

DECLARATION

UNITY – THE WAY FORWARD

IN PURSUIT OF THE ITUC'S FREE, INDEPENDENT AND DEMOCRATIC TRADE UNIONISM IN ASIA AND THE PACIFIC

Globalisation has contributed to fast economic growth in the region and globally. However, it has evidently failed to deliver the promised decent living standards and has not benefited working people as a whole in the Asian and Pacific region. The economic and financial crises, first in 1997 and second in 2008 rendered tens of millions of working men and women unemployed. Workers who had nothing to do with the reasons for the economic and financial crisis were forced to pay the price. Widening income gap because of ineffective distributive and redistributive mechanisms continues. The surge of informal economy and atypical workforce driven by flexible labour market policy is posing grave threat to employment protection. Women and youth are the most affected segments of workforce.

Globalisation has resulted in distributive injustice where economic growth has not been distributed fairly to wages and other working conditions, employment, gender equality, poverty eradication and social development as a whole. One of the side effects of globalisation has been the tremendous increase in power of corporate sector. This has spawned blatant corruption and lack of good governance. Workers are the victims of this phenomenon.

In pursuit of high union density, united voice of workers and constructive social partnership nationally and in the region, we reaffirm our trade union goals: enjoyment of universal human rights and effective representation of working women and men, assuming the task of promotion of economic justice, democracy and peace. Combating poverty, exploitation, oppression and inequality is our fundamental areas for trade union action. Continuation of our trade union action is the only way to make "Now the People" a reality nationally and in the region.

We have to lead a paradigm shift of economic and social governance, from Doing Business, where only efficiency for the maximum profit is pursued, to "Now the People" (Theme of the 2nd ITUC World Congress), where dignity of work, fairness and solidarity prevail. Distributive and redistributive mechanisms should be strengthened and firmly built in economic and financial structures nationally and regionally.

The Conference reaffirms that the ITUC-AP act with the ITUC to strengthen the presence of the ITUC's free, democratic and independent trade unionism across the region and carry out trade union objectives in tackling various regional and national trade union issues, central part of which are ILO Decent Work Agenda and UN Millennium Goals. Our priorities for action are always focused on organising and building a strong trade union movement, united, across the region.

The ITUC-AP, representing the collective strength of the ITUC-AP affiliates, further promotes the organic and effective working relations with the ITUC-AP affiliates. Under the broader framework of the ITUC policies and its support, the ITUC-AP will continue to address and resolve regional and national trade union challenges.

The Conference recalls that the ITUC-AP was founded in Bangalore, India, on 5 September 2007 as an organic part of the Confederation. Since then, as pledged in the Founding Conference, we have been working together in a spirit of solidarity, democracy, and equality to promote the aims stipulated in the Regional Constitution. Together with the affiliates, under the slogan of “Unity – the Way Forward”, the ITUC-AP will further endeavour to promote unity nationally and in the region to work, in continuous review of our action and identifying challenges, for a better future, in a more just world as set down in the resolutions that becomes the ITUC-AP Action Programme 2011 - 2015.

(Resolution 1) The Conference reiterates that defending and protecting workers rights everywhere continue to be our primary task. Enjoyment of untrammelled workers rights is needed more than ever. The ITUC Founding Congress and the ITUC-AP Founding Conference have given mandate to expose and denounce violation of workers rights, wherever they occur.

The Conference recognises that informal economy accounts for overwhelming majority of workers in Asia Pacific. Globalisation has led to increased flexibility in the labour market converting “formal employment” into “informal employment” or atypical work.

(Resolution 2) Organising all working people into free and democratic trade unions is the number one challenge facing trade unions in all countries. It is to be reiterated that there is no substitute for genuine democratic trade union organisation. It is more so in respect of informal and atypical employment. The Founding Conference of the ITUC-AP in 2007 emphasised that massive organising campaigns to bring all workers to the trade union fold is the need of the time and organising informal economy and atypical workers should be a priority for trade unions.

(Resolution 3) The Conference reaffirms its commitment to achievement of gender equality and women empowerment as a trade union agenda in pursuit of democracy, social justice, equity, peace and development. However, despite trade unions’ efforts to address gender inequalities, achieving full-fledged equality between women and men in the labour market, in the union and in society remains farfetched. In the Asia Pacific region, though progress has been achieved, it was found to be sluggish and uneven. Gender inequalities are manifested in dire lack of women’s representation and participation at all levels in all realms, persistent gender wage gap, discrimination in employment and treatment, higher unemployment and informalisation among women, lack of support mechanism to ensure balance between family and work, sexual harassment, illiteracy, and so on.

(Resolution 4) The Conference recognises that more than one billion people today are between 15 and 24 years of age and nearly 40% of the world’s population is below the age of 20. The majority of young people, 85%, live in developing countries, with approximately 60% in Asia alone. Problems and aspirations of young people must be given due consideration in the development agenda of all countries. All young people in the diverse Asia and Pacific Region share common problems such as scarcity of decent job opportunity, high unemployment rate, lack of education and skill training and retraining, lack of adequate social protection, and uncertainty for future.

(Resolution 5) The financial and economic crisis in 2008 again revealed fundamental labour market deficits in globalisation; surge in informal and precarious workers, lack of rules for employment adjustment and social protection for retrenched workers. Social Safety Nets for employment protection are weak in the region. The Conference 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, where the principle of equal remuneration for work of equal value is seriously violated. When economic downturn comes, first victims are workers in precarious employment, such as irregular workers, contract workers and short-term / temporary workers.

Economic growth in the past decades has not been distributed to employment in terms of quality and quantity. In the recovery process from the financial and economic crisis, employment should be put in the centre of policy options, a departure from a neo-liberal labour market policy to a labour friendly one. In this context, the Conference welcomes the ILO Global Jobs Pact as comprehensive global guidelines for decent employment and active labour market policy for decent employment. The Conference commits the ITUC-AP to encourage and support affiliates to pursue the employment protection in the tripartite agenda.

(Resolution 6) The Conference recognises that decent work is the battle cry of trade unions in efforts to improve the lives of workers and the society through full respect for core labour standards, decent employment and income, social protection, and social dialogue. Decent work can be achieved only when work is carried out in conditions of freedom, equity, security, and human dignity. This implies that workers should work under working conditions that can enable them to live decently as human beings with sufficient income to meet a decent standard of living and having time for families and leisure as well. All workers should be paid at least a guaranteed minimum wage that should meet at least their basic needs, or a living wage that will ensure minimum standards of living.

(Resolution 7) The Conference recognises that there are about 200 million migrants who live and work in countries other than their own. Growing unemployment and lack of proper job creation at home, population explosion, declining fortunes in agriculture, growing disparities, political conflicts, natural disasters and general backwardness, desire for decent work and decent life, force people to migrate to foreign countries. There is need for a rights-based approach to migrant labour issues.

(Resolution 8) Trade unions have long been advocating, pressing, and asserting the protection of domestic workers at national and international levels. Past two decades, demand for domestic workers is on the rise. The 100th session of the ILC will consider a convention and recommendation for protection of domestic workers. The ITUC-AP will continue to campaign for adoption of the same.

(Resolution 9) The Conference recognises that fair taxation system / fiscal policy and Social Safety Nets are important instruments for the re-distribution of national wealth. Social Safety Nets are closely linked to national fiscal and taxation policies. Among the indicators of social development is the existence of adequate and efficient delivery of Social Safety Nets. There is still so much to be done in the region in terms of institutional reform to address the issue of the lack of and efficient provisions of Social Safety Nets.

