

<http://www.afghanistannewscenter.com/news/2007/may/may102007.html#28>

Bring back Taliban to end police corruption, say Afghan truckers

By Chris Sands in Kabul The Independent (UK) 10 May 2007

Abad Khan has spent much of his life on Afghanistan's roads, driving a truck through some of the most beautiful and hostile terrain in the world.

The work is hard but it gives the 30-year-old and his colleagues a view of this country rarely seen or heard about, and it is a view they are increasingly finding they do not like. Deteriorating security across Afghanistan means the country's roads are now rife with bandits, illegal checkpoints and corrupt officials.

"We pay all our bribes to criminals and they are criminals who wear police uniforms," Mr Khan said. "In the daytime they have very smart police uniforms, then in the night they become Taliban and chop drivers' noses and ears off. No real Taliban do this."

Truck drivers are an important barometer of the security situation in Afghanistan, as their work means they experience life across the country.

When the Taliban first rose to power in the mid-1990s, it was in part a response to the rampant lawlessness on Afghanistan's roads, which had been dominated by the illegal checkpoints of warlords. Travelling anywhere was a gamble, and leading figures in the transport industry supported Mullah Mohammed Omar's fundamentalists because they longed for security. According to today's truck drivers, history is in danger of repeating itself.

"The difference between when the Taliban were in government and now is the same as the difference between land and sky," 61-year-old Haji Mohammed Amin said. "Now we are sick of life and if we are sick of life, how can we enjoy it? What is the meaning of life for us? At that time it had meaning, now it is nothing."

Violence has increased across the country this spring, and colleagues of Mr Khan and Mr Amin have been among the victims.

This Monday, a trucker was injured in Kandahar by an improvised explosive device. During March there were a series of deadly attacks on Afghans transporting goods for foreign troops. In one incident, the decapitated body of a trucker was found dumped in the southern province of Zabul. But, most notoriously of all, at least three drivers had their noses and ears cut off this month in the eastern province of Nuristan.

While officials say attacks such as these are the work of the Taliban, the truckers often refuse to believe the insurgents are responsible. Even when they do blame them, they still insist the police are a bigger threat. Truckers say bribes are usually between 50p and £30 and that policemen brutalise the drivers and vandalise their vehicles or simply syphon off their fuel.

Mr Khan and Mr Amin were sitting with some colleagues waiting to eat lunch by Jalalabad Road in Kabul, the scene of a number of suicide bombings. The men gathered there hated and feared the police. One, called Rahullah, described how he paid bribes to three different policemen on a single night. "It's my dream that ultimately the government will be run by the Taliban, but we will still get financial support

from the Americans," the-father-of-five said.

Pakistan-based truckers began a strike last month over the increased taxes and roadside extortion here. Anwar Ali, a 23-year-old Pakistani, was one of those intending to take part in the strike. He carries fake documents to show he is working for private businessmen, when in fact he often transports goods for the US military. He had seen trucks set on fire by insurgents and did not want to take any chances. But the militants were the least of his worries. "Forget about the Taliban, our biggest problems are with the police," Mr Ali said.

As Asif Hemat, a 27-year-old trucker, added: "This is the worst time I have ever experienced in my life."

<http://www.afghanistannewscenter.com/news/2007/may/may12007.html#16>

Truck strike 'hits Afghan goods'

Ilyas Khan BBC News, Karachi Monday, 30 April 2007, 16:27 GMT 17:27 UK

Thousands of tonnes of goods in transit to Afghanistan are piling up in the Pakistani city of Peshawar because of a truckers strike, traders say.

The truckers are protesting about increased taxes in Afghanistan and roadside extortion by warlords.

Landlocked Afghanistan receives most of its imports via the Pakistani sea port of Karachi.

Most supplies are taken to Kabul and northern Afghanistan through Peshawar and over the Khyber Pass.

They include supplies for Western forces fighting the Taleban, as well as supplies for non-governmental organisations, the government and Afghan traders.

Traders said on Monday that more than 6,000 tonnes of durable goods destined for Afghanistan, as well as thousands of tonnes of fruit and vegetables due to be taken to Kabul, had been held up.

Talks failure

The truckers are protesting because they say the Afghan government has raised road taxes and toll fees by more than 11 times in the past year.

They also complain of extortion by security personnel at various points on the road to Kabul.

The strike was announced on Thursday, when negotiations with the government in Kabul failed, the truckers said.

