

**INTERNATIONAL TRADE UNION CONFEDERATION/
ASIA PACIFIC LABOUR NETWORK (ITUC/APLN)**

**STATEMENT TO THE 32ND APEC HUMAN RESOURCES
DEVELOPMENT WORKING GROUP**

(Hiroshima, Japan, 24-28 February, 2010)

Introduction

On the occasion of the 32nd APEC Human Resources Development Working Group (HRDWG) and in anticipation of the Human Resources Development Ministerial Meeting (HRDMM) which is to take place in Beijing in September 2010, the International Trade Union Confederation / Asia Pacific Labour Network (ITUC/APLN) urges the 32nd HRDWG to facilitate APEC Economies' responses to the financial and jobs crises, promote labour participation in the APEC process and promote decent work. As immediate points for action – and as steps towards a stronger APEC community and a more sustainable future – the ITUC/APLN calls on the 32nd HRDWG to:

1. promote quality employment creation at the heart of the economic recovery
2. adopt comprehensive APEC Decent Work Guidelines
3. develop comprehensive APEC Social Safety Net Guidelines
4. support establishing an APEC Labour Forum
5. hold the 5th Human Resource Development Ministerial Meeting regularly and with the involvement of the social partners
6. adopt measures to enhance the participation of labour in the HRDWG
7. promote fundamental workers' rights in regional, bilateral and multilateral trade agreements and economic integration processes
8. prepare sustainable reforms for "green" capacity building
9. protect children from child labour, especially its worst forms, and
10. develop an APEC framework to encourage social dialogue in multinational enterprises

A. Promoting quality employment creation at the heart of the economic recovery

It is widely agreed that rising unemployment poses a significant risk to economic recovery which, if it takes place, may ultimately be a jobless one, carrying significant risk of social crisis as well. Many once fast-growing developing countries face difficulties such as increased marginalisation of vulnerable workers, such as migrants, coupled with wage stagnation. The latest projections by the International Labour Organization (ILO) and the Organisation for Economic Cooperation and Development (OECD) indicate that unemployment rates in the industrialised countries are still rising fast and will not reach their peak until well into 2011 at the earliest. Worldwide, the ILO estimates that over 200 million more workers will be pushed into extreme poverty, mostly in developing countries where there are few or no social safety nets.

The ITUC/APLN urges the 32nd HRDWG to prepare the upcoming Human Resources Development Ministerial Meeting to develop labour market policies in combination with the extension of fiscal stimulus until there is recovery in the quality and quantity of employment across the Asia Pacific region. It is imperative that the fiscal expansion needed for recovery is focused on quality employment creation and that recovery measures are targeted so as to have the strongest impact possible on employment. APEC Economies must invest in infrastructure and in provision of quality public services that can create jobs quickly while expanding the capacity of the Economies. At the same time the HRD Ministers should work with the social partners, including business and labour, in implementing the ILO Global Jobs Pact and ensuring that the Pact's principles are translated into concrete action to maintain and create decent work.

B. Adoption of comprehensive APEC Decent Work Guidelines

The global financial crisis and the consequent economic recession and jobs crisis necessitate urgent measures so that the world economy recovers and that a new development model emerges. The provision of decent work can help ensure that the benefits of globalisation are better distributed among economies and individuals and that development is equitable and sustainable.

The adoption of APEC Decent Work Guidelines is urgent in the APEC area, where some 52 million employees are working in Export Processing Zones (EPZs) in precarious conditions. There are significant and excessive efforts in many APEC economies to lower regulations, environmental protection and labour standards to attract investment and create employment of questionable quality. This tendency only aggravates the precariousness of jobs, especially in EPZs, and makes the preparation and adoption of APEC Decent Work Guidelines more important than ever before.

Important elements of achieving Decent Work, such as: effective labour market policies including measures for enhancing productivity, increased labour force participation, skills development, promotion of improved workplace conditions and practices, active labour market measures to assist workers affected adversely by globalisation and capacity building to

strengthen social protection in APEC member economies all lie within the mandate of the Labour and Social Protection Network (LSPN).

