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Dix-septième séance, 9 juin 2025, 17 h 30 (suite)**Seventeenth sitting, 9 June 2025, 5.30 p.m. (cont.)****Decimoséptima sesión, 9 de junio de 2025, 17.30 horas (cont.)**

Président: M. Tabai
Chairperson: Mr Tabai
Presidente: Sr. Tabai

Discussion des cas individuels (suite.)**Discussion of individual cases (cont.)****Discusión de los casos individuales (cont.)****Iraq (ratification: 2018)****Convention (n° 87) sur la liberté syndicale et la protection du droit syndical, 1948****Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)****Convenio sobre la libertad sindical y la protección del derecho de sindicación, 1948 (n° 87)**

Président – Nous allons maintenant commencer l'examen du dernier cas à l'ordre du jour.

Il s'agit de l'examen du cas concernant l'Iraq sur l'application de la convention (n° 87) sur la liberté syndicale et la protection du droit syndical, 1948.

J'informe la commission que nous avons 23 délégués inscrits pour prendre la parole.

À cet égard, je voudrais informer tous les délégués que le bureau de la commission a décidé de réduire le temps de parole des délégués gouvernementaux individuels de cinq à trois minutes pour la discussion de ce cas.

*Interprétation de l'arabe: **Président*** – J'ai l'honneur de donner à la parole à l'honorable représentant du gouvernement de l'Iraq, M. Ahmed Al-Lami, directeur général au ministère du Travail et Affaires sociales à prendre la parole.

*Interpretation from Arabic: **Government representative (Mr AL-LAMI)*** – It is a great honour for the Republic of Iraq to make the statement before this Committee which is an embodiment of our commitment to the implementation of the provisions of Convention No. 87. This Convention is one of the pillars of this organization and especially when it comes to social justice.

Let me start by saying how surprised we are for having my country to be included on the short list in spite of the continued contact with the ILO and the efforts made to develop a new trade union draft law in line with international standards.

I would like to highlight the meeting that was held in Baghdad on 27 April 2024 between the Prime Minister of Iraq, the Minister of Labour and Social Affairs and the ministerial team that accompanied them with the Director-General of the ILO and the accompanying team from the regional office and the country office. During this meeting, several important topics were discussed, foremost among them the issue of freedom of association. The Prime Minister of Iraq emphasized the importance of leveraging the ILO's expertise to develop a new labour law. This was translated to actions which led to a study visit by the delegation of Iraq to the ILO in April 2024. Prior to this, a number of workshops and meetings were held between the Ministry of Labour and Social Affairs, social partners, the World Commission, civil society organizations,

and a parliamentary group. These engagements ensured sufficient time for thorough discussions, with the goal of producing a draft law aligned with international standards.

Let me first address the international and constitutional grounds for Iraq's commitment. We are fully committed in the implementation of the Convention in accordance with the 2005 Constitution of Iraq. Article 22, paragraph 3 of the Constitution provides that: "the state shall guarantee the right to form unions and professional organizations, and to joint them, in accordance with law regulating such right". This provision reflects a constitutional commitment to respect the rights of citizens in line with international standards, particularly those set out in Conventions Nos 87 and 98.

Second, I would like to outline the legislative and institutional developments aimed at ensuring compliance with international labour standards. The Ministry of Labour and Social Affairs, with cooperation with the Labour Committee, several civil society organizations and the relevant parliamentary committee, has initiated the drafting of a new law to replace Law No. 52 of 1997.

The first reading of the draft law in Parliament started on 29 April 2024, followed by the second reading which came in on 4 January 2025. We are currently in the process of introducing amendments to the draft in response to the technical observations raised by the ILO. Among the fundamental amendments proposed in the new draft are the following: respect for workers' rights to set up unions and the principle of freedom of association, without interference from public authorities; the recognition of trade union pluralism, allowing for the existence of multiple unions; and establishment of fair and transparent standards for trade unions, this in accordance with Article 2 of Convention 87, and granting the unions the freedom to adopt their own internal rules and procedures.

As a third point, we are in the process of setting up a trade union council, and we have the following bodies which will come under the umbrella of this council.

First, the General Federation of Iraqi Workers, the Union of Trade Unions of Iraq, members of working sectors in Iraq, the petrochemicals and oil sector in Iraq, the Central Union for Trade Workers in Iraq, the General Union for Workers and Employers in Iraq, the General Federation of Workers, the Union of Councils in Iraq, the National Union of Trade Unions in Iraq, engineering and technical union in Iraq, and other professional independent professional organizations in Iraq. To ensure alignment with international Conventions and to strengthen trade union independence, we are working to promote effective consultation and coordination. This includes addressing key issues such as union representation, relevant legislation and the reinforcement of social dialogue grounded in the principles of tripartism. These steps are designed to uphold the provisions of Convention No. 87 and ensure clear and inclusive representation of all sectors. Fourth, I want to mention that, linked to the enhancement of social dialogue, a comprehensive road map has been developed. This road map aims to improve the legislative review process, strengthen tripartite cooperation and organize specialized training programmes to empower trade unions in managing their internal affairs. A few collaborative platforms have been established in partnership with the ILO to support these efforts.

There have been several exchanges of visits between experts from Iraq and the ILO, the most recent of which was conducted in September 2024. This visit was led by the Minister of Labour and Social Affairs and a number of parliamentarians and union leaders. In parallel, national efforts, supported by the ILO have led to the establishment of a National Forum for Social Dialogue, officially launched on 27 April 2025. This forum is intended to strengthen social dialogue through a sustainable mechanism that brings together the three key parties: the government, employers and workers. Its objective is to facilitate discussions and strike a

balance between economic and social policies that contribute to national development. The forum also plays an important consultative role in reviewing and monitoring the implementation of labour legislation. It is chaired by the Minister of Labour and Social Affairs, and includes participation from deputy ministers, several directors-general, representatives of the existing trade unions and general federations and delegates who participated at the Conference of Trade Unions and Confederations. This initiative falls within the framework of the road map developed in close collaboration with the ILO. The forum was able to hold three meetings to review the developments in the trade union legislation and involve the participation of various trade unions and their representatives and parliamentarians. There were a number of recommendations to introduce amendments on the draft law. Despite being in its early stages, the forum has successfully laid the groundwork for institutionalized social dialogue in the context of legislative reform.

The Labour Committee, along with various civil society organizations, has also played a vital role by contributing expert opinions presented to Parliament. This reflects a strong belief that social dialogue is a key pathway to developing legislation that enables trade unions and employers' organizations to actively participate in shaping policies for the labour market in Iraq.

