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Towards extending social security among informal workers in Federal Iraq: A focus on the agriculture, construction and manufacturing sectors

Key Messages:

- Informal workers in the agriculture, construction and manufacturing sectors in Federal Iraq each face substantial decent work deficits. Limited social security coverage is one of the most salient barriers to pursuing decent work for the transition to the formal economy in the agriculture, construction and manufacturing sectors in Federal Iraq.
- One of the steps taken towards improving social security coverage among informal workers in Federal Iraq was the adoption of the new Retirement and Social Security Law for Workers No. 18 of 2023. This law stipulates optional social insurance coverage to reach additional categories of private and mixed sector workers, including those operating in the informal economy. However, the effective coverage remains limited.
- Barriers to the effective coverage of informal workers in the three sectors include complex administrative procedures; inadequate financing arrangements; inadequate range of benefits for specific risks; a lack of information, awareness and trust; limited benefits for formal business units; limited institutional capacities for implementation and enforcement; and a lack of representation and organization.
- While there are common barriers across the three sectors, the varied nature of jobs and worker profiles create differentiated sources of vulnerability and determine specific social security needs of the respective workers.
- Identifying and addressing the barriers that informal workers face in enroling and participating in social security is essential to ensuring rights-based social protection, improving working conditions, safeguarding livelihoods and promoting progressive formalization. This can be accomplished by recognizing both sector-specific challenges and the unique lifecycle risks in the agriculture, construction and manufacturing sectors.

Background

The persistence – and even growth – of employment informality in Iraq[1] calls for urgent attention towards the double challenge of extending legal and effective social security coverage to informal workers and facilitating their transition to formality. This policy brief is intended to support policymakers in Federal Iraq to develop policy, regulatory and administrative solutions to improve social security coverage of informal workers in the agriculture, construction and manufacturing sectors. It draws on findings from in-depth policy reports for each of the three sectors which focus on specific types of workers: own-account workers and unpaid family workers in the agriculture sector, casual workers in the construction sector and wage workers in the manufacturing sector. The policy reports relied on a descriptive analysis of

1 In this policy brief, the term 'Iraq' refers to both Federal Iraq and the Kurdistan Region of Iraq. 'Federal Iraq' specifically denotes the area excluding the Kurdistan Region.

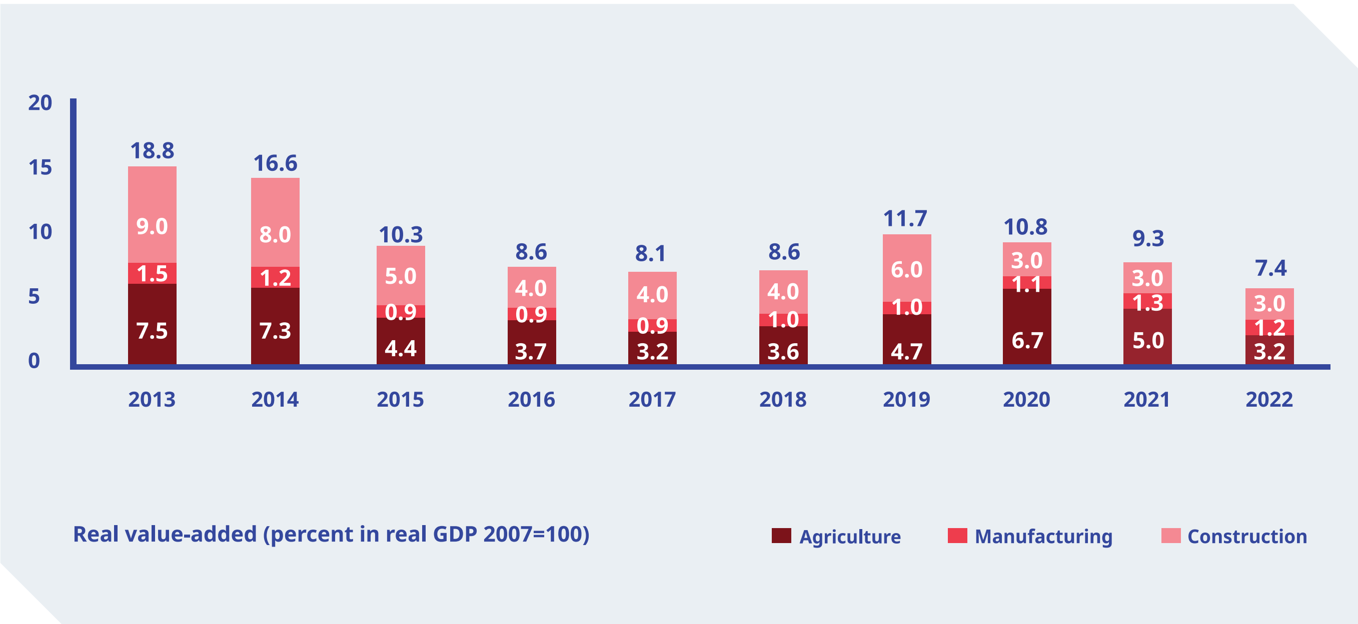
the Iraq Labour Force Survey (LFS) 2021 (CSO, KRSO, ILO 2022) and a qualitative analysis consisting of in-depth interviews, focus-group discussions and key informant interviews (ILO a, b, c. Forthcoming). By summarizing the main barriers to social security coverage for these workers, this policy brief discusses areas of opportunity and challenges for extending social security coverage within the context of the new legislative framework and provides evidence-based recommendations on the way forward. This policy brief, and the subordinating policy reports, are a result of the cooperation between the ILO and Overseas Development Institute (ODI) Global. Their joint Social Protection Programme for Iraq "Leveraging Effective Response and Accelerating Reform" is funded by the European Union[2].

