

## **Resolution No. 1 Trade Union Rights in Fiji**

The ITUC-AP Regional General Council meeting on 21–22 November 2011 at Singapore;

- EXPRESSES** deep concern at the on-going attacks through unlawful detention of the trade union leaders on charges of sedition and unlawful assembly, etc. and the erosion of, the rights of Fiji workers and trade unions;
- NOTES** the promulgation of draconian Decrees such as Essential National Industries Decree by the Fiji authorities that impact directly and negatively on the democratic rights, interests and the very existence of trade unions in Fiji despite exhortations and protests against them;
- CONDEMNNS** the illegal actions by the Government of the day to abrogate the rights of trade unions and the workers of Fiji, particularly in the Public Service and other national or critical industries to further the harassment, assault and detention of Fiji trade union officials;
- ABHORS** the intentions of the regime to deny the workers throughout Fiji their hard fought rights by eroding or removing the protection available in the Employment Relations Promulgation [ERP] 2007;
- RECALLS** the past statements and declarations by the Fiji authorities of their promise to adhere to and uphold the human and trade union rights and the ILO principles of Decent Work via Fiji ERP 2007 and other legislations and ignoring the requests and pleas from various agencies to observe them without fail;
- DENOUNCES** the actions of Fiji Govt officials to mount a propaganda campaign against Fiji unions, their officials and members based on contradictory, false or erroneous facts, while denying the unions their right to valid responses or redress;
- REQUESTS** the national trade union centres around Asia Pacific region to demonstrate and protest at the Fiji Embassies against regimes Dictator who rules with an iron fist;
- GRATEFUL** for the numerous instances of moral, technical and solidarity support from international trade union fraternity (GUFs), including ILO and Amnesty International, and other kindred organizations on the restoration of and the preservation of trade union rights, and cessation of prosecution etc, in Fiji;
- WELCOMES** the planned Fact Finding Mission of ACTU for the second week in December 2011 as the regime had earlier stated in their press release that ACTU should find the facts on the ground;
- FURTHER WELCOMES** the forthcoming visit of the ITUC delegation to be led by its General Secretary to Fiji;
- DEMANDS** that the Govt. of Fiji immediately withdraw all Decrees in particular Decrees 21 & 35 of 2011 and their subsidiary legislation and reverse the effects that have reduced, prejudiced or negated the position of trade unions and workers in Fiji and to return without delay to full normal status all their rights and interests under provisions of ERP 2007, other legislation and international protocols;
- CALLS** On the Fiji authorities to remove unequivocally the harmful and offensive sections of the PER (Public Emergency Regulations) and the Media Decree and to discontinue the unjustified criminal charges against union officials based on invalid presumptions which continues to deny the human and trade union rights;

**FURTHER DEMANDS THAT** hereafter Fiji Government truly abide by all the legitimate Fiji labour laws and the principles of ILO conventions that have been freely and publicly adopted by the nation, including restoration of the Check Off facilities, and take no further steps to erode the rights of Fiji trade unions, their officials and members and to restore the democratic principles and processes in the nation without delay.

**STANDS**

by their Brothers & Sisters in the Fiji Trade Union Movement during this hour of their dire need.

**Resolution No.2  
Burma**

The ITUC-AP Regional General Council meeting on 21-22 November 2011 at Singapore;

**WELCOMES**

the release of sixteen FTUB members, calls for the release of 22 FTUB members still detained and calls on the international community, the UN, the ILO and the governments to stand by the struggle of the people of Burma for freedom and democracy;

**ACKNOWLEDGES**

the initiatives between the "new" Government and the NLD led by Daw Aung San Suu Kyi;

**BUT DEPLORES**

the continuing reign of repression, ruthless exploitation of people, denying political freedom and trade union rights and use of military force and chemical weapons against the ethnic nationalities;

**CONDEMNS**

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

**CALLS**

for stopping of forced labour, recruiting of child soldiers, eradication of narcotics and stopping of money laundering which are the key issues that induced sanctions on Burma;

**CAUTIONS**

the international community that recently passed Labour Organization Law is still to be practiced and the registration of the Agriculture and Farmers Federation of Myanmar (AFFM) and other trade unions that will register needs to be accepted when practicing their rights;.