The Social Dialogue Forum represents an important step to develop equitable and sustainable plan to ensure that our shared objectives are achieved. We believe this is a valuable experience which all stakeholders can benefit from. We are confident that the forum will contribute to Iraq's future technical and institutional development. Therefore, we call on the ILO to continue supporting this initiative, as such support will help us build the necessary capacities to lead and sustain meaningful change. It is also our hope that government sectors will be support the forum, ensuring that it remain an independent body. The role of the forum will contribute to economic development and to further strengthen basic rights in the work.

We believe that this effort is not meant to be a symbolic gesture only but to be a genuine platform aiming to establish a state where rights are protected, social justice is promoted, and national efforts are directed toward the reconstruction and stability of Iraq.

My fifth point concerns the challenges and future commitments. We firmly believe that creating a free trade union environment requires dealing with several challenges. Raising the level of awareness is one of the issues that we have focus on. We also need to address the limited capacities of the trade unions and ongoing security concerns. Despite these obstacles, we would like to reaffirm that the Iraqi Government remains committed to reforming mechanisms relating to trade unions and supporting unions in a way that promotes decent work, social justice and sustainable development.

My sixth point relates to strengthening pluralism within the trade union movement. My country is fully committed to ensuring the participation of all trade unions, regardless of their sector. This inclusive approach has been reflected in the participation of our delegation at this Conference. We believe in pluralism, equality and non-discrimination within the trade union movement. This approach aligns fully with international instruments, particularly Convention No. 87.

In this context, allow me to highlight that several Constitutions of trade unions and general federations have recently been deposited at the Ministry. This reflects the Iraqi Government's commitment to freedom of association and its efforts to facilitate the process that allow trade unions to register, ensuring pluralism and guaranteeing that no worker is excluded from their right of association. The ministry has also initiated the development of a comprehensive database to record all registered trade unions. This database will document the legal and administrative status of each union, ensuring transparency, streamlining registration processes, and enabling effective support for union operations.

In conclusion, my country reaffirms its commitment to Convention No. 87 as part of our ongoing cooperation with the ILO. We remain dedicated to strengthening our national capacities and ensuring the existence of a genuine, free, and democratic trade union movement, consistent with both our Constitution and our international obligations.

Interprétation de l'arabe: **Président** – Merci Monsieur le directeur général de cette intervention. Nous nous félicitons de vos propos.

(L'orateur poursuit en français.)

Président – J'invite à présent les deux porte-paroles à faire leurs déclarations liminaires.

Je donne la parole à M^{me} Clare Middlemas, porte-parole des travailleurs, pour sa déclaration.

Worker members – This is the fourth time since 2019 that our committee has looked into the case of Iraq. Each of the reviews has focused on a different Convention. In 2019, the Worst Forms of Child Labour Convention, 1999 (No. 182) was reviewed. In 2021, the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and, in 2022, the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). This year we are examining the legal and practical implementation of Convention No. 87 in Iraq. These recurrent reviews in recent years demonstrate the difficulties faced by the Iraqi Government in honouring its obligations under the ILO Conventions it has ratified, even the most fundamental of them.

We can welcome the fact that the Government is engaging in a permanent and constructive dialogue with the ILO so that the ILO can support it in the fundamental changes necessary to ensure that its legislation and practice are in conformity with the Conventions in the future, in particular Convention No. 87.

In 2022, after its discussion, our Committee recommended that the Government accept an ILO direct contacts mission which took place in May 2023. At the end of this mission, commitments were made by the Government which related to the proper application of Convention No. 87. The mission had identified two priorities.

1. The swift adoption of new legislation to replace Law No. 52 of 1987 on trade unions to ensure compliance with the Conventions Nos 87 and 98.
2. Active and constructive engagement between the Government and the social partners to ensure that all trade unions and their leaders could exercise the rights enshrined in the Convention without fear or restraint.

During this mission, a road map was drawn up to make these priorities a reality. It provided for the establishment of a technical committee for the elaboration of a new draft law on trade unions and the strengthening of the coordination council which is tasked with the consultation and resolution of conflicts and problems facing trade union action. The active support of the ILO Office is foreseen for the implementation of this road map.

A new draft law prepared by the Labour Committee of the Chamber of Representatives has been circulated among the various stakeholders involved. This draft was the subject of technical comments by the ILO Office. We also note that a delegation of three trade union federations participated in a workshop in Geneva in September 2024 to discuss the new draft and technical comments made by the ILO office. The Government indicates that the results of this workshop will be submitted to the House of Representatives and discussed with all parties concerned with a view towards the enactment of the Act and the repeal of Law No. 52 of 1987 on trade unions. It is positive to note that the ILO's continued technical support during this process has enabled the Government to build a positive and constructive momentum for this much needed reform of Iraq's trade union legislation.

The worker members join the Committee of Experts in expressing the firm hope that this new law will be adopted in the near future and that it will contain all the guarantees required by the Convention. In particular, the following:

- Full recognition of trade union rights of public servants and trade union pluralism;
- recognition of the trade union rights of foreign workers;
- no restriction on the right of certain professions to form trade unions;
- ensuring that the minimum number of members required for the formation of trade unions is set at a reasonable level;
- recognition of the right of workers to form independent organizations at all levels; and
- respect for the autonomous functioning of these organizations.

The worker members ask the Government to provide information on the progress of the legislative reform to the Committee of Experts so that it can assess the compatibility of the new legislation with the Convention. While the process of legislative reform seems to be on the right track, we regret that a climate conducive to the exercise of freedom of association is not yet in place in Iraq.

The report of the Committee of Experts shows that several complaints against the leaders and representatives of six independent federations, including the Federation of Trade Unions of Iraq Trade Unions (FITU), has been filed with the Court of Inquiry of the Federal Commission of Integrity. These trade unions were summoned to the court in relation to their legitimate trade union activity and were accused of illegal raising of funds. They were subject to investigation and eventually released on bail pending trial. These proceedings constituted a serious threat to the union leaders exposing them to the risk of long prison sentences and fines as well as the closure of their federations. The worker members call for these charges to

be immediately dropped and request the Government to inform the Committee of Experts of the follow up to the outcome of these proceedings. We regret that these trade unionists are subjected to abusive proceedings aimed at silencing them. Even if they do not ultimately lead to convictions, these procedures seriously threaten the effective exercise of freedoms by trade unionists.

Therefore, the worker members join the Committee of Experts in calling for no trade union member or leader to be subject to arrest, detention or criminal prosecution for their legitimate trade union activities and for the initiators of such proceedings to be subject to effective and persuasive sanctions.

While hoping that the Coordination Council can be an effective instrument to prevent the prosecution of trade unionists, the worker members hope that the Government can provide more information on the functioning of the Council and its results.

The Government seems to have initiated legislative reforms that are moving in the right direction and we will certainly have the opportunity in the future to assess whether the outcome of these reforms is in line with the requirements set out in the Convention. Despite these positive developments, the worker members regret that trade unionists in Iraq are still subject to obstacles to the exercise of their freedom of association. The worker members count on the full and continued cooperation of the Iraqi Government with the ILO in the implementation of the recommendations addressed to it by our Committee.

