

## Resolution No. 1

### SOLIDARITY WITH STRIKING INDONESIAN MINERS

The 15<sup>th</sup> ITUC-AP Regional General Council Meeting in Ulaanbaatar, Mongolia, 16 - 17 August 2017:

- CONDEMNS** the oppression of workers' rights in PT Smelting Indonesia, a joint venture between Freeport-McMoRan and Mitsubishi Materials that processes copper from Grasberg. The sacking of 309 workers are on strike since January 2017;
- DEPLORES** the inhuman treatment of workers by refusing to pay the salary and other benefits while their union is contesting their dismissal in court notwithstanding a note from the provincial Ministry of Manpower asking the company to do so; the dismissed workers are treated like terrorists in court hearings;
- REITERATES** that these actions are blatant violation of workers' rights to organise and bargain collectively and strike as enshrined in the ILO Conventions;
- NOTES THAT** the management has refused to negotiate with the union to find a solution to the dispute;
- EXPRESSES** solidarity with the striking workers; and
- DEMANDS** the immediate reinstatement of all dismissed workers and initiate negotiations with the Union to reach a fair settlement of disputes which forced the workers to go on strike.
- URGES** the government of Indonesia to redouble their efforts to facilitate resolution of PT Smelting Indonesia disputes.

## Resolution No. 2

### ISRAELI ELECTRIC COMPANY WORKERS

The 15<sup>th</sup> ITUC-AP Regional General Council Meeting in Ulaanbaatar, Mongolia, 16 - 17 August 2017:

**EXPRESSES GRAVE CONCERN** regarding the legal proceedings that are taking place in the Israeli High Court of Justice concerning the right to strike of Israeli Electric Company workers;

**LEARNS** the HISTADRUT represents 12,500 employees of Israel Electric Corporation (IEC) which is a public and government-owned company, generating and supplying electricity to the citizens and all sectors in Israel;

that in the past few years, the Israeli government has been gradually implementing a privatisation reform in the electric sector. The reform is set by law, government decisions and other regulative provisions. The main part of the reform is granting licenses to private companies to build electric power stations and to generate electricity;

**FURTHER LEARNS** that in 2017, the government presented a new reform plan based on the sale of all IEC's power stations to the private sector (excluding coal stations), meaning, in practice, that IEC will stop generating electricity;

that this privatisation reform has material implications on IEC's employees' rights first and foremost as approximately 4,500 - 6,000 employees will be dismissed;

In May 2017, the Israeli National Labour Court approved a previous decision of the lower court, recognising IEC's employees' right to strike, whose goal is to bring the government to consult with the HISTADRUT before the formation and implementation of the reform and to negotiate on the implications of the reform on the employees' rights.

that the Israeli government, joined by some private electric corporations, has recently appealed to the Israeli High Court of Justice, claiming that the workers do not have the right to strike regarding the new reform plan since the strike is political. Furthermore, the government claims that its only duty towards the workers is to consult with them regarding the reform plan and to negotiate with the workers on their rights in the framework of the new reform plan. However, the government is not negotiating or consulting with HISTADRUT.

**REALISES** that following a preliminary hearing in the aforementioned appeals, the High Court of Justice issued a decree nisi, ordering the HISTADRUT to give reasons why the Israeli National Labour Court's decision (which approved the workers' right to strike against the new reform plan) should not be revoked;

**BELIEVES** it is incumbent on labour organisation to activate the right to strike in order to protect the workers' rights, especially when there is a concrete threat of massive layoffs;

**EXPRESSES** concerns on the possibility of narrowing or limiting the freedom to strike

against government decisions which have direct implications on workers' rights;

**BELIEVES**

it is imperative that the right to strike will be respected throughout the world;

**HOPES**

that the outcome of the current legal proceedings will result in an outcome that respects the right to strike as a fundamental human right protected under international law; and

**SUPPORTS**

and stand by the HISTADRUT and IEC's employees in their legitimate struggle.

### **Resolution No. 3**

#### **DEFENDING AND ADVANCING THE RIGHTS OF HOME-BASED WORKERS**

The 15<sup>th</sup> ITUC-AP Regional General Council Meeting in Ulaanbaatar, Mongolia, 16 - 17 August 2017:

- EXPRESSES** concern that 21 years after the adoption of the International Labour Convention No. 177 on Home Work, only ten countries have ratified C.177. This reflects both a general lack of recognition of home-based workers as workers, as well as the refusal of employers and governments to extend fundamental worker and trade union rights to home-based workers. In Asia Pacific, we have vast number of home based workers like in Bangladesh there are 2.5 million, in India 3.74 million, in Nepal 1 million and Pakistan 1.5 million home-based workers;
- REAFFIRMS** that home-based workers are waged and piece-rated workers in an employment relationship and that several unions are actively organising home-based workers to defend their rights as workers and to bargain collectively with employers and contractors. Since the majority of home-based workers are women, this is vital to our broader commitment to advancing the rights of women workers and women's empowerment;
- NOTES** that over the past two decades the number of home-based workers has increased in several countries and that home-based workers earn wages in both formal and informal supply chains in other sectors such as garment, tobacco, food processing, agriculture, and additionally in many of these and other sectors;
- NOTES** that the ILC discussion on workers in global supply chains in 2016 noted specifically that home based workers were among the most vulnerable and should be recognised and be ensured access to worker and trade union rights;
- FURTHER NOTES** that recognition of home-based workers is progressing. In 1996 only seven countries had statistics on home-based workers as part of the labour force, while today 50 countries include home-based workers in labour statistics. This progress in the visibility of home-based workers must now be reflected in the protection of their rights as workers;
- RECOGNISES** the urgent need to revitalise support for C.177 on Home Work and to secure ratification by governments. The importance of C.177 is that it calls for home-based workers to have access to the rights of other waged workers, such as fair remuneration; social protection, including occupational health and safety regulations and maternity benefits; freedom from discrimination and the right to organise; and
- RESOLVES TO** increase education and awareness among our members of the importance of recognising home-based workers as workers and extending the same rights and protections of waged workers:
- mobilise affiliates to call on their respective governments to ratify C.177, and once ratified to ensure effective implementation;
  - run an internationally coordinated campaign for ratification of C.177 that targets a specific list of governments within an agreed timeframe;

- the ITUC-AP should run 12 by 12 campaign for the ratification of C.177;
- strengthen the organising efforts among home-based workers to ensure they can access their worker and trade union rights;
- collaborate with member based organisations, networks which are organising home-based workers to strengthen the organising effort;
- engage with those companies in which the affiliates have recognition to identify where home-based workers are employed in their supply chains and take action to reduce human rights risk and ensure access to rights;
- use leverage in supply chains in specific sectors, industries and companies to support the organising of home-based workers, ensure fair wages / piece-rates, increase their skills and access to social security schemes and strengthen their access to human rights;
- identify the gender based violence that homebased workers face and campaign to address the problems; and
- recognise 20<sup>th</sup> October as International Home-based Workers' Day based on the Kathmandu Declaration (2000) and commemorate this day with activities that promote ratification of C.177.

## **Resolution No. 4**

### **SOLIDARITY WITH INDIAN WORKERS**

The 15<sup>th</sup> ITUC-AP Regional General Council Meeting in Ulaanbaatar, Mongolia, 16 - 17 August 2017:

#### **EXPRESSES**

**GRAVE CONCERN** at the increasing incidence of blatant violation of trade union rights in India;

#### **NOTES**

that the government is bringing amendments to the existing basic labour laws which will lead to dilution or elimination of all rights gained by labour through long drawn struggles;

#### **FURTHER LEARNS**

that 44 Central labour legislations are being amalgamated in 4 labour codes; the abridged 4 new codes (i) Wage code; (ii) Industrial code; (iii) Social security code; and (iv) Health and safety code are ready to be presented to the Parliament in the next session;

#### **TAKES SERIOUS NOTE**

that an amendment to the Industrial Disputes Act enhances the threshold limit for employers to obtain prior permission for lay off, lock out and closure from 100 to 300; government has introduced 100% FDI in core industries like railways, banks, insurance and strategically most sensitive sector of Defence production; the government is also going on reckless privatisation of profit-making public sector undertakings;

#### **FIRMLY BELIEVES**

that all these moves are meant to curtail or snatch away workers protection and provide a conducive environment for hire and fire to the employers;

#### **CONDEMNS**

that the government has withheld participation of the largest trade union centre in the country, the ITUC-AP-affiliated INTUC, in various tripartite bodies including international fora like ILO on some frivolous charges like imaginary court cases;

#### **EXPRESSES GRATITUDE**

that the Indian trade union movement is unitedly opposing the government's anti-labour policies and has been waging a relentless struggle for their legitimate rights; and

#### **NOTES**

the plan of action announced by the Platform of Mass Organisations (central trade union organisations) including demonstrations, dharnas, picketing which will culminate in an indefinite national strike.

## Resolution No. 5

### ENSURING WOMEN'S PARTICIPATION IN ILC DISCUSSIONS ON VIOLENCE AND HARASSMENT OF WOMEN AND MEN IN THE WORLD OF WORK

The 15<sup>th</sup> ITUC-AP Regional General Council Meeting in Ulaanbaatar, Mongolia, 16 - 17 August 2017:

**WELCOMES WITH APPRECIATION** the decision of the ILO Governing Body in its 325<sup>th</sup> Session (29 October – 12 November 2015) to place a standard-setting item on “Violence and Harassment Against Women and Men in the World of Work” starting at the 107<sup>th</sup> Session (June 2018) of the International Labour Conference (ILC);

**SUPPORTS** the conclusions of the Tripartite Meeting of Experts on Violence Against Women and Men in the World of Work (3 - 6 October 2016) which highlighted the need for a robust ILO standard on violence in the world of work, with a particular focus on Gender-Based Violence (GBV);