In most countries in the region, taxation systems are regressive. Unfair taxation systems have contributed to accumulation of wealth in higher income brackets. In most countries in the region, such structures are not in favour of workers, and accordingly, labour share in GNI has been structurally declining. The Conference pledges to campaign for the provisions of adequate Social Safety Nets including participation of trade unions in the management of "Workers' Capital".

(Resolution 10) The Conference recognises that the number of child labour globally has shown a slight decline. The Conference appreciates precious contributions made by trade unions, ILO and various Civil Society Organisations. However, elimination of child labour has yet to be within reach. In Asia and the Pacific region, there are still 122 million child labourers (5 - 14 years), of whom 100 million are girls. Children working in almost all kinds of economic activities, in spite of their physical and mental immaturity and vulnerability, are often left unprotected, and in some serious cases, they are miserably abused, exploited and exposed to all types of physical, mental and moral hazards. Worst forms of child labour are visibly prevalent in the region such as child trafficking, commercial sexual exploitation,

bonded child labour, child domestic work and use of children for armed conflict or drug trafficking. Under these precarious conditions, the children's basic rights to education and leisure are wantonly violated.

(Resolution 11) The Conference is appalled by the wanton destruction of environment as seen in the fast disappearance of forests, intensifying pollution of water and air, depletion of wildlife including marine life, increasing damage to the ozone layer and emission of nuclear substance. There is inextricable link between increasing poverty and destruction of the environment. The Conference is concerned about inadequate effort exerted by governments and the world community to arrest environmental degradation. It recognises the dangers that environmental degradation poses to the livelihood of workers in particular and to human life in general. The Conference is aware that protection of environment leads to protection of employment because only "green and decent jobs" can be sustainable. Trade unions should be involved in environmental protection in national, regional and international fora, as key stakeholders in sustainable development. The Conference also notes that in some countries trade unions are already involved in such activities.

(Resolution 12) The Conference is appalled that around 2.3 million men and women die from work related accidents and diseases every year and an estimated 1.95 million workers die from fatal work related diseases. The Conference commits the ITUC-AP undertake efforts to ban hazardous substance and to achieve a total ban of the use and commercialisation of asbestos and carry out campaign for combating the discrimination suffered by HIV-positive persons and mobilise supports to broader technical assistance and programme to affiliates.

(Resolution 13) The Conference stresses that social dialogue is the essential part of Decent Work Agenda. Social partnership and dialogue are fundamental components towards decent work which is the main tenet of the ILO Convention No. 144 (Tripartite Consultation). The Conference believes that efficient social dialogue at various levels ensures business sustainability which will eventually benefit workers and national economy as a whole. The Conference, however, notes that industrial relations in the region are generally confrontational ones. This is mainly because of low union density and divisions among trade unions, various restrictions imposed on trade unions and even outright prohibition of trade unions.

(Resolution 14) With the stalling of negotiations on the implementation of the Doha Development Round of the World Trade Organisation (WTO) since 2001, a number of countries have resorted to the negotiations and signing of Free Trade Agreements (FTAs) bilaterally or with economic groupings. The number of FTAs is increasing especially in the Asian and Pacific region. The Conference is concerned that trade unions have been excluded from the negotiations and labour matters are usually not included in these agreements.

The Conference recognises that regional and interregional groupings, such as APEC, ASEM, ASEAN, SAARC, and PIF, have emerged as important vehicles for the promotion and facilitation of trade, investment and services. Regional integration processes should boost fair and sustainable growth. However, attention to social dimension especially Decent Work Agenda is still weak. Trade union participation in such processes should be institutionalised to ensure a balanced approach to boost fair and sustainable growth.

(Resolution 15) The Conference declares that without peace, there could be no development and without development, peace is not sustainable. Peace is an essential prerequisite for economic progress and social justice. It must be based on respect for national sovereignty, exercise of human freedoms, collective security and disarmament. Peace and disarmament are vital preconditions to realise our trade union goals, social development, poverty eradication and employment creation. However, deplorably, global military spending has increased 45% in real terms in the past 10 years at the expense of vital investment in social

and economic development. Trade unions should urge major cuts in military expenditure, and insist that the transition from military to socially useful production to protect the livelihoods of the workers affected.

There is urgent need for establishing a stronger trade union movement, united, nationally and regionally through assiduous efforts in organising. Every action of the ITUC-AP and affiliates should empower organisers through coordinated actions in various strata of trade union organisations at workplace, industrial and national levels and with the GUFs.

The global union movement is committed to sustainable economic growth where dignity of work, fairness and solidarity prevail. It is a prerequisite to build strong free independent and democratic trade unions to:

- intensify activities for defending and promoting workers rights everywhere;
- organise workers in the formal and informal sectors, insecure and precarious jobs, in pursuit of Decent Work For All;
- champion democratic public institutions and respect for universal human rights;
- to bring vulnerable groups like migrant labour, those in EPZs and multinationals into the union fold;
- engage in collective bargaining, setting national standards in wages and working conditions, effectively representing working women and men;
- support effective and adequate social safety nets, funded through fair taxation and fiscal policy;
- campaign relentlessly for peace and against poverty, exploitation, discrimination, oppression and inequality; and
- coordinate and cooperate across national boundaries in pursuit of these goals through all international union forums.

ITUC-AP is committed to implementing these policies in Asia and the Pacific, giving effective regional voice and focus to cohesive, unified and concerted global actions appropriate to regional conditions. To this end, the ITUC-AP will continue to work with the Global Union Federations, the OECD-TUAC, the G20 Trade Unions and with regional groupings to deepen cooperation in trade union organising, campaigning, mobilising and advocacy. This may require reallocation of resources to ensure delivery.

Our effectiveness will be measured by what we do. Over the coming term as in the past, the ITUC-AP will focus resources and activities on practical programmes that will make a difference to workers' rights and union organisation. Our resources should not be confined to pious intentions. It will be translated into concrete actions, with specific and tangible objectives, to lift skills and capacities in affiliated national union centres; to coordinate specific regional campaigns; to exchange information and research on labour law and policy initiatives; to plan and conduct campaigns. The General Secretary shall prepare the plan and schedule for implementation of the above and allocate resources accordingly.

2nd ITUC-AP Regional Conference

Resolution No. 1

PROMOTING AND DEFENDING WORKERS RIGHTS

The 2nd Conference of the ITUC-Asia Pacific Meeting in Singapore, on 11 - 13 May 2011 reaffirms that promoting and defending workers rights every where is and will be our primary task.

The Conference is alarmed at the increasing incidence of blatant violation of trade union rights, more particularly the right to organise and collective bargaining. Such cases are reported even in those countries which claims to respect these rights; governments are increasingly becoming intolerant of trade unions. Trade union activists are facing victimization, arrests, dismissal, transfer, physical assaults and even deaths; the cases of "missing" and execution are also on the increase.

Several countries in the region have not ratified the core labour conventions and even those who have they are not implemented in letter and spirit. Labour laws in many countries do not fully conform to the core labour standards and even where they do enforcement leaves much to be desired; enforcement machinery is found erratic.

The Conference reiterates that it is the inalienable right of every worker to form and join union of his/her liking. Right to form and join trade union, to bargain and to free and independent trade union are essential for all working people. We will fight and promote these rights everywhere in the region, irrespective of whether we have representation or not.

