

A large crowd of people in a city street, forming a human figure. The figure is composed of many small people, and the crowd is dense. The background shows tall buildings and a cloudy sky. The image is framed by red diagonal stripes at the top.

# DRAFT RESOLUTIONS

**2<sup>ND</sup> ITUC WORLD CONGRESS**

**VANCOUVER, 21-25 JUNE 2010**

**NOW THE PEOPLE – FROM THE CRISIS TO GLOBAL JUSTICE**



**ITUC CSI IGB**

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*These draft resolutions have been approved by the ITUC General Council for submission to the Congress Resolutions Committee, which will debate possible amendments. The draft amendments submitted by affiliates will be published separately.*





INTERNATIONAL TRADE UNION CONFEDERATION

## 2<sup>nd</sup> WORLD CONGRESS

Vancouver, 21 - 25 June 2010

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### DRAFT RESOLUTION ON CHANGING GLOBALISATION

1. Congress expresses the gravest concern at the unprecedented depth and persistence of the global economic crisis. Tens of millions of workers around the world, the innocent victims of this crisis, have lost their jobs and incomes. Working people are angered by the causes of the crisis and feel a deep sense of injustice at the massive suffering it has brought. It is a crisis precipitated by the greed and incompetence of speculative financial interests to the detriment of the productive economy, underpinned by the fundamentalist free market dogmas of the preceding decades. It is a crisis precipitated by growing inequality in income distribution and a substantial erosion of the wage share in national income, accompanied by relative wage reductions, increased labour flexibility and insecurity, reduced social protection and weakened public services provision. It is a crisis precipitated by a growth model that has provoked environmental degradation and made the planet itself less habitable. Congress rejects the neo-liberal model as discredited, anti-worker and anti-poor and demands action to prevent a repetition and to make fundamental changes to globalisation.

2. The immediate priority is for greatly increased, internationally coordinated action to create decent sustainable jobs and safeguard existing ones, ensure adequate social protection, raise wages and purchasing power, eradicate poverty and insecurity,

build and strengthen public services, promote education for all, vocational training and lifelong learning, close the gender wage gap and reverse the growth of income inequality. Governments must make every effort to ensure the ILO Global Jobs Pact is implemented. They must invest in Green Jobs, based on 'just transition' strategies that are a crucial element in achieving binding commitments to stop climate change. They must provide adequate unemployment benefits and reject any "exit strategies" achieved through large-scale budget cuts based on lower public services and reduced social security. They must re-regulate the financial system as a matter of urgency and broaden the fiscal base through progressive tax reform so that all incomes are taxed fairly. Congress calls for the introduction of a global tax on financial transactions as well as foreign exchange transactions as a means to discourage large-scale speculative capital movements and to raise revenue for urgently needed global social, environmental and development policy priorities.

3. Beyond the crisis, Congress pledges the ITUC to ensure that there is no return to 'business as usual'. It supports a new path to economic development that is economically efficient, socially just and environmentally sustainable and calls on the ITUC and its affiliates, working closely with TUAC and other Global Unions partners, to mobilise to fundamentally change the global economy so that it ensures universal respect of human rights including workers' rights, gender equality, sustainable development that generates decent work for all and ends poverty, and cancellation of the debt of least developed countries without economic policy conditionality. This new path must rebalance the economy: the rights of labour and capital; women and men; the real economy and the financial economy; and industrialised and developing countries, through a global co-development pact. It must stop corporate abuses and greed including excessive remuneration of executives and financial traders, recourse to tax havens, downward pressure on working conditions, precarisation of jobs, and the transfer of operations to avoid regulation and to undermine organised labour. Above

all, it must bring to an end the policies that have generated massive inequality between and within nations over the past two decades. This requires a paradigm shift in policy-making that "puts people first".

4. The economic crisis has clearly highlighted the increasing mutual dependence of countries and people as a result of globalisation. It has also demonstrated the limitations and weaknesses of the current system of global governance. Congress demands fundamental reform in the internal governance of intergovernmental organisations, especially the International Monetary Fund (IMF), the World Bank and the World Trade Organisation (WTO), to improve the representation of developing countries and guarantee full democracy, transparency and consultation in their decision-making processes. Working people must have a seat at the table through the establishment of formal trade union advisory structures. A review of the mandate and objectives of the IMF and World Bank is required. The neoliberal ideology of those organisations was in large part responsible for the worsening unemployment and poverty, declining public services and worsening income inequality that led to the crisis and such policies must be definitively abandoned. In place of purely rhetorical changes, these institutions must adopt an entirely new approach based on genuine commitment to social justice and increased international cooperation, integrating a leading role for the ILO and the social values it was established to defend in place of economic policy conditionality. They must monitor and prevent financial speculation and stop capital flight, particularly from the poorest countries.

5. International policy coherence must be built on the 2008 Social Justice Declaration of the ILO and be put at the service of socially balanced and sustainable development of the global economy. A global charter for sustainable economic activity that incorporates a substantive chapter on ILO standards and the full Decent Work agenda of the ILO, with an effective implementation mechanism, should be finalised.

The G20 countries must develop genuine linkages with the representative processes of the United Nations such that the interests of the peoples of all countries worldwide are taken into account in a new and inclusive global economic architecture, accompanied by the creation of a UN Economic and Social Security Council with a mandate to monitor the social and environmental quality of development. In light of the serious imbalances and extreme poverty in the world today Congress expresses its firm commitment to ending poverty and inequality and to the attainment of the Millennium Development Goals.

6. The economic crisis has exacerbated trends towards restructuring of production on a global basis and is undermining hard-won workers' rights. Congress expresses deep concern at the increased trend towards precarious, atypical and unprotected forms of employment which deprive millions of workers of the coverage of labour legislation and social security and undermine the union capacity to organise and bargain collectively. Congress condemns attempts of employers to avoid obligations to workers by disguising the employment relationship, and subcontracting or promoting individual contracts of employment. It is essential to obtain full rights for temporary and other atypical workers, with respect for the provisions of ILO Convention No. 181 on Private Employment Agencies and ILO Recommendation No. 198 on the Employment Relationship. Congress further emphasises the importance of minimum wages in resisting downward pressure on wages and calls for the ratification and implementation of ILO Convention No. 131 concerning Minimum Wage Fixing and its accompanying Recommendation No. 135 as part of campaigning efforts by affiliates worldwide to achieve a good level of minimum wages that will meet the needs of workers and their families.

7. Congress calls on the ITUC to continue its work to transform the world trading system in line with the priorities of working people, both through action at the WTO

and in the increasing number of bilateral and regional trade and investment agreements under negotiation around the world. Trade agreements must provide fair treatment and eliminate unjustified trade barriers against developing countries as part of an integrated effort by every part of the multilateral system to bring about sustainable development and the creation of decent work. Vital public services – notably education, health, water, social services, public transport, postal services and telecommunications, and other essential public utilities – should be excluded from negotiations on trade or investment liberalisation, with governments retaining the right to regulate and protect in the public interest. Governments should have the right to withdraw such services from offers under the General Agreement on Trade in Services (GATS) without being forced to compensate other WTO members for such action.

8. Congress underscores that full respect for core labour standards must be a fundamental pillar of the global trade regime and reaffirms its support for the incorporation of a workers' rights clause into WTO statutes that would require all products traded between countries to be produced and distributed in compliance with core labour standards as a crucial instrument for social justice in an open world trading system. To this end the development and application of systems increasing the traceability of goods as well of systems for assessing the respect of workers' rights in production and supply chains should be encouraged. The WTO should establish a working party on trade, globalisation, development and decent work, with full participation of the ILO and its constituents, with a view to ensuring universal and enforceable respect for core labour standards. Congress further supports the inclusion of effective labour clauses in bilateral and regional free trade or investment agreements and in trade preference programmes.



9. Congress notes the dangers that free trade and investment agreements negotiated between industrialised and developing countries, including those of the US and EU with Latin American countries and sub-regions such as Peru, Colombia and Central America, may compromise development potential, compromise alternative regional arrangements and strengthen anti-social intellectual property obligations. Free trade and investment agreements between developing countries, such as those between ASEAN and partners such as China, may also result in significant risks of social dumping and effective safeguard clauses need to be incorporated to protect working people in the event of negative social impacts from implementation of the agreements. Congress expresses further concern that Economic Partnership Agreements (EPAs) between countries of Africa, the Caribbean and the Pacific (ACP) and the European Union (EU) under the Cotonou Convention may undermine existing regional economic integration and could be detrimental to long-term industrial development, cause serious employment losses, endanger food security and deprive ACP countries of tariff revenues vitally needed for public services and investment. Congress calls for EPAs to be renegotiated in order to meet their stated objectives of attaining sustainable social and economic development and supporting integration processes in ACP regions, which must include respect for core labour standards with a role for the ILO in case of any dispute.

**ITUC Action Programme**

10. Congress instructs the ITUC and regional organisations, working together with Global Unions partners and affiliates, to:

- (a) Campaign and mobilise social and political support for a different globalisation model that can achieve decent work, gender equality, strong public services, universal social protection, respect of human rights including fundamental workers' rights, fair income distribution and progressive taxation, accelerated

sustainable development, greater equality between industrialised and developing countries and the elimination of world poverty;

- (b) Demand international policy coherence, regulation and governance of the global economy through an enhanced role for the ILO and the UN, the creation of a UN Economic and Social Security Council, deep reforms of the IMF, World Bank and WTO so that they respect social and environmental principles including a workers' rights clause based upon ILO core labour standards, and renegotiation of EPAs so as to promote balanced social, environmental and economic development;
- (c) Insist that the institutions and bodies of the WTO, and the respective governments that are represented in them, implement adequate measures for ensuring the respect of core labour standards in the production and distribution of all internationally traded products;
- (d) Coordinate trade union actions around the world to achieve this new international economic order, with enhanced participation of men and women from developing country trade unions in all activities;
- (e) Provide regular information, undertake analytical and research work, support the capacity of unions to address globalisation by direct assistance to elaborate training programmes tailored to specific local or national situations, undertake research studies and prepare appropriate educational materials on the issues addressed in this resolution;
- (f) Support unions in drawing up proposals and participating in economic and political negotiations with a view to achieving greater economic integration between developing countries on the basis of respect of human rights, good social and working conditions and participation of the social partners, in order to

achieve more balanced trading relationships and facilitate growth and development;

- (g) Ensure that ITUC policies and actions address the protection of the rights and interests of all workers, including those in precarious, atypical and unprotected forms of employment whether in formal or informal economic activities;
- (h) Where appropriate as a means towards attaining trade union objectives, work to strengthen relations with political allies and civil society organisations and movements that share the concerns, values, and objectives of the ITUC, based upon mutual respect for the specific role and independence of each.

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March 2010



**DRAFT RESOLUTION**

**ON**

**PROMOTING AND DEFENDING FUNDAMENTAL WORKERS' RIGHTS**

1. Congress affirms that workers' rights are human rights and that promoting and defending fundamental workers' rights is and must remain a priority for the ITUC. Ensuring their full, universal respect and their enforceability is the necessary guarantee of the human rights of all workers and a precondition of any fair model of globalisation. Just as poverty anywhere is a threat to prosperity everywhere, so does the violation of fundamental workers' rights in any country undermine those rights even in countries where they are currently respected.

2. Workers' fundamental rights are defined by ILO Conventions 87 and 98 on freedom of association and collective bargaining, 29 and 105 on forced labour, 100 and 111 on discrimination and 138 and 182 on child labour, and the 1998 ILO Declaration of Fundamental Principles and Rights at Work makes explicit the obligation of all governments to respect the principles they embody and also to defend them within the multilateral organisations. The decent work agenda codified through the ILO's 2008 Social Justice Declaration and the 2009 Global Jobs Pact furthermore recognises standards as an essential pillar of a concerted strategy to overcome crisis and achieve sustainable economic development. Congress calls on governments to meet that obligation and on those which have not already done so to ratify these conventions. It deplores and condemns the persisting and widespread violation of fundamental

workers' rights wherever they occur and commits the ITUC to work to bring them to an end.

3. Congress recognises that it is the responsibility of each state to protect the rights of its citizens and its workers at national and regional levels and within international institutions. It asserts that the organisations of the multilateral system have a complementary responsibility to provide an international policy environment which promotes respect of workers' fundamental rights and assists governments in meeting their responsibilities. It therefore calls on the International Financial Institutions and the WTO in particular to make the promotion of fundamental workers' rights and of the right to decent jobs an explicit objective of their work and to cooperate closely with the ILO to this end. There is urgent need for the ILO and WTO to deepen their cooperation to have the international trading system work effectively for the enforcement of these rights.

4. Congress underlines the crucial role of the ILO's supervisory system in holding governments accountable for their performance in the application of fundamental rights Conventions. It calls on the ITUC and its affiliates, in close cooperation with the ILO Workers' Group to defend the integrity of that system and its jurisprudence, and to take all opportunities to strengthen it. In conditions of accelerating globalisation there is special need to ensure that the universality of ILO standards is not undermined by trade and investment agreements, or policies or legal decisions made at national or regional level. Cross-border solidarity actions should correspondingly be universally recognised as legitimate tools of international trade union action. In that regard it is necessary to establish a full, legal recognition at national, regional and global levels of the right of trade unions to take cross-border sympathy action including industrial action.

5. Congress stresses the important role to be played by international, regional and national trade union organisations, in cooperation with other civil society organisations, in promoting citizens' awareness and education in order to enable them to protect their fundamental rights more effectively. Such awareness amongst citizens is a precondition for the emancipation of people generally, and workers more particularly.

6. The rights to form and join a trade union, to bargain, and to free and independent trade union action, are essential for all working people to defend and promote their interests. Congress asserts that the level of violation of these rights, documented in the ITUC's Annual Survey constitutes a concerted attack on working people everywhere and a dramatic and unacceptable failure in governance of the global economy which must be corrected. It salutes the courage and commitment of the many victims of these violations and rededicates the ITUC to ensure that their sacrifice is not in vain. Congress denounces external interference in trade union activities, including in countries where this has encouraged a proliferation and weakening of trade unions or where a single union structure has been enforced.