On Sunday, their representatives met with the commercial attache at the Afghan consulate in Peshawar and were told that their demands had been forwarded to the authorities in Kabul, Sawab Khan, a spokesman for the truckers' union, told the BBC.

But members of the Afghanistan-Pakistan Chamber of Commerce (APCC) in Peshawar said they did not expect an early resolution of the crisis.

"The truckers' complaints are genuine, but the Kabul government is not expected to bring down the taxes by almost 70%, as the truckers are demanding," said Abdul Hamid Gurwara, a member of the APCC.

More than 350 trucks carry an average of 7,000 tonnes of goods over the Khyber Pass to Kabul every day, the truckers and traders say.

This includes between 40 and 50 tankers taking oil for the Western coalition forces in Afghanistan, traders say.

Most of these goods are sent forward from Peshawar, which is fed by Pakistan Railways and trucks from the army-owned National Logistics Cell (NLC).

A small portion of the goods are taken by trucks directly from Karachi to Kabul, though they, too, pass through Peshawar.

'Too much'

Sawab Khan said every truck pays about 400,000 Pakistani rupees (more than \$6,500) annually in taxes and bribes.

"This is too much for our transporters, who are mostly poor and hard-pressed to make both ends meet," he said.

Truckers who refuse to pay bribes are often made to park along the road and wait, sometimes for more than 24 hours, before they are allowed to move on, he said.

Some truckers also complain of extortion on the Pakistani side of the border.

Sawab Khan said that truckers carrying supplies into Afghanistan from Iran via Herat and from Central Asia via Hairatan were also on strike.

Supplies to the southern Afghan province of Kandahar, and also partly to Herat, pass through Quetta and across the Chaman border in Pakistan's Balochistan province. The truckers operating on this route say they confront fewer problems and are not planning to go on strike.

Afghan-Pakistan truck strike call

By Ilyas Khan BBC News, Karachi Thursday, 26 April 2007

Truckers working between Afghanistan and Pakistan say they will go on strike from Friday in protest at higher taxes in Afghanistan and extortion there.

The strike will hit supplies to consumers and also Western troops in Kabul and north Afghanistan, they say.

Landlocked Afghanistan receives most of its imports via the Pakistani sea port of Karachi.

Most supplies go to Kabul and northern Afghanistan through the Pakistani city of Peshawar and over the Khyber Pass.

'Too much'

The truckers say the Afghan government has raised road taxes and toll fees by than 11 times in the last year.

They also complain of extortion by security personnel at various points on the highway to Kabul.

The strike was announced when negotiations with the government in Kabul failed, the truckers told a press conference in Peshawar on Thursday.

More than 350 trucks carry an average of 7,000 tons of goods over the Khyber Pass to Kabul every day, Sawab Khan, a member of the truckers' association, told the BBC.

The goods include supplies for Western forces fighting the Taleban, as well as supplies for non-governmental organisations, the government and Afghan traders.

Mr Khan said every truck pays about 400,000 Pakistani rupees (over \$6,500) annually in taxes and bribes.

"This is too much for our transporters, who are mostly poor and hard-pressed to make both ends meet," he said.

Fewer problems

Truckers who refuse to pay bribes are often made to park along the road and wait, sometimes for over 24 hours, before they are allowed to move on, he said.

Supplies to the southern provinces of Kandahar and Herat pass through Quetta and across the Chaman border in the Balochistan province of Pakistan.

The truckers operating on this route say they confront fewer problems and are not planning to go on strike.

http://www.monstersandcritics.com/news/southasia/news/article_1297931.php/Strike_at_Afghan_border_may_hit_oil_supply_to_US_NATO_troops

Strike at Afghan border may hit oil supply to US, NATO troops

South Asia News

Apr 29, 2007, 10:11 GMT

Islamabad - Supplies of oil to US and NATO troops in Afghanistan

may be disrupted after truckers angry at high taxes and extortion sealed a key route from Pakistan, a press report said Sunday.

Hauliers that have blocked traffic at the Torkham crossing point near the Pakistani city of Peshawar since Friday are seeking to bring tanker firms into the dispute, commercial transporters told the Dawn newspaper.

The US forces in Afghanistan were unable to comment on the impact of the strike on their oil supplies but noted that the blockade was organized on the Pakistani side of the border.

'We are onlookers as much as anyone else,' spokesman Major William Mitchell said.

