

**H.E. HON. STEPHEN KALONZO MUSYOKA'S SPEECH DURING THE
OFFICIAL OPENING OF THE INTERNATIONAL LABOUR
ORGANIZATION, BUREAU OF WORKERS' ACTIVITY (ILO ACTRAV)
WORKSHOP AT THE SAROVA STANLEY HOTEL, NAIROBI, ON 17 TH
SEPTEMBER 2019**

'KENYA'S POLITICAL HISTORY AND DEMOCRACY'

**Dr. Francis Atwoli, Secretary General (COTU, K) & President of the
Organization of African Trade Union Unity (OATUU)**

Distinguished Delegates

Ladies and Gentlemen

All Protocols Observed

Good Morning!

It gives me great pleasure to address this esteemed Workshop. To all of you visiting Nairobi to attend this workshop, I say, "*Karibuni Sana!*"

As you are all aware, in 2019, the International Labour Organization commemorates 100 years of advancing social justice and promoting decent work in the world.

In celebrating 100 years of the ILO, African trade union organizations like other social partners in the world have been participating in the discussions and debates on the future of work.

I am happy to learn that this Workshop, which is essentially pre-OATUU General Council activity will involve presentations (the ILO Centenary Declaration 2019 and the Global Commission report on the Future of Work), discussions and group work,

and that, at the end of the seminar participants, will adopt trade unions strategies and actions on the promotion and implementation of the ILO Centenary Declaration 2019 and the recommendations of the ILO Global Commission report on the Future of Work.

Historic Event

Distinguished Delegates, Ladies and Gentlemen, I feel extremely privileged to be part of this historic event.

Let me turn to the gist of my speech. I have been tasked to talk about “Kenya’s Political History and Democracy”. Since this gathering is a curtain-raiser to the celebration of 100 years of the labour movement, I believe I can only do justice to this topic if I tie up Kenya’s political history and democracy with the history of the labour movement in this country.

For starters, Kenya has been a democracy since it attained its Independence from Britain in 1963. “Democracy”, by its definition, is “government of the people, by the people, and for the people.” When we say that a country is democratic, we mean that its leaders are chosen by the people themselves. In other words, it is the people who elect their leaders through popular suffrage.

Since 1963, Kenya has been having a General Election every five years, with the exception of a few instances where those elections were called before the expiry of five years. However, these “Snap Elections” have been the exception rather than the norm.

Granted, Kenya, like many other countries and especially those in Africa, has experienced some missteps where its democracy has been tested to the limit. We

have had instances where hotly-contested elections have almost dragged our country to the precipice. Fortunately, though, we have been able to pull through and avoid looming catastrophes. But then, how many countries on the globe can boast of flawless “democracy”? Very few, if any!

But I digress.

Keen observers will notice the close relationship that exists between trade unionism and democracy. Just like Kenyans hold elections every five years, so do our trade unions, where workers are given the opportunity to freely choose those they wish to lead them and agitate for their welfare before employers. Hence, this right to choose representatives at the workplace is a fundamental basic human right. It is the perfect example of democracy in practice.

Kenya's Prominent Trade Unionists

Distinguished Delegates, Ladies and Gentlemen, the close relationship between the labour movement and democracy in Kenya is exemplified by the fact that our Nation has had a robust history of trade unionism, where many trade unionists have risen to prominence to also become Members of Parliament through popular vote. These include Tom Mboya, Dennis Akumu, Fred Kubai, Pio Gama Pinto, Paul Ngei, Joseph Mugalla, and George Muchai, to mention but a few. The same situation has been replicated elsewhere in Africa and in other parts of the world. The current South Africa President Cyril Ramaphosa, for example, was the pioneer architect of South Africa's National Union of Mineworkers. Other prominent trade unionists who rose to national and international limelight include American civil rights crusader and trade unionist Martin Luther King Jnr, as well as Lech Walesa, who led a successful nonviolent struggle which eventually brought the end to communism in Europe, and

later served as the first democratically elected President of Poland from 1990 to 1995.

Having seen the vital place of the trade unionist in democratic change, I sincerely hope that my brother Ndugu Francis Atwoli, who dons many hats including that of Secretary-General (COTU, K) and President of the Organization of African Trade Union Unity (OATUU), will consider vying for a political office one of these days in the footsteps of other great trade unionists who came before him. Truly, he is up to the task!

Cordial Union-Employer Relations

Distinguished Delegates, Ladies and Gentlemen, most of you must have taken cognizant of the fact that countries with cordial union-employer relations often enjoy better productivity and less industrial disruptions. I must emphasize here that I am, however, not advocating for a situation where workers' representatives connive with employers to stifle employees' rights. Not at all! What I envisage is a situation whereby trade union leadership strives to operate in harmonious relationship with employers for the mutual benefit of both workers and investors.