The Conference commits the ITUC-AP, working with affiliates and the GUFs to:

- to campaign for labour law reforms to allow unrestricted workers right to organise and bargain collectively in compliance with the ILO conventions No. 87 and 98, irrespective of the ownership, nature, size, composition of the workforce, employment status, and location of the workplace;
- to assist affiliates in capacity building to address the deficiencies in labour legislations in the region and to ensure effective implementation so that the workers enjoy their fundamental rights to freedom of association and to organise as per universally accepted standards;
- continue to intensify campaign to promote ratification of the ILO core conventions and their effective implementation;
- monitor and act appropriately to oppose cases of violation of workers fundamental rights and human rights wherever they occur in the region and mobilise solidarity of workers organisations to strengthen such efforts;
- support the affiliates in all possible ways in their fight for defending workers;
- campaign vigorously for the release of all imprisoned for trade union activities;
- work to obtain full respect for fundamental workers' rights for the workers in the informal economy, irrespective of their employment status, in particular for their right to organise and bargain collectively;
- work with the ITUC to use the ILO mechanisms to present complaints to the ILO Committee on Freedom of Association and Committee on Application of Standards and follow up;
- encourage and support establishment of independent democratic trade unions in countries where they do not exist;

- work with the ITUC and the GUFs to continue engagement with various multilateral economic integration processes;
- make effective use of all available means including the OECD Guidelines for Multinational Enterprises to address unfair labour practices adopted by multinational corporations, and to implement Framework Agreements with multinationals to ensure adherence to Core Labour Standards; and
- monitor labour inspection machinery.

2nd ITUC-AP Regional Conference

Resolution No. 2

ORGANISING NO SUBSTITUTE FOR GENUINE TRADE UNIONS

The basis and the most important source of power a trade union has are the unity and organisation of its members and they are the most representative and organised forces in the struggle for social justice. It is through trade union organisation, working women and men provide themselves with the means to assert their freedom and enable them to fight for their immediate needs.

There is 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.

Trade union density is abysmally poor in most of the countries in the region and vast segments of working women and men are still out of the union fold. Added to this is the scourge of multiplicity of unions. This has led to marginalisation of trade unions.

Legislative framework is lacking or inadequate in many countries to encourage organising and providing an atmosphere conducive for forming and joining unions. Even where statutes for protecting workers rights exist they are observed more in breach than in compliance.

Informal economy is increasing in the region; workers in informal economy constitute more than half of the working population. Adequate attention has been lacking from the trade unions in terms of organising and mainstreaming the informal economy workers. Atypical/irregular employment is also increasing.

The Conference commits the ITUC-AP, working with affiliates and the GUF to:

- to accord utmost priority to organising and where necessary we prioritise to focus on more concrete action;
- to launch specially targeted initiatives to organise women into trade unions which require added commitments to incorporate gender perspectives into trade union activity on a scale sufficient to make a difference;
- to allocate union funds to organising;
- to launch specially targeted intensive organising campaigns for bringing in workers in informal economy, atypical employment, part-time workers, self-employed, migrant labour and workers in the export processing zones and MNCs into trade unions;
- disseminate case studies on organising successes;
- wherever necessary to campaign for bringing amendments to legal or institutional frameworks which define and stipulate the status of workers or through which collective bargaining relations are recognised and protected;
- to give top priority in all areas of work to supporting organising activities and capacities of trade unions including recruitment, obtaining recognition and the conclusion and strengthening of collective agreements;

- initiate and support actions to achieve an institutional and political environment conducive to freedom of association and the right to collective bargaining;
- to accord priority to organising informal workers and extend all assistance to the affiliates in this task;
- to assist affiliates to launch pilot projects in identified areas / sectors for organising;
- to assist affiliates to undertake capacity building programmes to promote their ability to organise and represent members effectively;
- launch internationally coordinated and strategically targeted organising initiatives; and
- support and encourage special organising campaigns aimed at young workers.

2nd ITUC-AP Regional Conference

Resolution No. 3

GENDER EQUALITY

UPHOLDING WOMEN'S RIGHTS AND DECENT WORK FOR WOMEN

Women workers in recent years constitute half of the workforce but they still continue to experience gender inequality, in terms of gender wage gap, discrimination in employment and treatment, lack of support mechanisms to ensure harmonisation of work and family life by including support for reproductive function of women through maternity protection and various child care schemes and sharing of family responsibilities, sexual harassment and other forms of workplace violence, discriminatory application of social safety nets; and, add to this, feminisation trend in informal economy, atypical work, and increasing migration with globalisation giving rise to flexible labour market policies internationally, regionally and locally.

In society at large, where trade unions operate, violence against women and girl-child is rampant to an unacceptable extent; discrimination in access to education, health services and to economic resources and opportunities are prevalent; women are under-represented and more often paid at lowest levels in public and private spheres, most notably in decision-making and policy making bodies, peace processes, media, environmental protection and sustainable development; and are still predominantly negatively portrayed and used as objects in media for commercial purposes.

Women in trade unions are also under-represented. Despite women membership comprising 40% - 50% of union members, women are still scarce in top leadership and in decision-making structures. The ITUC-AP survey in 2010 found, on gender parity in leadership positions, the average for region is only 16%, a far cry from minimum target of 30%. This is parallel to business communities where women hold less than 5% of the top jobs for obvious reasons.

On maternity protection, trade unions have made a headway in successfully putting provisions of the Maternity Protection Convention No. 183 into collective bargaining agreements. However, much remains to be done. Globally, only 20 countries have ratified Maternity Protection Convention No. 183.

Trade Unions primarily exist as vanguard and protectors of human and workers' rights for democracy, justice, equality and peace. As such, trade unions should continue to fight for social justice, and among other issues, eradication of gender-based discrimination against women. The achievement of gender equality and women empowerment must be highly placed in the trade union agenda. This is further emphasised in the ILO and ITUC campaign for Decent Work that placed Gender Equality at the heart of Decent Work.

The Conference endorses the ITUC-AP Platform of Action for Gender Equality 2011 - 2015 and commits the ITUC-AP, working with affiliates and the GUFs to actions focusing on the following four (4) areas:

1. Elimination of discrimination and violence against women in all aspects of their lives;

2. Empowerment of women economically especially those from informal economy, EPZs, migrants including women workers in domestic service;
3. Facilitation of women's equal access to and full participation in decision-making and power structures and processes; and
4. Mainstreaming of gender perspective in all policies and programmes of trade unions and governments.

Detailed trade union actions can be referred to in the Platform of Action for Gender Equality 2011 - 2015.

2nd ITUC-AP Regional Conference

Resolution No. 4

DECENT WORK FOR YOUNG PEOPLE

The Conference recognises that more than one billion people today are between 15 and 24 years of age and nearly 40% of the world's population is below the age of 20. The majority of young people, 85%, live in developing countries, with approximately 60% in Asia alone. By 2025, the number of young people living in developing countries will grow to 89.5%.

The ILO estimates that 82.7 million young people throughout the world are unemployed, accounting for about 39% of the total unemployed. About 40% of the total is in Asia and the Pacific. Youth unemployment rates are much higher than overall unemployment rates in all sub-regions. Asia-Pacific has more than 45% of the world's youth without work.

The unemployment rate of youth is 14.8% in Asia and the Pacific (ITUC-AP Youth Employment Survey 2008), more than double of the average, regardless of their educational backgrounds. In a drastically changing labour market, more and more young workers, especially young women, are working in precarious employment conditions, without adequate social protection

The ITUC-AP Youth Employment Survey 2008 shows that, in some countries, the youth unemployment rate is declining, a contradicting fact against the surging youth unemployment. However, this is because the drop-out youth from labour market or youth after the expiry of unemployment insurance are not counted as unemployed. Their situation is, in reality, worse.

