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Liberia (ratificación: 1962)

Convenio sobre la libertad sindical y la protección del derecho de sindicación, 1948 (núm. 87)

Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)

Convention (n° 87) sur la liberté syndicale et la protection du droit syndical, 1948

Discussion by the Committee

Presidenta – Vamos a comenzar el quinto caso del día de hoy que se refiere a la aplicación del Convenio sobre la libertad sindical y la protección del derecho de sindicación, 1948 (núm. 87) por parte de Liberia. Para la discusión de este caso contamos con 16 oradores inscritos en la lista. Les informo entonces que de forma excepcional, la Mesa de la Comisión ha aceptado que el representante del Gobierno, así como el representante de los trabajadores de Liberia participen en la discusión a distancia a través de la plataforma Zoom.

Invito al representante gubernamental de Liberia, señor Viceministro encargado de la Administración, a tomar la palabra.

Government representative – On behalf of the Government and people of the Republic of Liberia, we bring warm greetings to this 114th Session of the International Labour Conference. We extend our appreciation to the Committee for its unwavering commitment to advancing social justice, promoting decent work and strengthening the rights and dignity of workers across the globe. Liberia remains committed to the principles upon which the ILO was founded. Under the leadership of His Excellency, President Joseph Nyumah Boakai, Sr, guided by the Government's national development framework, the ARREST Agenda for Inclusive Development (AAID), focusing on agricultural rules, rule of law, education, sanitation and tourism, our nation is pursuing a transformative path towards sustainable economic growth, job creation, social inclusion and improved living standards for all Liberians. Central to this national vision is the promotion of decent work, respect for fundamental principles and rights at work and the strengthening of institutions that foster productive employment, industrial harmony and social dialogue. Importantly, Liberia has been faced with a series of technical constraints, legal issues and, at a point, struggle with national workers' leaders, a leadership crisis which affected our reporting trend with the ILO, for which the Committee of Experts recorded failure on our part to meet the said obligation.

Amid the challenges, I would like to point out that Liberia has been making some efforts towards improving decent work in our country. One of the most difficult situations that posed challenges to our efforts in labour administration was the impasse that lasted a long time within the workers' leadership, the Liberia Labour Congress. The leadership crisis prevented us from having a united workforce in our tripartite arrangement to reach consensus on most of our obligations with international labour treaties. Gratefully, through the institution of social dialogue, the issues are resolved and we have now a united workforce within the Liberia

Labour Congress. Additionally, we adopted a National Strategic Plan 2025–2029 on creating decent jobs and employment for a stable labour market and economic growth in Liberia; formulated and launched Regulation No. 19 on occupational safety, health and welfare in the workplace while remaining focused on the implementation of the recommendations contained in the direct contacts mission's report.

On the implementation of the Convention, which is grounded on freedom of association and the right to organize, Liberia is making every effort to bridge the gap between the Decent Work Act of 2015 that governs workers in the private sector and the Civil Service Standing Order that governs workers in the public sector. While it is true that our jurisdiction does not cover workers in the public sector there have been achievements in the organization of national teachers that cut across both sectors and health workers in the private sector, a step that once challenged our labour administration procedures. Liberia considers the importance of the harmonization of the Decent Work Act of 2015 and the Civil Service Standing Order, especially where settlement of our laws limit the rights of workers. They will be amended to comply with international labour Conventions. As much as we are working to resolve these inherited social justice and legal issues that are reflected in the report of the Committee of Experts, we wish to note to the International Labour Organization that we are faced with key technical and resource constraints. Therefore, we seek the support of the ILO through technical assistance, training of labour administrators and allocation of resources to various programmes that will strengthen our labour administration and reform our labour laws through the implementation of the Decent Work Country Programmes, which will help us overcome these challenges and improve our reporting obligations.

In conclusion, Liberia remains committed to being in compliance with all Conventions and Recommendations of the International Labour Organization.

Worker members – This is the third time in five years that this Committee is examining the application of the Convention by the Government of Liberia. At the outset, the Worker members note that this case concerns several long-standing and serious issues that have been raised repeatedly by the Committee of Experts and by this Committee over many years and which remain unresolved in both law and practice. While we acknowledge the Government's engagement with the ILO supervisory system including through the direct contacts mission in 2024 and the follow-up technical mission in 2025, we also note that progress on several core issues is limited and requires renewed and accelerated action to bring law and practice into compliance with the Convention.

Firstly, we note with concern that allegations of serious violations of freedom of association rights continue to be raised in relation to anti-union discrimination, interference in trade union activities and reprisals linked to industrial action. In this regard, we recall the Committee of Experts' emphasis that such allegations must be addressed in a timely and adequate manner through prompt and independent investigations with effective remedial action where necessary. The absence of clear and timely follow-up in such cases risks undermining the protection of these fundamental rights and weakening confidence in their enforcement.

For years, the ILO supervisory bodies have called upon the Government to take the necessary steps to enable the registration of the National Health Workers Union of Liberia (NAHWUL). With regard to this issue, the Worker members take note of the Government's reference to the ongoing labour law harmonization process and the planned review of the Decent Work Act and the Civil Service Standing Orders. We also note the expectation that this process will enable the NAHWUL to obtain full statutory recognition in law and in practice.

