

IRAN, ISLAMIC REPUBLIC OF (2000-2019)

FREEDOM OF ASSOCIATION AND THE EFFECTIVE RECOGNITION OF THE RIGHT TO COLLECTIVE BARGAINING

REPORTING	Fulfilment of Government's reporting obligations	YES, since the start of the Annual Review (AR) in 2000.	
	Involvement of Employers' and Workers' organizations in the reporting process	YES, according to the Government: Involvement of employers' organizations (Iran's Confederation of Employers' Associations (ICEA) and the Confederation of Iranian Employers (CIE)), and workers' organizations (the Iran Confederation of Islamic Labour Conference (ICILC), the Iranian Confederation of Labour Syndicates (ICLS), the Higher Confederation for Coordination of Islamic Labour Councils (HCCILC), the Higher Assembly of Workers' Representatives Islamic Republic of Iran (HAWR-IRI), the Higher Confederation for Labour Syndicates (HCLS), High Coordination Centre of Trade Unions (HCCTU), Confederation of Iranian Workers Representatives (CIWR) and the Workers' House of the Islamic Republic of Iran (WH-IRI) through communication of government reports and tripartite meetings on reporting issues.	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	<p>2012-2015 ARs: Observations by the ICEA.</p> <p>2009 AR: Observations by the CIE.</p> <p>2007-2008 AR: Observations by the ICEA.</p>	
	Workers' organizations	<p>2015 AR: Observations by the HCCILC. Observations by the HCCTU. Observations by the CIWR. Observations by the WH-IRI.</p> <p>2014 AR: Observations by the ICLS.</p> <p>2013 AR: Observations by the HCCILC. Observations by the HAWR-IRI. Observations by the HCLS.</p> <p>2012 AR: Observations by the ICLS.</p> <p>2007-2009 ARs: Observations by the ICILC. Observations by the International Trade Union Confederation (ITUC).</p> <p>2000-2006 ARs: Observations by the ICFTU.</p>	
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Ratification	Ratification status	The Islamic Republic of Iran has ratified neither the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) (C.87) nor the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) (C.98).
		Ratification intention	<p>YES, since 2001, for C.87 and C.98.</p> <p>2019 AR: The Government reiterated its intention to ratify the Conventions.</p> <p>2016 AR: The Government reiterated its intention to ratify the Conventions.</p> <p>2015 AR: The Government reiterated its intention to ratify the Conventions after the necessary labour law reforms are in place. HCCILC, HCCTU, CIWR and WH-IRI reiterated or expressed their support for the ratification of the Conventions. WH-IRI further indicated that the labour law reform is underway and the new Government is willing to ratify C.87 and C.98.</p> <p>2014 AR: According to the Government: The Government of I.R. Iran intends to ratify C.87 and C.98. While the adoption of the Fifth National Economic Development Plan (2011-2015) has created more favourable conditions for realizing the FPRW, a labour law reform will need to take place before any advancement can be made in the ratification process. The ICEA reiterated its support for the ratification of C.87 and C.98. The ICLS expressed its support for the ratification of C.87 and C.98.</p> <p>2013 AR: According to the Government: Ratification of all unratified fundamental Conventions, including C.87 and C.98, enjoys tripartite support. Following the labour law reform currently under tripartite review, the Government is hopeful to obliterate the legal problems that still prevail along the ratification of the remaining Convention</p> <p>The ICEA reiterated its support to ratification of C.87 and C.98 by the I.R. Iran. The HCCILC, the HAWR-IRI and the HCLS expressed their support to ratification of C.87 and C.98 by the Islamic Republic</p>

		<p>of Iran.</p> <p>2012 AR: According to the Government: The Government of I.R. Iran is committed to its obligations and has accepted freedom of association as one of the important and fundamental principles and rights at work. On this basis, it is forecasted that necessary conditions will be materialized and executive mechanisms will be developed for ratification of C.87 and C.98.</p> <p>The ICEA expressed its support for the ratification of C.87 and C.98.</p> <p>The ICLS expressed its genuine support for the ratification of C.87 and C.98 by Iran, emphasizing the importance these instruments have on trade union activities.</p> <p>2010 AR: According to the Government: The Ministry of Labour and Social Affairs has submitted to the Council of Ministers and the President of the Republic the ratification of C.87 and C.98, recalling the importance of these instruments and the importance of ratifying all ILO fundamental Conventions.</p> <p>2009 AR: According to the Government: A comprehensive tripartite survey has been conducted at national level concerning ratification of C.87 and C.98. Upon completion, this survey is hoped to facilitate the ratification process. ILO technical assistance is requested in this ratification process. The CIE mentioned its support for the ratification of C.87 and C.98 by the Islamic Republic of Iran. The ICILC stated that it had a neutral position concerning this issue.</p> <p>2008 AR: The Government reiterated that the feasibility study on the possibility of ratification of C.87 and C.98 was still under way. The ICEA supported the ratification of C.87 and C.98. The ICILC reiterated its support for the ratification of C.87 and C.98 by the Islamic Republic of Iran.</p> <p>2007 AR: The Government stated that the feasibility study on the possibility of ratification of C.87 and C.98 was still under way. The ICILC expressed its support for the ratification of C.87 and C.98 by the Islamic Republic of Iran</p> <p>2006 AR: According to the Government: The Government and the social partners request ILO's technical assistance in the ratification process. A feasibility study on the possibility of ratification of C.87 and C.98 is being carried out. Workers' organizations support the ratification of these two Conventions, but employers' organizations do not.</p> <p>2001 AR: Based on information in GB.282/LILS/7 and GB.282/8/2 (2002): The Government intended to ratify C.87 and C.98.</p>
