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Duodécima sesión, 5 de junio de 2026, 15.40 horas (cont.)**Twelfth sitting, 5 June 2026, 5.40 p.m. (cont.)****Douzième séance, 5 juin 2026, 15 h 40 (suite)**

Presidenta: Sra. López

Chairperson: Ms López

Présidente: M^{me} López**Discusión de los casos individuales****Discussion of individual cases****Discussion des cas individuels****Nigeria (ratificación: 1960)**

Convenio sobre el derecho de sindicación y de negociación colectiva, 1949 (núm. 98)

Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

Convention (n° 98) sur le droit d'organisation et de négociation collective, 1949

Presidenta – El siguiente caso del día de hoy señoras y señores, se refiere a la aplicación del Convenio sobre el derecho de sindicación y de negociación colectiva, 1949 (núm. 98) por parte de Nigeria.

Para la discusión sobre este caso contamos con 22 oradores inscritos en la lista. Sobre esta base la Mesa decidió reducir el tiempo máximo de intervención de los delegados que hablan a título individual de 5 a 3 minutos. Contamos con su comprensión y colaboración para adaptar su discurso al tiempo otorgado.

Invito ahora al representante gubernamental de Nigeria Sr. Emmanuel Nosakhare Igbinosun, Director Jefe del Departamento de Medición de la Productividad y Normas Laborales para que tome la palabra.

Government representative (Mr IGBINOSUN) – Madam Chairperson. I congratulate you on your election as Chairperson of this Committee and commend you on the great work you have done so far. We particularly thank the Committee of Experts for its keen interest in the implementation of international labour standards in Nigeria. The Federal Government of Nigeria is committed to providing good governance for its citizens, particularly as it relates to their fundamental human rights and ensuring social justice. Nigeria's human capital remains a legitimately priced resource that the Government values highly, recognizing that it is a critical component of our wealth generation, socioeconomic development and national growth strategies.

Nigeria has remained steadfast to its statutory obligations, as required of Member States of the ILO. We are and have always been legitimately committed to upholding the guiding principles and mandate of the ILO in our national law and practice. Nigeria prides itself as a nation that has strived to maintain a sound labour administration system and promotes and ensures the implementation of policies built in the spirit of tripartism, a system guided by social dialogue, non-discrimination, equal opportunities for all, inclusiveness, free and fair employment, freedom of association, dispute resolution mechanisms and much more. Nigeria is particularly committed to the effective implementation of Convention No. 98. The Articles of the Convention which promote the protection of anti-union discrimination, protection against employer interference, promotion of collective bargaining and the establishment of machinery for voluntary negotiations strongly echo the provisions of the human rights dimensions of the 1999 Constitution of the Federal Republic of Nigeria.

Nigeria notes the observations of the Committee of Experts with regard to the allegations made by the Nigeria Labour Congress on the absence of adequate dispute resolution mechanisms, interference in the collective bargaining process and failure to implement collective bargaining agreements. These allegations were received with surprise, noting that the Government has put in place various legal and institutional frameworks for dispute resolution in the country. These include the Constitution of the Federal Republic of Nigeria where labour matters are listed on the exclusive list, the Trade Disputes Act, the Trade Unions Act, the Ministry of Labour itself, the National Joint Industrial Negotiating Council, the Industrial Arbitrations Panel, National Industrial Court and the Appeal Court. These frameworks provide good governance for negotiation, mediation, conciliation, arbitration and adjudication at all levels. Furthermore, the Committee may wish to note that Nigeria's labour adjudication system has evolved to the point where the National Industrial Court may refer to ratified and unratified ILO instruments as persuasive authorities when applying international best practices and proceedings.

The Government wishes to refer to the International Trade Union Confederation's observations submitted to the Committee of Experts on 11 September 2025 concerning alleged labour rights violations against trade unionists in Edo State as well as its comments on Nigeria's application of the Violence and Harassment Convention, 2019 (No. 190), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and

Convention No. 98. In this regard, the Government of Nigeria wishes to emphasize that social dialogue remains the primary mechanism for managing labour relations in the country. Consistent with established dispute resolution procedures, the Honourable Minister of Labour and Employment has intervened in the industrial dispute between the Edo State Government and the Edo State branch of the Nigeria Labour Congress. The Honourable Minister will continue to engage both parties with a view to facilitating an amicable resolution of the matter if the measures already taken have not yet yielded the desired outcomes. The Federal Government of Nigeria does not interfere in the collective bargaining process as this process is conducted between workers' organizations and employers.

While the Government is not a party to the implementation of collective agreements concluded between employers and workers, the legal framework provides that such agreements are binding. The Committee is invited to note that although there may be isolated instances of non-compliance in the collective bargaining process or in the implementation of agreements, the Government remains firmly committed to maintaining a sound industrial relations climate in the country and to strengthen Nigeria's labour administration system, in line with international best practice. In furtherance of this commitment, the Government recently adopted the National Industrial Relations Policy 2025, which was developed through extensive consultations with workers' and employers' organizations. The policy provides a comprehensive framework for strengthening collective bargaining, enhancing labour management cooperation, promoting the prevention and resolution of disputes and encouraging compliance with collective agreements. As requested, a copy of the National Industrial Relations Policy was submitted to the Committee along with our written information on 18 May 2026.

On Articles 1 and 2 of the Convention on adequate protection against acts of anti-union discrimination and interference, the Government notes the observations and comments of the Committee of Experts and is pleased to inform this Committee that the issues referenced in our submission to the Committee of Experts in 2025 were investigated and resolved. The Committee is invited to note that the Government, through the Federal Ministry of Labour and Employment, has continuously remained open and committed to promoting fair labour practice across all sectors in Nigeria. The Government will continue to engage with the social partners to address any concerns regarding the practical operation of collective bargaining processes and the implementation of agreements. As requested, hard copies of the sectoral guidelines for the banking and finance, food and beverage and hotel, hospitality, tourism and catering industries are available for submission to the Committee of Experts. The Government is still developing guidelines for the power and health sectors.

This brings me to labour law reform. The Government notes the Committee of Experts' comments regarding the need to ensure that the collective labour relations bill is fully aligned with Convention No. 98. In this regard, section 46(1) and (2) of the bill proposes an amendment to section 19 of the Trade Disputes Act. The Government is pleased to inform the Committee that it is currently seeking technical assistance from the ILO country office in Abuja to convene two legal drafting retreats to further the labour law reform process. Our next meeting is going to be immediately after this International Labour Conference.

It is anticipated that these retreats will help conclude the legal drafting process and prepare the collective labour relations bill, the labour standards bill and other related bills for final tripartite validation and subsequent legislative action. There are at least 130 collective agreements concluded and in force in the country between January 2025 and May 2026 spanning sectors such as oil and gas, health, education and transportation. These collective bargaining agreements cover at least 4.6 million workers across the various sectors. In

conclusion, the Government of the Federal Republic of Nigeria reiterates its commitment to fulfilling its obligations on ratified international labour standards and ILO supervisory mechanisms maintaining strong ties with the social partners and recognizing social dialogue as a critical tool for promoting and ensuring social justice for shared prosperity.

Presidenta – Vamos a dar la palabra ahora a la portavoz del Grupo de los Trabajadores, Sra. Nina Mjøberg, para realizar su declaración inicial.

Worker members – Nigeria ratified Convention No. 98 more than six decades ago. Yet today workers in Nigeria continue to face serious and persistent obstacles in exercising their right to organize and bargain collectively in practice.

At the outset, the Worker members note with deep concern the many violations of Convention No. 98 reported over a number of years. These include persistent cases of anti-union discrimination, interference in collective bargaining processes, failures to implement collective agreements and shortcomings in dispute resolution mechanisms. Collectively, these violations demonstrate serious and systemic obstacles to the effective exercise of freedom of association and collective bargaining rights in practice. The situation is compounded by increasing acts of violence, intimidation and threats against trade union leaders and members including by state actors and by a persistent climate of impunity that enables such violations to continue unchecked. The Worker members are particularly concerned that despite repeated requests from the Committee of Experts, the Government has failed to provide substantive replies to many specific allegations.