Young people are an important segment of work force with great potentials for economic and social development. Sound economic and labour market policies and practice that create, ensure and promote decent jobs for youth are very important for national development. However, the situations surrounding young people are critically serious.

Adequate opportunities and access for free and / or affordable and quality education and training are not always available for youth. Many countries have their own skills training and re-training schemes, but these often do not match the needs of the changing industries and the labour market.

Employment facilitation mechanisms should be developed to assist youth in finding and making informed decisions about jobs. Although public and private job-exchange schemes are available, the endemic lack of budgetary support for efficient employment facilitation services and weak governance do not contribute to addressing the skills and job mismatch and result in wastage of productive capacity and potentials of the youth.

Problems and aspirations of young people must be given due consideration in the development agenda of all countries. All young people in the diverse Asia and Pacific Region share common problems such as scarcity of decent job opportunity, high unemployment rate, lack of education and skill training and retraining, lack of adequate social protection, and uncertainty for future.

The Conference therefore adopts the Youth Charter as guidelines for youth activities and commits the ITUC-AP, together with affiliates and the GUFs to:

- fully support activities of the ITUC-AP Youth Committee and affiliates' youth committees;
- encourage greater youth participation in the ITUC-AP structure, particularly in higher levels, and activities;
- encourage establishment of youth structures at all levels;
- undertake training and retraining activities for young workers including leadership training;
- promote greater integration of youth within union structures;
- encourage development of policies for youth employment schemes that respect decent work principles;
- prioritise gender balance in all youth activities;
- organise own or jointly with schools, relevant student societies and non-government career counselling / education, trade union, trade union education and appreciation seminars;
- develop mechanisms for young workers in vocational training or the unemployed associated membership in trade unions;
- increase national youth activities such as youth rally, seminars and leadership programmes particularly for young and youth committee members to develop their leadership potentials and capacities as future trade union leaders;
- to allocate funding for youth activities including the regular functioning of appropriate youth committees; and
- organising young workers will be one of the youth committee's priorities.

2nd ITUC-AP Regional Conference

Resolution No. 5

EMPLOYMENT PROTECTION

The financial and economic crisis in 2008 again revealed fundamental labour market deficits in globalisation; surge in informal and precarious workers or vulnerable employment, lack of rules for employment adjustment and social protection for retrenched workers,

The Conference notes the increased 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, where the principle of equal remuneration for work of equal value is seriously violated.

During economic downturns, first victims are workers in precarious employment such as irregular workers contract workers, short-term / temporary workers.

Social Safety Nets for employment protection by means of fiscal arrangements are essential; various national job-creation schemes for various age brackets, especially for youth and women, efficient job-exchange, skill training and retraining, unemployment insurance. Increased fiscal space and fair division of fiscal responsibilities between capital and labour, progressive tax system; and an end to international tax competition, tax evasion and tax havens are necessary conditions for the extension of social protection. Trade unions should be part of the creation, management and improvement of such Social Safety Nets.

Economic growth in the past decades has not been distributed to employment in terms of quality and quantity. In the recovery process from the financial and economic crisis, employment should be put in the centre of policy options, a departure from a neo-liberal labour market policy to a labour friendly one. In this context, the Conference welcomes the ILO Global Jobs Pact as comprehensive global guidelines for decent employment and active labour market policy for decent employment.

The Conference commits the ITUC-AP, working with affiliates and the GUFs to:

- promote ILO Global Jobs Pact 2010, whose objectives are employment, social protection, social dialogue, and rights at work in its regional and national programmes;
- organise a regional campaign for protection of employment with special emphasis on precarious work in the areas of legislative protection and working conditions;
- review national practices and legal procedures for employment adjustment in the light of ILO Convention No. 158 and Recommendation No. 166 concerning Termination of Employment;

- to exchange good practices of employment protection, employment creation and promotion, skill development, training and re-training; and
- expose and fight job insecurity and social instability caused by employers abusive use of temporary and casual work, the extensive of temporary work agencies and contracting out.

2nd ITUC-AP Regional Conference

Resolution No. 6

FOR BETTER WORKING CONDITIONS

The Conference recognises that decent work is the battle cry of trade unions in efforts to improve the lives of workers and the society through full respect for core labour standards, decent employment and income, social protection, and social dialogue.

Decent work can be achieved only when work is carried out in conditions of freedom, equity, security, and human dignity. This implies that workers should work under working conditions that can enable them to live decently as human beings with sufficient income to meet a decent standard of living and having time for families and leisure as well. All workers should be paid at least a guaranteed minimum wage that should meet at least their basic needs, or a living wage that will ensure minimum standards of living.

Low level wages are one of the reasons for longer working hours. 40 hours work week and adequate levels of premium and restriction on hours of overtime should be established in the region. Wage rate, premium and hours of work should be fixed to secure Work-Life Balance for all workers. Work-Life Balance should include protection of women and youth in terms of working hours and night work.

The Conference commits the ITUC-AP, working with affiliates and the GUFs to:

- commence preparations for campaigns for higher income, shorter working hours and other working conditions on the basis of a regional comparative survey on wages and working conditions in terms of legislation and actual levels;
- work with affiliates to eliminate discrimination in working conditions at work place in the light of ILO Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value;
- continue to campaign for the introduction of a guaranteed minimum wage and for the ratification of the ILO Convention No. 131 concerning Minimum Wage Fixing, Convention No. 95 concerning Protection of Wages and Convention No. 94 concerning Labour Clauses;
- work with the ILO to produce statistical data on wages trends and to undertake research with the aim to develop a concept of a living wage; conduct survey on protection of women and youth in terms of working hours including night work; and
- assist affiliates in working towards a strong system of labour inspection, enforcement in their respective countries and intensify labour inspection in precarious work.

2nd ITUC-AP Regional Conference

Resolution No. 7

PROTECTION AND PROMOTION OF MIGRANT WORKERS' RIGHTS

International labour migration is growing and as many as 200 million workers and their families are residing in countries other than their own in search of employment; Asia and the Pacific region account for more than 50 million.

Labour migration is closely linked to economic development – or rather absence of it. The negative effects of globalisation which have exacerbated growing unemployment, lack of decent work at home, declining fortunes in agriculture, growing disparities and factors like population explosion, political conflicts and absence of democracy, natural disasters and general desire for decent work and decent life force people to migrate to foreign countries;

Migrant workers are frequently subjected to unequal treatment and opportunities as well as discriminatory behaviour; they are the worst victims of racism and xenophobia; migrant workers are paid much less than native workers for doing the same job, adding to the exclusion from social protection and other workers benefits and entitlements.

The Conference notes with serious concern the most exploitative and inhuman conditions of migrant domestic workers which in some cases amount to modern-day slavery and forced labour. They work for meager wages for long hours with no rest or compensation for overtime, no social protection, exposed to physical and sexual harassment, violence and abuse. In many countries, workers fundamental rights to organise and collective bargaining are restricted or altogether denied to migrant workers.

The Conference affirms the urgent need for organising migrant workers as the most effective way to protect and promote their interests.