Macroeconomic background on the agriculture, manufacturing and construction sector

The labour market in Iraq is tilted heavily towards employment informality. Public sector employment is universally formal and covered by social security. However, according to the 2021 Iraq Labour Force Survey, approximately two-thirds (66 per cent) of the private sector workforce consists of informal employment. This includes employers and own-account workers managing an enterprise in the informal sector, as well as all workers receiving no social security contributions from the employer, irrespective of the formal or informal nature of the enterprise in which they work.

Workers in the three sectors are predominantly informal, consisting of 99 per cent of agricultural workers, 96 per cent of the construction workers, and 86 per cent of manufacturing workers. While these sectors used to be vital to Iraq's economy, their contribution to the Gross Domestic Product (GDP), i.e., their value-added has fluctuated in recent years exhibiting an important downward trend, as shown in figure 1. The real value-added of the construction sector dropped from 9 per cent of GDP in 2013 to 3 per cent in 2021. That of the agriculture fell from 7.5 per cent in 2013 to 3.2 per cent in 2022, that of the manufacturing stagnated at around 1.5–1.2 per cent during the same period. The three sectors altogether represented 7.4 per cent of GDP in 2022. Against this declining contribution to GDP, these sectors remain the three largest employment sectors, employing around a third of the total workforce in Iraq, and around half of the private sector workforce (figure 2).

