WORKING CONDITIONS IN IRAQI GOVERNORATES LIBERATED FROM ISIS

A STUDY OF
ANBAR, DIYALA, KIRKUK, NINAWA AND SALAH AL-DEEN GOVERNORATES

2020

Information Center for Research and Development
In collaboration with The Ministry of Labor and Social Affairs of Iraq
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# TABLE OF CONTENTS

- **Introduction** ........................................................................................................... 3
- **Acronym List** ........................................................................................................... 4
- **Executive Summary** ................................................................................................. 5
  - **Key Findings** .......................................................................................................... 6
  - **Existing Resources for Improving Working Conditions** ........................................ 7
  - **Overall Recommendations** .................................................................................... 7
- **Context and Purpose** ................................................................................................. 8
  - **Context** .................................................................................................................. 8
  - **Purpose of the Study** ............................................................................................... 10
- **Methodology and Framework** .................................................................................. 11
  - **Multimethod Approach** ......................................................................................... 11
  - **Training and Instrument Development** .................................................................. 11
  - **Selection of Worksites and Workers** ...................................................................... 12
  - **Obstacles, Mitigations and Limitations** .................................................................. 13
- **Main Findings** ........................................................................................................... 14
  - **I. Indicators of Forced Labor** ................................................................................ 14
    - 1.1 Abuse of Vulnerability ....................................................................................... 15
    - 1.2 Deception .......................................................................................................... 16
    - 1.3 Restriction of Movement .................................................................................... 16
    - 1.4 Isolation .............................................................................................................. 16
    - 1.5 Physical and Sexual Violence ............................................................................. 17
    - 1.6 Intimidation and Threats ................................................................................... 17
    - 1.7 Retention of Identity Documents ....................................................................... 17
    - 1.8 Withholding of Wages ...................................................................................... 18
    - 1.9 Debt Bondage .................................................................................................... 18
    - 1.10 Abusive Working and Living Conditions ......................................................... 18
  - **II. Discrimination** .................................................................................................... 21
  - **III. Child and Juvenile Labor** ................................................................................. 22
  - **IV. Labor Union Rights and Freedoms, and the Right to Collective Bargaining** ...... 23
  - **V. Occupational Safety and Health (OSH)** ............................................................ 24
- **Conclusions** .............................................................................................................. 27
- **Recommendations** ..................................................................................................... 28
INTRODUCTION

In every society, the workers' segment is considered the pillar on which societies and states rely, for the development of their reality and building their future. They are the pillar of economic, political and social development. This is why the state pays special attention to this important segment of Iraqi society, where workers in the private sector represent a large portion of society, and this proportion will continue to increase and grow. Therefore, the government should provide all appropriate conditions to create a decent work environment that is concerned with implementing all laws and regulations for workers.

The Ministry of Labor and Social Affairs, through the Department of Labor and Vocational Training, seeks to create all appropriate conditions for the implementation of the Labor Law, and the inclusion of workers with all the rights guaranteed by the law. This study will be the means and reference for the inspectors working in the inspection section of the Department of Labor and Vocational Training, to implement the provisions of the Labor Law and to bring justice for all workers.

In conclusion, we represent our gratitude to all those who contributed in preparing and producing this study, for their tireless efforts. Our ministry is fully prepared to implement the study, by God willing and success.

Raied Nahidh Jabbar
The General Director
The Directorate of Labour and Vocational Training
Ministry of Labor and Social Affairs
## Acronym List:

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CSO</td>
<td>Civil Society Organization</td>
</tr>
<tr>
<td>IDP</td>
<td>Internally displaced person</td>
</tr>
<tr>
<td>IEU</td>
<td>Iraq Engineers Union</td>
</tr>
<tr>
<td>ILO</td>
<td>International Labor Organization</td>
</tr>
<tr>
<td>ISIS</td>
<td>Islamic State of Iraq and Syria</td>
</tr>
<tr>
<td>MoLSA</td>
<td>Iraqi Ministry of Labor and Social Affairs</td>
</tr>
<tr>
<td>OSH</td>
<td>Occupational Safety and Health</td>
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Worker rights are an essential pillar of a culture of human rights and sustainable socioeconomic development due to their direct impact on workers’ livelihoods, the well-being of communities, and the foundations of social peace. The strength of these rights, measured both in terms of the legal frameworks that enshrine them and the institutions that enforce them, directly correlates to the strength of the rule of law, democratic systems, and overall commitment to social justice. Understanding the worker rights landscape is particularly critical in post-conflict environments as communities seek to rebuild and governments reassert their authority. This kind of analysis is essential if government, workers, employers, and civil society are to develop inclusive, durable, and effective strategies for the future.

The following study examines current working conditions in five Iraqi governorates that suffered occupation by the militant group known as ISIS. It uses a purposive sample of construction workers in Anbar, Diyala, Kirkuk, Ninawa and Salah Al-Deen governorates to measure their working terms and conditions against the national legal frameworks represented by Labor Law No. 37 of 2015 and the Pension and Social Security Law No. 39 of 19712. Indeed, the 2015 Iraqi labor law is considered a regional model in terms of its conformity with ILO guidelines and in its inclusion of input from unions and civil society organizations (CSOs) working on labor issues. However, the law has suffered in general from weak enforcement due to the absence of government authority in those provinces occupied by ISIS from 2014 to 2017.

The basic structure of the study follows an analysis of the four ILO core labor standards to 1) eliminate forced labor, 2) abolish the worst forms of child labor, 3) eliminate discrimination in employment, and 4) protect the rights to freedom of association and collective bargaining. Additionally, the study also analyzes other working terms and conditions related to 5) occupational safety and health (OSH) and 6) social security, which were included due to reported prevalence of these violations in these areas prior to this study. A total of 1,059 face-to-face interviews were conducted (1,046 men and 13 women) in 33 workplaces across the five governorates. The construction sector was selected due to the extensive destruction of buildings and infrastructure caused by occupation and liberation, thereby making this sector an important part of the economy in the liberated areas. Occupational health and safety measures are especially important in this sector and make it ideal to investigate and document existing problems regarding these measures.

This study is the result of a mandate by the Iraqi Ministry of Labor and Social Affairs (MoLSA) to improve labor law enforcement and bring about decent work conditions in Iraq, and through cooperation with the trade unions, employer associations and organizations that specialize in national and international labor issues. This study is also supporting the Labor and Vocational

1 http://iraqld.hjc.iq/LoadLawBook.aspx?page=1&SC=020220164139899&fbclid=IwAR2ikltggxTNNAmyOrtiBlyz332bn65VblCxxRTaMnTGrPiaZ4vYxhrQ

2 http://iraqld.hjc.iq/LoadLawBook.aspx?SC=051220057043026&fbclid=IwAR1cQE2Ur2kATF7rUI6P1QmfDZrZ2Pr46CCwaocB5T76M_dirr1uOL6pa0Lg

Training Department at MoLSA in its efforts to develop its inspection capacity, conduct broad inspection campaigns to monitor violations across sectors, provide advice and guidance to workers and employers on mechanisms to enforce the law and take necessary legal actions against violators as part of its regulation of the labor market in Iraq.