The Conference commits the ITUC-AP, working with affiliates and the GUFs to:

- encourage establishment of migrant labour centres / departments wherever appropriate, both in origin and destination countries to specifically attend to the migrant workers;
- establish partnership agreements between unions in origin and destination countries;
- promote and assist in organising migrant labour in both origin and departure countries; conduct education programmes for migrant labour;
- campaign for reforms where labour laws restrict migrant workers right to join unions;

- actively involve in conducting pre-departure orientation programmes for migrant workers on their rights, labour laws and culture of destination countries;
- monitor and expose violations, abuses and exploitations;
- build alliances and work together with other civil society organisations who are active on migrant labour;
- promote ratification and implementation of ILO Conventions No. 97 and No. 143 and the 1990 UN Convention on Protection of the Rights of all Migrant Workers and Members of their Families; also campaign for migrant workers right to organise and bargain collectively;
- lobby together with affiliates, governments and regional groupings (ASEAN, APEC, SAARC, ASEM, etc) for protection and promotion of rights of migrant workers, ratification of ILO / UN conventions and involvement of trade unions in groupings, charters, policies, agreement, etc.;
- organise activities on migrant labour at various levels;
- actively participate in the development of the ILO Convention on domestic workers; and
- work with the ILO and other concerned international organisations for the establishment of a rights-based multilateral framework for migration in the global economy; and promote voting rights of migrant workers in their respective countries.

2nd ITUC-AP Regional Conference

Resolution No. 8

DECENT WORK FOR DOMESTIC WORKERS

Domestic work is one of the oldest, most important occupations for millions of women around the world. It is rooted in slavery, colonialism and other forms of servitude.

For the past two decades, demand for domestic workers is on the rise due to influx of women into the labour market, ageing society, and lack of measures to reconcile work and family responsibilities among others. The demand is regardless of a country's development state – developing or industrialised.

In present times, domestic work is a modern form of slavery. Despite its crucial role in economic functioning of a society, it is reeking in abuse - physical, verbal, psychological and sexual; and discrimination and exploitation – undervalued, low pay, employment of child labour, and denial of human and trade union rights – the right for decent pay and decent working conditions, freedom of association and collective bargaining.

Specifically, the foremost issues and concerns of domestic workers are:

- Recognition of domestic workers as workers;
- Recognition of domestic work as work;
- Recognition of the value of domestic work and the skills involved;
- Vulnerability and slavery;
- Unregulated recruitment and placement agencies;
- Unregulated contracts of employment;
- Indecent pay and working conditions;
- Lack of social protection, job security and support services;
- Uncoordinated labour and migration laws; and
- Elimination of violence against domestic workers.

The trade unions have long been advocating, pressing and asserting the protection of domestic workers at national and international levels. After a long wait, the ILO Governing body in a historic move in its March 2008 session, has finally decided to put the promotion of decent work for domestic workers in the agenda of the 2010 International Labour Conference (ILC) session and a second discussion in the agenda of the ILC 100th session in June 2011, which will decide to adopt or not to adopt an international standard – Convention supplemented by Recommendation - for the protection of the most vulnerable sector of workers. Its fate will depend on two-thirds vote of the representatives of Member-States, employers and trade unionists in favor of adoption of international standards to protect the rights of domestic workers.

It is internationally recognised that trade unions represent the workers - organised or unorganised. Therefore, as the most responsible and accountable organisation to alleviate the plight of domestic workers, it should be at the forefront in establishing international standards that will provide the principles and rights, and a clear framework for their protection, rightful treatment and long overdue recognition.

As the discussion and vote is tripartite, workers delegates' in-depth preparedness is imperative – to be able to persuade government and employers to vote in favor of a strong Convention and Recommendation for the protection of domestic workers. Clearly, the fate of an international standard for decent work for domestic workers lies heavily on the trade unions. It is the most opportune time for trade unions to show the world that it is still relevant and live up to what is expected of them especially in these final few weeks before the crucial ILC vote.

The Conference commits the ITUC-AP, working with affiliates and the GUFs to:

- continue organising domestic workers and ensure their integration in the trade union movement;
- encourage and support, if not implement an all-out campaign towards adoption of international instruments for the protection of domestic workers carrying trade union demands including writing letter to heads of state or governments;
- contribute or give inputs towards in-depth preparedness of the workers representatives and delegation so that rightful strategies would be employed on tight situations that may arise during the conference;
- promote consultation of trade unions with their legal counsels on existing national laws which has implications on the proposed international standards, looking at when the international standards are ratified, as inputs to workers representatives in the ILC;
- encourage inclusion of domestic workers and / or their representatives in the trade unions' delegations;
- keenly monitor and be updated on government and employers emerging positions with a view to countervail including conveying information to workers representatives to the ILC;
- work for ratification and implementation of the Convention once adopted; and
- continue networking and building of solidarity between trade unions, domestic workers, migrant groups and CSOs in countries of origin and destination.

2nd ITUC-AP Regional Conference

Resolution No. 9

INSTITUTIONAL REFORMS FOR ECONOMIC JUSTICE

The Conference recognises that fair taxation system / fiscal policy and Social Safety Nets are important instruments for the re-distribution of national wealth. Social Safety Nets are closely linked to national fiscal and taxation policies.

Among the indicators of social development is the existence of adequate and efficient delivery of Social Safety Nets. The Conference defines Social Safety Nets as a comprehensive mechanism encompassing employment insurance with unemployment benefits, vocational and skills training and retraining for employment and job placement, retrenchment benefits, retirement/old age benefits, occupational safety and health benefits, guaranteed minimum wage, maternity benefits and other benefits specific to women; and general social development covering basic medical care and treatment, education, housing, social assistance programmes for special groups, community development and natural disasters. Governments should ensure that budgetary allocations are adequate for the provisions of Social Safety Nets. There is still so much to be done in the region in terms of institutional reform to address the issue of the lack of efficient provisions of Social Safety Nets.

The Conference should take note of the specific circumstances of provisions for retirement and old age in the light of the following sentiments. Workers who have contributed the best part of their lives to work must not live the remaining part of their later life without any means for a decent living. With the ageing of population in the region, there is thus a greater urgency in making sure that the issue of provisions for retirement and old age are effectively put in place.

The Conference commits the ITUC-AP, working with affiliates and the GUFs to:

- continue to campaign for the provisions of adequate Social Safety Nets;

- insist on open, transparent and accountable governance arrangements with active participation by trade unions in the management and investment of workers capital wherever workers contributions, wholly or partly, fund social safety nets;
- continue the campaign for tax and fiscal policy reform leading to a fair taxation system and fiscal policy that will contribute to equitable income re-distribution and better social infrastructure;
- collect good practices in the region and disseminate the information to affiliates including through electronic means;
- campaign for fair and adequate taxation and fiscal policies supporting effective social nets to underpin sustainable growth of living standards and the equitable distribution of national wealth;
- prepare and articulate the case for comprehensive social safety nets encompassing universal access to affordable basic medical care and treatment; education, including free and compulsory primary and secondary education for all children, adequate and affordable housing, guaranteed minimum wage, employment insurance with unemployed benefits, vocational and skills training and retraining for employment and job placement, paid maternity leave, retrenchment benefits, retirement/old age benefits, occupational safety and health, and social assistance programmes for special groups, community development and natural disasters; and
- pressurise governments to establish adequate mechanism for institutional reforms.

2nd ITUC-AP Regional Conference

Resolution No. 10

ELIMINATION OF CHILD LABOUR

The Conference recognises that the number of child labour globally declined from 222 million to 215 million, or 3%, over the period 2004 to 2008. In Asia and the Pacific region, there are still 122 million child labourers (5 - 14 years), of whom 100 million are girls. Children working in almost all kinds of economic activities, in spite of their physical and mental immaturity and vulnerability, are often left unprotected, and in some serious cases, they are miserably abused, exploited and exposed to all types of physical, mental and moral hazards. Worst forms of child labour are visibly prevalent in the region such as child trafficking, commercial sexual exploitation, bonded child labour, child domestic work and use of children for armed conflict or drug trafficking. Under these precarious conditions, the children's basic rights to education and leisure are wantonly violated.