Instead, it refers generally to the adoption of a national industrial relation policy in 2025. While policy development may be a positive step, policies alone are not enough. A policy cannot substitute for concrete measures ensuring that workers can organize freely, bargain collectively without interference and obtain effective protection against anti-union retaliation. The Committee of Experts rightly noted that the Government has not responded to serious allegations concerning interference in collective bargaining, failure to implement collective agreements and inadequate dispute resolution mechanisms. These are not technical shortcomings. They go to the heart of the Convention. Collective bargaining can only function where workers and their organizations can negotiate freely. Agreements are respected and disputes are resolved through fair and effective procedures. The Worker members are also deeply concerned by long-standing allegations of anti-union discrimination across key sectors of the Nigerian economy, including banking, education, electricity, petroleum, gas and telecommunications. These allegations concern dismissals of workers seeking to join unions, dismissals of union leaders and members and acts of interference intended to weaken independent trade union activity.

The Committee of Experts recalls an essential principle, legal protections are meaningless if they are not effectively enforced. We fully agree. While Nigerian legislation formally prohibits anti-union discrimination, workers continue to report widespread violations with little evidence of investigation, accountability or remedy. Last year, the Government had informed our Committee that consultations with the social partners had taken place regarding mass dismissals linked to trade union membership and that the report would soon be submitted. Sectoral guidelines intended to address anti-union discrimination in certain industries were to be developed. However, consultations and guidelines cannot replace enforcement. Workers dismissed for joining a union need reinstatement, compensation and justice. Employers responsible for anti-union acts must face meaningful consequences. Trade unions must be able to operate free from implementation and retaliation. To date, there appears to be little

evidence that the allegations raised over the years have resulted in specific investigations or effective remedies.

We therefore strongly support the Committee of Experts' request that the Government provide detailed information on the investigations undertaken, their outcomes and the concrete measures adopted to ensure protection against anti-union discrimination in practice. The Worker members are also concerned by continuing deficiencies in the Nigerian labour legislation. We recall that the Committee of Experts has repeatedly called on the Government to guarantee full collective bargaining rights for all public sector workers not engaged in the administration of the State, including prison service workers and workers at the Central Bank of Nigeria. In this regard, we note the Government's indication that it is seeking ILO technical assistance to convene legal drafting retreats aimed at advancing the collective labour relations bill, the labour standards bill and related legislation to its final tripartite validation. While noting these developments, we reiterate the urgent need to address these long-standing legislative gaps.

Convention No. 98 is clear. Restrictions on collective bargaining rights in the public service must remain strictly limited. The continued exclusion of workers who are not engaged in the administration of the State is incompatible with the Convention and deprives thousands of workers of fundamental rights. After years of discussion, workers in these sectors are still waiting for their rights to be fully recognized. We fully note the Government's indication that the problematic provision contained in section 19 of the Trade Disputes Act, which requires ministerial approval of collective agreements on wages, will not be carried over to the new collective labour relations bill. Such approval mechanisms undermine the voluntary nature of collective bargaining and opens the door to state interference in negotiations between workers and employers. This reform must now be completed without delay. The Government must ensure that the new legislative framework fully complies with the Convention and is adopted in genuine consultation with representative workers' and employers' organizations.

We also note the Government's indication that at least 130 collective agreements are currently in force, covering around 4.6 million workers. Such information is essential to assess whether collective bargaining is functioning effectively in practice. We therefore urge the Government to continue collecting and providing comprehensive data on collective agreements, the sectors covered and the workers concerned.

Beyond the legal and institutional questions, we must remember what is at stake for workers. Collective bargaining is not an abstract principle. It is the means through which workers negotiate fair wages, safe working conditions, job security and dignity at work. Where collective bargaining is weakened, inequality grows, labour conflicts intensify and democratic participation in the workplace is undermined. The Worker members therefore urge the Government of Nigeria to take immediate concrete action to give full effect to the Convention. It must ensure that allegations of anti-union discrimination and interference are properly investigated and remedied, that workers can organize and bargain collectively without fear of retaliation and that legislative reforms fully align with the Convention. It must also strengthen dispute resolution mechanisms, ensure respect for collective agreements and provide the information repeatedly requested by the Committee of Experts. The Worker members hope that this discussion will make a turning point. Nigerian workers have waited many years for effective implementation of their rights under the Convention. They deserve more than promises, consultations and draft policies. They deserve concrete protection, genuine collective bargaining and full respect for their fundamental rights at work.

Presidenta – Vamos a dar la palabra ahora a la Sra. Tala Khoury, quien habla como portavoz del Grupo de los Empleadores para que realice su declaración inicial.

Employer members – The Employer members thank the Government of Nigeria for the information provided to this Committee. Before turning to the specific issues in this case today, the Employer members wish to reaffirm the importance of Convention No. 98, one of the ten fundamental Conventions. The Convention protects the right to organize and collectively bargain. It provides protection against anti-union discrimination and acts of interference. It also promotes free and voluntary negotiation between employers and workers. The Employer members recognize that economic development and stable industrial relations depend upon the independence of social partners and the ability to exercise Convention rights free from undue interference. At the same time, we recall that the Convention allows for implementation in accordance with national conditions and does not prescribe a single model of labour relations, provided that its core principles are respected in both law and in practice.

The Government of Nigeria ratified Convention No. 98 in 1960. Since 1989, the Committee of Experts has previously issued 14 observations on this case, most recently in 2021, 2024 and 2025. This Committee previously commented on this case in 2018. This history indicates the existence of long-standing issues relating to the application of the Convention in law and in practice. The Committee of Experts raised three main issues in its report regarding the Government of Nigeria's compliance with the Convention. First, the Committee of Experts addressed allegations raised by worker groups regarding anti-union discrimination in violation of Article 1 of Convention No. 98. In particular, the Nigeria Labour Congress and the International Trade Union Confederation (ITUC) had raised allegations in 2024 that collective bargaining rights have been severely undermined through insufficient dispute resolution mechanisms and the non-implementation of collective agreements.

The ITUC also raised allegations which first appeared in the Committee of Experts' comments in 2021 regarding the large-scale dismissal of workers attempting to join trade unions and specific incidents of anti-union discrimination and interference in certain sectors such as the banking, education, electricity, petroleum, gas and telecommunication sectors. These observations were repeated in the Committee of Experts' 2024 observations. The Committee of Experts requested that the Government provide its response to these allegations in 2021 and 2024. The Government of Nigeria provided some information regarding collective bargaining rights to the Committee of Experts over the years, and most recently on 18 May 2026. The information provided most recently referenced the legal and institutional frameworks for dispute resolution. However, the Government of Nigeria has continuously failed to provide any information to the Committee of Experts with respect to the specific allegations by the workers and how the legal and institutional frameworks operate in practice. We, the Employer members, emphasize the importance of providing information requested by the Committee of Experts as failing to do so disrupts the functioning of the supervisory system.

With respect to the information that was provided regarding anti-union discrimination, the Employer members welcome the Government of Nigeria's consultations with social partners on the issue of dismissals of workers for attempting to join trade unions. The Employer members also welcome the development of sectoral guidelines to address anti-union discrimination and interference. The Employer members echo the comments of the Committee of Experts that such efforts to ensure protection against acts of anti-union discrimination must be applied in practice as well. No specific information was provided regarding the investigations and the outcomes of those investigations into the allegations of anti-union discrimination. The Employer members ask the Government to take further steps to provide information regarding these investigations and provide information on the results

of these investigations. We also ask that the Government provide information on the outcomes of consultations and the specific sectoral guidelines. The Employer members encourage the Government to continue to consult with social partners in relation to these issues. We reiterate the importance of ensuring that collective bargaining processes operate freely, effectively and without interference.

The second issue raised by the Committee of Experts concerns the scope of the application of Convention No. 98, noting that the legislation excludes certain categories of workers from organizing activities beyond the exceptions outlined in Articles 5 and 6 of Convention No. 98. The Committee of Experts noted the information supplied by the Government of Nigeria regarding its ongoing labour law reform process in consultations with the social partners to align the new labour legislation with requirements of Convention No. 98. The Employer members encourage the Government to continue this reform process in close consultation with social partners and in line with the principles of tripartite dialogue. The Employer members also encourage the Government to take the necessary measures to ensure that the legislative framework is aligned with the requirements of Convention No. 98.

The Employer members recognize that the Government of Nigeria is in the process of obtaining technical assistance from the Office to assist with labour law reform. We invite the Government to continue to avail itself of the technical assistance of the Office in that regard.