7. Congress deplores also that today at least 12.3 million people are subjected still to modern forms of slavery and other forms of forced labour. Urgent efforts are needed to eradicate the growth of trafficking and other abuses linked to globalisation which subject the most vulnerable of the world's workers to the cruellest and most extreme forms of abuse.

8. Congress welcomes the campaign work undertaken by the ITUC since its foundation in respect of forced labour and trafficking. It calls the ITUC to continue that work and on affiliates to engage in it and in other initiatives in this field, with a view to attaining the ILO target of eradicating forced labour by 2015.

9. Congress condemns as intolerable the fact that over 200 million children are at work instead of at school and reaffirms the ITUC's commitment to the historic mission of the trade union movement to eliminate exploitation of children and to achieve universally accessible, free quality education. It underlines that child labour is acutely harmful to the physical and mental well-being of children and perpetuates the cycles of poverty, deprivation and underdevelopment of the societies in which it occurs.

10. Congress recognises that the fight to end all child labour, as defined in ILO Convention 138, is crucial for the achievement of decent work and decent life for all and must be multi-faceted. It should encompass a sectoral dimension and a specific strategy for the informal economy as well as a gender dimension needed to address the disadvantaged situation of girls, and include the worst forms as defined in ILO Convention 182, which should be strictly connected to respect of the minimum age for employment as defined in ILO Convention 138. Congress acknowledges the strong relation between the occurrence of child labour and the absence of decent work for adults, and supports programmes to establish child labour free sectors or zones as part of a strategy to attain the full elimination of child labour. Governments which demonstrate clear commitment to the elimination of child labour should benefit from the fullest possible international support, particularly through the ILO International Programme for the Elimination of Child Labour (IPEC) and its action plan for the elimination of all worst forms of child labour by 2016. Such a plan should incorporate full partnerships with trade unions in the fight against child labour. Governments and employers which condone or benefit from the exploitation of child labour should be subject to stringent sanctions, including commercial measures.

11. Congress affirms that discrimination in all its forms is an offence against the equality of rights of all human beings. It recommitts the ITUC to oppose resolutely all discrimination, be it based on gender, race, nationality, ethnicity, religion, political

opinion, age, disability, health status, sexual orientation or gender identity. It expresses deep concern at the growth of tension and conflict in many parts of the world which can be both cause and consequence of discrimination and calls on the ITUC to take all opportunities to fight for their elimination.

12. In this regard, it is a particular responsibility of trade unions to be active in combating racism and xenophobia at the workplace and in the community, and to promote in companies the notions of workplace diversity and the integration of all workers in the world of work and society. Congress rejects unequivocally notions of the incompatibility of cultures or the superiority of any, and calls on the ITUC and its affiliates to oppose them with solidarity between all workers and commitment to coexistence, tolerance and understanding on the basis of strict equality.

13. Similarly, trade unions have a responsibility to actively oppose homophobia at work and in society. Congress unequivocally condemns any form of discrimination or violence against or denial of the rights of lesbian, gay, bisexual and transgender (LGBT) persons, and supports action to end the criminalisation of homosexuality in any country. It calls on the ITUC and its affiliates to combat such attitudes with solidarity between all working men and women and a commitment to coexistence, tolerance and understanding based on absolute equality and to take measures to defend the social protection and workers' rights of LGBT persons, and to organise them.

### **ITUC Action Programme**

14. Congress commits the ITUC and regional organisations, working together with Global Union partners and affiliates to:



- (a) Make the universal and full respect of workers' fundamental rights a key goal of its activities for a new model of globalisation, including in its work with the IFI's and the WTO;
- (b) Intervene in all appropriate ways to oppose violations of workers' fundamental rights, wherever they occur, and to call on the solidarity of all affiliates in those efforts;
- (c) Denounce and publicise all violations of fundamental workers' rights, raise awareness of them through education and communications activities, support defenders of trade union rights, and in particular continue publication of the Annual Survey of Violations of Trade Union Rights;
- (d) Build the capacity of affiliates to combat fundamental workers' rights violations, including through education programmes, the building of regional and global networks and publication of annual national reports on trade union rights;
- (e) Campaign for the release of imprisoned trade union activists and protect the safety of defenders of trade union rights;
- (f) Campaign vigorously to put an end to the most egregious instances of violation and support its victims, and to combat impunity for violators of workers' rights;
- (g) Work to end abuses of trade union and other human rights in export processing zones worldwide, and for the incorporation of fundamental workers' rights into the national laws or guidelines establishing such zones;
- (h) Contribute actively to achieving the right for workers to take cross-border industrial action to promote worldwide respect for fundamental human rights at work when necessary;

- (i) Work together with the Global Union Federations in order to achieve more effective international coordination and a common strategy for the promotion and observance of fundamental workers' rights;
- (j) Work to obtain full respect for fundamental workers' rights for workers in the informal economy, irrespective of their employment status, in particular for their right to organise and bargain collectively;
- (k) Make full use of the ILO's supervisory system and follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, protect the integrity of their working methods and jurisprudence and take all opportunities to strengthen their effectiveness, including through specific attention to publicising the actions of the governments identified as the worst violators at the International Labour Conference;
- (l) Campaign for universal ratification of the fundamental rights conventions of the ILO;
- (m) Ensure that the universality of ILO standards is not undermined by policies or legal decisions made at national or regional level;
- (n) Work closely with the ILO, including through IPEC and the Global Trade Union Alliance against Forced Labour and Trafficking to promote respect for fundamental workers' rights;
- (o) define a specific ITUC action plan for the eradication of child labour and the ratification and implementation of ILO Conventions 138 and 182, in full cooperation with IPEC and with other committed organizations, with specific strategies for the informal economy and domestic work;

- (p) Disseminate examples of good practice in the elimination of child labour, including the establishment of child labour free zones as part of a strategy to attain the full elimination of child labour;
  - (q) Work closely with appropriate human rights organisations including through alliances to coordinate events, meetings, forums and other initiatives in support of fundamental workers' rights, and promote such cooperation by affiliates as appropriate.
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March 2010



**DRAFT RESOLUTION**

**ON**

**GENDER EQUALITY**

1. Congress reiterates that gender equality is a key human rights goal and component of social justice. It commits the ITUC to the achievement of gender equality in all its endeavours, deplores the continuing reality of deep and pervasive discrimination against women in all areas of economic and social activity and recognises the equal contribution of women and men to society, to economic life and to the trade union movement.

2. Congress notes with concern that gender differences in participation and unemployment rates are a persistent feature of global labour markets in spite of advances in educational levels of women. Women suffer multiple disadvantages in access to labour markets, and in most cases do not have the same opportunities as men in the choice of work and in having access to the working conditions to which they aspire. Such exclusion is particularly serious as regards young women migrants. In addition, traditional social roles burden women with an undue share of caring responsibilities and domestic or family work.

3. Gender discrimination is evident throughout the world in access to resources, educational and economic opportunities, political power and leadership positions. Only 40% of those employed in the world are women, with the majority being in the agricultural sector and in informal economic activities where incomes and working

conditions are generally lower. Women are over-represented in low-paying jobs, under-represented in executive, management and technical positions and often suffer poor working conditions. Women's skills and jobs have been historically undervalued with the global gender pay gap at around 22%. Policies and programmes to achieve gender equality are essential, but have not proven adequate to dismantle stereotypes and overcome injustice.

4. Cultural, economic, social and religious barriers must be identified, condemned and overcome in order for women's human rights to be respected and fully implemented everywhere. As gender discrimination frequently interacts with other forms of discrimination, policies and programmes should be put in place to address the multiple forms of discrimination against women and a cross-cutting approach on gender should be adopted.

5. Sexual harassment and other forms of abuse are serious forms of discrimination that undermine the dignity of women and men and negate gender equality. Congress deplores the reality that one third of women suffer from violence at some stage in their lives.

6. Because traditional occupational segregation has forced women into economic activities often characterised by low pay, whether low-skilled or skilled, it is critical to recognise appropriately the importance and value of the jobs, sectors and activities where women are overrepresented. Provision should be made for women to acquire the skills that are related to jobs, activities and sectors that are growing and offering decent work opportunities, and women's skills must be valued equally with those of men. Women should also be encouraged to join non-traditional sectors such as those linked to green jobs. Vocational training, education and skills development policies should promote equality of opportunity for girls and women, and initiatives should be

taken for the sharing of family responsibilities between men and women to reconcile equitably work and personal life especially in relation to child and dependent care.

7. Discrimination and disadvantage in the world of work is often related to, or exacerbated by women's reproductive role and their lack of access to affordable related services and support and the inadequacies of maternity protection. Donor governments must provide developing country governments with the resources to provide satisfactory and universally accessible reproductive health and medical care and access to sufficient professional staff for all, to reduce maternal and new-born mortality around the world in line with the fifth Millennium Development Goal.

8. Congress recognises that globalisation affects women and men differently and that its differential impact and resultant needs should be subject to gender analysis in both policy development and impact assessment. The withdrawal of the state from regulatory and economic activity, and the reduction of public spending adversely affect employment in sectors in which women are highly represented and reduce those services on which women are disproportionately dependent because of the unequal division of family responsibilities.

9. Congress underlines that the global crisis has deepened inequality and undermined women's rights and that as a result an impoverishment of women, especially elderly women, is taking place. The crisis should be seized as a critical opportunity to adopt a new policy paradigm that reflects a rights-based approach and promotes equity and gender equality. National economic recovery strategies must therefore incorporate a comprehensive gender analysis from the outset.

10. Congress declares that gender equality should be addressed as a central element of all aspects of employment policy, including macroeconomic frameworks, active labour market policies, skills development, enterprise promotion and employment-

intensive infrastructure programmes. Gender issues must be central to the process of designing and assessing the impact of recovery packages.

11. Congress demands the full respect of core labour rights in all export processing zones (EPZs) where women make up nearly 80% of the workforce, in order to eliminate exploitative, dangerous and sometimes brutal practices of which women are the most frequent victims.

12. Congress notes that women constitute nearly half the world's migrants and that many work in the least protected and most exploited sectors and are increasingly trafficked into illegal employment and prostitution. It condemns the growth of such slavery-like practices and commits the ITUC to fight against them and to achieve more effective national and international enforcement of measures to eliminate them.

13. Women also make up the majority of workers with precarious jobs and of workers in the informal economy who are not protected by legislation, are denied fundamental rights and are subject to sub-standard conditions of work. Congress calls on affiliates to intensify the organisation of all women and men workers, both in the formal and informal economy while making all efforts to bring those workers who are currently denied their fundamental rights at work within the scope of legislative protection.

14. Congress encourages and supports the actions of unions working to lend moral and material assistance to women and children who have refugee status owing to conflicts or violent situations.

15. Congress is concerned that in spite of the growth in women's membership of affiliates of the ITUC to 40% and the efforts made to better represent women in their structures and policies, the full integration of gender perspectives in trade union decision-making, policies and activities remain inadequate. Trade unions have the

basic responsibility, and must be at the forefront of the struggle, to achieve gender equality in the workplace, in their policies, in their own structures and in society.

### **ITUC Action Programme**

16. Congress instructs the ITUC and regional organisations and structure, working together with Global Unions partners and affiliates to:

- (a) intensify the Decent Work for Decent Life for Women Campaign aimed at achieving social justice and gender equality at the workplace and in trade unions and to continue the drive to organise women workers, particularly in EPZs and the informal economy, as well as domestic, migrant, rural, young, and other vulnerable workers;
- (b) assist in the extension of gender awareness training programmes to both men and women trade union leaders and activists with a view to the systematic incorporation of gender perspectives in policies, programmes, publications and negotiations;
- (c) promote the appropriate participation of women as trade union negotiators and implement a Plan of Action for collective negotiation, social dialogue and gender equality, including: health and safety of women in the workplace and health policy, including HIV/AIDS; policies and procedures to eliminate sexual harassment, discrimination and violence in the workplace and in the community in general; and training for all negotiators and union representatives regarding the incorporation of gender policies in all trade union activities;
- (d) increase union activity for pay equity at national, regional and international level, including collective bargaining, research and information dissemination on the gender pay gap, support for equal pay for work of equal value, revision of the widely-held notion of certain jobs or professions being the preserve of a single gender, capacity building, and campaigning on the work-life balance and for the



- right to a living wage sufficient to cover basic needs, and for women working involuntarily on part-time contracts to have the possibility of moving to full-time contracts or at least to increased hours;
- (e) promote access of women trade unionists to education on all areas of trade union work at the national and international levels, including the global economic crisis, trade and labour standards, climate change and international institutions;
  - (f) monitor and assist unions to bring about coherence in trade union gender policies at the international, regional and national levels and encourage unions to carry out gender audits to strengthen their policies and structures on gender equality including through use of the ILO Gender Audit tool;
  - (g) take affirmative action and other corrective measures as necessary to further strengthen women's involvement in trade union decision-making, policies and activities and promote actively the ITUC's commitment to achieve gender parity in its programmes and in access to positions of responsibility in the structures of the ITUC, its affiliates and trade unions generally, with particular attention to the active participation of young women in decision-making bodies, including by collecting disaggregated data on gender parity in affiliates and taking measures in the case of non-compliance;
  - (h) promote gender parity within the ILO and a higher representation of women at the International Labour Conference, and the involvement of trade union women at the UN Commission on the Status of Women (CSW);
  - (i) fully engage in efforts to enable the adoption of an ILO Convention supplemented by a Recommendation for domestic workers;
  - (j) intensify campaigning at national, regional and international levels for the ratification and implementation of ILO Conventions 100 (Equal Remuneration), 111 (Discrimination), 156 (Workers with Family Responsibilities), 175 (Part-Time

Work), 177 (Home Work) and 183 (Maternity Protection), and implementation of the recommendations of the 2009 ILO Conference on “Gender Equality at the Heart of Decent Work”;

- (k) carry out gender analysis of the policies and actions of the IFIs, WTO and other institutions dealing with the global economy and development, and address these issues in the framework of achieving the UN’s third Millennium Development Goal (MDG3) on gender equality;
- (l) ensure gender equality is mainstreamed in all decision making, including measures to deal with the global crisis as endorsed in the ILO Global Jobs Pact and investment in green jobs for women and for men;
- (m) Identify and condemn cultural, economic, and social barriers to the respect of women’s rights;
- (n) Strengthen the commitment of companies to positive actions and programmes that seek to achieve gender equality;
- (o) actively promote the access of women to quality public services including health, education, transport and water, and public services such as day care centres and preschools that enable women to have access to the labour market and to remain in it, as part of the struggle for achieving gender equality;
- (p) undertake specific actions for girls’ education and the elimination of child labour and the elimination of human trafficking, particularly in the sex trade;
- (q) undertake specific actions to protect women’s health and safety at work, with particular regard to their reproductive health and maternity rights;
- (r) defend women’s right to free decisions on their bodies and their sexuality;
- (s) condemn violations of women’s trade union rights and violence against women trade unionists, participate actively in the International Day for Elimination of

Violence against Women, 25 November and strive for the elimination of all the various forms of violence against women;

- (t) make every possible effort to secure the application of the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW);
- (u) promote the implementation of the Beijing Declaration and Platform of Action adopted by the Fourth World Conference on Women in 1995, in particular Section F on women and the economy, at national, regional and international levels and ensure effective trade union input and participation at follow up meetings, as well as support the organising of a Fifth World Conference on Women;
- (v) support the building of solidarity between trade union women at all levels, including international solidarity actions with the Global Union Federations;
- (w) actively take part in 8 March, International Women's Day, making it a day of global action, and build alliances with civil society on behalf of women trade unionists and with women's organisations in order to achieve common goals, including the World March of Women.

