

**International Trade Union Confederation (ITUC)
Commonwealth Trade Union Group (CTUG)**

**CTUG submission to the 2013 Commonwealth Heads of Government Meeting
(CHOGM)**

Colombo, 15 – 17 November, 2013

“Recovering from the crisis with sustainable growth and decent work”

“Working together and with global partners to secure the global economic recovery and ensure a stronger, more sustainable and balanced global economic system that will benefit all Commonwealth countries”

Commonwealth Leaders Communiqué, Perth, 2011

Introduction

The Commonwealth Trade Union Group (CTUG) represents over 30 million workers in Commonwealth countries. With this statement we call the Commonwealth Heads of Government Meeting (CHOGM) to commit to measures and take action in order to promote human and trade union rights, decent work and human well-being. The CTUG calls on Commonwealth leaders to follow these recommendations and to adopt the requisite decisions at their Colombo Summit in October 2013.

In honouring the 63rd anniversary of the modern Commonwealth, the CTUG calls on Commonwealth leaders to make this unique institution play a greater role in achieving socially equitable and sustainable development for all - a message channelling the principles of equality, consensus and cooperation of the 1949 London Declaration. The CTUG believes strongly in the institutions of the Commonwealth and we call on Commonwealth leaders to devote resources to, and increase the political priority given to the work of those institutions.

Together with the rest of the global community, Commonwealth countries face economic and employment crises, extreme poverty, environmental degradation and climate change and the need to adapt and diversify their production to achieve structural transformation. As the international development community develops a post-MDG framework we would emphasize from the outset that while there has been some progress in the fulfilment of the Millennium Development Goals (MDGs), the multifaceted crises have undermined much of the progress made and dropped millions of people back into poverty. Even though many Commonwealth countries have achieved some growth, there has been no corresponding significant decrease in poverty levels, due to widening income inequality. Moreover, unemployment and particularly youth unemployment have soared in both the developed and developing Commonwealth countries posing new threats to social cohesion.

The 2011 CHOGM urged the G20 to *“take the necessary steps to address current economic instability and to take concrete steps to put open trade, jobs, social protection and economic development at the heart of the recovery.”* Furthermore, Commonwealth countries committed to *“take all necessary steps to support the global economic recovery”*.

The Commonwealth leaders made commitments to promote inclusive education and quality universal primary education as well as universal access to health care and services and to address youth

unemployment with action by the government, the private sector and technical and vocational training institutions. Leaders also committed to *“provide financial support to, and make the policy and institutional changes needed to, accelerate achieving the MDGs”*. Commitments were also made to promote women’s rights and cooperate to promote migrants' well-being and to reduce the cost of remittances. Addressing the issue of tax erosion in mining leaders agreed to support the Extractive Industries Transparency Initiative principles that tackle tax evasion and avoidance in many Commonwealth countries.

The CTUG urges the CHOGM to take efforts to fulfil these commitments and to also take on board the following ten priorities:

1. the establishment of an annual meeting of Commonwealth Labour Ministers;
2. adopt a target for full ratification of the ILO core conventions by all Commonwealth countries
3. develop a Youth Employment Strategy with clear youth employment targets as well as principles for the support of vocational education and quality apprenticeships;
4. pursue a Just Transition to the low-carbon economy, adopting ambitious climate policies, including emission reduction targets and adaptation strategies which mainstream employment intensity in their planning and contribute to an ambitious climate framework that would avoid global average temperatures increasing beyond 2°C;
5. implement the commitment to combat the illegal exploitation of natural resources, including through supporting the Lusaka Declaration of the International Conference of the Great Lakes Region;
6. establish an observatory to monitor the impact on Commonwealth countries of trade agreements;
7. provide resources and support to the implementation of the Mauritius Strategy and the Barbados Programme of Action for Small Island Developing States (SIDS);
8. maintain the suspension of Fiji until the interim government restores the rule of law and democracy, and respect for human and trade union rights;
9. suspend Swaziland until it introduces a political system in line with the Commonwealth Charter, in particular allowing political parties to contest free and fair elections and respect the rights of freedom of association, freedom of speech and freedom of assembly; and
10. develop a coherent and robust peer review mechanism to audit performance by Commonwealth member states against the Harare Principles.

Job creation with investment

Addressing climate change and unemployment can be achieved with investment in the green economy, including in renewable sources of energy, low carbon transportation, greening industry and the development of relevant skills. Investment in infrastructure is necessary to create jobs and meet the widespread infrastructure needs of the developing world as well as the upgrading of infrastructure, including for energy efficiency, in all Commonwealth countries. Further to these, investment in social services, childcare, healthcare and education have a great potential to address poverty, ageing and other demographic trends, as well as create a highly skilled and productive workforce.