In this direction, the ITUC/APLN urges the 32nd HRDWG to develop comprehensive APEC Decent Work Guidelines comprising active measures to create quality and productive employment for all, encourage social dialogue, emphasise respect for fundamental workers' rights and strengthen safety nets and other social protection in labour and social policies.

C. Development of comprehensive APEC Social Safety Net Guidelines

Women, youth and migrants are among the workers hit hardest by the crisis. APEC countries must build up their social services to protect vulnerable groups such as women, youth, workers in informal economic activities and the unemployed, especially long-term unemployed, by providing for their basic standard of living.

The ITUC/APLN calls on the 32nd HRDWG to develop comprehensive APEC Social Safety Net Guidelines to assist APEC Economies in conceiving, initiating and delivering various forms of minimum social protection including food-based programmes, community support programmes for socially disadvantaged groups, and family and childcare benefits.

Taking into account of the problems faced by migrant workers, the 32nd HRDWG should prepare the Human Resources Development Ministerial Meeting to mandate the development of an APEC framework for a rights-based approach to labour migration which takes account of national labour market needs, with reference to the Conclusions on a Fair Deal for Migrant Workers that were adopted at the 92nd International Labour Conference in 2004 and the ILO Multilateral Framework on Labour Migration adopted in 2005, with full application of national labour laws and working conditions without discrimination.

Moreover, the HRDWG should work closely with the Gender Focal Point Network and conclude to labour market policies and other measures targeting the better and more equitable integration of women in the labour market.

Finally, in the context of its Career and Technical Education (CTE) activities, the Education Network (EDNET) should assist the APEC Economies to develop a framework for integrating the young unemployed into the labour market by providing guidance for achieving a fluent transit from the educational system to employment through vocational education and training programmes for young people.

D. Promotion of labour participation in APEC

Since its creation in 1995, the APLN has been striving to make workers' views heard by APEC, through representations to governments at the national level, by consultations with the hosts of APEC Summits and in contributions to the work of APEC on Human Resource Development.

The absence of a formal trade union advisory mechanism not only contrasts with the privileged access benefiting business via the APEC Business Advisory Council (ABAC), but also

with fora such as the Organisation for Economic Cooperation and Development (OECD) where unions have an official advisory status, and Mercosur as well as ASEM where unions participate in a number of working level activities. The 32nd HRDWG is encouraged to promote workers' participation throughout the APEC process, as detailed below.

I. Establishment of an APEC Labour Forum

The ITUC/APLN considers that creation of an APEC Labour Forum, as a counterpart to ABAC, will facilitate the attainment of APEC goals and the implementation of APEC initiatives in a new partnership; will improve the quality of APEC's activities by drawing on relevant insight and expertise; will enhance the understanding of and support for APEC's work through openness and transparency; and will amplify the perspectives of crucial APEC constituents on relevant issues in line with the 2009 Leaders' call for inclusive growth.

Therefore, the ITUC/APLN calls on the 32nd HRDWG to support the establishment of an APEC Labour Forum, in the form of an APEC formal consultative mechanism with trade unions comparable with the arrangements for access by ABAC, and including the involvement of representative trade union centres of APEC economies.

II. Holding the 5th Human Resource Development Ministerial Meeting with the involvement of social partners

The ITUC/APLN emphasises that APEC has recognised the importance of human resource development (HRD) since its creation and has worked on the development of HRD in the region through the activities of its HRD Working Group and the discussions of the APEC HRD Ministers' Meetings. The ITUC/APLN believes that the HRD policies must be central in public policies in order to ensure sustainable and equitable pro-poor growth and has welcomed the decision to hold the 5th APEC HRD Ministers' Meeting in China in September 2010.

The ITUC/APLN therefore calls on the 32nd HRDWG to recognise the importance of holding APEC HRD Ministerial Meetings on an annual basis and to organise the 5th HRD Ministerial in full, significant consultation with social partners, including trade unions. Informal consultation meetings took place at the last HRD Ministerials in Washington D.C. (1999) and Kumamoto (2001) and the 5th Ministerial should build on those precedents and go one step further.