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March 2010



**DRAFT RESOLUTION**

**ON**

**A SUSTAINABLE AND JUST DEVELOPMENT MODEL  
FOR THE 21ST CENTURY**

1. Congress affirms that the global crisis constitutes the definitive failure of the unjust neo-liberal orthodoxies which have guided development policies in recent decades.
2. Congress notes that the current model of development based on market fundamentalism with its emphasis on export-led growth has failed to deliver sustainable growth and social progress in either the developing world, emerging countries or the industrialised world. Modest gains in poverty reduction - where they have occurred - cannot be accepted as a serious international response to the shared challenge of, and responsibility for, world development. Nor do they weigh heavily against the growth of inequality, the acceleration of environmental degradation or the brutal impact of the crisis on the lives of millions of working families.
3. Congress deplores the fact that the current development paradigm has caused inequalities and poverty and contributed to an erosion of workers' rights and a weakening of workers' organisations in many developing countries through its advocacy of labour market flexibility, privatisation, deregulation and market liberalisation. This has created a downward trend in wages through increased competition between developing countries, increased informalisation or casualisation of

work, and fiscal austerity and negative corporate tax competition between states with damaging consequences for access to, and the quality of, social protection.

4. Congress condemns the global trend toward the privatisation of public services due to which millions of people have been deprived of their fundamental human rights and reaffirms that the provision of universally accessible quality public services contributes to the reduction of poverty and inequality and the expansion of decent work and enhances social integration and cohesion.

5. Congress reiterates that trade unions play a key role in the development process. Their democratic representation confers unique legitimacy to interact with governments and employers' organisations and to hold them accountable. By their involvement in social dialogue, trade unions can change unfair government policies and contribute to social progress. By promoting and undertaking collective bargaining they ensure that wealth is more fairly distributed within society, hence contributing to the reduction of poverty and inequalities. By organising workers, including the poorest and the most vulnerable such as those working in informal employment relationships, trade unions can play a critical role in changing the dominant structures of power. The organisation of self-employed workers into union-linked cooperatives can be one way to change power relationships and formalise work. Through their struggle for social justice, trade unions are and must be recognised as full partners in the development process. Congress calls for investment in the strengthening of free trade unions and free collective bargaining in developing countries, as these are two essential pillars for fair and sustainable development.

6. Congress calls for a new development model that is rooted in domestic market growth and focussed on decent work and income distribution, prioritises regional integration and is respectful of the protection of the environment and of workers' rights. Congress also calls for an enabling international environment that facilitates

balanced economic and social progress, including for developing countries, and offers them an equitable stake in the globalised economy.

7. Congress recognises that trade and investment are necessary for successful development but rejects undue reliance on export-led growth at the expense of domestic markets and local needs, or respect for workers' rights. Economic growth must be high-quality and sustainable, and rooted in domestic demand built upon decent income levels, agricultural development and industrialisation through building of diversified and productive value-added capacities. International trade and investment rules, and investment in commercial food production by corporations, must not undermine the livelihood of small scale farmers and rural women and men.

8. Congress affirms that the new development model must prioritise decent work opportunities for all and achieving balanced economic and social progress and environmentally-compatible development. It rejects an exclusive focus on economic growth and the assumption that social progress is an automatic outcome of economic expansion. Current calculations of GDP do not reflect the whole picture of growth and prosperity and Congress therefore supports the development of new definitions with better indicators that could provide a clearer picture of progress in the social, economic and environmental fields. Congress calls upon governments to reverse the trend toward more jobs in the informal economy and the increasing precarity of work, through the strengthening and extension of labour legislation and its more rigorous enforcement and full recognition of the role of workers' organisations. It calls for the implementation of the ILO Declaration on Social Justice for a Fair Globalisation and of an ILO Decent Work Country Programme in every developing country, which require support from both multilateral and bilateral donors as part of their development cooperation and the involvement of trade unions at all stages and in all aspects of these measures.

9. Congress insists that fairer distribution of income is a precondition to any sustainable form of development. Reducing inequalities must be an explicit goal, of national development policies including through the powerful redistributive tools of collective bargaining, progressive fiscal policies, guaranteed accessible and high-quality public services and improved social protection. Tax justice is central to this new development model. Increased mobilisation of domestic resources for development should focus on fiscal reform, strengthening tax administration and broadening the tax base and eradicating tax fraud and tax evasion. Governments should seek to establish or strengthen the income redistribution function of their tax systems by establishing progressive regimes that require the highest tax contributions from capital gains and from the wealthy and provide tax relief for low income families and the poor. On the investment side, the focus must be on enabling measures for public finance management as well as social infrastructures including health, education for all to provide people with skills and access to knowledge so that they can take action to protect their living and working conditions, and decent work strategies.

10. Gender equality must be another specific objective and Congress calls upon governments, donors and trade unions to sharpen the focus and the impact of development policies on gender issues. The provision of basic public services is an essential prerequisite for achieving gender equality and empowering women.

11. Many multilateral and bilateral trade and investment agreements between industrialised and developing economies affect developing countries' integration processes negatively by undermining regional integration and generating and exacerbating unemployment. Congress calls for a strengthening of regional integration processes, and recognises the potential of regional markets to boost sustainable growth and that building a social dimension into regional integration remains an important challenge for trade unions and their allies.

12. Congress insists that the protection of the environment and of those most vulnerable to environmental degradation must be an integral part of the new development paradigm. Governments must ensure that their policies are respectful of the environment and that “just transition” strategies are put in place in order to provide a socially fair and environmentally responsible pathway to sustainable development. Congress calls for a full-scale transformation of global production systems and consumption patterns in order to safeguard our societies and workplaces whilst protecting and promoting decent work for all. Trade unions must play a central role in that unprecedented transformation. Congress undertakes to promote an integrated sustainable development approach including a just transition that brings together social progress, environmental protection and economic needs within a democratic governance framework in which trade union and other human rights are respected and gender equality is secured. It is a responsibility of developed countries to provide finance and to transfer the technologies necessary for the success of such strategies in developing countries.

13. Congress stresses the need to meet all basic needs and calls for an ambitious strategy to provide access to water to millions more people through investment in dams and hill reservoirs in those countries that need them; and for a further bold strategy to facilitate access to accommodation for the majority through the construction of social housing. It draws the attention of governments to the widespread and anarchic urbanisation policies in developing countries that are upsetting societal, economic and social balances, aggravating poverty and creating new needs not in line with people’s income. Congress supports sustainable agriculture and rural development and denounces the current practices, which are tantamount to agrarian neo-colonialism, of purchasing huge areas of land in developing countries for commercial food export with a potentially negative impact on indigenous food and culture. Development policies must



ensure food security and increase the capacity of local producers to contribute to realising the right to food for all.

14. Congress affirms that achieving sustainable development requires achieving social justice. This needs democracy, fairness, good governance, strong and accountable institutions and the elimination of corruption, and Congress underlines the clear responsibilities of both developed and developing countries in these areas. Rigorous measures should be in place to ensure that funds from donor agencies and IFIs do not contribute to corruption and poor governance. Congress recognises the role that trade unions in developing countries have played to strengthen democracy and the application of the rule of law, and pledges continuing support to them in that work.

15. Congress deplores that despite international commitments aimed at ensuring country ownership of development strategies, today's reality remains that development policies are often driven by donor countries' political or trade priorities or by international NGOs' own agenda rather than by democratic debates taking place at the national level. Congress declares that democratic ownership of development strategies by the people through representative institutions is the main instrument in achieving effective governance of development, and that there can be no democratic ownership in the absence of social dialogue. It urges international organisations, donor agencies and developing country governments to ensure they have the necessary democratic policy space. Congress calls for a true implementation of the principle of democratic ownership, increased policy space for developing countries and insists that national parliaments, the social partners and civil society must have a say in defining development strategies.

16. Congress underlines that an enabling international environment requires financial stability and space for counter-cyclical stabilisation policies to be

implemented in developing countries. Congress calls on the International Financial Institutions to contribute to the establishment of that environment. There is need to fundamentally review not just the internal governance of intergovernmental institutions but their overall orientation, policies, goals and mandate in order to address them adequately to the urgent task of attaining development, ending inequalities and creating jobs for sustainable development, particularly in the developing countries where their devastating impacts have never been felt more. Furthermore Congress urges donors to cancel the debt of LDCs without economic policy conditionality. The creation of a fair and transparent mechanism for sovereign debt restructuring and cancellation and to review the legitimacy of the debt is urgently needed.

17. Congress calls on governments to maintain and intensify commitment to achieving the UN's Millennium Development Goals (MDGs) by 2015 and underlines that the promotion of decent work is instrumental to achieving the objective of the first MDG, the eradication of poverty. Industrialised countries must honour the UN commitment to allocate 0.7% of Gross National Income (GNI) to Overseas Development Assistance (ODA). Additional finance for development must be provided through new forms of international taxation assessments and contributions and in particular an international tax on financial transactions. It is important that aid be predictable and untied, respectful of the democratic development choices of developing countries and supportive of the role of the state.

18. In the event of huge natural disasters such as large magnitude earthquakes, Congress calls for the international community to establish effective and rapid arrangements for limiting human loss and assisting in the urgent reconstruction of towns and cities and their essential basic infrastructure.

### **ITUC Action Programme**

19. Congress instructs the ITUC and regional organisations, working together with Global Unions partners and affiliates, to:

- (a) Defend, promote and advocate this new model of development among national and international institutions;
- (b) Work for reform of the international financial and economic institutions, economic recovery programmes that focus on stimulating domestic demand on a counter-cyclical basis, new forms of international taxation, abolition of tax havens, a review of trade and investment treaties and agreements to ensure they promote development, and a fairer distribution of wealth among states;
- (c) Work together, subject to respect of trade unions' role and representativeness, with other civil society organisations and movements, including women's and youth groups, that share our values in supporting the promotion of a new development paradigm that includes a new development index instead of GDP, able to measure social and environmental well-being;
- (d) Support initiatives to shift international development assistance from aid effectiveness to development effectiveness, and endorse the work being done by the Trade Union Development Cooperation Network (TUDCN) to bring greater coherence and improved coordination to trade union development cooperation;
- (e) Support affiliates on issues related to the implementation of the new development model including in their fight to reverse the trend towards casualisation and informalisation of work, and to protect workers affected by it;
- (f) Strengthen the capacity of member organisations on the issues addressed in this resolution.



**DRAFT RESOLUTION**

**ON**

**GLOBAL UNIONS, GLOBAL BUSINESS**

1. Congress asserts that while globalisation has transformed the world of work it has not changed the fundamental issues arising from the relationship between workers and those for whom work is performed. Nor has it detracted from the responsibility of government to regulate business activity to protect the public interest.

2. The failure to address the social dimension of globalisation has seriously exacerbated a grave and growing crisis of governance, including of business, and Congress deplores the negative impact that this has had on working people and on the societies in which they live. Global business has become increasingly able to operate beyond the constraints of national regulation, and no effective system of international governance has been put in place to ensure that its activity contributes to economic and social progress. The absence of proper public supervision, nationally and internationally, has fostered a culture of corporate greed and irresponsibility and has triggered the current conditions of crisis and suffering for millions of working families.

3. Congress therefore renews the call for effective regulation of global business by states acting individually at the national level and collectively at the regional and global levels. The case for such regulation is stronger than ever before and it is needed to increase corporate accountability through better systems of corporate governance and mandatory reporting on both the financial performance of the enterprise as well as

on the social impacts of its activities. New and better regulations are needed to ensure that business pays its fair share of taxes and that the environment is protected from business activities that are damaging. Most importantly regulation of business activities is needed to ensure respect for trade union and other human rights. In this regard Congress welcomes the “protect, respect and remedy” framework proposed by the UN Secretary General’s Special Representative on business and human rights and accepted by the UN Human Rights Council. Congress notes that the realisation of this framework will require standards of due diligence, a more encompassing definition of complicity and meaningful judicial remedies that will not be possible without a strong government role.

4. The establishment of appropriate global regulation of business must equally address reform of the International Financial Institutions and involve changes to trade and investment agreements and to the rules of export credit agencies, to government procurement and to development assistance. Such intergovernmental cooperation is necessary in order to provide conditions in which governments are better able to resist the pressures from business for concessions harmful to national and international goals and interests including environmental objectives.