**NOTES**

that there are increasing incidents of direct action including strikes by discontented workers and farmers in Burma;

**COMMITTS**

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

- campaign extensively for restoration of genuine democracy in Burma;
- extend solidarity support to the democratic trade union movement in Burma; FTUB is the legitimate organisation of workers in Burma;
- campaign for lifting immediately the ban on FTUB and

- restoration of trade union rights in the country; and
- campaign for introduction of labour laws which will ensure full workers' rights.

**Resolution No. 3  
Pakistan**

The ITUC-AP Regional General Council meeting on 21–22 November 2011 at Singapore;

- IS CONCERNED** over the expiry of Industrial Relations Ordinance 2011 and disfunctionality of the Regulating Authority, the National Industrial Relations Commission (NIRC) on 17 November 2011;
- APPRECIATES** that the Parliament through Resolutions extended its Constitutional validity for another 120 days;
- IS FURTHER CONCERNED** that if the Parliament does not adopt this Ordinance in to Act then trade unions and federations at the national level will greatly suffer;
- DEMANDS** that the Parliament adopt Federal Industrial Relations Act before the deadline of 17 March so that unions at transprovincial level and the Regulating Authority (NIRC) remain intact.

**Resolution No. 4  
OVERCOMING BARRIERS TO WOMEN IN TRADE UNION LEADERSHIP**

The 7<sup>th</sup> ITUC-AP General Council Meeting in Singapore, 21-22 November 2011:

- COGNIZANT** of the aims of the ITUC-AP Constitution “to make the trade union movement inclusive and responsive to the views and needs of all sectors of the workplace in the region “ and specifically “shall advance women’s rights and gender equality, guarantee the full integration of women in trade unions and promote actively full gender parity in their leadership bodies and in their activities at all levels”;
- AWARE** that in the 2<sup>nd</sup> ITUC-AP Regional Conference held in Singapore on 11-13 May 2011, Resolution No. 3 on “Gender Equality and Upholding Women’s Rights and Decent Work for Women” endorses the Platform of Action for Gender Equality (PAGE) and commits, among others, the “facilitation of women’s equal access to and full participation in decision-making and power structures and processes”;

**HAVING** noted:

- That the result of the ITUC-AP Survey on Women in Trade Union Leadership, although falling short of the majority of the affiliates, indicated a general trend that in the trade union's decision-making bodies in Asia-Pacific, there is a marked increase in the participation of women from 12% in 2000 to 23% in 2010, although in the top leadership position, that of President and General Secretary, was tied at 18% for the 10-year period;
- That this is a reflection of efforts made by affiliates in promoting and achieving gender equality, including encouraging women participation and representation in trade union leadership;
- That the same survey identified four (4) persistent barriers and challenges that should be removed through positive actions by trade unions among others the continuation of capacity building for women trade unionists that would be consistent with the mandate of the ITUC-AP Constitution;

**BELIEVES**

that the full strength of the trade unions can be achieved only if all its members are treated as equals and that equality includes giving access to women trade unions to decision and policy-making bodies in trade union organizational and social structures;

**THEREFORE,**

**COMMENDS**

the ITUC-AP Women's Committee on the paper presented on the topic and the survey results attached therein;

**GIVE**

serious attention to the issues raised and ensure the provision of an enabling trade union environment necessary to overcome barriers and challenges identified in the survey; and,

**EXHORTS**

the ITUC-AP and its affiliates to lead the promotion of women into trade union leadership positions and decision-making bodies and thus contribute to making a change for women trade unionists in particular and workers in general in this region specifically through the following:

1. Trade Union Culture
  - mandatory implementation of ITUC-AP constitution on women representation in decision-making bodies – with gender parity as the goal, and progressive target starting at 30 per cent;
2. Family Responsibility and Work-Life Balance
  - develop, advocate, and monitor labour and social protection related laws or legislations addressing women's issues and concerns among others ratification of ILO Convention 189 and Recommendation 201 on Domestic workers, and maternity / paternity leave, family leave, etc.;
3. Capacity Building and Women into Leadership Positions and Decision-Making Bodies
  - conduct targeted education and leadership training for potential and incumbent women trade union leaders at national and regional level on trade union operations

on one hand, and on the other hand building / enhancement of gender sensitivity and gender awareness of trade unionists at all levels;

