

Iraq Trade Union Rights

Welcome to the Iraq Trade Union Rights Bulletin!

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Unions Say New Laws Fail to Secure Rights for Workers

The fledgling Iraqi government has been tackling some of the country's outdated laws, such as the 1980s-era labor code. At a September 20, 2011, cabinet meeting, Iraq government spokesman Ali Al Dabagh [announced compelling reasons to issue the new labor code](#). Al Dabagh stated that the draft law, which consists of 157 articles in 17 chapters, is based on principles of social partnership aimed at promoting economic, social, and political stability in Iraq. Al Dabagh also claimed that the new law would cancel decision 150, which was introduced in 1987 and effectively removed all public-sector worker rights to unionization. Trade unions disagree, citing the removal from the new version of language in previous drafts on trade union organizations, structure, and responsibilities. What's more, unions say, public-sector workers, the majority of Iraqi workers, are not covered by this law. Although the government claims that it will promulgate a new law on trade unions, there is no indication that this process has begun or when it [may be considered](#).



Iraqi workers rally for a fair and just labor law. Photo by GFIW

Other laws of great importance to worker rights that are being considered by the Iraqi government are also seriously flawed. For example, human rights groups have harshly criticized the [new draft law on freedom of expression, assembly, and peaceful demonstration](#), introduced in May 2011 as a way to restrict protest following the February 25 Day of Rage (see Bulletin, Volume 2, Issue 1). [Human Rights Watch](#) (HRW) contends the law undermines constitutional guarantees of “freedom of assembly and peaceful demonstration” and will enable authorities to curtail rights “in order to protect the ‘public interest’ or for the ‘general order or public morals,’ without limiting or defining what those terms encompass.” The draft law also violates the UN International Covenant on Civil and Political Rights, which Iraq has ratified. HRW argues that many provisions would give the government total control over the demonstration process. Article 10, for example, recognizes Iraqis’ right to “demonstrate peacefully to express their opinions or demand their rights,” but Article 7(1) requires at least five days’ advance permission to hold a demonstration, as well as notification of the event’s purpose and the names of those on the organizing committee. Iraqi authorities [have often detained, interrogated, and beaten](#) protest organizers. Demanding the names of these individuals at the time they make the request for an approved demonstration is a potential threat to their personal security. HRW notes that the government is pushing this legislation at a time when physical attacks on peaceful demonstrators and restrictions on journalists are on the rise (see page 2).

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Join Us!

Iraqi unions have long been the target of intimidation and government interference.

Suffering under antiquated laws and violence, Iraqi labor is pressing forward to establish labor rights and just conditions of employment for all Iraqi workers.

The *Iraq Trade Union Rights Bulletin* highlights this struggle and seeks to expand international solidarity with the Iraqi labor movement.

Please send feedback and information requests to Iraqturights@solidaritycenter.org



Worker and Trade Union Rights Violations

Government Attacks, Unions Fight back

According to London's [Tribune Magazine](#), Iraq's newly formed government is under pressure to reverse its decision to rescind recognition of the country's largest trade union federation. Iraqi unions themselves are disputing an April 17, 2011, [statement](#) by the Ministerial Preparatory Committee (MPC) for the General Federation of Iraqi Workers (GFIW) elections that GFIW and its executive board members have no standing to represent workers and that only the MPC has the authority to form trade union committees (see Bulletin, Vol. 2, Issue 2, page 6). Ever since GFIW emerged from decades of clandestine activity in 2003, the federation and its unions have campaigned to lift the decades-old ban on public-sector unions, improve wages and workplace conditions for all Iraqi workers, and expand democracy in Iraq.

GFIW is not fighting its battle alone. The British Trades Union Congress (TUC) has been part of an international alliance supporting GFIW and the [passage of a new labor law](#), which would allow unions to operate free of government interference, as required by international labor standards. A TUC spokesperson said that the TUC and the International Labor Organization (ILO) are urging the British Foreign Secretary to express support for GFIW. A spokesperson for the British Foreign and Commonwealth Office said that the British government, working with its EU partners, "will continue to support efforts by the TUC and the International Labor Organization to encourage the government of Iraq to frame their labor legislation in a way that meets ILO standards and protects the rights of Iraqi workers."