Président – Je donne la parole à M. Paul Carl Mackay, porte-parole des employeurs, pour sa déclaration liminaire.

Employer members – Convention No. 87 as we all know is a fundamental Convention which was ratified by Iraq in 2018. Convention No. 87 has never been discussed in CAS with

respect to Iraq. However, the case for Convention No. 98 has been discussed twice in 2008 and 2022 and the issues arising from those discussions are pertinent to the present case.

There has also been one observation issued by the Committee of Experts in this case last year after two direct requests in 2021 and 2023. The Employer members have taken note of these and also of the helpful and useful information provided by the Government before this meeting.

With respect to Convention No. 87, the Committee of Experts noted that a new draft Trade Union Act had been circulated among various stakeholders involved in these reforms and has given rise to technical comments from the ILO in August 2024. The Committee of Experts further noted that a national delegation attended workshops in Geneva in September 2024 and that the officers' observations resulting from the workshop would be discussed with all parties concerned with a view towards the enactment of the Trade Union Act and the repeal of Law No. 52 of 1987 on trade unions.

The Committee of Experts expressed its expectation that this would lead to the early adoption of the new trade union law which would take full account of the Committee's comments including its request to ensure that the new legislation fully recognized trade union rights of public servants and trade union pluralism reflected the officers' technical guidance in order to ensure that the law recognized trade union rights of foreign workers, did not restrict the right to form trade unions to certain professions, ensured that the minimum membership requirements for establishment of trade unions were set at reasonable levels, recognized the right of workers to set up independent organizations at all levels and respected the autonomous functioning of these organizations. The Committee of Experts requested that the Government provide a copy of the law once adopted and we note that this is yet to occur.

However, in relation to the issues raised by the Committee of Experts, the Government has provided the further information I referred to earlier and of which we have taken due note.

Under the Order No. 8 of 2024, a Committee was formed under the Chairmanship of the Director-General of the Legal Department and the Ministry of Social Labour and Social Affairs. The said Committee includes members from relevant Government and parliamentary authorities, representatives of trade unions and employers and its role is to prepare the final version of the trade union law.

With respect to workers' organizations, the employer members note that the Trade Union Council was formed to represent all trade union organizations without any discrimination to address courts in the event of complaints by trade unionists to affirm the freedom of labour and inform them of the role of the Ministry of Labour and Social Affairs. Described this way, the Trade Union Council seems to fulfil the description of the most representative organization of workers in Iraq. The Employer members also note the Government's statement that trade union organizations of different orientations participate in the International Labour Conference as part of the official Delegation of the Republic of Iraq and in all activities organized by the Ministry of Labour and Social Affairs and carried out by organizations in coordination with that ministry. The employer members would just request the Government to confirm that all of those other unions that attend the International Labour Conference are in fact selected in consultation with the most representative organization as required by the ILO Constitution. We would just like to have some assurance that that is the case.

The employer members also note the Government's advice that the minister of Labour participates in all activities organized by trade union organizations.

The employer members recall that Article 3 of Convention No. 87 requires that workers and employers' organizations have the right to draw up their constitutions and rules to elect

their representatives in full freedom, to organize their administration and activities, and to formulate their programmes; and that the public authorities are required to refrain from any interference which would restrict this right or impede its lawful exercise. In this respect, too, the employer members would request the Government to ensure that its participation in trade union activities does not contravene this provision of Convention No. 87.

With respect to technical assistance from the ILO, the employer members note the Government's assurance that the assistance of the Office on the reform of the trade union law is ongoing and that the Office also supported the creation of an initial social dialogue forum which was launched in 2025. Both these areas of cooperation are very much aligned with the road map proposed by the direct contacts mission that visited the country in May 2023 with respect to Convention No. 98.

The direct contacts mission proposed a road map that identified two priorities: (i) the swift adoption of new legislation ensuring compliance with Conventions Nos 87 and 98 to replace Law No. 52; and (ii) an active and constructive engagement between the Government and social partners to ensure that pending the entry into force of the law, all trade unions and their leaders can exercise the rights enshrined in the Conventions without fear or constraint.

The mission proposed a road map involving the active support of the Office in providing for into earlier the establishment of a tripartite technical committee for the elaboration of the new draft, the strengthening of the coordination council tasked with consultation and resolution of conflicts and problems affecting trade union action. The employer members urge the Government to expedite this work with an expectation that its next report to the Committee of Experts will reflect the implementation of the new law.

On a separate matter related to the prosecution of union leaders for collection of union dues, the Committee of Experts had previously noted that the Federation of Iraq Trade Unions

(FEITU), alleged that a complaint was filed before the Court of Inquiry of the Federal Commission of Integrity against six union leaders in relation to the collection of union dues. The Committee of Experts noted the Government's indication that it would take the required action under the new Trade Union Act once it was enacted. We have not received or seen any information in the present case as to how these issues are progressing and the employer members echo the Committee of Experts' request to provide detailed information on the outcomes of proceedings as soon as possible.

To sum up, the employer members urge the Government to: (i) complete the work required to finalize and implement the new trade union law; (ii) provide assurance that the Government participation in trade union activities does not constitute a breach of Article 3 of Convention No. 87; (iii) provide assurance that Worker and Employer representatives attending the International Labour Conference are selected in consultation with the most representative organizations of employers and workers as required by the ILO Constitution; and last, (iv) provide information on the status of the complaints relating to the prosecution of six trade union leaders.

Président – À présent, il est temps de prendre une pause. Nous reprendrons après une demi-heure.

La séance est suspendue à 18 h 10.

The sitting was suspended at 6.10 p.m.

Se levantó la sesión a las 18.10 horas.

La séance reprend à 18 h 40.

The meeting resumed at 6.40 p.m.

Se reanuda la sesión a las 18.40 horas

Président – Mesdames et Messieurs, bienvenue à nouveau. Nous allons continuer la discussion sur le cas de l'Iraq.

(L'orateur poursuit en arabe.)

Interprétation de l'arabe: **Président** – Je donne maintenant la parole à la délégation des travailleurs de l'Iraq, M. Kareem Beni Lam. M. Beni Lam nous suit en ligne, je lui donne la parole.

Interpretation from Arabic: **Worker member, Iraq, (Mr BENI LAM)** – We would like to confirm that the position of the Iraqi trade unions is based on the outcomes of the direct contacts mission of the International Labour Organization which visited Iraq in May 2023 as well as its six recommendations that were submitted to the social partners.