Finally, the Committee of Experts requested information from the Government on the number of collective agreements in force and number of workers covered by them. Such information would demonstrate the extent to which the Articles of Convention No. 98 apply in practice. We acknowledge that the Government of Nigeria has provided this information in its comments on 18 May 2026.

To conclude my introductory remarks, the Employers reiterate that the provision of information to the Committee of Experts is essential for the functioning of the supervisory system. We also encourage the Government to continue its labour law reform process in consultation with social partners to ensure that the relevant legislative provisions are brought into conformity with the Convention No. 98.

Presidenta - Vamos a pasar ahora el uso de la palabra al señor Joseph Chiara Ajaero quien habla en representación de los trabajadores de Nigeria.

Worker member, Nigeria (Mr AJAERO) – I speak on behalf of the Nigerian Labour Congress (NLC), the most representative central trade union organization in Nigeria and an affiliate of the ITUC. We appear before this Committee because workers and their organizations in Nigeria continue to face persistent violations of the Convention. The violations before us are not isolated incidents. They constitute a pattern of interference, intimidation, violence and discrimination directed against workers and their organizations in contravention to the obligations imposed by the Convention.

Article 1(1) of the Convention provides that workers enjoy adequate protection against acts of anti-discrimination in respect of their employment. Article 1(2)(b) further prohibits acts designed to cause the dismissal of otherwise prejudiced workers because of their participation in trade union activities. However, when trade union leaders are threatened, assaulted, intimidated, arrested or victimized for carrying out legitimate trade union activities, such actions amount to anti-union discrimination prohibited under Article 1.

In November 2023, while leading a legitimate trade union mission in Imo State to secure the implementation of a duly negotiated 2021 agreement, I was violently attacked and seriously injured. The attack occurred solely because I was carrying out lawful trade union

functions, which include addressing pension arrears, non-payment of income such as salaries and allowances, intimidation and harassment of workers, etc.

Such impunity sends a chilling message to workers and trade union representatives throughout Nigeria and undermines the protection guaranteed under Article 1 of the Convention. Recently, trade union leaders from the NLC and the Trade Union Congress of Nigeria (TUC) in Osun State were shown gory pictures of my beaten and bleeding body by the agents of the State as what will befall them to dissuade them from embarking on their legitimate trade union action.

Article 2(1) of the Convention provides that workers' organizations shall enjoy adequate protection against any acts of interference by public authorities or employers in their establishment, functioning or administration. Article 2(2) specifically prohibits measures designed to place workers' organizations under the control of public authorities. The situation in Edo State constitutes a direct violation of these provisions.

On 5 December 2024, the Edo State Government, supported by security personnel, seized and occupied the NLC State Secretariat in Benin City. The Secretariat remains under occupation despite interventions using internal mechanisms.

The forcible occupation of a trade union facility by state authorities interferes directly with the administration and functioning of a workers' organization and violates Article 2(1) of the Convention. The interference did not stop there. The Governor publicly rejected the democratically elected leadership of the NLC in Edo State and sought to influence internal union leadership arrangements.

The Convention guarantees the independence of workers' organizations. Governments cannot choose union leaders, determine who should represent workers or interfere in internal organizational matters. Such actions are precisely the type of interference prohibited by Article 2(2), which seeks to prevent workers' organizations from being subjected to State control.

Article 4 of the Convention requires Member States to take measures appropriate to national conditions to encourage and promote the full development and utilization of machinery for voluntary negotiation between employers' and workers' organizations. Instead of promoting collective bargaining and social dialogue, authorities in Edo State actively obstructed legitimate trade union activities.

On 28 August 2025, security agencies and other actors prevented the inauguration of duly constituted NLC leadership in the State. Trade union officials were pursued all over the city like common criminals, meetings were disrupted and organizational activities frustrated, compelling the inauguration to take place in a secret location for fear of their lives. Such actions are fundamentally not compatible with Article 4.

Collective bargaining cannot flourish where governments deploy security forces against workers' organizations, obstruct lawful union meetings or undermine the independence of worker representatives. As it is today, the NLC in Edo State is a clone of the Governor, so the Government negotiates with itself instead of the legitimate leadership of the NLC.

The situation involving the National Union of Road Transport Workers (NURTW) presents another serious violation of the Convention. The continued imposition of government-backed leadership structures despite court decisions and established trade union processes constitutes interference in the internal administration of a workers' organization. This violates

Article 2(1) and Article 2(2) of the Convention because it places the affairs of a workers' organization under external influence and control.

Where governments determine who leads a union rather than allowing workers to freely choose their representatives, especially when the highest Appellate Courts have ruled to the contrary, trade union independence ceases to exist.

These incidents are part of a broader pattern documented by the NLC and the ITUC over several years, including: (i) the intimidation, harassment and physical attacks against trade union leaders; (ii) the interference in internal trade union elections and leadership structures; (iii) the excessive deployment of security forces during lawful industrial actions; and (iv) Restrictions on the ability of workers' organizations to operate freely and independently.

Taken together, these practices constitute violations of Articles 1 and 2 of the Convention and undermine the obligations established under Article 4 to promote genuine collective bargaining. The Committee of Experts has repeatedly requested information regarding these allegations. Yet the Government has failed to provide adequate responses or demonstrate effective remedial action. As it stands, internal mechanisms for remedial action have failed demanding external intervention. The NLC respectfully requests this Committee to find that Nigeria is in breach of its obligations under Articles 1, 2 and 4 of the Convention. We further request the Committee to urge the Government of Nigeria to: (i) end the occupation of the NLC Secretariat in Edo State and restore full control of the premises to the Congress; (ii) cease all forms of interference in the internal affairs of trade unions and work with the legitimate leadership of the NLC in the State; (iii) respect court decisions relating to trade union leadership disputes, including those concerning the NURTW; (iv) guarantee the safety and protection of trade union leaders and members; (v) conduct independent investigations into acts of anti-union violence and intimidation; and (vi) establish a clear timetable for the labour law reforms necessary to ensure full compliance with the Convention.

The issue before this Committee is not merely one of labour relations. It concerns the fundamental right of workers to organize freely, choose their representatives independently and bargain collectively without fear, interference or violence. Those rights are guaranteed by the Convention. They must also be guaranteed in practice in Nigeria. What is happening in Nigeria is a cancer that has become malignant with pustules everywhere: in Edo, Rivers and Lagos, and it is growing.

We therefore urge this Committee to use the full weight of its authority to secure compliance with the Convention and protect the rights of Nigerian workers.

Presidenta – Antes de pasar la palabra quisiera, por favor, recordar a los asistentes que no se permiten filmar ni tomar fotografías excepto con las personas de la misma delegación. Y ahora quisiera pasar la palabra al Sr. Stefanos Baloutas, quien es miembro gubernamental de Chipre y hablará en nombre de la Unión Europea.

European Union and its Member States, Cyprus (Mr BALOUTAS) – 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 and the Republic of Moldova, as well as the European Free Trade Association (EFTA) country Norway, member of the European Economic Area, align themselves with this statement. The EU and its Member States are committed to the promotion, protection, respect 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. The European Commission has supported Nigeria's social

dialogue system via a technical assistance project under the global deal implemented by the ILO and the Organisation for Economic Co-operation and Development (OECD) in 2023–24.

The EU and its Member States have been committed development partners of Nigeria, including through the standard General Scheme of Preferences (GSP) arrangement under the EU's general GSP. The trade benefits granted under the standard GSP arrangement are subject to the condition that Nigeria respects core international principles enshrined in core UN and ILO Conventions, including the Convention.

We welcome the copies provided by the Government of the National Industrial Relations Policy for Nigeria and the guideline on labour administration issues in outsourcing, casual, fixed-term contract, contract labour of third-party employees in the hotels, hospitality, tourism and catering industry. We also welcome the information regarding the number of collective agreements in force. Yet we regret the absence of an adequate dispute resolution mechanism, the interference in the collective bargaining process and the lack of adequate implementation of collective bargaining agreements.

We acknowledge the technical assistance in the process to be provided by the ILO Country Office in Abuja to convene two legal drafting retreats to further the labour law reform process. We hope these efforts will lead to the speedy finalization of the drafting of the Collective Labour Relations Bill, the Labour Standards Bill and other bills for final tripartite validation and legislative action. We request the Government to take the necessary steps to ensure that the allegations referred to by the ITUC denouncing anti-union discrimination lead to specific investigations. We request information on the results of these investigations and further request the Government to provide the report on the consultations with the social partners regarding massive dismissals for trying to join trade unions, which was not shared after the 113th Session of the Conference. Regarding labour law reforms, we request the Government to take the necessary measures to ensure that amendments are made to ensure the full recognition of the right to collective bargaining of all public sector workers not engaged in the administration of the state, including prison services and the Central Bank of Nigeria.

