**Britain Questions Embassy Workers' U.S. Union Vote**

*By Amy Joyce*

Washington Post Staff Writer
Friday, March 18, 2005; Page A20

The British government -- traditionally known for its labor-friendly policies -- is sparring with employees at its embassy in Washington and at its consulates throughout the country over their intention to join a U.S.-based union.

The workers, including British and American citizens, voted last month to affiliate with the Silver Spring-based International Federation of Professional and Technical Engineers, but embassy officials have questioned whether the employees are covered under U.S. labor law.

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Peter Hayes, who oversees administration at the embassy, said the British government will not resist the move. "We've never refused to recognize the union," Hayes said. "We'd be very happy to do that."

But Britain's lawyers have said the National Labor Relations Act -- the governing U.S. law -- does not cover embassy employees, Hayes said.

The question of coverage would have to be determined by a judge. If the act were deemed to cover the workers, the embassy would have to negotiate with them or face legal action. The union membership includes 630 workers, or 80 percent, of Britain's embassy and consulate employees throughout the United States.

In the meantime, British officials are seeking to defuse the issue outside of court. In a letter sent to Britain's Trades Union Congress yesterday, British Foreign Secretary Jack Straw noted that the two parties disagree on whether employees are covered under U.S. law. Straw asked that they set that issue aside for now and put in place "a more formal framework for relations with staff in the U.S." He encouraged both sides to "sit down together to discuss the question of a voluntary agreement."

With a highly unionized workforce in Britain, any union resistance by management might strike a note of discord among British citizens, said Gregory Junemann, IFPTE national president. "They would believe [the embassy] is following the lead of the Bush administration," he said yesterday at a news conference in Washington.

The embassy and consulate employees authorized union representation last month after the British government informed them of impending changes in their salaries and benefits. The union said the changes would include pay cuts and reduced sick and maternity leaves.

Hayes said the embassy has promised employees that their salaries would stay the same or increase. He added that the embassy is trying to remove pay and benefit inequities among the employees.

The employees were already represented by Britain's Association of United States Engaged Staff, an organization that negotiates between workers and management. The association announced Feb. 23 it would affiliate with the U.S. union after an almost unanimous employee vote. Workers said they felt they needed more representation to face the pending changes, scheduled to take effect April 1.

The union asked labor attorneys and experts to investigate whether the employees could be covered.

"I was satisfied that there was certainly a good case that they are [covered]," said Fred Feinstein, former general counsel for the National Labor Relations Board. "But you never know for sure until a judge issues the decision."

Feinstein, along with six other labor experts, researched and wrote a report for the union that detailed why the workers would be legally covered. They called on the British Embassy to recognize the union, along with the British association, "as the collective bargaining representative of its U.S., U.K. and third country national" staff.

Embassy employees are covered under the National Labor Relations Act, according to Feinstein and the other labor experts, because only U.S. federal, state and local government employees are excluded -- not foreign embassy employees.

Junemann, the IFPTE president, said he hopes that British officials will meet with the union and the workers. "I'd really like to see something in writing from them declaring that they are voluntarily recognizing this," he said.

# Embassy flouts French unions and faces court

Date

April 22, 2012



Hotbed of industrial action ... Paris. Photo: Reuters

It is one of the most sought-after diplomatic postings, but Australia's embassy in Paris has been a hotbed of industrial disputes including claims of unfair dismissal, harassment and union bashing.

The saga, involving three former embassy staff who are French, is being played out in that country's industrial relations court.

An investigation by *The Sun-Herald* into the embassy, picturesquely located next to the Eiffel Tower, has revealed a long-running legal stoush with former workers.

Documents obtained under freedom-of-information laws show the Australian government is being sued for a raft of claims, including unfair dismissal, unpaid pension payments and damages related to a medical disability caused by unsafe working conditions. Allegations of harassment have also been made against a former senior embassy official.

Advertisement

The former employees will be represented by France's biggest trade union, the Confederation Francaise Democratique du Travail, when the matter returns to court in October.

In the meantime, other French staff in the embassy have been forced onto non-union workplace agreements, imposed by the Australian government in the past 18 months, and have lost the right to be represented in negotiations by a French union.

A Department of Foreign Affairs spokesman said it would not comment on legal action while the matter was before the French courts.

The spokesman confirmed the department would not negotiate working conditions with French unions. But he added conditions at the Paris post ''exceed those required by local labour law''.

The president of the ACTU, Ged Kearney, said she had not been aware of the problem but would be ''surprised'' if the government was refusing to recognise the right of French workers to be represented by a union, ''an international right that does not end at borders''.

The action is one of four separate cases in foreign courts initiated by locally engaged staff against Australian embassies according to the department's latest annual report.

Documents obtained by *The Sun-Herald*show problems in Paris began in 2006 after an internal audit of the workings of the embassy revealed a range of ''financial, administrative, and management issues''. The audit was conducted about the same time the embassy was publicly chided for a boozy cocktail party hosted by the then foreign minister, Alexander Downer, during which damage was done to a valuable painting that was on loan from Australia.

Not long after, the then Australian ambassador to France, Penelope Wensley, now the Governor of Queensland, initiated a staff restructure. Ms Wensley declined to comment this week.

According to documents, officials in Canberra pushed for the restructure, which involved retrenching five staff including the union delegate.

But Canberra was worried about the changes, too. ''We can expect accusations of unfair process and discrimination … We cannot rule out some type of union action,'' a memo stated.

Do you know more? n.obrien@fairfax media.com.au

Read more: <http://www.smh.com.au/national/embassy-flouts-french-unions-and-faces-court-20120421-1xdks.html#ixzz2YY8DrxL0>

**Embassy staff in Belgium – Slavery is over!**

by [Jeroen Beirnaert, Project Coordinator Forced Labour and Trafficking](http://www.ituc-csi.org/jeroen-beirnaert)



**19 June 2013:**Undeclared work, intolerable hours, very low pay and a complete lack of respect. Behind the beautiful embassy facades, the working conditions of diplomatic staff are sometimes closely akin to slavery.

‘’I arrived in Belgium in 2005 to mind children. In addition to looking after the children, I had to do the shopping, the housework, prepare the meals, do the washing. I did not have a room of my own and had to sleep with the children or in the living room. I had to stay with them at weekends too. Even when I was sick, I had to work. I was told that I did not have the right to be sick. I earned 150 euro per month. I had been promised Belgian papers. After some time, I realised that nothing was being done and I contacted an organisation that defends foreigners’ rights. My boss followed me and tried to forcibly enter the place where I went to file my report. In June 2008, I received an order to leave the country but I found an association that was able to help me and I was finally able to leave the house where I worked”.