**Key Findings**

Based on the data collected through in-person interviews with workers, which was supplemented and triangulated with expert knowledge gathered by the team supervising the study (comprising representatives from the labor inspection department, trade unions and employer associations in the five governorates), this report has identified the following:

1. **Failure to provide workers with social security coverage and a lack of awareness of its purpose.** Most workers (88.18 percent) in the sample indicated they were not covered by social security benefits, undermining their social protections now and in the future. Additionally, 65.25 percent of workers reported that they knew nothing about social security protections or the laws that govern them.

2. **Absence of labor organizations/trade unions in all workplaces covered in the study across all five provinces.** Nearly all workers (94.71 percent) reported not being a member of a union, with 64.30 percent having refused to join one in the past. Reasons behind this include worker apathy toward joining a union or ignorance of the role trade unions play, including 77.53 percent who reported having no knowledge of their collective bargaining rights. Restrictions on the freedom of association were found only in limited cases.

3. **Absence of collective agreements signed by workers or unions with employers in the construction sector,** despite labor law protections allowing for their negotiation. Those negotiations that have taken place in the workplaces covered by the study have not expanded already established worker rights and have not led to binding written agreements—with a majority of cases being oral agreements that went mostly unobserved by employers.

4. **Strong indications of instances of forced labor,** with 44.57 percent of workers reporting excessive overtime and 37.86 percent confirming that they have been taken advantage of as a result of their economic and social conditions—an indicator of "abuse of vulnerability." Such indications necessitate that interviews be conducted and investigations carried out by labor inspectors.

5. **High levels of noncompliance with occupational and health (OSH) standards in most workplaces.** The majority of workers (87.91 percent) in the sample have not undergone medical screening (whether prior to employment or on a regular basis thereafter) to establish their physical and mental fitness to deliver the work assigned to them; the study indicates that there are no OSH officers or committees on location in many of workplaces in those governorates and there are no specialized OSH systems or programs in place.

6. **Indications of child labor concentrated in Ninawa governorate.** This corroborates similar concerns voiced by Ninawa trade unions on many occasions.
7. **Widespread lack of compliance on basic labor law provisions** related to observing specific working hours, paid rest days on weekends and holidays, and fully paid annual and sick leaves—representing a broad violation of worker rights. Of workers surveyed, 80 percent do not receive a paid rest day on weekends in violation of the law.

Taken together, the high volume of violations found in the study indicates inadequate mechanisms for enforcing laws and protecting worker rights more broadly in the liberated areas. This is additionally significant as these parts of the country have faced security challenges and are in the process of rebuilding. The study reveals that workers do not see any alternatives to these illegal working conditions due to extreme poverty and unemployment in these regions of the country, indicating that economic investment must be directly linked to labor law enforcement. Lastly, this situation also indicates weaknesses within civil society, specifically the labor movement. The findings from this study provide an opportunity for unions that have recently reestablished in these five provinces to engage with employers to resolve violations, and to reach out to workers to educate them on their rights and organize them. The recent ratification of ILO Convention 87 as well as the 2015 labor law provide opportunities for unions to more fully engage with workers to promote and protect their rights.

**Existing Resources for Improving Working Conditions**

The following resources are available to improve working conditions in Iraq in general, and in the liberated regions and workplaces included in the study in particular:

1. There is an established government inspection body that is trained on the applicable labor law, with a mandate to enforce its provisions.
2. There are established labor organizations with good legal frameworks to freely do their work.
3. There is an already applicable good and fair labor law that is deemed to be among the best of such laws in the Arab world, due to the effective legal protections it provides to workers, in compliance with ILO conventions.
4. There are many national and international organizations that are interested in labor and worker rights in Iraq—led by the ILO.
5. There is a legal social security framework in place in Iraq that provides the basic minimum of health insurance and pensions for workers, albeit the framework is in need of updates.

**Overall Recommendations**

This report has made several recommendations based on the findings from the interviews and the conclusions drawn from them. These recommendations also take into account the existing resources mentioned above. While a legal framework is in place and there are established institutions, such as unions and a labor inspectorate, more must be done to enable these resources to be fully utilized for the improvement of working conditions in Iraq.
The main recommendations are as follows (a full list of recommendations can be found at the end of the report):

1. Expand labor inspections and improvements to them, including strengthening the skills and knowledge of labor inspectors, increasing resources dedicated to labor inspections, and introducing technology to facilitate inspections and record keeping.

2. Increase cooperation between MoLSA, trade unions, employer associations and civil society organizations to more effectively monitor working conditions and ensure compliance with relevant laws, including through social dialogue and collective bargaining.

3. Conduct awareness campaigns that target workers and employers on-site to address issues related to applicable labor, pension and social security laws.

4. Guarantee labor standards in all investments, labor contracts, or bids involving government stakeholders and regular inspections to ensure compliance.

5. Establish new mechanisms at MoLSA to more effectively and more quickly lodge and process worker complaints.

Context and Purpose

Context

The 2015 Labor Law No. 37 went into effect in February 2016. It was the result of an inclusive and transparent legislative process involving unions and CSOs working cooperatively with MoLSA and the parliamentary committee for labor and social affairs to reach a law that was in compliance with ILO conventions. This was a significant victory for the labor movement and for democracy in terms of both the process that was undertaken to pass the law, as well as the substance of the law itself, which expanded coverage by the labor law to all workers not already covered by the civil service law, as well as greatly expanded rights for workers. However, economic stagnation in Iraq mean enforcement of the 2015 labor law has been weak. Enforcing the 2015 Iraqi Labor Law could be an opportunity for the private sector to offer better jobs that attract educated workers. In general, Iraqis—especially female workers—prefer to be employed by the public sector, due to the wages, benefits, job security and pension guarantees it provides compared to the private sector. Yet, with the decline of oil prices and an increase in young Iraqi job-seekers (60 percent of the population\(^4\) is under the age of 25), Iraq remains incapable of creating enough job opportunities.

Enforcement of labor laws in the five liberated provinces faces even greater challenges, including the security situation and the limited ability to conduct widespread labor inspection activities in districts and sub-districts beyond key urban centers, due to the lack of logistical support required. The same lack of resources also applies to trade unions when it comes to launching large-scale legal awareness campaigns and monitoring of violations.

The 2014 ISIS invasion and subsequent liberation of many areas of Anbar, Diyala, Kirkuk, Ninawa and Salah Al-Deen governorates led to the destruction of infrastructure, homes, and businesses of all sizes and sectors. Coupled with this was a massive displacement crisis that took place from

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\(^4\) World Bank warns Iraq facing massive employment crisis; available via this link: https://bit.ly/38oMm4g.
2014 to 2016, followed by displaced citizens slowly returning to their cities as military operations began to wind down.