5. The changing organisation of business is used to avoid the legal responsibilities of the employer and is having the effect of reducing wages, worsening working conditions, removing or reducing social protection and making rights unrealisable. Regulation is required to end the abuse and exploitation of workers performing work in increasingly complex supply chains who are without access to the management of the companies for whom the work is ultimately performed. The rush to avoid responsibility is contributing to the informalisation of work relationships where work is performed outside any legal framework and protection. Governments must ensure that the rights

of workers to form and join their own organisations and to bargain collectively with their employer are realisable in small and medium sized companies.

6. Congress calls for the robust regulation of private finance by states acting individually at the national level and collectively at the regional and global levels. Such regulation should limit capital wasted on speculative activity and refocus investment on the productive economy. Regulations should ensure that finance serves the real economy and not the other way around.

7. The regulation of business activity is not in itself sufficient to address the governance crises. Congress considers that priority must be attached to the consolidation and promotion of trade union representation and collective bargaining and the development of sound industrial relations practices within an appropriate regulatory framework as the most powerful and legitimate means of holding global business accountable and maximising its positive impact in society.

8. Congress recognises that Corporate Social Responsibility (CSR) cannot fulfil or substitute for the regulatory role of the state in respect of business or for collective bargaining between employers' and workers' organisations, but can play a complementary role within a satisfactory framework of regulation protecting, inter alia, the full exercise of trade union rights. It is not acceptable that business should itself define or interpret its social responsibilities and trade unions must oppose any effort to use CSR for that purpose. The societal good of sustainable development will not always be the same as the sustainability of a specific company.

9. During the last decade, business has had to show a growing interest in the concept of CSR. Congress acknowledges the need to continue to engage appropriately in public debate on CSR and in specific initiatives in order to take advantage of the legitimate opportunities they offer and to limit their abuse. Trade unions should seek

opportunities presented by the interest in CSR to promote dialogue between the social partners so as to realise the mutual goals of competitiveness of the company and the decent work.

10. In that regard, Congress notes the rapid growth of codes of conduct addressing labour practices in supply chains and of private enterprises providing inspection and social audit services in connection with them. The value of such codes, must be based on whether they contribute to good governance by encouraging the application of the law and promoting mature industrial relations. Codes cannot provide adequate protection for workers where there are legal or political obstacles to respect of human rights. Moreover, the certification of labour practices in non-union workplaces is not credible. Congress insists that labour inspection processes remain the preserve of public administration and underlines the need for a strengthening of national public inspection systems, in line with ILO Convention No. 81, Labour Inspection, to counteract any trend towards privatisation of inspection. In most situations only trade unions of the workers concerned have the ability to provide workplace monitoring independent of management.

11. The challenge of global business requires strengthening of global trade union organisation. Congress welcomes and supports the promotion of international social dialogue between the Global Union Federations and sectoral and company counterparts, including the conclusion of international or global framework agreements. Such agreements, if fully and effectively applied, should have impact on all workers engaged by the company or under its authority, especially in countries where the application of labour legislation is inadequate or where companies have developed strategies to shield themselves from the effective application of trade union rights. Congress calls for intensified cooperation through Global Union Federations between home and host country trade unions in respect of common multinational

employers. The ITUC should seek to engage international business organisations over the promotion of international social dialogue.

### **ITUC Action Programme**

12. Congress instructs the ITUC and regional organisations, working together with Global Unions partners and affiliates, to:

- (a) advance effective governance of the global economy through the regulation of international business and through industrial relations;
- (b) represent trade union interests in the debate over corporate social responsibility (CSR) and engage with CSR initiatives where it is in the interest of workers and their trade unions and to do this on the basis of trade unions' distinct role as representative organisations of workers;
- (c) promote the internationally defined public expectations of business behaviour in the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and the OECD Guidelines for Multinational Enterprise and to give these instruments greater effect in home and host countries and in the production and supply chain;
- (d) make the OECD Guidelines more effective through the enhanced use of national contact points and the increased use of their mediation role and to work for an effective follow up system for the ILO MNE Declaration which is currently lacking;
- (e) work to strengthen other international instruments concerning business behaviour such as the social provisions of the OECD Revised Council Recommendation on Common Approaches on the Environment and Officially Supported Export Credits and in the follow-up work to the OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones;



- (f) promote the adoption of ILO guidelines on private workplace inspection and related reporting and on due diligence with regard to labour practices in supply chains;
- (g) work with international organisations, including business and employer organisations, to promote international industrial relations creating an atmosphere conducive for social dialogue and global agreements;
- (h) work to reform corporate governance, including the prevention of corruption and the public reporting of both financial and non financial information;
- (i) support the campaign for a financial transactions tax to ensure that business activity is oriented towards productive rather than speculative investments;
- (j) ensure that the interests of workers and their trade unions are taken into account in the emerging international framework for business and human rights proposed by the UN Secretary General's Special Representative for Business and Human Rights;
- (k) oppose efforts to redefine the responsibilities of business through CSR initiatives and private standards including further efforts by the International Organisation for Standardisation (ISO) and organisations such as Social Accountability International (SAI) to set standards involving issues that should be subject to public policy and democratic and representative processes or that concern areas which fall within the mandate of the ILO;
- (l) work to promote business behaviour that reflects public expectations of corporate social responsibility and the principles of international norms of behaviour found in authoritative intergovernmental instruments;
- (m) facilitate international trade union co-operation in finding ways to ensure that pension fund investments and other kinds of capital investment contribute to a

broad range of socially responsible goals and activities and do not lead to the weakening or undermining of the rights of other workers;

- (n) promote social dialogue in order to anticipate structural changes within companies so that they can be managed properly rather than constitute a danger to workers and trade unions;
- (o) work to create a policy environment and coherence among international institutions that will contribute to the respect of trade union rights, including through encouraging and promoting collective bargaining at national level and supporting emerging industrial relations frameworks at international level;
- (p) support co-operation within the Council of Global Unions on company strategies, including through the exchange of information; developing leverage on companies to improve their behaviour and facilitate organising and bargaining; the building of networks and organisations inside multinational firms; negotiation of international and global framework agreements; and activities that strengthen trade union co-operation within supply chains and in situations where enterprises operate in more than one sector.

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March 2010





INTERNATIONAL TRADE UNION CONFEDERATION

## 2<sup>nd</sup> WORLD CONGRESS

Vancouver, 21 - 25 June 2010

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### DRAFT RESOLUTION

ON

### ORGANISING

1. Congress affirms that the purpose of trade unions is to defend and advance the interests of workers, that this cannot be realised without the organisation of workers and that only through their own organisation can workers change the world of work, create a more just society, and fully realise decent work. By organising workers, trade unions enable them to be defended and represented and to have their views expressed in public affairs and collective bargaining. Equally, the ability of trade unions to serve their purpose depends on the strength, ability to mobilise and legitimacy that comes only from their membership.

2. Congress declares that there can be no substitute for genuine trade unions which are formed as freely chosen associations of workers through democratic participation. They cannot be replaced by advocacy groups, by employer or government dominated labour organisations, or by management driven Corporate Social Responsibility programmes.

3. Workers seeking to form or join unions face daunting challenges and obstacles. Union organising is opposed through dismissals, harassment, intimidation, threats, surveillance, anti-union campaigns and even through physical violence. In many countries governments fail to protect the rights of workers seeking to unionise through inadequate legal protections, insufficient and delayed enforcement, biased judicial

proceedings or weak, meaningless legal remedies. Some governments actively suppress trade unions through various means including encouragement of precarious employment relationships.

4. The falling level of trade union density in many countries is directly linked to the structural changes that have taken place in the global economy in recent years. Changing business relationships, changing technology and changes in the structure of economic activity as well as globalisation continue to have profound effects on the ability of workers to organise, to collectively bargain and so to protect their rights and fight for their interests. Changes in the world's workforce – which continues to become younger and more female – present further organising challenges as well as opportunities.

5. Globalisation and the organisation of business activity through international production and ownership relationships are increasing the need for international trade union cooperation over organising. Organising across borders and conducting international campaigns in close cooperation with the Global Union Federations is not only an expression of solidarity but is becoming increasingly a condition for achieving results in trade unions' struggles.

6. Congress recognises that there is no greater challenge to the sustainability of strong trade unions than those concerning organisation and collective agreements. It is therefore imperative that all workers, regardless of location or employment status, enjoy the protection of a legal and institutional framework which guarantees their rights to freely and fairly choose representation and to engage in successful collective bargaining.

7. Congress deplores that large numbers of workers are effectively denied these rights because of the inadequacy of law or its application, which often does not cover

the full range of relationships under which work is performed. Temporary workers, independent contractors, workers supplied by agencies, domestic workers, agricultural workers, cross-border workers and workers in supply chains are often unable to exercise their rights in practice. Companies avoid the obligations that laws place on employers through contracting out work and by denying employment relationships. The growth of precarious work impedes organising; vulnerable workers are often reluctant to join trade unions even where they may have a right to do so. Where work is performed on an informal basis, as is the case for a majority of the workers in many developing countries, the right to organise and to collectively bargain is particularly difficult to realise.

8. In addition, the financialisation of the modern corporation, complex supply chains and the threat of relocation impact negatively upon the context and potential of collective bargaining. In many cases workers no longer have access to the real decision makers necessary for genuine bargaining, demonstrating the need for trade unions to work with the assistance of their relevant Global Union Federation to review new strategies that can enable them to make an impact.

9. Congress calls on affiliates to work for changes in the legal framework for trade union recognition and collective bargaining so as to enable more workers to join trade unions and to participate in genuine collective bargaining. The focus must be on ensuring that the right to form or join a trade union and the right to bargain collectively as defined in ILO Conventions 87 and 98 can be effectively realised for all workers whether in the public or the private sector, and includes providing trade union access to workers such as those employed in Export Processing Zones, who often lack social protection or redress for violations of their fundamental rights.

10. Congress calls on all affiliates to intensify their efforts to recruit more workers into trade union membership as an absolute priority. To this end they should adopt a

full range of measures including reviewing existing priorities and resource allocations, promoting an organising culture, intensifying trade union education, increasing co-operation with other trade union organisations and reviewing their respective experiences with different organising approaches, informing the public widely about trade union activities, adopting targets for membership increase, and the development of new techniques and methods of organising through better planning and strategies.

11. Congress calls upon trade unions to meet the challenge of organising all workers within their respective jurisdictions without distinction as to employment status or educational and skill levels. That includes women, youth and migrants as well as those in atypical or precarious work relationships such as part time or temporary work. It includes highly educated workers performing new jobs that are rarely unionised just as much as those performing work in the informal economy and who are unregistered, unrecognised and excluded, or who are in disguised employment relationships and may be wrongly defined as “self-employed”. Unions need all workers, and all workers need unions.

12. Congress stresses that it is only through the financial support of membership that the essential political independence of trade union organisations is possible, and emphasises the importance of strengthening financial support to the supranational trade union organisations including, first and foremost, the ITUC.

13. Congress declares that trade unions must change to adapt to new situations, and that such change is inevitable and necessary. Trade unions need to reflect the diverse and evolving needs and demands of working people. A trade union movement that can attract members must provide for participation, representation, diversity and gender mainstreaming. Trade union organisations must analyse their working methods and procedures to determine whether they should adjust their structures or create new ones to provide representation to all groups of workers, including the least

privileged and those in informal working arrangements. The relationships between the various kinds of trade union organisations – national, regional and local, and industrial and enterprise - need to be adapted to ensure the democracy, autonomy and sustainability of a growing trade union movement where optimum resources for bargaining and organising are allocated.

### **ITUC Action Programme**

14. Congress recognises that almost all areas of ITUC activity relate to organising and instructs the ITUC and regional organisations, working together with Global Unions partners and affiliates, to:

- (a) ensure that the importance of organising is reflected in all areas of their activities and that the relationship of organising to these activities is made clear;
- (b) work for the full application of the rights to organise and to collective bargaining for all workers according to the provisions of ILO Conventions 87 and 98 and their associated jurisprudence;
- (c) seek to strengthen and extend the scope of national legal and institutional frameworks where the rights of workers to form or join trade unions and the obligations of employers to recognise and to bargain collectively can be enforced;
- (d) specifically address organising issues arising out of the various relationships under which work is performed, in cooperation with Council of Global Unions Work Relationships Group, and by working to realise the provisions of Employment Relationship Recommendation No. 198 (2006) and the 2002 conclusions of the ILO general discussion on the informal economy;
- (e) undertake measures that promote environments conducive to forming or joining trade unions and to collective bargaining, including through the interventions of the ITUC at the level of international institutions such as the ILO and WTO;



- (f) work with affiliates to stop the practice of unfair dismissals including by promoting the ratification and application of ILO Convention No. 158 and Recommendation No. 166 on Termination of Employment, by making protection against unfair dismissals a cornerstone of ILO decent work country programmes, a provision of international instruments addressing business behaviour and a subject of international social dialogue.
- (g) work for the ratification and application of all ILO Conventions with provisions that address obstacles to organising such as ILO Convention No. 135 (Workers' Representatives in the Undertaking), Convention No. 151 (Labour Relations Public Service) and Convention No. 154 (Collective Bargaining);
- (h) provide solidarity support to assist trade unions in fighting international union busting and expose such practices;
- (i) promote the development of policies and activities to enable the organisation of atypical, vulnerable and precarious workers, including both regular and irregular migrant workers and those performing work on an informal or unprotected basis, through a structured exchange of experience and information between trade unions within the ad hoc networks of the ITUC, GUFs and regional organisations and with the participation of other organisations where useful;
- (j) increase the public understanding of the problems facing workers performing work on an informal basis as well as expand the opportunities for these workers to organise, in general within the existing sectoral structures, so as to change their status and working conditions and ensure solidarity between workers in the same sector, whether in the formal or informal economy;
- (k) undertake capacity-building and other programmes to promote the democratic functioning of unions and their ability to organise and represent their members effectively;

- (l) promote information and advocacy campaigns in order to raise awareness about the role of trade unions, popularise membership in trade unions and improve their image in the society;
- (m) continue targeted campaigns to encourage women, youth and migrants to join trade unions, as well as campaigns to reach other specific groups including the growing numbers of highly educated and skilled workers;
- (n) encourage the strongest linkages with unemployed and retired workers including, where appropriate, their organisation into trade unions;
- (o) provide, in close cooperation with Global Union Federations, solidarity to workers seeking to join or form trade unions or to conclude collective agreements including cross-border solidarity action and industrial action where feasible;
- (p) participate in coordinated and targeted international organising campaigns such as in Export Processing Zones or in activities directed at organising workers in specific supply chains;
- (q) assist Global Union Federations in developing closer relations between unions in multinational enterprises worldwide;
- (r) utilise international trade union cooperation over workers' capital to combat practices of anti-union discrimination and to assist organising in specific companies.