We also call on the Government to amend section 19 of the Trade Disputes Act regarding the legal obligation to submit any collective agreements on wages for ministerial approval. While recognizing the importance of a comprehensive legal framework to protect trade union rights, we also wish to recall that the existence of legal provisions prohibiting anti-union discrimination is not enough if they are not accompanied by an effective application in practice. The EU and its Member States encourage further exchanges between the Government and the ILO with a view to implementing the recommendations of the Committee of Experts and to engage meaningfully with social partners.

Presidenta –Pasamos el uso de la palabra al Sr. Kgomoetso Letoaba, quien hablará en representación del Gobierno de Sudáfrica.

Government member, South Africa (Mr LETOABA) – South Africa thanks the Committee of Experts for its detailed report on the application of the Convention in Nigeria. We also thank the Government of Nigeria for its response. The Committee of Experts' comments highlight a number of areas that may benefit from further attention, including allegations of interference in collective bargaining and failure to implement agreements, reports of large-scale dismissals and discrimination across different sectors, outstanding legislative issues, including section 19 of the Trade Disputes Act on approval of wage agreements and the exclusion of certain public sector workers from full bargaining rights. We note Nigeria's adoption of the 2025 National Industrial Relations Policy and the development of sectoral guidelines.

These are seen as steps in the right direction. At the same time, as the Committee recalls from the 2012 General Survey, legal provisions alone may not be sufficient. Practical measures including effective and timely procedures and concrete investigations would help strengthen implementation. South Africa encourages the Government of Nigeria to continue its engagement with the ILO and the Committee. In that context, it could be helpful for Nigeria to respond to the specific points raised by the NLC and the ITUC and to provide the information requested by the Committee.

Sharing the 2025 National Industrial Relations Policy and sectoral guidelines with the Office will also allow the Committee to assess the alignment with the Convention. Engaging ILO technical assistance to advance work on the new Collective Labour Relations Bill and Labour Standards Act may be a useful way forward. In conclusion, South Africa believes that continued cooperation with the ILO supervisory system can serve as a constructive basis for reform. Through strengthened social dialogue, Nigeria may be able to bring its law and practice further in line with the Convention.

Presidenta - Vamos a pasar el uso de la palabra al Sr. Stephen Russell, quien habla en representación de los trabajadores del Reino Unido de Gran Bretaña e Irlanda del Norte.

Worker member, United Kingdom of Great Britain and Northern Ireland (Mr RUSSELL) – I speak on behalf of the workers of the United Kingdom and the Commonwealth Trade Union Group supports this statement. Noting the prohibition in the Convention of acts of interference against workers' organizations and that the effective realization of the right to organize and bargain collectively requires the good faith implementation of law and practice to prevent them, it is concerning to report gross systematic interference in the independence of unions by the Government of Nigeria itself. In 2024, just as he was at the Abuja Airport to fly to the United Kingdom to take part in the British TUC's annual congress in Brighton, NLC president Joe Ajaero was arrested. For several hours no one knew what had become of him.

Eventually released, it seemed that Mr Ajaero had been arrested without a warrant and held long enough to make his visit to the TUC impossible. The TUC president issued a strong statement of condemnation from the platform of the congress saying Mr Ajaero's unlawful arrest is a gross violation of fundamental trade union freedoms, especially as he was on his way to speak to us about the vital right of trade unions to seek solidarity. Replying via national media, the Government of Nigeria attacked the TUC statement, calling it a false claim and saying that with regards to Mr Ajaero, no one is above the law, even though no charges were ever brought against Joe on the multiple offenses alleged by the Government. If they wish to prevent him from sharing examples of Government interference with a wider audience, then as we discussed these matters here today, it could be said to have backfired. Let's look at some now.

In December 2024, the Government of Edo State invaded trade union offices, ejected the workers, locked it and has since withheld the keys. In the same State, the Governor refused to work with the elected NLC Chairperson, removed him from power and replaced him with a government-approved and unelected leader, forcing the union to dissolve its leadership structures to avoid co-option. Similarly, in Imo, the State Government attempted to appoint an alternative State-approved NLC leadership and attempted to replace the legitimate union leaders; condemnation by the country's tripartite National Labour Advisory Council has had no effect. In Abia, the State Government attempted to replace the leadership of the NURTW and in four other states, the Government banned that union from operating in defiance of the Trade Union Act and the Constitution. It was ironic that the Government of Nigeria chose to

say that no one is above the law because the State itself is operating in breach of its own national laws and in defiance of international law by failing to comply with the Convention.

Rather than aggressively rejecting legitimate criticism, we hope the Government will reflect on the need to respect the independence and democratic integrity of unions and their leadership and by doing so, create the conditions where collective bargaining and the right to organize can be fully realized.

Presidenta – Vamos ahora a pasar el uso de la palabra al Sr. Zechariah Luhanga, quien es representante gubernamental de Zambia.

Government member, Zambia (Mr LUHANGA) – The Zambian Government thanks the Government of the Republic of Nigeria for its detailed response and welcomes the information provided regarding the measures undertaken to strengthen the application of the Convention. We positively note the existence of established dispute resolution institutions, the continued practice of collective bargaining across key sectors, and the ongoing labour law reform process being undertaken in collaboration with the ILO and social partners. We further commend Nigeria's commitment to tripartite dialogue, the development of sector-specific industrial relations guidelines and efforts to align national registration with international labour standards. These initiatives demonstrate a constructive approach towards strengthening industrial relations and promoting decent work.

Zambia encourages Nigeria to continue its engagement with the ILO supervisory mechanisms and its social partners to address the remaining observations of the Committee of Experts. We are confident that with the support of the ILO, the ongoing reforms will further enhance the effective implementation of the Convention. We therefore encourage the Committee to take note of the progress achieved and to continue supporting Nigeria's efforts through constructive dialogue and technical assistance.

Presidenta – Pasamos el uso de la palabra al Sr. Franklin Owusu Ansah, quien habla en representación de los trabajadores de Ghana.

Worker member, Ghana (Mr ANSAH) – We are deeply concerned by the observations of the Committee of Experts relating to intimidation, harassment, interference in trade union affairs, attacks on trade union offices and threats against trade union leaders and members in Nigeria. We are particularly troubled by the assault and intimidation of the President of the NLC, Comrade Joe Ajaero. This development should concern all of us. Such actions undermine not only individual trade union leaders but also the institutions of social dialogue and collective representation that are fundamental to democratic labour relations.

Trade unions are not enemies of the State. Trade unions are democratic institutions that give workers a collective voice and contribute to national development, social stability and economic progress. When trade union leaders are intimidated, when workers are harassed for exercising their rights and when governments interfere in the internal affairs of workers' organizations, the victims are not only trade unions. Democracy itself is weakened. Social dialogue is undermined.

Trust between social partners is eroded. The challenges of unemployment, informality, inequality, climate change, technological transformation and growing social pressures require stronger social dialogue, not weaker social dialogue. Stronger trade unions and not weaker trade unions, and great respect for freedom of association, not restrictions on workers' rights. In Ghana, our situation is not perfect. However, our experience demonstrates that sustainable industrial peace is best achieved through dialogue, mutual respect and strong labour institutions rather than confrontation and intimidation.

Over the years, successive governments have organized labour as a legitimate partner in national development. At the highest level of governance, the President of the Republic regularly joins workers during these meetings and engages directly with organized labour on matters of international importance. This is not merely symbolic. It reflects a national commitment to social dialogue and respect for workers' voices. Such engagement has contributed significantly to industrial peace, strengthening trust among the social partners and demonstrated that meaningful dialogue remains the most effective pathway for resolving differences and advancing national development.

The lesson is clear. Respect for freedom of association and collective bargaining is not a threat to development. It is a prerequisite for development. We, therefore, urge the Government of Nigeria to take all necessary measures to investigate the allegations raised by the Committee of Experts, guarantee the safety and independence of trade union leaders and members, refrain from interference in trade union affairs and fully uphold its obligations under Convention No. 87 and the Convention. We stand in solidarity with our brothers and sisters in Nigeria and reaffirm that workers everywhere must be free to organize, bargain collectively and defend their interests without fear, intimidation or violence.

