

DECLARATION AND RESOLUTIONS

Declaration

“Organising, Unity – The Way Forward, Building Workers’ Power”

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DECLARATION

ORGANISING, UNITY – THE WAY FORWARD, BUILDING WORKERS' POWER

Building Workers' Power – the ITUC - Asia Pacific is determined to realise our trade union goals; enjoyment of universal human and fundamental trade union rights, effective representation of working men and women at all levels of industrial relations in strong and constructive social partnership, in pursuit of economic and social justice. We continue to combat poverty, exploitation, inequality and discrimination, and fight for democracy and peace.

The Asian and Pacific region will remain as the centre of global economic growth. Indeed, corporations continue to amass wealth through industrial innovation and investment, acquisition and mergers, building wide networks of supply chains in a competitive climate of the global economy.

However, on the other hand, poverty persists and "halves the poverty by 2015" is still a dream. A large portion of population in the region have yet to enjoy adequate living and social standards in terms of basic income, education, healthcare, sanitation, drinking water, safe food, communication, transportation, to name a few.

Realities of working people are inequalities within the nation and between nations, real wages lagging behind the economic growth, longer working hours, poor occupational, health and safety (OHS) standards, persistent child labour, increasing working poor; consequences of which are the declining labour share and rising GINI coefficient. In contrast to remarkable economic development in the region, distributional justice has yet to prevail and the working men and women are not adequately benefitted from the current globalisation.

Driven by neoliberalism and its flexible labour market policy, the labour market shows drastic changes such as surge in precarious work and informal economy, persistent gender inequality and other discrimination at workplace; compelling migrant labour to seek livelihood in foreign shores due to the lack of adequate job creation in countries of origin.

Economic growth has yet to produce sufficient job opportunities, both in quantity and quality. Women and youth are excluded from decent job opportunities. Institutional protection of employment is weak which leads to unjustifiable termination of employment. Massive employment adjustments occur frequently, often done unilaterally.

Workers under precarious employment do not have essential job security; they are liable to unilateral termination of employment and largely exempted from social safety nets programmes. Through fixed term employment contract, exercises of trade union rights are easily blocked.

The informal economy accounts for majority of workers in the Asian and Pacific region. They work for long hours with practically no social protection, unprotected by labour legislation, and by trade unions. There is conspicuous decent work deficit galore in the informal economy.

We must make a fundamental change to the current course of globalisation that is causing serious inequality and decent work deficits in terms of workers' rights, gainful employment, social protection and social partnership. The key issues are low union density and trade union multiplicity, overt and covert restrictions on trade union freedom, especially where confrontational industrial relations prevail.

Organising is the only way to change the current situation. Trade unions in exercising their bargaining power constitute a core part of the labour market institution for direct distribution. Organising the traditional labour force, including in MNCs and EPZs, workers in precarious employment, informal economy, migrant workers and domestic workers – is the top priority of trade union action. More women and youth should be brought to the trade union fold and to leadership positions. Trade union law reform in compliance with the ILO Core Conventions is the key for the success of organising actions. Thus, dominant corporate power can be balanced.

With the strength of trade unions and political mobilisation, institutional reform must be pursued to improve indirect distributional systems, i.e., various schemes of social safety nets. Fairer taxation and fiscal policy also contribute to balancing re-distribution through social safety nets, including social protection floors. In such a way, the current growth paradigm led by “Doing Business” should be shifted to an income-led growth, a growth model based on high-income and pro-labour distributional policies, accompanied by legislative and structural policies aiming at building strong labour market institutions. The income-led growth should generate, by boosting demands, an equitable, stable and inclusive growth regime for a sustainable future. Trade unions should fight for democracy where freedom of association is ensured and full-fledged trade union action can be carried on.

Peace is an absolute precondition for achieving trade union goals and trade union actions for fairer society are also driving forces to promote peace.

Our commitment stands firm to achieve a peaceful, democratic, secure and stable world, where people from all countries coexist in mutual respect and tolerance, free from the threat of armed conflict, terrorism or other forms of violence or occupation.

Unilateralism in world affairs need to be rejected and support in every possible way to the principal role of the United Nations in the maintenance of peace and the peaceful resolution of disputes has to be extended.

Social justice, democracy, good governance and the rule of law, including international law, are foundations for peace, and the work of the United Nations to promote them should have support from all.

Global military expenditure exceeds US\$1.7 trillion, equivalent to 2.4% of GDP. Asia and the Pacific is the region with a continued increase in military expenditure since 1988. The number of nuclear warheads still stands at 16,000. Military expenditures should be directed to national development. In association with civil societies and the Socialist International, we continue to raise our voices, especially at the national level for disarmament through the United Nations mechanisms, such as the Non-Proliferation Treaty (NPT), the Comprehensive Nuclear Test Ban Treaty (CTBT), conventions on prohibition of anti-personnel mines and on cluster munitions.

The 3rd ITUC - Asia Pacific Regional Conference hereby expresses its firm commitment to the aims of the ITUC to advance the free, independent and democratic trade unionism in the region.

3rd ITUC - Asia Pacific Regional Conference

Resolution No. 1

BUILDING WORKERS' POWER TOP PRIORITY FOR ORGANISING AND RECRUITMENT

The Regional Conference recognises that past few decades of globalisation and structural adjustment policies had taken their heavy toll on the conditions of working people throughout the world. The number of working poor has gone up - 1.22 billion people live on less than US\$1.25 a day (the present internationally accepted poverty line). Of them, the Asia Pacific region accounts for 733 million. Though there has been some respite from grinding poverty and hunger in some countries there is still considerable number of human beings gnawing under the poverty line. The inequalities between countries and within the countries have gone up. The share of workers income in the national economy has come down. Fundamental workers' rights are systematically eroded without any exception. Decent work is a far cry.

Unemployment is assuming alarming proportions and is increasingly defying any solution. Even in countries with impressive record of economic growth, the growth in employment is not commensurate with the GDP growth. In fact, in many countries there has been shrinkage in decent work in formal sector. If at all there is any significant creation of employment, it is in the informal / irregular sectors with sub-human working conditions. Along with surge in informal economy in developing countries, precarious unsafe vulnerable employment is also on the rise.

This gloomy scenario underlines the relevance, the need and the role of trade union movement. Only through trade unions, workers can improve their working and living conditions. Trade unions enable them to fight for their immediate needs but also transform society in order to eliminate the means of exploitation, and thus achieve social justice in a sustainable form. Trade unions represent toiling masses and bargain collectively for a fairer share of wages, safer workplaces, better conditions and social justice measures.

The ITUC represents the largest democratic force on earth and its regional organisation in Asia Pacific is the sole representative organisation of working people in the region. This unrivalled position entrusts on us the onerous responsibility of making our movement more effective, more representative and more inclusive organisation bringing more and more working people to the union fold. Organising all working women and men into free and democratic trade unions is the most important challenge facing the trade union movement everywhere.

A global survey commissioned by the ITUC revealed that democratic unions independent of government represent just 7% of the global workforce. Trade union penetration is declining globally. Barring a few exceptions in our region, this all pervasive phenomenon is not leaving many countries unaffected. In majority of the countries in our region, unionisation rate is less than 10%. More than 20% unionisation rate is very rare. Growing informal economy and precarious employment have contributed to declining membership. So are the restructuring and new forms of business organisations; hostilities of governments and employers; and inadequate legal frameworks. This scenario hardly provides an atmosphere conducive to free organising. Through organising, we can usher in the change we want.

People learn and understand the basics of collective action by acting collectively. Organising may vary from region to region, country to country, area to area and even enterprise to enterprise. There is no readymade model or solution on how organising should be done. Model must be developed, suited to the environment, the needs and aspirations of the

workers in that particular sector, area or enterprise where an organising campaign is to be launched. We should follow the dictum – **“Think Globally, Act Locally.”**

Organising and recruiting will tend to become a ritual unless accompanied by collective agreements. Organising should be closely linked to collective agreements. This is not only necessary because of the need for improving the workers’ conditions, but also to retain membership. The growth of unionisation should reflect in the number of collective agreements and the workers covered by them. In case of MNCs and EPZs, it is increasingly important to plan and coordinate such campaigns internationally. Targeted organising campaigns are required to recruit workers in the informal economy, migrant labour, EPZs and, of course, women and youth.

Organising must become an integral part of all trade union work. Education is a key element in organising strategies, whether it is for unorganised workers participating in an organising campaign, establishing trade union structures in newly-organised establishment or training professional and voluntary organisers. Through education and action, trade unions must strengthen the commitment of workers to trade unions and to collective action, as well as to recruit and develop the activities essential to trade unions.

The Regional Conference notes that some affiliates of the ITUC-AP in recent times have done exemplary work in organising by bringing teeming millions into their fold. This has been in the case of both formal and informal economies. It would be useful to disseminate information on such experiences and success stories.

Supply chains engage large numbers of workers. And they are also notorious for denying workers their basic right of freedom of association and collective bargaining. Hence, we have to bring supply chains into the priority area of action in respect of organising.

Asia Pacific region has a tardy record in respect of ratification of fundamental conventions which facilitate organising. We need to intensify our campaign for ratification and implementation of the ILO Conventions relevant to organising. Also, there is need for legal frameworks and labour law reforms to ensure right to organise and bargain collectively.

The ITUC-AP should be fully involved in the ITUC activities on organising. The Regional Conference would like to endorse and reiterate the action points set by the ITUC Berlin Congress.