**CONSIDERING** that the ILO already sent Member States the Law and Practice Report (white report) in April 2017, which analyses the current worldwide legislation and practice on violence and harassment against women and men in the world of work, together with a questionnaire;

**NOTES** the outcomes of the ITUC-AP Regional Preparatory Meeting for ILC Discussion on Violence and Harassment in the World of Work (16 - 17 July 2017, Manila) which highlighted the leading and important role women, with support from affiliates, will play between now, the ILC discussions and beyond;

**CALLS ON AFFILIATES** to develop a coordinated and targeted plan of action and implementation strategy to prepare for the ILC discussions and beyond, including but not limited to:

1. Contacting the relevant national ministries to discuss the submission of trade union comments/position to the Questionnaire, and/or submit comments directly to the ILO following the “ITUC Suggested Responses to the Questionnaire” before the 22 September 2017 deadline;
2. Holding discussions at the national/enterprise level to get a better understanding of trends, forms, and incidence of violence at work, with a strong focus on GBV, and their impact on work, workers and enterprises; and
3. Preparing women to take part, contribute to and ensure their participation in any national consultations on the Report and Questionnaire, and in the International Labour Conference in 2018 and beyond.

**CALLS ON THE ITUC-AP**

1. To coordinate the timely submission of affiliates' reply to the ILO questionnaire;
2. To continue gathering evidence and expanding networks and connections with like-minded organisations to support the trade union advocacy and campaign for a comprehensive ILO Convention and Recommendation with a strong focus on GBV (including domestic violence);
3. To monitor follow up action and report to the Regional General

- Council progress made in implementing these initiatives; and
4. To support affiliates in these actions.

## Resolution No. 6

### IMPLEMENTING PARTS OF 14<sup>TH</sup> REGIONAL GENERAL COUNCIL RESOLUTION NO. 5<sup>1</sup>: ENSURING MINIMUM 30% WOMEN'S PARTICIPATION IN ITUC-AP PROGRAMMES AT ALL LEVELS

The 15<sup>th</sup> ITUC-AP Regional General Council Meeting in Ulaanbaatar, Mongolia, 16 - 17 August 2017:

**RECOGNISES** increasing involvement and participation of women in trade union programmes at various levels, from 20% in 2014 to 30% in 2017, while peaking at 41% in 2015;

**RECOGNISES FURTHER** the significant improvement of participation rates at the national/affiliates level from just 18% in 2013 to 33% in 2017, peaking at 63%;

**NOTES WITH CONCERN** that while this trend is encouraging, it hides disparities between individual programmes, particularly at the regional level. In 2017 for example, women's participation was only 9% - 27% in 6 out of 11 programmes;

**NOTES** the conclusions of the ITUC-AP Women's Committee in its 13<sup>th</sup> and 17<sup>th</sup> meetings (October 2014, Manila; July 2017, Manila) as follows:

- there is a need to build the capacity and knowledge of women in other areas and to increase their participation in all programmes other than gender-related;
- monitor and assess not just the number of women attending programmes but also their ability to contribute to and influence the content and outcomes of discussions;
- ensure that gender perspectives are reflected in programme documents and in discussions;
- ITUC-AP and affiliates should consider other creative ways to increase women's participation, especially if programmes are ITUC-AP funded; and
- ITUC-AP to develop a selection process of screening nominations for all (ITUC-AP) funded/supported programmes, both at the national and regional levels, to ensure women's equitable participation.

**REAFFIRMS** its commitment to the continuing and full implementation of related resolutions in 2013<sup>2</sup> and 2016 which called for ensuring minimum 30% women's participation in the ITUC-AP programmes at all levels;

**CALLS AFFILIATES ON**

1. To continue to support and implement the targets of the ITUC *Count Us In!* campaign;
2. To support the increased participation of women in ITUC-AP activities beyond gender equality-related programmes;
3. To extend after-training/programme support to women in the implementation of action plans; and
4. To continue to examine persistent barriers in women's participation and representation in leadership and decision-making and develop

<sup>1</sup> Meeting the Targets of ITUC Count Us In! Campaign, December 2016, Kathmandu

<sup>2</sup> Resolution No. 1, 2013 – Organising Women: ITUC Count Us In! Campaign

strategies and programmes to build women's capacities in this regard.

**CALLS ON  
THE ITUC-AP**

1. To implement a standard selection procedures/policy in all programmes with the following components:
  - Develop a standard registration form for all programmes;
  - Affiliates shall be required to nominate two candidates in ITUC AP programmes, at least one of whom must be a woman, and complete the registration form;
  - The nomination of affiliates with only one (1) candidate will be accepted but will not be financially supported, except when the nominee is a woman; and
  - ITUC-AP will make the final selection of participants, considering the 30% minimum requirement for women's participation; and
2. To monitor follow-up action and report to the Regional General Council progress made in implementing this selection policy.