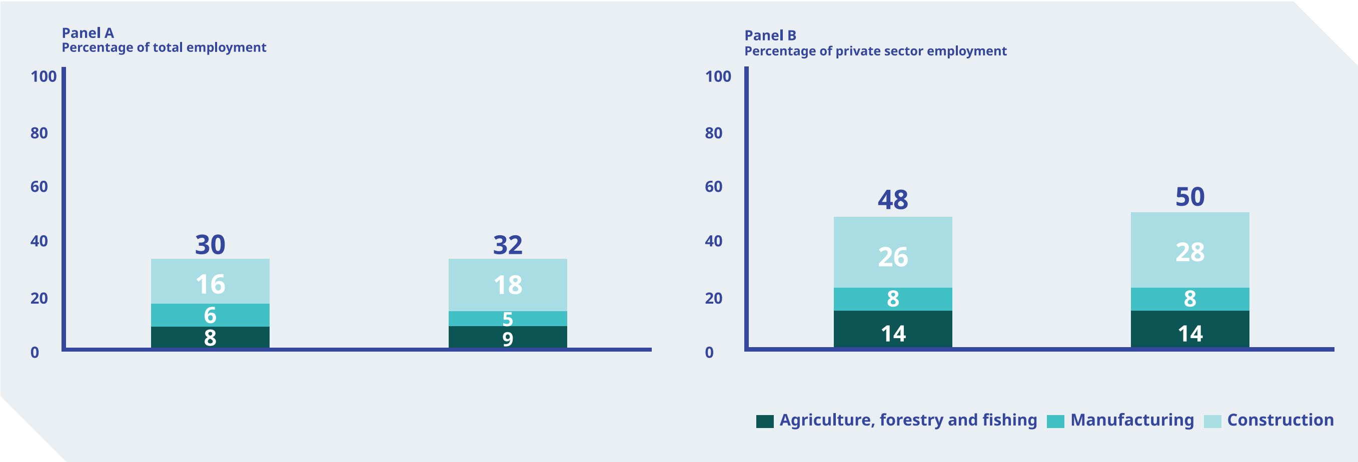
Figure 1. Contribution to GDP in percentage, 2007 constant prices



Source: Authors, adapted from the Iraq 2022–2023 Statistical Collection (available at: cosit.gov.iq/documents/AAS2023/14.pdf).

2 More information on this joint programme can be found at https://www.ilo.org/projects-and-partnerships/projects/social-protection-programme iraq-leveraging-effective-response-and-0.

Figure 2. Share of employment in the agriculture, construction and manufacturing sectors (in percentage of workers)



Source: Authors, adapted from Iraq Labour Force Survey 2021 (CSO, KRSO, and ILO 2022).

Box 1. The Retirement and Social Security Law for Workers No. 18, 2023

One of the steps taken towards improving social security coverage in Federal Iraq was the adoption of the new Retirement and Social Security Law for Workers No. 18 of 2023. In addition to introducing new short-term social security benefits for maternity, unemployment and health protection for formal economy workers, the law stipulates that optional social insurance coverage should extend to additional categories of workers, including self-employed, own-account workers, contributing family members and those working in the informal economy (UNESCWA 2024). The optional scheme under the new law allows the above-mentioned categories of workers to enrol in old-age income protection and fixes the contribution rate for informal workers at 5 per cent paid by the worker, and 15 per cent paid by the government. The law does not offer the possibility to opt for other social security benefits, including maternity, occupational injury or health protection, under the optional scheme. Further details and instructions related to the implementation of this optional social insurance coverage will be determined by the Ministry of Labour and Social Affairs based on a proposal from the Board of Directors of the Fund (Iraq 2023).

In each of these sectors, focus was on the most predominant but also the most precarious types of employment: i) 79 per cent of the agricultural workforce are own-account workers and unpaid family workers; ii) 57 per cent of the construction workforce are casual wage workers; and iii) 53 per cent of the manufacturing workforce are wage workers. Each of these groups remain largely unregulated and unprotected due to varied reasons, including members who face additional vulnerabilities (such as women, young workers and people with disabilities). All of this leads to important implications for workers' rights and welfare, for the functioning of the labour market, and for generating sustainable job-rich growth for Iraq's economy.

Labour market and demographic characteristics of workers in the agriculture, construction and manufacturing sectors in Federal Iraq

General labour market and demographic characteristics: The agriculture sector contributed 5 per cent to Iraq's real GDP in 2021, representing 14 per cent of private sector jobs in Federal Iraq in 2021. This sector employed around 609,907 workers, primarily in rural areas (83 per cent) and particularly in Baghdad, Salah al-Din, Wasit, and Babil. Most of these workers are engaged in crop and livestock production. The agricultural workforce is mainly composed of own-account workers, and contributing family members which make up 79 per cent of the sector. The construction sector accounted for 3 per cent of real GDP in 2021. It was a major employer, representing 18 per cent of total employment and 28 per cent of private sector jobs, equating to approximately 1.26 million workers in Federal Iraq. The sector is primarily urban, with a concentration in major cities like Baghdad, Ninawa, and Babil. Manufacturing's contribution stagnates at 1 per cent of Iraq's real GDP. The sector employs about 421,000 workers, making up 6 per cent of total employment and 8 per cent of private sector jobs in Federal Iraq. The manufacturing workforce is concentrated in urban areas, particularly in Baghdad and Salah al-Din and is engaged primarily in craft and related trade work, with significant representation in food processing and metal fabrication.