- expose young women to trade unionism to develop their commitment to the cause of women and workers;
  - women to stand up for their rights and break women's negative mind-set in taking leadership position;
4. Gender Mainstreaming
- collect and keep a database on women participation and representation in leadership positions and decision-making bodies;
  - actively engage male trade unionists on Women's Rights agenda to facilitate change in mind-sets and gather support and partners in addressing leadership gap.

### **Resolution No. 5 Republic of Korea**

#### **Sexual Harassment against Woman worker and unfair dismissal of the Victim**

The ITUC-AP Regional General Council meeting on 21~22 November 2011 at Singapore;

**NOTES**

that a woman worker, Sis Park, in an in-house subcontractor of Hyundai Motor has been holding a sit-in struggle for more than 150 days asking for the punishment of those who sexually harassed her and for her reinstatement. It is totally unfair that she has been dismissed, despite being a victim of sexual harassment;

**DEEPLY  
CONCERNED**

that this case has a bad effect on the women workers' rights in Korea. Many women workers are sexually harassed at their work places. But it calls for great courage to expose their problem. It is even harder for those women who work for a subcontractor because of their precarious employment. So if a woman worker reveals her problem, the company has the duty to protect her and to solve the problem immediately. But Sis. Park was dismissed just because she made her suffering known to her colleagues;

**CONDEMNS**

that the Hyundai Motor distributed an official paper attacking the victim's personal character as unvirtuous instead of writing the wrongs against her, even after the National Human Rights Commission judged her case and that it definitely constituted sexual harassment and the Commission urged the employer and the offenders to compensate her for her damage. Another shocking fact is that the offenders are still working at the same factory;

**REGRETS**

that Sis Park has no choice but to keep her sit-in in front of the Ministry of Gender Equality and Family, because the ministries and companies who should take the responsibility do not come on her side, avoiding their responsibility; and

**URGES**

the Korean Government to demand strongly to Hyundai Motor to take action and solve this problem promptly and to take preventive and counter measures for women workers not to be unfairly dismissed on account of exposing sexual harassment.

## Joint Statement

### on the Launching of the “12 by 12” Ratification Campaign of the ILO Convention No. 189 and Promotion of the Recommendation No. 201.

The General Council of the ITUC AP and the International Domestic Workers Network,

**WELCOMING** the adoption of the ILO Convention No. 189 and Recommendation No. 201 at the 100<sup>th</sup> Session of the International Labour Conference in Geneva on 16 June 2011, recognising domestic workers are workers and therefore should be afforded the rights and protection same as the other workers;

**NOTING** that Asia is the home to millions of domestic workers, many of them are migrants, lack protection of basic workers’ and human rights and social protection;

**FURTHER NOTING** that in the region, domestic workers are largely unorganized rendering them defenseless and vulnerable;

**APPRECIATING** the joint effort and support of the ILO and other civil society organizations in holding the ITUC/ITUC-AP/IDWN 2011 Asia Regional Conference: “Advocacy towards the Ratification and Implementation of ILO Convention No. 189 and Recommendation No. 201 on Decent Work for Domestic Workers”, in Manila on 24 - 26 October 2011, affirming the joint commitment to campaign for the ratification and implementation of the Convention No. 189 and promotion of Recommendation No. 201 through coordinated national actions; and

**RECOGNISING** that the same commitment at the national level has been witnessed as increasing number of trade unions and domestic workers organisations are working collaboratively in organising and campaigning for the ratification of the Convention No. 189 as well as legislation to ensure decent work for domestic workers;

**RESOLVES** to jointly conduct the ITUC “12 by 12” Plan of Action in the region and support national organising and campaigning activities.

**22 November 2011**

**ITUC - Asia Pacific Regional General Council  
International Domestic Workers Network**