<p>Recognition of the principle and right (prospect(s), means of action, basic legal provisions)</p>	<p>Constitution</p>	<p>YES.</p> <p>The 1989 Constitution (article 26) provides for freedom of assembly and association.</p>
	<p>Policy-Legislation and/or Regulations</p>	<ul style="list-style-type: none"> • Policy <p>2014–2015 ARs: According to the Government: The newly adopted Draft National Plan of Action for Decent Work greatly contributes to strengthening tripartite collaboration and ensuring government compliance with the FPRW covered by the Plan.</p> <p>2013 AR: The Government indicated that in the development of the 5th National Development Plan of the Islamic Republic of Iran (2011-2015), due attention was also spared on the need for the consultation with the social partners and the observance of the FPRW.</p> <p>According to the HCCILC, the HAWR-IRI and the HCLS: Following the Governments' initiative to adopt the first Economic Development Plan of the Islamic Republic of Iran, workers' organizations have jointly requested for a two month period to review the draft Plan and provide feedback to ensure the inclusion of and coherence with the FPRW.</p> <ul style="list-style-type: none"> • Legislation <p>2019 AR: The plan on amendment of the Islamic labour council's law</p>

			<p>is under investigation by the social committee in the parliament. The procedure on establishment, scope of powers and practice of trade unions and business associations are under investigation.</p> <p>2014–2015 ARs: According to the Government: The Government has taken certain initiatives to adopt the amendments of the Labour Code. All demands and concerns raised by the social partners have been incorporated into the amendments and conformity with the provisions of C.87 and C.98 has been ensured.</p> <p>2013 AR: According to the Government, the HCCILC, the HAWR-IRI and the HCLS: Negotiations on labour law reform are ongoing through social dialogue and bipartite meetings between trade unions and employers' organizations. At this stage, requests made jointly by the trade unions and employers' associations have been accepted by the Government. The Government has strived to ensure that provisions concerning freedom of association and the right to collective bargaining shall be incorporated into the labour law reform in compliance with the Constitution of the Islamic Republic of Iran and the respective national laws and regulations. The HCCILC, the HAWR-IRI and the HCLS are looking forward the finalization of the labour law reform process which is currently before Parliament for final adoption.</p> <p>2012 AR: According to the Government: Following the Law on the 5th National Development Plan of Iran, approved in October 2010, the Government has been commissioned to take necessary action during 2011 to present a National Document for Decent Work and amend the Labour Law. Provisions of articles 25 and 73 of the Law on the 5th Development Plan directly refers to the strengthening of social dialogue and the right to organize. Amendment of the Labour law is taking place and is currently in the hands of the Ministry of Cooperative, Labour and Social Welfare, with the objective to modify the Labour Law in line with international labour standards. Special measures have already been taken related to freedom of association, such as modification of the regulations covering establishment of unions, the scope of duties, authority and performance of trade unions and similar associations, i.e. the subject of article (13 1) of the Labour Law.</p> <p>2011 AR: The Government mentioned that the process of amendment of the Labour Code was being developed taking into consideration the principle and right (PR).</p> <p>2008 AR: An ILO mission provided technical assistance to the Government on labour law reform, labour administration and social dialogue in relation the PR and other topics.</p> <p>2005 AR: The 1990 Labour Code and its amendments relate to the PR. Legal reform is in process since 2003 in cooperation with the ILO.</p>
		Basic legal provisions	(i) The 1989 Constitution (article 26); (ii) the Labour Code (sections 139-146); and (iii) the Agreement of 24 December 2001.
		Judicial decisions	2012 AR: According to the Government: The Government recognizes the decision of April 14, 2010 where ICEA was accepted as the sole high employers' confederation of Iran. This confirms the previous verdicts No. 880575, dated October 16, 2009, issued by the Legal Court of Tehran and No. 1754-1753 and dated February 18, 2010, issued by the Revision Court of Tehran.