Internally displaced persons (IDPs) faced many challenges, including loss of homes, belongings, savings and jobs as a result of ISIS occupation; many were not able to find stable jobs during their displacement. According to World Bank figures, unemployment rates in the then recently liberated cities reached 17.7 percent, and underemployment rates stood at 9.7 percent. Anbar was the hardest hit governorate, with 33.6 percent unemployment and 9.8 percent underemployment. Diyala registered an unemployment rate of 20.7 percent and an underemployment rate of 16.2 percent. Given the ongoing security challenges, many of these areas failed to conduct a thorough survey—with MP Ghaida Kambash estimating a 40 percent unemployment rate in a recent press release. In another estimate, the poverty rate in the liberated governorates has reached 41.2 percent, compared to 30 percent in the southern governorates, 23 in the central and 12.5 percent in Kurdistan.

Returning workers are in dire need, which makes them prone to accept any type of work regardless of the conditions. Their sole concern is to provide for their families and meet their needs—an observation confirmed by members of trade unions in those areas. Unions also were aware of significant numbers of worker rights violations in a variety of sectors in these provinces. The unions discovered such violations while reaching out to workers to educate them on their legal rights. The violations discovered in this fashion included workers not being registered in social security, not receiving their wages, working overtime without adequate compensation or in excess of what is allowed by law, illegal dismissals, and OSH violations.

The construction sector has emerged as a large employer in the liberated governorates due to the huge need for reconstruction, leading the research team to select this sector for the focus of the study. While no accurate data is available about the number of workers in this sector for each governorate or type of work, the large number of construction projects in these provinces indicated a significant number of workers. Another reason for the selection of the construction sector is the number of challenges associated with it. The jobs are primarily informal and "unregulated" in nature, comprising temporary and pieceworkers as well as day laborers. The ILO considers construction to be among the most hazardous sectors worldwide in terms of work injuries, occupational diseases and deaths. The ILO estimates that at least 108,000 workers are killed on-site every year, a figure which represents about 30 percent of all occupational fatal injuries. Data from industrialized countries show that construction workers are three to four times more likely than workers in other sectors to die from accidents at work. The risks associated with construction work may be three to six times greater still in the developing world. In addition, many more workers suffer and die from occupational diseases arising from past exposure to dangerous substances, such as asbestos. As

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5 “Iraq: reconstruction and investment,” World Bank Group, 2018; accessible through the following link: https://bit.ly/2I8eloY

6 Press release by MP Ghaida Kambash about key challenges facing the regions liberated from ISIS; accessible via the following link: https://bit.ly/358zdld1.

7 Waleed Khaddouri, author and journalist, The Middle East Newspaper, March 4, 2020; accessible via the following link: https://bit.ly/35abqtX
such, occupational health and safety measures are of special importance to the construction sector, and the sector is ideal to document existing problems regarding these measures\(^8\).

Preparing a study to assess the working conditions in the construction sector in liberated areas and measure compliance to the labor law provisions is paramount to an overall assessment of working conditions and employers’ compliance. Such a study is also key to enabling the labor inspection scheme to enforce the law in workplaces the study covers; the Labor and Vocational Training Department at MoLSA is trying to develop its inspection capacity, conduct broad inspection campaigns to monitor violations across sectors, provide advice and guidance to workers and employers on mechanisms to enforce the law and take the legal actions needed against violators as part of overall regulation of the labor market in Iraq.

**Purpose of the Study**

In summary, the study aimed to achieve the following objectives: (1) examine compliance with national labor laws so that labor inspectors have a full picture of the violations workers in the liberated five Iraqi governorates face, which could improve enforcement of the 2015 Labor Law and other related laws; (2) set up joint action principles for future work between the MoLSA departments, trade unions, employer associations, civil society and entities interested in worker and labor issues to follow up on working terms and conditions as well as to monitor and address violations; and (3) enable labor inspectors to use electronic templates to check for compliance with the provisions of the applicable labor, pension and social security laws, and roll out the experience to develop MoLSA labor inspection department capacity across Iraq.

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METHODOLOGY AND FRAMEWORK

Multimethod Approach

In order to analyze working conditions in the construction sector of the five liberated governorates, the study measured these conditions against standards codified in the Labor law No. 37 of 2015, in the Pensions and Social Security Law No. 39 of 1971, and in the fundamental ILO conventions ratified by the Republic of Iraq.

The study followed a multi-methods approach starting with a desk review of the applicable Iraqi labor laws to inform the development of the research instruments. The research was originally designed to include desk reviews of reports from labor inspectors, written reports from unions and a survey of workers. As it turned out, no records on the selected 33 workplaces were to be found. Neither labor inspectors nor unions had any reports of previously identified labor rights violations at these workplaces to share. This should not be interpreted as proof that such violations didn't occur, but rather that these violations were previously not recorded. While survey research was clearly the main research method, standardized interviews were supplemented with unstructured observations by surveyors during their visits to the various worksites. Surveyors made notes of violations they observed, and in some cases asked workers about them during the interviews to corroborate the information.

Five teams were formed to conduct the study—one team per governorate. The teams included members representing MoLSA's Labor Inspection Department, trade unions and the employers’ federation, in addition to 15 specialized surveyors from the Information Center for Research and Development. Five surveyors were assigned per each governorate, with at least one female data collector on every team.

Training and Instrument Development

The 15 data collectors received three days of training on provisions of the labor law, and introduction to terms, relevant social security regulations, and enrollment and employer responsibilities as codified in the Pension and Social Security Law. There was no need to train the other team members, particularly the labor inspectors and trade union representatives, as they had received similar training and all possessed expertise in these areas already.

The survey questionnaire was developed by a specialist in labor standards. Its instructions, questions and answer options were discussed with the data collectors and the representatives of MoLSA, trade unions and the industries federation. These discussions resulted in modifications of the survey instrument, and additional clarifications and instructions for the data collectors were inserted.

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Following these discussions and improvements, an electronic version of the questionnaire was developed and installed on 15 tablets. This allowed interviewers to enter data in electronic format directly while conducting the interviews with the workers.

### Selection of Worksites and Workers

The decision to focus this study on the construction sector of the liberated governorates was explained in the Context chapter of this report. Within the construction sector, the team selected thirty-three (33) worksites in the target governorates according to a set of parameters, which included size of the project, number of workers and potential suboptimal working conditions (as projected by the trade unionists and labor inspectors on the team). Research teams covered a number of sites inside and outside major urban centers to gain a complete picture of the working conditions therein. As a result, the number of sites covered in the sample doubled compared to what was originally envisioned and proposed and the number of respondents increased as well, which further strengthened the accuracy of the results and findings in the data analysis.