Age, education and gender: The agricultural workforce is older, with own-account workers averaging 44 years old for both men and women and contributing family members averaging between 27 years old for men and 35 years old for women. The agricultural workforce is characterized by low educational levels, with 85 per cent having primary education or less. Women represent 24 per cent of the workforce, mainly as contributing family members. Like the agriculture sector, the construction sector workforce has a low level of education, with nearly half of the workers being illiterate. In contrast, the construction workforce is younger than the agricultural workforce, with an average age of 29 years. The young age profile for employees in this sector may indicate that it plays an important role as a stepping stone for new labour market entrants given the substantially high unemployment ratio in Iraq, especially among youth aged 15 to 24 (35.8 per cent) (CSO, KRSO and ILO 2022). Women rarely work in this sector, making up only 0.3 per cent of waged jobs. Most workers are employed in informal microenterprises of one to four workers and work takes place at the client's or employer's home, suggesting that these workers are mostly households that undertake construction activities (UNESCO 2019). The sector's reliance on casual labour further reduces job security and stability, contributing to the overall vulnerability of the workforce. The manufacturing waged workforce is also dominated by men, who make up 99 per cent of employees. Education levels are slightly higher than in both construction and agriculture sectors, with around 38 per cent having elementary education and above. Manufacturing employees are highly concentrated in small, informal enterprises and their primary occupations involve craft and machine operations.

Hours of work and wages: There is a difference in the usual hours of work per week across sectors. Employees in the manufacturing sector usually perform longer usual hours of work than the two study groups in construction and agriculture sectors. For instance, employees in the manufacturing sector in Federal Iraq work an average of 48 hours of work per week on average, compared to around 40 hours per week performed by casual workers in the construction sector, and much shorter hours per week in the agriculture sector, namely 30 hours per week among own-account workers and 22 hours per week among contributing family members. Both the agriculture and construction sectors have a high level of working poverty, with 72 per cent of their workers classified as low-income. The manufacturing sector's working poverty is relatively lower at 52.6 per cent (CSO, KRSO and ILO 2022). Specifically, the average monthly wage of construction employees is 375,245 Iraqi dinars (IQD) for informal workers, which is much closer to the minimum wage of 350,000 Iraqi dinars than the average monthly wage of the manufacturing sector of 421,105 Iraqi dinars (CSO, KRSO and ILO 2022). The low wage earnings in this sector represent an important challenge to regular contribution in the scheme since the discount rate for lower income workers is usually higher, making it harder for them to sacrifice present needs for future benefits.

Social security coverage: The lack of social security coverage is universal among the agriculture, construction and manufacturing sector study groups. The majority of own-account workers and contributing family members in the agriculture sector lack social security coverage, as they were previously excluded from the provisions of the labour law (Labour Law No. 37 of 2015) (ILO 2021 and Kazem, unpublished) since unpaid workers and self-employed workers do not match the definitions of worker and employer in the labour law. This informality is compounded by low investment, limited access to finance and low productivity, which limit the agriculture sector's capacity to provide decent jobs. The construction sector is also marked by high informality, with nearly all workers lacking social security coverage. The prevalence of casual or irregular employment is particularly high, intensifying the vulnerability of workers in the construction sector and the critical importance of social security schemes for this type of work that is not only precarious and volatile but also hazardous. In the manufacturing sector, informality is widespread, with 100 per cent of private sector employees also lacking social security coverage. This is despite the fact that one-third of manufacturing employees work in formal enterprises, thereby highlighting issues of legal compliance by employers to enrol their regular workers, which further exacerbates workers' vulnerability.

