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► **Policy Brief**
**Social Dialogue and Decent
Work in the Agriculture Sector**

Ways to improve the work environment and
application of occupational safety and health
(OSH) requirements in Iraq



May 2023



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First published 2023



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ISBN: 9789220391105 (web PDF)

DOI: <https://doi.org/10.54394/HUER3888>

Also available in Arabic:

الحوار الاجتماعي والعمل اللائق في قطاع الزراعة: سبل تحسين بيئة العمل وتطبيق اشتراطات السلامة والصحة المهنية في العراق

ISBN: 9789220391112 (web PDF)

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► Foreword

Despite its dwindling performance and decreased share of GDP, the agricultural sector is of particular significance to the Iraqi economy. This observation also applies to the period when the economy started becoming heavily reliant on oil extraction and exports during the first part of the twentieth century. In 2020, agricultural and fishing activities accounted for 4.7 per cent of GDP¹ (ranking fourth among all activities).

The latest Iraqi Labour Force Survey (LFS) (2021) shows that 725,397 workers are employed in agriculture, forestry, and fishing, accounting for 8.4 per cent of economic activities in Iraq. However, 96.7 per cent of these activities are informal, as are 98.1 per cent of the workers in this sector – making it the sector with the largest ratio of informal employment in Iraq. In addition, the working conditions are poor, wages are low, and social security coverage is lacking. The sector employs the largest share of low-paid² workers (72 per cent).³ Other major issues include child labour and discrimination. Another area that requires attention is the lack of effective enforcement of labour regulations, which pertain to statutory working hours, rest, regular and sick leave, the prohibition of forced labour and occupational safety and health - in a sector that is classified among the three most hazardous sectors worldwide in terms of work-related deaths, non-fatal accidents, and occupational diseases. The fatal accident rate in agriculture is double the average of all other industries. Every year, a reported 2.9 million workers around the world experience occupational accidents or diseases,⁴ and at least 210,000 agricultural workers are killed in accidents at the workplace⁵.

The International Labour Organization (ILO) ascribes great importance to laying down the foundation for decent work in Iraq, including in the most vulnerable economic sectors – notably, the agricultural sector – by providing labour protections through legislation and enforcement. In 2022, the International Labour Conference, at its 110th Session, decided to include a “safe and healthy work environment” as a fundamental principle and right of work in the Declaration of Fundamental Principles and Rights at Work (1998), and to designate the Occupational Safety and Health Convention, 1981 (No.155) and the Promotional Framework for Occupational Safety and Health, 2006 (No 187) as fundamental Conventions. Iraq should now progressively set up national occupational safety and health policies, programmes and systems and build a national preventative safety and health culture, in accordance with the relevant ILO instruments, including the fundamental Conventions. The ratification and effective implementation of the Safety and Health in Agriculture Convention (No. 184) and its accompanying Recommendation (No. 192), 2001, which provide sector-specific guidance, are crucial in this regard. The ILO code of practice on safety and health in agriculture provides guidance on the application of the relevant ILO Conventions, including appropriate strategies to address the range of occupational safety and health risks encountered in agriculture.

(1) The Central Organization of Statistics and Information Technology (COSIT), Ministry of Planning, Baghdad, Iraq, 2020 GDP by economic activity, table 4, available at: [Microsoft Word-Cover 2020 cosit.gov.iq](https://www.cosit.gov.iq/).

(2) The low pay rate is the percentage of the employees whose hourly earnings at all jobs are equal to less than two-thirds of the median hourly earnings of all employees. Low pay rate = $\frac{3}{2} \times$ median hourly earnings of employees at main job = $\frac{3}{2} \times$ 3180 120'2 Iraqi Dinars. See: Iraq Labour Force Survey 2021, p. 35, available at: [Iraq Labour Force Survey 2021 \(ilo.org\)](https://ilo.org/)

(3) Iraq Labour Force Survey 2021 , p. 35.

(4) ILO, 2023, A safe and healthy working environment Is a fundamental right for every worker, available at: https://www.ilo.org/asia/media-centre/news/WCMS_878549/lang-en/index.htm.

(5) ILO, 2015, Agriculture: A hazardous work, available at : https://www.ilo.org/safework/areasofwork/hazardous-work/WCMS_110188/lang-en/index.htm

In 2021, Iraq ratified Convention No. 184. In order to support the country's efforts to diagnose the state of OSH in the agricultural sector - and because OSH is directly related to all other labour rights - the ILO is providing technical support to Iraq's Federal Government and the Kurdistan Regional Government (KRG), as well as to its social partners in the country to achieve the objectives of decent work across all sectors, including agriculture. The ILO has also launched its Decent Work Country Programme (DWCP) (2019-2023)⁶ in Iraq, as well as a project on Enhancing Labour Governance, Inspection and Working Conditions in Response to COVID-19. This project, inter alia, provides support to various government bodies, and employers' and workers' organizations, to advance decent work in the agriculture sector. It also aims to strengthen labour inspection and OSH, as well as other fundamental principles and rights at work, by developing policies and capacity building for government officials and the social partners to improve compliance with national legislation and international labour standards. On Sunday, 20 November 2022, the Federal Ministry of Labour and Social Affairs (MoLSA), the KRG, the EU, and ILO-Iraq officially launched the National OSH policy. This policy will contribute towards improving the labour inspection regime, OSH and working conditions, in line with international labour standards.

Providing a safe and healthy working environment for agricultural workers weighs in heavily when it comes to promoting decent work in the sector. As part of its efforts in Iraq, the ILO has provided technical support to prepare the current paper. Indeed, it represents a launching pad for the development, implementation and evaluation of OSH policies in the agricultural sector through effective social dialogue, which will involve representatives of the Federal Government and KRG - including line ministries concerned with labour, agriculture, water resources, and the environment - alongside delegates from the most representative employers' and workers' organizations, as well as farmers' groups and cooperatives across Iraq.

Finally, the ILO would like to thank all national bodies that participated in the social dialogue sessions dedicated to the preparation of this paper, including MoLSA staff at the OSH National Centre, the Department of Labour and Vocational Training, the Federal Ministries of Agriculture, Environment, and Water Resources, MoLSA-KRG, the Ministry of Agriculture and Water Resources (KRG), and the social partners at the national level, including the representatives of the Iraqi Federation of Industries, the Federation of Chambers of Commerce (KRG), the General Federation of Iraqi Workers (GFIW), the Conference of Iraqi Federations' and Workers' Unions (CIFWU), and the Kurdistan Federation of Workers' Unions.



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⁽⁶⁾ ILO Decent Work Country Programme Iraq: Recovery and Reform (2019-2023), available at: [wcms_736362.pdf \(ilo.org\)](https://www.ilo.org/wcms_736362.pdf)

► ACKNOWLEDGMENTS

The ILO would like to thank the ILO Advisor Mr Wesam Chasseb for his efforts in preparing the policy brief, and to Ms Manal Azzi, Ms Elisenda Estruch Puertas, and Mr Andrew Christian at ILO Headquarters, as well as to Mr Amin Al Wreidat in the ILO Beirut Office, for reviewing it.



▶ 1. Executive Summary

Agriculture is a key sector for employment and income generation, and plays a crucial role in promoting food security and environmental sustainability. However, agricultural workers often face decent work deficits and are forced to work for low pay under poor and often dangerous conditions, while lacking the means to effectively address their situation.

Decent work for all is one of the ILO's main objective and is defined as "productive work for women and men in conditions of freedom, equity, security and human dignity", implying the respect for labour rights as recognized by international labour standards.

This paper aims to analyse the status of the occupational safety and health (OSH) policy in the Iraqi agricultural sector, including the Kurdistan Region of Iraq (KRI). It also seeks to identify the gaps in OSH policy and the challenges preventing its implementation - and, finally, to propose measures to rectify the existing situation through social dialogue.

As this paper reveals, Iraq lacks a national policy on safety and health in agriculture, despite the fact it has duly ratified the ILO Safety and Health in Agriculture Convention, 2001 (No. 184⁷). This Convention stipulates that ILO member States should formulate, carry out and periodically review coherent national policy on safety and health in agriculture.

Cross-sectoral coordination mechanisms between the competent bodies, authorities and organizations in the agricultural sector are lacking, and their respective OSH responsibilities are not defined. The National Centre for Occupational Health and Safety (NCOHS) lacks any statutory powers, which restricts its role in managing branch activities in the governorates. At the moment, the Centre reports to the provincial councils, pursuant to the amended Law of Governorates Not Incorporated into a Region (No. 2008 ,21)

Shortcomings also exist in certain national legal frameworks. These includes the assignment of OSH responsibilities in the workplace. When it comes to forming OSH committees on site, emphasis is placed rather on the number of workers rather than on the nature of hazards. This is a problem in the agricultural sector, where worker numbers are volatile on account of the sector's seasonal nature. This same shortcoming applies to the assignment of OSH responsibilities in the workplace in general.

Legal frameworks are also lacking for the powers conferred to labour inspectors, including the authority to issue warnings to those who violate or fail to comply to the applicable statutory provisions. Labour Law No. 37 of 2015 mandated those powers exclusively to the Minister of Labour. The ILO Guidelines on the general principles of labour inspection indicate that the authority of labour inspectors must be clearly defined by law and avoid ambiguity⁸. In contrast, the relevant international labour standards (ILS) indicate that it should be left to the discretion of labour inspectors to issue a warning or advise on violations or neglect rather than initiate legal measures or recommend their application. Other shortcomings include the lack of legal coverage of occupational injuries and diseases for self-employed workers, who are not included in the applicable pension and social security law.

Laws and regulations issued in Iraq and the KRI pertaining to hard, harmful, and dangerous work are inadequate in many respects. Numerous activities in the agricultural sector are not included in the above classification, thus excluding many workers, especially women and youth, from

⁽⁷⁾ Article 4 of the ILO Safety and Health in Agriculture Convention, 2001 (No. 184).

⁽⁸⁾ ILO, Guidelines on the general principles of labour inspection, 2022, para. 5.1.1, available at: [wcms_844153.pdf \(ilo.org\)](https://www.ilo.org/wcms_844153.pdf).

statutory legal protection. It is worth noting that Article 16 of Convention 184 establishes that the minimum age for assignment to work in agriculture, which by its nature or the circumstances in which it is carried out is likely to harm the safety and health of young persons, shall not be less than 18 years of age.

The poor enforcement of labour regulations remains an issue, especially in the agricultural sector. This may be attributed to a lack of sufficient human resources in the labour inspectorates (i.e., a limited number of male and female inspectors), and the lack of necessary logistic support to access agricultural holdings, which are often in geographically dispersed rural areas.

Iraq has no system for the planning and programming of labour inspection matters in agriculture, as well as no reporting mechanisms. Such a system would be key to achieving a coherent and objective basis for inspection, which could respond to issues concerning the prevailing working conditions in agriculture and reach out to geographical areas or holdings where targeted interventions might be required.

The institutional frameworks for social dialogue in Iraq are weak. For instance, there is no national social dialogue council or tripartite forum to roll out and monitor national OSH policies, which might establish socio-economic charters ushering in the concept of decent work for all in Iraq. Efforts to foster the meaningful and effective involvement of the social partners in the formulation and implementation of national OSH policies and programmes, at all levels, are key. The Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) requires ILO Member States to set up, where appropriate, a national tripartite advisory body, or bodies, to address OSH issues (Art. (3)4(a)). Tripartite OSH bodies, which may also be councils or committees, provide a forum in which parties may regularly meet and discuss OSH at work, ensuring consultation on relevant OSH issues and a periodic review of national OSH policies and programmes. Such bodies are also sometimes established at regional or local levels, as well as at sectoral levels, especially in hazardous industries such as agriculture, construction and mining⁹.

The OSH authorities in Iraq and the KRG are poorly equipped to develop national OSH programmes for this sector. For instance, there is lack of capacity in terms of setting occupational exposure limits and occupational hazards and diseases. There is no dedicated database, and the notification system and methods for registering occupational diseases and accidents are limited. No research seems to have been conducted to analyse occupational risks and hazards in agriculture. To date, no national executive regulations have been developed, and awareness-raising and training programmes on OSH matters for workers in agriculture are sorely lacking.

This paper makes a number of recommendations to change the status quo. These recommendations include developing a national OSH policy in agriculture that would invest in the capacity building of the authorities entrusted with matters of occupational safety and health: These would include the responsible officials in MoLSA; line ministries; workers' and employers' organizations; as well as farmers' associations and rural organizations.