A total of 1,059 face-to-face interviews were conducted with both male and female workers at the target sites. In all interviews precautions were taken to reduce the risk of exposure to COVID-19 for interviewers and workers alike. The interviewers used PPE and observed social distancing to ensure the safety of workers and data collectors. Interviewers selected workers for interviews from the worksites purposively based on observations. The selection of workers within the chosen worksites strived for a representation of all departments and areas of the worksites as well as for a coverage of all worker ages. In order to ensure a sufficient representation of vulnerable groups, all workers belonging to the following categories were selected for interviewing:

- Women workers,
- Workers under the age of 18
- Workers identified as belonging to an ethnic minority

Prioritization was also given to workers performing more hazardous tasks in the workplace. Trade unions in Iraq enshrine the principle of citizenship among Iraqi workers regardless of their ethnicity, nationalism, religion or other identity. Iraqi unions have won the respect of workers and their communities for its position toward inclusion and therefore the surveyors took this into consideration and did not ask anyone interviewed to identify their ethnic or religious background. This helped the surveyors to secure the trust of the workers and make them feel comfortable to interact with them openly. Due to this selection process, the survey provides a broad and extensive overview of the construction sector in the five liberated governorates across different work sites and age groups – an overview that also includes vulnerable populations. The large size of the sample provides confidence in the empirical foundations of this study and in the numbers on the worker rights violations detected in this important part of the Iraqi economy.
<table>
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<th>Governorate/ City/ District</th>
<th>No. of sites</th>
<th>Female</th>
<th>Male</th>
<th>No. of Interviews</th>
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**Obstacles, Mitigations and Limitations**

The Information Center for Research and Development prepared and followed a comprehensive plan to overcome obstacles that might hinder the success of the study, including risks related to the spread of COVID-19, such as a lockdown and workplace closures, or a reduction in the volume of work and the associated reduction in the number of workers available for interviews at the worksites. As it turned out, data collectors did come across sites where the number of workers on duty had been reduced, workers had been divided into smaller groups, or asked to work temporarily in separate shifts to avoid having too many workers in one site at the same time. This is another reason why the study teams ultimately increased the number of sites. Overcoming the obstacles related to COVID-19 contributed to the increase in sample size from 750 workers as originally proposed to 1,059 workers in the actual study as described in the table above.

The team in charge of the study encountered further challenges, including the administrative procedures needed to form research teams during COVID-19 lockdown, when many sites, government departments and trade union offices in Iraq had been shuttered. All of these difficulties and challenges resulted in a delayed launch of field survey activities. However, the team managed to make up for the lost time by using the previously described electronic questionnaire installed on tablets, which allowed the team to conclude the survey in record time, while also streamlining and in large parts avoiding especially cumbersome processes like data-cleaning, which would otherwise be very time-consuming for a questionnaire including more than 200 questions.
MAIN FINDINGS

The structure of this chapter follows the four core labor standards and the indicators for their violations. Additionally, the chapter also covers OSH and social security, which were included due to the prevalence of violations in these areas known prior to this study and eventually confirmed by it. The indicators of forced labor are given special attention as many of the violations to the labor law found through the survey fall within the ILO’s indicators of forced labor. While the presence of a single indicator may not be sufficient to determine that forced labor has occurred, it is important to look at the prevalence of these indicators collectively as evidence that a significant number of workers in the construction sector in these five provinces experience conditions that make them vulnerable to forced labor. Further investigations are needed to decide if the working conditions and violations reach the actual level of forced labor, but it is already clear that the findings so far need to be addressed to prevent the normalization of such conditions.

The interviews reveal the prevalence of violations of the Iraqi Labor Law, the Pension and Social Security Law and ILO core labor standards in the construction sector in the five governorates liberated from ISIS. It also shows the importance of improved inspection practices, the need for greater awareness raising among workers and employers on the law, and the importance of a stronger presence of unions in workplaces in the private sector in these provinces.

1. Indicators of Forced Labor

Surveyors noted violations that fall within indicators of forced labor. Since these violations can indicate either forced labor or vulnerability to forced labor, further in-depth and specialized investigations are required by expert labor inspection teams to confirm if the violations reach the level of forced labor. However, the number of violations falling within indicators of forced labor is significant as displacement, lack of jobs, and higher unemployment are key factors that make workers vulnerable in those areas, along with a lack of knowledge about labor regulations, especially the 2015 labor law.

Below are findings associated with each ILO indicator of forced labor, in the order they are presented by the ILO, without regard to prevalence or importance.  

1.1 Abuse of Vulnerability

ISIS occupation of many cities and the military operations to liberate them from the terrorist organization prompted a massive displacement to safer areas, leaving behind large-scale damage to public and private facilities, as well as devastated infrastructure and worksites or projects. The aftermath of the situation created adverse effects as citizens lost their jobs and savings, with many of them losing their homes as well. In consequence, labor supply skyrocketed vis-à-vis lower demand, causing unemployment rates to soar. Workers were forced to accept work at any rate, even if it was barely enough to make ends meet. This development is also reflected by the survey. About 29.50 percent of respondents received less than the minimum wage (with the statutory minimum wage being 350,000 Iraqi dinars). This is a blatant violation of Article 62 of the applicable labor law (which also provides for a fine against violators in Article 64).

Higher unemployment rates have also directly contributed to lower wages, as 15.96 percent of workers in the sample indicated that they receive wages that are far below the minimum needed to make ends meet, whereas 56.47 percent said that wages were simply not enough. Others (26.35 percent) indicated that their wages were sufficient, with only 0.38 percent confirming that the wages were more than enough, and another 0.9 percent saying that wages were a lot more than enough. About 0.28 percent of the sample refused to disclose whether or not wages were adequate, and another 0.9 percent indicated that they could not make a judgement on this issue. As an overall assessment of worker wages in Iraq, it can be said that current wages are not enough for 72.43 percent of respondents, particularly among those (39.94 percent) who pay monthly rent, adding more to their financial burden. The sample also revealed that 2.17 percent of the workers in the sample do not have a dwelling and still reside in IDP camps. The study further showed that 9.63 percent of the workers are current IDPs and 47 percent of them are returnees. Thus, almost 56.63 percent of the entire sample population is directly influenced by displacement.
A noteworthy 37.86 percent of all workers in the sample feel that some employers and supervisors are abusing their vulnerability, given their previously described socioeconomic conditions, a fact that forces them to accept indecent work conditions, such as longer hours, payment delays and lower wages that do not correspond to the long working hours and the level of difficulty in working in the construction sector. One worker feels that he is being abused on the basis of his disability.

"We are being abused by being paid little wages since we are displaced and in need of work; they search for lame excuses and deduct from our previously agreed upon wages."

1.2 Deception

Ninety-three workers reported that the working terms and conditions after employment turned out to be different from what they had agreed upon with their employers, 27 workers refrained from responding, and 22 other workers indicated their lack of knowledge about the terms and conditions prior to employment—and that they could not compare the conditions before and after as a result. However, 917 workers indicated that the working terms and conditions before and after employment were not in contradiction.

Twenty three of the 93 workers who reported contradictions were unwilling or unable to explain the difference of conditions before and after employment, whereas 44 workers confirmed that “the key difference pertains to the tasks and duties agreed upon with their employers”; 43 workers indicated that there was a difference in the agreed-upon daily working hours. Twenty workers indicated that employers failed to provide benefits and bonuses as promised upon employment; 17 workers said that there was a difference related to not being granted paid leave. Fifteen workers said that their wages were lower than what they had been promised, while four workers said that they were not provided with social security coverage as promised upon employment.