Presidenta – Vamos a pasar ahora el uso de la palabra al Sr. Braimah Ibrahim Dawuda, representante gubernamental de Ghana.

Government member, Ghana (Mr DAWUDA) – It is critical to reaffirm the importance of the Convention, as one of the fundamental Conventions underpinning decent work, social cohesion and social justice in the world of work. The Government of the Republic of Ghana has taken note of the information provided by the Government of the Republic of Nigeria to the Committee of Experts regarding the matter of the right to organize and collective bargaining as espoused in the Convention. The Government of Nigeria has honestly indicated the occurrence of isolated breaches of these rights by employers in the country. It has also informed this Committee of ongoing legislative reforms and its commitment to ensuring a serene industrial relations environment through an improved labour administration.

In the light of this, we applaud the legislative strides it is making to give meaning to the rights provided under the Convention and the assurance of non-interference in the processes between workers and employers regarding these rights. While we commend the Government for its efforts, we entreat you to continue to engage meaningfully with its social partners to resolve all inherent challenges together to avoid future recurrence.

The Government of Ghana urges the Government of the Republic of Nigeria to seek the necessary technical assistance from the ILO to ensure these rights are integrated into the tripartite validation of the outstanding draft bills and facilitate their early passage by the appropriate competent authority. We urge the Committee to consider the efforts of the Government of the Republic of Nigeria to reform in its conclusions.

Presidenta – Pasamos el uso de la palabra al Sr. Tirivanhu Marimo, quien habla en representación de los trabajadores de Zimbabwe.

Worker member, Zimbabwe (Mr MARIMO) – This case concerns more than labour relations. It concerns the integrity of the Convention itself. For many years, the Committee of Experts has emphasized that the promotion of voluntary collective bargaining is one of the central objectives of the Convention. The Committee has repeatedly recalled that negotiations must be conducted in good faith, that workers' organizations must be free from interference and that collective agreements freely concluded must be respected and implemented.

The Committee's jurisprudence in this regard is unequivocal. In its General Survey on collective bargaining and in its long-standing interpretation of Article 4 of the Convention, the Committee of Experts has consistently stated that collective bargaining must be conducted in good faith and agreements reached through such bargaining must be respected. The Committee has emphasized that there would be little reason for workers to engage in collective bargaining if the agreements reached could simply be ignored by employers or public authorities. It is precisely this principle that is being violated by Nigeria. At the federal level, the Government has not fully implemented the wage award negotiated with organized labour.

The payment of negotiated peculiar allowances for federal workers remains incomplete. The agreements concluded between the Federal Government and the NLC and TUC on 2 June 2023 and 5 October 2023 have not been fully honoured. At state level, the consequential adjustments arising from the national minimum wage remain outstanding in Edo State. In Kaduna State, workers continue to face challenges regarding the full implementation of the national minimum wage. Collective bargaining cannot exist only on paper.

When governments negotiate agreements with representatives of workers' organizations and then fail to implement them, collective bargaining is transformed into an empty ritual. The Committee of Experts has repeatedly maintained that the objective of Article 4 of the Convention is not merely to facilitate meetings between parties but to promote genuine collective bargaining leading to meaningful agreements that are respected in practice. The failure to implement negotiated agreements is therefore not a minor administrative matter. It strikes at the heart of the Convention. Yet the challenges in Nigeria go beyond non-implementation.

The Committee of Experts has examined Nigeria under the Convention on numerous occasions, including observations adopted in 2018, 2021, 2024 and 2025. The persistence of these issues demonstrates a troubling pattern rather than isolated incidents. The workers of Nigeria have negotiated in good faith. They have honoured their obligations. They have demonstrated patience. It is now time for the Government of Nigeria to do the same.

Presidenta – Pasamos el uso de la palabra al Sr. Nouredine Triki, quien habla en representación del Gobierno de Túnez.

Interprétation de l'arabe: **Membre gouvernemental, Tunisie (M. TRIKI)** – La délégation de la Tunisie salue le gouvernement du Nigéria et le remercie pour toutes les informations fournies pour ce qui est de l'application de la convention. Nous avons pris note du progrès qui a été atteint pour établir un cadre législatif pour ce qui est de la résolution des conflits dans le domaine du travail d'une façon efficace et durable, ainsi que la mise en place de principes directeurs.

Nous saluons également les réformes qui se poursuivent pour améliorer la conformité de la législation avec la convention. Nous saluons ces efforts, ainsi que la collaboration entre le Nigéria et l'OIT.

Ma délégation voudrait également saluer les engagements du Nigéria et les efforts fournis pour respecter les normes internationales du travail tout en prenant note des observations de cette commission, ainsi que de la commission d'experts.

Presidenta – Pasamos la palabra al Sr. Davji Ouma Atellah, quien habla en representación de los trabajadores de Kenya.

Worker member, Kenya (Mr ATELLAH) – I speak on behalf of African trade unions and Public Services International (PSI). We join in the concerns expressed regarding Nigeria's

compliance with the Convention. At the heart of this case lies a simple but fundamental question. Can collective bargaining function effectively when engagements are delayed, disregarded or subjected to excessive administrative control? For workers in Nigeria's public services, this is not a theoretical question. It is a daily reality. Collective bargaining is built on good faith, yet public sector unions frequently face prolonged delays before negotiations even begin. Bargaining processes are too long, often reactive rather than institutionalized, forcing workers to mobilize repeatedly simply to secure dialogue on matters affecting their livelihood and working conditions. Even more concerning is what happens after agreements are reached. Workers in health, in education and other public services have repeatedly experienced situations where negotiated outcomes are not implemented within the agreed timelines.

This creates a cycle of frustrations, a cycle of industrial unrest and a cycle of avoidable disruptions of public services. The Committee of Experts has noted allegations concerning interference in collective bargaining processes and the failure to implement collective agreements. These concerns go to the very essence of the Convention. The Committee has also rightly called for labour reforms, including the removal of provisions that subject collective bargaining outcomes to ministerial approval. Such powers are incompatible with the principles of free and voluntary collective bargaining. Collective agreements should be negotiated by parties, not subjected to political discretion.

We are also particularly concerned about the continued exclusion of certain categories of public sector workers from full collective bargaining rights. Public servants who are not engaged in the administration should enjoy the protection guaranteed under the Convention. Collective bargaining cannot thrive where agreements are treated as optional, where implementation depends on political convenience or where workers must resort repeatedly to industrial action to secure what is right and what they have rightfully negotiated. We call on the Government of Nigeria today to stop using the "no work, no pay" policy as a tool of intimidation against workers. This policy, which emanates from section 42.1A of the Trade Disputes Act, has been misused and has been abused to silence lawful industrial action and to criminalize legitimate struggle for fairness, struggle for dignity and struggle for fulfilment of agreements. We, therefore, urge the Government of Nigeria to engage in genuine good faith bargaining, to fully implement negotiated agreements, to complete labour reforms without further delay, to remove all remaining obstacles to free and voluntary collective bargaining and to ensure all public sector workers covered by the Convention can effectively exercise their rights. Respect for collective bargaining is not only a worker's right, it is a prerequisite for stable public service and social dialogue and lasting industrial peace.

Presidenta – Vamos a pasar el uso de la palabra al Sr. Mohamed Alserkeek, quien habla en representación del Gobierno de Libia.

Government member, Libya (Mr ALSERKEEK) – Distinguished members of the Committee, the State of Libya is honoured to express its deep appreciation to the Committee of Experts for the preparation of its report, and affirms its support for the responses and objective clarifications provided by the Federal Republic of Nigeria which reflect a clear and sincere commitment to the principles of the Convention, and a genuine dedication to fostering a work environment based on dialogue and mutual respect. We have carefully reviewed the comprehensive institutional framework presented by Nigeria for the settlement of labour disputes, which includes negotiation, mediation, conciliation, arbitration and judicial processes through well-established institutions that play a pivotal role in ensuring fair and effective dispute resolution. We also welcome Nigeria's confirmation that collective bargaining is fully exercised between workers and employers and that the role of the Government remains limited to providing the legislative and regulatory environment that guarantees the

independence of the social partners, an essential principle of decent work. We further commend the practical measures taken by the Nigerian Government to protect workers from anti-union discrimination and strengthen the capacities of labour inspectors, the sectoral guidelines developed in key industries, as well as the ongoing work in other sectors.

