

**2nd ITUC-AP Regional Conference
Resolution No. 15**

**REALISING RIGHTS
DEFEND AND PROMOTE WORKERS' RIGHTS**

The 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 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 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 Conference commits the ITUC-AP, working with affiliates and 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.