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

- Accord top priority to organising;
- Intensive campaign for ratification of the ILO Core Conventions;
- Exercise collective pressure on non-ratifying governments to ratify core conventions;
- Campaign for trade union law reforms in accordance with ILO Conventions No. 87 and No. 98 to ensure right to organise and bargain collectively for all working places;
- Establishment of task forces on organising at various levels to execute organising activities;
- Concerted organising campaigns in supply chains, unorganised sectors within organised enterprises;
- Targeted organising campaigns aimed at informal / atypical workers, migrant labour, EPZs, women and youth;
- Active involvement in the internationally coordinated and strategically targeted organising initiatives;

- Establish education and training into all stages of organising process;
- Participate in and support the ITUC Organising Academy;
- Assist in preventing fragmentation of union movement and encourage all initiatives for greater trade union unity; and
- Intensive organising campaigns to achieve the 20% increase in membership during the next Regional Conference period in accordance with the ITUC Berlin Congress Decision on organising, 20 million new members in this Congress period.

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Resolution No. 2

INFORMAL ECONOMY TRANSITION FROM INFORMAL TO FORMALITY TO REALISE DECENT WORK

The Regional Conference realises that informal economy accounts for majority of workers in the Asia Pacific region. About 65% of the working people are engaged in informal economy, while in the South Asian countries more than 90% of workers are in informal economy. The number of workers in the Asia Pacific region could be as high as 1.1 billion. Women constitute more than half of the workers in the informal economy. Informal economy refers to all economic activities by workers and economic units that are – in law and in practice – not covered or insufficiently covered by formal arrangements, not registered and it can be carried out across all sectors of the economy, both in public and private spaces.

The working and living conditions of these workers are deplorable. They work for long hours for low wages with practically no social protection. Least protected and subjected to the most oppressive and exploitative conditions, the plight of these workers has been a matter of serious concern to the labour movement. As employment is shrinking in a receding organised sector, there is visible shift in importance and employment in the informal economy.

According to the ILO, the growth of the informal economy is often attributed to: “inappropriate, ineffective, misguided or badly implemented macroeconomic and social policies, frequently developed without tripartite consultation; the lack of appropriate legal and institutional frameworks; the lack of good governance for the proper and effective implementation of policies and laws; and a lack of trust in institutions and administrative procedures.” Neoliberal policies driven by profit-oriented enterprises have reduced jobs or failed to create sufficient numbers of new jobs in the formal economy.

Globalisation has led to increased flexibility in the labour market converting “formal employment” into “informal employment”. While the informal economy is growing in developing countries, in the developed countries in the region, the number of workers engaged in atypical / irregular work is increasing.

There is decent work deficit galore in the informal economy. They are: their inability to find work or conduct business in the formal economy; poor labour standards; unprotected by labour legislation; job and income insecurity; low coverage of social security, occupational safety and health standards; lack of representative, independent and democratic organisations; weak voice to pursue economic and social concerns; etc.

To reduce decent work deficits, in the immediate term, we have to ensure that those currently in the informal economy and atypical employment are recognised and have improved labour rights, social protection, and representation and voice.

Transition from informal to formality is a development challenge for realising decent work for these workers. It is now apparent that if the economic growth is not associated with formal job creation, a shift towards employment in informal activities is inevitable. The failure to link growth and investment with appropriate labour and social policies, which ensure a fair distribution of the gains of growth, will continue to generate inequality, poverty and vulnerability.

In the past, the informal economy and irregular employment have been getting less attention from the trade unions in terms of organising and mainstreaming of these workers. Many

reasons were attributed to this - scattered nature, job insecurity, lack of resources, lack of political will, lack of adequate number of trained organisers, general ignorance about unions, etc. The trade union movement, however, can no longer remain immune or unresponsive to the growing challenge of the informal economy and atypical employment.

Organisation and representation of informal economy workers is a major challenge. It is to be admitted that unions have, by and large, confined to organised sector, leaving majority of the informal workers outside the purview of trade unions. Organising is an important tool in facilitating transition to formality.

Decent work strategies for the informal economy aim at growth strategies and quality employment generation, regulatory environment, including enforcement of international labour standards and core rights, organisation, representation and social dialogue, equality: gender, HIV status, ethnicity, race, caste, age, disability, entrepreneurship, skills, finance, management, access to markets, extension of social protection: building social protection floors and social security systems and local (rural urban) development strategies.

In this connection, the proposed ILO instrument on Transition from Informal Economy to Formal Economy is quite important being the first specific international instrument for the informal economy. We should, along with our affiliates, be actively involved in the development of this instrument and implementation of the same once adopted.

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

- Campaign for integrating decent work agenda in the national and local development plans and social development policies, especially in respect of informal economy;
- Campaigns at all levels for adoption and implementation of the proposed ILO instrument for facilitating formalising informal economy;
- Targeted organising campaigns for informal economy;
- Undertake training programmes for organisers in informal economy;
- Support affiliates in launching pilot organising projects in selected areas / sectors for intensive time-bound organising campaign;
- Campaign for social protection for informal economy;
- Amendments to the union constitutions, wherever necessary, to ensure involvement, participation and representation of informal economy; and
- Campaign for labour and social reforms to ensure that coverage of these laws is extended to all workers, including introducing a clause on transition to formality in national labour laws.

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Resolution No. 3

PRECARIOUS WORK

The Regional Conference expresses serious concern about the drastic surge in precarious work¹ across the Asian and Pacific region, regardless of the level of economic development due to the flexible labour market policy; such precarious work is performed by atypical workers, mostly women and young people, i.e., non-permanent, temporary, casual, dispatched and contingent workers and in a form of disguised employment.

The Regional Conference denounces that national laws do not adequately protect workers in precarious employment; existing legal frameworks have proven incapable of preventing and addressing the rise in precarious work; in particular, it fails to prevent employers from using various types of employment as a means of shifting the risks and costs associated with work from the employer to the worker, for instance, no limits to sectors or situations in which work may be subcontracted or supply by an agency, or and no limit to the numbers of workers to be subcontracted or supplied by an agency, and repeated short term contracts which erode employment stability; millions of workers are trapped in precarious forms of work, leaving them and their family insecure.

The Regional Conference specifically stresses that precarious work is used in business operations as an instrument to exclude union activist from organising and collective bargaining, or exercise of fundamental workers' rights, and to undermine the exiting strength of trade unions, by simply not renewing their contracts; accordingly, workers in precarious forms of employment suffer worse working conditions than those in direct, fulltime employment relations as to pay, working hours, holidays and other entitlements including pension rights, disability allowance and unemployment benefits; they often have no protection against periods of unemployment, sickness, injury and retrenchment and limited access to protective equipment and skills training opportunities; while many formally have these rights, atypical workers may have difficulty to access / claim these benefits or conditions in practice; those trapped in precarious work have no access to more secure, better quality jobs; precarious work is putting strong downward pressure on wages and working conditions.

The Regional Conference reaffirms its commitment to campaign for predaceous workers in bringing them into trade union fold for protection of their employment and bargain collectively for their working conditions and employment protection, and legislative reform for institutional protection of precarious workers against any forms of discrimination and unfair labour practices; and create gainful jobs and promote decent work for all.

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

- Conduct extensive organising campaigns for atypical workers to bring them to the union fold;
- Continue campaigns to limit or eliminate any forms of employment that create "precarity" in the workplace including outsourcing, casual, short-term contracting,

¹ The precarious work is defined as a type of employment which does not have essential job security by means of fixed term of employment or nonexistence of formal employment contract, liable to unilateral termination of employment due to changes in business and labour market conditions, and trade union actions in exercising fundamental workers' rights, embodying lower working conditions in terms of wages and other benefits, largely being exempted from public social security schemes and other labour laws.

dispatch and disguised employment relations etc. through legislation to limit precarious jobs in certain categories of employment and corporate / supply chain campaign;

- Strengthen legal protections for all workers in terms of working conditions, employment security and exercise of fundamental workers' rights;
- Promote a Conversion Clause in the employment law;
- Support the development of new international instruments to combat precarious work;
- Intensify efforts for drafting an international instrument on the elimination of precarious work to be submitted to the ILO for discussion and adoption; and
- Conduct research on non-traditional organising strategies to share good experiences.

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Resolution No. 4

MIGRANT WORKERS

The Regional Conference recognises that international migration has increased drastically during the last few decades. Tens of millions of men and women leave their homes and cross the borders in the hope of making a better living. In the absence of adequate employment opportunities available in their home countries, workers are compelled to go to foreign shores in search of employment. According to World Bank estimates, as many as 214 million workers and their families are residing in countries other than their own. According to ILO estimates, 81 million of them have moved to find work. Asia and the Pacific account for more than 61 million. Migrant labour includes workers on irregular status, contract workers, refugees, settlers and professionals.

Unequal development is the root cause of migration. Current migration flows need to be viewed in the context of global economy and the structural inequalities it creates. As a result of the globalisation process accompanying dismantling of production chains, deregulation and liberalisation of finance, commerce and service systems have left many jobless, especially in the developing countries, forcing them to emigrate. Economic disparities are widening.

Migration is closely linked to economic development – or rather the lack of it. The principle reason why workers decide to move from one country to another is in search of decent work. Poverty and unemployment leaves people with no alternative than crossing borders. Over 200 million people are without work, constituting 6.2% of the global work force.

One significant characteristic of labour migration relates to the increasing feminisation of the whole process. Engagement of women is cheaper than men and coincides with the shift from manufacturing to service economies. Many are found to be going as domestic workers in the major countries of destination in the East, South East and West Asian countries. Estimates suggested that female workers constitute 49% of the total migrant workers.

The Regional Conference emphasises that labour migration has impact on both origin and destination countries. Migration has a direct bearing on the source country's balance of payments, unemployment, poverty and standard of living, quality of life and investment in health and education. Remittances to countries of origin are estimated at more than US\$ 414 billion a year. In some countries remittances constitute more than 20% of the GDP. Migrant labour also contributes immensely to the destination countries like availability of increased workforce, skilled human resources, economic growth, partially correcting demographic trends, etc.