Pakistani and Afghan trucking companies mounted the action in response to a steep hike in road taxes in 2006 and the extortion by warlords and security personnel in Afghanistan of large sums of money from drivers.

Landlocked Afghanistan receives most of its imports via the Pakistani sea port of Karachi. More than 350 trucks reportedly carry an average of 7,000 tons of goods each day from Peshawar to Kabul and eastern and northern Afghanistan via the Khyber Pass.

Every truck pays the equivalent of 6,500 US dollars in taxes and bribes each year, Sawab Khan, a member of the truckers' association, told the BBC.

'This is too much for our transporters, who are mostly poor and hard-pressed to make both ends meet,' he said.

Shakir Afridi, a Pakistani transporter, told Dawn that truckers' representatives have relayed their demands to the Afghan government in Kabul. But they were also in talks with companies to halt the oil supply to foreign forces in Afghanistan from Sunday, he said.

Scores of trucks have had to dump cargoes at warehouses in Peshawar because of the protest, which has disrupted supplies to eastern and northern Afghanistan. As well as oil, many other goods used at foreign military bases are trucked in from Pakistan.

Supplies to southern and western Afghan provinces are sent through the Pakistani city of Quetta and across the Chaman border point in the Balochistan province. Companies working the route say they encounter fewer problems and are not planning to strike.

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Article also at http://www.iol.co.za/index.php?set_id=1&click_id=123&art_id=nw20070429122743621C981542

Congressional Research Service Report for Congress
Pakistan: Significant Recent Events, March 26 - June 21, 2007
July 6, 2007

Susan G. Chesser
Information Research Specialist
Knowledge Services Group

04/28/07 — On the same day, transport associations claimed that 10,000 trucks stopped transporting goods, including supplies for U.S. and NATO troops, into Afghanistan until Afghan authorities removed illegal check points where local commanders collect fees. Truckers also wanted a guarantee of safe passage into Afghanistan.



<http://www.itfglobal.org/campaigns/RoadActionWeek2007-22October.cfm>
2007

Pakistan

On 20 October, the Pakistan Transport Workers' Federation organised a large rally in Lahore. The union highlighted their demands for fixed duty hours and adequate facilities for transport workers, as well as vocational training on safety and social security benefits such as provision of pensions. Participants to the rally also demanded the immediate release of Mansour Osanloo. The union has sent an appeal to the President of Iran through the Iranian Ambassador in Pakistan but has so far received no response. (Email report by Haji Muhammad Saeed)

[View more photos of activities in Pakistan >>](#)

<http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=115&chapter=3&query=Pakistan%40ref&highlight=&querytype=bool&context=0>

COMPLAINT PRESENTED BY THE INTERNATIONAL TRANSPORT WORKERS' FEDERATION (IFT) AGAINST THE GOVERNMENT OF PAKISTAN Report No:246 Case(s) No(s):1332

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COMPLAINANT
THE INTERNATIONAL TRANSPORT WORKERS' FEDERATION - (IFT)

Introduction

167. At its meeting in May 1986, after several reminders and an urgent appeal had been addressed to the Government for its observations on the allegations of the International Transport Workers' Federation (ITF), the Committee, in accordance with its procedure, examined this case in substance in the absence of a reply from the Government. Its conclusions (see 244th Report, paras. 64 to 77) were approved by the Governing Body at its 233rd Session (May-June 1986).

168. Immediately after the Committee's consideration of the case the Government's reply contained in a communication dated 12 May 1986 was received. The Committee, accordingly, decided to examine the case again at its next meeting.

169. Pakistan has ratified both the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No.087) and the Right to Organise and Collective Bargaining Convention, 1949 (No.098); it has not ratified the Labour Relations (Public Service) Convention, 1978 (No. 151).

Background

A. Previous examination of the case

170. In its previous examination of this case, the Committee noted that the subject of the complaint - prohibition on the right to form unions and undertake trade union activities in the Pakistan International Airlines Corporation (PIAC) - had already been considered in an earlier case, where the prohibition had been imposed by Martial Law Regulation No. 52 of 1981. The Committee, in May 1986, observed that the Government had repealed the Regulation, but had replaced it by an amendment to the PIAC Act which, by declaring PIAC employees to be civil servants, has the same practical effect of denying them certain trade union rights.

171. A further allegation in the case related to a provision in the PIAC Amendment Ordinance which empowers the Corporation to dismiss employees without giving reasons and without appeal to the courts.