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March 2010





INTERNATIONAL TRADE UNION CONFEDERATION

**2<sup>nd</sup> WORLD CONGRESS**Vancouver, 21 - 25 June 2010

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**DRAFT RESOLUTION****ON****A DECENT LIFE FOR YOUNG WORKING MEN AND WOMEN**

1. Congress reaffirms the need to ensure young workers' fundamental rights are respected. Young workers' education, employment and general well-being must be at the heart of trade union policies to counter the negative effects of the global economic crisis. Young women and men represent not only the future, but also the present of the trade union movement and of society. Without a committed, educated and engaged youth, a new, sustainable and fair globalisation that puts people, jobs and their decent livelihoods at the centre will not be achievable.

2. Young people are among the hardest hit by the global crisis which has exacerbated the obstacles to their access to decent work. If viable and urgent solutions are not found, the personal development and employment prospects for millions of young people will be threatened; the risk is of a lost generation. Youth are almost three times as likely to be unemployed as older workers, with young women the worst hit, and make up as much as 40 percent of the world's total unemployed. Between 1997 and 2007, the number of unemployed youth rose from 63 million to 71 million, and is still rising dramatically. Young workers are not only more often unemployed than adult workers, they are also more often employed in precarious, informal and temporary jobs, with lower wages and less social security and in which their educational achievements are not usually recognised. Furthermore they often face

differential treatment that creates a gap between the working conditions of young people and their more senior colleagues.

3. Congress underlines that the lack of decent work opportunities at the beginning of working life can permanently compromise employment and life prospects, and that the critical position of young workers is particularly dramatic in developing countries. Even during periods of sustained economic growth, most countries failed to create enough decent and productive jobs for young people, and it is clear that the impact of the crisis on them will be long-lasting. For millions the harsh reality is of exclusion from education, basic social services and working life, leading to social marginalisation and poverty, as well as increased vulnerability to informal work. Their situation is the most brutal manifestation of the social drama engendered by the crisis.

4. Congress insists on the need for targeted and integrated policy and priority to be given to youth in order to counter the most extreme social effects of the crisis. Young people need experience and training but are severely affected by the absence of new work opportunities and the pressure on public employment, training provision and social protection from deteriorating public finances. Urgent action is needed to break this vicious circle of youth poverty and unemployment. It is necessary to tackle the gaping decent work deficit for young people by strengthening public labour systems and creating national agendas for decent work for young people. Congress strongly supports equal access to adequate education to generate improved labour market outcomes and greater gender parity among young people, and active labour market policies to improve job opportunities for young people and the transition from school to work, including measures to increase income, stimulate employment generation and raise the quality of employment for young people, strengthen collective negotiation, enhance social protection and promote sustainable development. Congress calls on trade union organisations to step up their awareness-raising activities so as to secure

government policies that include a clear focus on vocational training, which is essential for ensuring full participation in work and life for all young workers. It calls on the United Nations Development Programme and the World Bank to prioritise vocational training for young workers and to fund projects that include vocational training elements.

5. Congress recognises that young people are critical to the future of trade unionism and to the strength, effectiveness and legitimacy of trade union organisation. Youth does not reject trade unionism and often identifies strongly with its principles and values. But they too frequently face difficulty in finding their place in trade union structures and activities. It is crucial that unions respond better in their policies and activities to the needs and expectations of young workers, make them feel welcome and remove the obstacles that prevent their full participation, and for unions to make the first move by meeting young people where they are.

6. Young people entering the labour market are the first internet generation. The development of information technologies and the evolution of communication tools in the last 20 years has had a major impact on young people's lives and attitudes. While many young workers in developing countries do not have access to modern technologies, nevertheless these offer great opportunity for international trade union activity and Congress calls on the ITUC to utilise fully the creative potential of youth in this regard.

7. Congress expresses its support for education programmes for all and literacy programmes for young people and particularly girls, who are the worst affected by illiteracy around the world.

8. Congress recognises and supports the role of the ITUC Youth Committee in initiating and developing policies and actions that promote identification and active

participation of young people in trade union internationalism. The Committee has particular potential and value in international trade union campaigns, mobilisation and communications, and should continue to facilitate exchanges of information and experiences.

### **ITUC Action Programme**

9. Congress instructs the ITUC and regional organisations, working together with Global Unions partners and affiliates, to:

- (a) Work to promote a targeted and integrated policy for youth in all areas addressed by this resolution;
- (b) Support ITUC Youth Committee activities and promote youth activities by affiliates;
- (c) Encourage greater youth participation in ITUC structures and activities;
- (d) Encourage affiliates to ensure adequate and specific youth representation in their structures and, when necessary, to develop formal youth structures, to include the issues that affect young people in their policy agendas, and to increase resources for youth activities;
- (e) Support and encourage exchange of information and experiences on trade union work concerning young people, through the ITUC Youth blog and other communication technologies;
- (f) Strengthen and support the role of working youth in trade unions through international trade union campaigning and mobilisation at global, regional, sub-regional and national levels;
- (g) Bridge the communication gap between youth and trade unions by adapting to new communication channels and developing new media and other modern technology applications that will reach out to young people and by presenting the

ITUC and its affiliates in ways attractive to young people, while also assisting the large numbers of young workers with limited or no access to modern technologies;

- (h) Undertake campaigning and communications work to focus attention on the necessity to improve the serious situation of working conditions and employment among young people;
- (i) Promote close collaboration with the Global Unions Federations on youth issues;
- (j) Maintain and develop partnerships with appropriate training institutions, intergovernmental bodies and other institutions at all levels dealing with youth issues;
- (k) Devise sustained trade union campaigns for the transition from the educational system to work, including trade union participation in educational activities during the final school years, together with other measures for monitoring the initial stages of work aimed at granting young people full rights and combating unfair employment situations.

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March 2010







INTERNATIONAL TRADE UNION CONFEDERATION

## 2<sup>nd</sup> WORLD CONGRESS

Vancouver, 21 - 25 June 2010

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### DRAFT RESOLUTION

ON

### THE INTERNATIONAL LABOUR ORGANISATION

1. Congress pledges support for the mandate and goals of the International Labour Organisation. The achievement of its objectives of social justice acquires renewed urgency in conditions of global crisis and its impact upon millions of workers and their families. The ILO has a crucial role to play in the recovery from crisis and in putting globalisation on a fair and sustainable trajectory with the decent work agenda at its heart.

2. Congress welcomes the adoption by the ILO of the Global Jobs Pact as a decent work response to the crisis and as a basis for a new model of globalisation based on fairness and equality. It highlights the importance of the Pact's call for a wage-led increase of aggregate demand; the extension of social protection to all, drawing on a social protection floor; respect of international labour standards; gender equality; promotion of a trade and development model that gives developing countries the policy and fiscal space to build up their industrial base; and a new economic model that is fair, supportive of developing countries and at the service of the real economy. Congress therefore calls on governments, employers and the organisations of the multilateral system to implement the recommendations contained in it by engaging with the trade union movement nationally and internationally.

3. Congress further asserts its support to the 2008 ILO Declaration on Social Justice for a Fair Globalisation. By placing social justice at the heart of the global economy, by identifying decent work as a means for this and by recalling the ILO mandate to examine all economic and financial policies in the light of the objective of social justice, the Declaration constitutes a relevant and timely framework to address the global economic and social crisis. Congress calls for intensified effort to give effect to the provisions of the Declaration and its accompanying Resolution.

4. Congress confirms that standard-setting and supervision is at the heart of ILO action. International labour standards are a fundamental pillar of the decent work agenda and an essential guarantor of workers' rights and interests. Congress considers that the role of those standards is central to efforts to integrate a social dimension and appropriate regulation into the globalised economy.

5. Congress reaffirms the value of tripartism and social dialogue as a key defining characteristic of the ILO that is essential to the trade union movement. It calls upon governments and employers to promote and respect freedom of association and the right to collective bargaining in order for social dialogue to be effective. Congress further recognises the need for the globalisation of labour relations and supports the call made by the Social Justice Declaration for partnerships between the ILO, multinational enterprises and trade union organisations operating internationally at the sectoral level.

6. Congress supports ILO leadership in the promotion of international policy coherence and therefore encourages it to deepen its work to assess the impact of WTO rules and bilateral trade agreements on employment and decent work. Congress further calls for greater cooperation between the ILO and the International Financial Institutions to encourage common action to promote decent work. The ILO should also encourage them and the WTO to take workers' interests fully into account in the

drafting and implementation of policy measures, and intensify its support to member states in the elaboration and implementation of national decent work programmes. Congress supports the enhancement of the ILO's role within emerging new global governance structures, and encourages the ILO to take a prominent position within the G20 / G8 process and within the UN structures. Congress welcomes the ILO's participation in the UN High-Level Task Force on the Global Food Security Crisis, as a means to promote decent jobs in agriculture.

7. Congress expresses deep concern at the increasing trend towards atypical and unprotected forms of employment which deprive millions of workers of the coverage of labour legislation and social security and undermine trade union capacity to organise and bargain collectively. Congress condemns employers that seek to avoid their obligations to workers by favouring individual contracts over collective bargaining, by treating dependent workers as though they were self-employed or by otherwise denying the existence of an employment relationship. Congress also condemns employers who increase job insecurity and social instability through the abusive use of temporary and casual work, through the extensive use of temporary work agencies or by contracting out to increasingly elaborate supply chains. It underlines the fundamental responsibility of the ILO to safeguard the centrality of the employment relationship as a key tool to achieve decent work and social progress and calls for it to attach priority to this area of activity including promoting the implementation of the Recommendation on the Employment Relationship, No 198 (2006). The ILO's decent work country programmes need to assist countries in overcoming the problems faced by vulnerable and precarious workers, with particular attention to migrant workers as well as those performing work on an informal basis.

8. Congress underlines the importance of strengthening IPEC activities for the eradication of child labour and of its technical cooperation, which should incorporate full trade union participation as implementing partners.

9. Congress calls upon member states to increase their financial contribution to the ILO regular budget in order to allow the Organisation to meet the increasing demands on it, and in particular to secure the necessary resources for its standard-setting and supervisory functions, with a special focus on freedom of association and the needs of trade union organisations. It recognises the efforts deployed by the ILO to secure extra-budgetary resources but stresses the need for those resources to be used to advance the ILO's decent work agenda and mandate, including through technical cooperation programmes in developing countries. Congress also calls for greater resources to be allocated to building the capacities of trade unions.

#### **ITUC Action Programme**

10. Congress instructs the ITUC and regional organisations, working together with Global Unions partners and affiliates, to:

- (a) work in close cooperation with the ILO Workers' Group to strengthen the capacity of the ILO to deliver decent work and to give full effect to the Global Jobs Pact and Social Justice Declaration;
- (b) continue to support the presence and role of the ILO in the G20 and other fora where policies related to crisis recovery are addressed;
- (c) launch a global campaign for the ratification and implementation of the standards identified in the Global Jobs Pact as particularly relevant in a crisis context;
- (d) promote the development by the ILO of new international labour standards in relevant areas;
- (e) promote the ratification and implementation of the eight ILO core conventions, with an emphasis on freedom of association and collective bargaining, as well as the other conventions considered up-to-date by the ILO Working Party on Policy regarding the revision of Labour Standards, the governance standards covering

- tripartism, employment policy and labour inspection, and the gender standards covering maternity, workers with family responsibility, home and part-time work;
- (f) promote ILO Convention No. 144 concerning Tripartite Consultations to Promote the Implementation of International Labour Standards in order to make the ratification procedure for ILO conventions more transparent and participative, in particular through creating specific instruments at national level for ongoing monitoring by the social partners;
  - (g) promote the ratification and implementation of ILO Convention No. 155, Occupational Safety and Health;
  - (h) encourage member states that are party to Conventions that have been revised to ratify the most recent Convention in place of the old one;
  - (i) support the implementation and dissemination to media and to other international organisations of the conclusions of the Committee of Experts on the Application of Conventions and Recommendations, Committee on Freedom of Association and the Committee on the Application of Standards, and strengthen the ILO supervisory mechanisms;
  - (j) work in coordination with ACTRAV in order to prioritise cooperation with unions from those countries that are the subject of special resolutions, commissions of inquiry and special paragraphs in the Committee on Application of Standards;
  - (k) enhance the promotion of the ILO Tripartite Declaration on Multinational Enterprises and Social Policy and an effective follow-up mechanism as a benchmark for good corporate behaviour including in global supply chains;
  - (l) promote policies placing full employment and decent work at the centre of economic and social policies in the framework of the ILO Global Employment Agenda;
  - (m) strengthen trade union participation in IPEC activities and technical cooperation;

- (n) promote ILO work on wages by strengthening its capacity to produce statistical data on wages trends, including sex-disaggregated data, to undertake research, analysis and technical assistance, and through development of the concept of a minimum living wage;
- (o) support decent work country programmes based on a balanced articulation of the four ILO strategic objectives and the full involvement of trade unions in their design and implementation;
- (p) encourage the development of decent work indicators as an instrument to measure progress by member states and to collect data;
- (q) advocate the strengthening of ILO capacities in research, knowledge, analysis, policy development and advocacy necessary for it to play a full leading role in the multilateral system and to provide effective assistance to affiliates;
- (r) promote within ACTRAV a way to monitor the level and the quality of trade union participation in ILO programmes and technical cooperation projects;
- (s) increase women' participation in Workers' Group representation in ILO activities, the ILO Governing Body and the International Labour Conference;
- (t) support and expand the ILO programme of sectoral activities;
- (u) enhance the role of the ILO International Training Centre of Turin in giving effect to the decent work agenda on the basis of ILO strategic objectives and in response to workers' needs.



