

## **Resolution No. 1**

### **TRADE UNION REPRESSION IN AFGHANISTAN**

The 20th ITUC-AP Regional General Council Meeting, 10-11 March 2021, Virtual

- EXPRESSES** deep concern on the non-recognition of elected union representatives and the rampant union busting. The trade union repression started with the attack by the Afghanistan government of the head office of the National Union of Afghanistan Workers, Employees (NUAWE) and its 16 other properties on 21 April 2018. Pursuant to a Presidential Decree, heavily armed police and security forces carried out the attack by confiscating the union's properties, assets, and equipment, cancelling its legal license to operate, and freezing its bank accounts;
- DENOUNCES** the expropriation of NUAWE's legitimately acquired properties to pressurise the union and undermine its operations and activities. NUAWE has no way to collect membership fees from its members and utilise its bank accounts for its day-to-day operations. Moreover, the government had instructed the Ministry of Justice not to renew NUAWE's license if the union does not hand over its properties to the government;
- NOTES WITH GRAVE CONCERN** that these actions, taken without any judicial authorisation and in violation of the constitution of Afghanistan, are a serious suppression of legitimate trade union activities that are guaranteed in ILO Convention No. 87. In particular, they breach the government's duty to facilitate the registration of trade union organisations without prior authorisation and to protect the rights of the union.
- NUAWE's main office in Kabul and all its branches in 16 districts are still closed and are under occupation by the Government. The attack on NUAWE has generated a climate of fear and intimidation among trade unions and inhibits the full exercise of the functions of NUAWE and its 175,000 members;
- RECALLS** that the ILO/ITUC/ITUC-AP joint delegation visited Afghanistan in March 2019 and met with the Labour Minister and other officials. The Minister made a commitment to revoke the suspension of NUAWE's license and unfreeze its bank accounts. He reiterated the similar commitment during the International Labour Conference (ILC) in June 2019, but did not make any progress on delivering his promises. The situation of the union movement remains the same as it was in April 2018;
- FURTHER NOTES** that the government refused to uphold its promise to return the seized properties upon the conduct of a union election and the declaration of the election results. The election was conducted on 19 January 2021 and Brother Maroof Qaderi won the election with a huge margin. Despite the fulfilment of the conditions set by the government, NUAWE's properties and bank account remains under the possession and control of the government;

**URGES**

the ITUC and the ITUC-AP to monitor the projects implemented and funds disbursed by the international financial institutions (IFIs), such as the World Bank, the International Monetary Fund, and the Asian Development Bank, in Afghanistan. This can be a basis for strategically pressuring the IFIs to pull out existing or future funding and projects in Afghanistan if the government does not comply with its labour and human rights obligations. The ITUC and the ITUC-AP are also requested to appeal to the United States and European governments to pressure the Afghanistan government to allow NUAWAWE to conduct its internal democratic operations without interference and guarantee its rights in line with the international labour standards.

**DEMANDS**

the Government of Afghanistan to:

- (a) Return all the seized properties to NUAWAWE;
- (b) Unfreeze the union's bank accounts;
- (c) Immediately renew the legal registration license of NUAWAWE;
- (d) Allow the continued operations of NUAWAWE's internal democratic affairs without interference from Afghan authorities;
- (e) Recognise NUAWAWE as a free and democratic trade union in accordance with the principles of ILO Conventions 87 and 98; and
- (f) Pay for the expenditures incurred by the worker's delegation for their participation in ILC 2019.