1.3 Restriction of Movement

Four workers in the sample indicated that they had no freedom to terminate their work relationship for various reasons, including the refusal by employers to accept their resignations and threats to deduct amounts from their wages, as well as to refrain from re-employing workers who terminate their work relationship. These cases qualify among the confirmed cases of forced labor provided for in article 9.1.b of the applicable labor law—punishable by a prison term, a fine or both.

1.4 Isolation

Of all the workers in the sample, 1.04 percent confirmed being isolated and prohibited from mingling with co-workers. These respondents were not allowed to spend break time with other workers and were forced to work separately.

It is hard to judge whether or not this is a situation involving forced labor due to the nature of work needed in huge construction projects in times of a pandemic. It is quite possible that there are many
contractors and subcontractors involved, with each having different set-ups for working hours and break times. However, such indicators should not be disregarded in all cases, as they might lead to confirmation of forced labor after the inspection team’s due process.

1.5 Physical and Sexual Violence

Physical and sexual violence and harassment are among the indicators of forced labor. One worker confirmed he was physically harassed at work, whereas 54.3 percent of respondents refrained from commenting on the matter. Others (2.55 percent) indicated they were verbally abused by supervisors, whereas 0.38 percent indicated being verbally abused by other workers. Only one case confirmed being abused by management.

With regard to being subjected to abusive or derogatory conduct by supervisors, 1.98 percent of respondents stated they had been verbally abused and shouted at as a result of mistakes they might have committed at work, or for no apparent reason at all.

All of the above violate provisions of Article 10 of the labor law that prohibit sexual harassment in employment and work, as well as banning other conduct that might create an intimidating, hostile or abusive setting for the victims. The law provides for punishing violators with a prison term of no more than six months, a fine of no more than one million Iraqi dinar or with both penalties.

1.6 Intimidation and Threats

Almost 5.47 percent of workers in the sample population indicated that they had received threats of dismissal from their supervisors or employers should they refuse to deliver work beyond what had been mutually agreed upon for employment. This includes threats of dismissal should they not do unpaid overtime outside working hours, or stop asking to receive their wages as previously agreed upon. On some occasions, workers did not know the reasons for being threatened with dismissal—they often attributed it to labor oversupply and limited demand. Others thought that the threats could be attributed to procrastination by workers.

1.7 Retention of Identity Documents

Workers included in the sample confirmed that their identity documents were not retained by their employers or other entities; hence, there is no adverse indication in this regard.

“I am being insulted shouted at and overreacted against continuously and with no apparent reason.”

“My supervisor threatened to dismiss me should I refuse to work longer hours without pay.”
1.8 Withholding of Wages

While 2.83 percent of respondents confirmed that employers withheld all or part of their wages as a means to press them not to terminate their working relationship until the work was delivered in full and on time, one worker confirmed that his wages were withheld for more than a month; 16.43 percent of respondents said that their employers delayed payment of wages for many reasons, including the timing of operational advances from the government—with delays extending up to 10 days on occasion. Some also indicated that salaries were not forthcoming unless the worker asked for his/her salary to be paid. These points raised the probability of forced labor cases, requiring a form of labor inspection to investigate thoroughly and definitively.

“Wages are not paid on a regular basis; we are forced to do additional work without compensation whenever there is a problem in some other locations.”

1.9 Debt Bondage

About 5.4 percent of respondents indicated they received interest-free advances from their employer. One worker confirmed he did receive an advance with interest, adding to his onus to pay back the principal amount and interest—thus restricting his freedom of movement to find more appropriate work.

1.10 Abusive Working and Living Conditions

Abusive working conditions alone cannot prove cases of forced labor since workers might voluntarily accept these conditions, due to lack of jobs, for instance. However, abusive working conditions could still flag cases of coercion that prevent abused workers from leaving work freely should they decide to do so.

The study did not reveal that workers subject to abusive working conditions were coerced into work or prevented from freely leaving their jobs; yet, it has to be taken with a pinch of salt, so as not to generalize such a finding to include workers in other sectors and outside the sample population, knowing that 9.54 percent of respondents confirmed that they are under psychological pressures as a result of abusive working conditions. Large-scale labor inspection actions are therefore needed to monitor cases of coercion in this regard. The fact that the study did not find cases of coercion that prevent abused workers from leaving work freely should not prevent the report from addressing other abusive working and living conditions that have not been discussed so far.

“I am under psychological pressure because of the difficulties of working in high temperatures during the summer, higher infection rates with COVID 19 and lower wages that can barely help me meet my family’s needs.”
1.10.1 **Wage deductions:** Five percent of respondents said they noticed wage deductions; upon review, these were mostly shown to be in violation of article 57 of the labor law (which prohibits wage deductions except in statutorily prescribed cases, including family maintenance, social security and union subscriptions—provided that such deductions do not exceed 20–30 percent of the worker’s wage.

One worker indicated that sometimes workers are fallaciously registered as absent to justify the deduction when the said workers have actually reported to duty on location. Other workers indicated that their deductions were prompted by actual absences, as when they had taken some rest days due to the huge load of work and the fact that they are being denied regular leave. Deductions were taken for normal or sick leave, or for when a worker were not able to show up for work due to emergencies, such as COVID-related curfews.

“I took an official leave; when I showed up for work again the employer told me that it was an unpaid leave despite the fact that our prior agreement states that leaves are fully paid.”

1.10.2 **Rest days on weekends:** 8.4 percent of respondents stated that they work all week without having rest days; 71.67 percent of the project workers said they do have an unpaid rest day on weekends. In other words, 80 percent of workers in the sample do not have fully paid rest days on weekends, in violation of article 74 of the labor law that provides for at least one paid rest day on weekends.

Almost 64.78 percent of workers in the study said that they work on their weekly rest days due to emergencies, but without receiving compensatory leave in lieu of these days. Only 21.44 percent of the workers said they do receive financial compensation for working on rest days (equivalent to a regular daily wage). Therefore, more than 80 percent of the respondents neither enjoy a paid weekly rest nor receive a compensatory leave pursuant to the labor law. It should be noted that 5.19 percent of the respondents refused to address the matter—probably because they do not receive a fully paid rest day on weekends.

1.10.3 **Work on official and religious holidays:** 15.2 percent of respondents had worked on official and religious holidays, with 56.52 percent of them only receiving the regular daily wage for these days. Also, 40.37 percent believe that they were compensated for these holidays; however, it turned out that the compensation, if any, was equivalent to regular daily wages only. Others indicated that they received one-time payments of 3,000 to 6,000 dinars per hour, whereas article 74.ii stipulates that workers shall be compensated for working on holidays with double the wages in addition to their regular wage. Article 71 provides that overtime work is governed by the law; hence, there is a violation in this regard.
1.10.4 Ordinary, annual and sick leave: 85.83 percent of workers do not enjoy annual paid leave as provided for in article 75 of the labor law. The law states that workers shall be entitled to 21 fully paid days of annual leave each year on the job (fractions of the year are treated proportionately), or 30 days for workers in hard and harmful occupations, including in construction.