	Exercise of the principle and right	At national level (enterprise, sector/industry, national)	<p>For Employers 2012 AR: According to the Government: In a new Code of Practice, approved October 30, 2010, the minimum of ten employers required to form an association has been removed, employers' associations can now be formed with any number of employers.</p> <p>2003-2005 ARs: According to the Government: Prior government authorization is necessary to operate employers' organizations and to conclude collective agreements. All categories of employers can establish their organizations.</p>

			<p>For Workers</p> <p>2012 AR: According to the Government: A new Code of Practice, approved October 30, 2010, includes the deletion of the requirement of the minimum of five unions for the formation of a nation-wide Federation covering a specific sector or industry.</p> <p>2011 AR: According to the Government: There is no ban for trade union registration and for collective bargaining.</p> <p>2003-2005 ARs: According to the Government: Prior government authorization is necessary to operate workers' organizations and to conclude collective agreements. The PR can be exercised by all categories of workers, except military and the police, migrant workers, workers in the public service, workers in the informal economy and establishments with less than ten employees.</p>
			<p>Special attention to particular situations</p> <p>2019 AR: Special attention is given to: a) All workers in the public service; b) Medical professionals; c) Teachers; d) Agricultural workers; e) Workers engaged in domestic work; f) Workers in export processing zones (EPZs) or enterprises/industries with EPZ status; g) Migrant workers; h) Workers of all ages; i) Workers in the informal economy; j) Other specific categories of workers and k) All categories of employers.</p> <p>2012 AR: According to the Government: As part of the promotion of freedom of association and participation of maritime and ship owners' organizations in social dialogue, the Government has undertaken certain measures, including tripartite meetings in the presence of the representatives of workers' organizations and maritime and ship owners' associations, with a view to elaborate on the challenges facing the sector. Four meetings were held in 2011. Additionally, case studies have been undertaken aiming to develop necessary instructions for safety at work. The Government has also asked the Maritime and Ship Owners' Associations to participate in drafting the National Regulations for Maritime Labour, in order to create regulations in line with international labour standards.</p> <p>2003-2004 ARs: According to the Government: Religious minorities and certain specific industry/sectors. Special attention to women is envisaged.</p>
			<p>Information/Data collection and dissemination</p> <p>2012 AR: According to the Government: According to the General Office of Workers' and Employers' Organizations, 1050 hours of education on freedom of association and collective negotiations were held for 2900 organizations in 2010. The Islamic Labour Council has reported 30 cases of labour disputes over the last three years. Additionally, the Institute of Labour and Social Security has conducted research related to the topic of freedom of association and collective bargaining.</p> <p>2009 AR: According to the Government: A feasibility study on ratification of C.87 and C.98 is being carried out.</p>
		<p>At international level</p>	<p>According to the Government: There are no particular restrictions for the international affiliation of employers' and workers' organizations.</p>
	<p>Monitoring, enforcement and sanctions mechanisms</p>	<p>2019 AR: The need for monitoring and supervision to ensure immunity of trade unions from manipulation of pseudo workers' parties for whom no provision has been foreseen in the labour law should be ascertained by the Government.</p> <p>2012 AR: According to the Government: Labour inspectors are obliged to regularly inspect work places. The nationwide Islamic Labour Council investigates labour disputes and has dealt with 30 cases of complaints over the last three years.</p>	

		<p>2009 AR: According to the Government: The number of labour inspectors has been almost doubled to ensure that workers and employers freely enjoy the right to organize. As a result, the number of workers' and employers' organizations has considerably increased.</p> <p>2002-2003 ARs: According to the Government: When the PR has not been respected, section 178 of the Labour Code provides for penalties ranging from fines to imprisonment. The PR is enforced through training and supervision, law, collective agreements, free dispute settlement procedures and tripartite consultations at all levels.</p> <p>2000-2002 ARs: According to the Government: In instances where the PR is not respected, the Minister of Labour shall only provide guidance to members with grievances and ensure that the matter is dealt with in accordance with the appropriate legal procedures.</p> <p>2000-2002 ARs: According to the Government: Employers' and workers' organizations can submit to the Ministry of Labour and Social Affairs, observations and suggestions on legal issues and the implementation of regulations. Their suggestions and observations, after being thoroughly examined by the relevant committee are submitted to the Islamic Consultative Assembly of the Council of Ministers.</p>