Workers should not be required to wait indefinitely for the effective exercise of a fundamental right to organize. Therefore, while we welcome the direction of reform, we urge the Government to accelerate the harmonization process and to put in place interim measures to ensure that all categories of health workers can fully and effectively exercise their rights under the Convention pending the completion of legislative reform.

On the broader scope of application of the Convention, the Worker members express once again their long-standing concern regarding the exclusion of civil servants from full trade union rights under existing legal and regulatory frameworks. The Civil Service Standing Orders do not grant civil servants the rights to unionize and bargain collectively on issues relating to salaries and working conditions and they are instead represented by a Civil Service Association which does not enjoy the full rights and protections of trade unions under the Convention. We take note of the Government's intention to undertake a holistic review of the Decent Work Act and the Civil Service Standing Orders, as well as its reference to the Civil Service Association and its role in representing public servants' interests. However, the Worker members underline that this Association lacks the rights of private sector trade unions. We urge the Government to ensure that the review of the Decent Work Act and the Civil Service Standing Orders takes place without further delay and results in full recognition of the right of civil servants to establish and join trade unions of their choosing, in line with the Convention. We also support and reiterate the recommendation that pending legislative reform interim arrangements be put in place to ensure the effective and meaningful participation of public service workers in social dialogue bodies, such as the National Tripartite Committee and the Wage Board.

The Worker members further express concerns about the continued exclusion of maritime workers and foreign workers from the right to establish and join organizations. Article 2 of the Convention is clear that workers without distinction whatsoever shall have the right to establish and to join organizations of their own choosing. Noting the ongoing labour law harmonization process, we urge the Government to proceed with the planned legal reforms to remove any remaining exclusions and to ensure that all workers can freely exercise their right to organize.

With regard to the determination of essential services, we note the Government's indication that further clarification and designation will be addressed through the forthcoming legal review. We recall that any determination of essential services must be strictly limited to the services the interruption of which would endanger the life, personal safety or health of the population and that the social partners should be fully involved in such processes. The Worker members underline that many of the concerns raised in this case are of a persistent and structural nature affecting the full and effective application of the Convention in law and in practice. We note that Liberia ratified the Convention in 1962 and it has been already 63 years now since public service workers cannot fully exercise their freedom of association.

While we recognize the Government's stated willingness to pursue reform, the outstanding issues require urgent and sustained action including timely implementation, clear and coherent legislative drafting and meaningful consultation with the social partners that leads to concrete outcomes. In conclusion, the Worker members urge and expect the Government to complete the ongoing labour law reform process without further delay to ensure that all categories of workers fully and effectively enjoy the rights guaranteed under the Convention in both law and practice.

Employer members –The Employer members would like to thank the Government of Liberia for its participation in this Committee and for the information it has shared. We would also like to wish and encourage the Government of Liberia to take concrete steps to respond,

investigate and remedy the issues regarding the implementation of the Convention within its applicable law and practice.

Convention No. 87, as we all know, is a fundamental Convention. It requires the very best from this Committee. Liberia ratified the Convention in 1962, and this case was previously discussed in this Committee in 2023. There have been ten observations made by the Committee of Experts on this case since 2015. The latest observation was made last year in 2025. The Committee of Experts has continued to repeat a number of its observations indicating that several issues remain unresolved. The Employer members note with approval the Government's acceptance of a direct contacts mission in 2024 and the subsequent 2025 technical mission of the Office. The Employer members also welcome the resulting draft road map of the Government's stated commitment to aligning its national legislation with international obligations to resolve outstanding issues.

In this case, the Committee of Experts' observations have included, by way of example, the following: (i) the Committee of Experts had expected the Government to conduct a holistic review of its Decent Work Act and Civil Service Standing Orders to formally grant civil servants the right to unionize and bargain collectively. In the meantime, the Committee had encouraged the establishment of interim arrangements to ensure the Civil Servant Association of Liberia (CSAL) be represented in social dialogue bodies; (ii) the Committee of Experts also observed allegations of persistent anti-union conduct and a stated refusal to register the NAHWUL; (iii) the Committee of Experts requested information on tangible measures that were taken to amend the Decent Work Act to allow maritime workers and trainees to more fully exercise rights available under the Convention; (iv) the Committee of Experts requested updates on the Government's plans to review the Decent Work Act to ensure foreign workers are granted the right to establish and form trade union organizations, rather than just having the right to join them; and (v) finally, the Committee requested further information on how essential services will be designated by the National Tripartite Council of Liberia (NTCL) during an upcoming labour law review; that is, the Committee of Experts sought clarification on any instances where the President might designate services as essential without NTCL recommendations.