The study revealed that 79.22 percent of workers do not enjoy paid sick leave, as provided for in article 80 of the labor law (which stipulates that every worker shall be entitled to a fully paid sick leave of 30 days per year). It also showed that 2.17 percent of respondents had no knowledge of sick leave provisions, while 1.32 percent refused to comment on the matter.

1.11 Excessive Overtime: Excessive or legally unjustified overtime is a potential indicator of forced labor. 17.75 percent of respondents stated that they average about 24 hours a month as overtime—in violation of Article 71.c.e of the labor law (which prohibits asking workers to work more than 40 hours of overtime over the course of 90 days).

On the matter of longer working hours, 44.57 percent of workers in the sample do more than the stipulated eight hours a day, averaging between nine and 18 hours a day.

Some workers are not acquainted with the statutory working hours, or with the concept of overtime and how to request remuneration for such work. It is therefore difficult for them to classify their legal standing on the matter, as demonstrated by their responses to overtime-related questions: 17.75 percent of the respondents said they deliver additional “overtime” work, whereas the study findings on working hours outside the legal framework demonstrated that 44.57 percent did work some overtime. Such a discrepancy can be attributed to the workers’ lack of knowledge about overtime regulations.

To corroborate the previous finding, 6.33 percent of the workers do not receive any type of compensation for overtime. Furthermore, the 11.14 percent of respondents who confirmed receiving compensation for overtime actually do not receive a higher hourly rate. When asked about the amount they receive for working overtime, the majority indicated that it is usually the regular daily or hourly wage.

The fact that some respondents accept working overtime without receiving any addition to their hourly wages in turn further strengthens the notion among employers and workers alike that whatever workers are paid for overtime is deemed as a legal form of compensation, even if it violates the overtime regulations in the labor law.

A complete lack of payments for overtime demonstrates a clear case of forced labor, given that workers indicated their unwillingness to perform such additional time and that they had only accepted after being threatened with dismissal—a restriction that prevented them from claiming their rights.

As for workers who receive some form of payment for overtime, it is probable that they are subject to forced labor conditions as well—something that can be settled through a detailed and accurate investigation of the matter by the labor inspection department.
II. Discrimination

Seven workers (0.66 percent) indicated that their employers made their hiring conditional on them not joining trade unions—a violation of Article 8.ii of the labor law, which prohibits making the hiring of workers dependent on them refraining from joining unions or giving up their membership status. Twelve workers refused to disclose whether or not they had been asked to do so; the rest (98.21 percent) confirmed they had not been asked to do something like that by their employers.

Among the workers, 10.95 percent think that they are being discriminated in terms of equal pay, leave, bonuses, working hours and meals. These almost 11 percent attribute this discrimination to a myriad of reasons: socioeconomic status (72.41 percent); ethnicity (8.6 percent); age (6 percent) with regard to child and juvenile labor; social origin (4.3 percent); sect and denomination (3.44 percent); nationality (2.58 percent); and 0.86 percent of them attribute it to gender, race, affiliation and union-related activism.

While 7.46 percent of respondents confirmed that they are not being discriminated against, 37.68 percent indicated they have no knowledge whether or not they are subject to discrimination, and 48.35 percent refused to express any opinion about discrimination, without disclosing their motives.

The fact that 10.95 percent of the cases indicated a kind of direct or indirect discrimination demonstrates the existence of a problem, but might underestimate its extent. The percentage could even be higher, since proper labor inspection is needed to accurately classify such incidents, and labor inspectors need to have the specialized skills to assess rates of wages for different forms of work of equal value. Certainly, all cases of discrimination are in violation of the labor law that prohibits such practices and punishes violators with a maximum prison sentence of six months, a fine of no more than 1 million dinars, or both penalties.

Figure 2: Types of Discrimination at Work
III. Child and Juvenile Labor

Child labor is covered by the ILO fundamental conventions, and the 2015 labor law brought Iraq into compliance with these conventions. The applicable labor law sets 15 years as the minimum age for work in Iraq. It provides for a maximum prison term of six months, a fine of no more than 1 million dinars or both penalties against employers of children below the legal working age in the republic. However, the sample population includes 20 children who work in construction projects covered in the study—in violation of the labor law, especially given that the sector is globally classified among the most hazardous, hardest and harmful sectors.

Surveyors observed at worksites 20 other juvenile workers (15–18 years) who are allowed to work by the law under special conditions. Article 95.1 stipulates that no juvenile may be employed in or granted access to work sites where the nature or conditions of work therein threaten their health, safety or morals. Such conditions are inherently present on construction sites, especially those at high altitudes or with longer exposure to the elements, severe noise or extreme vibration that could be hazardous to their health. Therefore, such cases violate the law that prohibits employing juveniles in hard and dangerous work, including some of the tasks usually assigned to them, like doing the mortar, sandblasting, carrying materials and bricks, sifting sand, welding, carpentry, cleaning up and removal of debris. All of these tasks are risky to juveniles and are compounded by air pollution from construction-related dust and long exposure to high temperatures.

None of these juveniles had been screened or examined by a medical team to check whether or not they were physically fit and bodily able to conduct the assigned work or occupation. There are also no regular medical check-ups for them, and they have no health certificates proving they are fit for the job—in violation of Articles 96 and 97 of the applicable labor law, which makes health check-ups at the employer’s expense mandatory for juvenile workers.

Ten percent of the children and juveniles in the study work seven hours a day on average. Adults work eight to 13 hours a day. This is a violation of human rights, in addition to a legal violation, as juvenile workers are not able to deliver longer working hours (the law provides for shorter hours in hard and harmful jobs in general). A quarter (25 percent) of workers, children and juveniles, get a daily break of one to three hours as provided for in the law, whereas the remaining three-quarters (75 percent) get a break of half an hour or less—in clear violation of the law.

With regard to annual leave, the study finds that all child and juvenile workers do not enjoy any paid weekly leaves or rest days (another violation of the labor law), noting that the law grants annual leave of 30 fully paid days per year for minors, regardless of sector.

The data collectors also found that employers failed to visibly display the labor provisions on juvenile employment and protection on a billboard at the workplace. Others do not keep special records of their juvenile workers’ names, ages and assigned tasks. The weekly wage they receive is 48,000 dinars, which is below the minimum wage in Iraq (another violation of the law).

All of the above reveals blatant violations of Chapter 11 of the labor law, including its provisions on regulating juvenile employment and prohibition of child labor.
IV. Labor Union Rights and Freedoms, and the Right to Collective Bargaining

Union freedoms and protection of freedom of association are critical for defending labor rights and improving working conditions. Unions have the right and ability to monitor compliance with labor laws and collective bargaining agreements and engage with employers and labor inspection departments to enforce regulations while improving working terms and conditions through collective bargaining with employers and employer associations.