	<p>Involvement of the social partners</p>	<p>2014-2015 ARs According to the Government: Social dialogue is regularly practiced and tripartite technical committees are discussing the ratification of C.87 and C.98. The social partners have been included in the process of legal revisions through various councils, including the Supreme Council of Employment. All demands and concerns raised by the social partners have been adhered to.</p> <p>According to the ICEA: With support from the Government, the relationship between workers' and employers' organizations has been strengthened over the last year. Tripartite discussions have been held to reach mutual understanding and common ground towards the ratification of C.87 and C.98.</p> <p>The ICLS indicated that dialogue was ongoing with the Government and, to some extent, with employers' representatives.</p> <p>2013 AR: According to the Government the HCCILC, the HAWR-IRI and the HCLS: Social dialogue is regularly practiced and negotiations concerning a labour law reform are currently ongoing through social dialogue and bipartite meetings.</p> <p>2012 AR: According to the Government: Representatives of workers' and employers' organizations are regularly present at the meetings of the Supreme Council of Employment, held once every two weeks for consultative decisions on issues concerning labour relations. The 4th tripartite National Labour Conference was held in February 2010. According to the ICLS: The Government does not involve social partners in preparing or implementing labour and social policies. However, there is a good bipartite dialogue with the employers' organizations.</p> <p>2011 AR: According to the Government: the employers' and workers' organizations have been involved in the reporting process to provide a real situation in respect of ratification of C.87 and C.98.</p> <p>2009 AR: According to the Government: A comprehensive tripartite survey has been conducted at national level concerning ratification of C.87 and C.98.</p> <p>2005 AR: According to the Government: Employers' and workers' organizations have been involved in the task force to review national labour laws and harmonize them with the provisions of ILO fundamental labour Conventions.</p>
	<p>Promotional activities</p>	<p>2018 AR: According to the Government, awareness-raising activities took place such as the translation of documents and reports published by the ILO on freedom of association and social dialogue and making them available for the interested individuals and organizations; holding tripartite technical meetings participated by social partners and holding tripartite meeting of social dialogue on Feb. 2018 attended by workers' and employers' organizations, social insurances officials, worker's party officials, Ministries' officials, MPs. The Government also indicates that the following activities took place: planning for conducting training workshops on freedom of organizations and right to collective dialogue for workers' and employers' organizations, and visits of delegates from Department of Governance and Tripartism, ACT/EMP and ACTRAV of the ILO in 2018 to Iran and meeting with Government's officials and worker's and employer's organizations.</p> <p>2014 AR: The Government indicated that a nation-wide tripartite conference promoting the FPRW had been held.</p> <p>2013 AR: According to the Government, the HCCILC, the HAWR-IRI and the HCLS: Promotional activities related to the labour law reform have been conducted to ensure in particular that all the FPRW are integrated in this exercise within the context of the national law, and that workers' living standards are further improved.</p> <p>2012 AR: According to the Government: In order to promote the awareness of workers' and employers' organizations training courses have been conducted covering freedom of association and the right to collective bargaining for the members of workers' and employers' organizations. According the General Office of Workers' and Employers'</p>

	<p>Organizations, 1050 hours of education on freedom of association and collective negotiations were held for 2900 organizations in 2010. Additionally, the 4th tripartite National Labour Conference was held in February 2010, as well as regular tripartite meetings (once every two weeks) of the Supreme Council of Labour for consultative purposes on issues concerning labour relations.</p> <p>The ICEA indicated that there are associations that are working at grass-root level to promote and undertake negotiation efforts in favour of ratifying C.87 and C.98, as well as raise awareness about the importance for Iran to follow international labour standards.</p> <p>The ICLS indicated its participation in the National Tripartite Labour Conference on Decent Work in Iran in January 2011.</p> <p>2009 AR: The ICILC indicated that it had encouraged the organization of tripartite meetings.</p> <p>2008 AR: According to the Government: The Ministry of Labour and Social Affairs and the employer's and workers' organizations cooperated with an ILO mission on labour law reform, labour administration and social dialogue in relation with the PR and other topics. Moreover, the Government has incorporated the creation of independent and strong employers' and workers' organizations as a priority in its national strategy for development.</p> <p>2007 AR: According to the Government: Some amendments are being made to the Labour Code to promote employers' and workers' organizations' rights and their multiplication through free and democratic ways. Moreover, the Government is creating strengthened, flexible and responsible labour institutions as well as raising public awareness for the promotion of the PR in the country.</p> <p>2001-2002 ARs: According to the Government: Government officials and social partners have been trained on labour standards.</p>