The Employer members wish to again stress their deep commitment towards the full expression of Convention No. 87 in both law and practice. Our sincere hope is that these proceedings can facilitate meaningful development in Liberia on these critical issues. With that in mind, the Employer members wish to note that: (i) violence or coercion of any kind inhibits workers' and employers' groups from expressing their rights and freedoms under Convention No. 87 and cannot be tolerated; (ii) we would also like to better understand why the NAHWUL has not been formally registered and how this failure has infringed upon the rights and freedoms contained within Convention No. 87; (iii) Article 9(1) of the Convention expresses clear instructions that individuals working with the police or armed forces shall have any "guarantees" within the Convention "determined by national laws or regulations". It would appear that how certain services can be deemed as essential, and on what bases, provokes this portion of the Convention. The Employer members wish to know more as to the circumstances when the President can override the definitions of essential services within section 41.4A of the Decent Work Act, if at all. Whether those services extend beyond police and armed forces, and whether and how the authority of the President in this context interplays with other authorities in Liberia; (iv) the Employer members also, similarly, wish to know more about the alleged limitations on civil service workers under the Convention; (v) although we take with due consideration the Committee of Experts' ongoing concerns about the application of the Convention to the maritime sector, we would also like to better understand the Government's position on why section 1.5(c)(i) and 1.5(c)(2) of the Decent Work

Act have not yet been amended, consistent with the Committee of Experts' requests. There may be a legitimate basis, or at least more context, and the Employer members would appreciate the opportunity to more fully consider this issue.

Similarly, we wish to learn more about why section 45.6 of the Decent Work Act has not been amended to expressly allow foreign workers to form – as opposed to simply join – workers' groups of their own choosing. There is a great deal more to learn about this particular issue. Context that would be necessary to meaningfully understand the situation and form our own position as an Employers' group. Are foreign workers expressly prohibited from forming their own representative groups? How does this issue intersect with Liberian law and practice relating to foreign workers' rights, obligations and protections more broadly?

The Employer members prevail on the Liberian Government to meaningfully respond to the Committee of Experts' concerns, to collaborate with this Committee, the ILO and civil society. It is the view of the Employer members that Liberia needs continued technical and other material assistance, and we call on them to work with any legitimate competent and resource group to begin working on a technical road map. We look forward to hearing the views from the other groups in this case.

Worker member, Liberia – The Convention guarantees workers the right to freely associate with trade union organizations of their own choice. We, the workers of Liberia, call upon the ILO to champion the essential rights of workers in Liberia to freely join any association or trade union organizations to allow them to take part in the labour movement, like the Liberia Labour Congress. Additionally, we urge the Government to implement comprehensive labour reform that will allow all workers to be part of the Decent Work Act.

Over the years, civil servants, health workers, and public school teachers have been denied the right to join the union of their choice or to freely associate. Let us all unite in our efforts to uphold these rights, ensuring that dignity and respect for every worker in Liberia, which are essential to uphold freedom of association. In conclusion, we wish to inform the ILO that the long-standing crisis within the labour movement that lasted for more than two years has now been resolved among ourselves to allow us to fight for the rights of civil servants, teachers, and, of course, the health workers to join the labour movement, ensuring that those rights are not prevented by any law, such as the Civil Servants Standing Order which does not allow civil servants, health workers, and public school teachers to join trade unions. We also request the ILO to provide technical assistance in those areas through tripartite organizations – employers, employees and the Government – to ensure that the law is harmonized, especially the two laws that are causing problems.

Other countries guarantee the right of civil servants to organize into trade unions. We must also use the same format to allow our brothers, our sisters to join trade unions of their choice. Finally, we request the Government to speed up the process of aligning the two laws, so they are harmonized into one law. We cannot have two laws operating in two organizations of workers. Workers are to be one and workers will be as one.

Government member, Cyprus, speaking on behalf of the **European Union (EU) and its Member States** – The candidate countries **North Macedonia, Montenegro, Albania, Ukraine and Republic of Moldova**, the European Free Trade Association (EFTA) country **Norway**, member of the European Economic Area, as well as the United Kingdom of Great Britain and Northern Ireland align themselves with this statement. The European Union and its Member States are committed to the respect, protection and fulfillment of human rights, including labour rights. We promote universal ratification and effective implementation of fundamental ILO Conventions and support the ILO supervisory system in its crucial role of promoting and

supervising the application of ratified standards. The European Union and its Member States are long-term partners of Liberia.

This partnership is further reinforced in the framework of our cooperation with the African Union and the Economic Community of West African States (ECOWAS), as well as in including Liberia among beneficiaries of the EU's "Everything but Arms" scheme for the least developed countries. The Government, in partnership with the EU, hosted the Liberia-EU Business Forum in Brussels in 2026. We note with concern that the case of Liberia's failure to comply with the Convention is being discussed for the third time in the last five years, previously in 2022 and 2023. We note with deep concern that according to the most recent observations of the African regional organization of the International Trade Union Confederation (ITUC-Africa), the Government refused to register the NAHWUL, disregarding Article 2 of the Convention which grants workers the right to form organizations without prior authorization. We are also concerned by the new reports of anti-union practices and government interference in the trade union election process.

The Committee of Experts observed that despite repeated concerns raised by ITUC-Africa and submissions to the ILO supervisory bodies, the Government has neither addressed NAHWUL registration nor sanctioned anti-union practices. We note the observation of the Committee of Experts that civil servants in Liberia are represented by the Civil Service Association which does not have the rights enjoyed by trade unions in the private sector. We urge the Government, in line with the Committee of Experts' request and recommendations of the direct contacts mission, to ensure that all workers including those in the public sector are able to exercise their labour rights under the Convention. We appreciate that the Government received an ILO direct contacts mission in July 2024, followed by a technical mission in 2025. We also welcome the fact that the Government has expressed its commitment to resolving all outstanding issues relating to the application of the Convention, including by development of a road map and comprehensive review of legislation.