Unions Outraged over Corruption at Ministry of Electricity

The General Federation of Workers Councils and Unions in Iraq (GFWCU) is appalled by the disclosure of corruption and abuse of authority by officials at the Ministry of Electricity in Iraq. In an August 9, 2011, [statement](#), GFWCU expressed outrage that approximately \$1.2 billion in contracts were [signed with non-existent companies](#). Reliable electrical power has been a desperate need and fundamental demand of Iraqi workers for the last decade. GFWCU said that this embezzlement by the authorities will undoubtedly lead to more suffering for embattled Iraqi workers. The union demanded that corruption be rooted out and violators brought to justice for squandering Iraq's wealth at a time when the vast majority of Iraqis have no essential services, jobs, health, or access to education.

Port Workers Protest Detention of Local Fishermen by Kuwait Authorities

Kuwaiti authorities detained 11 Iraqi fishermen on September 2, 2011, disputing their claim that they were in Iraqi waters when they were apprehended, according to a September 3 [press release](#) by the port workers union at Al-Faw port, affiliated with the Federation of Workers Councils and Unions in Iraq (FWCUI). The fishermen said they were assaulted and humiliated before

being taken into custody. In its statement, the union demanded the fishermen's immediate release and called on the Iraqi government to protect Iraqi workers from future similar abuse. The 11 were released on September 4.

Journalist's Murder a Chilling Assault on Free Speech

The brutal murder of Iraqi journalist and radio talk show host Hadi al-Mahdi has sparked fear among activists that despite the constitutionally enshrined right to free speech, the administration's practices of silencing dissent are [moving toward those of the Saddam regime](#). An outspoken critic of the Iraq government who had been [detained and beaten multiple times](#) by security forces, Mahdi, 45, was found dead in his home on September 8, 2011, with two gunshot wounds to the head. According to the [Washington Post](#), his body was discovered only hours after he had posted on his Facebook page that he was being threatened. He had been helping spearhead a nationwide protest called for the following day.



Journalist Hadi al-Mahdi on the air at his broadcast studio. Photo by GFIW

"I have lived the last three days in a state of terror," he wrote, according to the Post. "There are some who call me and warn me of raids and arrests of protesters. There is someone saying that the government will do this and that. There is someone with a fake name coming on to Facebook to threaten me." The Facebook post has since been removed.

A May 2010 [New York Times](#) article described Mahdi's radio program as "arguably the most breathtaking exercise of free speech" in the country as well as one of the most popular programs on the air.

A spokesman for the government's Baghdad Operations Command said Mahdi's death was a "regular criminal case" and would be investigated by police.

Mahdi was the seventh journalist killed in Iraq this year. His killing followed an August 29, 2011, [attack on prominent Kurdistan journalist](#) Asos Hardi. Hardi, publisher of the independent newspaper Awene in Kurdish Iraq, told [Human Rights Watch](#) that a young man attacked him as he was leaving the newspaper office. The assailant "knocked him to the ground with a blow to the back of the head with a pistol and continued beating him as he lay on the ground," according to Human Rights Watch. Hardi was hospitalized and received 32 stitches for six head wounds.

Union Campaigns: Standing up for Workers in Iraq



Iraqi port workers protest the construction of the \$1.1 billion Mubarak Harbor in Kuwait. Photo by FWCUI

FWCUI Condemns Kuwaiti Port Construction

Thousands of workers employed by Basra's five ports [fear losing their jobs](#) if Kuwait moves ahead with plans to build the Mubarak Harbor, projected to be one of the largest in the Arab Gulf. In an August 31, 2011, [statement](#), FWCUI said that the \$1.1 billion project is designed to "choke Iraq and block its marine route," costing hundreds of jobs at the port and thousands nationwide.

The Port Workers Union in Basra is leading the protest. The union claims that once the new port is completed, it will effectively close off the waterway, severely undermining Iraq's export efforts and economic recovery. The Mubarak Harbor could siphon off as much as 60 percent of maritime traffic from Basra's Umm Qasr, the only deep-water port in Iraq. Iraqis say that once the new port opens, they will be as hard-hit economically as when the country was subjected to sanctions in the 1990s because of the Kuwait invasion.

The situation is exacerbated by the ongoing construction of a new port in Al-Faw, just across the border from the Mubarak Harbor. Although Iraq's transport ministry announced the \$1.6 billion project in 2005, construction did not begin until 2010, with the first stage of development expected to be finished in 2014. The final project, with total costs estimated to reach \$6 billion by the completion date of 2028, includes not only the port itself but also infrastructure such as train lines linking Europe to the Gulf.

