



SPC1: Special Conference on Labor and Development

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Issue: Freedom of association and industrial policies in the Middle East

TIMUN '22 
Turkish International Model United Nations





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I. Introduction

Freedom of association and industrial policies in the Middle East have received great attention and had major importance to traders in the Middle East ; this is caused by the fact that the area has emerged as the world's most significant source of energy in addition to being key to stability of the global community. It has been proven that the Middle East is home to almost 53 percent of the world's oil reserves and almost half of the internationally recognized natural gas reserves. This has resulted in a lot of attention on the region resulting in this issue. For the past couple of decades, other than the oil concessions, there have been few to almost no trade unions and industries established between Middle Eastern countries. This can be justified by many things, the Syrian civil war, for instance, which began in 2011. These wars have resulted in drastic issues which, unfortunately, can not be condoned. There is not enough media coverage when it comes to issues arising in the Middle East. We hear quite a lot about issues in the Middle east; mainly about civil wars and international conflicts but what about the internal conflicts in the countries. No one is aware about what happened behind the scenes except for those living through these conditions. Poverty is an important issue that should be addressed along with many others such as but not limited to the fact that the Middle East is quickly developing becoming a more developed and open area resulting in conflicts of interest in the government .Many people avoid discussing how religion is one of the main causes of conflicts in the MENA region. People within the same country are forming different groups and attacking each other, complicating relations between people and resulting in complications to the economy and limiting the freedom of association and industrial policies in the region. There are two main religious problems in the region: "Christianity vs. Islam" and " Muslim against Muslim (Sunni against Shia) ".

Some countries in the Middle East, such as Jordan, have experienced difficult conditions such as the effect the Syrian Civil war had on Jordan; It's been a decade since the initiation of this war which have resulted in hundreds of thousands of refugees entering Jordan illegally increasing the population and the arising issue of lack of water, one of the nations in the world with the least access to water is Jordan. Two-thirds of the country's population's water needs are currently satisfied by renewable resources, despite groundwater being utilized twice as quickly as it can be replaced. these issues and many more have left the country with a lack of industry and in desperate need of international trade; however, at this time, there is still no permanent trade union in Jordan.



The Jordanian Constitution, amended in 2011, includes multiple articles enabling workers to establish unions supported by many articles stating that all legislation and all laws issued on freedom and rights based on the constitution should not include any article against the spirit of freedoms and rights. The controversy begins here: the Jordanian labor law still has a good number of limitations and restrictions against freedom of association in many articles.

A freedom of association policy protects the right of all persons to group together voluntarily for a common goal and to form and join an association. Giving traders and employees freedom to form associations is crucial as it develops the country's economic status as well as builds stronger international relations between countries which is indeed needed in the MENA region and the Middle East. It also remains an individual and collective right, which is another reason for it to be obtained by workers, employees and employers as they see it as their right and they should be demanding it.

The idea of feeling confident when it comes to choosing who you want to work with in order to pursue a shared and/or similar goals is extremely crucial, let alone the fact that it boosts and initiates both national and international relations between traders which is necessary due to post-pandemic chaos. It is worthwhile mentioning that Middle Eastern communities are quite different from Western communities; Middle Eastern cultures tend to have a hierarchical structure; on the other hand, Western cultures are more egalitarian. Independence is more valued in Western cultures than in Middle Eastern cultures; Western cultures also tend to promote people who are task oriented, independent and individualistic. Many people lack this knowledge or simply refuse to believe in it but, the west has a large and noticeable impact on the Middle East especially the Arab world. The social and economic status of countries in the Middle East is in desperate need of a form of dialogue(better communication) between countries in order to help solve these extremely crucial issues. This can be achieved through associations and industrial policies between different countries in addition to those in each individual country. These policies should not necessarily benefit all parties involved; without a doubt, there are no organizations or countries willing to partake in such things without the assurance of getting something in return; therefore, the introduction of new NGOs - aiming to participate in such activities without any side - benefits- can be a good idea in which they will be able to satisfy all parties and join more than one party - some of which may be in conflict with each other- together hopefully putting an end to the drastic conflicts in the Middle East in hopes of bringing peace and stability to the region. These problems are fundamental, and not merely due to the newness or weakness of the unions, nor to the fact that unionism is a foreign idea.