In the informal economy, child labour is widely visible. Organising informal economy to empower the working poor should be one of the most effective ways to reduce child labour – bringing children from workplace to school. However, governments should take decisive action, with the support of general public and trade unions, to provide free and primary education for all children by mobilising political will and national budget.

The Conference commits the ITUC-AP, working with affiliates and the GUFs to:

- strengthen interaction and cooperation with international agencies such as ILO and other relevant organisations with purposes of protection of rights of child, promotion of campaign against child labour and poverty eradication;
- promote ratification and implementation of ILO Conventions, in particular the Forced Labour, 1930 (No.29), the Minimum Age Convention, 1973 (No.138) and the Worst Forms of Child Labour, 1999 (No.182);

- continue the regional campaign against child labour and promote free and compulsory primary and secondary education for all children by securing adequate budgetary allocations;
- support affiliates' campaign to integrate child labour issues into National Decent Work Programme; and
- support affiliates in conducting projects for abolition of child labour in collaboration with the GUFs and Solidarity Support Organisations (SSOs).

2nd ITUC-AP Regional Conference

Resolution No. 11

TACKLING CLIMATE CHANGE FOR SUSTAINABLE DEVELOPMENT

The Conference is appalled by the wanton destruction of environment as seen in the fast disappearance of forests, intensifying pollution of water and air, depletion of wildlife, including marine life, affecting biodiversity, melting of glaciers, increasing damage to the ozone layer and emission of nuclear substance. Recent nuclear accidents have pointed out to the fact that we should not solely depending of nuclear energy. Sustainability of nuclear energy is now in question. Where nuclear energy is already in use there should be serious review of safety mechanisms of the reactors because nuclear radiation causes serious impact on the human health and also damages agricultural bases and marine lives. There is inextricable link between increasing poverty and destruction of the environment. The Conference is concerned about inadequate effort exerted by governments and the world community to arrest environmental degradation. It recognises the dangers that environmental degradation poses to the livelihood of workers in particular and to human life in general.

The Conference is aware that protection of environment leads to protection of employment because only “green and decent jobs” can be sustainable. Trade unions should be involved in environmental protection in national, regional and international fora, as key stakeholders in sustainable development. The Conference also notes that in some countries trade unions are already involved in such activities, in particular island states which are already victims of sea level increase and have lost their livelihood.

Climate change is a workers' issue as industrial transformation towards green economy will entail employment adjustment. Developed nations must take the lead in initiative in reducing

their own emissions and generating green jobs and offer massive financial and technological support to developing nations so that their development can also be secured through a low carbon economy.

The trade unions should be actively involved in the rehabilitation of victims of climate change and nuclear accidents including resettlement, redeployment, skills up grading, etc.

The Conference commits the ITUC-AP, working with affiliates and the GUFs to:

- carry out awareness campaign for environmental protection;
- collect and disseminate information concerning environmental protection to actively lobby governments, employers' organisations and international and regional frameworks with a view to realise sustainable development with environmental friendly industries providing green jobs with decent work;
- urge the governments concerned to conduct thorough review of security measures to ensure the safe operation of the existing and planned nuclear reactors; to disclose all nuclear data to the public to enhance transparency; and extensively invest in alternative energy sources;
- working with affiliates to develop strategies on the rehabilitation of victims of the adverse effects of climate change;
- campaign for a just transition to environmentally sustainable development and adaptation to global warming, with special focus to the distributional impact on workers in the region, the introduction of a Financial Transaction Tax and effective national and global regulation of financial entities;
- lobby governments to continue to study feasibility of the use of nuclear energy with eventual phasing out of such energy unless safety of nuclear reactors from every aspect is provided;
- campaign for commitment to Kyoto and post-Kyoto Protocols; and
- building coalition with NGOs and collaborating with regional bodies on environment issues.

2nd ITUC-AP Regional Conference

Resolution No. 12

ENSURING BETTER OCCUPATIONAL HEALTH AND SAFETY AND FIGHTING HIV / AIDS

The Conference is appalled that around 2.3 million men and women die from work related accidents and diseases every year and an estimated 1.95 million workers die of fatal work related diseases. Hazardous substances cause an estimated 651,000 deaths and asbestos alone about 100,000 deaths every year. Furthermore, over 50,000 children under 14 are estimated to die annually from work-related accidents and illnesses. In economic term, it is estimated that around 4% of GDP is lost globally owing to the direct and indirect cost of such accidents and illness.

Rapid spread of HIV / AIDS is another threat. Estimated 33.4 million people are living with HIV or AIDS, with over 7,000 people infected with HIV each day and 2 million deaths annually in recent years. HIV/AIDS can cause or increase poverty, inequality in society and social injustice faced by workers and poor people. Many of them are subjected to discrimination at workplace and society. Activities that will increase awareness and knowledge on the diseases and supports for education for HIV / AIDS prevention, through school, community and union based programmes should be carried out to tackle the spread of HIV / AIDS and its possible pandemic in the region.

The Conference commits the ITUC-AP, working with affiliates and the GUFs to:

- provide fora to exchange good work practices including training materials and methods;
- organise campaigns on OHS standards and implementation and monitor violations;
- promote ratification and enforcement of relevant ILO Conventions including ILO Convention No. 155, Occupational Safety and Health and ILO Convention No. 187, Promotional Framework for Occupational Safety and Health;
- promote the world-wide recognition of 28 April as the International Commemoration Day for Dead and Injured Workers;
- stresses the need for government to ratify ILO Convention No. 81, Labour Inspection and to strengthen the level and quality of public inspection systems in order to prevent violations of workers' rights and of occupational health and safety, provisions particularly unprotected irregular jobs;
- undertake campaign to prevent workers death, injury and illness from the effect of chemical or hazardous substance such as asbestos;
- encourages affiliates to promote the inclusion of health clauses in the collective bargaining;
- undertake campaign to ban hazardous substance and to achieve a total ban of the use and commercialisation of asbestos; and
- carry out campaign for combating the discrimination suffered by HIV-positive persons, HIV testing only with consent and mobilise supports to broader technical assistance and programme to affiliates including HIV education for migrant workers.

2nd ITUC-AP Regional Conference

Resolution No. 13

INDUSTRIAL RELATIONS FOR SOCIAL JUSTICE

The Conference stresses that social dialogue is the essential part of Decent Work Agenda. Social partnership and dialogue are fundamental components towards decent work which is the main tenet of the ILO Convention No. 144 (Tripartite Consultation, 1976).

Social partnership or constructive industrial relations, evolves on the basis of the recognition of trade unions. With free, independent and democratic trade unions, such social partnership will grow with mutual trust and respect as important co-contributors sharing equitably the outcome of joint efforts. Social justice is thus achieved.

The Conference recognises that Corporate Social Responsibility cannot replace or substitute for the role of trade unions, but can play a complementary role within a satisfactory framework of the full exercise of trade union rights.

The Conference commits the ITUC-AP, working with affiliates and the GUFs to:

- promote ratification of the ILO Convention No. 144 concerning Tripartite Consultation to Promote the Implementation of International Labour Standards as part of our efforts in striving for genuine and effective practice of bipartism and tripartism;

- support affiliates in setting up effective dispute settlement mechanisms;
- further explore possibilities of establishing an Asian and Pacific Industrial Relations Research Institute;
- continue engagements with the Confederation of Asia-Pacific Employers (CAPE) at all levels, IFIs as well as regional trade; and
- insist on corporate and institutional respect for and adherence to core labour standards and the ILO Decent Work agenda, and the precepts of Corporate Social Responsibility in word and deed.