- The Commonwealth Leaders should strengthen cooperation in promoting productive investment in green economy, infrastructure, social services, education and other sectors.

Youth unemployment runs rampant in many Commonwealth countries as well as in the rest of the world. At the CHOGM of 2011, the leaders recognised *“the important role of government, the private sector and technical and vocational training institutions in addressing youth unemployment”*. To this

end, policies on both the labour supply and demand side need to be implemented in order to improve young people's capacity to participate in the labour market and most importantly create new jobs that fit the profile of young workers.

- The Commonwealth must develop a Youth Employment Strategy with clear employment targets and bi-annual reviews of progress, sharing of best practices in training and vocational education, promotion of quality apprenticeships, and enhanced cooperation on youth innovation.

Decent Work and the Post-MDG International Development Agenda

The importance of decent work for development and poverty eradication was already recognised in the Millennium Development Goals, where a specific target on full and decent employment was added under the poverty goal (MDG1b). The employment target, however, has not received the attention it deserved and remained far from being achieved, undermining global efforts to eradicate poverty and ensure sustainable human development. In reality, decent work and job security are increasingly threatened in many Commonwealth countries. Many workers once employed in formal jobs are being pushed into informal, precarious and unprotected work and millions more stand to lose their jobs because of the economic slowdown. To counteract these trends, governments must bring work within a legal framework where workers' rights can be enforced, with enhanced priority to ensuring labour inspectorates are effective. There is a risk that the future development framework narrowly addresses employment generation without considering its quality. Decent work should be placed at the core of social and economic policy development and full and decent employment should be included as a specific objective in the Post-MDG framework, accompanied by national employment targets and indicators as well as suggested policy measures.

- The Commonwealth Secretariat should be empowered to establish a fund for capacity enhancement activities by trade unions, covering, among others, workers in informal work and export processing zones, and linked to ILO assistance and technological cooperation.
- Member States must support the inclusion of a specific objective on full employment and Decent Work in the Post-MDG framework.
- The Commonwealth Secretariat should be mandated to publish a biennial stock-take of progress towards attaining the MDGs for each developing country in the Commonwealth.
- Member States must be encouraged to adhere to the UN National Sustainable Development Strategies (NSDS) process for reporting on progress and to promote such strategies in combination with the development of ILO Decent Work Country Programmes (DWCP).

The CTUG also calls on Heads of Government to work with the ILO and trade unions to establish a universal Social Protection Floor. This would ensure the availability, continuity and access to essential services such as water, sanitation, health and nutrition. Social protection could include active labour market measures with a view to developing human capital and increasing the re-employability of those adversely affected by globalisation and the crises.

The United Nations' target for official development assistance (ODA) of 0.7% of GDP must urgently be restated as achievable by all industrialised Commonwealth countries. CHOGM should support the call for all industrialised countries in the Commonwealth to adopt binding timetables to meet the UN aid target, should review biennially their progress towards that end and publish the results of their review.

Strengthening Democracy, Human, Trade Union and Equal Rights

Democracy and human rights are at the heart of the Commonwealth's values, and we believe that the

Commonwealth needs to become more effective at promoting democracy and acting against breaches. We welcome the endorsement of the Commonwealth Charter and we state our support for the principles and rights embodied in the Charter.

- The Commonwealth must hold a peer review to audit the performance of Commonwealth governments against the Charter.

Equivalent structures to build tripartism at the Commonwealth level are needed to reinforce the priority given to decent work and job creation by Commonwealth governments. The Commonwealth's annual intergovernmental cooperation on Finance, Environment, Legal, Education and Women Ministers is insufficient.

- There should be an annual meeting of Commonwealth Labour Ministers – possibly alongside the International Labour Conference - organised on a tripartite basis.

Among the most essential human rights are the rights of workers. All countries in the Commonwealth should ratify Conventions 87 and 98 on freedom of association and the right to organise and bargain collectively, and take measures to enforce those Conventions and protect unions from harassment and anti-union discrimination, as well as from denial of recognition by companies or other actors. The other ILO Core Labour Standards¹ would provide workers the right to fight child labour, forced labour and discrimination in employment. The resulting improved economic and social resilience would bear benefits for all.

All members of the ILO should have ratified the eight fundamental Conventions of the ILO, yet such is far from the case in a range of Commonwealth countries.

- The CTUG calls on CHOGM to establish a target for all Commonwealth governments to ratify all eight core labour standards by 2015, to undertake annual reviews of progress towards that objective and to publish the results of their reviews.