⁹ ILO, Implementing a safe and healthy working environment: Where are we now?, 7, 2023, available at: [wcms_876334.pdf \(ilo.org\)](https://www.ilo.org/wcms_876334.pdf)

▶ 2. Rationale

Agriculture accounts for 26.7 per cent of global employment.¹⁰ An estimated 1.1 billion people are employed in agriculture, 500-300 million of whom are waged workers. Most workers in the sector are poor,¹¹ with seven out of ten people in rural areas living in abject poverty. Almost 1.5 billion people in rural areas live in moderate poverty, particularly in sub-Saharan Africa and South Asia. More importantly, two-thirds of people living in abject poverty work in agriculture.¹² These high poverty rates are inherently linked to a lack of decent work at all levels, especially in developing countries.

Other decent work deficits include gender inequality, with the role of women in agriculture being largely unrecognized and underestimated in the statistics. Poor skills and lack of opportunities for skills development are also pervasive, along with low wages and hazardous working conditions. Agricultural workers are largely excluded from national labour laws, and they may encounter legislative and administrative barriers when attempting to form or join organizations of their choice.

Concerning child labour, the agricultural sector accounts for the largest share of child labour worldwide, involving both male and female children. In 2020, around 160 million children across the world were engaged in child labour, of whom 112 million (70 per cent) were working in agriculture – and many of these were very young.¹³ More than three-quarters of all children between the ages of five and eleven years work in agriculture, which is associated with a very early entry into work, and the majority (67.5 per cent) of working children are unpaid family members.¹⁴ In addition to the high rate of unpaid child labour, about 59 per cent of all children aged 15 to 17 years are engaged in hazardous work in agriculture¹⁵.

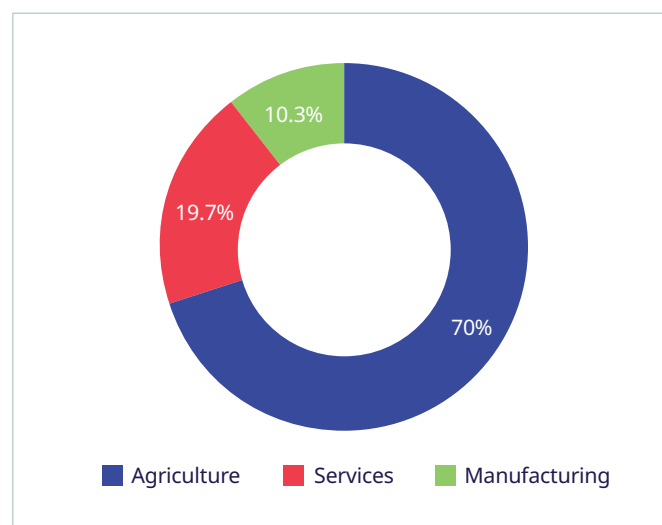


Figure 1. Percentage of children aged 15 -17 years by economic activity

(10) ILO, World Employment and Social Outlook – Trends 2021 (WESO 2021), 21; ILO Modelled Estimates (ILOSTAT database), April 2021.

(11) ILO, Agriculture; plantations; other rural sectors, available at: Agriculture; plantations; other rural sectors (ilo.org).

(12) ILO, Advancing social justice and decent work in rural economies, ILO Policy Brief, 2021, available at: wcms_858195.pdf (ilo.org).

(13) ILO, Agriculture; plantations; other rural sectors, previous source.

(14) ILO/UNICEF, Child Labour: Global estimates 2020, trends and the road forward, 2020, available at: Child Labour: Global estimates 2020, trends and the road forward - UNICEF DATA

(15) ILO, Child labour in agriculture, available at: Child labour in agriculture (IPEC) (ilo.org).

Women in rural areas face restrictions when engaging in economic activities on account of gender-based discrimination and social norms; these women are forced to participate in unpaid work or do not receive equal pay, and they have unequal access to education, health care, property and livestock ownership, participation in decision-making entities, and credit and financial services.

¹⁶Gender inequality¹⁷ may be exacerbated, with girls being particularly vulnerable to exploitation in agriculture. In addition to care work,¹⁸ women's agricultural work is often unpaid or undervalued, which limits¹⁹ or undermines their access to social protection. Women's legal coverage in pension systems tends to be lower than that of men, which is 42.5 per cent and 49.6 per cent of the total world working-age population, respectively. This gender gap reflects a decline in women's participation in the labour market, and their overrepresentation among the self-employed and those working as contributing workers in the family (particularly in agriculture), as domestic workers, or in other occupations or sectors, are often excluded from the scope of legislation²⁰.

Agriculture is the fourth largest sector resorting to forced labour – with the three top-ranking sectors being services (excluding domestic work), manufacturing and construction. The agricultural sector accounts for 12.3 per cent of the total cases of forced labour among adult workers (2.1 million workers). Many of these workers are engaged in the farming of agricultural commodities that are at the low end of the scale of agri-food supply chains, or in other forms of commercial farming such as harvesting fruits and vegetables intended for sale in domestic or export markets. Seasonal migrant workers are particularly at risk of being abused by unregulated brokers. Other cases of forced labour in agriculture include people born into a life of slavery in animal herding or fieldwork because of their social class or inherited debts²¹.

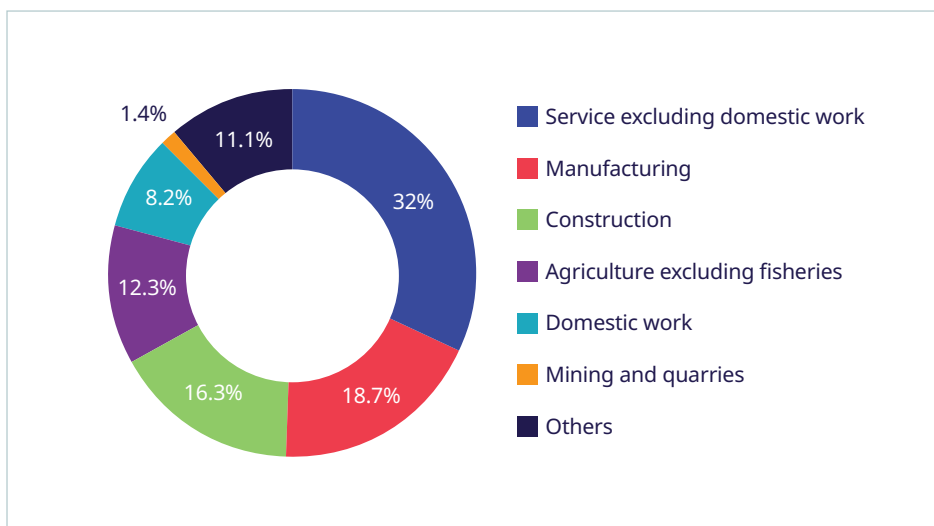


Figure 2. Percentage of forced labour cases among adult workers by economic activity across the five sectors accounting for 87 per cent of total forced labour cases among adults (ILO, 2020).

⁽¹⁶⁾ Rosina Gammarano, International Day of Rural Women: The unfinished quest for decent work for all, ILOSTAT Blog (blog 15 Oct. 2020); ILO, Empowering Women in the Rural Community, 2019, available at: Portfolio of Policy Guidance Notes on the Promotion of Decent Work in the Rural Economy: Empowering Women in the Rural Economy (ilo.org).

⁽¹⁷⁾ FAO, Reduce Rural Poverty, Women in agriculture, available at: Women in agriculture | Reduce Rural Poverty | Food and Agriculture Organization of the United Nations (fao.org).

⁽¹⁸⁾ ILO, World Social Protection Report 22–2020, available at: wcms_817572.pdf (ilo.org).

⁽¹⁹⁾ ILO/FAO, Extending social protection to rural populations: Perspectives for a common FAO and ILO approach, 2021, available at: wcms_770159.pdf (ilo.org).

⁽²⁰⁾ ILO, World Social Protection Report 170 ,22–2020.

⁽²¹⁾ ILO, Walk Free and IOM, Global Estimates of Modern Slavery – Forced Labour and Forced Marriage, 2022, available at: wcms_854733.pdf (ilo.org).

In terms of occupational hazards, agriculture is one of the three most dangerous sectors when it comes to work-related deaths, non-fatal accidents, and occupational diseases²². In many countries, the rate of fatal accidents in agriculture is twice the average of all other industries due to increased risks prompted by the intense use of machinery, pesticides and other agrochemicals. Machinery - such as tractors and harvesters - causes the highest injury rates and frequency of deaths. Available data from developing countries show that the rate of accidents in agriculture has been increasing mainly among daily workers, women and children, whose numbers are constantly increasing in wage work, and migrants²³. Exposure to pesticides, asbestos, silica, noise and other agrochemicals poses a significant occupational risk that may lead to poisoning, death and, in some cases, work-related cancer and reproductive disabilities²⁴.

According to the Food and Agriculture Organization (FAO), between 702 and 828 million people were affected by hunger in 2021. Hunger affected 46 million more people compared to 2020, and a total of 150 more million more people since 2019, before the COVID-19 pandemic²⁵. Hunger and food insecurity are driven by high food prices arising from economic factors, active conflicts that directly hinder or prevent agricultural activity, and weather-related disruptions that are only going to become worse and more frequent with climate change²⁶. These circumstances highlight the importance of the agricultural sector and the role of food system workers in achieving global food security. Given the importance of agriculture and global food chains for the survival of societies, food production, distribution and delivery are economic activities that must continue even in extraordinary times – during wars, pandemics, and natural disasters.

The abject working conditions of food system workers and the high numbers of the working poor increase the possibility of OSH hazards. These workers are inadequately covered by labour and social protection, both in law and in practice, and their working conditions are incommensurate with the role they play in securing global food. Therefore, investments must be made in the physical and social infrastructure of key sectors to improve working conditions and strengthen business continuity²⁷.

Despite this strong moral and economic imperative, access to comprehensive social protection is still not a reality for more than 70 per cent of the world's population, a disproportionate number of whom live in rural areas. Health coverage, for example, is substantially lower for rural populations, with 56 per cent of the population excluded from coverage compared to 22 per cent of the urban population²⁸. This gives another indication of the pervasiveness of decent work deficits in this sector.

There are key challenges to decent work in the Iraqi labour market in general. High unemployment rates and the lack of decent work may be attributed to a number of political, security, economic

(22) ILO, Agriculture: a hazardous work, available at:

https://www.ilo.org/safework/areasofwork/hazardous-work/WCMS_110188/lang--en/index.htm

(23) According to the Food and Agriculture Organization (FAO), a large proportion of migrants come from rural areas.

Around 40 per cent of international remittances are sent to rural areas, reflecting the rural origins of a large proportion of migrant. See: FAO, Migration, agriculture and rural development, available at: Migration, agriculture and rural development (fao.org).

(24) ILO, Safety and Health in Agriculture, 2021.1

(25) FAO, The State of Food Security and Nutrition in the World. Repurposing Food and Agricultural Policies to make Healthy Diets more Affordable, 2021, available at: The State of Food Security and Nutrition in the World 2022 (fao.org).

(26) ILO, World Employment and Social Outlook. Trends 42, 2023, available at: [wcms_865332.pdf](https://www.ilo.org/wcms_865332.pdf) (ilo.org).

(27) ILO, The Value of Essential Work. World employment and social outlook, 2003, available at: ILO_ The value of essential work.

(28) ILO/FAO, Extending social protection to rural populations. Perspectives for a common FAO and ILO approach, 2021, available at: Extending social protection to rural populations. Perspectives for a common FAO and ILO approach.

and social challenges. Most notably, the security situation has adverse effects on the business environment and the labour market. The acceleration of population growth also has implications on the growth of the labour force, in addition to the limited job opportunities in the private sector. Other factors include the skills mismatch between education outcomes and labour demand needs. The absence of institutional mechanisms and programmes within national employment policies poses a key challenge to addressing the critical problem of unemployment and informality. There are also concerns about the priority given to paying public sector salaries rather than investing in the economic infrastructure overall²⁹.