The position is also based on the results of the Iraqi delegation's visit to Geneva in September 2024. Therefore, the steps taken by the Ministry of Labour and Social Affairs reflect the full commitment outlined in the road map that was approved by the direct contacts mission. In particular, the establishment of a Social Dialogue Forum composed of the social partners demonstrate this commitment. To date, three sessions have been held, with the participation of the Deputy Minister of Labour.

All these measures constitute a correct and important step towards the preparation of a draft Trade Union Law in accordance with international labour standards as well as the Conventions ratified by our country. The Law will guarantee the right to trade union organization in all sectors of production, public, private, mixed and cooperative.

We consider the request to send a specialized Committee of Experts from the International Labour Organization an important step to provide technical support and

expertise in drafting reports and offering technical and legal assistance for adopting a trade union law. This will ensure conformity with international standards and the Conventions ratified by our country.

The Iraqi Trade Union Federations would like to reaffirm once again that joint action between the social partners and the parliamentary labour committee will be taken to provide a legal framework that will provide the necessary protection and guarantee rights and freedoms for trade unions. It will also guarantee collective bargaining. It will address potential disputes and will ensure effective labour management. This would be highly efficient for both workers and employers.

Président – Je donne la parole à présent à la distinguée représentante du gouvernement de la Pologne, M^{me} Renata Maria Lemieszewska, qui prend la parole au nom de l'Union européenne.

Government member, Poland (Ms LEMIESZEWSKA) – I have the honour to speak on behalf of the **European Union (EU)** and its **Member States**.

The candidate countries, North Macedonia, Montenegro, Albania, Ukraine, Republic of Moldova, Bosnia and Herzegovina and the European Free Trade Association countries, Iceland and Norway, members of the European Economic Area, align themselves with this statement.

The EU and its Member States are committed to the respect, protection and fulfilment of human rights, including labour rights. We promote universal ratification and effective implementation of fundamental ILO Conventions and support the ILO in developing and promoting international labour standards and supervising their application.

We recognize the Iraqi efforts in discussing legislative reform and engaging with the ILO to bring national legislation in conformity with Convention No. 87. However, we remain deeply concerned about the ongoing restrictions affecting trade union pluralism, limitations on the

right of public servants and foreign workers to organize and barriers such as excessive membership requirements which continue to obstruct workers' ability to associate freely. The full alignment of Iraq's legal framework with Convention No. 87 must be expedited, ensuring concrete and enforceable protections for trade union rights.

We note with regret the information of legal proceedings initiated against trade union leaders in relation to the collection of union dues. These cases, which have involved investigation and court summons, raise concern about the broader environment for trade union rights in Iraq. We urge the Government to provide full transparency on the status of these proceedings and ensure that no trade union representative faces undue legal or administrative pressure such as arrestation, detention or criminal prosecution for engaging in legitimate trade union activities.

Furthermore, the functioning of institutional mechanisms such as the Coordination Council and the proposed Technical Committee for the Elaboration of the New Draft Law on Trade Unions must be reinforced to guarantee meaningful social dialogue. Trade unions must be granted an effective role in shaping the legislative framework, ensuring that their concerns are heard and incorporated into legal reforms. Genuine engagement with all stakeholders remains crucial to building trust and safeguarding fundamental rights.

While legislative reform is necessary, it must not remain a theoretical exercise. The Government of Iraq must take decisive action to ensure that protections for trade union rights are not only enshrined in law but also fully implemented in practice. We urge the Government of Iraq to ensure that the new law on trade unions will provide strong and enforceable guarantees that uphold workers' rights to organize freely and independently.

We encourage the Government of Iraq to continue its collaboration with the ILO and the social partners, taking decisive action to fully uphold the obligations outlined in Convention

No. 87. We remain committed to closely monitor developments and affirm our commitment to supporting efforts that promote international labour standards and protect the workers' rights in Iraq.

Président – Je donne la parole à la distinguée représentante du gouvernement de la République bolivarienne du Venezuela, M^{me} Yoliangel Rivas Orta.

Miembro gubernamental, República Bolivariana de Venezuela (Sra. RIVAS) - La República Bolivariana de Venezuela agradece al Gobierno del Iraq por la información suministrada en la que da cuenta de los progresos que han llevado a cabo en la materia que nos ocupa.

La ratificación del Convenio por parte del Iraq es una señal de su compromiso con la protección de los derechos de los trabajadores y la promoción de la libertad sindical.

Valoramos la disposición y la voluntad del Gobierno del Iraq de continuar concretando avances adicionales como lo ha hecho hasta ahora en el mundo del trabajo de ese país bajo los principios de soberanía, autodeterminación y no injerencia.

Finalmente, es importante recordar que el cumplimiento de los convenios fundamentales requiere la implementación de medidas legislativas y políticas para garantizar el respeto de estos derechos en la práctica, por lo que alentamos a continuar promoviendo el diálogo social entre los distintos actores del mundo del trabajo en el país y que la OIT brinda asistencia técnica con medidas constructivas objetivas ajustadas a derecho que permitan consolidar las

Interprétation de l'arabe: **Président** – Je donne à présent la parole au représentant des travailleurs de la Tunisie, M. Hfaiedh Hfaiedh.

Interprétation de l'arabe: **Membre travailleur, Tunisie (M. HFAIEDH)** – Nous examinons aujourd'hui le cas de l'application de la convention n° 87 par le gouvernement iraquien, qui n'a

adhéré à la convention que depuis huit ans. À cet effet, des questions légitimes se posent sur l'application de cette convention dans la pratique.

Vous savez que la loi en vigueur actuellement accorde à une fédération les prérogatives de la représentation syndicale et ne reconnaît pas le pluralisme syndical. Ce pluralisme est devenu, depuis de nombreuses années une réalité qu'il n'est pas possible de renier dans le pays. Il n'est pas possible d'ignorer certains ordres ou décrets administratifs officiels publiés par de nombreuses entités gouvernementales qui invitent à traiter uniquement avec cette fédération qui monopolise l'action syndicale depuis deux ans et dont il est inutile de mentionner les résultats. À la lumière de cela, il n'est plus possible d'attendre encore. En effet, c'est une question qui porte sur les intérêts des travailleurs et leur droit de choisir ceux qui les représentent en toute liberté, loin de toute approche arbitraire et d'accorder le monopole à un seul syndicat.

Le mouvement syndical mondial ainsi que l'Organisation internationale du Travail ont déployé de nombreux efforts pour ce qui est de mettre en application la convention sur le terrain. Nous rappelons les efforts déployés par l'OIT sur le plan technique pour apporter son assistance. Ceci a abouti à l'adoption d'une feuille de route qui reflète les engagements de l'Iraq sur le plan international.

La question se pose: qu'en est-il de la feuille de route que nous venons de mentionner? Et pourquoi est-ce que le gouvernement iraquien n'a-t-il pas suspendu l'application des dispositions qui interdisent le pluralisme syndical? Nous considérons qu'il n'y a aucune justification à cela.