In order to respond to the hundreds of similar accounts, the CNE, the LBC and SETCa-BBTK have been working together for a year and a half. Established at the end of 2011, the inter-trade union of diplomatic workers and international organisations set themselves a primary objective of creating a forum to defend these workers. This has now been accomplished: at the end of May, a circular from the Ministers of Employment and Foreign Affairs endorsed the establishment of a Good Offices Committee (GOC). This Committee has three objectives.

* Firstly, to amicably resolve and on a case by case basis, the disputes between embassy staff and employers before seeking recourse at the Labour Court. The inter-trade union will defend the workers during these negotiations.
* Subsequently, to draw up a code of good practice for employers, particularly with regard to the regularisation of undeclared work and social security contributions.
* Finally, to create a tailor-made law for workers in this sector to guarantee their fundamental rights such as the minimum wage and indexing, holidays and the reimbursement of travel expenses.

The first meeting of the GOC is scheduled for the 27 June. There is much to be done: dozens of files are already ready for examination!

The website of the inter-trade union of diplomatic workers and international organisations in Belgium is available [here](http://www.myembassy.be/2013/06/05/personnel-des-ambassades-lesclavage-cest-fini/).

# Paris embassy staff sue

Date

April 22, 2012

### Natalie O'Brien



The Australian embassy in Paris.

AUSTRALIA'S embassy in Paris is one of the most sought-after diplomatic postings in the world, but it seems there's not much bonne volonte to be found in its corridors.

Despite the embassy's romantic location - it's a stone's throw from the Eiffel Tower - there's certainly no love lost between locally recruited staff and their employers.

Documents obtained under freedom of information show the Australian government is being sued by three former staff, all French, for claims including harassment, unfair dismissal, unpaid pension payments and damages due to a medical disability caused by unsafe working conditions.

The former employees will be represented by France's biggest trade union, the Confederation Francaise Democratique du Travail, when the case returns to the industrial relations court in October.

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In the meantime, other French staff in the embassy have been forced onto non-union workplace agreements, imposed by the Australian government, and have lost the right to union representation.

A Department of Foreign Affairs spokesman confirmed the department would not negotiate with French unions. But ACTU president Ged Kearney said the right to union representation ''does not end at borders''.

The documents show problems in Paris began in 2006 after an internal audit of the embassy revealed ''financial, administrative, and management issues''. At the time the embassy was publicly chided for a boozy cocktail party hosted by then foreign minister Alexander Downer during which a valuable painting on loan from Australia was damaged.

Read more: <http://www.theage.com.au/national/paris-embassy-staff-sue-20120421-1xe28.html#ixzz2YY9injLf>

**Union: Embassies exploit workers**

A survey by the Federation of Special Service and Clerical Employees (ERTO) suggests that foreign diplomatic missions in Finland often disregard Finnish labour laws -- sometimes flagrantly.

Ulkoministeriön ja työsuojeluviranomaisten toimivalta päättyy suurlähetystöjen ovelle diplomaattisen koskemattomuuden takia. Image: YLE

Along with diplomats, about 1,000 clerical employees work at foreign embassies in Finland.

Those who have been hired in Finland should be subject to Finnish labour laws. According to Foreign Ministry guidelines for diplomats published in June, "whenever a mission hires local staff, the mandatory and absolute provisions of the Finnish labour and social laws must be observed".

However the ERTO survey indicates that this is true at less than half of embassies. The union submitted its report on the subject to Foreign Minister Erkki Tuomioja on Thursday.

**A cocktail of domestic and foreign laws**

Employees at the other embassies have irregular work contracts based on a mixture of labour regulations from Finland and those of the country represented, chosen at will by the employers.

Last summer ERTO carried out an anonymous survey of embassy workers. Responding were 74 people, nearly all of them hired in Finland. Fifty-nine were Finnish citizens.

Their average reported monthly salary was around 2500 euros. Nearly 85 percent said they sometimes had to do overtime work, but 35 percent of those said they were not paid extra for it.

They report shortcomings and direct violations of the law when it comes to contracts, holidays and overtime work. Some said that demanding their rights led to trouble at work or being fired.

**Vacations cancelled, breaks forbidden**

"In some cases, employees have been told that holidays have been cancelled for the year," ERTO's Jarmo Lahti told YLE. "When a new ambassador takes over, working contracts may be changed to suit his or her wishes. Some are not allowed to take breaks or leave the workplace during the working day. In some cases, the entire staff has been forced to stay late at work as punishment for mistakes."

He declined to specify which embassies are guilty of the worst violations of employees' rights -- so as not to cause problems for those employees who reported the irregularities.

The Foreign Ministry's Chief of Protocol, Mikko Jokela, says that Finnish officials' hands are tied when it comes to investigating such claims, as embassy operations are protected by diplomatic immunity.

However, he says, "after this ERTO survey we will consider what we can do about the issue."

[Diplomatic privileges and immunities in Finland (PDF)](http://formin.finland.fi/public/default.aspx?contentid=172117)

Labor Rights and Local Hires

Local hires at embassies present challenging legal issues throughout the world. The host nation, the embassies and the employee find themselves faced with concern that differ markedly from domestic employment matters, or even private-sector international ones. With trade unions entering the play, additional scenarios present themselves. Such is the constellation of parties in the recently-concluded[International Labor Organization](http://www.ilo.org/global/lang--en/index.htm) (ILO) matter of the [British Embassy in Washington, DC](http://www.britainusa.com/).

The Embassy had been bargaining with the [Association of United States Engaged Staff](http://www.auses.org/index1.html) (AUSES) about the terms and conditions of employment for the locally engaged staff for almost 50 years. The dispute started in December 2004 when the staff chose the[International Federation of Professional and Technical Employees](http://www.ifpte.org/) (IFPTE) as their bargaining representative. The Embassy allegedly refused to negotiate with the AUSES/IFPTE and unilaterally implemented changes in employment terms and conditions. The complainants argued the Embassy violated [the ILO conventions No. 87 on the Freedom of Association](http://www.ohchr.org/english/law/association.htm), and [98 on the Right to Organize and Collective Bargaining](http://www.ohchr.org/english/law/organise.htm). The Embassy maintained it did not violate Convention 87, allowed the union to reach out to staff and provided facilities for meetings. The Embassy said it had no obligation under Convention 98 to collectively bargain with staff since the Convention does not deal with the position of public servants engaged in the administration of the State.