We call on the Government to carry out, without further delay, holistic review of the law including the Decent Work Act and the Standing Orders of The Civil Service in consultation with representative workers' and employers' organizations with a view to recognizing trade union rights for civil servants, as requested by the Committee of Experts. We also call on the Government to implement the recommendations of the direct contacts mission. While recognizing the Government's commitment and steps undertaken, including establishing a committee composed of tripartite council members and other stakeholders to review the legislation, we call on the Government to ensure full legal recognition of the NAHWUL promptly through the harmonization of the Decent Work Act and Civil Servants' Standing Orders. We welcome the indication that the labour law harmonization process will include the granting of trade union rights to maritime workers and foreign workers. Since the harmonization process may take time, we echo the Committee of Experts' invitation to consider establishing a temporary arrangement for public service workers, associations and unions.

We also ask the Government to present additional information on the issue of determination of essential services, including presidential prerogatives and practice in this regard. We recall that the Government has the responsibility to ensure the full application of the Convention which it has voluntarily ratified. We, therefore, call on the Government to investigate allegations of trade union rights violations and to provide a full reply to the Committee of Experts' comments on all issues related to freedom of association and the right to organize. The European Union and its Member States will continue to monitor and analyse the situation and remain committed to our close cooperation and partnership with Liberia.

Worker member, Zimbabwe – I take the floor to support the observations of the Committee of Experts concerning Liberia's continued failure to give full effect to the Convention. The issues before the Committee are neither novel nor complex. For several years, the Committee of Experts has repeatedly drawn attention to the denial of full trade union rights to civil servants, the unresolved registration and recognition of the NAHWUL and legislative restrictions that remain fundamentally incompatible with the principles of freedom of association. The deficiencies have been identified.

The legal obligations are clear. The recommendations of the Committee of Experts are unequivocal, yet meaningful implementation remains conspicuously absent. A State governed by the rule of law cannot selectively apply fundamental rights. Freedom of association is not a privilege to be granted at the discretion of the executive. It is a fundamental right recognized under international law protected by the Constitution of Liberia itself and affirmed by the regional human rights instruments to which Liberia *has* freely subscribed.

Article 17 of the Constitution of Liberia guarantees the right of all persons to freely associate and organize. The Constitution does not create a second-class category of citizens whose rights may be suspended merely because they are employed in the public service. Civil servants and public sector workers remain citizens first and workers second. They are entitled to full protection of the law. The continued denial of organizational rights to public sector workers therefore raises serious concerns regarding Liberia's compliance with the Convention but also with its own constitutional and international obligations.

Furthermore, Article 10 of the African Charter on Human and People's Rights and the ECOWAS Protocol on Democracy and Good Governance recognize freedom of association as an indispensable pillar of democratic governance. A democracy cannot be measured solely by the conduct of elections. It must equally be measured by the extent to which workers are free to organize, associate and defend their economic and social interests without interference. The central issue before the Committee is no longer one of knowledge or technical capacity. The Government has benefited from several years of dialogue, technical assistance, supervisory observations and direct engagements with workers' organizations and the ILO.

The obstacle is no longer legal uncertainty. The obstacle is chronic deficit of political will that has transformed well-established rights from enforceable guarantees into perpetual deferred promises. Workers have exercised restraint. Trade unions have pursued dialogue in good faith. The international trade union movement has engaged constructively.

Representations have been made at the highest levels of Government, including direct appeals to the President Joseph Bwakai. Yet the rights of workers remain unrealized. Patience on the part of workers should not be interpreted as acquisitions nor should prolonged delay be allowed to become a substitute for compliance. We urge the Committee to require immediate and measurable compliance with the Convention through removal of all legislative and administrative impediments to freedom of association, the full recognition of the organizational rights of public sector workers and the immediate registration and recognition of the NAHWUL.

This case has moved beyond diagnosis. The violations have been identified. The remedies have been prescribed. What remains outstanding is implementation. The workers of Liberia are entitled not to promises, consultations or future commitments but to the effective enjoyment of rights guaranteed under international law. We therefore urge the Committee to send an unambiguous message that continued delay is incompatible with the obligations assumed under the Convention and that measurable progress must be demonstrated before the next reporting cycle.

Worker member, Botswana – I take the floor on behalf of the workers of Botswana. The Committee of Experts raised the following fundamental issues of concern in Liberia:

- (i) allegations raised by the ITUC-Africa on the Government's refusal to register the NAHWUL, reprisals against striking teachers, transport workers and civil servants;
- (ii) the use of police force to break peaceful strikes, dissolution of unions by state-owned companies, interference by the Government in trade union work and generally the denial of civil servants to form and join trade unions;
- (iii) the Committee of Experts requested the Government to clarify the practice of the designation of essential service by the National Tripartite Council of Liberia (NTCL), as the President, in terms of section 40, 41.4(d) of the Decent Work Act, is not bound by the recommendations of the NTCL. The President is empowered to designate a certain service to be essential without the recommendation of the NTCL. The Government has responded that no such services have been designated and that labour law reforms will address the concern.

