



SHARAN BURROW
PRESIDENT
PRÉSIDENTE
PRÄSIDENTIN
PRESIDENTA

GUY RYDER
GENERAL SECRETARY
SECÉTAIRE GÉNÉRAL
GENERALSEKRETÄR
SECRETARIO GENERAL

Mr. Jawad Al-Maliki
Prime Minister
Republic of Iraq
Baghdad

iraqigov@yahoo.com

HTUR/FW

18 February 2009

Upcoming trade union elections in breach of ILO Conventions

Dear Prime Minister,

The ITUC, which represents 168 million workers through its 311 affiliates in 155 countries, is very concerned about the upcoming trade union elections which are being scheduled for March 2009. These elections, which are going to be conducted under Law 52, issued during the Saddam era in 1987, are overtly in breach of ILO Conventions 87 and 98, of which the latter has been ratified by your country.

According to Law 52, only six trade unions will be allowed to participate in the elections, i.e. the Construction and Wood Workers' Union, the Public Workers' Union, the Transport and Communication Workers' Union, the Mechanic and Printing Workers' Union, the Textile and Leather Workers' Union and the Agricultural and Food Products Workers' Union. All six are private sector unions, affiliated to the Iraqi Federation of Trade Unions (IFTU). Law 52 does indeed prohibit the participation of public sector unions; in fact it goes further, even prohibiting public sector workers from forming or joining a union.

This regulation, which constitutes a flagrant violation of the aforementioned ILO Conventions, has some very negative consequences for the Iraqi trade union movement. First of all, affiliates from any other Iraqi union federation are excluded from participating. Secondly, while six of its affiliates are allowed to participate in the elections, other IFTU affiliates, e.g. the Oil and Gas Workers' Union, the Port Workers' Union, the Electricity Workers' Union and the Railways and Aviation Workers' Union, are not allowed to participate.

However, the Chair of the election committee of the Iraqi government, which will be supervising the elections, said that he will not prevent public sector workers from organising their own trade union elections, and that the results of such elections would be legally registered, but that the public sector unions would not be recognised as Law 52 does not allow it. As a result, some public sector unions have indicated they wish to hold trade union elections, while others said they wouldn't because they want to abide by the law.



**ITUC INTERNATIONAL TRADE UNION CONFEDERATION CSI CONFÉDÉRATION SYNDICALE INTERNATIONALE
CSI CONFEDERACIÓN SINDICAL INTERNACIONAL IGB INTERNATIONALER GEWERKSCHAFTSBUND**

Bd. du Roi Albert II, 5, Bte 1, B – 1210 Bruxelles Belgique
Tel. +32 (0) 2224 0211 Fax +32 (0) 2201 5815 E-mail info@ituc-csi.org <http://www.ituc-csi.org>

This illegitimate way of organising the union election process is forcing divisions within the Iraqi trade unions. As you will know, the abovementioned six IFTU affiliates which are allowed to organise elections, in fact organise workers from both the private as well as the public sector (e.g.: the Transport and Communication Workers' Union). Some of their members are therefore allowed to participate, while others aren't.

Furthermore, the elections will take place in only 15 provinces of Iraq, thereby excluding its three Northern Kurdish provinces.

Finally, it should be pointed out that in August 2005, your authorities issued the highly controversial Order 8750, which froze all trade union assets and financial accounts. According to our information, this measure would be re-assessed after the trade union elections and possibly suspended, but only for the private sector unions which are currently allowed to participate.

All of the above is of course completely unacceptable to the international trade union movement, and the ITUC reiterates its vigorous protest against it. We hereby inform you that we have written to the ILO Director-General to request him to contact the Iraqi authorities, offering you all the necessary and appropriate technical assistance and thus allowing you to organise these trade union elections in a proper way, in line with all relevant international standards. We urge you to immediately take up this serious issue and ensure the workers of your country get the opportunity to elect their union representatives in a free and fair way.

Yours sincerely,

General Secretary

Cc: ILO Director-General, Geneva
Iraqi embassy in Brussels