The vast sections of less skilled workers are in trying conditions. Many of them work under virtual slavery conditions. Fraudulent job offers, forced labour, delayed payment or non-payment of salary, long working hours and heavy work-load have become the major problems confronting migrant labour. Most of these workers have to go through recruitment agencies acting as intermediaries in the host countries and have to pay huge sums for jobs. They are taken for a limited period and get very low wages; mostly they get wages much lower than the promised remuneration.

Even though they comprise a large proportion of the labour force in the region, migrant workers are victims of gross discrimination. Migrant workers do not receive equal treatment as nationals. They are deprived of fundamental workers' rights to organise and to form trade unions. Representation and a voice at work are important means by which migrant workers

can secure other labour rights and improve their working conditions and assert their rights. Labour laws may exclude expatriate workers from their purview and make it difficult for them to join unions, or form their own unions. While some countries prohibit them from becoming members of trade unions, others have restrictions on holding offices in unions.

Trade unions need to play a pivotal role in protecting and promoting the interests of migrant labour. Trade unions have a key role to play in ensuring that migration policies support development in origin countries, and uphold the principles of equal opportunity and treatment, as well as full recognition of migrant workers' rights in destination countries. Failure to protect the labour rights of migrant workers and the minimal organisation of these workers significantly contribute to income inequality in the region. Trade unions in both origin and destination countries should work together in fighting for promoting and protecting migrant workers. Organising is the key to improve working and living conditions.

It is noted that many governments in the origin countries consider migration as a panacea to their economic ills. It is to be reiterated that migration is no substitute to progressive economic policies aimed at inclusive development and job creation in their own countries.

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

- Encourage, promote and facilitate partnership agreements between unions in origin and destination countries. They are meant to: promote, protect and defend the rights of migrant workers; encouraging labour and social integration of migrant workers; securing equal rights for migrant workers; strengthening bilateral relations and trade union solidarity; the ITUC-AP should collect and disseminate information on good practices of unions collaborating across national borders to protect the labour rights and organise migrant workers;
- Encourage establishing Migrant Labour Centres / departments to specially attend to migrant workers;
- Campaign Against Racism and Xenophobia for awareness raising and providing the union members and the public with information on the positive contribution that migrant workers make to host countries;
- Campaign and promote organising migrant workers – either join existing unions or form migrant workers unions;
- Campaign for ratification and effective implementation of the relevant ILO Conventions i.e. No. 97 and No. 143;
- Campaign for abolition of Kafala system which should be targeted to eliminate all forms of Kafala, including disguised forms, such as partial immobility of migrant worker from one employer to another, obliged to stay at least one year with original employer, etc.;
- Campaign for coverage of national labour laws to migrant labour;
- Unions to organise pre-departure training programmes for migrant labour on the conditions in the destination country – rights, labour laws, culture, language, etc.;
- Campaign for adoption of model employment contracts with minimum standards on wages, working hours, holiday, overtime pay, leave, medical benefits; and
- Lobby sub-regional / inter-regional governmental bodies to take up issues of labour migration in their policy agenda.

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Resolution No. 5

MULTINATIONALS

The Regional Conference recognises that social inequities and inequalities in the world today brought about by unfettered globalisation have resulted in instances of social and political upheavals, disrupting development efforts. Although global wealth has increased in unprecedented terms, world poverty has not been alleviated significantly.

Multinational corporations are a key driver of globalisation, through foreign direct investments (FDIs), through the worldwide integration of population involving complex business relationships and through the pressure they exert on policy-makers for liberalisation, deregulation, and privatisation. A major beneficiary of the globalisation process has been the multinational corporations. There has been tremendous surge in the spread and strength of multinational corporations in recent times. They are the economic force behind globalisation. There are over 63,000 multinational corporations in the world with 700,000 foreign affiliates, and between them they are responsible for two thirds of global trade and 80% investment. Multinational corporations are estimated to engage more than 80 million workers. When you add the supply chains, the number becomes much more.

Among the 100 largest economies in the world, 51 are national economies, the remaining are multinational companies. While the bulk of international investment flows originate in OECD countries, non-OECD countries are increasingly important sources of investment flows. In 2010, global FDIs flows rose to US\$1.24 trillion. 50% of FDIs goes to developing and transition economies. Investments from OECD countries account for 90%. From Asia, Japan is the major investor. An important non-OECD country – China – is emerging as a large investor.

When MNCs invest in the host countries, they also contribute to the increase in the trading activities of these countries through their imports of materials for their production activities as well as export of their manufactured products. However, inflow of FDIs is not the panacea for all the ills of developing countries. Practices such as transfer pricing are resorted to by MNCs as against re-investment in host countries. Repatriation of profits could even adversely affect the balance of payments of the host countries when large amount of funds in terms of profits flows out of the country and places the host in an unstable position in balance of international payment.

Apart from the above activities, MNCs, after the initial bringing in of funds, resort to borrowings from the local financial institutions, thus diverting away local funds which could have been used by local investors or others to meet local needs. Capital flight is another risk involved in having MNCs investing in the host countries. This may take the form of closures and moving out to invest in other countries. The capital market is the most vulnerable to the speculative investment activities of MNCs. This was frighteningly illustrated in the financial crisis of 1997.

MNCs are not just a growing economic force, but the political force that MNCs wield with the back of their economic might is also increasing. Corporate sales of major MNCs actually exceeded the GDPs of many receiving countries. MNCs also exert considerable pressure or influence the governments to keep unions out in their areas of operations, as seen in EPZs in certain industries concerned such as information technology. Instances are many where the governments even suspended the coverage of labour laws in areas such as EPZs as incentives to attract investors. In many places where unions cannot be avoided, they encourage formation of company unions.

One of the arguments trotted out in favour of MNCs is that they contribute to the increase in employment opportunities in the host countries. While there is employment creation, employment security is questionable where employment in MNCs is concerned. This is because of the ease in which MNCs can shift from one host country to another. "Exit Policy" enacted in some countries facilitate such fleeing. These activities of MNCs where workers are laid-off or retrenched en masse are posing great challenges to trade unions. Again, MNCs resort to more non-permanent employment such as contract work, part-time, temporary work and home-based work.

Occupational health and safety of workers in factories invested by MNCs in this region is another area of concern to trade unions. Frequent reports of factory fires and building collapses have accounted for thousands of lives of innocent workers. The Rana Plaza disaster in Bangladesh alone claimed nearly 1,200 lives. Exposure to harmful chemicals or mishandling of chemicals is common because there is no proper training or instructions given to workers.

There is no dearth of international instruments for protecting the rights of workers in the MNCs. OECD Guidelines for Multinational Enterprises is one of the important global instruments among them, as well as the UN Global Compact and the ILO Tripartite Declaration of Principles concerning Multinational Enterprises. The Global Union Federations (GUFs) have signed several framework agreements with MNCs on issues such as workers' rights as embodied in the ILO Core Conventions. The implementation is tardy and the benefits have been minimal.

The application of these international instruments, as well as enterprises' own codes of conduct, in reining in MNCs have not been promoted. Very few unions apply these instruments in organising or bargaining with MNCs. Capacity building and monitored engagement in this area are expected to give substantial value added to trade union organising of MNCs.

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

- Intensive campaign for coverage of labour laws in the MNCs;
- Organising workers in MNCs to be given priority. There is no greater strategy to tackle MNCs than building strong, independent, free trade unions;
- Launch regional / international organising campaigns where the companies / supply chains have wider geographical coverage;
- Campaign for implementation of OECD Guidelines for Multinational Enterprises, and the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and other global instruments for protecting workers' rights. The unions need to give wider publicity to the existence of these tools as there is lack of awareness among unions in these enterprises; and
- Unions should make the best use of global framework agreements.

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Resolution No. 6

DECENT WORK FOR DOMESTIC WORKERS

Decades of invisibility and exclusion are clearing from hard-fought struggles on all fronts, led by movements of domestic workers, trade unions and allies from across sectors. Rights of domestic workers are finally being recognised.

These historic changes are driven by the historic adoption of ILO Convention No. 189 and its accompanying Recommendation No. 201, the first international labour standard specifically devoted to domestic workers, at the 100th Session of the International Labour Conference (ILC) in June 2011.

This Regional Conference recognises that ratification, which now stands at 21² globally, various national labour law reforms and organising progressed through the ITUC “12 by 12” campaign and targeted activities in cooperation with affiliates, partners and allies.

The Regional Conference welcomes with particular interest legislative and policy reforms at the national level, including in several countries in the region. They range from a comprehensive law or new labour laws with provisions on domestic workers (e.g., Bahrain, the Philippines,), extension of wages, social insurance and protection from sexual harassment to domestic workers (e.g., India, Thailand, Vietnam), guaranteed weekly day of rest (e.g., Malaysia, Singapore, Thailand, Vietnam) and scores of other related policies.

These developments are important, but as this region accounts for the biggest share of the world’s domestic workers, around 21.5 million (81.4% women) or more than 40% of the world’s 53 million figure, these barely address the innate vulnerability and the effective exclusion of domestic workers from protection of national laws and regulations. With ratification by governments and country-level legislation painfully slow, with the Philippines still the only country in the region to ratify the convention, decent work for domestic workers remain elusive.

The Regional Conference agrees to intensify work to building awareness, pushing for further protection, supporting ratification by more countries and national level application, and empowerment of domestic workers. Lessons from the experiences of earlier struggles provide the ITUC-AP and affiliates with an opportunity to demonstrate better leadership in protecting and promoting the rights and interests of domestic workers.