The latest 2021 Iraq Labour Force Survey shows that 725,397 male and female workers work in agriculture, forestry, and fishing, accounting for 8.4 per cent of the overall economic activity³⁰. The sector's employment share shows that women tend to be more concentrated in agriculture - 14.4 per cent compared to 7.7 per cent for men. Moreover, 96.7 per cent of total employment in the sector is informal in nature, followed by manufacturing (77.7 per cent) and services (40 per cent). Almost 98.1 per cent of total employees in agriculture are informal, followed by 88.9 per cent in manufacturing and 52.9 per cent in services. When it comes to wages, 72 per cent of workers in agriculture are classified as low-income workers – earning 2,120 Iraqi Dinars per hour from their main work in this sector, in comparison with 7.8 per cent in public administration and defence, 10 per cent in the education sector, 12.5 per cent in the information and communication sector, and 13.1 in the mining and quarrying sector. These statistics are an indicator of income inequality³¹.

Gaps in labour market governance in Iraq directly impact decent work across all sectors. Applicable labour and social security laws are poorly enforced. Accurate statistics for occupational accidents and diseases are lacking, and no inspections of actual working conditions in the country are being conducted. Furthermore, these conditions do not comply with those established in the Iraqi labour legislation pertaining to the nature of labour relations, the application of occupational safety and health requirements, and the controls related to wages, working hours, child labour, forced labour, discrimination in employment and occupation – as well as to the regulation of women's, youth and migrant labour, and their inclusion in social security and other work-related rights.

In 2022, the International Labour Conference, at its 110th Session, decided to include a “safe and healthy work environment” as a fundamental principle and right of work in the Declaration of Fundamental Principles and Rights at Work (1998), and to designate the Occupational Safety and Health Convention, 1981 (No.155) and the Promotional Framework for Occupational Safety and Health, 2006 (No 187) as fundamental ILO Conventions³². Iraq ratified the Safety and Health in Agriculture Convention, 2001 (No.184) in May 2021, and any efforts to support the promotion and implementation of national policies to improve OSH in agriculture must be supported. The current paper therefore reviews the status of national OSH policies in agriculture and suggests how these policies might be strengthened through a broad social dialogue process involving representatives of various ministries and employers' and workers' organizations, as well as agricultural cooperatives and other rural stakeholders, as part of the ILO's overall effort to support the promotion of decent work and social justice in Iraq.

(29) ILO, A diagnostic of the informal economy in Iraq, 2021, available at: [A diagnostic of the informal economy in Iraq](#).

(30) The branch of economic activity refers to the activity of the enterprise in which the employed person worked during a reference period.

(31) ILO, Central Statistical Organization (CSO), and Kurdistan Region Statistics Office (KRSO); Iraq Labour Force Survey 2022, 2021, available at: [Iraq Labour Force Survey 2021 \(ilo.org\)](#).

(32) ILO, Safety and Health at work (Safety and health at work) ([ilo.org](#)).

▶ 3. The ILO's approach

The ILO supports global, national, sectoral and local efforts to integrate decent work principles and practices into agricultural and rural development policies, strategies and programmes, while also promoting decent work in the rural economy to ensure sustainable livelihoods and food security - with a focus on expanding social protection and rights at work. The Organization also encourages any attempts to improve the organization, working conditions, productivity, and income of wage workers, including farm workers, smallholders and owners of small businesses and cooperatives.

Over the past few years, the ILO has developed a range of development cooperation projects in the rural economy, a number of which specifically target the agricultural sector and focus on, among other things, skills development, the elimination of child labour, the promotion of social dialogue, social protection, and occupational safety and health³³.

The ILO's approach is to consolidate the principles of decent work in the agricultural sector by achieving the specific objectives of productive employment opportunities for women and men under the conditions of freedom, equity, security, and human dignity, as well as providing fair incomes, security in the workplace, and social protection for workers and their families. Its other objectives have been, inter alia, to provide better prospects for personal development and encourage social inclusion. The ILO has also sought to provide people with the freedom to express their concerns, organize themselves, participate in decisions that affect their lives, and ensure equal opportunity and equal treatment for all³⁴.

The ILO has paid attention to the situation of agricultural workers since its establishment in 1919. In 1921, the International Labour Conference adopted the Right of Association (Agriculture) Convention, (No.11), which aimed to guarantee agricultural workers the same union and assembly rights as those enjoyed by their counterparts in manufacturing. An important feature of the ILO's policy towards agricultural workers is related to the extension of social protection elements, and a series of instruments specific to agriculture that have been adopted since the early 1920s³⁵. Such instruments include - but are not limited to - the Plantations Convention, 1958 (No. 110), which sets out a series of principles related to the engagement and recruitment of migrant workers, employment contracts, and the abolition of penal sanctions, as well as wages, paid annual leave, weekly rest, maternity protection, workers' compensation, the right to organize and collective bargaining, freedom of association, labour inspection, housing, and medical care. The Labour Inspection (Agriculture) Convention, 1969 (No. 129)³⁶ aims at securing the enforcement of national legal provisions relating to working conditions and worker protections such as working hours, wages, weekly rest and holidays, safety, health and welfare, and the employment of women, children, and young persons.

With regard to occupational safety and health, the Safety and Health in Agriculture Convention, 2001 (No. 184) and its accompanying Recommendation (No. 192), aim to prevent occupational

⁽³³⁾ ILO, Decent Work on Plantations – Decent Work in the Rural Economy, available at: [wcms_541139.pdf \(ilo.org\)](#).

⁽³⁴⁾ ILO, Value Chain Development for Decent Work A systems approach to creating more and better jobs, Third Edition, 2021, available at: [wcms_434362.pdf \(ilo.org\)](#).

⁽³⁵⁾ ILO, Decent work in agriculture, International Workers' Symposium on Decent Work in Agriculture,

Geneva, 18-15 September 2003, available at:

https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---actrav/documents/meetingdocument/wcms_112419.pdf

⁽³⁶⁾ ILO, Decent Work on Plantations, available at: [wcms_541139.pdf \(ilo.org\)](#).

accidents and diseases by controlling risks in the agricultural work environment. Moreover, Convention No. 184 includes provisions on preventive and protective measures, machine safety and ergonomics, the handling and transport of materials, the sound management of chemicals, contact with animals, protection from biological hazards, protection for young and women workers, as well as temporary and seasonal workers, insurance coverage and a social security scheme in the event of occupational injuries and diseases.

The ILO has a number of sectoral codes of practice concerning OSH, including the Code of practice on occupational safety and health in agriculture (2011). This Code of practice aims to promote a preventive OSH culture in agriculture, raising awareness of the risks associated with agriculture, and promoting effective management and control - as well as measures to help prevent occupational accidents and diseases. It is aimed at improving the working environment in practice, encouraging governments, employers, workers, and other stakeholders to cooperate to prevent accidents and diseases and to promote positive attitudes and behaviours towards OSH within the sector. It also seeks to ensure that good workplace health and safety practices are applied to all workers regardless of age or gender³⁷. The Code of practice also encourages the development of a national framework for OSH in agriculture that would cover many aspects concerning safety and health in agricultural work, including, among others, the farm buildings, fire protection, machinery, tools and engines, land clearance, soil preparation, crops, animals, hazardous materials, manual controls, health, first aid, and medical monitoring. Attention is also paid to OSH management systems and training, as well as to personal protective equipment (PPE)³⁸.

Extending labour and social protection to rural areas implies redirecting the targeting of public and private programmes towards excluded and socially disadvantaged rural communities. The ILO provides assistance in the form of a rights-based and integrated approach that includes employment creation, education and skills development, enterprise development, and access to social protection, rights at work and social dialogue. These efforts include support to strengthen rural labour institutions and infrastructure; programmes aimed at strengthening these institutions' capacity and standards of service delivery in rural areas; and measures to ensure access to vulnerable groups so that they can take full advantage of these services.

With regard to social dialogue, the ILO supports agricultural trade unions in most developing countries with large agricultural sectors because of their important role in raising professional awareness - among their membership - about their rights and obligations at work. They may also improve their working conditions by availing themselves of their basic rights of representation and collective bargaining, which are important tools to improve wages, occupational safety and health conditions, and other elements of decent work. The ILO works with trade unions and cooperatives to help them launch initiatives to eliminate workplace hazards and, where this is not possible, to reduce risks to an acceptable level and curtail the prevalence of child and forced labour, as well as discrimination. The ILO also supports agricultural cooperatives through its cooperatives programme, which aims to improve the performance of producer organizations, including their services aimed at upgrading farmers' technical capabilities and widening their knowledge of business management, finance, and marketing³⁹.

⁽³⁷⁾ ILO, Safety and health in agriculture, Code of practice, 2011, available at: [Safety and health in agriculture \(ilo.org\)](http://www.ilo.org/public/english/standards/inst/184.htm).

⁽³⁸⁾ ILO, Safety and health in agriculture, Code of practice, 2011.

⁽³⁹⁾ ILO, Decent and Productive work in Agriculture, available at: [wcms_437173.pdf \(ilo.org\)](http://www.ilo.org/public/english/standards/inst/184.htm).

▶ 4. Statement of the Problem

Despite the availability of legal frameworks for labour relations covering the agricultural sector in Iraq and the KRI, decent work still suffers many shortcomings in this sector, especially when it comes to OSH. Agricultural workers are included in the provisions of the Labour Law No. 37 of 2015 and Law No. 71 of 1987 (applicable in KRG), as well as in the Retirement and Social Security Law No. 39 of 1971. Public policymakers do not focus on OSH hazards in this sector - neither do they give this issue any importance commensurate with the risks in one of the country's three most hazardous work sectors.

The fact that there is no national OSH policy specific to the agricultural sector leads to low compliance in this area; this, in turn, results in low labour inspection in the sector, and exclusion in practice from national programmes promoting an OSH culture of accident prevention. This situation is heavily reflected in the poor health and safety of agricultural workers.

▶ 5. Scope

This paper contains an analysis of current OSH agricultural policies in Iraq (including the KRG) from a decent work perspective. It particularly focuses on existing national policies designed to improve the work environment and apply safety and health requirements in the following areas: agricultural and forestry activities that are practised in private agricultural work sites for crop production; animal husbandry and insect farming; forestry activities; the primary processing of agricultural and animal products; and other production-related processes that do not fall within the scope of industrial processes but use agricultural products as raw material inputs.

▶ 6. Methodology

A multimodal approach was adopted in preparing this paper. Two social dialogue teams were formed: one at the national level in Iraq, and the other at the level of the KRI. The first national team included government representatives from the Ministry of Labour and Social Affairs, the National Centre for Occupational Health and Safety (NCOHS), the Department of Labour and Vocational Training, the Ministry of Agriculture, the Ministry of Environment, and the Ministry of Water Resources. It also included representatives of workers' organizations from the General Federation of Trade Unions in Iraq, the Conference of Trade Unions and Federations, and representatives of employers' organizations belonging to the Iraqi Federation of Industries. The special team for the KRI included representatives of the region's Ministry of Labour and Social Affairs, the Ministry of Agriculture and Food Resources, the Federation of Chambers of Commerce, the Federation of Agricultural Associations, and the General Union of Kurdistan Trade Unions (KUWU).

One meeting was held for the KRI team and two meetings were held for the national team, with a view to reviewing current national OSH policies in the agricultural sector. A SWOT analysis was conducted for this purpose, which identified gaps regarding the development and implementation of a national policy on safety and health in agriculture in accordance with the provisions of ILO Convention No. 184, which Iraq has ratified.

A desk review was conducted of the applicable OSH-related legislation and regulations in Iraq and the KRI. The overall OSH national profile was also reviewed, including the draft 2023 national OSH policy. Also considered were the relevant international labour conventions on this subject, as well as ILO literature on decent work and occupational safety and health in the agricultural sector. Numerous local sources were also consulted, including data from the Central Statistical Organization of the Ministry of Planning in Iraq.

▶ 7. Key findings

7.1 Lack of a national occupational safety and health policy for the agricultural sector in Iraq

Article 4.1 of Convention No. 184 states that Members shall “formulate, carry out and periodically review a coherent national policy on safety and health in agriculture”, in the light of national conditions and practice after consulting the representative organizations of employers and workers concerned. Such policy should be aimed at preventing accidents and injury to health arising out of, linked with, or occurring in the course of work by eliminating, minimizing or controlling hazards in the agricultural working environment. In addition, Convention No. 155 applies to all branches of economic activity and sets out the obligations of Member States to formulate, implement, and periodically review a coherent national policy on occupational safety, occupational health and the working environment in the light of national conditions and practice and in consultation with the most representative employers’ and workers’ organizations. The national policy should address the prevention of the causes of accidents and health risks in, or related to, the work environment as much as it is reasonably feasible.