We also note that the legislative reforms underway in cooperation with the International Labour Organization include updating labour relations, law and labour standards within a broad tripartite consultation framework. In conclusion, the State of Libya reaffirms its support for the efforts of the Federal Republic of Nigeria and encourages the continuation of constructive dialogue with the supervisory bodies of the International Labour Organization. The State of Libya also calls upon the esteemed Committee to take into account the progress achieved and to value the practical steps undertaken by the Nigerian Republic to strengthen trade union rights and collective bargaining.

Presidenta –Pasamos el uso de la palabra al Sr. Godfrey Masale Selematsela, quien habla en representación de los trabajadores de Sudáfrica.

Worker member, South Africa (Mr SELEMATSELA) – I take the floor on behalf of the Federation of Trade Unions of South Africa (FIDUSA) to highlight the plight of public sector workers in Nigeria who continue to be denied their fundamental rights to freedom of association and collective bargaining. These categories of workers are found in immigration services, correctional services, customs services, minting and printing services, the Central Bank of Nigeria, defence force, police and other public sector workers not engaged in state administration. Convention No. 98 is a fundamental international labour standard that protects workers from anti-union discrimination and promotes voluntary collective bargaining between employers and employees. The Nigerian Government is violating the rights of these groups of public service workers, discriminating against them for joining and forming trade unions and engaging in collective bargaining. These workers are dedicated professionals who must enjoy their rights like any other group of workers recognized by the laws of Nigeria.

The right to freedom of association and collective Convention affirms the right of all workers to join and form trade unions without distinction. Collective bargaining is not just a legal obligation but a fundamental necessity to ensure fair wages, better working conditions and job security. The failure to enjoy fundamental rights has a negative impact on services delivered to the entire Nigerian population who rely on Government services. Public trust in Government institutions may also be affected. In my country, South Africa, the Constitution and the Labour Relations Act allow workers to join and participate in trade unions of their choice without fear of discrimination or victimization. This right is extended to members of the police force, correctional services and defence forces. These workers have their trade unions, the Police and Prisons Civil Rights Union (POPCRU) and the South African National Defence Force (SANDU). Collective bargaining takes place mainly through the Public Service Coordinating Bargaining Council which brings together Government representatives and trade unions. Several major public service unions play a key role in representing employees. These include the National Education and Allied Workers' Union, which represents workers in health, education and other public services, and the Public Servants Association, one of the largest unions representing public servants, just to mention a few. These unions negotiate on behalf of their members and help ensure that workers' rights and interests are protected. I call upon the Government of Nigeria to emulate South Africa's anti-discrimination laws in ensuring that they offer all public servants the right to organize, the right to join and form a trade union, including trade union federation. We affirm our commitment to stand against discrimination in all forms within the public service. It is our collective responsibility to advocate for the rights of every worker, ensuring that they can join in unity, strength and solidarity.

The Committee of Experts' report has been calling on the Government to undertake reforms which have remained an unending promise. Strong public service unions and effective collective bargaining contribute significantly to workplace democracy, social justice and improved public service delivery. I urge the Government of Nigeria to uphold the principles of democracy and equality, essential for a just society.

Presidenta –Vamos a pasar el uso de la palabra al Sr. Essaid Soukrati, quien habla en representación del Gobierno de Marruecos.

Membre gouvernemental, Maroc (M. SOUKRATI) – Permettez-moi, à l'entame de cette intervention, de saluer le travail accompli par la commission d'experts dans l'exercice de son mandat. Nous remercions également le gouvernement du Nigéria pour les informations détaillées et les éclaircissements apportés à cette commission, ainsi que pour l'esprit de coopération dont il fait preuve dans le cadre du dialogue avec les mécanismes de contrôle de l'OIT en vue de donner suite aux observations formulées.

Nous avons suivi avec attention l'exposé présenté par la délégation du Nigéria et nous apprécions les efforts engagés pour renforcer davantage la conformité de la législation et de la pratique nationales avec les normes internationales du travail. Nous relevons également le renforcement de l'arsenal juridique et institutionnel destiné à promouvoir le dialogue social, à prévenir et à résoudre les conflits du travail et à favoriser l'exercice effectif du droit d'organisation et de négociation collective. À cet égard, les mécanismes de négociation, de médiation, de conciliation, d'arbitrage et de règlement juridictionnel mis en place, ainsi que les consultations tripartites conduites avec l'appui de l'OIT, témoignent de l'attachement du Nigéria aux principes consacrés par la convention n° 98, notamment la liberté syndicale, la négociation collective, l'institutionnalisation du dialogue social et la promotion d'un climat social propice au travail décent. Les résultats communiqués illustrent le caractère concret et effectif de la négociation collective au Nigéria, avec plus de 130 conventions collectives en vigueur dans des secteurs stratégiques couvrant près de 4,6 millions de travailleurs, ce qui confirme le rôle essentiel de ce mécanisme dans la régulation des relations de travail et le maintien de la paix sociale.

Au regard des avancées enregistrées, le Maroc encourage la poursuite des efforts engagés, avec l'appui du dialogue constructif avec l'OIT et de la coopération technique, afin de consolider davantage les acquis en matière de négociation collective, de dialogue social et de protection des droits syndicaux, conformément à la convention n° 98.

Presidenta – Pasamos el uso de la palabra al Sr. Fidèle Kiyangi Matangila, quien habla en representación de los trabajadores de la República Democrática del Congo.

Membre travailleur, République démocratique du Congo (M. KIYANGI MATANGILA) – Les travailleurs congolais, ainsi que les membres travailleurs, dénoncent le cas du Nigéria avec une profonde inquiétude. Notre message est simple: la liberté syndicale ne peut exister lorsque les autorités publiques s'immiscent dans les affaires des syndicats, imposent les dirigeants aux travailleurs et utilisent les forces de sécurité ainsi que le pouvoir judiciaire pour étouffer l'action syndicale.

Le Nigéria a ratifié les conventions n°s 87 et n° 98, il y a plus de soixante ans. Pourtant, la commission d'experts continue de relever des allégations graves de harcèlement, d'intimidation, d'arrestations, de violences policières et d'ingérences dans la vie syndicale. En 2025, la commission d'experts a pris note des allégations relatives à l'occupation du siège du Nigeria Labour Congress dans l'État d'Edo, à l'éviction de dirigeants démocratiquement élus, à l'intimidation de responsables syndicaux et à l'utilisation des forces de sécurité pour empêcher

les activités syndicales. Appelons les choses par leur nom: il ne s'agit pas là d'un simple différend administratif, mais plutôt d'une tentative de prise de contrôle des organisations de travailleurs dans le seul but d'étouffer la liberté syndicale et l'action professionnelle.

Dans l'État d'Edo, les structures syndicales élues auraient été remplacées par des structures soutenues par les autorités publiques. Des ressources nécessaires auraient été mises à leur disposition pour bien torpiller les syndicats légitimes, tandis que les représentants légitimes des travailleurs étaient écartés. Des allégations similaires ont également été signalées à Lagos et dans l'État de Rivers. Lorsqu'un même phénomène apparaît dans plusieurs États de la fédération, il ne s'agit plus d'un incident isolé, il s'agit bien au contraire d'un schéma préoccupant d'ingérence politique dans l'autonomie syndicale.

Le droit d'organisation signifie que les travailleurs choisissent librement leurs représentants. Les gouverneurs, la police et tous les acteurs politiques ne choisissent pas les dirigeants syndicaux. Un syndicat contrôlé par le gouvernement n'est pas un syndicat. Une négociation collective menée par des structures imposées n'en est pas une. Et un dialogue social sans organisations indépendantes de travailleurs n'est qu'une illusion.

Ainsi, nous appelons donc le gouvernement du Nigéria à enquêter sur toutes les allégations de violence et d'ingérence, à rétablir les structures syndicales légitimement élues, à mettre fin à l'utilisation des forces de sécurité contre les activités syndicales légales et à garantir la pleine conformité avec les conventions n^{os} 87 et 98, afin d'assurer l'effectivité des droits syndicaux. Cette commission doit envoyer un message clair: la démocratie ne saurait être sélective. Un État qui prétend respecter la démocratie doit garantir aux travailleurs la pleine liberté d'élire les représentants syndicaux à tous les niveaux.