III. Labour participation in the APEC HRD Working Group

The ITUC/APLN notices that the Human Resource Development (HRD) Ministers recognised at their meetings in Manila (1996), Seoul (1997), Washington DC (1999) and Kumamoto (2001) that social and labour policies would be achieved most effectively through the partnership of governments, labour and management, and repeatedly instructed the APEC HRD Working Group to develop concrete measures to promote such partnership.

Therefore, the 32nd HRDWG should adopt measures to achieve the permanent involvement of trade union representatives in the Group's meetings with a view to enhancing the quality of HRD strategies and activities.

E. Promotion of fundamental workers' rights in regional, bilateral and multilateral trade agreements and economic integration processes

APEC is more than halfway through the process designed to lead towards the Bogor goals of free and open trade and investment. With the continuing standstill in WTO negotiations the APEC Leaders have repeatedly encouraged Senior Officials to seek complementary alternatives to multilateral trade liberalisation, including regional and bilateral trade agreements. Making use of this mandate, the Senior Officials have initiated an ongoing process of developing model measures for Regional Trade Arrangements and Free Trade Agreements (RTAs/FTAs) with a view to promoting high-quality and comprehensive trade agreements in the Asia-Pacific region and to attaining the Bogor goals.

The ITUC/APLN calls on the 32nd HRDWG to submit proposals to the Senior Officials on a model measure for labour consistent with internationally recognised labour principles and rights and in line with the relevant ILO Conventions and proposes that the issue of a labour model measure be further developed in the upcoming HRDMM. A social dimension embracing the issue of decent work and respect of fundamental workers' rights needs to be an essential element of such a labour model.

F. Preparing sustainably for "green" capacity building

The financial and environmental crises pose new questions for the evolution of the labour force and its adjustment to the challenges of our times. The maintenance and expansion of decent and quality employment necessitates qualified workers. Equally, the transition to a low carbon economy and the development of respective technologies risks creating a labour market of two gears. Soon, if not already, the skills and qualifications of employees of the older generation will become obsolete and these employees will face increasingly great difficulties to remain employed. In order to ensure that there will be a just transition to a low carbon economy, and with a view to facilitating the adaptation of the labour force to the changing post-crisis labour market, the 32nd HRDWG should therefore propose to the HRD Ministerial Meeting reforms to expand quality education and training programmes to enhance the human capital of workers and unemployed persons and strengthen the recycling-based economy (RBE) workshops of the Capacity Building Network (CBN) with a view to multiplying the dissemination of best recycling and re-use practices at the workplace. In a time when job creation should be positioned at the heart of the economic recovery it is important that the capacity building programmes put a special focus on inclusive labour market policies and measures. Finally, consulting with business and labour partners can help ensure that such measures and policies are applied effectively and will bear fruit.

G. Protection of children from child labour, especially its worst forms

The economic crisis have worsened poverty and added even more children to the millions who are already at work instead of getting a proper education. Families that saw their income decreasing as an effect of the crisis were more likely to withdraw their children from school in search for additional income. Developing economies increasingly face problems to

properly fund their education systems and, in the APEC Economies where education is not free, poor families find it more and more difficult to pay the educational fees of their children.

The 32nd HRDWG should assist in recognising and in measuring child labour, its worst forms and its causes in the APEC area and consequently in enhancing the capacity of the APEC Economies to address the phenomenon.

H. Developing an APEC framework to encourage social dialogue in multinational enterprises

Multinational enterprises (MNEs) are key actors of the global economy that can potentially bring about more and better jobs in host countries. However some MNE activities can also lead to increased exploitation and worse social conditions, a 'race to the bottom' in search of short-term profits rather than respect for labour standards and good working conditions.

The 32nd HRDWG should therefore support the development of an APEC framework to promote sound industrial relations and collective bargaining. This would complement and reinforce the increasingly common practice of negotiating International Framework Agreements (IFAs) between Global Union Federations and multinational enterprises, including a growing number from APEC economies.

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