The national OSH policy framework in Iraq is consistent with the principles and provisions of Convention 155; the national OSH system and programme are also compatible with the promotional framework for the Occupational Safety and Health Convention, 2006 (No. 187). The 2022 National OSH Policy includes objectives that are compatible with the provisions of many OSH-related Conventions, including the prevention of work-related hazards and harm; it does so by limiting the causes of risk so far as is reasonably practicable. The key principles enshrined in the national OSH policy include identifying the hazards; assessing and controlling any risks; promoting a preventive OSH culture or mindset across sectors; and enhancing the tripartite consultation process between the government, workers’ organizations, and the most representative employers’ associations.

The National OSH Policy in Iraq is therefore generic and does not focus exclusively on agriculture, as is the case with ILO Convention No. 184.

7.2 Lack of sectoral coordination mechanisms

In the absence of a specific national OSH policy for the agricultural sector in Iraq, there are no permanent coordination mechanisms across sectors, or competent authorities, bodies or organizations involved in this area. Neither have the responsibilities of these various bodies been outlined concerning OSH mandates and functions. Regular coordination is also lacking between the federal or KRG OSH authorities and the key stakeholders in agriculture.

However, some building blocks have been put in place. Focal points for the National Centre for Occupational Health and Safety (NCOSH) have been established in a number of ministries. For instance, the Division of General Agricultural Studies and Policies now has a member within the Department of Monitoring and Planning in the Iraqi Ministry of Agriculture, as well as a contact member in the Ministry of Water Resources.

Moreover, in 2020, the NCOSH prepared a preliminary draft of a national policy to advance the status of occupational health and safety in cooperation with the Government Coordination Department in the General Secretariat of the Council of Ministers. This draft refers to a stakeholder analysis and outlines the functions of the Ministry of Agriculture in this regard. It also emphasizes the need for the Ministry to adopt the necessary controls pertaining to the use of machinery, environmentally friendly pesticides, and the handling and disposal of obsolete chemicals and empty containers by means of recycling and safe disposal to avoid their reuse for other purposes, in line with Convention No. 184.

The draft does not seem to refer to any institutional roles regarding the specifications of pesticides licensed to be manufactured in - or imported to - Iraq, or to the regulation of agricultural materials being circulated and the safety specifications of machinery and work equipment. It is vital that adequate and appropriate information be provided to the suppliers, beneficiaries and users of this equipment. This information should include instructions on the use of tools, machines and chemicals, as well as the necessary safety requirements when setting up and managing agricultural enterprises, including those that involve raising livestock. All these factors prove that no specialized policy is available in Iraq and demonstrate the poor coordination between the various sectors concerned with agriculture.

The situation is not much different in the KRI. There is no region-wide OSH policy for agriculture, nor are there permanent sectoral coordination mechanisms across sectors and among the competent authorities, bodies and organizations - or a clear delineation of responsibilities.

This lack of coordination between sectors and authorities is demonstrated in some of the applicable laws. Law No. 47 of 2012 on the Registration and Approval of Pesticides does not include the NCOSH as a member of the National Committee for Registration and Accreditation of Pesticides, which assumes several responsibilities pursuant to the provisions of this law. It is directly related to the issuing of human and environmental safety requirements, the specifications of pesticides manufactured inside Iraq or imported from abroad, and the issuing/revoking of related licenses. This same observation applies to the failure to develop legal coordination mechanisms between the Ministry of Agriculture, the NCOSH and other relevant authorities regarding the implementation of Law No. 46 of 2012 Regulating the Handling of Agricultural Materials. This law aims to regulate the circulation of agricultural materials and ensure their conformity with the required specifications, and to control the import and sale of agricultural materials, such as pesticides and fertilizers. The situation in the KRG is similar with respect to the lack of coordination between the Occupational Safety and Health Department and other relevant authorities, when it comes to outlining their roles in the regulation of materials under Law No. 34 of 1970 on Regulating the Circulation of Agricultural Materials (also applicable to the KRG).

7.3 Poor national OSH system tools in agriculture in Iraq

The National OSH System in Iraq includes the legal frameworks for occupational safety and health and labour inspection, as established in the Labour Law No. 37 of 2015 in Iraq and the regulations issued thereunder, as well as the legal frameworks for occupational safety and health and labour inspection in the Labour Law No. 71 of 1987 and the regulations issued thereunder, which are still applicable in the KRI.

The National OSH System also has mechanisms to enforce safety requirements through labour inspection and OSH regulations. One such mechanism is the above-mentioned NCOSH, which reports to the Federal Ministry of Labour and Social Affairs (MoLSA). The Centre has been mandated with the powers of a Ministry Directorate General.

The National Centre manages the planning, implementation and monitoring of OSH issues to ensure the dissemination of a culture of prevention for the safety and protection of workers under the provisions of the applicable Labour Law No. 37 of 2015. In addition, MoLSA is responsible, through the NCOSH, for developing and reviewing a national OSH policy in consultation with representatives of workers' and employers' organizations.

In the KRI, the Occupational Health and Safety Section of the Department of Labour and Social Security under MoLSA is responsible at the regional level. The OSH Divisions within the Labour Sections of the Department of Labour and Social Security assume these responsibilities at the local level in the KRG's governorates.

7.3.1 Legal shortcomings in OSH mandates

NCOSH is one of the general directorates of the Federal Ministry of Labour and Social Affairs (MoLSA). It enjoys legal and administrative powers by directly managing OSH matters throughout Iraq, excluding the KRI. The Centre's powers have been curtailed pursuant to the Law on Governorates not Organized in a Region (Law No. 21 of 2008) and its subsequent amendments. The legislation provides for the transfer of many of the provincial-level ministries' competencies to governorate councils. It also stipulates the gradual reallocation of reporting lines and budget appropriations to the provinces, as provided for under the Constitution and related laws and regulations. The law confines the role of ministries to planning public policy and grants provincial councils in Iraq (excluding the KRI) the right to issue local legislation within the borders of the governorates so that they can manage their affairs, in accordance with decentralization, without contradicting the Constitution or federal laws. It also provides for the right of provincial councils to develop overall policies at governorate level, while identifying their priorities through coordination with the line ministries and bodies. The provincial councils have also been granted oversight powers over executive departments for an improved level of performance at governorate level.

Under the law, the departments of the NCOHS in the governorates have been decentralized from the main Centre in Baghdad and attached to the provincial councils, with the exception of Kirkuk. Therefore, while the NCOHS has maintained its role of policy planning at the national level, it has lost the authority to monitor the implementation of OSH matters in the governorates. To some degree this is in contradiction with Article 113 of the Labour Law, which defines the tasks and powers of the National Centre at the federal level. The decentralization of these departments has led to major challenges for the NCHOS with respect to the monitoring of the implementation of national OSH programmes, documenting occupational accidents and diseases, collecting and analysing statistics and data on the OSH conditions across Iraq, and preparing plans to improve OSH conditions in general. In addition, communication between the NCHOS and the OSH departments in the governorates has grown weaker with regard to technical and administrative aspects such as inspection visits. Other adverse impacts of these changes include the lack of communication on the best way to develop staff capacity at the provincial level. They have also resulted in fewer local staff being involved in the National Centre's ties with supporting international organizations such as the ILO. Furthermore, the NCHOS has faced challenges pertaining to compliance with legally ratified international OSH Conventions, on account of poor coordination with departments in the governorates and the non-binding nature of its suggested activities.

The authority responsible for OSH in the KRI is the OSH Section of the Department of Labour and Social Security within the MoLSA. This situation is also challenging, especially with regard to funding and the powers relating to the development, implementation and monitoring of OSH plans at the regional level. It should be noted that the occupational safety units in the regional governorates function at the level of a field labour directorate, while still reporting to the NCHOS.

7.3.2 Shortcomings of OSH legal frameworks and regulations in the agricultural sector

Labour Law No. 37 of 2015 and its executive regulations provide the basic legal framework for OSH in Iraq by defining the tasks, responsibilities and obligations of the government represented by MoLSA and the NCOHS, on the one hand, and the obligations of employers, workers, and their organizations towards each other and towards the government, on the

other hand, to ensure a safe and healthy work environment. This law also provides for freedom of association across all sectors, including the agricultural sector. It applies to all workers in the Republic of Iraq, including workers in the agricultural sector, whether it is a private, public, mixed, or cooperative sector. This status provides legal grounds for the inclusion of agricultural workers in all legal protections provided for under the Labour Law and its regulations. In addition, workers should be included in the Workers' Pension and Social Security Law (No. 39 of 1971), which provides guarantees against work injuries in addition to health coverage, pension, and service benefits.

Labour Law No. 71 of 1987, and its regulations, remains in force in the KRG. This law concerns OSH matters, but it does not specify which body is responsible for formulating the relevant policies at the regional level because the law was issued in 1987, whereas Kurdistan was only recognized as a federal region under the 2005 Constitution - which referenced the continuous applicability of laws that had been promulgated in the KRG since 1992. Decisions taken by the KRG, including court decisions and contracts, have also been deemed valid unless otherwise amended or annulled by the competent authorities, in accordance with the laws of the KRI, and without prejudice to the Constitution.

7.3.2.1 Poor legal coverage of occupational accidents and diseases

With regard to the legal coverage of occupational accident and diseases, the Pension and Social Security Law for Workers (No. 39 of 1971) applies to all workers who are covered by the Labour Law, including agricultural workers. It clearly indicates that agricultural workers are provided with all the necessary guarantees and protections, including health and work-related injury insurance, as well as pension and service benefits. However, the law does not cover self-employed workers in any of the sectors, including agriculture, as they are not included in health and work-related injury insurance, despite the large numbers of workers in this sector who are either self-employed or work as part of a family-run enterprise.

7.3.2.2 Shortcomings of the legal powers granted to labour inspectors

The labour inspection system in the Republic of Iraq is tripartite in essence. The labour inspection committees include government labour inspectors and the most representative workers' and employers' organizations. Their mandate is provided for under the Labour Law No. 37 of 2015 at the federal level, and the Labour Law No. 71 of 1987, which is still applicable in the KRI. However, under Law No. 37 of 2015, labour inspectors are not assigned legal powers. They can no longer issue a warning or notice to a contravening employer as this function has been mandated exclusively to the MoLSA, as specifically stated in Article (1) 134 of the said law. Article (2)17 of the Labour Inspection Convention, 1947 (No. 81), and Article (2)22 of the Labour Inspection (Agriculture) Convention, 1969 (No.129), stipulate that it shall be left to the discretion of labour inspectors to give warning or advice instead of instituting or recommending legal action.

When it comes to enforcing OSH provisions, the Labour Law No. 37 of 2015 indicates that the Labour Inspection Committee shall be accompanied by a representative from the National Centre for Occupational Health and Safety as appropriate (Article (1)128. It is clear that this representative would not be endowed with the mandate of an ad hoc OSH labour inspector, and therefore not have the legal powers of a labour inspector; he/she would only be present in his/her capacity as a committee member. In addition, the law provides that the presence of the representative of the NCOHC is not mandatory during a visit, except in those workplaces requiring OSH inspection - notwithstanding that almost all enterprises involve occupational hazards and need to be regularly inspected accordingly.

The other matter concerns the legal position of the Labour Inspection Committee and the validity and legality of conducting inspections. Article 129 of the Labour Law No. 37 mandates all members of the committee to carry out the inspection collectively; Article (3)134 considers that the inspection committee's report along with the inspector's attestation be deemed evidence, confirmed by the labour court upon adjudicating a case unless otherwise established to the contrary. A number of government labour inspectors have complained about their work often being obstructed due to the absence of workers' and employers' representatives during the onsite visits; as such, the visit would not be deemed legal. The Labour Inspection Department has indicated that the number of accompanying members nominated by trade unions and the Iraqi Federation of Industries is small and incommensurate with the number of government inspectors able to make up a tripartite labour inspection committee. The Labour Law (Act No. 71) of 1987 dealt with this aspect in its Article (2) 116, and granted government labour inspectors, in their capacity as persons chairing the inspection committee, the authority to undertake an inspection alone when necessary or urgent after obtaining the approval of their immediate superiors, and upon inviting the two other members representing the workers' and employers' organizations to take part in the process at their earliest convenience.