Presidenta –Pasamos la palabra al Sr. Bheki Mamba, quien habla en representación de los trabajadores de Eswatini.

Worker member, Eswatini (Mr MAMBA) – We wish to underscore the critical importance of the ongoing and proposed legislative reforms in Nigeria as a necessary and urgent step towards full compliance with the application arising under the Convention. The Committee of Experts' observations highlight several areas within the Trade Unions Act and related legislation that require amendment. These include restrictive threshold for union formation, limitation on the registration of new unions, excessive from ministerial discretion in revoking union registration and broad exclusions of certain categories of workers from the right to organize. Additionally, constraint on the right to strike including arbitration over expansive definition of essential services and penal sanctions raise serious concerns regarding the effective exercise of trade union rights. From our perspective, these reforms are not merely technical legal adjustments. They go to the very heart of freedom of association.

Convention No.98 guarantees workers and employers the right to organize and collectively bargain and to establish and form organizations of their own choosing without prior authorization. Any legislative framework that imposes undue barriers whether through numerical threshold or restrictions on industrial action risks undermining this fundamental principle. We particularly note the ongoing effort to consolidate these reforms within the proposed collective labour relations bill. This presents a valuable opportunity for Nigeria to align its domestic legal framework within international labour standards.

Ensuring that workers including those in previous excluded sectors can freely organize, that unions can operate without interference and that the right to strike is respected in law and in practice with significant industrial relations and democratic governance. Furthermore, reforms addressing freedom of association and the right to organize and collectively bargain

in export processing zones and ensuring genuine trade union pluralism are essential in adopting labour law to contemporary economic realities. We firmly believe that meaningful social dialogue and coupled with legislative reforms is indispensable in fostering respect for fundamental rights at work. We, therefore, encourage the Government of Nigeria to expedite these reforms in consultation with social partners and to avail itself of the technical assistance offered by the International Labour Organization. In furtherance with this, we urge the Nigerian Government to stop the continuous delay of sending these bills to the legislature for enactment into law. We consider seven years delay after its conclusion as inexplicable and continued hindrance to the operation of Convention 98. Such steps will not only advance compliance with Convention 98 but will also continue to a more just, inclusive and sustainable and stable labour environment.

Presidenta – Pasamos el uso de la palabra a Sra. Linnea Wikström, quien habla en representación de la Internacional de Trabajadores de la Construcción y la Madera.

Observer, Building and Woodworkers' International (BWI) (Ms WIKSTRÖM) – The Building and Woodworkers International (BWI) thanks the Government of Nigeria for its report and welcome this discussion. The BWI wish to emphasize that the effective protection of workers against anti-union discrimination and interference lies in the very heart of the Convention. Workers must be able to freely join and participate in trade unions without fear of retaliation, dismissal, intimidation or any other forms of prejudice. In this regard, we note with concern the issues raised over a number of years concerning anti-union discrimination and interference in several sectors of the economy. Dismissals of workers seeking to join trade unions, actions targeting trade union leaders and members and obstacles to exercise trade union rights continue to raise serious questions regarding the practical application of the Convention.

We are particularly concerned that workers still face barriers when attempting to organize and join trade unions of their own choosing. Freedom of association and collective bargaining cannot be exercised where workers are discouraged, intimidated or prevented from joining independent trade unions. Equally concerning are situations in which employers seek to influence or control workers' representations through employers' dominated organizations or so-called yellow unions which undermine genuine collective bargaining and weakens workers' ability to defend their interests independently. We therefore encourage the Government to ensure that all anti-union discrimination, interference and dismissals related to trade union memberships or activities are subject to prompt independent and effective investigations. Where violations are established, appropriate remedies should be available including reinstatement, compensation and sanctions that are sufficiently dissuasive to prevent future violations.

The BWI also wish to underline the importance of effective and timely dispute resolutions mechanisms. Delayed procedures can deny workers meaningful protection and undermine confidence in labour relations institutions. Justice delayed is often justice denied. Workers who lose their employment because of trade union activities require rapid access to impartial procedures capable of providing timely remedy. In conclusion, the BWI call on the Government to take concrete actions to combat anti-union discrimination and interference, prevent dismissals linked to trade union activity and assure that workers can join freely the organization of their own choosing, strengthening dispute resolution mechanisms to guarantee an environment in which collective bargaining can take place freely and effectively.

Presidenta – Vamos a pasar el uso de la palabra a la Sra. Anne-Marie Mureau, que habla en representación de IndustriALL.

Observer, IndustriALL (Ms MUREAU) – I speak on behalf of IndustriALL Global Union which brings together unions in 130 countries representing workers in the mining, energy and manufacturing sectors. Nigeria present one of the most serious and persistent challenges to freedom of association and collective bargaining on the continent. Although the country ratified the Convention in 1960, the gap between its international commitments and the reality on the ground continues to widen. The situation affects all major sectors including energy, manufacturing, transport and services. Across the country, authorities at all levels bypass collective bargaining through wage commissions. Instead of negotiating with unions they impose wage awards for political purposes. This excludes workers entirely from the process leaving unions sidelined in decisions that shape wages, working conditions and the scope of bargaining.

The private sector also present serious challenges. Companies continue to deny workers the right to join unions, to bargain collectively and to enjoy basic rights at work. For example, in a refinery in Lagos hundreds of workers were dismissed after attempting to organize. Following intervention by the Nigeria Labour Congress and industrial affiliates, the company signed an agreement allowing unionization. However, within one week soldiers were deployed to intimidate workers and prevent them from joining unions. IndustriALL Global Union observes and highlights the following violation of fundamental rights in Nigeria under Convention No. 98: anti-union discrimination and retaliation, employer interference in union affairs, restriction on collective bargaining, excessive use of security forces during labour disputes, legal and administrative barriers, failure to enforce protections. IndustriALL also supports the key points raised by the ITUC submission regarding the Government of Nigeria's failure to respond to concerns raised by the Committee of Experts and other ILO supervisory bodies.

This Committee must express serious concern and conclude that the Government of Nigeria takes concrete and time-bound measures to remedy these serious violations.

Presidenta – No veo más pedidos de palabra. Invito ahora al representante gubernamental de Nigeria el Nigeria Sr. Emmanuel Nosakhare Igbinosun, Director Jefe del Departamento de Medición de la Productividad y Normas Laborales a que formule sus conclusiones.

Government representative (Mr IGBINOSUN) – Nigeria wishes to thank all delegations that have made interventions in this matter. Comments by both Workers' and Employers' groups are duly noted. Nigeria views the observations of the supervisory bodies and several Delegations as valuable tools for continuous improvement rather than merely compliance exercises. All workers in Nigeria are in law and practice allowed to join unions and are not prevented from exercising this right.

The Government of Nigeria reiterates that social dialogue remains the primary mechanism for managing labour relations in the country and does not interfere in trade union matters. Therefore, the Government would continue to engage meaningfully in line with the provisions of Convention No. 98 which was adopted by this august body because freedom of association alone was not enough. Workers needed protection from retaliation, independence from employer control, and a legal framework that made collective bargaining real rather than symbolic. However, while the Government improves processes in line with our established dispute resolution procedures, on the issue of Edo State which was mentioned in the course of our deliberations, the Honourable Minister of Labour and Employment intervened in the dispute between Edo State Government and the Edo State branch of the Nigeria Labour Congress as expected. To demonstrate Government's willingness and compliance with the

provisions of Convention No. 98, Government established a high-powered investigative Committee comprising of the NLC members to Edo State.

Both parties, the Nigeria Labour Congress and the State Government agreed to work together to find a lasting solution. Let me reiterate that the Government of Nigeria is willing to continue engaging with all parties to explore new ways to facilitate an amicable resolution of matters raised if the conciliatory measures taken have yet to yield desired results. Permit me to respond briefly regarding the NURTW raised again by the Nigeria Labour Congress leadership. The Honourable Minister of Labour and Employment has also intervened to resolve this dispute. At one point, the parties in this dispute left the mediation and conciliation processes and proceeded to adjudication.

Following adjudication, conciliation was resumed with several court judgments presented. The Government found it necessary at this point to forward to the Ministry of Justice these judgments for interpretation. This demonstrates genuine actions on the part of Government to resolve the issues in dispute objectively. We therefore assure this Committee that this matter is being handled and will be resolved in accordance with our dispute resolution processes. Nigeria acknowledges the Committee of Experts' observation that legal protections must be supported by effective implementation mechanisms.