[The Committee on Freedom of Association](http://www.ilo.org/public/english/standards/norm/applying/freedom.htm) acknowledged the Embassy allowed the union to promote itself, but agreed with the complainants that local staff cannot be considered engaged in the administration of the State, as they do not make diplomatic policies. The report also noted that a public servants' union represents the diplomatic staff in the United Kingdom.

The Committee held there was no reason to grant lesser collective bargaining rights to locally engaged staff than those enjoyed by UK engaged employees. As a result, the Committee recommended the British government encourage the Embassy to negotiate with the AUSES/IFPTE union regarding terms of employment for locally engaged staff's employment. The report was adopted by the ILO and made final on March 30, 2007.

Financial Times also reported on the dispute on [April 13, 2007](http://www.ft.com/cms/s/caf40886-ea08-11db-91c7-000b5df10621.html). For further reference, the Committee's report has been summarized in a BNA article on [April 19, 2007 as well](http://emlawcenter.bna.com/pic2/em.nsf/id/BNAP-72JKQM?OpenDocument). -- Basak Candar, Legal Assistant,[Berliner, Corcoran & Rowe, LLP](http://www.bcr-dc.com/2006/en/%22%20%5Ct%20%22_new), Washington.

Fri, 13:48:56 25 May 2007*/*[*Embassy Law Link*](http://embassylaw.com/2007/05/25#0525-embassy-local-hires)

Workers Union Sues U.S. Embassy In Costa Rica

The Unión Nacional de Empleados de la Caja y la Seguridad Social (Undeca) has filed a suit with the Tribunales de Trabajo de Menor Cuantía del Segundo Circuito de San José against the U.S. Embassy in San José for allegedly not paying the Caja Costarricense de Seguro Social (CCSS) contributions relating to the Ley de Protección al Trabajador (LPT) - Worker Protection Act.

The union says the embassy has not paid the amount of ¢188 million colones.

Luis Chavarria, General Secretary of Undeca, said that since the enactment of the LPT in 2000, the U.S. Embassy refuses to systematically comply with the provisions of this law and make required employer contributions.

He said the purpose of the legal action is to force payment.

The Undeca complaint states that "the Embassy of the United States of America on the one hand, disappoint our labor laws and safety, and for other cause a significant injury related to employment, social and provisional Costa Ricans and other staff permanent works under the command of that mission:

Undeca has published its filing on its Facebook page.
<http://www.facebook.com/notes/undeca-ccss/denuncia-de-undeca-contra-embajada-de-estados-unidos-de-am%C3%A9rica-en-costa-rica/314165858631891>

# National Insurance for people in the UK working for Foreign Embassies, High Commissions or where there is no employer in the UK

Most people working as an employee in the UK have a UK employer, or are attached to a business in the UK which is treated as their employer, who is then legally responsible for deducting Class 1 National Insurance from their pay.

Where there is no business in the UK (or in the European Economic Area (EEA)) responsible for deducting National Insurance, the employee must pay his or her own Class 1 National Insurance to HM Revenue & Customs (HMRC).

Certain Embassies, High Commissions, Consulates and international organisations are exempt from operating National Insurance. They may have also obtained exemptions from National Insurance for their employees who are not UK nationals and who do not permanently reside in the UK. Employees not covered by the exemptions have to account for Class 1 National Insurance to HMRC.

## Tell me about:

* [Business in the UK treated as employer](http://www.hmrc.gov.uk/nic/work/embassy.htm#a)
* [Embassy High Commission and Consulate staff](http://www.hmrc.gov.uk/nic/work/embassy.htm#b)
* [People working for international organisations](http://www.hmrc.gov.uk/nic/work/embassy.htm#c)
* [Foreign employer volunteers to operate National Insurance](http://www.hmrc.gov.uk/nic/work/embassy.htm#d)
* [Employee has to operate own Class 1 National Insurance](http://www.hmrc.gov.uk/nic/work/embassy.htm#e)

### Business in the UK treated as employer

If your contractual employer does not have a place of business in the UK, there may be another business in the UK that is treated as your employer for National Insurance purposes:

* if you work for a foreign employer who sends you to work for a UK company, the UK company will be treated as your employer
* if you work for a foreign employment agency and are supplied to work for a UK business, or via a UK employment agency to a UK business, the company you work for in the UK will be treated as your employer

From 1 May 2010, an employer in another European Union (EU) Member State will also be treated as being UK registered or having a place of business in the UK for National Insurance purposes where the employee is in UK National Insurance. From 1 April 2012 this will also be the case for employers based in Switzerland, from 1 June 2012 employers based in Norway, Iceland or Liechtenstein, and from 1 July 2013 employers based in Croatia.

If an employer has obligations in the UK then HMRC will agree for another part of the business based in the UK, for example part of the business responsible for operating PAYE Income Tax deductions or an agent, to act on behalf of that employer.

Where you have no employer in the UK or business treated as your employer, you will be responsible for paying your own employee Class 1 National Insurance, through a Direct Payment Scheme, to HMRC.

### Embassy High Commission and Consulate staff

#### If you work for an Embassy, High Commission or Consulate of another EEA country or Switzerland

There are special rules if you are an employee of an Embassy, High Commission or Consulate of another EEA country and also a national of that country. The other EEA countries are:

Austria, Belgium, Bulgaria, Croatia, Denmark, Finland, France, Germany, Gibraltar, Greece, Iceland, Italy Liechtenstein, Luxembourg, The Netherlands, Norway, Portugal, Republic of Ireland, Romania Spain, Sweden, Gibraltar, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia.

Switzerland has also agreed to apply these rules.

If you are a career diplomat, civil servant, or are treated as a civil servant by the country that sent you, you will remain subject to the legislation of that country.

All other employees will pay Class 1 National Insurance and be covered by the UK Social Security scheme.

Unless all of the following apply to you:

* you are a national of the Member State whose Embassy or Consulate you work in
* under EEA rules, each year you opted and were accepted by that Member State to continue to pay only to that Member State
* that option was made prior to 1 May 2010

#### The rule allowing this option for Embassy and Consulate workers is abolished from 1 May 2010 but you may qualify to continue to be insured in your state of nationality under transitional rules or by special agreement.

#### If you work for an Embassy, High Commission or Consulate of a Country which is not an EEA country or Switzerland

If you work for an Embassy, High Commission or Consulate, except those representing other EEA countries, as a member of the diplomatic, administrative, technical or domestic staff, you will not have to pay National Insurance contributions if you are **both**:

* not a UK national
* not permanently resident in the UK

Other employees are required to pay Class 1 National Insurance.