C'est pourquoi il est nécessaire d'envoyer une commission technique de l'OIT en Iraq pour accélérer l'amendement de la loi et apporter l'assistance à cet effet.

*Interprétation de l'arabe: **Président*** – À présent, je donne la parole au représentant du gouvernement du Maroc, M. Abdellah Kmimech.

*Interprétation de l'arabe: **Membre gouvernemental, Maroc (M. KMIMECH)*** – Nous exprimons nos remerciements au gouvernement iraquien pour les informations importantes qui nous ont été fournies et qui reflètent l'engagement à coopérer avec les mécanismes de l'OIT.

De même, nous estimons grandement les efforts déployés, que ce soit ce qui a déjà été mis en application ou ce qui est prévu, et ce afin de garantir l'application des observations et recommandations de la Commission de l'application des normes.

Cette commission a émis des observations importantes que nous apprécions grandement, y voyant une contribution constructive à l'appui aux États Membres pour promouvoir le respect des normes internationales.

De même, nous voudrions saluer le rôle essentiel que joue la commission d'experts pour ce qui est du suivi de l'application des normes internationales du travail de façon à contribuer à la promotion d'un environnement du travail propice et la réalisation de la justice sociale. À cet égard, les remarques de la commission d'experts dans le cas de l'Iraq ont mis l'accent sur nombre de points essentiels et prometteurs.

En écoutant les réponses du gouvernement, nous notons avec appréciation le fait qu'il a pris des mesures pour l'élaboration d'un nouveau projet de loi pour les syndicats en consultation avec l'OIT et les entités pertinentes sur le plan national. Ce projet de loi, jusqu'à présent, a été examiné à deux reprises au sein du Parlement, des ateliers ont été organisés et des amendements techniques ont été apportés à ce texte de loi.

L'Iraq respecte complètement la convention n° 87. Ce respect est garanti explicitement par l'article 22 de la Constitution iraquienne de 2005 ainsi que les autres législations nationales

pertinentes, y compris le cadre législatif des droits et libertés syndicales qui figurent au Code du travail iraquien n° 37 de 2015.

Ceci contribue à la réalisation d'un environnement de travail juste et durable, où les droits fondamentaux des travailleurs sont respectés, y compris ceux des travailleurs étrangers. Ces droits comprennent notamment le droit à la liberté syndicale, à la négociation collective, à la liberté d'expression et la contribution à la prise de décision qui impactent leur vie professionnelle.

En conclusion, le Royaume du Maroc appuie les efforts et les mesures prises par l'État iraquien de façon à promouvoir cette réforme qui pourrait répondre aux questions ayant fait l'objet des remarques de la commission d'experts. De même l'OIT est invitée à poursuivre la coopération technique avec les partenaires irakiens de façon à promouvoir le dialogue social ainsi que les libertés et les droits syndicaux. Cela permettra de consacrer le travail décent en Iraq et de contribuer à réaliser ses aspirations afin de devenir un modèle à suivre en matière de liberté et de pluralisme syndical et de liberté de création d'organisations syndicales indépendantes à tous les niveaux.

Président – J'invite la distinguée déléguée travailleuse de la Norvège, M^{me} Nina Mjøberg, à prendre la parole.

Worker member, Norway (Ms MJØBERG) – I speak on behalf of the trade unions in the Nordic countries.

We stand here once again to address the violation by the Iraqi Government of the international labour Convention No. 87 which it ratified in 2018.

As a reminder, the Committee of Experts in 2023 confirmed the necessity for Iraq to comply with international standards regarding Conventions Nos 87 and 98 which concerned the right to freedom of association and collective bargaining. All previous reports of the

Committee of Experts have emphasized the need to repeal the unjust trade union Law No. 52 of 1987 and to adopt a new modern and fair law that includes all sectors of production, whether public, private, cooperative or mixed. The reports also stressed the right to collective bargaining to defend the rights and interests of the Iraqi workers.

The International Labour Organization has fully exhausted all efforts to assist in translating Iraq's commitment to Convention No. 87 into practice through a road map and a plan with six recommendations. Yet we see no convincing justifications for this ongoing delay in their implementation.

Today, in this hall, we inform you that the Iraqi trade unions continue to face the unjust provisions of Law No. 52 of 1987 which favours a particular union over others. So how can we speak of free trade unionism under laws that prohibit union representation in the public sector and civil service? And how can it be justified to grant one federation the exclusive authority of trade union representation in a labour market that is broad and inclusive enough for all? We strongly urge the activation of the six recommendations jointly adopted by the ILO and the Iraqi Government. For this reason, we urge the Government to receive technical assistance from ILO to establish an implementation timetable, and to suspend the unjust legal provisions to open the way for genuine trade union pluralism.

Interprétation de l'arabe: **Président** – Je donne la parole au représentant du gouvernement du Liban, M. Hazem Abdel Samad.

Interpretation from Arabic: **Government member, Lebanon (Mr ABDEL SAMAD)** – Lebanon would like to thank the Government for all the efforts made to implement Convention No. 87.

We commend the measures taken by the Government to respect international labour standards and modernize its legislation in line with the Convention and the recommendations

issued by the Organization and its competent bodies. These measures include reaffirming the constitutional commitment to trade union freedom and pluralism, drafting a new Trade Union Law in consultation with the ILO and relevant national authorities; and reactivating the National Trade Unions Council that is involved.

Lebanon welcomes the statement made by Iraq about setting up a Social Dialogue Forum in 2025, with the ILO's support. This Forum represents is a democratic platform for sustainable dialogue to achieve social justice.

We would like to encourage Iraq to continue its reform of the labour sector, particularly with regard to strengthening legal frameworks and enforcement mechanisms aimed at enhancing transparency and building the capacities of trade unions. We urge the Iraqi authorities to enhance their collaboration with the ILO and their specialized committees as well as to foster constructive social dialogue in order to promote a world of work that provides for social justice. We wish Iraq, our brother country, much stability and success in this process of development.

Président – J'invite le distingué délégué travailleur de l'Espagne, M. Ramiro Ulises Vega Díaz, à prendre la parole.

Miembro trabajador, España (Sr. VEGA) - El Iraq ratificó el Convenio en 2018.

Sin embargo, la situación actual respecto de su aplicación efectiva presenta evidentes incumplimientos y resulta insuficiente el camino que el Gobierno ha emprendido en estos primeros años desde su ratificación.

Existen sindicatos representativos en el Iraq que sin embargo se enfrentan a una discriminación injustificada debido a la práctica del Gobierno de favorecer a un solo sindicato sobre el resto otorgándole privilegios legales inaceptables.