2nd ITUC-AP Regional Conference

Resolution No. 14

TRADE UNION RECOGNITION IN ECONOMIC INTEGRATION

With the stalling of negotiations on the implementation of the Doha Development Round of the World Trade Organisation (WTO) since 2001, a number of countries have resorted to the negotiations and signing of Free Trade Agreements (FTAs) and EPAs bilaterally or with economic groupings. The number of FTAs is increasing especially in the Asian and Pacific region. The Conference is concerned that trade unions have been excluded from the negotiations and labour issues are usually excluded in these agreements. The ongoing FTAs intend to maximise profits while eroding basic rights of working people. Many provisions in the FTAs especially on investment, services, IPRs, etc. give unlimited power to the TNCs. However, there are no provisions for protection of labour, social and environmental rights of the people. Trade unions are critical of their neo-liberal characteristics and campaign against them.

Regional integration processes should boost sustainable growth. However, though importance of inclusive approaches is gradually being recognised, attention to social dimension, especially Decent Work Agenda, is still weak or absent. Trade union participation

in such processes should be institutionalised to ensure a balanced approach of the regional groupings by obtaining a level playing field, to reflect labour perspectives in their policies.

The Conference commits the ITUC-AP, working with ITUC, affiliates and the GUFs to:

- pursue in coordination with the affiliates of the Regional Organisation and GUFs, recognition of trade unions as counterparts to business groups in various regional, interregional economic integration process such as APEC, ASEM, ASEAN, SAARC and PIF;
- organise trade union meetings before the summits of regional groupings to prepare trade union statements and lobby especially governments and media;
- pressurise for inclusion of social dimensions, especially Decent Work Agenda, in the integration processes;
- coordinate a common strategy on labour standards in trade negotiations;
- conduct education and training programmes and capacity building for affiliates in the area of economic integration and their policies;
- strengthen affiliates' capacity, in coordination with the ITUC, to analyse the real impact of various forms of FTAs on economy and labour rights; and
- promote people's solidarity to guarantee their rights and enhance international labour and environmental standards.

2nd ITUC-AP Regional Conference

Resolution No. 15

PEACE AND DISARMAMENT FOR NATIONAL DEVELOPMENT

Peace – grounded on respect for national sovereignty, human freedoms, collective security and disarmament – is the essential platform for sustainable economic growth and social justice. Without peace, there could be no development and without development, peace is not sustainable. And peace is an essential prerequisite to realise our trade union goals, social development, poverty eradication and employment creation.

The Conference expresses grave concern about continued armed conflicts in the region, leaving appalling toll of death, injury and disease. The Conference also condemns terrorism in all its forms and under whatever pretext, as well as the policies of 'preventive war' and 'selective assassination' defended and practiced by certain states. All too frequently, this is exploited by those who supply weapons to or otherwise seek to profit from countries in satiation of conflict.

The roles of the U.N. and the International Atomic Energy Agency (IAEA) are important to secure and to promote peaceful usage of nuclear energy for national development, especially in developing countries.

The Conference recognises the importance of nuclear energy; however the Conference expresses grave concern about the recent Fukushima Daiichi plant crisis in Japan that proved that the human beings cannot fully control the nuclear power. While nuclear energy is already in use, there should be a transition period to phase out the use of such energy that would also narrow the possible avenue to misuse of atomic energy. The Conference urges the international community to intensify investment on greener energy toward sustainable economic and social development.

The recent build-up of conventional arms in the region reflects hegemonic movement of superpowers in the region. Such move has given fiscal pressure on governments in the region, though defensive purposes.

The Conference therefore reaffirms the ITUC-AP's commitment in achieving a peaceful, democratic, secure and stable world, where all countries coexist in mutual respect and tolerance, free from the threats of armed conflict, terrorism or other forms of violence or occupation.

The Conference commits the ITUC-AP will, together with affiliates and GUFs to:

- advance global union policy, together with the Socialist International, on peace and disarmament for national development in the region, to achieve a peaceful, democratic, secure and stable world where people are free from threat of armed conflict, terrorism or other forms of violence and occupation;
- promote effective international regulation of the production and trading of arms; the non-proliferation of all armaments including nuclear weapons; the elimination of all weapons of mass destruction;
- support a stronger United Nations and a more democratic Security Council, to more effectively advance nuclear and conventional disarmament and intervene in potential or arisen conflicts and disputes;
- further urge governments not to use "Action against Terrorism" as an instrument to curtail or block the exercise of the fundamental trade union rights;
- urge governments to apply stringent safety measures while resorting to nuclear energy; and
- promote use of green energy.

2nd ITUC-AP Regional Conference

Resolution No. 16

BURMA

The Conference notes that the so-called election in November last year was only a ploy to divert the national and international attention from the economic and social crisis within the country and in the military.

The Conference denounces the sham elections which was in no way legitimate. Democratic forces were excluded and the junta sponsored constitution ensured continued control of the military over the government. The installation of the new government proved this apprehension.

The Conference welcomes the release of Daw Aung Suu Kyi. Her great sacrifice, commitment and leadership despite long years of reclusion need to be appreciated.

The Conference demands the release of all political prisoners and labour activists and calls on the international community, the UN, the ILO and the governments to stand by the struggle of the people of Burma for freedom and democracy.

The Conference deplores the continuing reign of repression, ruthless exploitation of people, denying political freedom and trade union rights.

The Conference condemns the unabated resort to forced labour with impunity in spite of ILO Commission of Inquiry and the Supplementary Understanding. People reporting cases of forced labour continue to be prosecuted and many remain in prison. There is no let up in cases of reprisals against complainants.

The international community should be cautioned not to be misled by promises of labour law reforms to allow more freedom to workers.

There are increasing incidence of direct action including strikes by discontented workers in Burma.

The Conference commits the ITUC-AP, working with affiliates and the GUFs to:

- campaign extensively for restoration of genuine democracy in Burma;
- extend solidarity support to the democratic trade union movement in Burma; FTUB is the legitimate organisation of workers in Burma;
- campaign for lifting immediately of ban on FTUB and restoration of trade union rights in the country; and
- campaign for introduction of labour laws which will ensure full workers rights.

2nd ITUC-AP Regional Conference

Resolution No. 17

FIJI

The Conference strongly condemns the gross violation of trade union rights suffered at the hands of officers of the Fiji military by Felix Anthony, National Secretary of Fiji Trade Union Congress and General Secretary of the Fiji Sugar and General Workers Union.

The Conference is appalled to learn that he was taken to the military office after a meeting with the Prime Minister and was severely beaten by the officials; he was again assaulted after being taken to military barracks. This is a blatant and unacceptable violation of trade

union rights. Fiji is a signatory to the ILO Conventions on Freedom of Association and the right to collective bargaining.

The Conference deplores that the application of the Fiji Sugar and General Workers Union to hold its annual general meeting was refused. The denial of collective bargaining for the public sector employees is the violation of workers fundamental rights.

The administration of Justice Decree (Decree 9 of 2009) and its amendment Decree 10 of 2009, Decree 25 of 2009 and Decree 4 of 2010 take away the unions' right to challenge in any court decision of Government or Government owned entities to make any employee redundant or change any terms and conditions of employment, despite a collective agreement remaining in force. These Decrees are in violation of ILO core labour standards which Fiji has ratified and is obligated to respect, the Cotonou Agreement which obligates Fiji to respect the core labour standards and Fiji's own labour laws.

The PER (Public Emergency Regulations) is foisted upon Fiji's people and defies the respected principles of accountability, transparency and good governance; the PER allows the regime to operate as an authoritarian government without democratic scrutiny and make a mockery of rule of law.