If the Embassy, High Commission or Consulate is exempt National Insurance in the UK, and will not volunteer to operate National Insurance on your behalf, you will be responsible for paying your own employee Class 1 National Insurance out of your pay direct to HMRC.

[**Top**](http://www.hmrc.gov.uk/nic/work/embassy.htm#top)

### People working for international organisations

Generally, if you work for an international organisation with a 'place of business' in the UK, you will have to pay Class 1 contributions in the normal way. International organisations are generally organisations set up under International Treaties and agreements.

However, some organisations have obtained exemption for employees who are:

* members of visiting forces
* not UK nationals
* not permanent residents in the UK

If you do not have to pay, but you want to protect your entitlement to UK basic retirement pension, ask about paying voluntary contributions.

HM Revenue & Customs
National Insurance Contributions Office
Benton Park View
Newcastle upon Tyne
NE98 1ZZ
Tel: 0845 302 1479

If you need advice on Income Tax, please contact:

The Diplomatic Liaison Officer
HM Revenue & Customs
2 South Government Buildings
Ty Glas Road
Llanishen
Cardiff
CF14 5XZ

or Tel: 02920 326 203

### Foreign employer volunteers to operate National Insurance

Even if they are not liable for employer contributions, your employer may volunteer to operate National Insurance on your behalf.

If your employer volunteers to operate National Insurance on your behalf, and deducts Class 1 employee National Insurance from your pay, you will not be required to operate a Direct Payment scheme.

[**Top**](http://www.hmrc.gov.uk/nic/work/embassy.htm#top)

### Employee has to operate own Class 1 National Insurance

If your employer:

* does not have to operate PAYE
* is an embassy which does not want to operate your Class 1 contributions, the action you will need to take will depend on whether you have to pay tax

If you are an employee of an Embassy, High Commission or Consulate and you are unsure whether you are liable to pay UK tax, you must contact:

The Diplomatic Liaison Officer
HM Revenue & Customs
2 South Government Buildings
Ty Glas Road
Llanishen
Cardiff
CF14 5XZ

or Tel: 02920 326 203

If you have to operate your own PAYE or National Insurance you must contact your local HMRC office to set up a Direct Payment scheme.

There are two types of Direct Payment scheme involving National Insurance:

#### DPNI Scheme - tax and National Insurance contributions

Commonly known as 'PAYE Direct Payments procedures'.

A DPNI scheme type is appropriate where the normal PAYE procedures are unsuitable. The employee is responsible for the deduction of his or her own Income Tax and employees share of National Insurance contributions.

#### DCNI Scheme - National Insurance contributions only

A DCNI scheme type is appropriate when a simplified PAYE scheme is required to enable direct payments of National Insurance (only).

Detailed instruction on how to operate National Insurance contributions are contained in leaflet 'CWG2 Employers Further Guide to PAYE and NICs' and leaflet 'P49 Paying Someone for the First Time'.

#### Overview of how to operate a DPNI/DCNI scheme for your own Class 1 National Insurance

When you register with HMRC for a Direct Payment scheme you will be issued with a pack containing the forms you need.

You will pay either:

* Standard rate National Insurance contributions.
* Or reduced rate National Insurance contributions. These can only be paid by some married women and widows who hold a valid 'certificate of reduced liability'. You cannot make a new application for reduced liability.

Work out your National Insurance contributions using table 'CA40 Employee only contribution tables for employers'. Use table A if you are paying standard rate National Insurance contributions. Use table B if you are paying at the reduced rate.

Use the weekly or monthly tables depending on how often you are paid. If you are not paid weekly or monthly, follow the instructions in leaflet 'CWG2 Employers Further Guide to PAYE and NICs'.

Find the figure on the contribution table that equals your gross earnings paid in that week or month. If the table does not show your exact gross earnings, use the next lowest figure in the table. Use your gross earnings before any deductions, not just the pay you get in the UK. This means that you may have to convert payments in other currencies to sterling.

#### Deduction Working Sheet (DWS)

You will be issued with a form P11 DWS on which you will be required to record your personal details, accounts office reference, earnings and National Insurance. Instructions on how to do this are contained in leaflet 'P49 Paying Someone For the First Time'. If you do not have to pay tax, you need only follow the instructions relating to National Insurance.

#### Payslips for remitting tax and National Insurance contributions deducted from your pay to HMRC

You will be issued with payslips. Enter your Class 1 contributions on the payslip (P30(BC)) before you send it to the HMRC Accounts Office. Send the payment and the payslip to the Accounts Office when you pay your tax. Keep a record of your payment on page 5 of the payslip booklet. If you do not pay tax, send your payment by the dates shown on the payslips (P30(BC)).

#### P14 End of year Return

On 5 April, at the end of the tax year, you should add up the columns on the DWS and enter them with the contribution table letter in the corresponding totals boxes on form P14. If your contribution table letter has changed during the year, use a separate line for each letter used and the Class 1 contributions total for it. You will be required to send this form to HMRC after the end of the tax year. The total pay must be shown in every case.

Make sure:

* your surname, first name(s), National Insurance number and date of birth are correctly entered on the DWS and the P14
* you have entered on the DWS in the correct place any notation explaining why Class 1 contributions have not been paid

You should put the DWS in a safe place. You must keep it for three years.

Send:

* the two top copies of form P14 to HMRC
* the payment for any balance of Class 1 contributions to the HMRC Accounts Office, with a payslip (P30(BC))

**Trade unions protest in front of Swedish Embassy**

Nov 23, 2005
By Milda Seputyte



VILNIUS - Brewing unrest within the Swedish Embassy spilled onto the streets Nov. 21, with trade unions claiming that their members were experiencing national exclusion and being treated as second-class employees.

Allthough she did not participate in the confederation of Lithuanian trade unions' protest, Sniege Naku, chairwoman of the trade union uniting the embassy's local employees, said her body was "partially paralyzed" after a recent conflict with the Swedish ambassador.

members of the Swedish Embassy did not step outside to confront protesters, while the trade-union activists took steps to defend their rights.

Embassy employees complained that Swedish Ambassador to Lithuania Malin Karre, who came to Lithuania a year ago, regards them as second-class employees. The diplomat allegedly doesn't respect their trade union, refuses to negotiate on collective contracts, and has no qualm with salaries that fall below the employees' qualifications and work effort.