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

- Mobilise support to keep up pressure on governments, particularly targeting those which voted for the adoption of ILO Convention No. 189 and have yet to ratify the convention;
- Build local/national alliances and coalitions to push for necessary labour reforms at all levels and to monitor their effective implementation;
- Initiate dialogues with governments to further the development and / or improvement of national programmes and policies, including adequate social protection, for domestic workers;
- Raise awareness of members and communities on the value of domestic work and rights of domestic workers, including through the various social media;

² As of 10 June 2015

- Develop campaign materials, hold public sensitisation and mass mobilisation advocating for domestic workers' rights (e.g., March 8, June 12, June 16, migrant workers day, 16 days of Activism Against Gender Violence);
- Intensify awareness and prevention of exploitation, both in origin and destination countries;
- Initiate dialogues with employers, placement agencies and other stakeholders to promote ethical recruitment and employment of domestic workers;
- Adjust union organising models to reflect specific needs and realities of local and migrant domestic workers and increase capacity to organise them;
- Share practices, models, experiences and innovative ways of trade unions and other organisations in organising and winning rights and protection for domestic workers;
- Support the creation of networks between local and migrant domestic workers;
- Intensify solidarity campaigns in coordination with domestic workers unions and their associations;
- Build inter-union cooperation including through sub-regional organisations of national centres (e.g., AseanTUC, SARTUC, ArabTUC), in origin and destination countries to protect the rights of and assist domestic workers in distress;
- Extend support to domestic workers, including information on safe migration, legal assistance, other services, provision of skills development courses, among others;
- Trade unions leading by example through the development of a code of conduct for employing domestic workers; and
- Demand model contract for employment of domestic workers which should be in conformity with the provisions of ILO Convention No. 189.

3rd ITUC - Asia Pacific Regional Conference

Resolution No. 7

EMPLOYMENT PROTECTION

Conference upholds the Universal Declaration of Human Rights Article 23(1), “Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment”; however it also admits that the reality is very contradictory in terms of quantity and quality of employment, principles of employment protection, employment creation and rules of employment adjustment; indeed, long term structural changes are reshaping the world of work.

Conference is dismayed that, though globalisation has contributed to fast economic growth in the region and globally, almost 202 million people were unemployed in 2013 around the world; young people continue to be almost three times as likely to be unemployed as adult; the fact that around 600 million new jobs need to be created over the next ten years to those currently unemployed and the expected 400 million additional entrants to labour markets reflects that employment is not expanding sufficiently fast to keep up with the growing labour force. Conference regrets that Social Safety Nets for employment protection are weak in the region.

Conference notes with serious concern that, in the new demographic context, societies in several countries are aging rapidly, while many others are faced with significant challenges in attempting to reap the potential benefits of a youth bulge; in high income economies, more and more young people are forced to take temporary and/or involuntary part-time work; in less-developed countries, large proportions of young people are underemployed or working in the informal economy; much of women’s employment remains less well paid, less secure and lower status than that of men; and labour migration already significant, is expected to increase further.

Conference further express its concern that, quality wise, employment has significantly changed, i.e., a surge in informal and precarious work, in some countries, informal economy stands nearly 90% and precarious workforce stands at more than 50%; the informal workforce in particular is largely unprotected by labour laws and social protection laws, and importantly, often, outside of the trade union folds; due to rapid restructuring of business, mergers and acquisitions, and privatisation, termination of employment often occurs in the region freely, without justifiable reasons, without consultation with unions and without adequate compensation; unfair labour practices are also committed often taking advantage of employment adjustment.

Conference focuses the question of vulnerable employment – that is, either self-employment or work by contributing family workers – accounts for almost 48% of total employment; persons in vulnerable employment are more likely to have limited or no access to social security or secure income than wage and salaried workers; the number of people in vulnerable employment continues on the rise in the region.

Conference urges governments, in order to rectify the current trend of high-level of unemployment, surge in informal and precarious work, and lack of rule of employment adjustment to establish at the national level the fundamental principle of quality employment as stipulated in the ILO Convention No. 122 (1964) on Employment Policy Article 1, “with a view to stimulating economic growth and development, raising level of living, meeting manpower requirements and overcoming unemployment and underemployment, each member shall declare and pursue, as a major goal, an active policy design to promote full, productive and freely chosen employment”; Global Jobs Pact and Social Protection Floors

are also important instrument to secure quality employment, reduce inequality, and elimination of any forms of discrimination in employment and at work.

Conference believes that on the macro level, there should be coordinated government action by strong tripartism, to support job-rich growth recover from jobless growth, rising unemployment, declining wage share and growing inequality; strengthening capacities for labour administration and labour inspection is an important element in inclusive action on worker protection, social security, labor market policies and social dialogue; a set of employment policy package to realise full, productive and freely chosen employment through the combination of macro-economic, labour market and social policies that include:

- Financing to provide funding for quality employment generation including green investment and green jobs;
- Promotion of an inclusive, efficient and fair labour market and prioritise the integration of young women and men into the labour force and;
- Establishing employment targets and indicators with relevant analysis and recommendation.

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

- Establish or re-establish principles of employment to promote decent and secured job opportunities that include:
 - Regular workforce should be a pillar of employment structure;
 - Precarious work should be eliminated or limited through legislation and automatic conversion rights shall be ensured;
 - Restrict circumstances by legislation, such as by a restricted labour dispatch law, in which workers can be engaged as casual / fixed term;
 - The principle of equal conditions and remuneration for work of equal value shall prevail in all types of employment and;
 - Social safety nets for employment, with universal coverage, should be established and improved, such as unemployment insurance, skill training, re-training, up grading, job exchange schemes, adequate level of minimum wage leading to living wage, and if necessary, direct cash transfer.
- Build strong employment services to facilitate job placement, career development and address skill mismatch;
- Continue campaigns for a policy design as a Country Jobs Pact based on ILO Global Jobs Pact and ILO Employment Convention No. 122 and other recommendations on employment (Nos. 122, 169);
- Act to eliminate any forms of discrimination from the work place, with special support to people with disabilities and HIV-positive and indigenous people; and
- Fight against unjustifiable employment adjustment in the light of ILO Termination of Employment Convention No. 158 and Recommendation No. 166.

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Resolution No. 8

INCOME-LED GROWTH FOR SUSTAINABLE AND INCLUSIVE GROWTH

The Regional Conference recognises that the real wage growth in Asia and the Pacific has been largely stagnant or much more modest since the global economic crisis emerged in 2007 even though its economic growth has outperformed than much of the rest of the world. Furthermore, it is noted that the level of wages in most countries across the region is absolutely lower even in purchasing power parity terms than those of developed economies (US\$ PPP 3,000) and also the world average (US\$ PPP 1,600).

However, the Regional Conference points out that this wage crisis preceded the economic crisis as a result of failures of more than 3 decades of neoliberal dominance while inequality between capital and labour as well as among workers rising. The labour income share has been falling around the world since the late 1970's while the real wage growth has been lagging further behind the labour productivity growth. Also unfairly distributed income among workers has increased the gap between bottom and top wage earners since 1995 regardless the level of development. The Regional Conference is appalled that 1% increase in labour productivity was compensated by only 0.75% increase in real wage between 1997 and 2007. Moreover, it is noted that inequality has been increasing in more than two-thirds of countries including more than 80% of population in the Developing Asia and the Pacific.

The Regional Conference highlights that such failures of income distributions start from the labour market with weaker labour market institutions as wages reflect the labour market conditions. More deregulated, informalised and segmented labour market with downward union density and lower collective bargaining coverage makes it impracticable to comply with the fundamental principle of 'Equal Pay for Work of Equal Value' and let absolutely lower wage levels persist in the region. Furthermore, an insufficient wage level makes workers vulnerable to excessive working hours in the region where working hours is almost 4 hours longer than the average of 81 countries.

Conference is of the opinion that workers and their families are the principal component of private consumption with higher propensity to consume and the world economy as a whole is a closed economy which is consumption-led. Thus, the current economic paradigm supported by increasing debts and labour exploitation cannot sustain.

Therefore, the Regional Conference asserts that it is the most urgent need to shift the growth paradigm from the current market and debt driven growth to an income-led growth, which is a growth model based on high-income and pro-labour distributional policies, accompanied by legislative and structural policies aiming at building strong labour market institutions, that generates, by boosting domestic demand, an equitable, stable and inclusive growth regime for sustainable future. For successful conversion to the income-led growth regime, the Regional Conference emphasises the importance of institutions to guarantee that wage growth should reflect the cost of living but also ensure workers' share in the benefits of productivity growth in specific national contexts so that the labour income share should recover to a more equitable level alongside reduction of working hours to the level of international standards without any abatement of income level.

Furthermore, the Regional Conference defines that the minimum wage should be the statutorily guaranteed sum of payment for work performed or services without any abatement by individual or collective bargaining as a minimum floor of income. The level (of the minimum wage) should be determined by tripartite mechanisms based on socially

acceptable minimum needs of workers and in reference to economic and industrial condition; however, the level must be fixed above the national poverty line.

The Regional Conference also recognises, together with the minimum wage, a pressing need to take actions for the living wage with which workers and their family can enjoy decent standards of living including active participation in the society. Thus, the Regional Conference defines that the living wage should be a sufficient level of wage that enables workers and their families to live with dignity and to participate as active citizens in society which shall be fixed for different family / age / career groups through collective bargaining on the basis of the cost of living with should include various expenses necessary for educational, social, cultural activities in addition to basic human needs calculated on reliable statistical data. The Regional Conference emphasises that the living wage must be well above the minimum wage.