INTERNATIONAL TRADE UNION CONFEDERATION

## 2<sup>nd</sup> WORLD CONGRESS

Vancouver, 21 - 25 June 2010

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### DRAFT RESOLUTION

ON

### DEMOCRACY, PEACE, SECURITY AND THE ROLE OF THE UNITED NATIONS

1. Congress reaffirms the ITUC's commitment to achieving a peaceful, democratic, secure and stable world, where people from all countries coexist in mutual respect and tolerance, free from the threat of armed conflict, terrorism or other forms of violence or occupation. Peace is a precondition for achieving trade union goals. Congress rejects unilateralism in world affairs and pledges the ITUC to support in every possible way the principal role of the United Nations in the maintenance of peace and the peaceful resolution of disputes.

2. Congress affirms that social justice, democracy, good governance and the rule of law, including international law, are foundations for peace, and pledges its utmost support to the work of the United Nations to promote them.

3. Congress notes with profound concern the appalling toll of death, injury and disease across the world which results from armed conflict. It is often the most vulnerable who are the principal victims, with systematic rape and other forms of violence against women and girls used as a weapon of war particularly in ethnic conflicts and so-called "ethnic cleansing". Hundreds of thousands of children are forced into combat and military slavery in conflicts around the globe. War and the threat of war are also responsible for the displacement of millions of people within and between



countries. Most dramatically, the failure of entire states has brought a complete end to the rule of law.

4. As Congress meets, armed conflicts of varying intensity affecting people in more than 20 countries worldwide are taking place. All too frequently, this is exploited by those who supply weapons to or otherwise seek to profit from countries in situations of conflict. There is serious danger of international conflicts and instability leading to an increase in repressive security measures and the erosion of hard-won democratic rights. The ITUC must remain watchful to ensure that measures to fight terrorism are proportional to risk and are not in breach of trade union and other human rights.

5. Congress condemns terrorism in all its forms and under whatever pretext, as well as the policies of 'preventive war' and 'selective assassinations' defended and practiced by certain states. It also condemns the use of torture, and insists that governments fully apply the Geneva Convention, including with respect to prisoners of war. Efforts to defeat terrorism must address effectively those factors, notably poverty, injustice, ethnic and religious discrimination, and unemployment which enable terrorist organisations to build support and to recruit and must not, themselves, violate human rights, including trade union rights. International cooperation must also break the connections between terrorism and organised crime.

6. Conflicts often have their roots in economic and social deprivation. Devoting additional resources including development assistance to generating decent work opportunities, particularly for young people, is an essential element in addressing the causes of social instability and conflict. With their enduring values of social justice, solidarity, non-discrimination and tolerance, and their role and presence in the workplace and in society, trade unions have a unique capacity to work for peace and for preventing the development of conflict and dealing with its aftermath. Congress

salutes the courage of trade unionists around the world who reach out across lines of conflict to promote peace and understanding.

7. Global military spending has increased 45% in real terms in the past 10 years to record levels, with some countries allocating as much as 10% of their GDP to it, at the expense of vital investment in social and economic development. Congress calls urgently on the international community to make major cuts in military expenditure, and insists that the transition from military to socially-useful production protects the livelihoods of the workers affected.

8. With as many as nine countries possessing nuclear weapons capacity and at least two others believed to be actively pursuing nuclear weapons programmes, there are more than 23,000 warheads in the world – sufficient to destroy life on the planet many times over. The potential for nuclear weapons to be used remains high, and clandestine transfer of nuclear technology has increased the risk of yet more states acquiring nuclear weapons capacity, and of terrorist organisations acquiring and using nuclear weapons.

9. Congress recognises the importance of the 2010 Review of the Non-Proliferation Treaty (NPT) at the UN, and welcomes the work done by trade unions around the world to promote its success. All governments must ratify and meet in full their obligations under the NPT, and the international community must redouble efforts to eliminate nuclear and other weapons of mass destruction (WMDs), rejecting once and for all the notion that they are needed as deterrents. They must also ratify and fully implement the Chemical Weapons Convention (CWC), the Biological and Toxic Weapons Convention (BTWC) and the Comprehensive Test Ban Treaty (CTBT). Congress calls for rapid, multilateral progress on international agreements to regulate the trade in small arms and other conventional weapons, including universal ratification and implementation of the 1999 Ottawa Mine Ban Treaty and the

Convention on Cluster Munitions and supports a UN Arms Trade Treaty to regulate the trade in small arms.

10. The catastrophic war in Iraq clearly underlines the absolute requirement for respect for international law and the role of the UN in developing and implementing multilateral solutions to potential and actual armed conflicts. Building democracy and respect for human rights and international law in a sovereign Iraq will require substantial and prolonged international backing, particularly through resources for infrastructure, services and the creation of decent jobs, which Congress commits the ITUC to support.

11. The gravity of the situation in Afghanistan shows the need for the international community to demonstrate the necessary political will to commit the resources required to tackle corruption, the drug trade and warlords through the eradication of poverty, the promotion of employment, the strengthening of education and the fight against gender discrimination and other inequalities, and so achieve a peaceful resolution to the violence which pervades the country. Military action alone cannot achieve these goals. Social justice, democracy and full respect for human rights and international law are central to bringing about the necessary transformations and the conditions under which the people of Afghanistan can map out a decent future. In this context, the international trade union movement should play an important role in cooperating with, supporting and strengthening Afghan trade unions and civil society. Congress emphasizes the leading role of the UN in achieving peace, security and democracy in Afghanistan, including through the promotion of an International Peace Conference with the participation of all the involved parties and the governments of the region.

12. The quest for a comprehensive peace between Israel and Palestine, based on the co-existence in conditions of security of two sovereign, independent and viable states,

requires renewed international attention and support as a highest and urgent priority. Congress asserts that the full implementation of UN Security Council Resolution 242, (1967), which recognises the 1967 borders, and 338 (1973), are fundamental to the achievement of a just and lasting peace. Congress recognises that action to address the plight of Palestinian refugees, also in light of the relevant UN Resolutions, is a key building block for peaceful and constructive relations between Israel and Palestine and their neighbours. Congress further calls for universal recognition of Israel's right to exist, acknowledging that this is essential to achieving a peaceful solution.

13. Israel's December 2008 invasion of Gaza in response to rocket attacks, and the failure to respect the UN Security Council Resolution calling for a ceasefire were reckless and unacceptable, costing the lives of hundreds of innocent civilians. These events were yet another example of the deadly cycle of provocation and reaction, which only serves to deepen extremist attitudes and puts the prospect of a resolution of the conflict yet further from reach.

14. The continued Israeli occupation of the West Bank, the existence of illegal Israeli settlements there and their impacts on the lives of Palestinians including their access to water, along with the blockade of Gaza and the extremist policies of Hamas, impose severe constraints on the potential for Palestinian economic and social development. Egypt's decision to impose heavy restrictions on its border with Gaza will worsen the already deep economic crisis affecting those living in Gaza.

15. Recognising the ending of Israel's presence in Gaza as an important step towards resolving the conflict, Congress calls for the lifting of restrictions on Gaza in line with UN Security Council Resolution 1860 (2009) and for Israel to end the occupation of the West Bank and to remove all settlements. Congress recognises that economic relations with the settlements help to sustain their existence, in violation of international law.

16. While every country has the right to defend recognised borders and the lives and well-being of its population, the building by the Israeli government of a separation wall which intrudes substantially into Palestinian territory is a violation of international law which can only make peace and mutual coexistence harder to achieve. Congress calls for the wall to be removed, recognising that the mutual security of and respect between Israelis and Palestinians is central to the quest for peace. Congress calls for Israel, the Palestinian Authority and Syria to reach agreement on Israel's withdrawal from the Golan Heights, with the attendant guarantees for its security.

17. Congress urges both Israelis and Palestinians to renounce violence, commit to an immediate and lasting ceasefire and immediately engage in direct negotiations as envisioned in the "Road Map" launched in 2002 by the US, Russia, the UN and the EU. It recognises that agreement on the status of Jerusalem is central to resolving the conflict, and underlines the urgent and imperative need for the international community to support, in every way possible, the realisation of a peaceful and just solution.

18. Congress welcomes the landmark agreement between Histadrut and the PGFTU on the rights of Palestinian workers, which was finalised with the assistance of the ITUC in August 2008, and initiatives by Global Union Federations in their sectors to support cooperation in defence of workers' rights. This agreement, and other actions to promote decent work and end discrimination, are crucial to building the basis for just and equitable economic development.

19. Hundreds of thousands of Palestinian workers are unable to find employment under current conditions, causing widespread despair and disillusion, and Congress calls for urgent action to promote decent work opportunities for them. Congress commits the ITUC to continue to support the strengthening of cooperation between the Palestinian and Israeli trade union movements and calls upon the international

community to support Palestinian economic reconstruction and development, including through the ILO Palestinian Fund for Employment and Social Protection.

20. Just as furthering democracy and respect for human rights is fundamental to resolution of conflict in the Middle East, it is equally as important in all of the many other conflicts taking place around the world. In this regard, Congress recognises and supports in particular the important role of the UN Peace-Building Commission, established in 2006, as an instrument for post-conflict reconstruction. It also welcomes progress at the United Nations concerning the Responsibility to Protect, and calls upon all countries to fully support and engage in its further development. Congress urges all countries to become parties to, and accept the universal jurisdiction of the International Criminal Court and to respect the authority of the International Court of Justice in relation to international disputes.

#### **ITUC Action Programme**

21. Congress instructs the ITUC and regional organisations, working together with Global Unions partners and affiliates, to:

- (a) Support and participate in the various activities of the UN aimed at building global peace, justice and respect for human rights and international law, and promote the fullest commitment by national governments to the unique and legitimate role of the United Nations;
- (b) Support actively multilateral action to consolidate and preserve peace, to resolve conflicts peacefully, to bring to justice those guilty of war crimes and other crimes against humanity, to strengthen the International Criminal Court, and to support the adherence of UN member states to the injunction of the Charter of the United Nations to refrain from the threat or use of force against the territorial integrity or political independence of any state;

- (c) Campaign with particular urgency for all governments to advance the peace process in the Middle East, based on the principles and the UN Resolutions referred to in this resolution;
- (d) Support and encourage action by the Histadrut, Israel and PGFTU, Palestine to press their governments to resume negotiations to achieve a just and fair resolution to the conflict, and to reinforce cooperation between Histadrut and the PGFTU;
- (e) Promote the development of enforceable instruments with a view to addressing the behaviour of multinational corporations operating in zones of conflict or post-conflict or weak governance zones, or benefiting from such situations;
- (f) Support and defend trade unionists confronted with violence, and offer practical and political support to affiliates working in conflict situations for peace, reconciliation and the building of democracy;
- (g) Work for substantial reductions in military spending and its transfer to meet pressing social needs, international development cooperation and the conversion of arms production to peaceful objectives;
- (h) Promote effective international regulation of the production and trading of arms; the non-proliferation of all armaments including nuclear weapons; and in particular the elimination of all weapons of mass destruction;
- (i) Promote trade union action to improve tolerance and understanding between nations and cultures, and encourage affiliates to coordinate their efforts of solidarity and cooperation at the national, regional and international levels and through cooperation with social and peace movements and other organisations which share the concerns and values of the trade union movement..



**DRAFT RESOLUTION**

**ON**

**COMBATING CLIMATE CHANGE THROUGH SUSTAINABLE  
DEVELOPMENT AND JUST TRANSITION**

1. Congress recognises that the multiple crises the world is facing – energy, food, jobs, and climate - have common origins in a socially unjust, environmentally unsustainable and economically inefficient model incapable of providing decent work and decent lives to millions of people. This model makes wealth creation dependent on environmental degradation and generates unacceptable inequality.
2. Congress is committed to promoting an integrated approach to sustainable development through a just transition where social progress, environmental protection and economic needs are brought into a framework of democratic governance, where labour and other human rights are respected and gender equality achieved. The global crisis must not be a pretext for delaying a global deal on climate change and indeed opens up new opportunities for a low carbon, labour intensive economy. The global crises show clearly that coherent and ambitious initiatives are needed to address the challenges of today and tomorrow. It demands a transformational change in global production and consumption systems to make our societies and workplaces sustainable and to safeguard and promote decent work for all. Trade unions must play a central role in this unprecedented transformation.



3. Congress emphasises the enormous potential for the creation of green and decent work from a successful process of just transition that provides new green jobs opportunities, anticipates potential losses of economic activity, employment and income in certain sectors and regions, and protects the most vulnerable throughout the economy and the whole world. It welcomes the Green Jobs report published jointly by the ITUC with UNEP, the ILO, and the IOE and calls for its major findings to be taken up in the development of national and international policy-making so that the social and employment dimensions of the fight against climate change are fully addressed, including the full institutional involvement of trade unions in the planning and implementation of just transition measures, at workplace, sectoral, national and international levels; awareness raising of the importance of just transition measures among public officials as well as the general public; skills development, vocational training and other measures to re-employ any workers made redundant; the provision of adequate social protection; investment in low carbon technologies; social dialogue; coordinated industrial policies and research; and transparent, democratic and effective global governance. Congress stresses the gender equality opportunities associated with the creation of green jobs, if women are trained and encouraged to join that sector.