Naku said the ambassador even evicted her from the embassy's premises, although she hasn't officially sacked her. In fact, the chairwoman couldn't be present at the protest due to her paralyzed legs, which she claims was the direct result of a nerve shock brought on by her stressful meeting with Karre.

"During the 14 years that I worked for the Swedish embassy, I had no complaints, only praise. However, when the ambassador started her term in Vilnius, we noticed that things were getting worse and worse until it became total chaos," Naku told The Baltic Times.

Lithuanians claim that the ambassador ignores all their attempts to negotiate over better contracts and nonexisting job descriptions.

The ambassador didn't respond to any of the trade union's numerous letters and requests to begin dialog and negotiate over the possibility of establishing collective agreements, Naku explained. What's more, she claimed the working atmosphere in the embassy had become unbearable as locals felt like "servants rather than employees."

When contacted by The Baltic Times, embassy employees were unwilling to comment on the situation.

"We still work here and many things depend on what we say," an official said.

On Nov. 10, the ambassador ordered Naku to turn in the keys and leave the embassy's premises.

Although Naku is not dismissed from her job, embassy staff was instructed not to let the chairwoman back into the building.

Naku claimed she had no idea what grounds, other than personal, could account for such actions. She was also denied her belongings, which still sit in the embassy today. "I was shocked to see the behavior of the Swedish side 's Sweden is famous for its deep trade union tradition. Unfortunately, some Swedish diplomats behave in a completely opposite manner," commented Naku.

The ambassador of Sweden refused to comment on this individual case. She did, however, say she respected the trade union's decision to stage a law-abiding demonstration in front of the embassy, but admitted that collective agreements couldn't be considered.

"The Swedish diplomatic mission, just like any other mission, works under the Vienna Convention of diplomatic rules," Karre said. "That's why there can't be any collective agreements."

According to Lithuanian law, the approval of the trade union is required to dismiss its chairperson. "She [the ambassador] refuses to recognize that such trade union [regulations] exist. However, the trade union is a legal body, it has a registration and acts according to law," said Rima Kisieliene, a representative of the Lithuanian Trade Union of State Employees.

As a diplomatic representation, the embassy doesn't have to adhere to the Lithuanian Labor Code, the ambassador explained. Karre expressed disappointment that protest participants didn't convey a wish to talk to her in person so she could explain the situation.

"All I received were letters threatening that the matter would be taken to the media, and Swedish Ministry of Foreign Affairs. These held a rather rude tone, and were not an attempt to establish communication," Karre said.

Canadians Picket Their Embassy in D.C.

*By Paul Vieira, May 2013*



Reuters

Canadian foreign service officers march at the Canadian Embassy in Washington, May 3, 2013. (REUTERS/Jason Reed)

The union representing Canada’s diplomatic corps took its fight with the Canadian government international Friday.

At lunch time in Washington, roughly 30 unionized employees of the Canadian embassy staged an “information picket,” marching in front of the mission with placards. The embassy, on Pennsylvania Avenue, is a stone’s throw from Capitol Hill and known for some of the best seats in town on Inauguration  Day.

The demonstration was the first outside of Ottawa, but officials with the Professional Association of Foreign Service Workers indicated this might not be the last time members take to the streets in foreign capitals. The union is in the midst of negotiations over a new contract, and has voted to strike if necessary, though so far officials say they’re not ready to go that far. Workers have been without a contract since July 2011.

**Israel embassy workers stop work**

**By Vito Barcelo** | **Posted on Jun. 18, 2013 at 12:00am | 1 views**

[**2**](http://manilastandardtoday.com/2013/06/18/israel-embassy-workers-stop-work/)

The Israel embassy in Manila was temporarily closed to the public after its employees  stopped work due to a labor dispute, according to the Department of Foreign Affairs.

It said that the embassy suspended its consular services indefinitely because of labor dispute “instituted by the union of Foreign Affairs employees calling for a better working environment.”

The employees refused to work after unsuccessful negotiations with the embassy head.

Israel embassy officials cannot be reached for comment. The Israel embassy, located at  10th floor of Avecshares Center at 1132 University Parkway North in Bonifacio Global City in Taguig, is headed by Ambassador Menashe Bar-On.

“As a result, upon the instruction of the union, Consular Services are suspended indefinitely until further notice for both Israeli citizens and foreign passport holders,” according to the embassy advisory posted on its website.

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**A new Option for Embassies and their Locally Recruited Staff:**

The Arbitration Procedure to Resolve Disputes

Some thoughts in favour of a new EPSU initiative

Discussion paper by Marieke Manschot (Abvakabo, initiator) and Peter Kempen (USF)

Kickoff meeting "embassy staff" 24th Oct.2012,

Brussels, USF Office, Av. des Gaulois 36

Through the recent scandals, a very old problem gets into the public focus again: the

situation embassy and household staff find themselves, working and living right in the

middle of the EU Member States often without any effective legal protection. The kick-off

meeting's focus could be on how to fill the legal vacuum the individuals find themselves.

Not all options one would think of are available. A public action of NGOs and Unions is a

first step that could be envisaged. The added value of this action is that it may produce

immediate effects by naming and shaming countries which tolerate unacceptable

behaviour of diplomats. The drawback of this kind of action is that embassies may just wait

for public interest in the issue to fade away and return to old practice. Any action in the

media may help in the short term, but may fail to produce a sustainable improvement.

In contrast, tackling the legal problem that has persisted for many decades (more than a

century) and that makes the situation so untenable may be a slow process. This initiative

presupposes the support of at least some governments of States who want to keep to ruleof-law principles and values. Strong (silent) resistance is to be expected from a number of

States, but introducing new procedures with the support of a few states only can have

added value and launch a slow but irreversible process.

A first desirable result of the EPSU / NGO initiative, starting with the kick-off meeting,

should be to achieve a shared analysis and conclusion on how to fill the identified legal

gap, checking the arbitration concept's advantages and drawbacks against other concepts.

I. Origins of and justification for immunity of embassy staff

The Vienna Convention of 1961 is the legal basis of the embassies' immunity against

national jurisdiction and enforcement. The articles of this Convention are self-explanatory.