Accordingly, efforts are underway to strengthen labour administration and inspection services to improve monitoring, investigation and enforcement concerning allegations of anti-union discrimination. Nigeria is presently undertaking one of the most comprehensive reviews of its labour legislation since independence. The objective is to modernize the legal framework governing labour relations and ensure greater conformity with ratified international labour standards. The review process has been conducted through extensive tripartite consultations involving the government, employers, workers and technical experts with support from the Office. Several legislative instruments have been developed including the proposed collective labour relations legislation and the labour standards legislation among others.

The Government therefore notes the workers' comments concerning collective bargaining rights for certain categories of public sector workers and wishes to assure this Committee that these matters continue to receive careful consideration within the ongoing reform process. We also note the Committee of Experts' comments concerning section 19 of the Trade Disputes Act. In this regard, Nigeria welcomes the Committee of Experts' recognition that the ministerial approval requirement currently contained in section 19 is not being retained in the proposed collective labour relations bill. This represents an important step towards further strengthening the autonomy of collective bargaining processes in line with the Convention. The Government remains committed to constructive engagement with social partners and the Office to explore available technical assistance and ensure that the final legislative framework is fully informed by international labour standards and national realities.

I will conclude by emphasizing that our Government remains fully committed to genuine collective bargaining, promoting freedom of association, collective bargaining, social dialogue and decent work. We recognize that challenges remain as they do in many countries. However, significant progress has been achieved through institutional reforms, policy development, legislative modernization, and sustained engagement with social partners. We may not be where we want to be yet, but we are certainly not where we were. Nigeria, therefore, welcomes continued collaboration with the ILO and reiterates its readiness to avail itself of the technical assistance of the Office, particularly in the areas of labour law reform, strengthening collective bargaining institutions, labour inspection, data management, and mechanisms for preventing anti-union discrimination.

Presidenta - Agradecemos su participación en las labores de la Comisión y la información que ha facilitado. Ahora es el turno de palabra de las dos portavoces. Invito, en primer lugar, a la Sra. Tala Khoury portavoz del Grupo de los Empleadores.

Employer members – The Employer members would like to thank the speakers who have taken the floor today. We again want to thank the Government of Nigeria for the information that it has provided and for its engagement. Before I start with my concluding remarks, I want to note that the intervention from the Worker of Eswatini referred to the right to strike. We wish to remind the speakers that we are here to address the Government's application of Convention No. 98 in law and in practice.

We reiterate the importance of ensuring compliance with Convention No. 98 in both law and practice, including effective protection against anti-union discrimination, the promotion of free and voluntary collective bargaining and a legislative framework that supports the independence of social partners. In light of today's discussion, the Employer members recommend that the Government of Nigeria take the following steps: (i) provide specific information to the allegations of interference in collective bargaining, inadequate dispute resolution mechanisms and the non-implementation of collective agreements as they apply in practice; (ii) provide information regarding the investigations into the allegations of anti-union discrimination first raised in the Committee of Experts' observations in 2021 and the outcomes of these investigations; (iii) provide information on steps to deepen tripartism and social dialogue and also ensure the functioning of the National Labour Advisory Council, the supreme supervisory body for social dialogue and tripartism in Nigeria; and (iv) continue its labour law reform process in consultation with social partners to ensure that the relevant legislative provisions are brought into conformity with the Convention and to continue to avail itself of technical assistance from the Office in relation to the labour law reform.

Presidenta – Invito ahora a la portavoz del Grupo de los Trabajadores la Sra. Nina Mjøberg a tomar la palabra.

Worker members – The Worker members thank the Government of Nigeria for the information it has provided to this Committee, as well as all the delegates who took the floor during the discussion. We have listened carefully to the interventions made, and note the Government's references to ongoing labour reform, the adoption of the national industrial relation policy and the development of sectoral guidelines intended to address anti-union discrimination. We also take note of the stated willingness to continue engaging with the ILO and the social partners. At the same time, this discussion has confirmed that serious concerns regarding the application of the Convention remain unresolved.

Many of the issues raised by the Committee of Experts have been before this Committee for several years, including allegations of anti-union discrimination, dismissals linked to trade union activity, interference in collective bargaining processes, failure to implement collective agreements and restrictions affecting the collective bargaining rights of certain categories of public sector workers. The Worker members also remain deeply concerned by reports of violence, intimidation and threats against trade union leaders and members, including allegations involving state actors as well as by the persistence of a climate of impunity. Such acts create fear, undermine the exercise of trade union rights and are fundamentally incompatible with the effective application of the Convention. The Government bears responsibility for ensuring a safe and enabling environment in which workers and their organizations can exercise their rights freely and without fear. This requires not only the prompt investigation and prosecution of acts of violence and intimidation but also the effective

protection of civil liberties and fundamental rights that are indispensable for the exercise of freedom of association and collective bargaining.

The Worker members wish to stress that workers in Nigeria cannot continue waiting indefinitely for concrete progress. Repeated assurances, ongoing consultations and references to future reforms are not sufficient if violations persist in practice, and if workers continue to face retaliation for exercising their fundamental rights. Convention No. 98 requires more than formal commitments. It requires effective protection in law and in practice. We therefore expect the Government to take concrete and measurable actions without delay. In particular, We urge the Government: (i) to ensure that all allegations of anti-union discrimination and interference are promptly and effectively investigated and to ensure access to effective remedies and sanctions where violations are established; (ii) to provide detailed information on the outcome of investigations undertaken, including in the banking, education, electricity, petroleum, gas and telecommunication sectors; (iii) to ensure a safe and enabling environment in which workers and their organization can exercise their rights freely including the right to organize and bargain collectively without fear of intimidation, violence or retaliation; (iv) to complete without delay the ongoing labour law reform process to bring national legislation into full conformity with the Convention. This includes ensuring the full recognition of collective bargaining rights for all public sector workers not engaged in the administration of the State and eliminating legislative provisions that allow undue interference in collective bargaining; and (v) to regularly collect and provide reliable statistical information on collective agreements concluded and enforced, and sectors and workers covered by these agreements.

As a final note, the Worker members acknowledge the Government's stated openness to receive support. We recall that the issues discussed today have been pending for years. Expectations are clear. Nigerian workers are entitled to effective protection against anti-union discrimination, genuine collective bargaining free from interference and full respect for their rights and for Convention No. 98. Therefore, we invite the Government to accept a direct contacts mission.

Presidenta - Damos por concluida la discusión de este caso. Agradezco la participación del representante gubernamental de Nigeria y de todos los oradores que participaron en la discusión. Las conclusiones de este caso serán adoptadas en la Comisión el miércoles 10 de junio por la tarde. Hemos finalizado nuestro trabajo del día de hoy.

La Comisión reanudará sus labores mañana a las 10 horas con dos sesiones especiales. Por la mañana, una sesión especial sobre Belarús y por la tarde, una sesión especial sobre Myanmar. Ambas sesiones se encuentran en la agenda de la Comisión en seguimiento de dos Resoluciones adoptadas por la Conferencia Internacional del Trabajo sobre las medidas recomendadas por el Consejo de Administración en virtud del artículo 33 de la Constitución de la OIT, con miras a garantizar el cumplimiento de las recomendaciones de las comisiones de encuestas establecidas en virtud del artículo 26 de la Constitución.

La primera, para examinar la aplicación del Gobierno de Belarús del Convenio sobre la libertad sindical y la protección del derecho de sindicación, 1948 (núm. 87) y del Convenio sobre el derecho de sindicación y de negociación colectiva, 1949 (núm. 98). La segunda para examinar el incumplimiento por Myanmar del Convenio sobre la libertad sindical y la protección del derecho de sindicación, 1948 (núm. 87) y del Convenio sobre el trabajo forzoso, 1930 (núm. 29). En ambas Resoluciones la Conferencia decidió celebrar en sus reuniones futuras una sesión especial en la Comisión de Aplicación de Normas a efectos de examinar la situación de dichos países.

Les agradezco su colaboración y actitud constructiva. Agradecemos también a los intérpretes que facilitan las labores de comunicación.

Se levantó la sesión a las 17.30 horas.

The sitting closed at 5.30 p.m.

La séance est levée à 17 h 30.

DRAFT