Unions Stand up for Oil Workers' Rights

Iraqi union federations slammed anti-union actions of both the Iraqi government and multinational oil companies, demanding—with some success—that the corporations honor their pledge to protect oil workers' rights. In a July 1, 2011, [statement](#), GFWCUI Basra condemned a Ministry of Oil memorandum that followed [protests](#) in Rumaila, Qurna, Barjisyya, and Majnoon fields (see Bulletin, Vol. 2, Issue 2, page 3). The memorandum rescinds a verbal agreement with trade union leaders on allowances, overtime, and the right to participate in delegations traveling

outside the country. The union especially criticized the new restrictions on freedom of expression and assembly, as well as the continued ban of union activity in the public sector and criminalization of peaceful demonstrations, strikes, and sit-ins. GFWCUI spokespersons say that by threatening workers with criminal discipline, the Ministry aims to reduce their resistance to the expansion of foreign multinational corporations, such as BP and the Chinese Petrojaina, into the oil sector.

GFWCUI also denounced multinational oil companies' insistence that workers sign individual contracts with each company instead of a general contract validated by the Ministry of Oil in which workers' rights are clearly defined. Unions have responded with demonstrations and protests. Despite the May 17 meeting between the Basra governor and union and management representatives (see Bulletin, Vol. 2, Issue 2, page 3), who promised to comply with union demands, little was done to improve the situation. On September 10, workers at Rumaila blocked access to a number of units, preventing BP staff and experts from entering the facility.

FWCUI reports that 223 oil workers at Shiwashok oil company in Erbil, Iraqi Kurdistan, [began an open-ended strike](#) on August 1, 2011, demanding the provision of reliable and consistent electricity, paved roads for commuting to work, and working conditions equal to those of colleagues from other nations. The workers also demanded a profit-sharing arrangement from the oil production. FWCUI supported the strike and called for a positive management response to the workers' legitimate demands. The strike ended on August 23 after management promised to improve safety, pay remunerations, and increase salaries. FWCUI plans to hold management to these promises.

The Kurdistan United Workers Union (KUWU) also stood up successfully for oil workers in Iraqi Kurdistan. On August 1, workers at the Taq Taq Operating Company Ltd. went on strike to demand that the company, a joint Turkish-Canadian-owned oil and gas exploration and production enterprise, honor pledges to workers made when they signed their contracts. Protesters sought increases in their salaries, which are lower than those of Taq Taq's foreign workers; criticized corporate management; and demanded that the company invest in the community welfare programs. In an August 3 [statement](#), KUWU endorsed the workers' demands. Worker representatives met with company officials and representatives from the Council of Ministers of the Region of Kurdistan Government [Iraq] and the Ministry of Natural Resources. The workers achieved its goals, and the workers have resumed work.



Workers at the Shiwashok oil refinery were on strike for more than three weeks in August. Photo by FWCUI

Workers in Kut Call for Safe Workplaces, Legal Protections

In recent months, there has been increasing labor unrest in Kut, a city of 374,000 people located about 100 miles southeast of Baghdad and the capital of Wasit Province. On July 25, 2011, hundreds of workers at al Kut National Textile Company rallied in front of the provincial council to [demand better living conditions](#). Protesters called for the dismissal of the general director of the company, whom employees accused of flagrant mismanagement of a previously profitable operation. In addition, they have documented 75 cases of kidney illness from pollution caused by waste at the facility, where workers were not receiving danger pay allowances as prescribed in the Law of Salaries for State & Public Employees No. 22 of 2008. Protesters called on the company to pay arrears of all allowances. The company employs 5,500 workers in textile, spinning, and knitting factories.

On September 14, dozens of engineers at the Wasit Province Ministry of Housing in Kut launched a one-day [sit-in strike](#) coordinated by the Iraqi Engineers Syndicate. The engineers demanded legal protection and the release of their colleague, Mushin Mihbas, arrested without charge by the Iraqi Integrity Commission. They also called for parliamentary legislation that would secure their protection and grant their right to decent housing, similar to that provided to doctors and journalists.

Iraqis Rally Again in Tahrir Square

The General Federation of Iraqi Workers (GFIW) reports that hundreds of men, women, and children [protested in central Baghdad's Tahrir Square](#) on July 8, calling on Iraqi authorities to provide jobs and basic services, including clean water and electricity. Protesters carried handmade posters demanding immediate political reform and an end to corruption. The protest sent authorities a clear message to stop the political stalemate, which has led to worsening security, and to agree on a genuine national reconciliation plan. They also called for an early general election that would enable the people to engage in true democracy.