The embassy of any state needs to be considered as a mutually agreed enclave of the

sending state in the receiving state. It would be impossible for diplomats to genuinely

report to their respective governments and carry out their diplomatic tasks if their work was

biased by locally applicable and enforceable legislation. A similar principle applies to

international organisations. While embassies and international organisations may reveal

similar problems when dealing with their contract staff, the embassies often lack

jurisdiction well adapted to tackle local litigation between the staff and the embassy

(ultimately the ambassador), while international organisations normally feature an internal

jurisdiction adapted to their specific needs (ILOAT, UNDT/UNAT).Problem

While diplomats are acting under the supervision of the sending state including its

jurisdiction, the Vienna Convention does not define any jurisdiction supervising the

relationship between local staff and the embassy. Work relationships may be based on

contracts inspired by local practise, but local legislation and jurisdiction may be considered

as problematic insofar as the sending state was not party to the legislative process,

notably not party to the definition of the enforcement rules. The distinction between tasks

covered by the notion of immunity and tasks not covered becomes difficult when no

universally recognized court competent to rule on such issues is available (CJEU). This

distinction may become even more difficult in the "grey zone" of tasks involving some

responsibility for the smooth running of the embassy but assigned to locally recruited staff

nevertheless. Unfortunately, the number of disputes difficult to resolve has increased in the

recent years and calls for new approaches and solutions. The special legal circumstances

under which local embassy staff have to work will increasingly get more attention and this

may have a deterrent effect on employees who consider working for an embassy; as a

consequence, embassies may find it increasingly difficult to recruit qualified local staff.

Concrete problems are:

- sometimes there is no contract at all,

- or there is a contract, but sentences of local jurisdiction are not enforceable,

- or the jurisdiction of the sending state is so remote and/or the legislation so alien, that

access to this justice is in effect impossible, leaving the individual with no jurisdiction at all.

II. Improving the embassy staff' s situation: external constraints

Applying local legislation and jurisdiction presupposes:

- that the sending state approves the application of foreign legislation and jurisdiction to

local staff, or

- that the sending state is an EU Member State and therefore bound by Reg. 44/2001/EC,

the CJEU case law to Reg.44/2001/EC (also known as the "Brussels Convention"), the

immunity question being then put under an appropriate jurisdiction (CJEU, see C-154/11

"Mahamdia"),

- or that, at least, the sending state is an ECHR Member State.

In case the sending state is neither an ECHR, nor an EU Member State and does not

agree to the application of local legislation and local jurisdiction, the legal vacuum persists

in effect. Where mutually agreed legislation (EU, ECHR) is not in force, the Vienna

Convention is the only applicable legislation, embassies and their diplomats are

considered as being in an enclave of a foreign state in the receiving state. This

"extraterritorial" enclave cannot simply be put under local enforcement rules, if core tasks

of the sending state's embassy are concerned.

III. Rule-of-law e

Whatever option will crystallize as the preferred option in the discussion, the following

fundamentals should guide the initiative in this early phase of the brainstorming:

- the sending state and receiving state must be parties to the legislation of any binding

procedure (see Geneva Convention, New York Convention), it is otherwise impossible to

grant foreign legislation or arbitral awards authority over any state;

- There must be an independent and impartial body made available to the household and

local staff;

- Access to this body must take into due consideration the relative weakness or strength of

the parties (see Reg. 44/2001/EC); the employee being in a weak situation needs support

in the procedure, especially when the sending state is geographically remote;

- sentences must be binding, non-enforceable sentences are not an option.

The need for international systems supplementing or replacing national jurisdiction is not

new. The Geneva Convention on the recognition of arbitral sentences was signed almost a

century ago. A sophisticated system of arbitration between companies doing worldwide

business has been launched about half a century ago, enforceability of the sentences is

enshrined in the New York Convention. Most UN Member States signed these

Conventions and thus demonstrated that their jurisdictional systems are in principle well

able to cope with cases that are not to be treated in substance, but only on the

enforceability aspect.

When striving to fill the legal gap, EPSU and the involved NGOs should discuss whether

the arbitration concept is the preferred option, or whether a different concept is to be

contemplated. The arbitration concept is the one that comes to mind first, but it has the

following disadvantages:

- the parties (embassy and staff member) are supposed to agree both on the contractual

relationship and (implicitly) the labour legislation; where the embassy practice is to avoid

concluding any contract, a "minimum standard for working contracts" may need to be

developed (perhaps at UN level); a contract should at least contain a job description,

indication on the salary, working time, annual leave, indication on social security; how

these minimum criteria would be met is then up to the parties to agree upon, but the

absence of a contract that meets the minimum standards on content would be charged on

the embassy;

- where the sending state's own legal system is far below acceptable rule-of-law

standards, and/or this state is very far away geographically, the mere enforceability of an

arbitral sentence may still be an obstacle to the correct administration of arbitral justice; an

external intervention of the other signatories of the envisaged international agreement in

such cases could be envisaged (under the jurisdiction of the ICJ).

IV. Approach discussed in this paper

The idea of this discussion paper is to offer to the embassies and the locally recruited

embassy staff, including household staff, a new, individually usable option to the currently

often unsatisfactory dispute resolution procedures: an arbitration system enshrined in a

protocol annexed to the Vienna Convention. The use of the arbitration procedure by

individuals would not be compulsory, but it would become compulsory for the states to offer this option to claimants who feel that the offered procedures are not satisfactory and

to sending states who are not ready to accept local jurisdiction and enforcement rules. Of

course, once the claimant has made a choice in favour of one of the dispute resolution

procedures in a particular case, the admissibility in other dispute resolution procedures will

not be given anymore for the same subject-matter.

It is important to remember that locally recruited staff are not supposed to carry out tasks

protected by the Vienna Convention but that they nevertheless rightly assume that at least

basic legal standards should protect them in case of litigation. This is clearly confirmed,

first by recent case law (ECtHR cases 15.869/02 "Cudak vs. Lithania", 34.869/05 "Sabeh

El Leil vs. France", CJEU case C-154/11 "Mahamdia"), and perhaps even more so by the

universally recognized legislation and jurisdiction applicable to the staff of international

organizations. As applying local legislation and jurisdiction might not always be a

satisfactory solution, applying universally recognized principles by a procedure put in force

by the community of states may be the best option. Indeed, all Member states of UN

organizations and other international organisations acting as employers through these

organizations have accepted and supported the creation of special bodies dealing with

litigation in their legal environment, like the UNAT/UNDT system or the ILOAT. The special

merits of these jurisdictions is that they have developed universally accepted legal

standards outside of the national legislative systems. The case law now available can be

an important source of inspiration for the issue at hand.