Having trade unions that are independent, active and broadly visible on the ground, with democratic representation of workers, helps lay the foundation for decent work through collective bargaining with employers at the workplace and sector level and provides a formal channel for workers to advocate for their positions on social and economic issues in public and in democratic processes.

The study shows that 2.27 percent of respondents are members of trade unions, but without being active at work; 94.71 percent of the sample are not affiliated with any labor or trade union whereas 2.08 percent do not know what the concept of a union is, and 0.94 percent refused to comment on the matter.

![Union affiliations](image)

The workers are trying to associate at the workplace by forming labor groups; 9.07 percent of the sample population indicated that they are represented with their employers in the form of labor non-union affiliated groups, while other workers are also trying to join or form union committees at work despite the huge challenges they face, including pressure from employers not to join or associate (as happened with five workers, representing 0.47 percent of the sample). Three other workers said they were harassed by employers for the same reason, whereas 1.04 percent refused...
to express their views on the matter, and 91.41 percent expressed that they faced no pressure from
employers to this effect; 7.08 percent of the workers indicated that they did not know whether or
not their employers would prevent them from joining unions.

Preventing some workers from joining or associating is regarded as a violation of the fundamental
freedom of association, which is enshrined in the applicable law that provides protection for the
workers’ right to association—and is one of the four core labor standards, along with the right to
collective bargaining. Article 42.i.m of the law grants workers the right and freedom to associate
and join unions.

The willingness of employers to respect the freedom of association their workers enjoy by law is in
many cases not put to the test, as workers are ignorant of their rights or disinterested in unions and
collective bargaining. A majority refused to join unions (64.3 percent, both male and female) and
77.53 percent indicated they had no knowledge of their rights to bargaining and association as
provided for in the labor law; 26.43 percent confirmed that the unions and federations in their
governorates did not take the initiative to organize and associate the workers at work. Others (19.23
percent) found unions to be useless, and 16.6 percent expressed their fear of retaliatory action by
employers. A remaining 13 percent expected that action to join or associate at work would be faced
by employer rejections, while some indicated that they do not know the key reasons that prevented
them from associating.

On the matter of collective bargaining, 4.06 percent of workers in the study indicated that they have
been engaged in collective bargaining with employers and supervisors to improve their working
terms and conditions, with 23.25 percent of them being successful in these endeavors as they
managed to increase their wages and improve the quality of meals offered to them. Other workers
indicated that verbal agreements have been reached to reduce working hours and increase wages,
but that the employers failed to respect these agreements. The vast majority of this segment of the
sample population asserted that the bargaining they had been engaged in failed to deliver any
agreements whatsoever.

V. Occupational Safety and Health (OSH)

Out of the total sample population, 57.88 percent indicated that employers had not informed them
in writing about occupational safety and health issues and preventions as provided for in article
117 of the law, whereas 40.7 percent said that they had been duly informed; 1.42 percent refused
to discuss the matter. Surveyors observed during their worksite visits a lack of OSH policies posted
in accordance with the law.

5.1: OSH Officer: 45.34 percent of respondents working in projects employing fewer than 100
workers, reported that there were no OSH officers on location, whereas 16.68 percent said they
had no knowledge of whether or not such an officer exists. While 0.41 percent refused to comment
on the matter, 37.55 percent said that an OSH officer was available at work.
With regard to projects employing 100 workers or more, 39.87 percent confirmed there was no OSH committee on-site, with 21.5 percent saying that they did not know whether such a committee exists, and 38.31 percent confirming that these committees do exist. One worker refused to comment.

Likewise, 39 percent of respondents said there were no instructions from management and employers on safety precautions, 13.03 percent indicated they did not know about the matter, 0.28 percent refused to answer and 47.69 percent said that such instructions were available.

5.2: Personal Protective Equipment: 43.72 percent said that they had not been provided with personal protection equipment by employers, while 54.3 percent said that they were provided with such equipment and 1.98 percent refused to comment.

5.3: Training on managing occupational hazards: 72.62 percent of respondents indicated that they had not been trained on occupational hazards and their management on-site; 10.76 percent indicated they had no knowledge of the matter and 0.38 percent refused to answer, while 16.24 percent confirmed that they had received training on the topic.

5.4: Awareness and training on the use of occupational safety means: 85.93 percent of workers in the study confirmed that they had not received any training or instruction in occupational safety at work; 0.47 percent said they had no knowledge about such issues and another 0.47 percent refused to comment, while 13.13 percent confirmed receiving such training at their current place of work.

5.5: First-aid kits on-site: 31.26 percent confirmed that no first-aid kits were available on-site, while 11.71 percent said they had no knowledge of the matter and 0.19 percent refused to comment, compared to 56.85 percent who confirmed the availability of such kits on-site.

5.6: Fire-fighting equipment: 30.88 percent confirmed that there was no fire extinguishing equipment on-site, with 15.2 percent saying they did not know and 53.82 percent confirming that such equipment is provided on sites where they worked.

5.7: Display of occupational hazard controls on-site: 62.13 percent confirmed that such controls and prevention means are not displayed on-site, 11.9 percent indicated no knowledge of the issue, 0.28 percent refrained from commenting and 25.68 percent confirmed that these controls are displayed on-site. One surveyor documented on video during a worksite visit that scaffolding lacked the required green tag to confirm that it had been tested and deemed safe by an OSH officer.

5.8: Initial and regular medical screenings: 87.91 percent confirmed that they have not undergone initial or regular medical screenings to decide whether or not they were physically and mentally fit and proper to deliver the assigned tasks; 10.48 percent said they did not know whether or not such screenings existed or that they had not been included in them. Accordingly, it can be concluded that 98.39 percent of the sample population had not undergone screenings, with 0.38 percent refusing to comment and 1.23 percent saying they did undergo these screenings by the employers. Also, 15.38 percent of workers who had undergone the screenings said they had to pay for it out of their own pocket. Failure to observe OSH policies and requirements as explained above is in violation of Chapter 13 of the law and its executive regulations of December 2016 on OSH requirements.
VI. Social Security

The applicable Pension and Social Security Law No. 39 of 1971 makes it mandatory to include all workers in social security coverage. It holds an employer responsible for acting accordingly, since paying the subscriptions is not optional. According to study findings, 88.1 percent of the sample population is not covered through employers in social security, 9.44 percent indicated that they were not sure whether or not they are covered, and 0.38 percent refused to comment. Only 2.08 percent indicated that they were covered by social security, with 18.18 percent of those covered actually possessing documented proof in the form of social security cards or registration numbers. The remaining percentage of this segment said they had no similar proof. It can therefore be inferred that the percentage of uncovered workers may actually be higher than 88.1 percent. It should also include those who said they were covered, but then mentioned that no deductions were taken from their wages (the statutory 5 percent of monthly salary) to cover their subscription. Only one worker confirmed such deduction from his wage, raising concern that an overwhelming majority of the sample population is not covered by social security (a huge violation of the law).