172. The Governing Body, on the Committee's recommendation, approved the following conclusions in May-June 1986:

- a) The Committee deplores the fact that the Government has not sent its observations on this case in spite of several requests to do so. The Committee has therefore been obliged to examine the case in the absence of these observations.
- b) The Committee considers that the amendment to the Pakistan International Airlines Corporation Act, which deems all PIAC employees to be civil servants and thus denies them the right to form unions or carry out union activities, violates Articles 2 and 3 of Convention No. 87.
- c) The Committee urges the Government to initiate appropriate action to amend the PIA Corporation Act so as to allow the workers concerned to establish and join organisations of their own choosing which can function freely to defend their members' occupational interests.
- d) The Committee considers that the amendment to the same Act which empowers the employer to dismiss or compulsorily retire PIAC workers without giving reasons and without any appeal is contrary to Articles 1 and 2 of Convention No. 98.
- e) The Committee urges the Government to take the necessary measures so as to ensure that the employer may not dismiss workers for trade union reasons and to provide for an appeal to the courts.
- f) The Committee draws this case to the attention of the Committee of Experts on the Application of Conventions and Recommendations.

B. The Government's reply

173. In its communication of 12 May 1986, the Government describes the background which had led to the introduction of Martial Law Regulation No. 52 in 1981 and its successive extensions until 30 June 1985. The Government points out that drastic measures had been necessary to counteract the fact that weak administration, financial irregularities and militant trade unionism had seriously affected the operational safety, efficiency and profitability of the airline. It states that, under Regulation No. 52, the PIAC management had been able to dismiss surplus employees with normal terminal benefits being paid and take other measures to restore discipline and efficiency which had so seriously deteriorated that, for example, there had been one case of hijacking and another of destruction of an aircraft with the connivance of PIAC employees.

174. According to the Government, the situation in PIAC was kept under constant review and, when it was decided to lift martial law in the country, it was considered that an alternative legal framework should be available as there was little prospect of healthy trade union activities in

PIAC. The PIAC Act was therefore suitably amended to grant reasonable powers to the management to terminate the employment of undisciplined and unproductive employees and to exempt the Corporation from the application of the Industrial Relations Ordinance. The Government states that, although the trade unions are banned under the amended law, the management of PIAC is keeping close contact with professional associations and welfare bodies of the employees. As regards the redress of grievances, the employees have been given the right to a personal hearing after a show-cause notice. The management is also required to serve three months' notice to an employee before terminating his services. The employees will be eligible to file an appeal before the Service Tribunal, and from there to the Supreme Court of Pakistan. They then have recourse to two high judicial bodies for redress of their grievances.

175. As regards the continuing ban on trade union activities on PIAC, even after more than five years the Government states that it firmly believes in the workers' right to freedom of association. It was this belief which prompted it to ratify Conventions Nos. 87 and 98. According to the Government, the law of the land - namely, the Industrial Relations Ordinance - gives full protection to this right, when it states that workers shall have the right to establish and join associations, of their own choosing, without previous authorisation. The extent to which this right is exercised by the workers of Pakistan is evidenced by the fact that, besides a number of unregistered unions, there are at present 6,170 trade unions in the country with a membership of 0.86 million. These workers are engaged in trade union activities and have other institutional arrangements such as shop stewards, works councils and collective bargaining agents (the latter numbering 1,400 in different establishments throughout the country). Out of the more than 6.5 million industrial workers in Pakistan, the present strength of PIAC employees is 18,678. According to the Government, of these, about 12,300 employees would be entitled to take part in trade union activities if the same were allowed to them. The Government stresses that it is due to the reasons stated above that the right of association has temporarily been withdrawn and restrictions placed on a tiny minority consisting of 12,261 PIAC employees. It concludes that since this is a forced measure taken in the supreme national interest, it may not be taken to constitute a gross violation of Convention No. 87.

176. In addition, the Government explains that in order to forestall terrorist action, it has undertaken a number of security measures to protect PIAC aircraft from hijacking, including the establishment of a security agency called the Airport Security Force (ASF). Trade union activities are not allowed in this agency. It states that, since the employees of both the ASF and the PIAC work on the same premises, the granting of freedom of association to one organisation (i.e. PIAC) and denial to the other (i.e. ASF) would greatly jeopardise the Government's efforts to protect the lives of the travelling public and to guarantee the safety of airports and aircrafts. Citing a recent bomb explosion at Peshawar airport, the Government maintains that it cannot forsake its supreme responsibility to protect the lives of its citizens for the sake of a few thousand employees who have been denied their right of association only temporarily.