"Freedom to associate with those of one's own choosing is a fundamental human right, nowhere more valued than where it is denied", says ILO Director-General Michel Hansenne. "It is essential to the building of more democratic, participatory and equitable patterns of development in all regions of the world.



Without the right to associate, whether exercised or not, the prospects for achieving social justice are poor or non-existent.¹

II. Involved Countries and Organizations

According to the CIA World Factbook, the Middle East consists of Yemen, the United Arab Emirates, Cyprus, Israel, Palestinian Territories, Turkey, Syria, Saudi Arabia, Qatar, Oman, Lebanon, Kuwait, Jordan, Iraq, Iran, Georgia, Bahrain, Azerbaijan and Armenia.



Picture 1: The map of the Middle East according to the World Factbook.

Besides the fact that many, but not all the countries in the Middle East have similar common interests and desire the same goals; claiming freedom of association and industrial policies, some may have a different stance than others due to their individual laws regarding each topic.

Saudi Arabia

Saudi Arabia is known for its strict rules and regulations and it is quite difficult to form an association. Their working reciprocal relationships are quite difficult and described as complicated. This has been

¹ Freedom of association remains elusive in much of East and south-East Asia. Freedom of Association remains elusive in much of East and South-East Asia. (1998, November 24). Retrieved October 3, 2022



observed through serious actions taken by the Saudi government against the founders of some associations such as Mohammad Al-Otaibi, one of the founders of the Union for Human Rights in Saudi Arabia.

Jordan

The Jordanian labor law includes many restrictions against the freedom of association. However, the Jordanian constitution which was amended in 2011, includes many articles enabling workers to establish unions. They state that all legislations and all laws issued for freedom and rights based on the constitution should not include any article against the spirit of freedoms and rights. However, the civil servant bylaw does not allow employees in the public sector to establish trade unions, despite the Constitutional Court's decision giving employees in the public sector the right to do so.

National Industrial Development and Logistics Program

The National Industrial Development and Logistics Program was established in the United Kingdom of Saudi Arabia aiming to transform the kingdom into a leading industrial powerhouse and global logistics hub, by maximizing the value of its sectors of energy and mining while unlocking the full potential of local content. This organization clearly contributes to driving the country's economic diversification towards sustainable growth by fostering a globally attractive investment environment; a great way to enhance industrial policies in the country and the region.

Lebanon, Iraq and Iran have some of the most extreme stances that are very relevant, however this does not indicate that the other countries in the region don't have a significant stance that affects the topic at hand greatly.

III. Focused Overview of the Issue

There are three categories of association: independent human rights organizations, worker's trade unions and political parties. All those policies are protected by laws and regulations; these regulations differ depending on the countries' constitution.

The issue is far greater than just the ability to form associations. It is related to basic human rights. If it doesn't affect the countries' safety and security, then these rights should be given; in the case where a citizen is using this right to form illegal and/or offensive associations to the global community, then their right to freedom of association could be withheld. We can not generalize the consequences to such actions and force all member states to abide by them as each country has its own way of dealing with these situations



taking into consideration their differences in their laws and their legal system; therefore, setting one standard and generalized law for all countries to abide by can arise in so many controversial arguments and result in bigger problems far away from the one at hand. It is unlikely that the formation of associations and industrial policies will lead to serious problems (anything that cannot be solved in a friendly manner/ in a short period of time without any downsides) especially in the Middle East and the MENA region. The probability of something out of our control / life-threatening / extremely serious is very small

The freedom of association and industrial policies in the Middle East is greatly affected by political views; for example, the tension that arose between Saudi Arabia and Qatar. Both Middle Eastern countries are part of the Arab Peninsula. However, due to political problems, there are neither permanent nor temporary industrial policies. The issue between these two countries has increased due to political differences.