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

- Campaign for high-income and pro-labour distributional policies, accompanied by legislative and structural policies aiming at building strong labour market institutions;
- Build research capacity in economics to strengthen collective bargaining;
- Continue campaigns for establishing strong national minimum wage setting institutions based on constructive social dialogue with full participation of tripartite bodies with the aim to realise minimum wages well above the national poverty line;
- Conduct campaigns for full and extensive implementation of the minimum wage and other working conditions such as working hours through strong labour inspection;
- Campaign for the living wage, enabling workers and their families to live with dignity and to participate as active citizens in society;
- Urge governments to establish or improve a system to collect statistical data such as wage trends and relevant socio-economic factors including productivity under trade union governance to formulate better and fair wage policy aiming to move towards income-led growth;
- Continue campaigns for ratification of relevant ILO Conventions, especially Convention No. 95 (on Protection of Wage), No. 131 (on Minimum Wage Fixing), No. 144 (on Tripartite Consultation) and No. 81 (on Labour Inspection); and
- Work with strong solidarity to eliminate discrimination in working conditions at work place in the light of ILO Convention No. 100 on Equal Remuneration for Men and Women Workers for Work of Equal Value.

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Resolution No. 9

SOCIAL SAFETY NETS BASED ON FAIR TAXATION AND FISCAL POLICY FOR JUST DEVELOPMENT

The Regional Conference reaffirms that Social Safety Nets are non-negotiable human rights as stipulated in the International Bill of Human Rights and the ILO Declaration of Philadelphia. A state should provide adequate social protection as its constitutional obligation.

Moreover, the Regional Conference, as underlined during the early stage of the global economic crisis, recognises Social Safety Nets as an economic and social necessity for inclusive development and just progress by reducing poverty and inequality, increasing inclusiveness and sustainability in growth and enhancing economic resilience to economic shocks with a certain level of domestic demands sustained.

However, the Regional Conference expresses dismay at the fact that 73% of the global population has no access to social protection at all or to only partial; 58% of people of working age today cannot expect to receive social security pensions in the future; and 39% of the population is lacking healthcare coverage. Furthermore it is noted with serious concern that vulnerable people who need the social protection the most, especially workers in precarious forms of employment and in informal economy, are excluded from the protection while the primary tool of functional as well as personal income distributions has not been working properly. Also they are hit the hardest by more frequently occurring economic crises under the neoliberal dominance.

Especially, the Regional Conference expressed serious concerns over social safety nets deficits in the Asian and Pacific region where atypical employment, child labour and informal economy are rampant with the high level of poverty. Social protection is recognised as a pivotal factor to transform informal economy to formal economy and an essential mean to prevent child labour. However, the Regional Conference is appalled that child and family benefits in the region is just 0.2% of GDP and only 17% of workers are entitled to receive any forms of the unemployment benefits.

The Regional Conference reaffirms the relevance of the ITUC-AP defined 'Social Safety Nets' and commits to continue regional campaign for it. Considering the current social and economic situation, the Regional Conference recognises that, in strengthening the ITUC-AP defined 'Social Safety Nets', social protection floors, sets of basic social security guarantees with secure protection aimed at preventing or alleviating poverty, vulnerability and social exclusion, should be promoted.

In order to implement adequate Social Safety Nets, the Regional Conference recognises the importance of institutional reforms to ensure a fiscal space for governments based on fair taxation and well-designed fiscal policies. The Regional Conference notes with serious concerns that regressive indirect taxation and tax burden on labour income have been increasing while corporate tax rates have been reduced and large corporates, especially MNCs, do not pay taxes on their profits by tax evasion and avoidance in the absence of efficient tax systems in the region. Also the Regional Conference pointed out no tangible progress to implement the Financial Transaction Tax and no transparent and accountable systems to include workers' representatives for the management and investment of workers' capital contributed to Social Safety Nets.

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

- Continue regional and national campaigns for establishing, promoting and improving social safety nets;
- Establish national social protection floors;
- Promote by revision of relevant laws, ratification of ILO Convention No. 101, extension of social insurance coverages, etc.;
- Demand an open, transparent and accountable governance arrangements by active participation of trade unions to monitor and supervise the management and investment of workers' capital wherever workers contributions, wholly or partly, fund social safety nets;
- Organise campaigns for a tax and fiscal policy reform leading to fair taxation and adequate fiscal space which can realise equitable income re-distribution and effective social safety nets for sustainable and inclusive growth with social cohesion;
- Build up trade union capacity in social policies including taxation, social insurance schemes, etc., in order to respond to government's policies and institutional changes; and
- Organise campaigns to demand adequate regulation of the financial sector including FTT so that financial institutions fulfill its legitimate function to serve the real economy and to reduce risks.

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Resolution No. 10

BETTER OHS STANDARDS FOR JUST SOCIETY AND DECENT WORK

The Regional Conference reaffirms that Occupational Health and Safety (OHS) is a basic human right enshrined in the International Bill of Human Rights and also an indispensable workers' right stipulated directly and partially in almost half of all the ILO instruments. Thus, full safety and health at work is an essential prerequisite for a just society and decent work.

The Regional Conference recalls a series of industrial accidents in Asia and the Pacific with growing international attentions to the region. However, it is noted with serious concerns that there is persistently high number of death toll at 2.34 million workers from work-related accidents and diseases every year as well as estimated 317 million workers suffering from work-related injuries per year. The total cost of these accidents and diseases is conservatively estimated at 4% of the world GDP.

In particular, the Regional Conference is appalled that the rate of fatal accident in emerging and developing Asian and Pacific countries is four times higher than the rate in industrialised countries and 64% of the total estimated 317 million work related injuries in the globe occurred in South-East Asia and the Western Pacific.

Moreover, the Regional Conference notes that increasing precarity and informality of employment with long working hours, as labour market institutions have been weakened, has raised risks to mental health and vulnerability to violence, harassment and bullying at work.

The Regional Conference identifies OHS as a cross-cutting issue affected by national and global socio-economic contexts; not only technical progress but also social status of workers, industrial relations, social welfare system, globalisation, financialisation, labour market structure, structure of enterprises, demographical change, etc. Therefore, the Regional Conference clarifies that OHS is interrelated to major trade union issues including the freedom of association, the right to collective bargaining, working conditions, social safety nets, social dialogue, precarious employment, informal economy, inclusive and sustainable growth. Hence, OHS should be one of the top trade union priorities and, furthermore, it should be a social and economic agenda with priority.

Furthermore, the Regional Conference highlights the importance of a trade union as the most effective tool to ensure workplace health and safety and, decent work can only be realised in safer and healthier workplace.

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

- Establish an OHS committee at all levels;
- Develop OHS audit tools identifying hazardous working conditions and substances including radiation;
- Make OHS an avenue to organising;
- Promote ratification and enforcement of relevant ILO Conventions, including No. 155 (Occupational Safety, Health), No. 187 (Promotional Framework for Occupational Safety and Health), No. 81 (Labour Inspection);
- Make the best use of existing modules for OHS at workplace;
- Take up the OHS issues at all levels of industrial relations;

- Promote the world-wide recognition of 28 April as the international Commemoration Day for Dead and Injured Workers;
- Conduct solidarity campaign in the case of major industrial accidents or diseases occur, in support of victims and their families; and
- Build capacity for education and training on OHS, in particular, targeting vulnerable workers such as youth, women and elder workers.

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Resolution No. 11

CHILD LABOUR

Conference reiterates that child labour is an important workplace issue which trade unions have a responsibility to tackle as a matter of principle of solidarity and social justice; as child labour violates children's rights, trade unions are firmly committed to outright opposition to the exploitation of children at workplace and other places.

Conference welcomes that global action has resulted in a significant reduction in child labour from 246 million in 2000 to 168 million (2013), where trade unions have been always playing a pivotal role; the ITUC-AP and its affiliates have been vigorously carrying out campaigns against child labour in the past two decades such as CBA negotiations for setting a minimum age for employment, various school projects, pressurising MNCs including their global supply chains by using ILO Declaration of Multinational Companies, Codes of Conducts, Framework Agreement and Corporate Social Responsibility codes; the ITUC-AP and its affiliates have also joined the campaigns such as the World Day against Child Labour on June 12 each year; in addition, trade unions have also been taking direct action such as giving scholarships and running education programmes for children and mobilising union inspectors to save children from child labour.

However, Conference also notes that the Asia-Pacific region still has the largest number of child labourers, almost 78 million or 9.3% of child population. In our region, eradication of child labour is yet within our reach; not all countries have ratified the ILO Conventions Nos. 138 and 182. Their ratification is important to declare the will of the government to eradicate the child labour. Child labour deprives children of the inherent right to life and opportunity of development as the UN Convention on the Rights of the Child uphold.

We have to continue our action through intensive campaigns nationally and regionally such as ratification and implementation of these two Conventions, increase in family income supported by higher income policy with a sufficient level of national social protection floor, strong collective bargaining power to eradicate child labour, a tripartite dialogue to improve legislation and its enforcement, and to define policies and programmes to eradicate child labour and combat the worst forms of child labour and to monitor their implementation.

Conference also stresses that, as child labour is widely visible in the informal economy, organising informal economy to empower the working poor should be the most effective way to reduce child labour - bringing children from the workplace to school. In the meantime, there should be concrete action to withdraw children from the worst forms of child labour in the informal sector through strengthening monitoring mechanisms.

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

- Promote free and compulsory education for all children as essential part of social safety nets;
- Continue campaigns for ratification of the ILO Conventions regarding the minimum age for employment (No. 138), the worst form of child labour and forced labour (No. 182) and their effective implementation;
- Campaign for effective implementation of existing national legislations for eradication of child labour;
- Coordinate with ITUC and GUFs in the campaign for elimination of child labour in supply chain;

- Intensively campaign against child labour in all its manifestation in line with the ILO Conventions, UN Universal Declaration of Human Rights and UN Convention on the Right of the Child;
- Strengthen interaction and cooperation with international agencies such as ILO and UNICEF and other relevant organisations with purposes of protection of rights of child, promotion of campaign against child labour and poverty eradication; and
- Intensive campaign to integrate child labour issues into National Decent Work Programme.