<p>Special initiatives-Progress</p>	<p>2019 AR: Holding tripartite technical meetings with social partners to review the feasibility of ratification and to make decision for ratification of fundamental conventions such as C138, 87, 98 and 144 and using the opinions of organizations in this regard. The draft framework of cooperation between the IR of Iran and the ILO has been provided to the Supreme Labour Council by the delegation from the ILO (Part of framework related to the fundamental principles and rights at work of the ILO) and was finalized after receiving comments of the members. It is hoped that the above framework is signed and implemented in the near future. The National Future of Work Conference was held in May 2019 and participated by more than 300 social partners. The video message of Mr. Grec Veins, The ILO Deputy Director General was broadcasted and Ms. Beate Andreas, Chief of the Fundamental Principles and Rights at Work Branch, ILO participated in the conference and delivered a speech. She also attended the supreme labour council and was informed of the proceedings.</p> <p>2018 AR: According to the Government, the Plan on amendment of the Act on Establishment of Islamic Labour Council has been presented to the parliament by the Islamic labour Council and the MPs and currently is under review in the Social Committee of the Parliament.</p> <p>2014 AR: According to the Government: The newly adopted Draft National Plan of Action for Decent Work is a special initiative that will contribute greatly to strengthening tripartite collaboration and ensuring government compliance with the FPRW, covered by the Plan. Furthermore, in 2013, the Government signed a Memorandum of Understanding (MoU) on Educational Research Cooperation with workers' organizations. The MoU is expected to enhance the capacity of the workers' organizations and optimize the relationship between workers' and employers' organizations to improve working conditions.</p> <p>2013 AR: According to the Government, the HCCILC, the HAWR-IRI and the HCLS: The Government has indicated that in adopting the Fifth National Economic Development Plan (2011-2015) it has provided for the support to the creation of more favorable conditions for realizing the FPRW and the implementation of the decent work country programme (DWCP). Furthermore, an achievement was reached by the trade union movement who joined forces to contest a proposed Government scheme that meant to separate health and social security aspects in the labour law reform. Social partners maintained that disintegrating health and social security from the labour law would not be ultimately beneficial to the workers. Abiding by the social partners arguments, the Government finally approved the trade union position.</p> <p>2012 AR: According to the ICLS: The ICLS was created in November 2010 and is a confederation composed of 30 federations of trade unions.</p> <p>2011 AR: According to the Government: Free elections for the establishment of an employers' confederation were provided in 2010 following the Agreement of 14 April 2010 to settle disagreements between the ICEA and the CEI.</p> <p>2010 AR: According to the Government: The Ministry of Labour and Social Affairs has</p>

		<p>submitted to the Council of Ministers and the President of the Republic the ratification of C.87 and C.98.</p> <p>2009 AR: According to the Government: The number of labour inspectors has been almost doubled to ensure that workers and employers’ freely enjoy the right to organize. As a result, the number of workers’ and employers’ organizations has considerably increased.</p> <p>2008 AR: According to the ICILC: several meetings were held with the Government on the amendments of chapter VI of the Labour Code concerning the establishment of labour councils and the right to strike. These amendments need to comply with the provisions of C.87 and C.98.</p> <p>2005 AR: According to the Government: The decision to allow the free establishment of associations.</p>	
<p>CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT</p>	<p>According to the social partners</p>	<p>Employers’ organizations</p>	<p>2014–2015 ARs: According to the ICEA: Legal incompatibilities need to be overcome and common ground needs to be reached among the tripartite partners so as to put the ratification process for C.87 and C.98 on the right track.</p> <p>2013 AR: According to the ICEA: The provisions of C.87 and C.98 need first to be regulated at national level through tripartite agreements before the ratification of these instruments. Tripartite discussions should mainly focus on the right to strike and its relation to freedom of association.</p> <p>2012 AR: According to the ICEA: Current legislation allows certain trade union activities but creates a lack of freedom of association, and makes it difficult to practice the freedom that is permitted within the national legislation. The ICEA identifies the political situation as the main barrier to ratification of C.87 and C.98.</p>
		<p>Workers’ organizations</p>	<p>2015 AR: WH-IRI indicated that there were no tripartite meetings during the last 8 years.</p> <p>2014 AR: According to the ICLS: There is inadequate legislation to ensure the PR. Due to resistance from some directions and disagreements concerning the right to strike, the Labour Code revisions have not yet been finalized. While freedom of association and the right to collective bargaining are recognized in the amendments, the right to strike is not. Another challenge is related to the close connection between the Government and the employers. The ICLS estimates that more than 50 per cent of the employers are represented in or have close relationships with the Government.</p> <p>2013 AR: According to the HCCILC, the HAWR-IRI and the HCLS: The economic sanctions on the Islamic Republic of Iran have worsened the workers’ situation in terms of salary decrease, working conditions and increase in layoffs. These conditions are making it more difficult to realize the PR and delaying ratification of C.87 and C.98. However, the HCCILC, the HAWR-IRI and the HCLS expect that the ratification of C.87 and C.98 will follow once the labour law reform is approved by Parliament.</p> <p>2012 AR: According to the ICLS: There are difficulties related to promotion of social dialogue in Iran due to lack of political will from the Government.</p> <p>2009 AR: The ITUC reiterated the same challenges that it had raised under the 2008 AR concerning the Islamic Republic of Iran, in particular as regards: (i) the non-existence of independent trade unions; (ii) the Government’s control over trade unions that are essentially a channel for government control over workers; (iii) there is no right to strike, and a 1993 law prohibits public sector stoppages; (iv) labour legislation does not apply to export processing zones (EPZs); (v) about 90 per cent of workers (about 700,000) are operating in small workshops and are not protected by existing labour legislation; and (vi) obstacles to organizing include the presence of security and intelligence forces in workplaces and the increasing trend toward temporary contracts.</p> <p>2008 AR: According to the ICILC: the Government still plays an active role in the formation of the Labour Councils, and prior authorization is needed. The ICILC added that thanks to discussions being currently held on chapter VI of the Labour Code, there would certainly be an improvement on that issue in a near future.</p> <p>The ITUC reiterated the same challenges noted in the 2000-2007 ARs and added that unions faced ruthless repression during 2007, particularly the union at the Tehran and Suburbs Bus Company. It added that national legislation in the country deprived some categories of workers from the</p>