The topic isn't only focusing on the ability to form associations between traders and individuals in different countries but also between those in the same country. That creating an association or foundation requires so much legal work is causing traders to leave the Middle East and look for countries that make the process simpler. However, it is only fair to say that some regulations are in fact helpful; for example; they eliminate the formation of illegitimate trades. This has significantly increased the proportion of successful trades eventually leading to better economic statistics.

There is no doubt that all the countries in the Middle East are rich in their own way. For example, Jordan is known for its phosphate production, Saudi Arabia, UAE and the Arabian peninsula in general are known for oil production. Turkey is the top producer in the world for apricots and hazelnuts. The ability to form international industrial policies and stronger ties between these countries can strengthen both the political ties of the countries and each country's individual economic status. Moreover, it opens the door to exporting and importing goods for the benefit of the population which can help develop the MENA region resulting in more developed countries.

IV. Key Vocabulary

FIDH : International Federation for Human Rights ; it defends all human rights -civil,political,economic,social and cultural - as contained in the universal declaration of human rights. It is an NGO; a federation of 141 leagues in 100 countries. It is recognized by the UN. Its main goal is to look after all human rights, including the right of association and trading.

Association : a group of individuals join together for a reason; usually it's either a shared reason from all the parties involved or each party has its own reason but it fulfills all their needs and wants. In other words, it is



a connection or cooperative link between people, organizations and countries -in this case countries and organizations-.

Traders : an individual who acts as both a consumer and a producer, they exchange goods and/or buy/sell them. They form a huge part of what an association is as well as they being the main component of industrial policies.

Freedom of association: the right of employers and workers to associate freely without prior authorization; remains elusive in most if not all countries in the Middle East .

V. Important Events & Chronology

Date (Day/Month/Year)	Event
22/ 11/ 2018	Cancellation of the free trade agreement between Jordan and Turkey.
23-24/ 4/ 2019	A regional conference held in Beirut, Lebanon. The economic status of countries in the MENA region was discussed with the presence of 85 union leaders in the MENA region. The conference was opened and led by regional co-chairs “Hashmeya Alsadawe of Iraq” and “Tahar Berberi of Tunisia” and industrial vice president “Abdelmajid Matoual of Morocco”.
31/ 12/ 2020	A new law set by the UN Security Council (law no. 7262) imposed the following: “ the law introduces amendments to seven laws, including the “law on associations” and the “law on aid collection”.” It has been adopted by the Grand National Assembly of Turkey after a short period of 11 days after its official submission.
March 2022	The SCC increased by three years the 14-year prison sentence of Mohammad al-Otaibi, a Saudi citizen living in Saudi Arabia, a founding and active member of the Union for



	Human Rights, an independent privately owned human rights organization. His sentence was based solely on his human rights work, including forming a human rights organization. subjective.
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VI. Past Resolutions and Treaties

Unfortunately, there have been no specific resolutions regarding freedom of association in the Middle East. However, there have been similar resolutions, such as the following:

- Promotion and protection of the right to freedom of opinion and expression, Frank La Rue
https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/RegularSession/Session23/A.HRC.23.40_EN.pdf

This resolution does not directly discuss the issue at hand; however, it discusses a similar one - one which is related- which is:

- There have been many treaties between countries of the Middle East, for example the Free Trade Agreement (FTA) that no longer exists between Jordan and Turkey which was terminated in 2018. Both parties were not satisfied; and, as Nael Kabariti, President of the Jordan Chamber of Commerce stated “ This is an unfortunate decision that will affect scores of businesses”. This decision caused many shop owners and traders in Jordan to go into bankruptcy causing them to eventually shut down their business. This agreement was in fact sufficient for a while and it was fascinating how both countries came to the agreement in the first place. This treaty however, was in no way a success in the long term, it was a temporary success but it left both countries, especially Jordan, with worse conditions than before it started. Both countries decided to ratify this agreement, there are many controversial claims about which country initiated this termination, many sources claim it was Jordan and others claim it was Turkey. What matters is the reasons behind this termination; some of which were 1. Jordan claimed facing “unequal or unfair” competition with Turkish products. 2. The foreign relations between Turkey and Jordan got a little tense which complicated this treaty resulting in trading issues caused by tension in both communities. Unfortunately, this move has resulted in unpleasant geopolitical issues between the two countries.

VII. Failed Solution Attempts



Although there have been many attempts to help solve and establish the concept of freedom of association and industrial policies in the Middle East, some have actually progressed, the majority of these attempts failed miserably, worsening the situation according to the Geneva-based International Labour Office (ILO).

The ILO has attempted to solve the issue by applying collective bargaining to the needs of the parties and promoting voluntary agreements that sustain the well-being of individuals and enterprises. We can't say that it has been unsuccessful, however it didn't come out with the best results possible.

Action plans are underused. Most countries with documented challenges to freedom of association have not undertaken or completed ambitious commitments in their action plans.

Complicating the regulations is not a solution, if anything it's causing more serious problems that cannot be dealt with at the most and it is unfortunate that there were no other attempts at solving this unpleasant issue.

VIII. Possible Solutions

The introduction of a wide new set of rules agreed on by the UN Security Council and each country's government taking into consideration each country's constitutional bylaws to help facilitate the process for individuals is an efficient solution taking into consideration each country's individual stance and coming into an agreement that pleases all parties.

Social media is a powerful weapon and forming associations online can be beneficial and usually harm-free. Unfortunately, many people, especially older individuals are not fully aware of the power the internet holds today. Educating them and facilitating the process for them is extremely crucial and is in some opinions so much better than forming in-person alliances.

Unfortunately, in the Arab world it is highly uncommon for women to join an association strictly because the percentage of women who do go to work is relatively low. Encouraging Arabic women to engage in work and join associations is crucial because not only does it make sure all individuals in the society are engaging in the same thing but it would also boost the formation of associations. This is one possible solution. There is no evidence that it would succeed because many people in the region would not be in favor of it because misogyny is common in the MENA region. This is an example of the difference in views between Middle Eastern and Western communities.

Solving the issue by imposing more rules and regulations is not a solution. Some laws must be enacted in order to increase the efficiency of existing laws but the addition of more complicated rules is complicated.



IX. Useful Links

- <https://www.fidh.org/en/issues/human-rights-defenders/turkey-new-law-seriously-threatens-freedom-of-association-and-must-be>

“ Turkey: New law seriously threatens freedom of association and must be repealed. “

Turkey is one of the most significant countries in the region playing a major role in the issue at hand, the introduction of a new law that “threatens” freedom of association is relevant when researching and can be of great use when writing resolutions, opening speeches, policy statements etc.

- <https://www.fidh.org/en/region/north-africa-Middle-East-east/gulf-regional-issues/Freedom-of-Association-Report-on>

This is the Freedom of Association Report on Bahrain, Kuwait and Yemen. All three countries are located in the Middle East , indicating that they all have major roles and opinions regarding the issue. You don't have to necessarily be representing one of these countries to visit this link; it provides important information that can be used during debate.

- <https://www.ohchr.org/en/countries/Middle-East-east-north-africa-region/un-human-rights-in-Middle-East-east-north-africa>

Having background information about the humanitarian situation in the Middle East - from a reliable source- is important, it helps tackle the issue from all aspects taking into consideration all the factors affecting it no matter how minor they are such as the humanitarian situation in the region.

- <https://www.arabnews.com/node/1266611/Middle-East-east>

As mentioned previously in this report, geopolitical tension is one of the main factors contributing to the shortage of trade unions between countries in the Middle East , the following link explains an example of this.

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