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Resolution No. 12

INCLUSIVE GROWTH IN TRADE DEVELOPMENT AND ECONOMIC INTEGRATION

The Regional Conference stresses that distributive and re-distributive aspect in trade and economic integrations for inclusive growth should be strengthened through trade union participation as networks of bilateral/multilateral FTAs and EPAs are rapidly being built among major economies and economic groupings; regional/sub-regional and inter-regional economic integration become more influential in formulating domestic policies; and international financial institutions (IFIs) continue to have strong influence on labour market policies in recipient countries.

The Regional Conference identifies four main areas for trade union engagements to ensure a balanced and inclusive growth in trade development and economic integration as followings:

- International Trade Negotiations: such as WTO³, FTAs, TPP⁴, RCEP⁵
- Regional and Inter-Regional Economic integration: such as APEC⁶, G20, ASEM⁷
- Sub-Regional Economic Integration: such as ASEAN⁸, SAARC⁹, PIF¹⁰, GCC¹¹
- International Financial Institutions: such as World Bank, IMF, ADB¹² and others¹³

In particular, the Regional Conference is concerned about increasing income inequality among countries which hinders the full realisation of harmonious regional integration and subsequently shared prosperity of its gains. Without any adequate regulatory mechanism and institution, globalisation and financialisation which erode the government ability of policy implementation and workers' bargaining power have threatened inclusive growth with disparities in incomes and living standards fast growing

The Regional Conference realises that in the past decades, trade union participation in the integration process has shown certain progress, largely depending on the strength of national lobbying action. Thus, in order for structured participation of trade unions in such trade and economic integrations to be realised, trade union strength and united voice at all national levels are essential.

³ World Trade Organisation

⁴ Trans-Pacific Partnership

⁵ Regional Comprehensive Economic Partnership

⁶ Asia-Pacific Economic Cooperation

⁷ Asia-Europe Meeting

⁸ Association of Southeast Asian Nations

⁹ South Asian Association for Regional Cooperation

¹⁰ Pacific Islands Forum

¹¹ Cooperation Council for the Arab States of the Gulf

¹² Asia Development Bank

¹³ A couple of multilateral development banks relevant to our region, as alternative infrastructure investment funds to existing World Bank and ADB, were established and are expected to operate soon. AIIB (Asian Infrastructure Investment Bank) established with 57 founding member countries is expected to be operational by the end of 2015 with initially authorised capital stock of \$100 billion. NDB BRICS (New Development Bank BRICS) started its operation in July 2015 with the initial capital of \$100 billion.

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

- Pursue recognition of trade unions as counterpart of business groups in the process of international trade negotiations and regional/inter-regional economic integration;
- Take part in the ITUC actions in lobbying the G20, APEC, ASEM and APEC;
- Support and work with affiliates in their association with the regional integration processes, such as ASEAN and SAARC; and
- Lobby the IFIs:
 - To include decent work agenda in their operations;
 - To remove labour chapter from “Doing Business”;
 - To have consultation meetings nationally in the country loan structure and their labour market policy;
 - To continue regional dialogues specifically on their labour market policy; and
 - To adopt labour safeguard policy in addition to their commitment to be in compliance with the ILO Core Labour Standards.

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Resolution No. 13

CLIMATE ACTION AND GREEN ECONOMY

The Regional Conference reaffirms that global climate change is not about the future but it is severely damaging lives of the working class in the world today, especially vulnerable people. In particular, the Asian and Pacific region, regarded as the most affected area by climate change, has been experiencing more intensifying, frequent and stronger natural disasters; most recently heavy storm in Australia and typhoon in Vanuatu, typhoons in Philippines, floods in South Asia, and so on. Also, the Regional Conference is aware that Pacific Islands are at grave risks of climate degradation as rising sea level has accelerated the rate of coastal erosion and land loss, which puts working families in danger and poverty due to severe loss of income from main industries such as fishery and tourism.

The Regional Conference is appalled that South Asia is estimated to lose nearly 2% of its GDP by 2050, rising to 9% by 2010 even under optimistic climate projections and also the Pacific will lose 12.7% of annual GDP equivalent by 2100 without any action being taken. Also it is noted with serious concerns that increasing food insecurity and natural disasters can almost double the number of population in poverty in Asia and the Pacific. Climate change clearly makes people's vulnerability to poverty increasing and economic development hampered.

The Regional Conference is concerned about no meaningful implementation or progress of policies for emission reductions and any related environmental issues since the expiry of the 1997 Kyoto Protocol commitments. Thus, the Regional Conference emphasises the importance of international solidarity among affiliates to pressurise their governments into adoption of a new legally binding instrument to replace the Kyoto Protocol at the 21st Conference of the Parties (COP21) in Paris in 2015.

Considering serious adverse impacts of nuclear energy on human lives and communities as shown by a series of nuclear power plant accidents, the Regional Conference recognises a need of a transition period to phase out the use of such energy in longer term that would be done by more investment on greener energy towards sustainable economic and social development.

Climate change is a workers' issue not only since industrial transformation towards green economy will lead to necessary employment adjustment but also because consequences of the change have been harming livelihoods of workers and their families. Thus, the Regional Conference stresses again no delay in producing a binding agreement to succeed the Kyoto Protocol for tackling CO₂ emissions and realising 'Just Transition' for workers towards green economy.

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

- Participate in the ITUC's climate action in the COP process;
- Conduct 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;
- Demand and engage in social dialogue to ensure investment in industrial transformation, universal access to breakthrough technologies and just transition measures, including eventual phasing out of nuclear energy in longer term;

- Lobby and try for more engagement with governments, regional / inter-regional governmental bodies and IFIs to promote green jobs and a just transition; and
- Strengthen international solidarity among affiliates for the rehabilitation of victims of the adverse effects of climate change.

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Resolution No. 14

CONSTRUCTIVE INDUSTRIAL RELATIONS

The Regional Conference reaffirms that social partnership and social dialogue, or industrial relations, are fundamental components toward decent work. Efficient social dialogue based on mutual trust at various levels is instrumental in business sustainability, which will eventually benefit workers and national economy as a whole.

The Regional Conference, however, expresses deep dismay at the fact that industrial relations in the region are confrontational in general as balance of power between the labour and the business is always in favour of the latter mainly due to erosion of trade union power as well as denial of fundamental worker's rights. Thus, the Regional Conference stresses that constructive industrial relations can only be built on the basis of full recognition and operation of trade unions in compliance with the ILO core Conventions and common welfare, and in a stable political climate for social partners to operate without fear of reprisal; parties concerned share common interests in labour standards, performance of business, conditions of national economy; industries and labour market' and share a principle of fair distribution of output to stakeholders.

The Regional Conference clarifies that Corporate Social Responsibility (CSR), a corporate-led strategy to mainly promote business interests, cannot be substitute to trade unions' action. Credible CSR works effectively only on the basis of full recognition and operations of trade unions in compliance with the ILO Core Conventions in pursuit of decent work, as well as prudent business performance.

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

- Promote ratification of the ILO Convention No. 144 (Tripartite Consultation) and its implementation in striving for effective practice of bipartism and tripartism;
- Support affiliates in setting up effective dispute settlement mechanisms;
- Continue regional dialogue with the Confederation of Asia Pacific Employer (CAPE);
- Promote the concept of the constructive industrial relations in regional and international forums; and
- Further explore possibilities of establishing an Asian and Pacific Industrial Relations Institute.

3rd ITUC - Asia Pacific Regional Conference

Resolution No. 15

REALISING RIGHTS DEFEND AND PROMOTE WORKERS' RIGHTS

The Regional Conference recognises that as the most representative international organisation of working people our primary task is to promote social justice, democracy and peace through ensuring the conditions for the enjoyment of universal human rights and effective representation of working women and men in the region. Combating poverty, exploitation, oppression and inequality is our fundamental areas of trade union action. To succeed, it must pursue to create a united voice of working men and women nationally and in the region.

Defending and promoting workers' rights everywhere continue to be our topmost priority. Enjoyment of untrammelled workers' rights is needed more than ever. Our founding conference has given mandate to expose and denounce violation of workers' rights, wherever they occur. Sadly, the situation remains unchanged.

Our governing bodies have, time and again expressed serious concern at the incidence of blatant violation of rights in several parts of the region, more particularly the right to organise and bargain collectively. Governments and employers are increasingly becoming intolerant of trade unions. Freedom of Association and Right to Organise and Collective Bargaining enshrined in the ILO Conventions No. 87 and No. 98 is curtailed or altogether denied. Not a few governments impose various restrictions on trade union operations. The global economic crisis has worsened the situation.

The Regional Conference notes that there has been alarming increase in respect of violation of trade union rights. Attacks of trade unionists are rampant almost everywhere. There is no respite from the cases when the unionists were made to make the extreme sacrifice of losing their lives for the simple act of engaging in legitimate trade union activities for protecting their rights. Our region is not immune to the global phenomenon of targeting labour activists leading to deaths and 'disappearance'. In the recent past we have witnessed unionists being murdered in broad daylight with no trace of culprits who normally are hired goons sent by armed forces, employers, authorities and the underworld with official connivance, if not sanction. In some countries in our region, independent trade union leaders are often executed after trials in kangaroo courts with impunity and scant respect for world opinion. Reports of unionists' victimisation in the forms of arrest, jail terms, dismissal, mass transfer, physical intimidation and beatings reach from all parts of the region.

Free and independent trade unions can only exist in a climate free of violence, pressure, intimidation, fear and threats of any kind, where fundamental human rights are respected. Hence, violence and threats against unionists hardly provide a conducive atmosphere to exercise the right to organise and bargain collectively and prevent unions from representing the interests of working people. Prior approval for organising / holding meetings, prohibition on participation in the political process, arrests and detention all inhibit functioning of free trade unions.

Labour laws meant to protect workers' rights are observed more in breach than in compliance. Frequently, governments resort to amendments to existing labour enactments to curtail labour rights. New innovations are introduced to restrict or deny the right to strike or even right to organise. Large segments of working people such as informal economy, irregular workers, migrant labour, EPZs are excluded from the coverage of labour laws.

