECIFIC INSTANCE
Federation of Somali Trade Unions (FESTU), the International Trade Union
Confederation (ITUC) and International Transport Workers Federation (ITF)
vs.
Favori LLC Somalia

Summary

Turkish National Contact Point (Turkish NCP) received a specific instance notification, via e-mail, submitted by Federation of Somali Trade Unions (FESTU), on 22 September 2021 about Favori LLC, a Turkish airport management and ground handling company and subsidiary of Turkish Kozuva Group, alleging that the company had violated the chapters on “Concepts and Principles” and “Employment and Industrial Relations”.

The complaint by FESTU alleges that the airport workers are prevented from being a member of their preferred union, that their calls to the firm were not answered and that the Somali Ministry of Labor is also concerned about the issue. The complainant asked the good offices of the Turkish NCP to force Favori LLC to comply with the OECD Guidelines for Multinational Enterprises.

Procedures Followed by the NCP

As part of the initial assessment process, Turkish NCP contacted both parties via e-mail or phone call, requested supporting documents and offered them its good offices in order to come to a solution through constructive dialogue.

Favori LLC conveyed their reluctance to participate in the process and refused further communication.

The NCP also contacted TİKA - Turkish Cooperation and Coordination Agency (a government agency tasked with implementation and coordination of overseas development assistance) and Ministry of Foreign Affairs on 12 October 2021, to have their comments and gather more information on the case. Both TİKA and Ministry of Foreign Affairs reported no additional information on the project and subsequent problems.

The Turkish NCP attempted to contact the submitter via e-mail on 23 January 2023, regarding the current developments on the case and if their complaints were still valid. FESTU has made no further contact and have not responded to the NCP’s e-mails.

Assessment of the National Contact Point (NCP)

When a specific instance is submitted to the NCP, the NCP's role is to facilitate a dialogue between parties concerned and thus to contribute to a mutually agreed solution. In the case of FESTU vs Favori LLC., parties concerned showed no interest in the procedures and it was therefore not possible for the NCP to fulfil its function. In view of this situation, the NCP sees no possibility to further contribute to the solution of the conflict.