Discussion of the available options

National jurisdiction

As far as the jurisdiction of the sending state provides for satisfactory results both for the

embassy and the employees, this option could stay as an option available to the claimant

and would not need to be suppressed. The locally recruited staff satisfy local labour needs

of the embassy and cannot be required to live up and conform to standards that may be

very alien to them. Therefore, the jurisdiction of the sending state may not always provide

satisfactory results.

As far as the jurisdiction of the receiving state provides for satisfactory results both for the

embassy of the sending state and the embassy's employees, this option could stay as

well as an option available to the claimant and would not need to be suppressed. The

option of the recognition of local jurisdiction may for instance suit a number of states like

EU or ECHR member states which share a common understanding of judicial principles

but much less so a number of other states which are likely to oppose any such move.

Sending states might not always be willing to accept local jurisdiction and enforcement

rules of the receiving state.

Arbitration

An arbitration option could therefore be the right approach, made available to the claimant

for all cases which are presumed to be difficult to solve, this option being enshrined in a

Protocol annexed to the Vienna Convention.

The possibility to introduce the commitment to the arbitration option, step-wise through

progressive ratification of the Protocol, state by state, would be an advantage. Before examining this new option in the light of the Vienna Convention constraints, it is important

to highlight two major differences of this option as compared with the existing options:

- by signing the Protocol, each and every participating member state would become a

legitimate legislator of the arbitration procedure;

- the decisions of the arbitration bodies would automatically carry an order of execution, in

a way similar to existing arbitral decisions under the Geneva or New York Conventions.

V. Details of the proposal, options

Some essentials must be in the Protocol:

- the principle of offering the arbitration option to individuals is compulsory for member

states which sign the Protocol

- the arbitration sentence carries an automatic order of execution, following the practice

under the Geneva and New York Conventions on the recognition of arbitral awards

- non-execution may entail a new arbitration procedure, support to be then provided by the

sending state to overcome the geographical remoteness achieving effective enforcement

in the sending state's judiciary

- obligation of the arbitration body to act in respect of the Vienna Convention

- obligation of the embassy to comply with the arbitration result (automatic order of

execution)

- the members of the arbitration body are covered by the Vienna Convention while carrying

out their mission

- confidentiality of the arbitration procedure

- balanced composition of the arbitration bodies

- independence of the members of the arbitration bodies

- nominees to be nominated by sending state and receiving state, appropriately nominated

third member (alternative option: central arbitration body set up at UN level)

- the arbitration body must identify already accepted national and international standards

common to both the sending and receiving state

- harmonisation of the arbitration procedures

- harmonisation with the procedures foreseen for household staff.

- the principle of identification and application of standards recognised by the signatories

(UN and ILO Conventions, labour law common to both states, ILOAT and UNTD / UNAT

case law to be applied / taken into account by the arbitration bodies)

- the use of the arbitration procedure shall not be hindered by costs or travel imposed on

the claimant

- the choice of the procedure in individual cases is the claimant's choice; once the

arbitration procedure has been selected by the claimant, other judicial procedures are not

available anymore for the same issue.

The new optional procedure introduced with the Protocol would thus be in conformity with

the Vienna Convention aims:

- confidentiality of the procedure to protect the confidentiality of the embassy business

- protection of the sending state against excessive legislation of the receiving state

potentially harming the mission of the embassy's diplomats

- protection of the sending state against potential abuse by locally recruited staff

maliciously cooperating with the receiving state. Other, facilitating items or options on the composition of the arbitration bodies:

- the third member could be agreed by the first and second member of the arbitration body

- the third member should not have the nationality of the sending or receiving state

- the third member could be nominated by an appropriate UN body (UNDT / UNAT judges)

- the member of the sending state should not be a member of the embassy staff, neither

diplomatic staff nor local staff; embassy staff of other states available at the place of the

litigation are an acceptable option.

On the support structure:

- each and every state could organize a central department providing for available

members of arbitration bodies

- the central arbitration service shall establish a yearly report describing the applied

principles, cases would remain anonymous

- a yearly conference of arbitrators could be envisaged

- if the UN option is chosen, the UN arbitration service could establish a yearly report

- in order to reinforce the independence of its nominee, the nominee of the receiving state

could be compulsorily nominated from the local judiciary, ideally a labour judge

- optionally, a central body could be created at UN level answering questions of law

submitted by arbitration bodies; a body attached to the ICJ could be envisaged.

Centralised arbitration by a UN Service enshrined in a Protocol annexed to the Vienna

Convention

A further option would be to create an appropriate UN body that would provide for all

arbitration needed to all states agreeing on the creation of such a UN body.

Conclusion

Local embassy staff should be free to keep opting for existing jurisdiction, for instance if

these procedures already guarantee sufficient standards in terms of rule-of-law. Instead of

replacing existing procedures, a new option should individually be offered to locally

recruited embassy staff: an arbitration procedure. The new arbitration procedure and the

existing procedures would be mutually exclusive for the individual claimant. For the states

which sign this protocol annexed to the Vienna Convention, offering to individual claimants

the arbitration option would be compulsory. The choice is then the claimant's choice.

Offering local staff the arbitration option would allow staff to carry out their tasks in a more

familiar or harmonized legal environment. It would allow States that do not share common

judicial standards to avoid the application of local jurisdiction and enforcement rules. This

would also be in the interest of the embassy. It would make recruitment of qualified local

staff easier and unburden foreign offices of solving disputes for which they have no

satisfactorily working institutional procedures.

Various options would be available to set up such an arbitration system: with or with the

involvement of UN (or ICJ) bodies that may be tasked at different levels to improve the

setting up and running of the optional arbitration procedures.The selection of the best approach will be determined by:

- feasibility, option of step-wise setting up of the new system

- potential of the option for later development in order to keep approximating rule-of-law

standards.

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For inspiration the introductory text of the UN Internal Justice System, which contains

elements relevant for local embassy staff:

Why Do We Need An Internal Justice System

As the United Nations has immunity from local jurisdiction and cannot be sued in a national court, the Organization has

set up an internal justice system to resolve staff-management disputes, including those that involve disciplinary action.

Securing a harmonious working environment

In any large organization, a harmonious working environment is essential in order to be productive. To this end, there is a

need for systems, rules, and procedures that set a common standard for behaviour and actions, and that ensure that the

work conducted by each and every employee contributes to the common objectives or goals. For the United Nations,

these goals are global and lofty: peace and security, development, and human rights. Still, the work-related disputes that

arise are not that different to what might occur in any workplace, relating to issues such as contract renewals, equity of

treatment, promotion, discrimination, harassment, or the imposition of disciplinary measures. But in the UN, there is the

added dimension of cultural diversity and geographical dispersion.