7.3.2.3 Shortcomings in OSH responsibilities and services at the workplace

The Iraqi Labour Law No. 37 of 2015, and its ensuing OSH Regulation No. 12 of 2016, are similar to the provisions of the Labour Law (Act No. 71) of 1987 and the Instructions No. 22 of 1987 concerning OSH with respect to delineating OSH responsibilities in the workplace based on the number of workers employed rather than on the level of associated risk. Enterprises employing 50 workers or less should designate a worker to perform OSH duties in addition to this person's original function. Enterprises employing 50 to 100 workers should appoint a full-time worker to this job, provided that the person passes a basic OSH course. For enterprises employing more than 100 workers, an ad hoc OSH committee should be formed. Chaired by the employer, the OSH committee must also include the technical director, the chief technicians, an on-site physician or nurse, a representative of the trade union committee, and a full-time dedicated OSH worker to act as the rapporteur, provided that this person passes a basic OSH course at the NCOHS.

The mechanism for determining OSH responsibilities is inadequate. The appointment and capacity-building of the workers and OSH committees in the agricultural sector require specific arrangements and training, on account of the specific hazards and risks involved. Provision must also be made for the contractual work arrangements prevailing in the sector. In Iraqi labour legislation, OSH responsibilities are based on the number of workers rather than on the level of associated risks – enterprises employing less than 50 workers might involve a higher level of risk than enterprises employing 100+ workers in a low-risk setting.

Another issue is the failure to consider the actual nature of the agricultural sector under consideration. This can be diverse within the agri-food sector and involve different levels of risk. Account must also be taken of the fluctuating number of workers employed in enterprises or farms, especially those who work in the open fields, where the demand for workers is seasonal. It increases during the early stages of cultivation and harvesting and decreases between the two periods. Demand may also vary during a single day given the nature of required tasks. These factors make it difficult for the NCOHS to determine who is responsible for OSH issues at the enterprise level, given the volatile and seasonal nature of the number of workers on site. However, Article 16 of Convention No. 155 states that safety measures in the workplace fall under the responsibility of employers.

The same applies to the composition of the Occupational Safety Committee as specified in the regulations. These provide that chief technicians should serve as members – but this applies to industry and manufacturing rather than to agriculture. Indeed, these instructions would be considered inappropriate in Iraq's agricultural sector. In addition, the regulations also stipulate that the head of the trade union committee should be a member of the OSH committee. However, Iraq is undergoing a period of weak union structures, including in agriculture and especially in the fields, and this would create yet another obstacle for the establishment of Occupational Safety Committee in agricultural enterprises.

7.3.2.4 Legal shortcomings in the classification of hazardous, exhausting, or harmful work in the agricultural sector

Regulations No. 1 of 2019, pursuant to the Labour Law No. 37 of 2015, define hazardous, exhausting, or harmful work in the labour sector in Iraq. They set the maximum daily working hours to seven – one hour less than the statutory number of daily working hours in other sectors. However, these regulations fall short in two respects. First, the language in the regulations provides for “a maximum of seven hours/day,” without indicating a weekly rest day. The text should actually read “seven hours in a single working day”, rather than indicating that it is “daily”, as such wording could open the door to a potential violation of the Labour Code rules.

Second, the agricultural sector involves some hazardous, exhausting, or harmful modes of work, such as spraying pesticides and tasks causing viral, bacterial, and fungal infections. It also includes activities that require an additional physical effort, leading to exhaustion or physical damage as a result of performing the same duty for a long period of time using poorly designed tools. These activities include manual ploughing or tillage, planting crops and weeding, fertilizing, harvesting and harvesting crops – yet they are often carried out in a primitive or manual way with inappropriate tools. Other types of hazardous work include working outside in harsh weather conditions, where workers are exposed for long periods to hot or cold working environments, without welfare facilities and rest areas. Heat stress is associated with heat stroke, heat exhaustion, syncope (fainting), heat cramps and heat rash. The risks of heat or cold stress, hypothermia and the like can be severe if workers are exposed to inclement weather, lack appropriate protective clothing, have little or no opportunity for acclimatization, and carry out intense work with insufficient rest and recovery periods. It should be noted that the fine motor control of the lower arm, hand, and fingers is also affected by excessive temperatures. Exposure to extreme temperatures can be particularly hazardous for pregnant workers and the unborn child⁴⁰. Moreover, the handling of agricultural machinery involves harmful gaseous emissions associated with composting and fertilization, and other risks not covered in the regulations.

The situation is even worse in the KRI, where the Instructions No. 22 of 1988, pursuant to the Labour Law (Act No. 71) of 1987, are applied; these regulations make no reference to occupational risks resulting from work in the agricultural sector.

The failure to classify many jobs in the agricultural sector under these regulations has resulted in a large percentage of women working in the agricultural sector being excluded from legal protections, which would normally prevent them from being employed in prohibited activities - as provided for in the two Labour Codes applicable in Iraq.

⁽⁴⁰⁾ ILO, Safety and health in agriculture, Code of practice, 24 ,2011, available at: [wcms_161135.pdf \(ilo.org\)](https://www.ilo.org/wcmsp5/groups/public/-/dca/roam/-/wcms_161135.pdf).

The Labour Law (Act No. 71) of 1987, applicable in Kurdistan, prohibits the employment of juveniles in activities that are harmful to their health, safety or morals. They might face real risks when carrying out dangerous processes or working under extreme heat with noise levels or vibrations that are harmful to their health. The law also prohibits them from working night shifts or under difficult conditions for long hours, and from engaging in work that results in their being unreasonably held at the employer's establishment. The generic nature of the language here would indicate that the prohibition includes the agricultural sector; however, no executive regulations exist to accurately determine the types of prohibited work for juveniles.

Under the Labour Law (No.37) of 2015, it is prohibited to employ juveniles in a place of work that is liable to harm their health, safety, or morals, or even to enter the premises. Regulations No. 5 of 2017 outline these harmful and dangerous types of work in general and include some agricultural activities that might be hazardous for pulmonary considerations - such as crop spraying and the use of pesticides; yet the regulations fail to refer to other hazards such as driving tractors or working inside animal barns, which are activities that may be harmful to young peoples' health in general.

It is worth mentioning that Article 3(d) of the ILO Worst Forms of Child Labour Convention, 1999 (No. 182) classifies the worst form of child labour as being, among others, "the work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children".

The minimum age for work in Iraq is 15 years. Article (1)16 of Convention No. 184 provides that the minimum age to work in agriculture, which by its nature or the circumstances in which it is carried out is likely to harm the safety and health of young persons, shall not be less than 18 years. Article (2)16 leaves it up to the national laws and regulations to define areas of work that are prohibited, after consultation with the most representative workers' and employers' organizations. The Convention also provides, upon due consultations with the representative organizations of employers and workers concerned, for national laws and the competent authority to authorize the performance of work from 16 years of age, on the condition that appropriate prior training is given and that the safety and health of the young workers are fully protected (Article 16)3.

It is therefore clear that the Labour Law (No. 37) of 2015 and the Labour Law (No. 71) of 1987 are not compatible with the provisions of Convention No. 184 when it comes to setting the minimum employment age in the agricultural sector in Iraq.

7.3.3 Poor enforcement of labour and OSH legislation and regulations

Regarding the application of labour regulations, the National OSH System in Iraq includes specific mechanisms to ensure compliance with labour legislation and social security, including OSH-related matters. The Labour Inspection Department in the Federal and Kurdistan MoLSA undertakes the task of enforcing this legislation through labour inspection committees, which include members specialized in conducting on-site inspections for OSH compliance. The committees are also mandated to advise workers' and employers' organizations on ways to comply with the legislation and improve OSH conditions at work.

No labour inspections have been conducted in agricultural enterprises or projects in either Iraq or Kurdistan. Many inspection visits have focused on food processing plants and poultry farms. Failure to include agricultural enterprises in such visits might be attributed to a lack of long-term planning; inspections are usually carried out in restricted geographical areas, and whenever workers lodge a complaint. In other words, there is no capacity for determining the enterprises, type of activity, number of workers, types of risks, formality/informality - or

considerations related to immigration, vulnerability, and gender – that should be included in the inspection plan. Other reasons limiting the outreach of labour inspection in agriculture include a lack of knowledge and research on working conditions in this sector; and there are no capacity-building plans for labour inspectors to receive specialized training on labour inspection mechanisms in this sector.

Scarce budgetary resources are a further key obstacle to labour inspection services in the agricultural sector, as budget allocations barely cover basic current expenditures. Labour inspection appropriations are considerably low and incommensurate with the volume of work involved - and the expenses incurred by transport to remote areas and districts. The lack of funding also makes it difficult to furnish the offices with furniture and work-related equipment, particularly in rural areas.

All these factors have contributed towards a lack of enforcement of the labour legislation and OSH regulations in agricultural enterprises; and this, in turn, has resulted in a lack of decent work statistics and indicators for this sector in Iraq.

7.3.4 Poor mechanisms to identify, analyse, and manage occupational risks in the agricultural sector

Iraq lacks data on risks and illnesses in the agricultural sector. As previously mentioned, no national studies or research have been commissioned on the topic, and no mechanisms have been established to monitor occupational hazards and illnesses in the sector. Similarly, there is no up-to-date, accurate and transparent database on risks, injuries, and diseases. Furthermore, agricultural workers do not undergo regular medical inspections– despite provisions for such under the law – and the number of infected or injured workers is therefore unknown. This situation may be attributed to the exclusion of the agricultural sector from the occupational health services provided by the NCOSH, poor OSH services in the KRI, and inadequate inspection capacity. What is more, there is no officially approved list of occupational diseases associated with or resulting from work in agriculture across Iraq, thus preventing any attempts to address such risks and diseases.

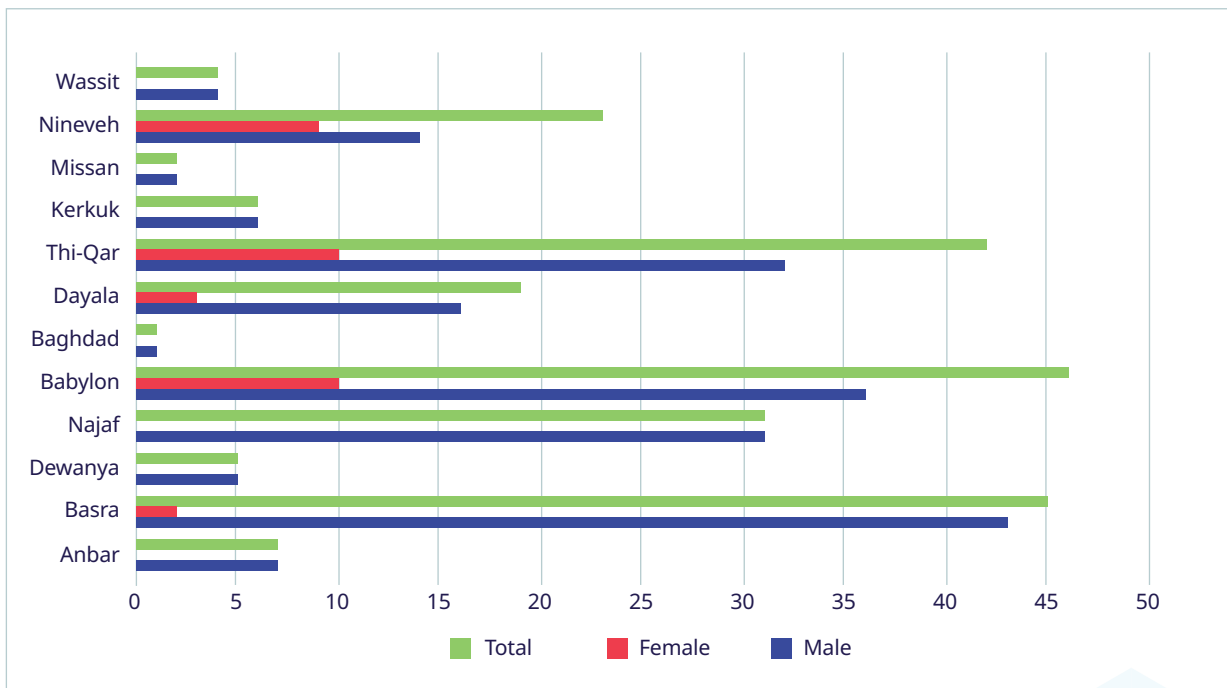


Figure 3. Work injuries in agriculture, by governorate and gender (2022) – The National OSH Centre

The poor monitoring and recording of occupational accidents is another reason why the authorities responsible for occupational health and safety in Iraq lack the means to assess risks in the sector. The NCOHS documented 231 injuries in 2022, including 34 injuries involving females, while Baghdad registered only one report of injury in the same year. The highest number of injuries reported were in Babel Province (46), followed by Basra (45), and Thi-Qar (42); no cases were reported in the agricultural sector in Salah Al-Din or Muthanna, despite the presence of extensive agricultural and livestock activity in these two governorates.