Globalisation has failed to deliver the promised decent working standards and has not benefited working people as a whole in the Asian and Pacific region. The present global economic architecture has only bred inequality. Gap between the haves and have-nots is ever widening.

The Regional Conference reiterates that trade unions are a major factor in reducing inequality. The impact of rising inequality is reflected in significant declines in the wage share of national income (and a corresponding increase in the profit share of corporations), widening gap between those at the top and bottom of the wage distribution and an even larger gulf between the total incomes of rich and very poor.

It is apparent that restriction on the role of unions is one of the labour market factors contributing to rising income inequality. Strong unions and high collective bargaining coverage help reduce wage inequality and produce a fairer distribution of income. The most desirable and fastest way to achieve desirable level of income distribution would be through the strengthening of unions and collective bargaining.

Existence of unbridled workers' rights is a prerequisite for ensuring social justice. Restriction or denial of workers' rights anywhere poses a serious threat to rights everywhere. In their hurry to record impressive increase in GDP growth many governments and quarters contend that workers' rights are an impediment to development. We outright reject such contentions as unsubstantiated, ill-advised and misleading and reiterate the workers right to a fair share of the wealth they create.

The ITUC-AP will continue to promote trade union actions and objectives based on solidarity and focus on fundamental workers' rights, given that the defence and development of those rights anywhere requires that they be respected everywhere. Freedom of Association and the Right to bargain collectively constitute the essential base for the trade union struggle for social justice.

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

- Intensive campaign for labour law reforms to allow unrestricted right to organise and bargain collectively in compliance with the ILO Conventions No. 87 and No. 98, irrespective of the ownership, nature, size, composition of workforce, employment status and location of the workplace;
- Assist affiliates in capacity building to address the deficiencies in labour legislations;
- Monitor and act appropriately to oppose cases of violation of workers fundamental rights and mobilise solidarity of workers organisations to strengthen such efforts;
- Campaign vigorously for the release of all imprisoned trade union activists;
- 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 bargaining collectively;
- Work with the ITUC to use the ILO mechanisms to present complaints to the ILO Committee of Experts on Freedom of Association and Committee on Application of Standards and follow up;
- Encourage and support establishment of independent democratic trade unions in countries wherever they do not exist;
- Work with the ITUC and the GUFs to continue engagement with various multilateral economic integration processes; and
- Make effective use of all available means including OECD Guidelines to Multinational Enterprises and to implement Framework Agreements with multinationals to ensure adherence to the ILO Core Labour Standards.

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Resolution No. 16

AGENDA FOR PROTECTING THE GAINS AND ACCELERATING PROGRESS TOWARDS GENDER EQUALITY AND WOMEN EMPOWERMENT IN ASIA-PACIFIC

Trade unions have led the struggle to achieve gender equality in the workplace, in their policies, in their own structures and in society. The Constitutions of ITUC and the ITUC-AP form the basis of the region's gender equality work, and outline the aims and objectives, including for affiliates.

The ITUC-AP and its affiliates set out their vision for gender equality through the Platform of Action for Gender Equality (PAGE 2011 - 2015). The ITUC-AP, working with affiliates and partners, has carried out a number of strategies and approaches in support of gender equality and women's empowerment.

The Regional Conference notes that while progress have been made in the region in the last four years, often as a result of trade union-led campaigns, advocacy and representation, in areas such as increasing membership of women in unions, passage of new or improvement of existing laws, legal precedents or policies on gender equality and non-discrimination, more collective bargaining agreements incorporating the principles of gender equality, better delivery and provision of services to women members and their families, dedicated efforts to promote women's leadership roles in unions – the pace of change has been slow and highly uneven both within and among countries in the region.

The Regional Conference notes with serious concern that gender gaps in education, employment, wages, and participation in leadership positions in unions and society, exacerbated by rising precariousness, and violence at work disproportionately affecting women and young people, threaten to push back hard-won successes and gains for women and girls.

Given the magnitude of these persistent challenges, the Regional Conference affirms to keep the level of engagement high, expand and scale up the ITUC-AP and affiliates' implementation, promotion and coordination of gender equality programs and activities in the region.

The Regional Conference endorses the ITUC-AP Platform of Action for Gender Equality (PAGE) 2015 - 2019 and commits the ITUC-AP, working with affiliates and the GUFs, to actions around four thematic areas:

1. Increasing women's labour force participation and access to decent work
2. Building a union leadership with a minimum of 30% women representation
3. Organising informal, precarious and domestic workers
4. Recruiting and organising young women workers

Detailed trade union actions are contained in the PAGE 2015 - 2019.

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Resolution No. 17

ITUC - ASIA PACIFIC ACTIONS FOR YOUTH ON REALISING YOUTH MAINSTREAMING IN ASIA AND THE PACIFIC

Albeit the continuing complex and difficult employment situations faced by youth in Asia and the Pacific, the Regional Conference welcomes that the youth trade union movement in the region showed a steady and substantial progress for the past four years. This is, as a result of the strenuous efforts made by affiliates and their youth movement under the enhanced political commitments by trade union leadership in response to the young people's demands set out in the ITUC-AP Youth Charter 2011 - 2015.

The Regional Conference reaffirms the fact that youth are keys to the further advancement of the trade union movement, promotion of just development, and realisation of stable and inclusive society. In the world, some 120 million young people reach working age every year and regarding Asia and the Pacific region in particular, people aged 20 to 34 comprise some 35% of the total working-age population. These figures lay out a great potential for trade unions to grow. Further, ensuring engagement of youth leads to better policy formation, implementation and evaluation, as interventions will have greater ownership and legitimacy amongst youth.¹⁴

Likewise, the Regional Conference reaffirms its determination to support youth truly in need of trade unions as they are one of the most vulnerable groups in society. High youth unemployment is alarming – the regional average ratio of youth to total unemployment rates stands at 2.3 in 2012¹⁵ and what official statistics tell could be the tip of the iceberg. Casualisation hits young workers – the available data reveal that in the region, more than 30% of youth are under non-regular work in several countries. Youth are facing a deficit of decent jobs - despite a multitude of mistreatments, young people tend not to raise their voices due to their vulnerable employment status and lack of knowledge on available supports, workers' rights and their entitlements. Youth are unable to find their places in society and world of work - persisting unemployment and underemployment and also worsening working conditions take away self-esteem, drives for work and hope for future from young people.

Building on the progress made and in order to address a multitude of cross-cutting issues faced by young people in a timely manner, the Regional Conference recognises that the establishment of functioning youth structures with the following overarching strategies is essential to maximise young people's power and potential: implementing youth oriented organising; including youth in the main stream of decision - making processes; empowering youth; guaranteeing young people's ownership of actions for youth; and conducting youth-focused survey and data analysis.

The Regional Conference endorses the ITUC-AP Youth Charter 2015 - 2019 and commits the ITUC-AP, working with affiliates and the GUFs, to promote actions around the four thematic areas:

- Area 1: Increase Young People's Access to Quality Jobs
- Area 2: Promote Decent Working Conditions for Young Working Men and Women
- Area 3: Raise Special Attention to Social Isolation of Youth at Risk

¹⁴ Joining forces with young people: A practical guide to collaboration for youth employment, (2009: Geneva, ILO).

¹⁵ Findings from the *ITUC-Asia Pacific Survey on Youth Employment in Asia and the Pacific 2012*, (Singapore: ITUC-AP)

- Area 4: More Youth in the Mainstream of Trade Union Movement

Detailed trade union actions are contained in the ITUC-AP Youth Charter 2015 - 2019.

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Resolution No. 18

SOLIDARITY FOR NEPAL'S POST DISASTER RESILIENCE MOVE

Nepal is on the eve of historical change. It was in a process to conclude political diversities through promulgating the New Constitution, generated due to decade long violent insurgency along with peaceful people's uprising of 2006.

All of a sudden, on Saturday, 25 April 2015 at 11:56 local time, a 7.6 magnitude earthquake as recorded by Nepal's National Seismological Centre (NSC), struck Barpak in the historic district of Gorkha, about 76 km northwest of Kathmandu. The catastrophic earthquake was followed by more than 300 aftershocks greater than magnitude 4.0 (as of 7 June 2015). Four aftershocks were greater than magnitude 6.0, including one measuring 6.8 which struck 17 days after the first big one with the epicentre near Mount Everest. The consequence was nearly 9,000 casualties and 23,000 injuries. It is estimated that the lives of eight million people, almost one-third of the population of Nepal, have been impacted by these earthquakes. Thirty-one of the country's 75 districts have been affected, out of which 14 were declared 'crisis-hit' for the purpose of prioritising rescue and relief operations; another 17 neighbouring districts are partially affected.

The destruction was widespread covering residential and government buildings, heritage sites, schools and health posts, rural roads, bridges, water supply systems, agricultural land, trekking routes, hydropower plants and sports facilities.

THE REGIONAL CONFERENCE EXPRESSES its deepest sympathy on devastated loss of life and properties in Nepal. The Regional Conference sends its condolences to the bereaved families and joins itself with Nepali sentiments "We will Rise."

THE REGIONAL CONFERENCE ACKNOWLEDGES gratitude expressed by three Nepali affiliates – the GEFONT, the NTUC and the ANTUF for immediate solidarity extended by the ITUC. The Regional Conference also thanks all of its affiliates for their involvement in the call of the ITUC-AP Secretariat and their contribution to the Solidarity Fund.

THE REGIONAL CONFERENCE ALSO SUPPORTS the Nepali affiliates' vision of "Reconstruction: By Creating Decent Jobs". The Regional Conference encourages the Trade Union Solidarity Support Organisations to join the international meeting to prepare the Nepali unions' road map of reconstruction to be held in Kathmandu, Nepal, from 3 - 4 September 2015.

