

Resolution No. 1

FIJI

The 4th ITUC-AP Regional General Council meeting in Hong Kong, 23 -25 November 2010:

NOTES	the deteriorating situation in respect of economy, human and trade union rights within Fiji;
NOTES WITH CONCERN	the rising unemployment, underemployment and poverty amongst the people of Fiji, including the declining sugar industry which is the livelihood of almost one third of the population;
OBJECTS	to the administration of Justice Decree (Decree 9 Of 2009) and its amendment Decrees 10 of 2009, 25 of 2009 and 14 of 2010 that take away the Unions right to challenge in any court decision of Government or Government owned entities to make any employee redundant or change any terms and conditions of employment, despite a collective agreement remaining in force;
OBSERVES	that these Decrees are in violation of ILO Core Labour Standards which Fiji has ratified and is obligated to respect, the Cotonou Agreement which obligates Fiji to respect the core labour standards and Fiji's own Labour Laws;
CALLS ON GOVERNMENT	to immediately revoke all the Decrees promulgated by the Regime that restricts or denies Human and Trade Union Rights and ensure that the respect for core ILO Standards and Conventions be strictly observed and to enter into negotiations with trade unions in the public sector and other government entities;
CONCERNED	that the Fiji judiciary is not independent and the recruitment of judges leaves much to be desired. This compromised judiciary and undermines the effectiveness and integrity of other accountable institutions such as Human Rights Commission and the Office of the Auditor-General;
NOTES	the PER (Public Emergency Regulations) is foisted upon Fiji's people and defies the respected principles of accountability, transparency and good governance. Overall, the PER allows the regime to operate as an authoritarian government without democratic scrutiny and accountability. They make a mockery of the rule of law;

DEMANDS

- i) immediate revocation of the PER;
- ii) the immediate restoration of the 1997 Constitution as it represents a profound and comprehensive commitment to the principles of equality, non-discrimination, human and trade union rights, and social and economic rights. At its heart lies a substantial Bill of Rights which includes specific provisions on personal liberty and freedoms, labour relations, education and property;
- iii) to hold immediate elections so that democracy is restored in the country and set the platform for other issues such as international aid and investor confidence to human and trade union rights.

Resolution No. 2

REPUBLIC OF KOREA

SIT-IN STRIKE OF PRECARIOUS WORKERS IN HYUNDAI MOTORS

The 4th ITUC-AP Regional General Council meeting in Hong Kong, 23 -25 November 2010:

EXTENDS

full support to the ongoing sit-in strike of in-house subcontracted workers in Hyundai Motor, which began on 15 November 2010, demanding that the company hire them directly as 'regular', workers and solidarity struggle by regular workers for it;

NOTES

that the Supreme Court on 22 July 2010 ruled that in-house subcontract is in fact labour dispatch, which is banned in manufacture sector and therefore *“in-house subcontractors' employees, who joined the company before 1 July 2005 and worked continuously for two years or longer should be treated as the employees of the Hyundai Motor”*;

EXPRESSES GREAT CONCERNS

at the fact that various forms of indirect employment allows the actual employer for whom workers produce avoid responsibility for their wages and working condition and that workers employed in this manner are most often paid low wages and their contracts are always of a temporary nature;

EMPASISES

that it is the company's responsibility to come up to the collective bargaining table as the real employer to discuss a follow-up measure in accordance with the Supreme Court ruling;

DEPLORES

- that the company have disturbed the precarious workers to join the union, forced 'union withdrawal' with 'disguised closure' as a weapon, and even mobilised managers and guards to expel the workers from the factory with physical violence which led a worker to set fire on himself in protest against it;
- that the Central Labour Relation Committee denied the right to strike of the workers and decided that the sit-in strike is unlawful without reasonable grounds; and
- that the police are blocking every entrance of the factory to prohibit the delivery of water, food etc;

CALLS ON

the Korean Government and Hyundai Motor:

- to immediately stop repression of the workers and every forms of violation of human and fundamental labour rights; and
- to take their full responsibility to ensure the collective bargaining between the Hyundai Motor, the actual employer of in-house subcontracted workers in the company and the Korean Metal Workers Union (KMWU) representing the workers, for a follow-up measure to the Supreme Court ruling.