Workers rally in Baghdad's Tahrir Square to demand the restoration of basic services, political reform, and an end to corruption. Photo by GFIW

Unions Wary (continued from page 1)

Another law of significant importance for Iraq's oil workers is the controversial draft law to [re-establish the Iraqi National Oil Company](#) (INOC). In July 2011 the Iraqi parliament held its first hearing session to pave the way for the debate on this law, which the Saddam regime invalidated in the 1980s. A draft law of the long-awaited new national oil company, which would revive a company originally established in the 1960s and merged into the Iraqi oil ministry in 1987, was passed by the cabinet in July 2009 but has been stalled in the parliament since then.



GFIW members call for the release of Jihad Jalil, who was arrested during a peaceful demonstration. A new draft law on freedom of assembly aims to cut down such protests. Photo by GFIW

Oil minister Luaibi told the hearing that creation of a new Iraqi National Oil Company is not essential and "it would add nothing to the Iraqi oil sector." In contrast, Speaker of the Parliament Osama al-Nujaifi, Head of the Parliament Oil and Energy Committee Adnan al-Janabi, and former Oil Minister Thamer al-Ghadhban, now the top energy advisor to Prime Minister Nouri al-Maliki, voiced their support for reviving the company.

The INOC, if restored, would act as the parent of the existing South Oil Co., Iraq's largest petroleum company; North Oil Co.; Missan Oil Co.; and Midland Oil Co. According to the draft law, the INOC would spearhead national and local strategy. It would carry out a variety of oil operations from exploration down to marketing. The firm would also partner with or compete against foreign companies to develop Iraqi fields.

On August 25, the Iraqi cabinet approved the draft of an oil and gas law and passed it to the parliament in accordance with the Iraqi constitution.

Because of the importance of the oil and gas industry to the Iraqi economy, these two laws can potentially result in reforms within the industry that will affect the workers. The Iraqi unions are still assessing the extent of the potential impact of these laws for workers and have not yet taken public positions.

Updates

Oil Union Leader Forced to Pay Fine

The Iraqi Federation of Oil Unions (IFOU) [reports](#) that the Ministry of Oil confirmed its July 13, 2011, decision to impose a fine of approximately \$29,200 against IFOU Vice President Ibrahim Radhi (see Bulletin, Volume 2, Issue 2, page 2). The union is working with a lawyer to appeal the judgment.

Oil Union President Appeals Transfer

Kirkuk Oil Union President Jamal Abdul Jabar was transferred earlier in the year (see Bulletin, Volume 2, Issue 2, page 1) to a location about 30 km from his home.

On August 9, GFIW reported that Jabar has hired an independent counsel to appeal the decision, which GFIW believes is a disciplinary action against him for taking part in a peaceful demonstration to demand his rights. The first sentencing hearing was scheduled to be held on November 3, 2011.

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The Iraq Trade Union Rights Bulletin is a project of the Solidarity Center. To learn more about the Solidarity Center's work to promote trade union rights in Iraq and worldwide, please visit www.solidaritycenter.org

Global Solidarity with Iraqi Workers

Worker-Manager Cooperation Leads to Better Workplace Conditions

As part of the ongoing monitoring of Iraq companies that are or will be recipients of World Bank/International Finance Corporation funding for the redevelopment of Iraq, the Solidarity Center in cooperation with KUWU conducted a research study of UCC plants in Bazian and Tasluja, in the Suleimaniya governorate. The UCC welcomed this study and offered to help provide information on third-party companies operating in the two facilities, including the number of employees at each site and their conditions of work. Leaders of the KUWU in Sulaimaniyah met with UCC management, and the two parties agreed to develop common strategies for improving workplace conditions.

The establishment of this two-way dialogue opened space for KUWU and the UCC to enter into discussions that resulted in the development of a joint work plan and an agreement by the company to remain neutral in union organizing efforts.

This outcome is an example of how invoking [IFC performance standard 2](#), which governs labor and working conditions, can lead to improved communication between unions and employers.



A Solidarity Center researcher interviews workers at the Bazian cement plant. Photo by Wesam Chaseb Ouda, Solidarity Center