4. The reality of climate change presents an immediate and dramatic challenge which, if unaddressed will have catastrophic consequences. Congress calls for a fair, ambitious and binding international climate change agreement and just transition policy framework aimed at reducing greenhouse gases and dependence on fossil fuels while improving people's living standards, without endangering industries' competitiveness or putting excessive pressure on state budgets. Congress therefore calls for the reduction in greenhouse gas (GHG) emissions necessary to limit the global rise in temperature to a maximum of 2°C, beyond which the impact on the planet and human life will be irreversible. Congress therefore expresses strong support for the IPCC scenario for reducing global GHG emissions to 85% by the year 2050 and

emphasises the need for interim targets for this to be achieved, including a corresponding reduction of at least 25%-40% by developed countries by 2020, compared to 1990 emissions. Congress further supports cooperation in achieving the peaking of global and national emissions as soon as possible.

5. Congress calls on all Governments to comply with the United Nations Framework Convention on Climate Change and to contribute fully and appropriately to the fight against climate change through significant reductions in their GHG emissions. In this context, it acknowledges that industrialised countries are responsible for over 75% of GHG's in the world's atmosphere and have benefitted materially from a high carbon development path without meeting its external costs. Congress also recognises that without mitigation measures, 50-75% of carbon emission growth from energy use for 2000-2030 will come from developing nations. Therefore developed and developing nations alike have a responsibility to act in achieving overall reductions of GHG emissions in the atmosphere. Developed nations must take the lead in initiatives to mitigate and adapt to climate change both through major reductions in their own emissions and through the adequate financing of measures to be taken by developing countries under the principle of common but differentiated responsibilities and respective capacities. In accordance with the same principle, emerging economies must also take on responsibilities to limit their rapid emission growth. In order to ensure the integrity of an international climate agreement there must be a robust and transparent system that measures, reports and verifies emission reduction actions and financial commitments by all nations.

6. Congress insists that the US\$ 85 billion per year from 2013 to 2017 that the UN considers necessary in public funding for adequate adaptation by developing countries be made available. Public funding should be made available for the greening of the economies, and innovative sources of funding should be taken into consideration. In

addition measures need to be taken to encourage private investment that meets labour standards and environmental sustainability standards. Action to be taken can include both the transformation of industrial sectors and the adoption of targets for renewable energy and energy efficiency, recycling, the avoidance of deforestation, and the transfer of necessary technologies to developing countries. Financial speculation in the purchase or sale of carbon would undermine the real and imperative need to reduce carbon emissions and must be prevented.

7. Congress recognises with deep concern that environmental degradation and climate change is already impacting severely the livelihoods of millions of working people and the sustainability of large numbers of communities. It is estimated that up to a billion people will be forced to leave their homes by 2050 due to climate change, environmental degradation and resultant conflict, with women being disproportionately affected. Small island and low-lying developing countries face a particularly critical situation requiring international solidarity and Congress therefore supports the possible strengthening of global long term goals for emissions reductions in the light of new scientific evidence, including a possible limit of temperature rise to 1.5 degrees Celsius. The impacts of climate change on water availability and quality will intensify current water management problems and also require huge investments. It is essential that the fight against environmental degradation and climate change be carried forward with full regard to overall trade union goals of social justice, decent work and gender equality, within the framework of a strategy of just transition from the current production and consumption pattern to a sustainable low carbon climate-resilient alternative.

#### **ITUC Action Programme**

8. Congress instructs the ITUC and regional organisations, working together with Global Unions partners and affiliates, to:

- (a) Defend a model of sustainable global development, continue to seek the realisation of green jobs and just transition, and raise awareness of the linkages between sustainable development, natural resources, climate change and the world of work as well as the role trade unions can play on these issues;
- (b) Continue to work for the adoption at the UNFCCC of a fair, ambitious, and binding international climate change agreement and just transition policy framework at the earliest opportunity;
- (c) Participate in national political and social dialogue and contribute to providing solutions for the transition to a low carbon green and decent working life;
- (d) Develop awareness-raising, research, training and policy guidance to increase trade union action on environmental issues, including climate change, at the international, national and workplace levels;
- (e) Continue its involvement with UNEP and the ILO under the “Green Economy Initiative”, in particular analysing the means for transforming current jobs into more sustainable ones, and contribute to the development of other initiatives with the same ends in all regions and sectors worldwide;
- (f) Maintain trade union work in other crucial multilateral processes linked to sustainable development, and ensuring that union views and proposals are reflected in the outcomes of the Rio+20 Summit in 2012;
- (g) Develop trade union actions to monitor workplace measures by companies to comply with adopted environmental targets and to share concrete experiences of climate improvements at workplaces, through the ITUC climate website as an inspiration for unions across the globe;

- (h) Maintain and increase work within the international bodies as a means for strengthening trade union influence and capacity at the national and local level when climate policies will be decided and implemented; and
  - (i) Strengthen outreach work with governments, UN agencies, civil society organisations and enterprises on promoting the green and decent jobs agenda, and with the Sustainlabour Foundation on training and increasing trade union capacity including through the organisation of a Second Trade Union Assembly on Labour and the Environment.
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March 2010



**DRAFT RESOLUTION**

**ON**

**MIGRANT WORKERS**

1. Congress notes that migration is a universal and continually growing phenomenon in the world of work with the current number of migrants estimated to be as many as 200 million, nearly half of whom are women.

2. Growth of migration is fuelled by the uneven and negative effects of globalisation - poverty, unemployment, glaring income disparities, under-employment, lack of democracy, bad governance, environmental degradation - as well as national disasters, conflicts and the desire of people for decent work and a decent life for themselves and their families. Migration must not be the only way to escape from poverty or oppression. Congress insists that it is a fundamental responsibility of international policy-making to promote balanced development and decent work in order to eliminate involuntary migration.

3. Congress emphasises and welcomes the positive contributions migrant workers make to the economy and insists that this be recognised and reflected in their treatment. Migrant workers, regardless of their status, must enjoy equal treatment under labour legislation and full respect of their fundamental rights at work.

4. Governments, in a concerted approach with employers' organisations and trade unions, must formulate and implement policies which incorporate a rights-based and

gender-sensitive approach that provides for legal migration channels within an appropriate multilateral framework. The International Labour Organisation must have a central role in the development of global and coherent international migration policy that can contribute to better protection of migrants, social development and better inter-cultural understanding while minimising the problems of a “brain drain” from developing countries as well as countries in transition.

5. Congress deplores the widespread abuse and exploitation of migrant workers by employers and by agents and intermediaries and the failure of governments to act adequately to protect them. Migrant workers, particularly those in irregular status, are not only more often unemployed than local workers, they are more often employed in precarious, temporary jobs, undeclared by employers, with lower wages and less social protection and often in the informal economy. Such exploitation undercuts existing rights, terms and conditions for all workers, resulting in social and community divisions and underlining the need for irregular workers to benefit from equal protection of labour legislation. Problems are more severe in sectors with a low trade union presence, such as domestic work, which requires particular attention

6. Women migrant workers are particularly vulnerable to exploitation and harsh treatment, including gender-based violence. Moreover, women are disproportionately represented among workers who are trafficked internationally and exposed to the worst forms of abuse.

7. Congress denounces forced labour and trafficking in persons as modern forms of slavery and calls on the ITUC and its affiliates to intensify their actions, working with the Global Trade Union Alliance against Forced Labour and Trafficking, to eradicate forced labour and trafficking and to punish traffickers, particularly those profiting from sexual exploitation, to provide adequate compensation for victims and to extend support to trafficked workers.

8. Congress is committed to extending trade union solidarity, social justice, equal treatment and gender equality to all migrant workers, regardless of their legal situation, in order to secure non-discrimination and equal treatment with workers who are nationals of the host country. Freedom of association and the right to organise is a fundamental right of migrant workers and their participation in trade unions is an important path to their integration at the workplace and in society.

9. Congress denounces the shifting of the costs of labour migration onto workers. Such costs must be paid by employers or recruiters. When imposed on workers, recruitment or migration costs often result in debt bondage. Congress calls for the ratification and implementation of ILO Convention 181 on Private Employment Agencies, which states that private employment agencies “shall not charge directly or indirectly, in whole or in part, any fees or costs to workers”.

10. The global financial and economic crisis is impacting sharply on the employment of migrant workers and their remittances to their countries of origin, creating a need for international financial and development assistance where this is causing particular difficulties in developing countries. Congress underlines the need for labour market policies to address the specific needs and circumstances of migrant workers at risk of unemployment or displacement by the crisis and for their rights to social protection to be respected fully.

11. In cases of dismissal migrants’ rights to social security, retirement and other benefits need to be fully guaranteed and maintained over time. Migrants in irregular status require access to due process of law, guarantees of full respect for their human rights, and decent living conditions provided by the host country. All migrants including those in irregular status must, including in cases of deportation, have access to due process of law and guarantees of full respect for their human rights.



12. Congress underlines the special situation of migrant workers who are part of trade in services, such as posted workers within the European Union and workers that are sent from one country to another under Mode 4 of the General Agreement on Trade in Services (GATS). Such workers are still formally employed by the employer in the home country while they perform their work in another country. Migrant workers involved in trade in services should enjoy the same rights to equal treatment as other migrant workers and host country laws and collective agreements should apply, without such equal treatment being considered an obstacle to free trade.

13. Congress insists that governments respect their obligations under international law towards the institution of asylum and the principles of refugee protection, working in close cooperation with the Office of the UN High Commissioner for Refugees (UNHCR).

14. Congress underlines the responsibility of the ITUC and its affiliates to play a more visible and active role in promoting the rights and equal treatment of migrant workers and in the fight against racism and xenophobia. Trade unions in destination countries have a special role in countering misleading propaganda against migrant workers, including that blaming them for unemployment and insecurity on migrant workers. Congress rejects all forms of sectarianism or xenophobia that encourage insularity, segregation and exclusion.

#### **ITUC Action Programme**

15. Congress instructs the ITUC and regional organisations and structure, working together with Global Unions partners and affiliates to:

- (a) Promote the ratification and implementation of ILO Convention 97 (Migration for Employment) and Convention 143 (Migrant Workers Supplementary Provisions) and the 1990 International Convention on the Protection of the Rights of All

Migrant Workers and Members of their Families, and report on implementation by the countries having ratified some or all of these standards;

- (b) Encourage and assist trade unions in countries of origin of migrant workers to include the issues of migrant workers in their national tripartite consultations including through the application of ILO Convention No. 144 on Tripartite Consultation, and negotiate for migrant workers to be provided with appropriate pre- departure and post-arrival training, including skills, relevant health and safety information and legal rights;
- (c) Support provisions for the respect of migrant workers' rights, transferability of pension entitlements and other social benefits and equal treatment in bilateral or regional agreements between governments of countries of origin and of destination;
- (d) Promote the full application of national labour law and international labour standards to all migrant workers, including irregular migrants and those covered under Mode IV GATS provisions;
- (e) Promote action by unions in countries of destination: to establish structures and services centres and engage in organising of migrant workers, including those in irregular status; ensure that legislation and collective agreements, including access to basic public services and social protection, cover migrant workers on the basis of the principle of equal treatment; provide training and information on their rights; extend legal assistance in case of abuse and special assistance to address problems of women migrant workers; and pay particular attention to young migrant workers;
- (f) Encourage and facilitate contacts, partnership agreements and regular cross border consultations between unions in countries of origin and of destination;

- (g) Integrate issues related to decent work for migrant workers and their rights in trade union training programmes and publications, with particular attention to educating trade union members and leaders on migration, its root causes, and the need for trade unions to stand in solidarity with migrants;
- (h) campaign and negotiate with governments and international institutions for the regulation, control and inspection of agents and intermediaries to ensure guarantees of ethical recruitment and placement practices and access to remedy in case of violations or malpractice;
- (i) work to protect and improve the rights and working conditions of cross border workers;
- (j) promote co-development initiatives at bilateral and decentralised cooperation level;
- (k) support initiatives aimed at lowering the cost of sending remittances home;
- (l) work with the ILO and with other concerned international organisations to implement the ILO Multilateral Framework on Labour Migration and for the establishment of a rights-based multilateral framework for migration in the global economy;
- (m) build alliances with like-minded non-governmental organisations that work on issues related to the rights and organising of migrant workers and to developing cohesive policies and practices on migration and development.



**DRAFT RESOLUTION**

**ON**

**EXTENDING SOCIAL PROTECTION AND ENSURING GOOD  
OCCUPATIONAL HEALTH**

1. Congress asserts that social protection is a human right and an essential element of social justice. It provides dignity, lifting people out of poverty and reducing inequality through redistribution of wealth and is an investment in both productive capacity and in development, and must be considered a part of the responsibilities of government.
2. Congress deplores the fact that about 80% of the world population has no, or limited, access to social protection, reflecting a failure to recognise the essential role of public authorities in any efficient and fair market economy. Congress reiterates that social justice requires determined and effective state intervention.
3. Congress affirms its commitment to universal access to adequate social protection, with priority attention to be paid to those lacking access to basic social safety nets, including the unemployed and those in informal work, with particular regard to women and youth.
4. Congress underlines the primary role of the state in providing, facilitating, promoting and extending coverage of social protection. It further insists that benefits should be non-discriminatory, adequate and secure, and that the financial sustainability of social protection schemes must be assured. Trade unions and

employers' organisations should be involved in their design and management. Social dialogue and tripartite participation, on an equal basis, are essential instruments for building a fair and effective consensus model.

5. Congress emphasises that ILO Convention 102 on Social Security (Minimum Standards) is the key international instrument in respect of social security, and reiterates its full support for its provisions addressing health care, family benefits, sickness, unemployment, old age, invalidity, employment injury, maternity, and loss of a breadwinner. It recognises however its outdated language on gender issues and calls upon Governments to implement its provisions on the basis of full gender equality.

6. Congress rejects the trend toward privatisation of social protection schemes and the decreasing involvement of the social partners in their management. Where private schemes do exist, workers' organisations should be involved in their governance, they should be complementary to public ones, they should integrate the principles of non-discrimination and redistribution and they should provide adequate benefits. Private funds must be properly regulated and subject to more stringent surveillance by public authorities. Congress strongly advocates a return to public provision in light of the economic crisis and the failures of privatisation.