El Iraq atraviesa un momento de oportunidades de apertura con la aprobación en los últimos tiempos de diferentes normas destinadas a ampliar las bases de las libertades en el país.

En este contexto es fundamental que el Iraq no sea parte de lo establecido en el Convenio y asuma un compromiso completo con el plan de acción bilateral resultado de numerosas sesiones y diálogos entre la OIT y el Gobierno.

Las organizaciones sindicales que padecen la exclusión en la participación por parte del Gobierno han expresado un gran descontento debido a la dilación respecto de la implementación de este plan de acción bilateral.

Como trabajadores creemos que la aplicación efectiva del Convenio no puede alcanzarse sin un diálogo real con todos los sindicatos verdaderamente representativos.

No es posible abordar los retos de la sociedad iraquí —como mejorar las condiciones laborales, la productividad y la competitividad— mientras a la gran mayoría de la fuerza laboral, tanto del sector privado, como de la administración pública, se le niega el derecho a organizarse.

Las organizaciones sindicales iraquíes han dado muestras suficientes de sus compromisos con el diálogo y la negociación, y en este sentido solicitamos el envío de una misión técnica de la OIT para establecer lo antes posible un calendario claro para la implementación de la hoja de ruta acordada entre el Gobierno y la OIT.

Por último, instamos al Gobierno del Iraq a suspender las disposiciones que otorgan injustificadamente la supremacía a un sindicato en detrimento de los demás.

Interprétation de l'arabe: **Président** – Je donne la parole au représentant du gouvernement de la Tunisie, M. Nouredine Triki.

Interprétation de l'arabe: **Représentant gouvernemental, Tunisie (M. TRIKI)** – Mon pays prend note des informations fournies par le gouvernement sur l'application de la convention n° 87.

Nous saluons le projet de loi élaboré par les autorités irakiennes et qui tente de procéder à une réforme à travers la création ou la promulgation d'une nouvelle loi pour les syndicats en consultation avec l'OIT et les entités concernées.

Nous appuyons les réformes menées notamment pour ce qui est de la reconnaissance du pluralisme syndical, le droit à créer des syndicats et d'y adhérer en toute liberté en garantissant l'indépendance des syndicats tout en élaborant des normes claires et justes pour l'enregistrement des syndicats.

Nous apprécions l'activation du Conseil national des syndicats et la création du Forum de dialogue social national lancé au cours de cette année avec le soutien de l'OIT.

Ma délégation salue les engagements du gouvernement qui visent à poursuivre les réformes, à appuyer le développement des syndicats et à promouvoir le travail décent et la justice sociale tout en prenant en compte les remarques et les conclusions de cette commission et de la commission d'experts.

Président – J'invite à présent la distinguée représentante de la Chine, M^{me} Wenjing Li, à prendre la parole.

Interpretation from Chinese: **Government member, China (Ms LI)** – We thank the Government representative for the presentation. We have also carefully reviewed the report of the Committee of Experts as well as the written information submitted by the Government to this Committee.

We note that a competent Committee has been established in Iraq, chaired by the Director-General of the Legal Department of the Ministry of Labour and composed of representatives from relevant departments. Representatives from the Labour and Civil Society Organizations Committee of Parliament, trade unions and various departments of the Ministry of Labour also participate in this Committee.

The said Committee aims to prepare the final draft of the trade union law. During this process, trade unions have actively participated in the consultations and their positions and voices have been taken seriously. The Trade Union Council represents all trade unions. All trade unions enjoy the possibility to join the official Iraqi delegation to the LLC and take part in all activities organized by the Ministry of Labour. The Ministry of Labour also participates in all activities held by trade unions. A sound relationship of cooperation and communication between the ministry and the unions has been established and well-maintained which China commands.

The Government has earnestly fulfilled its obligations under the Convention, taken seriously the views of the ILO and relevant Committees and implemented concrete measures to enhance effective communication and dialogue between the Government and trade unions. This is of great significance for safeguarding the rights and interests of workers in the country.

We support the ILO Secretariat and its supervisory mechanism in maintaining constructive dialogue and cooperation with the Iraqi Government, providing the necessary technical assistance to further promote the country's economic and social development and enhance its capacity to fulfil its obligations under the Convention.

Interprétation de l'arabe: **Président** – Je donne la parole à la représentante du gouvernement d'Oman, M^{me} Maha Sultan Al Alawi.

Interpretation from Arabic: **Government member, Oman (Ms AL ALAWI)** – The Sultanate of Oman appreciates the efforts made by the Government to enhance its compliance with the provisions of the ILO Convention No. 87.

We also appreciate the Government's commitment to developing a working environment in line with international standards. In this context, our delegation reviewed with interest the report that was submitted and we commend the information it contains about the draft Trade Union Law that is being prepared in cooperation with the ILO. We have to note that this draft law aims to promote the trade union pluralism and guarantee freedom of association in line with Article 2 of this Convention.

The Sultanate of Oman affirms its support for the fundamental principles upon which the ILO is based, including the promotion of trade union rights and decent work. We also encourage continuous constructive dialogue and technical cooperation between the ILO and the Member States, which will facilitate the sharing of progress and contribute to the achievement of the Sustainable Development Goals.

Président – La parole est accordée à présent au distingué représentant de la République islamique d'Iran, M. Ehsanollah Hasheminejad. Apparemment le distingué représentant de l'Iran n'est pas dans la salle.

(L'orateur poursuit en arabe.)

Interprétation de l'arabe: **Président** – Je donne la parole à la représentante du gouvernement de l'Égypte, M^{me} Dina Mahmoud Abdeltawab.

Interpretation from Arabic: **Government member, Egypt (Ms ABDELTAWAB)** – We have taken note of the efforts and measures taken by the Government to implement Convention No. 87.

We express deep appreciation for the Government's efforts to achieve full compliance with the provisions of the Convention as well as its constitutional and international commitments.

The legislative reforms taken by the Government translate its full commitment to ILO Convention No. 87 and the Iraqi Constitution which guarantees in its article 22(3) freedom of association and the trade union pluralism.

The Government has also drafted a Trade Union Law in consultation with the ILO as well as national stakeholders so that it replaces the old Law No. 52 of 1987. This law recognizes trade union pluralism and the right to freely form and join unions. It also guarantees the independence of trade unions and protects them from government interference. Moreover, it establishes clear and fair criteria for union registration in accordance with Article 2 of Convention No. 87. The Government intends to move forward towards implementing these reforms.

The Government is activating the National Council of Trade Unions which includes 11 major union federations and associations. This council will play an advisory and coordinating role including reviewing the legislation and ensuring tripartite dialogue.

We have noted with interest the progress made by the Government and its determination to continue working with the ILO. It has launched the National Social Dialogue Forum in March 2025 with the ILO support. This forum represents a democratic platform for sustainable dialogue on labour legislation, social justice and policymaking.