		<p>exercise of the PR. The Government issued a three-year interim legislation that deprives temporary workers in enterprises of less than ten workers (representing about 90 per cent of the workforce) from the protection of the law including the right to organize.</p> <p>2000-2007 ARs: According to the ICFTU: (i) There are still no independent trade unions, and only one workers’ organization is authorized by the Government; (ii) since January 2003, most workers are unprotected by the Labour Law, including the right to organize; (iii) the Labour Legislation does not apply in Export-Processing Zones (EPZs); (iv) the 1990 Labour Code focuses on Islamic societies and associations and prohibits independent trade organisations; (v) an amendment to the Labour Code in 2003 allows workers to form and join so called “trade unions”, without prior authorization, but the Ministry of Labour determines their rights and responsibilities; (vi) obstacles to organizing include the presence of security and intelligence forces in workplaces, and the increasing trend towards temporary contracts; (vii) trade unions’ rights are denied, although there has been more tolerance for workers’ organizations; (viii) despite the ban on strikes, there have been numerous protests and work stoppages in recent years and (ix) all collective agreements have to be submitted to the Ministry of Labour for examination and approval.</p>
	<p>According to the Government</p>	<p>2019 AR: The main difficulties are: the Lack of public awareness and/or support, as well as the lack of information and data.</p> <p>2018 AR: The Government indicates that the main difficulties are: a) the lack of information and data; b) the lack of capacity of employers’ organizations; and c) the lack of capacity of workers’ organizations.</p> <p>2014–2015 ARs: The Government observed that bureaucratic procedures may affect the pace for labour law reform and ratifications.</p> <p>2013 AR: According to the Government: Possible legal gaps are being tackled in the framework of the current tripartite labour law reform which aims at ensuring satisfactory compliance with freedom of association and the right to collective bargaining.</p> <p>2012 AR: According to the Government: When implementing the amendment of article 44 of the Constitution, in which the government is obliged to shift several public industries to the private sector and pursue privatization as an economic principle, several challenges have arisen. There is concern that by shifting factories to the private sector and removing the supportive mechanisms of the Government, workers will be exposed to unstable conditions. In order to prevent this from occurring, there is a need to reinforce social dialogue and tripartite exercises, as well as to strengthen workers’ and employers’ organizations. The Government intends to divert towards a direction where collective agreements can be reached based on the real demands and needs of these workers.</p> <p>2011 AR: According to the Government: Shortage of technical skills for negotiations, social dialogue and distinguishing criteria for representation has led to the lack of collective negotiations at the provincial level.</p> <p>2009 AR: In response to the ITUC’s observations, the Government expressed its willingness to receive a more cooperative approach from the ITUC in addressing the alleged challenges and finding solutions.</p> <p>2007 AR: In response to the ITUC’s observations, the Government indicated that some amendments were being made to the Labour Code to promote employers’ and workers’ organizations’ rights and their multiplication through free and democratic means, irrespective of the latter’s affiliation to the Workers’ House as a political party.</p> <p>2001-2005 ARs: According to the Government: the main difficulties encountered in realizing the PR in Iran are as follows: (i) lack of public awareness and/or legal support; (ii) lack of information and data; (iii) social and economic circumstances; (iv) political situation; (v) legal provisions; (vi) prevailing employment practices; (vii) lack of capacity of responsible government institutions; (viii) lack of employers’ organizations; (ix) lack of capacity of workers’ organizations and (x) lack of social dialogue on the PR.</p> <p>2005 AR: In response to the ICFTU’s comments, the Government made the following observations: (i) chapter VI [on workers’ and employers’ organizations] of the current Labour Code is being revised and amended to ensure compliance of national legislation with ILO Conventions No. 87 and No. 98; (ii) serious and meaningful national tripartite consultations are being held by the Government with ILO technical assistance in this respect; and (iii) the Ministry of Labour and Social Affairs will continue to cooperate fully and directly with the ILO to strengthen the PR.</p>
<p>TECHNICAL COOPERATION</p>	<p>Request</p>	<p>2019 AR: The main technical cooperation needs are: a) Assessment in collaboration with the ILO of the difficulties identified and their implications for realizing the principle; b)</p>