The National Centre for Occupational Health and Safety depends upon the emergency departments at government hospitals to report work-related injuries, indicating a weakness in the available monitoring and documentation tools. Many injuries are either not recorded as “work-related” at hospitals - or the injured, their family members, or employers refrain from reporting the injury as such. These matters are often settled outside the law under tribal arrangements, and many of those injured are not even rushed to hospital emergency departments as they are often treated at primary health care centres or in private hospitals and clinics. Some injuries are treated by licensed medical practitioners, especially minor injuries that do not require urgent medical intervention.

The lack of the necessary technical and logistical support for the technical staff responsible for occupational health and safety in Iraq and the KRI makes it impossible to identify, analyse, and manage risks in the agricultural sector. This exacerbates the situation because no attention is paid to the hazards specific to this sector, such as the physical risks associated with climate change and the psychological risks resulting from poor working conditions.

The OSH template used by the NCOHS staff when they accompany the labour inspection teams is a general form that is not specialized in the type of occupational hazards that occur in the agricultural sector. The template addresses specific hazards relating to lighting, noise, heat, humidity, ventilation, chemical hazards and the safe handling of materials, but it does not include, for example, the machine-related hazards or physical hazards resulting from direct exposure to sunlight, rain, frost, dust and the various elements of weather and climate. It also fails to include a reference to biological and agronomic risks inherent in agricultural work and the tools used. Neither does the template include the psychological risks of working in agriculture. The OSH template and labour inspection process do not therefore allow specialized inspections to be conducted in Iraq’s agricultural sector.

7.3.4.1 Managing the risks associated with the use of chemical fertilizers and pesticides

Particular attention is often paid to chemical hazards in the agricultural sector because they have a direct impact on workers’ health. The National Committee for the Registration and Approval of Pesticides regulates the necessary scientific procedures for registering and evaluating the results of comprehensive scientific data to determine whether a particular substance is effective, fit for purpose, and compliant with the technical specifications so that it might be approved, classified, and imported - while preventing any adverse impact on human and animal health as well as the environment.

The Ministry of Agriculture in Iraq launches annual pest control campaigns in all governorates, excluding the KRI, and commissions the use of various pesticides, provided that they are compliant with the national specifications authorized by the National Committee for the Registration and Approval of Pesticides. It also approves the quantities to be used (as shown in table 1). It may be noted that there was an increase in the use of pesticides, insecticides, and herbicides in 2021, compared to 2020.

Type	(2020) Consumption	(2021) Consumption
Insecticide (litre)	34 390	95338
Insecticide (kg)	1000	3250
Disease control (litre)	6000	24121
Disease (kg)	1000	-
Pesticide (litre)	5000	-
Pesticide (non-insecticide) (kg)	-	15653
Herbicides (litre)	741 970	2109
Herbicides (kg)	-	2797
Arachnicides (kg)	-	1785

Table 1. Ministry of Agriculture in Iraq: Types of pesticides and quantities consumed in 2020-21

The Ministry of Water Resources also uses pesticides to control aquatic plants and riverside flora; these include Glyphosate to control wild reeds in drainage canals, Roundup to control wetland reeds in non-agricultural lands, and Roundup Ultra to control the Nile flower (*Agapanthus*). The Ministries of Agriculture and Environment apply safety measures for workers entrusted with the use of pesticides. These measures include: the safe disposal of chemical containers; the provision of PPE (protective gowns, masks, gloves, goggles, safety shoes and other equipment) when dealing with such chemicals; and their safe storage and disposal. The Ministry also requires that spraying be conducted with the appropriate preventative and protective measures put in place by personnel trained in handling chemicals, to ensure that it is carried out under correct environmental conditions to prevent spray drift. The Ministry of Agriculture also uses environmentally friendly pesticides by manufacturing biodegradable and natural pesticides that might eventually replace chemical-based pesticides.

The National Committee for the Registration and Approval of Pesticides registers and approves pesticides of all kinds and composition, in accordance with the law, and also commissions their use or deregisters them on the basis of local and international scientific and safety developments. It also issues an official registration certificate for a pesticide that meets the technical recommendations and test results and grants licenses for its manufacture and synthesis, while having the authority to deregister it if necessary. It also grants licenses to import or export pesticides. It may also ban or restrict the use of pesticides permanently or temporarily, on the basis of the latest scientific findings. The Committee commissions studies to determine the least harmful pesticides for human use. It also forms specialized sub-committees to facilitate its work - and to spread scientific awareness about anything related to pesticides. These actions are intended to ensure the optimal use of pesticides, and to provide the relevant authorities with a list of names and quantities of pesticides that are licensed to be imported or classified.

These controls are clearly applied with regard to pesticides used by the Ministry of Agriculture and the Ministry of Water Resources. However, there is a gap in compliance with controls pertaining to the private sector, as some pesticides traded in the local market are not compatible with the controls and specifications laid down by the Ministry. For example, an official in the Union of Agricultural Associations in the KRI claims that some expired pesticides are still in circulation, and that many pesticides lack a label by which to check compliance in Arabic and English - such as the commercial name of the manufacturer, their contents, their

active ingredients, their levels of concentration (including the diffuser agent), as well as their solvents, turbidity and type of product: They may also lack the HTS code and information on the product's net weight in metric units, safety information, the producer's details, production and expiration dates, and storage methods.

In Kurdistan, containers of agricultural pesticides are used in the local market, despite the fact they have no label in Arabic or Kurdish to indicate toxicity levels and hazards to human and animal health. Farmers have been discovered with empty packages of pesticides, and toxic containers have been found among municipal waste, which is a breach of the law. The Ministry of Environment should, under the Law (No. 27) of 2009 on the Protection and Improvement of the Environment, grant environmental licenses for the treatment of hazardous waste. It should adopt a special protocol for the treatment of hazardous waste, after studying environmental impact assessment reports and the techniques used in the treatment of hazardous waste. There are large quantities of empty and expired containers, including 421 litres of banned Endosulfan pesticide and other high-risk chemicals such as mercury-based pesticides that have yet to be destroyed, due to a lack of funds⁴¹. The treatment and destruction of hazardous materials, chemical residues and expired or prohibited pesticides fall under the purview of the Ministry of Environment, and the Department of Treatment and Destruction of Chemical and Biological Waste and Remnants of War under the Ministry of Science and Technology.

Issued pursuant to the Public Health Law (No. 89 of 1981), the safety regulations for the storage and circulation of chemicals (No. 4) of 1989 makes it binding for the economic entities that manufacture, use, store, or trade in chemicals to classify and register them in special records. They must also take the necessary precautions when handling and storing chemicals, ensuring that each container bears the internationally approved safety markings to indicate the chemical substance and its use, as well as the details of their safe use and storage, transport, and circulation.

As for pesticides, Regulation No. 2 of 1990 issued under the Public Health Law regulates the controls for the manufacture and circulation of pesticides. It also makes it compulsory for employers to provide specific conditions in pesticide manufacturing plants to ensure a safe working environment for workers in these enterprises.

With regard to fertilizers, the Ministry of Agriculture provides local and imported urea and Diammonium Phosphate (DAP) fertilizers. In 2020, the following quantities of these fertilizers were imported: 224,268,667 tons of local urea; 131,020,043 tons of imported urea; and 168,001,884 tons of imported DAP fertilizer⁴². In 2021, the figures were: 323,077,778 tons of local urea; 45,897,319 tons of imported urea; and 56,423,979 tons of imported DAP fertilizer. These quantities show the volume of fertilizers provided to farmers from the local market and demonstrate the need to safely handle the associated risks for farmers and workers, in accordance with Regulation No. 4 of 1989 regarding safety in storing and handling chemicals.

The above-listed measures taken by the Ministry of Agriculture and the Ministry of Water Resources relate to the operations carried out by the state workers of these two ministries; however, no measures have been taken by the Ministry of Labour or any other relevant ministries or authorities to monitor the use of chemicals in the private agricultural sector in Iraq, despite the availability of applicable legislation (referred to above) as well as Convention No. 184, which includes a section addressing the sound management of chemicals in

⁽⁴¹⁾ Ministry of Environment in Iraq, 2023.

⁽⁴²⁾ Ministry of Environment in Iraq, 2023.

agriculture. It stipulates that: there should be an appropriate national system for the importation, classification, packaging, and labelling of chemicals; a suitable system for the safe collection, recycling and disposal of chemical waste; importers, producers or other providers of chemicals must comply with safety standards and inform users and the authorities of hazards and risks ; and there must be preventive and protective measures for the use of chemicals and the handling of chemical waste at the level of the undertaking, which covers their preparation, handling, application, storage and transportation, maintenance, cleaning and disposal.

7.3.4.2 Occupational risks resulting from climate change in Iraq

According to the sixth report of the Global Environment Outlook for the West Asia region (GEO-6), Iraq is classified as one of the five most vulnerable countries in the world in terms of climate change. It is geographically located in arid and semi-arid regions, making it more vulnerable to global climate change impacts. This is clearly manifested in the significant decrease in water resources and ongoing rise in the rate of temperature increase, which has exceeded global rates by more than twice the global average. This trend, coupled with wildfires and frequent sandstorms, is contributing to further desertification. All the above factors have brought additional pressure on the ecosystems and undermined their inherent balance. Forecasts based on national numerical climate models predict a steady increase in temperature, which was 0.9°C in 2007; it may possibly reach 3.5°C in 2100. The situation is thus even more critical, with many summer days registering temperatures above 50°C in addition to dwindling annual rainfall rates⁴³. This clearly indicates the reasons behind extreme weather events such as heat waves, droughts and sudden heavy rainfall⁴⁴. The lack of water supply is worth mentioning since Iraq is a downstream country that is affected by the water policies of upstream countries, and this is reflected in the level of water share rates for Iraq. This severely affects the economic and environmental systems of areas that have irrigated agriculture and the marshes.

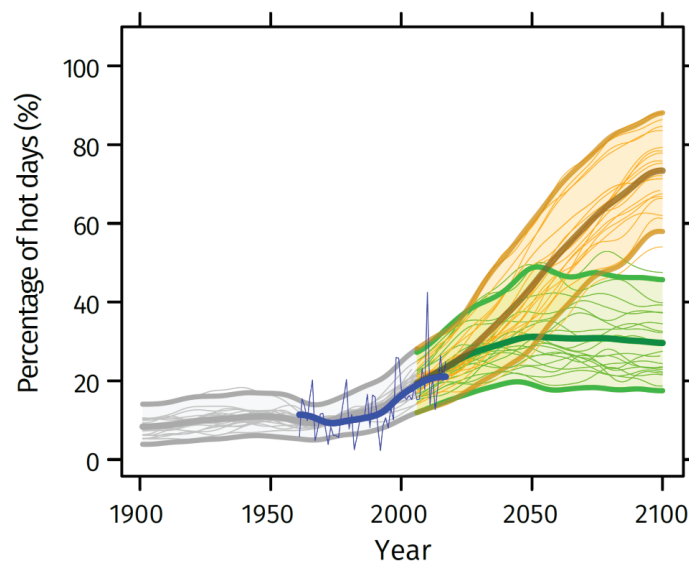


Figure 4. Percentage of hot days (heat stress) 2100-1900⁴⁵

⁽⁴³⁾ Website of the Iraqi General Authority for Meteorology and Seismic Monitoring, Temperature table in Iraq for the days 18 to 20 July 2022, available at: General Authority for Meteorology and Seismic Monitoring (meteoseism.gov.iq).

⁽⁴⁴⁾ Iraqi Ministry of Environment and UNDP, Iraq's Nationally Determined Contribution, 2021.

⁽⁴⁵⁾ WHO, Health and climate change, Iraq country profile, available at: Health and climate change: country profile 2021: Iraq (who.int).

The rise in temperatures to rates exceeding 50°C, as is the case in Iraq, poses great risks for all workers, especially those who work outdoors. Work of this nature requires extra effort for a sustained period of time, especially agricultural and construction workers. These workers are more vulnerable to “heat stress”, which is the excess heat intake the body can withstand without suffering from physiological weakness.