The Government of Iraq also hosted a high-level ILO mission in Baghdad in April 2024. It has also conducted a study visit to Geneva in September 2024.

The ILO supported also a road map including trade union capacity-building.

Egypt congratulates the positive measures taken by the Government, including the registration of a number of unions and federations in accordance with national procedures and the development of a database to enhance transparency and simplify registration procedures.

We hope that this Committee will take into account the challenges mentioned by the Government such as limited union awareness, lack of capacity-building and the impact of security and political factors. We appreciate the efforts made by the Government of Iraq to maintain its full commitment to completing the reforms and supporting the development of unions.

*Interprétation de l'arabe: **Président*** – Je donne la parole au représentant du gouvernement du Soudan, M. Mohammed Hamad Mohammed Ahmed.

*Interpretation from Arabic: **Government member, Sudan (Mr AHMED)*** – We would like to thank the Government representative for the presentation made and express our support to the Government in implementing the provisions of Convention No. 87. This has been reflected in the presentation made about the procedures and measures taken in cooperation with social partners.

The establishment of a national Committee, composed of representatives of trade unions as well as representatives of the Parliament, is a very important and positive step towards social dialogue.

We would like also to commend the establishment or the enactment of a new draft law on trade unions in cooperation with the ILO as well as the employers and workers. This reflects a clear spirit of the Convention we are addressing today.

We would like to thank the Government for its cooperation with the ILO and we call upon pursuing these efforts.

Interprétation de l'arabe: **Président** – Je donne la parole à la représentante du gouvernement de l'Arabie saoudite, M^{me} Manal Alkhaibary.

Interpretation from Arabic: **Government member, Saudi Arabia (Ms ALKHAIBARY)** – My delegation took note of the clarifications provided by the Government representative and we welcome the positive steps taken to enhance the work environment and improve the legal framework related to social partners.

My delegation commends the legislative progress, such as the preparation of a new draft law in consultation with the ILO, which reflects a clear commitment to a serious and comprehensive reform process.

We also commend the important developments at the institutional level including, the activation of the Advisory Council comprising the national stakeholders and the establishment of the National Forum for Social Dialogue.

We commend the active partnership between the Government and the ILO and the efforts made to facilitate the procedure for registration. In light of the above, we affirm the Kingdom's support for the ongoing reform process and we call for continuous constructive cooperation with the ILO to contribute to the promotion of social justice and decent work for all.

Président – Je donne la parole à la distinguée représentante de la Confédération syndicale internationale (CSI), M^{me} Karunapikai Anantharasa.

Observer, International Trade Union Confederation (ITUC) (Ms ANANTHARASA) – We rise once again to express a deep concern regarding Iraq's continued violation of international labour Convention No. 87 despite its ratification in 2018.

Seven years have passed yet Iraq has failed to implement the Convention's core provisions in national legislation. This delay is not only unjustified, it is harmful.

Trade unions in Iraq that are active, credible and committed to peaceful and constructive engagement continue to face systematic exclusion and legal discrimination.

The existing trade union law, No. 52 of 1987 remains in force. This outdated law grants exclusive representation rights to a single union and denies public sector workers who make up the majority of Iraqi workforce the fundamental right to organize. This stands in direct contradiction to Iraq's democratic evolution and political pluralism. If Iraq recognizes political pluralism, why not trade union pluralism?

The International Labour Organization and the broader trade union movement have done their part. A joint road map with six clear recommendations was agreed between the ILO and the Iraqi Government. Yet implementation has stalled without credible explanation.

The Committee on the application of standards has already called for urgent repeal of Law No. 52 and the adoption of a modern inclusive law that covers all sectors, public, private, cooperatives and mixed.

It is time to move from dialogue to action. We call for the immediate dispatch of a technical ILO mission to assist in implementing the road map setting a clear timeline and ensuring transparency.

We also strongly urge the Iraqi Government to suspend all discriminatory provisions in force and guarantee equal rights to all unions in law and in practice. Workers in Iraq deserve the same freedom we defend here today. Let us not allow further delay to erode their rights.

Président – Je donne la parole au distingué représentant d'IndustriAL, M. Hector Mareque.

Observer, IndustriALL Global Union (Mr MAREQUE) – I am speaking on behalf of the Industrial Global Union which has affiliates in the energy and industrial sectors in Iraq.

Freedom of association and collective bargaining are fundamental workers' rights. This means unequivocally that workers in Iraq should not be subjected to laws restricting them from joining the union of their choice or bargain for their working conditions.

We are firmly convinced that the reasons for the delay in translating Convention No. 87 into Iraq national law are almost absent.

IndustriALL's, Iraqi affiliated unions along with the entire union movement in the country do not deserve any procrastination, especially given their commitment to constructive social dialogue. Moreover, through their participation in most of the dialogues with Iraqi official bodies, Iraqi unions have demonstrated their ability to both improve working conditions and strengthen competitiveness. Iraq's failure to align with international labour standards and its exclusion of public sector employees from forming trade unions is both discriminatory and regressive.

We call on the Government to implement the six recommendations issued by the direct contact submission in May of 2023, which included the call for the creation of the technical committee for the elaboration of the draft trade unions law, the strengthening of the coordination council, the establishment of an inclusive tripartite forum, the creation of a network of relevant public authorities and bodies, the launching of ILO supported training programmes and conducting awareness-raising and communications campaigns.

The Government must adopt the new trade union law without further delay. Workers cannot wait any longer for their fundamental right to freedom of association and the right to organize to be fully recognized and protected.

We call for the urgent dispatch of a technical mission to help expedite the implementation of these recommendations. At the same time, we call on the Government to engage with

unions in genuine dialogue to achieve an enabling environment respecting international workers' rights and the full realization of Convention No. 87 in the country.

Président – Je ne vois pas d'autres orateurs inscrits dans la liste.

Interprétation de l'arabe: **Président** – J'ai l'honneur à présent de donner encore une fois la parole au représentant du gouvernement de l'Iraq, M. Ahmed Al-Lami pour sa déclaration finale.

Interpretation from Arabic: **Government representative (Mr AL-LAMI)** – We have taken note of the remarks made by the representatives of workers, employers and governments. Each of these contributions was valuable, and we will give them due consideration. Regrettably, some comments appear to have been based on unofficial or outdated sources of information. Regardless, it is important to recall that the Republic of Iraq has been a Member of the ILO since 1932 – one of the first countries in our region to join. To date, Iraq has ratified 72 international labour Conventions, including all eight core or fundamental Conventions. Of these, 56 remain in force. Since 2003, Iraq has been undergoing a significant transformation aimed at building a democratic state.