For purposes of this discussion, my focus will be on the essential service. This matter brings memories to the workers of Botswana who went through a similar experience during the 2011 general public strike where the Government unilaterally designated the following services to be essential: teachers, veterinary services, diamond sorters, electricians and ambulance drivers among others. We are grateful to the Committee's conclusions in 2017 that recommended that such services are not essential and subsequently our country amended the labour laws to comply with the requirements of the Convention. In Botswana, public workers, including healthcare workers, teachers, local government employees, utility workers and other public service personnel enjoy the right to organize and participate in trade unions that engage the Government through social dialogue and collective bargaining processes. These experiences demonstrate that the protection of workers' rights and the delivery of essential services are not contradictory objectives. They are mutually reinforcing. For decades, labour jurisprudence, international practice and the supervisory bodies of the ILO have recognized that certain services may be considered essential.

This principle is neither controversial nor new. However, effective consultations must be undertaken. Workers in essential services who are denied or restricted the right to strike must be afforded some compensatory guarantees which include adequate, impartial and speedy conciliation and arbitration procedures in which the parties concerned can participate at all stages. As workers from Botswana, we know from experience that strong public services are built not by restricting workers' rights but by respecting them. The Government of Liberia has benefited from years of engagement, technical assistance, direct contacts missions, technical missions and constructive dialogue with workers' organizations and the ILO.

Repeated assurances have been provided that reforms would be undertaken but to no avail. We urge the Committee to reaffirm that essential nature of a service cannot be invoked to justify the denial of trade union rights and to call upon the Government to immediately enact concrete measures to ensure that workers in essential services are protected and undertake legislative reforms without any further delay.

Worker member, Kenya – I take the floor on behalf of workers from Kenya and workers from East Africa. This case is not simply about freedom of association. It is about discrimination. The Convention guarantees freedom of association to workers without distinction whatsoever.

Yet Liberia continues to rigidly maintain legal exclusions that deny maritime workers and migrant workers the full enjoyment of protection readily available to all other workers. There is absolutely no legal, no structural and no moral basis for treating these humans as less deserving of basic workplace freedoms. Maritime workers are not second-class workers, and migrant workers are not second-class workers either. Yet existing statutory architecture effectively banished them to a lower category of protection. Let us call this exactly what it is.

This is naked discrimination and stands as a direct, unacceptable affront to the Convention. The discrimination unfolding before the Committee is not an abstract academic theory. It yields immediate severe real-world consequences. When these vulnerable workforces are denied the fundamental right to establish organizations of their own choosing, they are stripped of an equal voice in the workplace. They are left with deliberately weakened means to defend their basic human interests, zero protection against institutional abuse and fewer opportunities to safely influence the conditions under which they work.

Consider the reality. Maritime workers routinely labour thousands of miles away from home, across national jurisdictions and under complex opaque employment arrangements. For them, collective representation is not a luxury. It is their single strongest safeguard against corporate exploitation. Yet they remain purposely shut out from essential protection under Liberia's labour legislation.

Migrant workers face identical structural vulnerability. They build infrastructure, they drive commerce, they perform essential labour and they directly generate national prosperity. Yet they are explicitly denied the right to organize solely because they are foreign workers. There is a profound, history-defying irony here that the Committee cannot ignore. Liberia's very foundation and modern history was shaped by brave migrants who crossed oceans in search of freedom, in search of equality and in search of human dignity.

Yet today, migrant workers in Liberia are denied those very same fundamental freedoms. A nation born directly from a profound migration experience should not be erecting legislative barriers to block the exercise of fundamental rights by foreign labourers. History must teach us solidarity, not systemic exclusion. History must teach us equality, not statutory discrimination. History must remind us all that rights do not become weaker or diluted simply because a worker carries a passport from another country.

Freedom of association is not a minor workplace entitlement. It is a reliable fundamental human right. Rights do not become weaker because a worker steps onto a ship deck. Rights do not disappear because a human being crosses a border. The Convention does not exclude maritime workers. It does not exclude migrant workers. It strictly forbids any national distinction that denies individuals the right to organize. We, therefore, today strongly urge the Government to immediately remove all legislative exclusions affecting migrant and maritime workers and bring national legal frameworks into absolute immediate conformity with the Convention without any further delay. No worker should be denied a voice. No worker should be treated as disposable, and no worker should ever be excluded from fundamental human rights because of the labour they perform or because of the country from which they come from.

Worker member, Norway – I speak on behalf of the Nordic Trade Unions. The right to organize is a key element of the ILO's mandate and status within the framework of advancing social justice and shared prosperity. The Convention recognizes that workers' organizations must be free to govern themselves, determine their priorities, elect their representatives and carry out their activities independently. This principle is essential because the effectiveness of

a trade union depends upon its independence. Workers must have confidence that their organizations represent their interests and are accountable to their members.

Unfortunately, we have seen grave examples that the Government does not respect the right to organize. We have seen dissolution of a trade union, serious obstacles to register unions, police breaking up peaceful strikes, arrests of union leaders and interference in the election processes of the Liberia Labour Congress. On 26 August 2023, the Government conducted a parallel trade union election through a special election committee for the Liberia Labour Congress constituted by the Ministry of Labour by mandate of the Supreme Court of Liberia. The Government issued certificates to the so-called elected leaders. This follows a court ruling that nullified the results of the Liberia Labour Congress held in 2022 on the grounds that public service unions had no right to participate in its elections because they are not covered by the Decent Work Act of 2015.