This excess heat leads to occupational risks for workers, including heat rash, heat-induced exhaustion, and heatstroke, which can be fatal. When the body temperature rises above 38°C (“heat exhaustion”), physical and cognitive functions are impaired, but if the body temperature rises above 40.6°C (“heatstroke”), the risk of organ damage, loss of consciousness, and eventually death increases sharply⁴⁶.

The increased desertification in Iraq has been causing more severe sandstorms throughout the year, and they tend to be of longer duration. In 2022, Baghdad witnessed the highest rates of dust and sandstorm days for a total of 24 days, followed by the city of Nasiriyah in southern Iraq with 11 days.

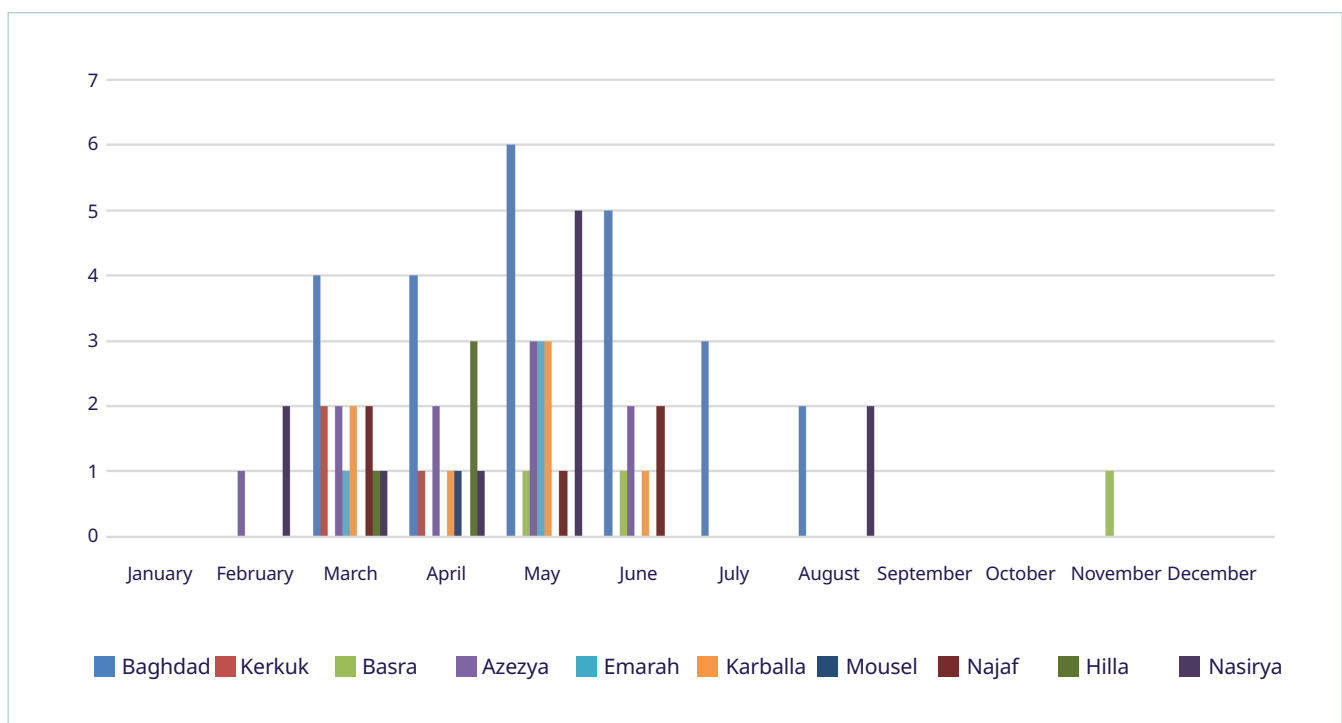


Figure 5. Number of sandstorm days in selected Iraqi cities, by month (2022) – Ministry of Environment

The widest and most severe sandstorm to sweep Iraq occurred on 23 May 2022, when the density of the dust ranged between light (visibility range of 4-2 km) in four governorates, and medium to severe with a visibility range of less than 1,000 m in the other governorates.

⁽⁴⁶⁾ ILO, 2019, Working on a warmer planet: The impact of heat stress on labour productivity and decent work (ilo.org).

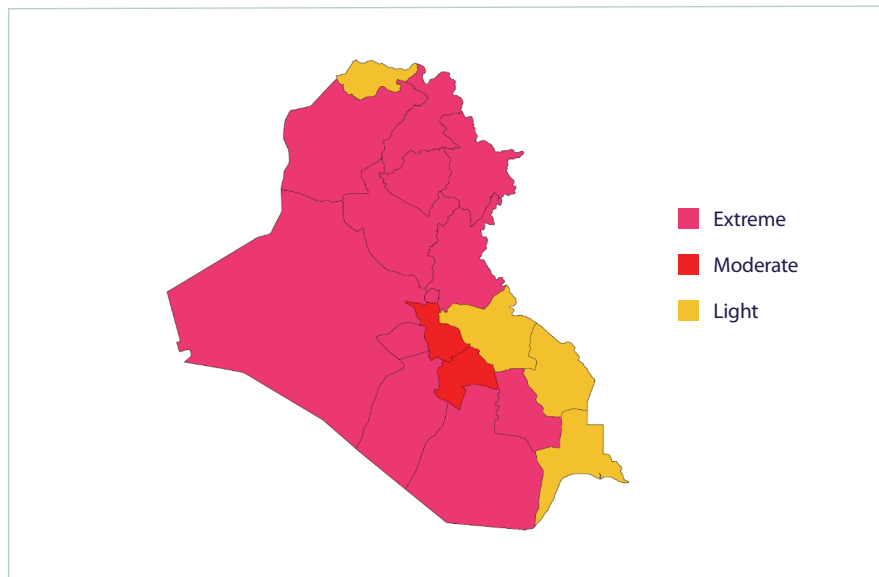


Figure 6. Severity of sandstorms observed in Iraq on 23 May 2022

Despite the high temperatures and the number and intensity of sandstorms that occurred in Iraq in 2022, no measures have been taken by the OSH authorities to protect workers in such harsh conditions, especially in the agricultural sector. This may be attributed to the lack of official national regulations that accurately specify safety requirements in such cases. The manual on exposure standards, limits, and indicators, issued by the Arab Labour Organization (ALO) in 2018, is being applied by the NCOHS – but no national regulations have been drawn up in this respect.

The risks are not limited to climate change; they also include hazards resulting from environmental pollution, given the abundance of pollutants such as carbon, nitrogen, sulfur oxides, and hydrocarbons. Some rural areas have witnessed increased emissions of pollutants alongside a changing pace of social conditions and population growth in Iraq, prompting the need to update and extend the air quality management programme by strengthening the network of ambient air quality monitoring systems.

7.3.4.3 Biological and comorbidity risks

Work in the agricultural sector involves various biological risks resulting from organic fertilizers and the handling of animals and their waste. Indeed, workers are exposed to associated gaseous emissions and the storage and use of animal manure, which includes ammonia, carbon dioxide, hydrogen sulphide and methane. A number of diseases might also be communicated to humans as a result of the direct or indirect handling of animals, especially those already infected, and the touching or processing of animal hides, hair, feathers, bones or other tissues - in addition to dangers arising from eating infected animal products such as unpasteurized milk and undercooked meat.

When dealing with animals, workers may also be exposed to zoonotic diseases such as anthrax, avian influenza, brucellosis, leptospirosis, rabies, echinococcosis, Q fever, and other infections. Despite these considerable risks, the authorities responsible for occupational health and safety in Iraq have failed to develop safety requirements to address biological risks in the agricultural sector and to adopt relevant occupational safety standards. Also lacking is an accurate medical system to monitor common occupational diseases. Iraq has no overall table listing such diseases and illnesses, and the OSH template used during inspections makes

no reference to biological risks across various sectors of work. Relevant OSH regulations fail to make an explicit reference to comorbidity and joint diseases across sectors; the OSH Regulation No. 12 of 2016 does not address the occupational risks of common diseases in an explicit manner, and only refers to the employer's responsibility to observe the guidelines and standard thresholds for biological, physical, and chemical pollutants in the work environment. Meanwhile, there are no approved occupational exposure lists or indicators for common occupational diseases in the agricultural sector.

7.3.4.4 Psychosocial risks

A number of indicators point to decent work shortcomings in the agricultural sector in Iraq. These are closely related to the nature of work and the patterns of contractual relations in the sector, as well as to the expansion of informal work and labour relations. Workers in agriculture are divided into two categories – farm owners and their paid or unpaid family members working on these farms; and workers earning cash, in-kind wages, or a share of the profits at the end of the season. These wages are often low in comparison to other sectors such as the industrial and service sectors; more often than not, these wages are even below the statutory minimum wage.

The lack of decent work is not limited to a low income and wages in the agricultural sector but extends to the nature of the work carried out. Agricultural work is classified among the most exhausting and dangerous sectors of activity, involving long working hours with no weekend breaks or annual, sick, pregnancy or maternity leave, or other legally approved paid leave. All this has an adverse impact on personal life. In the absence of social guarantees, and with an increase in women's and child labour under harsh conditions, discrimination, forced labour, violence, and harassment run rife - affecting a large proportion of workers of both sexes, and all nationalities.

Social traditions and norms prevail in the agricultural sector, especially in villages and rural areas, where the workers may be deprived of legal social protection and have to toil in conditions that are incompatible with national legal frameworks and decent work indicators.

These working conditions have a direct impact on the psychosocial health of workers in various sectors, including the agricultural sector; they are considered an occupational hazard that may lead to various mental illnesses - prompting suicides in some cases. The authorities concerned with the enforcement of OSH labour legislation in Iraq rarely focus on such considerations as the labour inspection and occupational safety forms and templates do not include any references to psychological risk assessments in enterprises. No studies or surveys have been conducted on the mental health of Iraqi workers, and neither have any measures been taken in this regard. Decent work is not restricted to wages and income but also to the attainment of positive work relationships and a safe work environment, but the Iraqi authorities have failed to take this aspect into account.

7.4 Weak foundations for social dialogue

The labour legislation in Iraq includes a number of frameworks for tripartite social dialogue at the national level. These include government, workers' and employers' organizations such as labour inspection committees, a minimum wage committee, an end-of-service committee, arbitration committees, the tripartite consultation committee, the Higher Committee for the Planning and Employment of the workforce, and the tripartite retirement and social fund for workers. There are also frameworks for determining some of the terms and working conditions

stipulated in the labour legislation, after consultations with representatives of workers' and employers' organizations to determine any exceptions. A number of them are designed to outline prohibited forms of employment for young persons, and to conduct consultations with a view to developing a national OSH policy. Despite these frameworks and tripartite structures, however, the social dialogue in Iraq leans towards an exchange of information and consultation rather than actual collective bargaining that might lead to binding agreements or social contracts. This may be attributed to the lack of a comprehensive institutional framework for social dialogue, through which information exchange, consultation, and negotiation would be conducted on all matters relevant to economic and social policies concerning labour issues.

None of the workers' and employers' organizations or agricultural associations, either in Iraq or the KRI, have any previous experience in the field of social dialogue to prepare occupational safety and health policies and programmes, or to be involved in their implementation. The entities have no OSH units or sections that might play a role in following up prevailing conditions for male and female workers in various sectors. Nor are they able to provide advice or guidance to employers regarding compliance with OSH requirements, although these organizations have mechanisms for reaching out to workers and employers, as labour unions have branches in agriculture and the food industry in all Iraqi governorates. The General Federation of Agricultural Cooperative Societies (GFACS) in Iraq has 792 affiliates in various governorates, cities, districts and sub-districts, in addition to a similar 81 agricultural associations in a number of cities, districts and sub-districts that are linked to the Federation of Agricultural Associations in the KRI. In addition, there are water users' associations established according to Regulation No. (2014) 1 regarding water sharing among water resources users, based on the provisions of article 5 of the Irrigation and Sewer Networks Maintenance Law No. (1995) 12.

The absence of tripartite institutional frameworks at the national level has resulted in a failure to give due priority to OSH policies in the agricultural sector. Poor tripartite experience in Collective Bargaining Agreements (CBAs) has led to a lack of negotiations aimed at improving the terms and conditions of work in this sector. This clearly indicates a poor social dialogue structure, although the law provides for elected workers to engage in bargaining and conclude CBAs with employers in the absence of a proper workers' organization.