Barriers: Identifying and addressing the different barriers to enrol in social security is essential for building a rights-based, adequate, sustainable and efficient social protection system in Federal Iraq. While there are common barriers across the three sectors, the different nature of the jobs creates differentiated sources of vulnerability and barriers, as well as stipulates specific social security needs.

Key barriers to social security coverage for workers in the agriculture, construction and manufacturing sectors

Common barriers exist across sectors, but their severity and nature can vary depending on the specific context of each sector. Some specific-sector barriers also exist due to the fact that sectoral aspects are excluded from the legal framework, which is more pronounced for agriculture workers. Other questions relate to the social security scheme design and affordability, which are pronounced for both agricultural and construction workers. In regard to the manufacturing sector, there are issues within the business environment that discourage formalization. With regards to all sectors, common barriers include a lack of information, awareness and trust; limited institutional capacities for implementation and enforcement; a lack of representation and organization and limited interlinkages and potential tension between non-contributory and contributory schemes which apply to all low-income workers, particularly in the sectors of concern. The following highlights sector-specific and cross-cutting barriers to extending the coverage of social security for workers..

Sector-specific barriers

Agriculture: Legacy of legal exclusion and questions on effectiveness of the new law to expand coverage
The main bottleneck for enroling own-account workers and contributing family workers has been their previous exclusion from coverage in the labour and social security laws. The question is whether coverage among agricultural workers will increase following the new law, No, 18 of 2023. The legacy of being excluded may contribute to a continuing lack of coverage due to i) the limited knowledge and awareness of the legal context; ii) trust issues; and iii) the geographical location of the workers concerned.

Construction: Questions related to design, affordability and interlinkages with social assistance
Design: Casual workers in the construction sector face complexities in the design and administration of social security enrolment, specifically related to their work patterns and how they are paid. Casual wage workers are usually hired and paid daily (one-day-at-a-time). This is not consistent with enrolment in a defined benefit pension plan in which workers can accumulate as many years of contributions as possible, such as for public sector and formal private sector workers. Another issue is whether casual construction sector workers should contribute on a regular (monthly) basis or through other contribution modalities (quarterly, towards annual lump sum, etc.). These issues should be explored to better match and extend processes that include casual workers.

Affordability: The new optional social security contribution rate applies to self-employed, own-account and informal workers, namely 5 per cent of monthly earnings. Given the volatility and irregularity of construction worker earnings, the minimum national wage (350,000 Iraqi dinars) is used as a benchmark to calculate the contribution rate for irregular workers.

The question remains: to what extent informal workers in the construction sector earn the minimum wage or above, and how many earn below this wage? The scheme is expected to be costly for workers whose earnings are below the minimum wage as their social security contribution will be based on a wage that is higher than what they actually receive.

Manufacturing: Business informality The Iraq Labour Force Survey 2021 (CSO, KRSO and ILO 2022) shows that two-thirds of employees work in informal enterprises. This highlights that formality of the business unit is a pre-requisite for the employment formality of workers. Understanding the main barriers to business formality in Federal Iraq is thus imperative. ILO research has highlighted that the benefits and services available to formal businesses are not sufficient enough to incentivize formalization (ILO 2021). For instance, access to credit is limited and significant barriers persist for enterprises. According to a World Bank study, Federal Iraq ranked 186 out of 190 economies for businesses access to credit (World Bank 2020). Also, the inadequate coverage and quality of public services — which taxes are supposed to finance — further discourages employers from paying taxes and registering their firms (ILO 2021).

In addition, the prevalent lack of coverage, even among those who work in formal enterprises, indicates that there is a strong compliance issue on the part of employers to enrol their workers in social security. This lack of compliance could be the decision of the employer not to enrol their workers or it might be based on a mutual agreement with the worker. This is an important area for future research in order to gain a better understanding of the dynamics behind informal employment in formal enterprises, such as those in the manufacturing sector.