Upon examining the causes for lack of coverage, 65.25 percent of workers in the study indicated that they knew nothing about social security and laws that regulated it; 8.97 percent of this segment of respondents confirmed that employers refused to include them in the coverage despite their numerous requests and 7.65 percent indicated that the cause was lack of supervisory authorities to regulate the matter and absence of inspection field visits to force employers to adhere to the law; 5.19 percent said they refused to be included to avoid having the subscription deducted from their wages. Other workers indicated that they were not covered due to their fairly young age (especially the juveniles) since the law provides for coverage of workers who are 18 years or older. Another group of workers indicated that they were covered under different social schemes—some with the Iraq Engineers Union (IEU), another being a former member of the military and a third as a retired civil servant. Another worker indicated that he was not covered because his tenure was temporary.

![Figure 4: Labor social security coverage](image-url)
CONCLUSIONS

The demise in quality of labor and trade union legislation and laws in Iraq from the promulgation of the labor law of 1987 until the advent of its replacement in 2015 contributed to the eradication of basic rights in labor and union culture for generations. Workers have been denied the right to association, including in the public sector, and the rights to bargain, strike and defend legitimate labor rights. Workers have lost faith in labor regulations and laws, given the poor protections therein, in addition to their lack of awareness of the applicable laws.

All of these issues have had an adverse impact on the status of workers even under the applicable new 2015 labor law, which is robust on paper but poor in enforcement and application. The study reveals that levels of compliance are poor across various workplaces and that workers do not know their statutory rights. Compounded by the failure of some employers in small and micro-enterprises to recognize their legal obligations under the law, large-scale enforcement has become more difficult given the socio-economic and security challenges in the liberated areas – challenges that exist alongside a lack of human resources and logistic support in labor inspection departments. Furthermore, trade unions do not yet have the capacity or membership base to partner with regulators to develop modern regulatory strategies that are appropriate to address workers’ situations and conditions. In addition, labor education and media are poor in Iraq, and workers are not acquainted with the legal instruments available to lodge complaints with the inspection department or move cases forward with the labor tribunals.

All of the above challenges require social partners to conduct accurate, thorough studies and to devise solutions while seeking the help of specialists and experts to develop a long-term strategy that would lay a foundation for decent working conditions in Iraq.
RECOMMENDATIONS

1. To the Government:

▪ Launch social dialogue that guarantees the fair representation of workers in relevant socio-economic policy-making and develop the necessary legislation to structure and guarantee it.

▪ Conduct a regular review of labor laws and regulations for compatibility with work and labor market conditions, in consultation with trade unions and employer associations.

▪ Develop a scheme to reward compliant employers for active and complete enforcement of the labor, pension, and social security laws. Such rewards may take the form of eligibility for governmental bank loans, tax credits, or other types of motivation to enhance compliance.

▪ Increase budget allocations for MoLSA to commission and fund labor market research and studies, and to develop labor and employment offices as well as to expand its powers and mandates to meaningfully regulate employment issues pursuant to labor law provisions, in addition to issuing work permits free of charge for workers, under Article 170 of the labor law.

▪ Mandate MoLSA to issue special regulations under the labor law to regulate the terms and conditions in public contracts pursuant to ILO Convention No. 94 of 1949, which has been ratified by the government of Iraq.

▪ Task all ministries and independent entities with developing legal compliance standards and make them part and parcel of tendering processes or investments, labor contracts, or bids involving government stakeholders, while notifying MoLSA of such projects prior to their start so that the ministry can integrate them within their inspection action plans.

2. To Labor Inspection Bodies:

▪ Develop the necessary labor inspection apparatus for effective enforcement, including sufficient human and financial resources. In addition, the labor inspection apparatus requires an authority that goes beyond the mandate of a simple section in a department. It would be commendable to have a directorate or commission-like entity mandated with OSH, labor inspections and social security compliance with abundant human and financial resources to keep pace with the growth rate of workers joining the labor market. A case in point would be to introduce an amendment allocating half of the revenues from labor-related fines to finance this entity and enable it to improve its output in quantity and quality.

▪ Continuously and regularly train labor inspectors and recruit specialized trainers to improve internal inspection capacity and develop enforcement mechanisms.

▪ Develop and regularly update the inspection templates or forms to keep abreast of labor and social security provisions as well as other related laws, such as on human trafficking, in addition to training inspectors on methods of developing advanced inspection reports.
- Introduce IT to the inspection processes by using tablets and software during on-site visits and compliance checks, while connecting these processes online to enable MoLSA to have real-time feedback about the inspection landscape and be able to make informed decisions.
- Focus more on labor statistics, including those related to violations and work-related injuries, and carry out an annual assessment of the trends and types to develop the remedies needed.
- Stress and prioritize enforcement to bring it up to par with the enforcement of the pension and social security law.
- Coordinate with specialized international organizations working on labor issues and peer labor inspection bodies in other countries to share experiences and enhance cooperation.

3. To Trade Unions:
An effective and broad-based union action is considered a key pillar to ensure decent work terms and conditions. Hence, trade unions are urged to:
- Develop association strategies to ensure broad representation of all workers across occupations and workplaces—and not to exclusively focus on joining the trade unions. They should also develop methods for continuous worker outreach and strive to engage workers in activism and internal decision-making modalities.
- Develop programs to educate workers on their rights and the role of trade unions.
- Train a group of workers from across the workplaces to form a specialized team to monitor, document, and report violations to the unions for due process, in collaboration with the labor inspection body.
- Form legal units at the federations and trade unions to offer advice on workers’ rights.
- Develop media-related skills and tools at trade unions to keep abreast of technical advancements in order to introduce workers and communities to their working rights and highlight these themes as vital socio-economic issues that are equally important to convey the voices and demands of workers to the broader community and to decision-makers.
- Coordinate and build long-term strategic partnerships with NGOs on various socioeconomic issues of common interest.

4. To Employer Associations:
- Coordinate with MoLSA and trade unions on all matters that pertain to fostering the enforcement of labor laws.
- Educate association members about their legal obligations and consequences of non-compliance as well as benefits for compliance, such as creating a fair playing field for all companies in Iraq and attracting skilled workers, as well as retaining them, which can reduce costs for businesses, etc.
- Transparently share with MoLSA and trade unions information on numbers, terms, and conditions of workers.
• Submit an annual report to the Labor and Vocational Training Department on applicable terms and working conditions, highlighting successes and challenges of enforcement.

5. To NGOs:

Despite the growth in their work and broad presence across Iraq, very few NGOs focus on labor and workers’ issues, and workers remain among the most hard-hit segments of society. In order to pave the way for a greater role in this area, NGOs are encouraged to do as follows:

• Permanently coordinate and build long-term strategic partnerships with trade unions on various socioeconomic issues of common interest.
• Focus more on socioeconomic issues in general and labor issues in particular, while giving utmost priority to labor issues in the projects carried out by NGOs.
• Launch awareness campaigns on the rights to associate and join trade unions.
Working Conditions in Iraqi Governorates Liberated from ISIS

A study of Anbar, Diyala, Kirkuk, Ninawa and Salah Al-Deen governorates