Resolution No. 3

ELIMINATION AND PREVENTION OF VIOLENCE AGAINST WOMEN

The 4th ITUC-AP Regional General Council meeting in Hong Kong, 23 -25 November 2010:

REAFFIRMING

the commitment to the achievement of gender equality and women empowerment as a top trade union agenda in its pursuit of democracy, social justice, peace and development;

AFFIRMING

the grave concern in the UN Declaration on the Elimination of Violence against Women (1993) and in the Beijing Declaration and Platform for Action (1995) that violence against women is a serious obstacle to the achievement of equality, development and peace;

RECOGNISING

that violence against women is both a root cause and a consequence of gender inequality; and a form of discrimination and a violation of human rights preventing women from the exercise and enjoyment of their rights and freedoms restricting fulfillment of their potentials and aspirations;

UNDERSCORING

the UN definition of violence against women in 1993 as amended in 2003, that states violence against women is *“any act of gender- based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public and private life, and including domestic violence, crimes committed in the name of honour, crimes committed in the name of passion, trafficking in women and girls, traditional practices harmful to women, including female genital mutilation, early and forced marriages, female infanticide, dowry-related violence and deaths, acid attacks and violence related to commercial sexual exploitation as well as economic exploitation”*;

EMPHASISING

that violence against women is not merely physical as commonly understood but includes other forms such as economic violence – when women are not given equal access to opportunities and resources, paid lesser than

men for equal work and work of the same value, take the lowliest, menial and poor working conditions, denied educational and training opportunities including promotion opportunities and viewed as inferior or of lesser status than men; and what could be more degrading and damaging than purely physical – the psychological violence which includes sexual harassment, bullying or harassment in general;

STRESSING

that preventing and eliminating violence against women is the key and crucial step in the empowerment of women;

UNDERSTANDING AND RECOGNISING

that the silence of the victims - most notably due to lack of protection and support systems and services including societal pressures adding insult to injury re-victimising women by attacking the victim's dignity, honor and reputation, turning the victim to be the accused resulting to absence if not scant complaints - does not mean that acts of violence against women are not committed or are not serious;

RECALLING

article 4 of UN Declaration on eliminating violence against women that States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid obligations with respect to its elimination;

PURSUIING

the decisions adopted by the 2nd ITUC World Congress (Vancouver, June 2010) and the 1st ITUC World Women's Conference (Brussels, October 2009) to prevent and eliminate violence against women at the workplace, within the family or in society;

CONCURRING

with the Conclusions and Recommendations of the ITUC-AP Conference primarily on the fact that violence against women dehumanises humanity as it diminishes both the dignity of the oppressed and the humanity of the oppressor;

REAFFIRMING

the trade unions role as vanguards and protectors of workers human and trade union rights in pursuit among others of equality, justice, and peace – which can never be achieved without reversing injustices; THEREFORE, mindful of the recommendations

in the AP Conference on Eliminating Violence against Women;

CALLS ON

ITUC-AP and affiliates:

- to advocate for adoption of an ILO Convention and Recommendation on Sexual Harassment;
- to advocate for adoption of an ILO Convention and Recommendation on Elimination and Prevention of Gender-based Violence against Women;
- to advocate for explicit inclusion in the existing international instruments on VAW the economic forms of violence against women;
- to lobby for creation of laws specifically addressing violence against women at local and national levels;
- to campaign for “zero tolerance” of violence against women, by taking the issue in bargaining and social dialogues;
- to mobilise trade union actions every 25th November which is international day for elimination of violence against women;
- to involve male trade unionists to actively campaign in eliminating violence against women by acting as white ribbon ambassadors;¹
- to mainstream elimination of violence against women in trade union policies and actions for gender equality;
- to actively participate in the formulation, implementation, monitoring and evaluation of laws eliminating violence against women.

Resolution No. 4

¹ White Ribbon campaign started in Canada in 1991, to advocate for men to speak out and organise against violence, specifically violence against women.

TRAGIC DEATH OF NEW ZEALAND MINE WORKERS

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EXTENDS

its deepest sympathy to families of the members who were killed along with the employees of contractors working in the mine that day and who have lost their lives in this tragic mining disaster.