Acting in accordance with the rules

In the United Nations, there are rules that govern both behaviour and actions of employees, and that also set out basic

rights of staff. The UN Charter itself sets out fundamental principles. There are Staff Regulations and Rules, and

Financial Regulations and Rules. Other rules governing ethics, gender equality, work-place harassment, human

resources-related policies and other numerous topics are contained in Secretary-General's Bulletins and other

administrative issuances. Taken together, the purpose is to ensure integrity, fairness, and equality, while providing for

efficient ways for the Organization to conduct its day-to-day work. The internal justice system exists to address situations

where staff members feel that their rights have been violated and the rules of the Organization have not been respected.

It is a fundamental right of staff at all levels to have recourse to an internal justice system. The internal justice system is

also a pillar in the overall effort to strengthen accountability and ensure responsible decision-making.

# Poor working conditions at some Hague embassies

Published on : 21 April 2011 - 11:18am | By [Martijn van Tol](http://www.rnw.nl/english/users/martijn-van-tol) ([Photo: ANP](http://www.anp-photo.com/))

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**Working conditions at a number of foreign embassies in The Hague are very poor. A survey carried out by Radio Netherlands Worldwide has revealed that Dutch regulations on working conditions are completely ignored.**

### Embassies and Dutch law



Netherlands has no jurisdiction over foreign embassy staff

**Inviolability**

- Embassies and consulates in the Netherlands are not subject to Dutch law. The inviolability of diplomatic missions was internationally agreed in the 1964 Treaty of Vienna, in order to enable diplomats to do their work without any hindrance.

**No foreign territory**

- Contrary to the commonly held view, embassies are not foreign enclaves, although the premises may not be entered without permission from the ambassador. This also applies to the Dutch police.

**Labour conditions**

- The inviolability of diplomatic premises also impacts on the labour conditions that apply. The Health and Safety Inspectorate, the Tax Office, the Labour Inspectorate have no powers within the embassy grounds. And there can be no collective labour agreement for embassy staff.

**Outside Dutch law**

- The embassy is allowed to choose between applying its own labour conditions or the Dutch ones. The Dutch authorities have no legal power over the embassies. This means that in case of a labour dispute, Dutch judges cannot enforce pay claims or penalties.

Interviews with dozens of embassy staff at nine embassies in The Hague have revealed that staff often work illegally, are sacked or their pay is deducted if they report sick and are subjected to random cuts in pay.

**Below minimum wage**
Marieke Manschot of the AbvaKabo FNV Union has called the situation below Dutch standards. The union for civil servants has been concerned for some time that embassies are not required to pay wage tax and social security contributions (for things like industrial disability insurance and insurance against loss of income in case of unemployment). At the Moroccan embassy, it is embassy staff themselves who have to pay both their employer’s contribution as well as their own personal contribution to the Dutch tax office.

The union says the embassy structurally pays below the minimum wage, it does not pay holiday pay and sometimes embassy staff do not receive the amount stated on their pay slip. The embassy staff in question live in the Netherlands and have either a Dutch passport or resident’s permit.
 **Working illegally**
There are also problems at other embassies. Former Iraqi embassy staff say their wages were withheld if they reported sick, unless the employee was able to hand over a declaration from a family doctor. However, Dutch family doctors are not allowed to issue such declarations. The former Iraqi embassy employees did not want their names released by the media, just like almost all the other embassy staff RNW talked to. They are very afraid of being recognised.

One former Yemeni embassy employee was unable to get a contract or employment declaration because he says everybody at the embassy worked illegally. A former Chinese embassy worker spoke of employment on the basis of an “oral agreement”.

**Reprisals**
After a wildcat strike at the end of February, the AbvaKabo Union organised strikes at the Moroccan embassy and consulates. This week, they presented a petition to parliamentary foreign affairs specialists.

Moroccan diplomatic posts are well staffed and well organised. But that is not the case at smaller embassies with similar problems. There are also reports of intimidation on the work floor, no tea or lunch breaks and a ban on going outside during working hours.

Almost all the people RNW talked to feared reprisals. Some were afraid they might be breaking an oath to secrecy, which they took when they joined the diplomatic service.
 **Pay claim**
It is difficult for embassy staff recruited in the Netherlands to file legal proceedings for labour conflicts because of their employer’s diplomatic immunity. Marieke Manschot says “there is no Dutch organisation that can force embassies to provide the working conditions staff are entitled to, even if there is a legal ruling which supports their case.”

One staff member at the Moroccan embassy, who was sacked for reporting sick, took her case to the Dutch Supreme Court and won. Nevertheless, the embassy cannot be forced to pay a pay claim or fine. The union says Dutch employees are at the mercy of the Moroccan ambassador’s whims. “These people are not protected and that is unacceptable,” says Ms Manschot.

**Immunity**
The labour inspectorate says there is nothing it can do for the Dutch staff at foreign embassies in the Netherlands. The Foreign Ministry has published a list of labour conditions on its website that embassies should pay minimum wages and employees have to be insured and given holidays. But the embassies can ignore these conditions because of diplomatic immunity.

Meanwhile, the Dutch parliament has said it will ask for an explanation for the alleged underpayment of staff at the Moroccan embassy and consulates in the Netherlands.

All the embassies mentioned above have been asked for a reaction. The only response was from the Brazilian embassy, which responded by saying it respected Dutch labour laws with respect to staff recruited in the Netherlands.

**If you work at an embassy in The Hague and you want to tell us about your working conditions, please send an e-mail to:****embassy@rnw.nl**

Indian employees at Italian embassy in Delhi allege racial discrimination

**Samanwaya Rautray, ET Bureau** Mar 24, 2013, 05.41AM IST





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(Mancini was at the receiving…)

NEW DELHI: Eight Indian employees at the [Italian embassy](http://economictimes.indiatimes.com/topic/Italian%20embassy)in Delhi have now sued the Italian government in the [Delhi High Court](http://economictimes.indiatimes.com/topic/Delhi%20High%20Court) for damages over alleged racial discrimination. Both the government of Italy and the beleaguered ambassador [Daniele Mancini](http://economictimes.indiatimes.com/topic/Daniele%20Mancini) have been made parties to the civil suit.

[Mancini](http://economictimes.indiatimes.com/topic/Mancini) was at the receiving end of the Indian Supreme Court ire recently after failing to ensure the return of two marines wanted in India to face trial for killing two Indian fishermen despite giving a personal undertaking.