THE REGIONAL CONFERENCE SUPPORTS the ongoing Nepal's initiation to declare its New Constitution. **THE REGIONAL CONFERENCE CALLS ON** Nepali political players to recognise trade unions' role to restore full-fledged democracy and asks to address trade unions' issues of rights, social protection, labour commission and representation.

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Resolution No. 19

REPUBLIC OF KOREA VIOLATION OF TRADE UNION RIGHTS

The 3rd ITUC-AP Regional Conference in Kochi, India, on 1 - 3 August 2015:

EXPRESSES GRAVE CONCERNS over the oppression of trade union movement and the deterioration of workers' rights in the country, especially over the retrogressive labour market reforms pushed ahead by the Government of Korea.

NOTES that the Government of Korea has attempted to enforce unilateral and anti-labour policies under the pretext of labour market reforms which will definitely pose growing threats to workers' livelihood and job security.

DEPLORES that such attempts by the government, especially the extension of use period of fixed-term workers and the expansion of temporary agency work, longer working hours, wage cuts, unfavorable change of wage system, the relaxation of requirements for dismissals, etc.

STRONGLY BELIEVES that labour market reforms are meant to achieve economic democracy through the alleviation of social polarisation and intergenerational harmony based on social consensus.

CALLS UPON the Government of Korea, extending full support to Korean workers' struggles:

- To immediately stop the unilateral labour market reforms and endeavor to devise effective measures for promoting job security and social safety nets;
- To respect fundamental workers' rights and stop oppression on trade unions; and
- To cease illegitimate interference in industrial relations and guarantee voluntary negotiation between labour and management.

CALLS UPON the employers in Korea to:

- Participate in the dialogue and negotiations in a sincere manner on the pending issues; and
- Immediately stop the attempts to downgrade working conditions and unilateral lay-offs.

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Resolution No. 20

CHINA

Expressing, on the one hand, concern about China in respect of the fundamental workers' rights, that, according to ITUC's Global Rights Index 2014, China is rated as 5, namely "the worst countries in the world to work in"; China has passed various laws and regulations to protect workers, yet, implementation has been ineffective; The official All-China Federation of Trade Unions (ACFTU) is a state-run organ and plays a role of "stabilising", instead of representing workers as a trade union; Furthermore, the Chinese Government has a long history of repressing workers' actions, including violent crackdown, arbitrary detention, illegitimate arrest of workers' representatives; Fundamental labour rights, i.e. freedom of association, rights to collective bargaining and strike, are blatantly denied.

THE REGIONAL CONFERENCE CALLS on the Chinese Government to release all imprisoned labour activists immediately, and to effectively implement each core labour rights listed in the International Labour Conventions; and

THE REGIONAL CONFERENCE CALLS on the Global Unions to support independent labour movement in China, in promoting better labour conditions and trade union rights;

FURTHER NOTING, on the other hand, that regional engagement with China commenced in 1990s in view of its rapid economic growth and its impact on the Asian and Pacific labour market which eventually resulted in a mission to China at the international level in 2000;

RECOGNISING, since then, through political interactions at the international level, multifarious dialogues and contacts with the ACFTU being pursued by the ITUC, and its affiliates in the Asian and Pacific Regions levels;

NOTING that, after reviewing various phases of relationships with the ACFTU in relation to the evolution of engagement policies and ILO Governing Body elections, the first official mission of the ITUC-AP to China was sent in February 2015 that had high-level dialogues with the leadership of the ACFTU and the CCP;

RECOGNISING that there are significant particularities of the ACFTU in its constitutional position and political and legal structure that have evolved in the history of China since 19th century and the establishment of the ACFTU in 1921;

ACKNOWLEDGING the significance of participation of the ACFTU, on the initiative of the ITUC and in coordination with the ITUC-AP, in various labour fora and inter-governmental frameworks, including G20 / L20, APEC / APLN, ASEM / ASEM Labour Forums, UNFCC, that work as effective channels influencing Chinese Government's positions in these frameworks;

REAFFIRMING the constitutional commitment of the ITUC-AP to decent work for all workers in the region, including those in China;

INSTRUCTS the ITUC-AP to continue its work toward constructive relationship with the ACFTU in line with the ITUC's China Policy, in coordination with the GUFs and the TUAC.

HONG KONG

BEING DEEPLY CONCERNED BY:

The current “small-circle election” of its Chief Executive and system of Functional Constituency is a clear violation of labour rights, as it leads the public policies to be heavily skewed in favour of a handful of corporates and tycoons, while workers’ political rights are sacrificed. The labour movement in Hong Kong has always been fighting for genuine universal suffrage. In the Umbrella Movement 2014, workers, students and citizens have been extensively involved to demand the Chinese Government to grant genuine universal suffrage to the city, to allow election without pre-screening its candidates.

EXPRESSES:

Its full support for the Hong Kong trade unions to achieve a universal, equal and democratic election mechanism, including open nomination of the Chief Executive candidates and the abolition of all Functional Constituency seats in the Legislative Council.

STRONGLY CONDEMNS:

The Hong Kong SAR Government in creating White Terror after the Umbrella Movement, by politically prosecuting independent union leaders. It calls on the Chinese and Hong Kong Governments to fulfil their commitment, to grant the Hong Kong citizens the rights in electing their Chief Executive and Legislative Council democratically.

3rd ITUC - Asia Pacific Regional Conference

Resolution No. 21

SOLIDARITY WITH VICTIMISED MAHINDRA-SSANGYONG WORKERS

The 3rd ITUC-AP Regional Conference in Kochi, India, on 1 - 3 August 2015:

EXPRESSES its strong solidarity with the Ssangyong dismissed workers who have fought for their reinstatement. It is scandalous that no less than 2,646 workers lost their job all of a sudden based on dishonest claims of urgent business exigencies or a business fraud and despite the passage of seven years, not a single worker has been recalled and yet the death toll continue.

BELIEVES that the Indian company Mahindra & Mahindra, which acquired the Ssangyong Motor in 2010, has a responsibility as a major shareholder not only on employment and wage and working conditions of the workers in Ssangyong, but also the reinstatement of the dismissed workers. Implementation of the agreement between management and union on the issue of reinstatement is now Mahindra's responsibility.

CALLS UPON the Indian company Mahindra & Mahindra to:

- Immediately reinstate all the dismissed workers who have suffered for more than 7 years; and
- Withdraw the damage claim of 4.7 billion KRW against the dismissed workers.

3rd ITUC - Asia Pacific Regional Conference

Resolution No. 22

INDIA VIOLATION OF TRADE UNION RIGHTS

HAVING DISCUSSED AND EXAMINED the reports and proposed amendments to the labour legislations by the Government of India which are anti-labour and anti-trade union movement and just opposite to the long standing demands of the trade union movement for improving the labour laws;

THE REGIONAL CONFERENCE EXPRESSES deep concern about the proposed disinvestment in the public sector, the Indian railways, defence production and financial institutions;

NOTES that all national trade union centres jointly held two one-day and one two-day all-India strikes in the past and now again deciding to go on a one-day strike on 2 September 2015 against the anti-labour law amendments and also against the announcement of the government to allow 100% FDI in the Indian Railways and 49% in Defence production units;

FURTHER NOTES that all central government employees have also taken a decision to go on indefinite strike from 23 November 2015 for implementation of the 7th CPC recommendations with effect from 1 January 2014; and

THE REGIONAL CONFERENCE URGES UPON the Government of India to re-examine all the proposed amendments in the labour laws in the light of the representation given by the Indian trade unions jointly.

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Resolution No. 23

HUMAN TRAGEDY IN PT MANDOM, INDONESIA

On 10 July 2015, near the Eid Fitri holiday, a great tragedy struck Indonesia. A chemical pipe exploded in PT Mandom, West Java, Indonesia. 23 workers lost their lives and more than 39 workers are still in the hospital for intensive care with severe burn injuries. Furthermore, all the victims are on-the-job trainees (OJTs) who have not been offered any proper education and training, including occupational health and safety (OHS), before entering the workplace. More than 80% of the 1,500 workers are OJTs and this type of work is worse than outsourcing with lower pay but high production target. This accident is suspected to have happened because of negligence and intention of the PT Mandom management to chase high production targets.

The KSPI has responded to the tragedy as follows:

1. Reported to the local and national governments about the tragedy;
2. Demanded the employer to cover all cost of treatment for the injured victims; and
3. Demanded compensation for the families of the deceased.

The trade unions suspect that there are attempts to cover up real causes of the tragic accident. The government has not taken any real action in this matter which is clearly against the mandate of the 1945 Constitution on protection of all citizens in any case.

CALLS UPON the ITUC, the ITUC-AP and all affiliates to send letters to the President of the Republic of Indonesia, Manpower Minister, and the employers of PT Mandom, both in Indonesia and Japan, urging them:

1. To conduct a thorough investigation into the accident in order to find out the real causes;
2. To improve the OHS system in Indonesia;
3. To give adequate compensation to the victims; and
4. To take deterrent action against the employers who are responsible for this tragedy.

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Resolution No. 24

INDONESIA – BAN ON STRIKE

The 3rd ITUC-AP Regional Conference in Kochi, India, on 1 - 3 August, 2015:

IS DEEPLY CONCERNED with the Indonesian Government's decree to ban strike in the EPZs and vital industries which will make intervention by the military, paramilitary and police in industrial relations possible; this will promote fear among workers and will allow employers to ignore laws and regulations leading to absence of the rule of law. The ban on strike is a clear violation of the ILO Conventions No. 87 and No. 98 ratified by Indonesia.

CALLS ON the Government of Indonesia to respect fundamental human rights regarding freedom to association and expression and fully implement the ILO Conventions No. 87 and No. 98.