Cross-cutting barriers

Limited knowledge about and awareness of social insurance: Many informal workers in the three sectors studied demonstrate a low awareness of the social security system and, consequently, their social security rights. With regards to the new law, workers have not been adequately informed about the new optional scheme and how it can support them and their families against lifecycle risks. Interviewed workers reported not being familiar with the functioning of the new law, its procedures for first-time registration, information on the payment of contributions and their entitlements. This could be attributed to insufficient targeted information and outreach regarding the new social insurance laws.

Access to social security offices and the costs incurred to reach them: Workers can expect to be absent from their work for a day or even several days to register at government offices. This translates into an opportunity cost, where workers (but also employers) expressed their concerns about the amount of time required to collect the paperwork and complete registration. The costs associated with travel is another obstacle to social security enrolment, especially for workers from remote areas.

The limited legal coverage of relevant benefits to workers in the agriculture, construction and manufacturing sectors makes the scheme less attractive: The nature of work in agriculture, construction and manufacturing entails a high probability of health-related risks and occupational injury. However, Law No. 18 does not provide informal, own-account, self-employed or contributing family workers with legal access to occupational injury benefits, sickness benefits or health protection.

Portability of contributions and benefits: There are also questions regarding contribution portability related to the movement of labour between cities and governorates within Federal Iraq and between Federal Iraq and the Kurdistan Region of Iraq (which has its own social security legislation and system). This is especially challenging for construction workers hoping to establish consistent social security participation.

Trust in the government also substantially affects the willingness of workers to register for social security: Research has shown that low levels of trust in the government plays a crucial role in the expansion of social insurance. The intersection of social protection laws, such as Law No.11 of 2014 and Law No. 18 of 2023 creates contradictions as they relate to the rights-based approach to social protection promoted by the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102), which Iraq ratified in March 2023.

There is a tension that exists between non-contributory (social assistance) schemes and contributory (social security) schemes. Many informal workers in agricultural, construction and manufacturing sectors are trapped in working poverty with an income often being below the poverty line. Thus, their households frequently qualify for the Social Safety Net (SSN), a poverty-targeted social assistance programme provided under Law No. 11 of 2014. However, the current legislative framework allows for either participation in the Social Safety Net or enrolment in social security. This encourages many informal workers to opt for the non-contributory social assistance scheme that provides immediate income security, rather than opting for the more forward-looking investment in their welfare through a social security scheme. The most vulnerable workers are therefore unable to access comprehensive social protection, which is essential for a smooth transition from social assistance to social security, leaving them stuck in working poverty and informality.

Fragmented efforts hindering sectoral coordination, representation and social dialogue: There is a lack of consistent coordination between practically all relevant partners in each sector: the Ministry of Labour and Social Affairs, the Ministry of Trade, sectoral workers' and employers' organizations, contractors, cooperatives and enterprises, as well as associations of informal workers. This leads to inefficient efforts to improve labour conditions, inadequate worker representation, and ineffective implementation of labour policies. Additionally, lack of informal workers' unionization, participation and representation in sectoral and regional trade unions diminishes workers' bargaining power for better working conditions. The absence of sectoral and regional tripartite social dialogue further prevents consensus-based solutions and hinders addressing workers' concerns effectively.

Specific concerns for women: Women in the informal economy, especially in the study sectors, face additional barriers, including the lack of social security benefits tailored to women's lifecycle risks, such as childbirth and maternity responsibilities. Other key challenges include the lack of women-friendly infrastructure and processes, such as limited access to registration offices and their restrictive opening hours.

The way forward to extending social security coverage

Expanding social security coverage requires a comprehensive strategy. This involves not just improving awareness and streamlining the registration process, but also tailoring policies for workers and employers to address sector-specific challenges. Extending social security coverage will also require improving implementation mechanisms to build trust in the system while ensuring financial transparency and accountability.

The following are suggestions and recommendations for addressing these issues.