The Conference calls upon the government to:

- allow unrestricted trade union activities in the country and stop physical harassment of trade union officials;
- immediate revocation of the PER;
- restoration of the 1997 Constitution as it represents a profound and comprehensive commitment to the principles of equality, non-discrimination, human and trade union rights; and
- hold immediate election so that democracy is restored in the country and set the platform for other issues such as international aid and investor confidence to human and trade union rights.

The Conference calls upon the ITUC-AP to closely monitor developments within Fiji and take up appropriate steps to respect human and trade union rights.

2nd ITUC-AP Regional Conference

Resolution No. 18

RESTORATION OF NATIONAL INDUSTRIAL RELATIONS IN PAKISTAN

The Conference concerns that the consequential effects of the 18th Constitutional amendment passed by the parliament of Pakistan which has made redundant the National Regulatory Authority for registration of National Industry-wise Trade Unions and Federations at national level and determination of their Collective Bargaining Agent and conciliation and adjudication of their industrial disputes.

It is noted that in response to a complaint made by the PWF, the ILO Governing Body approved the recommendations submitted by the Committee of Freedom of Association (CFA) in relation to Case No. 2799 on Pakistan that: new legislation ensuring the trade union rights of workers, including in the national level be adopted in the country in the very near future with full consultation of the social partners concerned, any adopted legislation including the recently adopted provincial acts, be brought into full conformity with ILO Conventions No. 87 and No. 98 and pending adoption of the relevant legislation, the NIRC exercise its function in adjudicating industrial disputes and dealing with issues relating to registering and determination of collective bargaining agents in national institutions and industries of national scope.

The Conference emphasises that that national trade union movement and Worker Employer Bilateral Council (WEBCOP) shall be given proper position to play their own roles in national economic and development policies in the framework of national industrial relations.

The Conference notes with appreciation the recent move of the Government of Pakistan to introduce the new Industrial Relations Law which provide for the restoration of the National Industrial Relations Commission and for holding a national tripartite consultation in this regard.

The Conference urges the government of Pakistan to restore the national legislative regulatory authority of National Industrial Relations Commission in order to enable the workers to organise them at national level in conformity with international obligations undertaken by the Government of Pakistan by ratifying ILO Conventions No. 87 and No. 98 pertaining to Freedom of Association and Collective Bargaining and fundamental rights guaranteed to the workers under Article 17(1) of the Constitution of Pakistan so that the national trade union confederations will again play a pivotal role in nationwide collective bargaining and dispute settlement.

2nd ITUC-AP Regional Conference

Resolution No. 19

SPRING REVOLUTION

The Conference notes that since the end of 2010, the Arab world has been living a state of popular upheavals and protests demanding freedom, dignity, social justice, and calling for the elimination of corruption and political and social repression. All revolutions were triggered

by the protests which started in Tunisia in December 2010 and ended up with regime change in Tunisia and Egypt and led to destabilising the rest of repressive Arab regimes.

The revolutions and upheavals have resulted in significant numbers of martyrs and wounded and displaced people, as well as the victims of torture, marginalisation and starvation.

The Conference further notes that these events have made clear to the entire world:

- the depth the ties between the Arab peoples despite their multiple countries and fighting regimes;
- the failure of the development policies adopted by these regimes;
- high poverty and unemployment rate;
- widening class differences, spread of corruption and nepotism;
- low level of health care services and social security;
- deterioration of the education quality;
- failure of the policies of repression, killing, humiliation;
- restriction of freedoms against the legitimate demands of democracy; and
- freedom of religion and expression.

The Conference raises concern at regimes' pursuit to brutally suppress the society and dominate its institutions and organisations, including the free and independent trade unions.

The Conference expresses solidarity with the peoples of the region seeking their fundamental rights and freedoms. The courage demonstrated fighting the major sources of tyranny, democratic deficit, social inequalities and social marginalisation are a inspiration to all workers.

The Conference salutes all those who sacrificed their lives for the sake of democracy and freedom in the Arab world mainly in Tunisia, Egypt, Bahrain, Yemen, Libya and Syria.

The Conference calls upon the ITUC-AP to:

- continue to promote genuine democracy in the region by working closely with the affiliates in their struggle;
- assist in the development of independent and democratic trade unions
- assist in capacity building in the region;
- to allocate more resources; and
- promote core labour standards, in particular ILO Conventions No. 87 and No. 98, and to liaise closely with the ITUC Amman office and monitor the developments and take appropriate action.

2nd ITUC-AP Regional Conference

Resolution No. 20

PALESTINE

The Conference recalls the resolution on Democracy, Peace, Security and the Role of the U.N. and in particular paragraphs 12 to 15¹ of the 2nd ITUC World Congress in Vancouver last year.

The Conference notes the quest for a comprehensive peace between Israel and Palestine, based on co-existence in conditions of security of sovereign, independent and viable states, requires renewed international attention and support as a highest urgent priority. The Conference asserts that the U.N. Security Council Resolution No. 242 (1967), which recognises the 4 June 1967 borders, and Resolution No. 338 (1973) are fundamental to the achievement of a just and lasting peace. The continued Israeli occupation of the West Bank imposes constraints on the Palestinian people and is an obstacle to the peace process. The Conference recognises that action to address the building block for peaceful and constructive relations between Israel and Palestine and their neighbours. The Conference further calls upon the ITUC-AP to use its best endeavours to promote peace in the region.

The Conference requests the ITUC-AP to send a mission to visit Palestine and Israel **to further support this resolution.**

2nd ITUC-AP Regional Conference

Resolution No. 21

¹ Paragraphs 12 to 15 of the 2nd ITUC World Congress Resolution on DEMOCRACY, PEACE, SECURITY AND THE ROLE OF THE UNITED NATIONS:

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, next to an independent viable Palestinian state, acknowledging that this is essential to achieving a peaceful solution.
13. 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 and make many Palestinian workers dependent on precarious work in the settlements. Egypt's decision to impose heavy restrictions on its border with Gaza will worsen the already deep economic crisis affecting those living in Gaza.
14. 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.
15. Recognising the ending of Israel's presence in Gaza as an important step towards resolving the conflict, Congress calls for the lifting of the blockade 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.

VIOLATIONS OF TRADE UNION RIGHTS OF MALAYSIA BANK EMPLOYEES

The ITUC-Asia Pacific Regional Conference dated 11 - 13 May 2011 held in NTUC Downtown East, Singapore **noted** that the tyranny of Maybank and the action of the Director General of Trade Union (DGTU) in Malaysia to split the long establishment of Industrial Union such as National Union of Bank Employees (NUBE).

The Conference condemns the actions of the Management of Maybank in the following:

- Establishing of an In-House Union intended to severely weaken the collective strength of the National Union and thus enable them to deny long established benefits in the collective agreement of the entire banking sector.
- Blatantly violating the provisions of the Collective Agreement and denying some of the benefits to workers in the last 6 months. This is clearly intended to frustrate the members so that they will be encouraged to leave the National Union.
- Violating Core Labour Standards particularly ILO Convention No. 98.
- High handed actions using their security guards to assault the officials of NUBE including a **female union official** who was merely present at one of the outlet in the Maybank building.
- Denying the union's rights to meet with its members at the premises.

The Conference calls upon the government of Malaysia to:

- ensure full recognition of the Core Labour Standards by Maybank; and
- call upon the Management of Maybank to immediately stop all **anti union and union busting** activities and enter into meaningful dialogue with NUBE to resolve all matters of conflict and comply with all existing provisions in the Collective Agreement in true spirit.