We do not recognize such a trade union leadership. They are not legitimate and independent. Instead, they are just an extension of the Government. All Nordic workers enjoy the right to form and join trade unions of their own choice and the right to bargain collectively. They belong to the workers in the public sector such as healthcare workers, police, prison staff and armed forces just as much as to those in the private sector.

The right to affiliate with and join a national trade union organization is for everyone. Governments do not interfere in their activities, leadership or decision-making processes. Accordingly, we urge the Government to take necessary measures to ensure that it immediately processes the registration of the NAHWUL. We further urge the Government to review the Decent Work Act and any other related legislation to ensure that all workers are able to exercise their rights. We urge the Government to respect the autonomy of workers' organizations and cease interference in their affairs.

Strong and independent unions do not threaten stability. On the contrary, they help create the conditions for dialogue, participation and peaceful resolution of disputes.

Worker member, South Africa – This intervention highlights ongoing concerns regarding Liberia's compliance with the Convention, notwithstanding certain recent positive developments. While the Government's willingness to engage with ILO supervisory mechanisms including its acceptance of a direct contacts mission and its stated commitment to labour law reform is acknowledged and welcomed. These steps remain insufficient in the absence of concrete legal practical outcomes. The central concern remains the continued exclusion of public sector workers, particularly civil servants, from the full enjoyment of trade union rights under the current legal framework including the Civil Service Standing Orders. These workers are denied the right to establish and join trade unions of their own choosing, as well as the right to engage in collective bargaining.

Instead, they are confined to representation through the Civil Service Association which does not enjoy the same rights and protections as trade unions operating in the private sector. This situation constitutes a serious violation of the principles of freedom of association. Reference must be made to the *Compilation of decisions of the Committee on Freedom of Association* which clearly affirms that the guarantees under the Convention apply universally to all workers without distinction, including public servants. The Compilation underscores that all workers have the right to establish and join organizations of their own choosing without prior authorization. It further emphasizes that denying public sector workers these rights while affording them to private sector workers amounts to discriminatory treatment and is incompatible with Article 2 of the Convention.

Liberia's current legal position is therefore in direct breach of its international obligations. Particular concern is also expressed regarding the prolonged failure to register the NAHWUL. Despite repeated calls from supervisory bodies to harmonize the relevant legislative framework to enable its recognition, progress has been slow and lacking clear timelines. Although the Government has indicated its intention to establish a tripartite process to address these inconsistencies, the absence of defined deadline raises serious concerns regarding accountability and implementation. In conclusion, there is an urgent need for comprehensive legal reform to align national laws with the Convention.

Immediate and concrete measures must be taken to ensure that civil servants are granted full trade union rights and that the NAHWUL is registered without further delay. Compliance with international labour standards must be demonstrated through enforceable legislation and effective practice rather than through policy commitments alone.

Observer, Public Services International (PSI) – I speak on behalf of PSI and its affiliate, the NAHWUL. At this point, we are all very familiar with the issues at stake in this case, which is, as far as health workers are concerned, the inability of NAHWUL to function as a trade union due to legal obstacles and interference that the Government is not willing to address.

As mentioned by other speakers, violations of the Convention by Liberia were discussed twice in the Committee not so long ago, in 2022 and 2023, respectively. And twice the Committee, in its conclusions, requested the Government to register NAHWUL as a trade union organization without further delay. The Committee on Freedom of Association made identical recommendations in Case No. 3202 of 2018. The Committee of Experts has been recalling the recommendation of the Committee on Freedom of Association in its observations since 2021. That is, three different instances of the ILO supervisory bodies making consistent recommendations for the past eight years.

In addition, the direct contacts mission of 2024 also recommended the registration of NAHWUL under the Decent Work Act and the revision of the law to ensure that NAHWUL is able to equally represent health workers in both the public and the private sectors. The Government expressed to the direct contacts mission its willingness to address the issues raised by the ILO supervisory bodies, acknowledging that these issues have persisted since the previous administration. Furthermore, the Ministry of Labour, the Ministry of Justice and the Civil Service Agency indicated to the direct contacts mission that they were unaware of the threats against George Poe Williams, former Secretary General of NAHWUL, and indicated that they would investigate the matter and report to the ILO supervisory bodies. That was two years ago. However, NAHWUL has not been registered, the law that impedes its registration has not been amended, George Poe Williams remains in exile and the investigation promised by three different agencies has not even started.

Let us be clear, this is not a problem that can be attributed to a lack of technical capabilities – since, at least, 2021, the Office has been providing technical assistance to the Government. This is a deliberate political decision to violate a fundamental Convention, by action and omission. The respect of ratified ILO Conventions and fundamental principles are not optional or a la carte for the Member States of this Organization – freedom of association is, in addition, the foundation of the ILO's tripartite structure. We therefore call upon the Government to bring their national laws and practices into full alignment with the Convention and allow for the registration and functioning of NAHWUL without any interference.

Observer, Education International (EI) – I take the floor on behalf of the EI representing the voice of education workers around the world. This case goes to the heart of a fundamental principle: the right of all workers to organize. In Liberia, public school teachers, alongside other

civil servants, are denied this right. They are prevented from forming or joining trade unions with full legal standing, and from engaging in meaningful collective bargaining over their working conditions.