177. Lastly, the Government also refers to the financial and political impact of more than 3 million refugees who have entered the country and the sabotage activities which are aimed at pressuring the Government to change its stance on certain political issues. It states that, in the circumstances, it would not be wise to leave loopholes in the Government's overall policy in

dealing with anti-State elements.

178. In conclusion the Government confirms that Martial Law has been lifted as of January 1986 and that the civilian government composed of elected representatives hopes that the easing of external tensions and the working of democratic institutions will help create the circumstances in which bans on trade union activities in certain organisations will serve no useful purpose. It reaffirms that the PIAC employees will have full trade union rights once conditions in the Corporation so permit.

Conclusions

C. The Committee's conclusions

179. The Committee has taken due note of the Government's detailed explanation and reasons put forward for the continuing ban on the creation of trade unions and trade union activities in the Pakistan International Airlines Corporation. In particular, the Committee takes note of the Government's affirmation that the prohibition, contained in the PIAC Act as amended, is only temporary and will be lifted once conditions in the Corporation so permit.

180. In the first place, the Committee considers that the Government has not substantiated the argument which it attempts to advance, that the serious problems which beset the airline (including weak management, inefficiency and sabotage) might have been due to the existence of a trade union or the exercise of trade union activity. The Committee can therefore only express its regret that for over five years the employees of the Corporation have been denied the possibility of exercising their trade union rights. In its previous examination of this case, the Committee recalled that in the earlier case on the same matter (Case No. 1075, in which definitive conclusions were reached in the 218th Report, paras. 273 to 285, November 1982) it had considered similar arguments put forward by the Government to justify this so-called temporary ban, but reached the conclusion that such restrictions, even if only of a temporary nature, constitute an infringement of freedom of association. It was also recalled that the Committee of Experts on the Application of Conventions and Recommendations had found this prohibition under martial law to be contrary to Convention No. 87.

181. At the present juncture, the Committee considers that no new facts have been presented to justify a change in its earlier conclusions on this case, namely that, given the terms of Articles 2 and 3 of Convention No. 87, which provides that workers and employers, without distinction whatsoever (including all public servants), shall have the right to join organisations of their own choosing and that these organisations shall be able to exercise their activities in full freedom. The Committee would, accordingly, urge the Government to initiate appropriate action to amend the Pakistan International Airlines Corporation Act so as to restore full trade union rights to the workers concerned and to permit any organisation which they may establish to freely exercise its activities in the defence and promotion of their occupational interests. In drawing this aspect of the case to the attention of the Committee of Experts on the Application of Conventions and Recommendations, the Committee would request the Government to keep it informed of the

steps taken to restore full trade union rights to PIAC workers.

182. As regards the provision in the amended Act empowering the Corporation to dismiss employees without giving reasons and without appeal to the courts, the Committee now has the benefit of the Government's description of the grievance procedure. According to the provision in new section 10(2) (which was reproduced in the previous examination of the case), it appears that aggrieved employees will be eligible, as civil servants, to appeal to one of the Service Tribunals which are established by the President and chaired by a person qualified to be a High Court Judge. Although the Service Tribunals Act, 1973, makes no reference to the possibility of appeal to the Supreme Court of Pakistan, the Committee observes that, according to the Government, an appeal to the Supreme Court is possible thereafter.

Recommendations

The Committee's recommendations

183. In these circumstances, the Committee recommends the Governing Body to approve this report, and in particular the following conclusions:

- a) The Committee considers that the amendment to the Pakistan International Airlines Corporation Act, which deems all PIAC employees to be State employees and, as a result they are denied the right to form unions or carry out union activities, violates Articles 2 and 3 of Convention No. 87.
- b) The Committee again urges the Government to initiate appropriate action to amend the PIAC Act so as to restore to the workers concerned the right to establish and join organisations of their own choosing which can function freely to defend and promote their members' occupational interests.
- c) The Committee requests the Government keep it informed of the steps taken to restore full trade union rights to PIAC workers.
- d) The Committee draws this aspect of the case to the attention of the Committee of Experts on the Application of Conventions and Recommendations.

Cross references

Case reference:0319862441332 Report=244 Case=1332 * PAKISTAN

Not in ILOLEX: Report No. 218 Case(s) No(s): 1075 Para 273 * PAKISTAN

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