Implement awareness-raising and education campaigns, as well as field visits: Conducting visits To remote and rural areas, as well as to construction worksites and factories, can engage workers directly and offer information and assistance on social insurance registration. This helps build trust, transparency and addresses information barriers. National awareness-raising campaigns should be undertaken, extending these to the regional level and adapting them to sectoral approaches. Harnessing the power of the media and information sources used by informal workers could also help. In addition, streamlining and integrating social insurance education into school and university curricula is another tool to build long-term awareness of the formal economy, as well as labour and social security rights.

Simplify and streamline participation processes: It is essential to make the registration process easier, providing clear instructions and support. This can be done through offering online or mobile options for workers who are frequently unable to get to a registration office during opening hours, e.g., own-account workers and contributing family members in the agriculture sector, casual workers in the construction sector, and employers and workers in the manufacturing sector. Online platforms, such as Unified Registries Platform (URP) could serve as the basis for automation in registration and enrolment.

Adjust registration offices to the schedules of informal workers: Introducing more flexible operating hours in selected social security offices will improve and simplify access to social insurance services, particularly for those with limited access to online options. In addition, exploring alternative measures, such as providing registration services at the worksites and factories, could further enhance accessibility and encourage participation.

Ensure flexible contributions to match the nature of informal incomes: It is crucial to adjust contribution schedules and modalities to match the seasonality of agricultural work or the irregularity of earnings in the construction sector. This might entail arranging for quarterly payments, contributions only due during the high season of employment, or flexible payments towards an annual lump sum. Pilot programmes should test different options to avoid unintended negative consequences.

Link with government productivity policies to incentivize employers and workers: Establishing connections between social insurance registration and easy access to existing government-run productive and business development programmes could encourage higher enrolment. This might entail subsidized access to seeds and fertilizers for the agriculture sector, other subsidies, tax breaks, or concessional loans for employers in the manufacturing and construction sectors. However, any government support should be of good quality and meet specific sectoral needs, while safeguards for transparency in participation should be in place to ensure trust and effectiveness of these initiatives.

Harmonize the legal framework with a rights-based approach: It is important to address legal barriers to a sustainable transition between social assistance and social security in case of lifecycle risks. A joint tripartite committee should be established to review that the Law on Social Protection, No. 11 of 2014 and the Retirement and Social Security Law for Workers, No. 18 of 2023 for compliance and a rights-based approach. The committee can subsequently develop regulations and clear guidelines on informal workers' coverage, including cases where simultaneous participation in both social insurance and social assistance programmes can be permitted.

Foster inter-ministerial coordination and engage in social dialogue: Foster collaboration between the Ministry of Labour and Social Affairs and other relevant (sectoral) ministries such as agriculture, industry and trade, to develop a coherent approach to the extension of social security to informal workers. In addition, engage in tripartite sectoral social dialogue, bringing together representatives of workers, employers and government. This will provide a broad base of constructive inputs to addressing sector-specific challenges and identifying practical solutions. By combining inter-ministerial collaboration with structured social dialogue, a more inclusive and comprehensive framework for extending social security to informal workers can be established.

Improve data collection and use: Strengthening data collection systems goes hand in hand with improving social security registration and participation, particularly among agricultural and casual workers. Greater emphasis should be placed on utilizing and improving administrative data gathered through digital platforms like Unified Registry Platform (URP)[3]. These platforms facilitate accurate, efficient, and real-time data management, enabling more effective monitoring and decision-making to address the needs of under-served workers.

Extend coverage of the voluntary pillar to include sector-specific, short-term benefits: Expanding the voluntary pillar of social security to cover occupational injury and healthcare benefits should be prioritized. This is particularly important to construction and agricultural sectors where the hazardous nature of the work makes these benefits essential.

Address disparities between women and men in social security access and coverage: Efforts must be intensified to bridge the gap between women and men in accessing and benefiting from social security. Targeted initiatives are needed to promote social insurance enrolment among women working in the informal sector. This includes designing policies and programmes that specifically cater to the unique challenges faced by women, such as flexible enrolment procedures, participation policies and access to maternity and health protection.

3 For example, the Unified Registries Platform (URP) is an out of the box registration capability that works with countries on governance and economic digital infrastructure development (available at https://www.nrdcompanies.com/products-solutions/urp/)

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