The 100th session of the ILO Conference in June 2011 adopted universal standards to promote decent work for domestic workers. There are over 100 million domestic workers in the world, many of them in Commonwealth countries. Most of them are girls, women, and often migrants. Their work is undervalued, underpaid and unrecognized. The adoption of this ILO Convention, supplemented by a Recommendation, is a step forward to address basic human rights and decent work gaps for these workers who have been neglected for too long by the international community.

- The CTUG calls on the Commonwealth to promote the ratification of the new Convention and Recommendation.

Discrimination on the grounds of gender, race, caste, age, sexual orientation and gender identity, disability or other grounds is a blight affecting all Commonwealth countries. Achieving gender equality depends on equal rights of inheritance, land ownership, workers' rights, wages, property rights, and access to banks and financial institutions. It requires determined governments to tackle the spread of the unprotected economy where a great majority of women, children, migrants, young people and minorities continue to be exploited.

¹ Freedom of association and the right to collective bargaining; the elimination of forced or compulsory labour and child labour; equal remuneration, and the elimination of discrimination in respect of employment and occupation.

- The CTUG calls on the Commonwealth to promote the adoption by Member States of international human rights conventions (including the core conventions of the ILO), by developing peer review and audit, and in particular take steps to eradicate legal discrimination on grounds of sexual orientation.

The Charter of the Commonwealth, adopted in December 2012, commits all members of the Commonwealth to the “Universal Declaration of Human Rights and other relevant human rights covenants and international instruments” as well as “the inalienable right of individuals to participate in democratic processes, in particular through free and fair elections.” The Commonwealth Ministerial Action Group is responsible for addressing promptly and effectively all instances of serious or persistent violations of Commonwealth values.

The Commonwealth Ministerial Action Group must therefore demand that:

- Bangladesh ensures that its laws and practices conform to international labour standards. The government must ensure that all workers, including those in the ready-made garment industry and the EPZs, have the right to join or form a union and are able to do so in practice. Such workers must also be able to bargain collectively and carry out their activities without interference from the employer or government. The government must also make every effort to ensure that workplaces are safe, including following through on fire and building safety plans and agreements.
- Fiji complies immediately with the conclusions of the ILO Committee on Freedom of Association and the ILO Conference Committee on the Application of Standards. These include the immediate amendment of laws and decrees to ensure their compliance with international labour standards, and to repeal the Public Order Amendment Act, which poses serious obstacles to the exercise of freedom of association. In order to accomplish this, we support the establishment of a Commission of Inquiry, based on the complaint filed by delegates to the International Labour Conference in June 2013.
- Swaziland’s membership in the Commonwealth is suspended until the Government holds multi-party elections; registers the Trade Union Congress of Swaziland as demanded by the ILO; brings its legislation in line with international standards in particular the Public Order Act (1963), the Suppression of Terrorism Act (2008), and the Industrial Relations Act (2000); and guarantees the protection of fundamental civil rights and trade union rights.
- Zimbabwe implements the recommendations of the ILO Commission of Inquiry with respect to the right to freedom of association and collective bargaining; holds free and fair elections in 2013 under the supervision of international observers; and brings its legislation in line with the new Constitution in particular the Public Order and Security Act and the Criminal law.

Sustainable Development, Environment and Public Health

Trade unions have embarked on a global effort to ensure the world of work becomes a critical actor in protecting the environment and mitigate and adapt to climate change. Through its active engagement and lobbying efforts the international trade union movement has succeeded in obtaining recognition from the international community at the UNFCCC and in Rio+20 for the concept of Just Transition. This concept embraces an ambitious programme to cut emissions, promote renewable energy, improve management of water and other resources, and reduce waste while at the same time addressing the massive creation of green and decent jobs, reinforcing social and economic resilience to climate change through social protection schemes and providing training for those who would be made redundant by the transition to the low-carbon economy.

Overall, the trade union movement is convinced about the need to re-energise the UNFCCC process

with commitments that are up to the challenges ahead, including on emission reductions and the provision of climate finance. The Commonwealth must play an important role in future COPs facilitating such an agreement and CHOGM should adopt ambitious targets including mitigation goals that would sustain the global increase in temperature within the 2°C objective as well as pursuing a Just Transition to the low-carbon economy. Commonwealth Member States should become a positive symbol of sustainable development, whereby social and environmental issues are integrated into economic planning and where social impacts are understood and addressed as part of decision making, at all levels.

CHOGM should adopt a target of green job creation whereby at least 2% of GDP of the country is oriented towards job-intensive, environmentally-friendly investments and start developing a Commonwealth Just Transition strategy aimed at protecting the most vulnerable from climate change risks and from the consequences of climate change adaptation or mitigation measures. These transitional strategies must also include provision for skills development schemes, consultation with social partners and civil society and cooperation towards a more equitable and sustainable future for Commonwealth Member States and societies.

