



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

SHARAN BURROW
PRESIDENT
PRÉSIDENTE
PRÄSIDENTIN
PRESIDENTA

GUY RYDER
GENERAL SECRETARY
SECRÉTAIRE GÉNÉRAL
GENERALSEKRETÄR
SECRETARIO GENERAL

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

iraqigov@yahoo.com

HTUR/JS

14 May 2008

Government interference

Dear Prime Minister,

On behalf of the International Trade Union Confederation (ITUC), representing 311 affiliated member organisations, with a total membership of 168 million workers in 156 countries and territories, I am writing to you to express my concern at the government interference in the internal affairs of trade unions during the upcoming trade union elections and to protest against the killing of Shihab al-Timi and the ban on trade union organising in the transport sector.

The ITUC has been informed that Gunmen ambushed al-Timi's car on 23 February, as he was heading to an art gallery near the union's headquarters in the Waziriya neighbourhood of north-eastern Baghdad. Al-Timi died 27 February 2008 after suffering a stroke while in the hospital. He had reportedly received multiple threats, including calls on his cell phone and home telephone six months earlier, warning he would be killed if he did not step down from his position.

The ITUC has also already written to you before expressing its concern at the continued use of the Law No. 150 (1987) inherited from the Saddam dictatorship times which effectively band independent trade unions. Last time in connection with a decree issued with reference to the Law No. 150 (1987) on 18 July 2007 prohibiting all activities of trade unions and non-governmental organisations in the oil sector.

Appreciating the efforts by your government to respond to part of the concerns raised at the time, I hope that your government would seriously reconsider the use of the Governing Council Decree No. 3/2004 in connection with planned trade union elections.

The use of Decree No. 3/2004 raises several concerns. Firstly the election supervisory body is government appointed. Secondly, the election does not allow for trade union



pluralism, as all unions are not allowed to stand for election or to fully participate in the election process and thirdly, the public sector is excluded from the elections.

The ITUC has also been informed that the Minister of Transport Order No. 7642 is banning trade union organising in the transport sector. The order was issued on the basis of Law No. 150 (1987).

The continued use of legislation from dictatorship times and decrees issued as interim measures to interfere with trade union organisations does not conform to with tripartite and democratic values. Government interference and the lack of security for trade unionists, with the murder of the President of the Iraqi Journalist Union, Shihab al-Timi on 27 February 2008 fresh in our memory, prevent trade unionists from carrying out their activities in full freedom.

Although your government has not ratified the fundamental ILO convention 87 on freedom of association, your government, as a member of the ILO, has the obligation to respect the principles therein, including the obligation to strife to secure the safety of trade unionists, allow the existence of trade unions and refrain from interference in trade union activities.

The ITUC calls upon you to take immediate steps to adopt the draft labour law of 2006, which was drafted with the assistance of the ILO and which is consistent with core labour standards. It also calls upon your government to allow for trade unions in the transport sector and allow a pluralistic trade union framework before trade union elections are carried out. The ITUC also urges you to order an investigation into the murder of Shihab al-Timi.

I hope that you will pay prompt attention to this matter.

Yours sincerely,

General Secretary