	<p>Legal reform (labour law and other relevant legislation); c) Capacity building of responsible government institutions; d) Strengthening capacity of employers' organizations; e) Strengthening capacity of workers' organizations; and f) Strengthening tripartite social dialogue.</p> <p>2018 AR: The Government indicates that the main technical cooperation needs are the following: a) Assessment in collaboration with the ILO of the difficulties identified and their implications for realizing the principle ; b) Strengthening data collection and capacity for statistical analysis ; c) Sharing of experiences across countries/regions ; d) Strengthening capacity of employers' organizations ; e) Strengthening capacity of workers' organizations; and f) Strengthening tripartite social dialogue.</p> <p>2016 AR: The Government requested technical assistance with respect to strengthening collective bargaining, tripartism and social dialogue.</p> <p>2015 AR: According to the Government: ILO assistance would be needed to support tripartite technical committees and expert consultations on the ratification of C.87 and C.98. This technical cooperation would enable the Government to create more favourable prospects for ratification of the Conventions.</p> <p>According to the WH-IRI: ILO cooperation is required in terms of training, increasing awareness campaigns and sharing good practices.</p> <p>2014: The Government welcomed the ILO to support tripartite technical committees and expert consultations on the ratification of C.87 and C.98, and indicated that cooperation with the ILO would enable the Government to create more favourable prospects for these ratifications.</p> <p>The ICEA requested ILO technical cooperation to build the capacity of employers' organizations, to enable them to better promote the ratification of C.87 and C.98 and further improve the relationship with workers' organizations.</p> <p>The ICLS requested ILO technical cooperation in promoting and realizing the FPRW including the PR and in providing training for trade union leaders and members.</p> <p>2013 AR: The Government indicated that it was yet looking forward ILO's technical support in relation to the request it made under the 2012 AR.</p> <p>The HCCILC, the HAWR-IRI and the HCLS indicated that a request for technical cooperation to improve the situation concerning the FPRW in the country was submitted to ILO, but yet pending.</p> <p>2012 AR: According to the Government: In order to deal with the above mentioned challenges, the Government needs support in sensitization and exchange of successful models and experiences from other countries, also covering management of trade union protests, as well as legal procedures and knowledge about international labour standards. Additionally, capacity building for workers' and employers' organizations on collective bargaining practices is one of the most important needs of the country.</p> <p>Due to the sensitivity of the issue of freedom of association in Iran, the ICEA requested the ILO to support the ratification process on a general level only.</p> <p>The ICLS requested the ILO to provide technical assistance to tripartite partners in Iran, especially to the ICLS as a new confederation in need for support to strengthen its action through capacity building.</p> <p>2011 AR: According to the Government: Needs for technical cooperation to facilitate the realization of the PR in Iran exist in the following areas: (i) training and capacity building for workers' organizations; (ii) determining requirements for the most representative organizations for collective bargaining; and (iii) strengthening social dialogue.</p> <p>2009-2010 ARs: The Government requested ILO technical cooperation to facilitate the ratification process of C.87 and C.98 through awareness raising, data collection and dissemination, policy advice, legal reform, capacity building for labour administration, employers' and workers' institutions and strengthening social dialogue. This assistance should be integrated in the DWCP that would need ILO technical review and support.</p> <p>According to the ICILC: An ILO survey was needed to assess the situation of the PR in the country.</p> <p>2008 AR: The Government volunteered for the preparation of a case study on the realization of the Fundamental Principles and Rights at Work in the country, followed by a national tripartite workshop to validate this survey and draw a national plan of action to realize the Declaration. The ICEA requested ILO technical cooperation regarding training programmes on freedom of association and collective bargaining. According to the ICILC: ILO legal advice is needed to ensure compliance of chapter VI of the Labour Code with the provisions of C.87 and 98 and ensure that freedom of association for employers' organizations and labour councils are respected.</p> <p>2007 AR: The Government reiterated its request for ILO technical cooperation in the areas mentioned under the 2005 AR, and with a priority given to amendments made to the labour</p>
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		<p>laws and capacity building of employers’ and workers’ organizations.</p> <p>The ICEA and the ICILC requested ILO technical cooperation for training on freedom of association and collective bargaining techniques and the promotion of the fundamental principles and rights at work.</p> <p>2005 AR: According to the Government: Needs for technical cooperation to facilitate the realization of the PR in Iran exist in the following areas, in order of priority: (1) assessment in collaboration with the ILO of the difficulties identified and their implication for realizing the PR, strengthening data collection and capacity for statistical analysis; strengthening social dialogue; sharing of experiences across countries/regions; capacity building of responsible government institutions; strengthening capacity of employers’ and workers’ organizations; awareness-raising, legal literacy and advocacy; strengthening tripartite social dialogue; and (2) legal reform.</p>
	Offer	ILO advisory services on freedom of association and collective bargaining issues.