▶ 8. Recommendations

Achieving the objectives of decent work in the agricultural sector in Iraq requires a number of steps and procedures which must be taken. These measures would help to ensure the improvement of the work environment, the application of safety and health requirements, and the adoption of social dialogue as a basis for planning, implementing and evaluating national policies in this area.

8.1 Developing a national OSH policy for the agricultural sector in the Republic of Iraq

Establishing social dialogue for the preparation of a national OSH policy for the agricultural sector would be a key starting point. A national gender-responsive working group could be set up, which would represent the Ministries of Labour and Social Affairs, Agriculture, Water Resources, Environment, Science and Technology, Trade and Industry and other line ministries in their capacity as representatives of the Federal Government, the Kurdistan Regional Government (KRG), employers' and workers' organizations and the Federation of Agricultural Associations in Iraq and the KRI.

This working group would be responsible for preparing a national OSH policy for the agricultural sector with the aim of promoting an OSH culture of prevention and consolidating the foundations for the management of national OSH systems and programmes pursuant to the Constitution of the Republic of Iraq, national labour legislation, and international labour conventions, specifically Convention Nos. 187, 155 and 184.

The proposed policy would define the roles and duties of the authorities and bodies responsible for OSH matters in the agricultural sector and delineate the tasks and roles of other government agencies related to the agricultural sector - and the OSH working environment in general - while highlighting those of workers' and employers' organizations and the Federation of Agricultural Associations.

The policy should result in the preparation of a national OSH programme for the agricultural sector in Iraq and the KRI, with a view to achieving its objectives by implementing a number of activities contained in the programme in accordance with specific indicators that measure the progress made within a specific time frame.

8.2 Developing a national strategy for occupational safety and health in agriculture

To put the proposed national OSH policy on agriculture into practice, a national gender-responsive strategy for occupational safety and health in agriculture must be developed with a view to preserving and enhancing the health of workers through the prevention and control of occupational diseases and accidents. Occupational hazards must be minimized to the greatest extent possible and, if this is not feasible, attempts must be made to reduce risks to the safety and health of workers in this sector. It is recommended that the proposed strategy list: a number of objectives that the authorities responsible for developing the policy intend to implement in Iraq and the KRI; the means to achieve these objectives and the activities required to ensure this; the responsibilities of the parties involved in putting the strategy into practice, including their roles, tasks and powers; the levels of sectoral coordination; and the indicators to measure the extent of progress made in implementing the national strategy, within a specifically agreed time frame.

8.3 Forming a standing national committee and local committees

In order to ensure the achievement of the objectives contained in the proposed national OSH policy, and to implement, monitor, and evaluate its programme of action, it is necessary to form a standing national coordination committee that represents government agencies, workers' and employers' organizations, as well as the Federation of Agricultural Associations at the national level; the committee should be mandated with follow-up and coordination tasks to implement the objectives and programmes of the National Strategy for Occupational Safety and Health in Agriculture. Similar committees should be formed at the governorate level with the same composition as that of local governments, branches of workers' and employers' organizations, and agricultural associations; these local committees, which should seek a gender balance, should be responsible for implementing and following up on activities and coordinating with the National Committee in all matters related to the development of the national policy and programme. They should also be mandated to form tripartite committees in districts and sub-districts in accordance with the size of the agricultural activities concerned and their inherent hazards, based on the number of women, children, young persons, nationals, and foreigners involved.

The National Committee shall establish the internal controls and regulations for the work of the local and sub-committees, defining the tasks and responsibilities of each of the parties participating in them – as well as the powers and mechanisms for implementing activities, the reports and follow-up, and evaluation tools.

8.4 Proposed legislative reforms

Iraq ratified the ILO Safety and Health in Agriculture Convention, 2001 (No. 184), in 2021. The national legislation in force must now be adapted to the Convention's provisions with respect to the statutory age of employment in agriculture. Convention No. 184 stipulates that the minimum age of employment in agriculture should be no less than 18 years, whereas the Iraq Labour Code specifies 15 years of age. The same should apply to the Regulations No. 1 of 2019, issued under the provisions of the Labour Law No. 37 of 2015, to outline the hazardous and hard types of labour pursuant to Regulations No. 14 of 1988 under Law No. 71 of 1987, which is still applicable in Kurdistan; adjustments should also be made to Regulations No. 5 of 2017 on juvenile dangerous work.

It is recommended that some applicable laws in Iraq and KRI be amended, such as the Law on the Registration and Approval of Pesticides No. 47 of 2012, the Law Regulating the Circulation of Agricultural Materials No. 46 of 2012, and the Law Regulating the Circulation of Agricultural Materials No. (34) of 1970 (applicable in the KRI) to ensure the involvement of occupational safety and health authorities in any committees concerned with the implementation of these laws. Such amendments would call for including the NCOHS in the National Committee for the Registration of Pesticides, as long as the National Committee has a number of responsibilities directly related to the issue of human and environmental safety.

In order to mainstream the OSH regulations and instructions into the agricultural sector and establish the requirements and guarantees that are not included in the applicable regulations, it is recommended that work be undertaken to issue instructions concerning occupational safety and health for the agricultural sector in Iraq. This would involve defining the roles, tasks, and duties of the concerned parties from government agencies, workers, employers, and their organizations, while defining their obligations and determining the scope of these instructions in accordance with Convention No. 184. Protective and prevention measures should be introduced in the agricultural sector. These should cover machine safety; ergonomic

adaptation; material handling; transport and storage; management; transportation; the handling, use and storage of chemicals; safety precautions in dealing with animals; biological hazards; physical hazards, especially those related to weather; climate change; psychological hazards; risks of agricultural machinery and equipment; and work contexts that would enable the employment of workers. These measures should include young persons and pregnant women in their scope, and specify the types of labour liable to have an adverse impact on reproductive health, while setting standards for care, accommodation, and rest facilities.

It is important that the proposed instructions address the responsibility of occupational safety and health in the agricultural sector, and that the criteria for introducing them should pertain to the level of risk and the geographical distribution (scope) and not only to the number of workers, in view of the high turnover and other characteristics of work in agriculture. Employers should formulate OSH policy at the workplace level, and clear instructions should be prepared with regard to establishing standing OSH committees at the workplace, irrespective of the turnover of workers in agricultural enterprises. The structure, duties, and authority of these committees should be clearly established.

8.5 Fostering labour legislation enforcement in the agricultural sector

In order to optimally enforce labour legislation, particularly with regard to OSH matters, it is recommended that the MoLSA develop agricultural labour inspection activities throughout Iraq and the KRI. The labour inspectorate in the federal government and KRG should be mandated to develop national OSH programmes for labour inspection and employ sufficient male and female inspectors to cope with the workload in the agricultural sector in each Iraqi governorate. The key major targets for recruitment should include agricultural engineering and veterinary medicine graduates. Inspectors should also be trained on the best practices in OSH, with a focus on the sound and active enforcement of regulations and the offering of advice and guidance to workers and employers in this sector. The inspectors should also be provided with technical and logistic support to enable them to fulfil their roles more effectively.

8.6 Ratification of the ILO Labour Inspection (Agriculture) Convention, 1969 (No. 129)

It is recommended that Iraq ratify the ILO Labour Inspection (Agriculture) Convention, 1969 (No. 129). This Convention includes a comprehensive framework for the functions of labour inspection in agriculture, including the tasks, powers, and specifications of employees in the inspection body and all appropriate arrangements to ensure the effective enforcement of national labour legislation in this sector.

The ratification and implementation of Convention No.29 would be an essential step towards promoting labour rights for the agricultural sector in Iraq through the development of a labour inspection system that could actively cover the agricultural sector. This ratification would also provide the opportunity to update existing federal legislation and integrate it with those provisions included in the Convention to promote decent work in this sector. Its accompanying Recommendation No. 133 would also provide guidance on determining the specifications of labour inspectors who would be required to work in this sector, and the role of the central inspection authority in regulating this matter. Guidelines could be developed to ensure that inspectors perform their work in a unified manner. Moreover, the cooperation between the staff of the Labour Inspection Authority in agriculture and the representatives of workers' and employers' organizations, as well as the respective roles they play, could be clearly defined, thus contributing towards securing a safe work environment at the level of work sites and in geographical areas in which agricultural activities are practised.

8.7 Development of monitoring systems for work accidents and occupational diseases in agriculture

It is recommended that MoLSA develop a system of notification and registration of agricultural work accidents and occupational diseases in Iraq and the KRI by establishing an electronic incident reporting system and setting up hotlines to enable employers to report work accidents. It is recommended that this matter be handled by the Ministry of Health, which could establish an electronic system in government hospitals, private sector hospitals, primary health centres and police stations. The system, taking into account the responsibilities related to occupational diseases or accidents in the proposed national OSH policy on agriculture, should be accessible by MoLSA OSH units at the national, regional, and local level, doctors in the public and private hospitals and clinics, employers, social security departments, private and public insurance companies, and the Federation of Agricultural Associations in all governorates. It would register work accidents by means of a special mechanism, and should be widely promoted.

Also recommended is the development of an electronic system to monitor occupational diseases in the agricultural sector and to classify them according to their chemical, physical, biological, allergic, or carcinogenic causes. A schedule or table to this effect should be prepared and regularly updated in coordination with the Ministry of Health, taking into consideration the ILO List of Occupational Diseases (revised in 2010) and the ILO Code of Practice on the recording and notification of occupational accidents and diseases. In addition, OSH physicians should be appointed to undertake standardized check-ups at hospitals and primary health care centres for the early detection of cases, by coordinating with the Iraqi Doctors' Syndicate to adopt a programme of professional medical examinations in private clinics and to register occupational diseases in the electronic system.

8.8 Capacity-building of bodies responsible for the development and implementation of OSH policy

It is recommended to build the capacity of government agencies with regard to training members who are in charge of preparing and implementing this policy, as well as providing specialized training to agricultural extension workers in all governorates. This training would focus on the occupational risks inherent in the agricultural sector and the ways to manage these risks. These agencies should also be trained in communication skills and outreach with local communities and adopt the participatory action-oriented training method (PAOT), so that agricultural extension workers or cadres of authorities responsible for OSH might provide training to workers' and employers' organizations, agricultural associations, or civil society organizations.

It is recommended to build the capacity of government agencies responsible for OSH to enable them to conduct studies and research on the matter in the agricultural sector. Indeed, it is crucial to develop regulations on occupational exposure limits in this sector with a view to their official adoption. There is also a need for guidelines and non-traditional awareness programmes for workers and employers, which should spell out the necessary precautions for agricultural activities. It is also vital that occupational safety requirements are determined to help employers develop OSH manuals and guides. Employers can use these manuals to prepare codes of conduct and coordinate with the Central Organization of Statistics and Information Technology (COSIT), the Federal Ministry of Planning, and the KRG Census Commission to conduct a labour census of full-time and seasonal workers in the agricultural sector, broken down by age and gender. This would pave the way for a national map of employment in the agricultural sector in the Republic of Iraq.

It is recommended that capacity-building support be provided to workers' and employers' organizations, as well as to agricultural associations, in Iraq and the KRI, so that they might establish OSH units at the national and local level in agricultural workers' unions and their branches, the Federation of Iraqi Industries, the Federation of Chambers of Commerce in Kurdistan, and the Federation of Agricultural Associations in Iraq and Kurdistan. These units would develop and implement programmes aimed at improving working conditions and enable employers to conduct safety risk assessments. Workers' and employers' organizations, and agricultural associations, should launch awareness campaigns for workers and employers about occupational hazards in the agricultural sector. It is also recommended to cooperate with the ILO in adopting a Work Improvement Neighbourhood Development (WIND) training programme in Iraq, since the WIND programme provides practical responses to problems related to agricultural safety and health; it adopts a participatory and action-oriented training approach that is designed to allow for rapid and sustainable improvements in farmers' safety, health and working conditions.

8.9 Mainstreaming OSH in basic curricula of academic, vocational, and technical education

Finally, it is recommended to adopt occupational safety and health as a basic curriculum in agricultural schools in Iraq. Such a curriculum falls under Law 11 No. of 1971 on the establishment of applied agricultural productive schools affiliated with the Technical Education Authority in Iraq and the KRI. Occupational safety and health should also be introduced as a core subject at all academic levels in technical and vocational training, technical colleges, schools of agriculture and veterinary medicine – and these institutions should be encouraged to introduce occupational safety at graduate level for enhanced research at Masters and PhD levels.