The CTUG urges the industrialised countries of the Commonwealth to provide financial and scientific support to the poorest countries of the Commonwealth to facilitate the challenges of climate change, including through the UNFCCC Green Climate Fund. Resources could derive from innovative sources of finance, including by introducing a financial transactions tax which would raise funds while reducing speculation in financial markets.

The small island developing countries of the Commonwealth face particular problems from the impact of climate change on their shores, exacerbating the already grave natural disasters in the form of increased incidence of hurricanes, tropical storms and through rising sea-levels. The Commonwealth must create structures that can deliver rapid solidarity assistance in the event of natural catastrophes and assist countries to deal with the challenges of employment transition to a more sustainable economy.

HIV/AIDS continues to menace the future of Commonwealth countries, its people and their health. The CTUG calls on CHOGM to encourage Commonwealth countries to implement ILO Recommendation 200 on HIV and AIDS and the World of Work and should set targets for adopting the ILO Code of Conduct on HIV/AIDS.

Trade and Development

Many developing countries in the Commonwealth stand to be affected by Economic Partnership Agreements (EPAs) with the European Union (EU). Under their current form, the EPAs risk significant detriment to development and employment prospects in the developing countries concerned. If they are applied, EPAs need to be re-negotiated in order to result in more resilient economies and promote regional integration. It is also vital that dangers to employment be fully anticipated and that adequate policy space be preserved for attaining domestic development priorities. A full impact assessment of the employment repercussions and industrial policy implications is required.

- The CTUG calls on CHOGM to establish an observatory to analyse the effects of EPAs and of potential WTO agreements on Commonwealth countries and address the social dimension of trade.

In response to the employment consequences of off-shoring and outsourcing, more effective international rules to shape globalisation are needed. Many developing countries are competing

intensely for export markets and investment and the problems stand to be generalised as competition increases. The result is increased work precariousness, informal economic activity and vast labour rights abuses. CHOGM should support international instruments that provide clear guidance for acceptable corporate social practices, namely the OECD Guidelines on Multinational Enterprises and the ILO Tripartite Declaration on Principles concerning Multinational Enterprises and Social Policy.

- Commonwealth governments need to guarantee core workers' rights through effective enforcement of acceptable corporate social practices, including labour standards, in trade agreements.

The CHOGM in Colombo should address the over-reliance of some Commonwealth countries on the commodities trade, with a mechanism to provide aid in times of price shocks, stabilise commodity prices and provide for measures to address speculation in commodities markets, including innovative tax measures. Such a mechanism would provide great benefit to poor Commonwealth countries and assist them to move towards a long-term solution to their dependence on a few basic products through industrial policies based on creating decent and green work and concluded through social dialogue.

CHOGM should reaffirm Commonwealth developed countries' commitments to duty-free, quota-free access to LDC's products and take measures to provide it. Other measures on the multilateral level that would have a positive effect on poor Commonwealth countries include the simplification of rules of origin and increased flexibilities for the protection of intellectual property rights (IPRs) in order to enable quicker technological dissemination and cheaper intellectual property related products, including medicine, seeds and others. Moreover, developing countries of the Commonwealth will greatly benefit from the deal on agriculture proposed by the Group 33 (G33) to the WTO Ministerial Conference in Bali.

- The developed Commonwealth countries should stop rejecting the LDC Group's request of unconditional extension of the transition period to defer implementation of TRIPS obligations until they graduate from the LDC status.
- The Commonwealth should stand in support of the G33 deal on agriculture at the WTO Ministerial in December.

It is also important that CHOGM proposes a trading model based on regional integration among Commonwealth countries and pro-development trade relations. To this end, investment in building connectivity among groups of Commonwealth countries is necessary in fields such as resilient physical infrastructure, trade agreements, customs cooperation, enterprise interconnectedness and labour and skills mobility. The developed countries should provide technical assistance to such ends in addition to the ODA they already offer. This aid should be used to develop physical, institutional and human capacity in trade.

Conclusion

The CTUG urges CHOGM to implement its own current commitments, while also considering the suggestions from the CTUG including in particular the pursuit of an employment-led sustainable growth model with high quality jobs, productive investment, social protection and access to quality public services that will provide jobs and improve the livelihoods of millions of people. The CTUG supports strongly the successful development of intergovernmental cooperation through the Commonwealth in order to attain democracy, human and trade union rights and decent work in all its countries so as to enable growth that bears benefits for all.