The need to strike the "right balance" between workers' rights and employer rights cannot be overemphasized. This goes hand in hand with the need to foster closer and harmonious relationships between trade unions and employers, so as to avoid excessive combativeness and/or brinkmanship that may be inimical to the well-being of the worker as well as the investor. It is a fact that muzzling of employee rights by an employer often results in low morale, leading to poor productivity. In the other extreme end of the pool, excessive demands for awards by workers often end up crippling industries due to astronomical costs.

I would like to emphasize here on the importance of adherence to court orders by both the employer and the employee, as well as their representatives. Adherence to the edicts issued by Employment and Labour Relations courts is a key tenet for industrial harmony. There have been occasions (in Kenya, for instance) where court rulings on industrial matters have either been defied out rightly or misinterpreted, depending on the implications of such an interpretation.

I am convinced that the current impasse between the Teachers Service Commission and the Kenya National Union of Teachers (KNUT), which basically revolves around the welfare of teachers, can be amicably solved through mediation (of course, with due regard to the ruling of the Employment and Labour Relations Court regarding the issues in contention).

Basic Rights at the Workplace

Distinguished Delegates, Ladies and Gentlemen, without belabouring the point, let me go back to the facts concerning the basics rights at the workplace.

Respect for the basic rights of workers is a must for every employer. These rights include – but are not limited to – right to decent pay, maternity and paternity leave, the right for workers to go on leave at least once annually, and the right to medical care while on duty. Every employee, whether unionized or not, is entitled to the right of representation at his/her place of work. Employers, too, have the right to uninterrupted workflow, in as far as they respect these basic rights.

In short, there should exist no intimidation from the employer, or blackmail from the employee. Each side deserves to have its rights safeguarded.

I cannot conclude my remarks without pointing out a disturbing trend that has stirred the labour movement throughout the years – that is, interference by governments in trade unions. This practice is rife in Third World countries that often view the labour movement as a threat to their (governments') existence. To me, this is a big No! The emasculation of trade unions is a direct affront on workers themselves. Martin Luther King Jnr warned against government repression of the labour movement when he said: "History is a great teacher. Now everyone knows that the labour movement did not diminish the strength of the nation but enlarged it. By raising the living standards of millions, labour miraculously created a market for industry and lifted the whole nation to undreamed of levels of production. Those who attack labour forget these simple truths, but history remembers them."

Technological Challenge

Distinguished Delegates, Ladies and Gentlemen, the labour movement and the workers it represents have a formidable opponent – this time, in the form of technology. Technological advancement is already causing millions of job losses throughout the world. This is already happening in sectors long believed to be labour intensive such as agriculture, with modern drones performing hitherto manual roles such as spraying of pesticides! This represents a momentous challenge to all of you in the labour movement as you strive to protect your workers from massive layoffs occasioned by technology. However, all is not lost. It behoves you to prepare workers on how to surmount these to these changes. This can be done through learning new skills as well as by adapting to the technological trends at the workplace. Needless to say, many of those who will not adapt will be swept aside.

However, all is not doom and gloom. There is a saying that behind every dark cloud, there is a silver lining. Technology is not a tale of disaster. Indeed, Cyberspace offers millions of job opportunities as the world soars towards the Virtual Workspace zone. We are heading towards a situation where most future employees could be working from homes, rather than from offices. What effect will this development have on the trade union movement? And how should labour unions adjust to such developments? In my opinion, there should not be any major worry by the labour movement, since working from home will not mean that the worker loses his/her right to representation at the workplace.

Distinguished Delegates, Ladies and Gentlemen, let me salute all of you – the esteemed members of the labour movement – for the extremely vital role you continue to play in defending the rights of workers worldwide. Were it not for you all, workers would be caught up in the situation of Sisyphus – the ancient Greek king who was forced to roll an immense boulder up a hill only for it to roll down when it nears the top, repeating this action for eternity. In other words, were it not for your vital intervention during critical times, millions of workers (and employers, too) would continue to labour in vain without attainment of their rights, goals, and life aspirations.

Women and the Labour Movement

I cannot conclude my remarks without bringing to the attention of this gathering facts about the low level of representation of women in the top echelons of labour movement. This is quite apparent in the Kenyan case, where only less than 30 per cent of women occupy the top slots in key unions, including KNUT and the very

umbrella body of all workers – COTU. Without appearing to denigrate the role of their male counterparts, I will not hesitate to say that there is an urgent need for affirmative action to ensure that more women take part in the top decision making organs of the labour movement, not only in Kenya but elsewhere in the world.

With these remarks, I hereby declare the ILO ACTRAV Workshop officially open.

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