As already highlighted, the current legal framework excludes civil servants from full trade union rights. The Civil Service Association does not enjoy the status, protections or bargaining power of a trade union. As a result, teachers are left without an effective, independent voice. Let us be clear: teachers are workers and workers have the right to organize. Attempts to justify these restrictions are not consistent with ILO standards. The argument that teachers could fall under essential services is unfounded. According to well-established ILO jurisprudence, essential services are strictly limited to those whose interruption would endanger life. Education, while vital for long-term societal development, does not fall under this narrow definition. Denying teachers the right to organize is a direct violation of the Convention. For the EI, it is critical that governments are not allowed to deny public sector workers, including teachers, their fundamental right to organize.

The EI therefore urges the Committee to issue clear and strong recommendations calling on the Government to:

- amend its legislation to grant civil servants, including public school teachers, full trade union rights;
- ensure these rights are fully aligned with the Convention;
- end all forms of interference, repression and retaliation against workers exercising their rights.

Guaranteeing the right of teachers to unionize is not only a legal obligation – it is a cornerstone of democratic societies and a precondition for quality public education. Because when teachers can organize, workers' rights are strengthened, public services improve and societies become more just.

Observer, IndustriALL Global Union (IndustriALL) – I speak on behalf of IndustriALL representing over 50 million workers in the mining, energy and manufacturing sectors. IndustriALL wants to bring concrete cases of violations of fundamental rights in Liberia under the Convention over the following areas of concern:

- Regular arrests and intimidation of union leaders: For example, in 2025, in a subcontracting company linked to a large multinational steel company, 16 union leaders were arrested during a lawful labour dispute and later released on bail. Arrests linked to union activity constitute direct interference with freedom of association and violate Articles 2 and 3 of the Convention. The case remains ongoing.
- Anti-union dismissals and retaliation: In the same case, the 16 leaders were also unlawfully dismissed, in a clear attempt to weaken the union and deter organizing. No remedy has been provided to date to resolve these cases.
- Failure to prevent employer interference: In the same case, the employer continues to engage in anti-union practices – including intimidation, retaliation, and obstruction of union rights. The Government has failed to take meaningful action, breaching its obligation to protect freedom of association.
- Lack of effective remedies: Despite repeated letters, follow-ups and international attention, no redress has been provided. Workers have remained out of work for months without compensation or reinstatement.

- Weak enforcement of labour law: Liberia's failure to enforce its own laws and ILO standards allows employers to violate union rights with impunity.
- Government supervision of union elections: The Government's Labour Practices Review Board has the authority to supervise trade union elections, which the ITUC has identified as interference in union affairs. External supervision undermines the autonomy guaranteed under the Convention and creates the risk of influencing union leadership and programmes.
- Absence of dissuasive sanctions for union dissolution: Clear regulations, including dissuasive sanctions, must be established so that dissolution of trade unions can only occur as a last resort in cases of serious legal violations. Without such safeguards, unions face a constant risk of politically motivated dissolution, leading to self-censorship among union leaders.

IndustriALL also supports the key points raised by the ITUC submission regarding the Government's failure to respond to the concerns raised by the Committee of Experts and other ILO supervisory bodies. This Committee must express serious concern and conclude that the Government takes concrete and time-bound measures to remedy these significant violations.

Government representative – We have listened and acknowledged concerns expressed by this Committee. To this end, we want to reaffirm Liberia's firm commitment to the principles of freedom of association, social dialogue, workers' rights and creating a decent work environment. Liberia remains convinced that lasting peace, prosperity and sustainable development can only be achieved through social and economic justice. Let us, therefore, continue to work together in solidarity to build a world where every worker enjoys dignity, opportunity, protection and hope.

Employer members – The Employer members would like to first thank all the speakers who have taken the floor for their contributions. We also thank the Government of Liberia for its participation in this Committee and for the information it has provided.

We would like to stress once again that the Employer members consider unacceptable any law or practice that infringes on workers' or employers' groups' full and free enjoyment of the protections afforded by the Convention. Convention No. 87 is a cornerstone Convention, and the Employer members remain committed to assisting Liberia in this Committee in any way. The Employer members thus request the Government of Liberia to:

- ensure the complete expression of the Convention's rights and freedoms for Workers' and Employers' groups;
- cooperate with the ILO and independent social partners to ensure the full application of the Convention in practice;
- provide information on measures envisioned to amend section 1.5(c) (i) and 1.5(c)(ii) of the Decent Work Act in line with the Committee of Experts' comments;
- provide information regarding section 45.6 of the Decent Work Act and the measures envisioned to ensure that foreign workers may establish and join organizations of their own choosing, consistent with the Convention;
- provide the information requested by the Committee of Experts on measures envisioned to review the Decent Work Act and Civil Service Standing Orders, in order to ensure that civil servants may fully exercise their rights under the Convention and that the Civil Servant Association of Liberia can effectively participate in social dialogue mechanisms;

- provide information on concrete measures taken in this respect including the development and reporting on progress for a road map.

We trust that the Government will implement these recommendations in a timely manner to achieve full compliance with the Convention.