7. Congress deplores the current inadequacies in the coverage of social protection. Rising unemployment and informalisation and casualisation of work have left increasing numbers of workers with no or little protection. Where such informal and precarious work is the result of unscrupulous behaviour of employers it must be subject to stringent sanctions. Governments must bring workers engaged in informal activities within a legal framework in order to extend social protection coverage to them on a sustainable basis. And where there is no employer and the workers concerned must try to find a means of survival in the informal economy, they and their families must have access to social safety nets.

8. Congress is concerned by the erosion of the protection granted to atypical workers, such as temporary, part-time, contract or fixed term workers, in many countries. They should not be excluded from contributory social protection schemes on the basis of their employment status and must have equivalent entitlements to those of other workers. Public regulation and enforcement mechanisms need to be strengthened in order to ensure that atypical workers can benefit effectively from such rights.

9. Congress is concerned also about the financial constraints faced by many contributory and non-contributory schemes that place the adequacy of benefits under great pressure and deplores the general failure to devote sufficient resources to meet the new and growing needs for social protection brought about by globalisation.

10. Congress denounces the downward trend in levels of corporate taxation and wealth taxes and in tax payable on financial and speculative gains which have placed unacceptable constraints on public budgets. It calls for a fair division of fiscal responsibilities between capital and labour; progressive tax systems; and an end to international tax competition, tax evasion and tax havens. Increased fiscal space is a necessary condition for the extension of social protection. In many countries there is an urgent need to reform regressive taxation systems, turning them into progressive models in which income tax becomes the primary source of revenue and reducing indirect taxes, which furthermore have a negative impact on consumption.

11. Congress recognises the particularly vulnerable position of women who often suffer from double discrimination, in both earnings and in social security entitlements. It is committed fully to promoting the principle of equitable outcomes in social security provisions and reaffirms its support for the elimination of the gender pay gap. Additional funds are needed to meet the social protection needs of the growing number of single-parent households around the world. Congress supports the recent G8/G20

commitments to the promotion of long life learning programmes and funding, which should be oriented particularly to old workers and women who want to be reinserted in the labour market.

12. Congress recognises the challenge of ageing populations for pension and health schemes but rejects privatisation and individualisation of schemes as a means to meet it. Congress reaffirms full support for pay-as-you-go systems and emphasises that any system should guarantee stable and predictable retirement benefits for current and future generations and build on collectivity and intergenerational solidarity. Increasing labour market participation rates and achieving full employment must be key elements of the policy response to ageing populations. Congress particularly rejects any pressure from the World Bank or IMF to encourage governments to move to defined-contribution individual account pension systems.

13. Congress underlines that the disastrous consequences of the financial crisis on private pensions could have been mitigated had the benefits not been financed through an inappropriate reliance on capitalisation systems. In this light, it reiterates its strong opposition to defined-contribution schemes in which workers bear all risks on an individual basis. The individual capitalisation of pensions in the 1990's and 2000's has been a failure that, rather than providing wider coverage or guaranteeing decent pensions, has merely achieved the concentration of financial power and a profitable business for pension fund administrators, without any mechanisms for the participation of workers. Where defined contribution pension schemes are in place, these should contain more secure and appropriate investment options for those covered, to mitigate the financial risks. Financial education and awareness raising about pension issues should be provided, with trade union participation, to enhance knowledge about pensions among workers. Trade unions should also be active in

different ways to promote lowering the administrative costs for the individuals covered by defined contribution pension schemes.

14. Congress further notes that many existing prefunded pension schemes do not respond to the needs of a great number of workers – particularly women workers - whose working lives are increasingly interrupted.

15. Congress demands that strict prudential rules be applied to the management of social protection funds, including pre-funded pension schemes where they exist. Tripartite involvement in the management of social protection funds needs to be promoted. Congress calls for a rechanneling of public funds so as to ensure adequate protection to all, and for the public sector to take responsibility for schemes that have collapsed.

16. Congress therefore supports the establishment and implementation of a minimum benefit package for all those in need, which would include: access to health care including maternity protection; family support to parents sending their children to school and regular medical checks; guaranteed old age pensions; income security for the disabled, as well as obstacle-free access to public services; and income support for particularly vulnerable groups for example through public employment guarantee schemes. A universal social floor would be financed mainly from public funds and would cover all men and women regardless of their employment situation. Congress urges governments to ensure that entitlement to a minimum benefits package be enshrined in national legislation as a fundamental right.

17. Workers' protection encompasses both social protection and workplace protection. Congress affirms that the right to decent, safe and healthy work is an inalienable right for all workers and a cornerstone of sustainable development.



18. According to figures from the ILO, each year around 2.3 million men and women die from accidents or illnesses related to work, including over 100,000 deaths per year from exposure to asbestos alone. In economic terms, it is estimated that around 4% of gross output is lost owing to the direct and indirect cost of such accidents and illnesses. Workers from developing countries, where the accident rate has been increasing and work-related illnesses are a scourge, have particularly serious conditions since many are working in dangerous sectors and activities such as agriculture, the timber industry, fishing and construction. Many earn their living through informal economic relationships, in which there is a total absence of any type of social protection and health and safety protection at work. The gender dimension of occupational health is a vital consideration, given the differing impact on men's and women's health and safety from exposure to toxic substances, and particularly in terms of the effect of exposure to biological agents on reproductive health. In addition there are repeated cases of violence and harassment at work. Furthermore, over 50,000 children under 14 are estimated to die annually from work-related accidents and illnesses. Immigrants form another vulnerable group since they are mainly employed to do the toughest and most dangerous forms of work in sectors with the highest levels of accidents, often with irregular status and a lack of respect for their most basic rights, starting with a serious lack of information and training.

19. Therefore, Congress calls on the ITUC to undertake campaigns to prevent workers' death, injury and illness from the effects of chemicals or dangerous substances such as asbestos and to ensure that workplace practices protect the reproductive health of women and men. It calls on all governments to ratify and apply the ILO conventions on health and safety at work, particularly ILO Convention No. 187 Concerning the Promotional Framework for Occupational Safety and Health. Congress stresses the need for governments to ratify ILO Convention No. 81, Labour Inspection and to strengthen the level and quality of public inspection systems in order

to prevent violation of workers' rights and of occupational health and safety, provisions particularly in unprotected irregular jobs.

20. Congress encourages trade unions to promote the inclusion of occupational health clauses in collective bargaining. It recognises and supports the adoption of the Iberoamerican Strategy on Health and Safety at Work, which provides a model that can be extended to other regions, and calls on governments and employers' organisations to commit to developing it further and enforcing it via tripartite social dialogue.

### **ITUC Action Programme**

21. Congress instructs the ITUC and regional organisations, working together with Global Unions partners and affiliates, to:

- (a) Encourage ratification and implementation of ILO Convention 102 in all countries;
- (b) Undertake activities to support affiliates in the area of social protection, through capacity building and other actions;
- (c) Advocate the approach to social protection set out in this resolution and work towards the construction of a comprehensive, fair, redistributive, universal social security model in which the state bears responsibility for guaranteeing protection for all workers, regardless of their employment status, geographical location or national origin, to create the foundations of the model of society all workers deserve;
- (d) Work with the ILO to campaign for the extension of social protection to all, for ratification of ILO social security conventions and for a basic social floor for all, including the adoption of an ILO Recommendation on the establishment of a social protection floor;

- (e) Develop programmes and initiatives to bring workers engaged in informal activities within a legal framework in order to receive social protection coverage on a sustainable basis;
- (f) Work for the improvement of occupational health and safety in all countries, including as relates to exposure to hazardous chemicals, psycho-social hazards and other occupational injuries and accidents, and respond to emerging challenges through the application of the precautionary principle;
- (g) Promote the ratification and enforcement of relevant ILO Conventions including ILO Convention 155, Occupational Safety and Health and ILO Convention No. 187, Promotional Framework for Occupational Safety and Health, and the world-wide recognition of 28 April as the International Commemoration Day for Dead and Injured Workers;
- (h) Promote the formulation of national health and safety programmes to elaborate targets, measures and mechanisms for advancing the prevention of occupational risks and the protection of workers' health, with the involvement of the economic and social partners;
- (i) Encourage the creation of information systems for registering and notification of accidents and illnesses and surveys on working conditions as a basis for drafting public policies and guiding priorities for preventative measures both generally and in the workplace;
- (j) Establish specific programmes for protecting the health of women facing occupational risks and that of the most vulnerable groups, particularly migrant workers;
- (k) Support activities to equip affiliated organisations with the capacities they need on occupational health and safety;

- (l) Undertake efforts to ban hazardous substances such as endosulfan and paraquat and to achieve a total world ban on the use and commercialisation of asbestos, in which regard Congress, meeting in Canada, makes a special appeal to the Canadian government to join a total world ban on asbestos.

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March 2010



**DRAFT RESOLUTION****ON****FIGHTING HIV/AIDS**

1. The HIV/AIDS pandemic is a global challenge to development and social progress. According to UNAIDS and the World Health Organisation an estimated 33.4 million people are living with HIV, with over 7,000 people infected with HIV each day and 2 million deaths in 2008 alone, 70% of these in Sub-Saharan Africa. Sub-Saharan Africa is home to 22.4 million people living with HIV or AIDS and is the most affected region in terms of numbers of infections and the scale of the pandemic's impact. The harsh reality is that the HIV/AIDS scourge continues to adversely affect women, who are more easily infected than men. Most people infected with HIV are living under circumstances of economic and social disadvantage and the majority of new HIV infections occur in low-income countries.

2. Congress notes that the consequences of HIV/AIDS have profound implications for workers, their families and dependents and the exercise of human rights, and can cause or increase poverty, inequality and social injustice faced by workers and poor people around the world. Congress recognises the impact of the HIV/AIDS pandemic reflects and reinforces other sources of disadvantage and inequality in society, including that experienced by women and girls, youth, migrants, the unemployed, refugees and gays. The particular vulnerability of women and girls makes it essential to strengthen gender perspectives in the fight against HIV/AIDS.

3. Congress expresses its deep concern at the massive human suffering caused by the HIV/AIDS pandemic. It commits the ITUC to contribute effectively towards prevention, control and ultimately eradication of HIV and AIDS.

4. Congress reaffirms the importance of the role of the International Labour Organisation and its constituents in addressing workplace aspects of HIV/AIDS and welcomes the adoption of the new ILO instrument on HIV/AIDS and the World of Work. In that regard, Congress emphasises:

- the absolute need to protect those infected with HIV/AIDS from all forms of discrimination at work and to extend to them the protections offered by ILO Convention 111 and other ILO Conventions;
- that privacy and confidentiality are essential for any successful workplace HIV/AIDS programme and that any workplace surveillance, including monitoring and managing of HIV/AIDS must take place without compromising workers' personal data privacy and confidentiality rights;
- the need for national and workplace HIV/AIDS programmes to be designed and implemented in consultation with the workers and their representatives;
- the need for workplace health programmes to be linked to public health services;
- the need for effective, tailor-made information and measures to reduce all high risk behaviour, including injecting drug use, men-to-men transmission, polygamy and having unprotected sex while visiting sex workers.

5. Congress calls on Governments to work with their social partners in implementing the new ILO instrument, which underlines that all countries, whatever their infection rate, can benefit from a legal framework that brings HIV-related workplace challenges into the open, protects against discrimination, respects privacy

and confidentiality rights, prevents risks of infection at the workplace and ensures the participation of all stakeholders from relevant institutions.

6. Congress expresses its deep concern about the impact of the global crisis on funding for HIV/AIDS initiatives and calls on all governments to keep their promises to deliver resources to meet the Millennium Development Goal on HIV/AIDS on achieving universal access to treatment by 2010, and to halt and begin to reverse the spread of the pandemic by 2015. The crisis has already put HIV prevention and treatment efforts in jeopardy. Congress notes the warnings already given by the World Bank and the Global Fund to Fight AIDS, Tuberculosis and Malaria in this regard and insists that the fight against HIV/AIDS must not become one more victim of the crisis.

7. Congress recognises that equitable and full access to health care, and in particular medicines for HIV, is a human right. Therefore the international community should promote effective actions and prioritise international development assistance policies and programmes. Congress insists on the need to build effective and universally accessible public systems of health care in all countries so that each state discharges its responsibility to realise the right to health of its citizens.

8. Congress fully supports the Global Unions HIV/AIDS Programme in promoting trade union action on HIV/AIDS in the workplace and undertaking a unified trade union advocacy campaign for a rights oriented approach to the HIV/AIDS pandemic.

#### **ITUC Action Programme**

9. Congress instructs the ITUC and regional organisations, working together with Global Unions partners and affiliates, to:

- (a) raise HIV/AIDS to greater prominence on the trade union agenda worldwide;



- (b) support affiliates' activities to educate, promote and develop understanding and commitment among workers by developing their capacity to adopt rights-based approaches to HIV/AIDS;
- (c) promote campaigns that ensure appropriate legislation on HIV/AIDS in line with the terms of this resolution and their implementation, providing speedy and effective remedies and access to treatment;
- (d) promote the fullest and most effective implementation of the new ILO instrument on HIV/AIDS and the world of work both at the national and international level;
- (e) engage employers' organisations in joint efforts to combat HIV/AIDS discrimination in the workplace;
- (f) carry out a campaign for combating the discrimination suffered by HIV-positive persons and for promoting measures facilitating the access, retention and return to employment of those persons;
- (g) strengthen partnerships with, among others, the ILO, UNAIDS, the World Health Organisation, the Global Fund to Fight AIDS, Tuberculosis and Malaria, and other concerned international organisations;
- (h) support trade union access to Global Fund financing;
- (i) address the challenges that make treatment inaccessible to workers in developing countries and other low and middle income countries, sometimes due to pharmaceutical patent protection implemented through the World Trade Organisation;
- (j) promote an effective global and regional trade union network to combat HIV/AIDS; and
- (k) integrate the gender dimension of HIV/AIDS in all activities.



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