In 2005, following a vote by the Iraqi people, we promulgated a new Constitution. This marked a pivotal step toward democracy, though the journey has not been without serious challenges – some of which could be described as existential. Nevertheless, both the Government and the people of Iraq have remained committed to democratic development. We have enacted a range of laws to safeguard political, social and economic freedoms. We hold elections every four years, and our most recent elections resulted in the formation of a new government. Iraq also has a law on political parties and an independent electoral commission that oversees the electoral process.

Freedom of association is one of many rights enshrined in our Constitution, and it is protected alongside other fundamental freedoms. Within both the government and parliament, we are working constantly to strengthen our multiparty democratic system. Some participants in this debate may not be fully aware of the current realities in Iraq. However, we can assure that trade union pluralism exists and is actively put in practice by the people.

We have two articles in the current legislation that safeguard these matters - articles 42 and 44 - which address trade union pluralism and collective bargaining. Our delegation is not composed of representatives from a single union; rather, it includes members from several trade unions. At the Ministry, we maintain an open-door policy for all workers' organizations and trade unions. We are in continuous dialogue with them and welcome their engagement. Our commitment to inclusive dialogue extends beyond national trade unions - we also maintain active communication with the relevant departments of the ILO. I would like to take this opportunity to express our sincere gratitude to the ILO, whose technical support has enabled the Government to develop appropriate legislation on these important issues.

Our judiciary operates independently and is guided solely by the law. There is no interference in judicial proceedings, and our courts interpret and apply the law as they deem appropriate.

Regarding the legal standing of trade unionists, I want to emphasize that no trade unionist has ever been imprisoned in our country for expressing views that may differ from those of the Government. We operate strictly within the framework of the law and remain committed to upholding it.

We look forward to continuing to benefit from technical support from the ILO, both here in Geneva and through its regional offices in Baghdad and Lebanon.

Interprétation de l'arabe: **Président** – Merci beaucoup, M. Ahmed Al-Lami, pour cette intervention. Je remercie également la délégation qui vous accompagne d'avoir participé aux travaux de cette commission et pour les informations que vous nous avez fournies.

(L'orateur poursuit en français.)

Président – J'invite les deux porte-parole à faire leurs déclarations finales. Je donne la parole à M. Mackay, porte-parole des employeurs, pour sa déclaration finale.

Employer members – The employer members express warm thanks to the Government for the information provided and the explanations given to this Committee. We will be brief because what we are looking at here is a general consensus.

There is a lot of common comment around the room that Iraq has taken heed of the advice and support that has been given by the ILO. It is working in the right direction. It is heading towards the compliance that has always been sought. It is working on the issues that need to be resolved to become compliant with Convention No. 87 and the employer members think the downside, if we were to call it that, is that the calls are for getting this done quicker rather than at the speed it is at.

So the calls are really to continue to work with the ILO to make as much use of the ILO as possible to expedite the finalization of the Trade Union Act, to use the Social Dialogue Forum in the ways that the Government has described to bring about the kind of consensus and understanding that is necessary for everything and then lastly to do the things that we were recommending before, to complete that work on the trade union law, to provide some assurances just for completeness that the Government participation in union activities is compliant rather than offending Article 3, provide assurances that worker and employer representatives attending the International Labour Conference are selected in consultation with the Trade Union Council which I understand to be the peak body for the union movement

and also to provide the information that several commentators have talked about in relation to the status of a small number of unionists who have been in some form of dispute, to make sure that as the Government representative has stated, these people are not in jail or being penalized unduly. The employer members also take note that the Government representative has indicated that their situation will be dealt with in accordance with the new law which – as also stated – is not there yet. So, those things need to be brought together.

Président – Je donne la parole à M^{me} Clare Middlemas, porte-parole des travailleurs, pour sa déclaration finale.

Worker members – We thank all the speakers and in particular the representative of the Government for the written and oral information he was able to provide us.

We have noted with concern the prosecution of leaders and representatives of independent trade union federations. This testifies to a climate in Iraq that is not yet conducive to the full exercise of freedom of association. It is essential that trade unionists be able to carry out legitimate trade union activities without fear of prosecution and thus exposure to prison sentences and fines. We also noted the encouraging developments in the ongoing legislative reforms.

Taking into account our discussions, we would like to make the following recommendations to the Government.

First, ensure that all measures are taken to ensure an environment conducive to the exercise of freedom of association. This includes ensuring that no union member or leader is subject to arrest, detention or criminal prosecution for their legitimate trade union activities. Proceedings against trade union leaders and representatives of independent trade union federations for their legitimate trade union activities should be immediately dropped.

The Government must also adopt measures to provide for the necessary safeguards to address manifestly unfounded or abusive court proceedings in full respect of democratic values and fundamental rights including the rights of freedom of association and to provide remedies against abusive court proceedings and to impose effective, proportionate and dissuasive penalties on the party who initiated abusive court proceedings.

We also call on the Government to adopt the draft law on trade unions without further delay in consultation with the social partners.

This draft law should meet all the guarantees required by the Convention including the full recognition of trade union rights of public servants and trade union pluralism, the recognition of the trade union rights of foreign workers, the absence of restrictions on the right of certain professions to form trade unions, the guarantee that the minimum number of members required for the formation of unions is set at a reasonable level, the recognition of the right of workers to form independent union organizations at all levels and respect for the autonomous functioning of such organizations.

We call on the Government to work with the ILO to implement these recommendations and to continue to avail itself of ILO technical assistance including a technical mission to expedite and set clear time frames for the implementation of these recommendations.

We also request the Government to submit a detailed report to the Committee of Experts by 1 September 2025 on the measures taken to implement the recommendations made.

Président – Nous avons maintenant terminé la discussion de ce cas individuel. Les conclusions seront adoptées dans la matinée du jeudi 12 juin.

Nous avons terminé l'examen des cas à notre ordre du jour. Je tiens à vous remercier toutes et tous pour votre coopération et l'esprit constructif avec lequel notre commission poursuit ses travaux.

Nous nous retrouverons demain à 10 heures pour l'examen par la commission des cas individuels suivants:

- Malaisie concernant l'application de la convention (n° 98) sur le droit d'organisation et de négociation collective, 1949;
- Népal concernant l'application de la convention (n° 98) sur le droit d'organisation et de négociation collective, 1949;
- Nicaragua concernant l'application de la convention (n° 169) relative aux peuples indigènes et tribaux, 1989;
- Ouzbékistan concernant l'application de la convention (n° 81) sur l'inspection du travail, 1947, et convention (n° 129) sur l'inspection du travail (agriculture), 1969;
- État plurinational de Bolivie concernant l'application de la convention (n° 162) sur l'amiante, 1986, et convention (n° 167) sur la sécurité et la santé dans la construction, 1988.

La séance est levée à 19 h 30.

The sitting closed at 7.30 p.m.

Se levantó la sesión a las 19.30 horas.