Worker members – The Worker members thank the Government for the information provided and for its engagement in this discussion. We also thank the other speakers for their contributions and the distinguished Members of the Committee who stayed to listen to this important case. As we conclude our examination, the Worker members wish to reiterate that the issues examined in this case are long-standing in nature and have been the subject of repeated comments by the Committee of Experts and this Committee over several years. While we recognize the Government's expressed intention to address these matters through legislative review, we consider that the pace of implementation remains a key concern, particularly given the fundamental nature of the rights at stake.

The Worker members note that the outstanding issues relate not only to legislative alignment but also to the effective exercise of freedom of association in practice. In this regard, we encourage the Government to ensure that ongoing reform processes translate into concrete time-bound measures that can be effectively implemented without further delay. With regards to allegations concerning interference in trade union activities and anti-union practices, we recall the importance of ensuring that all such matters are addressed through prompt, independent and effective procedures with appropriate remedial action where necessary. The credibility of the system of protection of freedom of association depends on the timely and adequate follow-up of such allegations.

We also take note of the Government's commitment to labour law harmonization, including in relation to the registration of the NAHWUL, the scope of application of the Convention to civil servants and the coverage of all categories of workers. With regard to the registration of NAHWUL, the Worker members stress that this is a long-standing issue before the supervisory system. We therefore urge the Government to ensure that the ongoing harmonization process results without further delay in a clear, stable and legally secure framework enabling NAHWUL to obtain full statutory recognition in law and in practice.

With respect to civil servants, we note that the current regulatory framework continues to exclude or significantly limit the exercise of trade union rights. We therefore expect the Government to ensure that the ongoing review leads to their full and unambiguous inclusion within the scope of the Convention, including the effective right to establish and join trade unions of their own choosing and to participate meaningfully in social dialogue mechanisms on an equal footing.

We also note with concern that certain categories of workers, including maritime workers and foreign workers, remain insufficiently protected under the current legal framework. We urge the Government to take the necessary legislative and administrative measures as a matter of priority to remove any remaining exclusions so that all workers without distinction whatsoever are fully guaranteed the rights enshrined in the Convention in both law and practice.

The Worker members further expect the labour law harmonization process will not remain procedural in nature but will lead to concrete and verifiable outcomes that ensure full compliance with the Convention. In particular, it must guarantee the right of all workers without distinction to establish and join organizations of their own choosing without delay and without reservation.

In conclusion, the Workers' group urges the Government of Liberia to:

- accelerate and complete the ongoing labour law harmonization process without delay so as to bring legislation in full compliance with the Convention including through the holistic review of the Decent Work Act and the Standing Orders of The Civil Service in consultation with the social partners;
- ensure the full registration and statutory recognition of no wool without further delay, reform the legal and regulatory framework applicable to civil servants to ensure their full and unambiguous rights to establish and join trade unions of their choosing, to participate effectively and on equal footing in social dialogue mechanisms and pending such reform establish an interim arrangement to ensure that the Civil Servant Association of Liberia is represented in relevant social dialogue bodies;
- remove all remaining exclusions affecting specific categories of workers including maritime workers, trainees and foreign workers ensuring that all workers without distinction whatsoever are fully covered by the guarantees of the Convention;
- consider establishing temporary arrangements for associations and unions of workers in the public service to fully exercise their rights as required by the Convention.
- strengthen protection of freedom of association in practice including by ensuring that allegations of anti-union discrimination, interference and reprisals are addressed through prompt, independent and effective procedures with appropriate remedial action where necessary and ensure that such cases are subject to rapid and independent judicial investigation so as to establish the facts, punish perpetrators and prevent recurrence;
- ensure that reform processes lead to full and effective compliance in law and practice including by guaranteeing that all workers can establish and join organizations of their own choosing without delay or restriction.

We therefore request the Government of Liberia to accept a direct contacts mission from the ILO in order to bring its legislation in full compliance with the Convention.

Presidenta – Damos por concluida la discusión de este caso. Agradezco la participación del Viceministro de Liberia y de todos los oradores que participaron en la discusión.

Conclusions of the Committee

The Committee took note of the oral and written information provided by the Government and the discussion that followed.

Taking into account the discussion, the Committee requested the Government, in consultation with the social partners, to take effective and time-bound measures to:

- **ensure that all workers are able to exercise their labour rights under the Convention and that trade union leaders and members are free to engage in their trade union activities, in law and practice;**
- **ensure, including through the provision of sufficiently dissuasive penalties, that the dissolution of workers and employers organizations follows due process and takes place only as a last resort, in line with the Convention;**
- **continue the ongoing labour law harmonization process to bring the legislation in line with the Convention, in consultation with the most representative employers' and workers' organizations;**

- ensure the registration of workers' and employers' organizations, in law and in practice and without further delay, complete the registration of the National Health Workers' Union of Liberia (NAHWUL) and the Civil Servant Association of Liberia (CSAL);
- take steps to ensure that the CSAL can participate in the social dialogue bodies including the National Tripartite Committee and the Wage Board;
- strengthen the protection of freedom of association in law and in practice, including through deterrence and appropriate remedial action where necessary;
- ensure that allegations of violations of freedom of association are subject to prompt and independent judicial investigation.

The Committee invited the Government to avail itself of ILO technical assistance and report to the Committee of Experts on the measures taken to implement these recommendations by 1 September 2026.