EXPERT-ADVISERS’ OBSERVATIONS-RECOMMENDATIONS		<p>2008 AR: The ILO Declaration Expert-Advisers (IDEAs) encouraged the Government of the Islamic Republic of Iran (and some other governments) to complete the legal review process to remove the obstacles to ratification of C.87 and C.98. They also noted that restrictions on the right to organise of certain categories of workers in the Islamic Republic of Iran (and some other countries), such as workers in the public service and workers in the informal economy, were not compatible with the realization of this principle and right (cf. paragraphs 32 and 38 of the 2008 Annual Review Introduction – ILO: GB.301/3).</p> <p>2005 AR: The IDEAs stated that the Office was following up on freedom of association and collective bargaining issues in Iran. In this respect, they noted with interest the information provided by the Islamic Republic of Iran under the Declaration follow-up (cf. paragraph 37 of the 2003 Annual Review Introduction – ILO: GB.292/4).</p> <p>2003 AR: In light of requests by the Islamic Republic of Iran for ILO cooperation in assessing the difficulties and implications for realizing the principle and right, the IDEAs called upon the Governing Body to request that high-level contacts be made straight away between the Office and two or three countries not yet served by ILO technical projects in this field (cf. paragraph 74 of the 2003 Annual Review Introduction – ILO: GB.298/3).</p>
GOVERNING BODY OBSERVATIONS/RECOMMENDATIONS		<p>2015 AR: At its March 2014 Session, the Governing Body invited the Director-General to: (a) take into account its guidance on key issues and priorities with regard to assisting member States in their efforts to respect, promote and realize fundamental principles and rights at work; and (b) take account of this goal in the Office’s resource mobilization initiatives.</p> <p>2013 AR: At its November 2012 Session, the Governing Body requested the Director-General to take full account of the ILO Plan of Action on Fundamental Principles and Rights at Work (2012-2016) and allocate the necessary resources for its implementation. This plan of action is anchored in the universal nature of the fundamental principles and rights at work (FPRW), their inseparable, interrelated and mutually reinforcing qualities and the reaffirmation of their particular importance, both as human rights and enabling conditions. It reflects an integrated approach, which addresses both the linkages among the categories of FPRW and between them, and the other ILO strategic objectives in order to enhance their synergy, efficiency and impact. In this regard, freedom of association and the effective recognition of the right to collective bargaining are particularly emphasized as enabling rights for the achievement of all these strategic objectives.</p> <p>2011 AR: At its March 2010 Session, the Governing Body decided that the recurrent item on the agenda of the 101st Session (2012) of the International Labour Conference should address the ILO strategic objective of promoting and realizing fundamental principles and rights.</p> <p>2009 AR: During its March 2009 Session, the Governing Body included the Review of the follow-up to the 1998 ILO Declaration on Fundamental Principles and Rights at Work on the agenda of the 99th Session (2010) of the International Labour Conference.</p>
INTERNATIONAL LABOUR CONFERENCE RESOLUTION		<p>2013 AR: In June 2012, following the recurrent item discussion on fundamental principles and rights at work, under the ILO declaration on Social Justice for a Fair Globalization, 2008 and the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, 1998, the International Labour Conference adopted the Resolution concerning the recurrent discussion on fundamental principles and rights at work. This resolution includes a framework for action for the effective and universal respect, promotion and realization of the FPRW for the period 2012-16. It calls for the Director- General to prepare a plan of action incorporating the priorities laid out in this framework for action for the consideration of the Governing Body at its 316th Session in November 2012.</p> <p>2011 AR: Following a tripartite debate at the Committee on the 1998 Declaration, the 99th Session (2010) of the International Labour Conference adopted a Resolution on the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work on 15 June 2010. The text appended to this Resolution supersedes the Annex to the ILO Declaration on Fundamental Principles and Rights at Work, and is entitled “Annex to the 1998 Declaration (Revised)”. In particular, the Resolution “[notes] the progress achieved by Members in respecting, promoting and realizing fundamental principles and rights at work and the need to support this progress by maintaining a follow-up procedure. For further information, see pages 3-5 of the following link: http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_143164.pdf.</p>

