

## AP Report to ITUC 3<sup>rd</sup> Congress

### 1. Preamble

The ITUC - Asia-Pacific (ITUC-AP) is growing. Its paying membership at the Founding Conference in 2007 was 18,628,883 of 48 organisations in 29 countries, and at the ITUC 3<sup>rd</sup> World Congress in 2014, it has grown to 22,851,116 of 57 organisations in 33 countries. Affiliates conducted rigorous organising campaigns especially in informal sectors; the effective membership has surpassed, subject to further verification, 60 million. This is a significant achievement, since the power of the trade union can only be measured by union density and level of unification as the creation of the ITUC has evidenced.

The ITUC-AP is operating as the regional arm of the Confederation in the region as stipulated in the ITUC Constitution. Its purpose is to support affiliates in their actions to implement the ITUC trade union decisions and policies, and advance the ITUC free, independent and democratic trade unionism by uniting, wherever possible, national affiliates having unique organisational cultures and historical backgrounds, in pursuit of stronger collective bargaining power and political mobilisation for institutional reforms.

The ITUC-AP has nearly 120 events on its annual calendar of events organised by its Secretariat and by organisations which the ITUC-AP is associated with. The priorities of the ITUC-AP actions are always discussed and reviewed by the Regional Governing Bodies in compliance with the decisions of the ITUC Congress and the ITUC General Council.

The key priorities are promotion and protection of workers' rights and action for better labour policies. Detailed annual regional reports on activities are available upon request at [gs@ituc-ap.org](mailto:gs@ituc-ap.org).

The Elected Officers of the ITUC-AP (2011-2015) are as follows:

President

G. Sanjeeva Reddy, INTUC, India

Chair of the Regional Executive Bureau

John De Payva, SNTUC, Singapore

General Secretary

Noriyuki Suzuki, JTUC, Japan

Auditors

- J. R. Boshale, HMS, India
- Maria Emeninta, KSBSI, Indonesia
- Hiroshi Kimura, JTUC, Japan

Chair of the Finance and Solidarity Fund Committee

Nobuaki Koga, JTUC, Japan

Chair of the Women's Committee

Rejieli Liuvuli Naruma, FTUC, Fiji

Chair of the Youth Committee

Pranav Shagotra, INTUC, India

## 2. Governing Bodies

### 2<sup>nd</sup> Regional Conference

The 2<sup>nd</sup> Regional Conference of the ITUC - Asia-Pacific was held on 11 - 13 May 2011 in Singapore under the slogan of "Unity – the Way Forward". The Conference, presided over by G. Rajasekaran, ITUC-AP President, was attended by 128 delegates from 45 affiliates with a total paying membership of 19,524,986. Out of the 128 registered delegates, 46.1% were female delegates and 11.1% were young delegates. Representatives from the GUFs from the region (ITF, BWI, UNI-APRO, PSI, and TWARO), OECD-TUAC, ILO, ADB, Associated Organisations and guests were also present.

#### Conference Decisions

The Conference adopted the ITUC-AP Action Programme 2011 - 2015 consisting of the Action Programme (including Priorities for Action), Platform of Action for Gender Equality and the ITUC-AP Youth Charter.

21 Resolutions were adopted by the Conference, of which Resolutions No. 16 - 21 were referring to specific issues, while Resolutions No. 1 - 15 in the following became the Conference Decisions and formed the Priorities for Action 2011 - 2015:

- Resolution No. 1: Promoting and Defending Workers' Rights
- Resolution No. 2: Organising – No Substitute for Genuine Trade Unions
- Resolution No. 3: Gender Equality – Upholding Women's Rights and Decent Work for Women
- Resolution No. 4: Decent Work for Young People
- Resolution No. 5: Employment Protection
- Resolution No. 6: For Better Working Conditions
- Resolution No. 7: Protection and Promotion of Migrant Workers' Rights
- Resolution No. 8: Decent Work for Domestic Workers
- Resolution No. 9: Institutional Reforms for Economic Justice
- Resolution No. 10: Elimination of Child Labour
- Resolution No. 11: Tackling Climate Change for Sustainable Development
- Resolution No. 12: Ensuring Better Occupational Health and Safety and Fighting HIV / AIDS
- Resolution No. 13: Industrial Relations for Social Justice
- Resolution No. 14: Trade Union Recognition in Economic Integration
- Resolution No. 15: Peace and Disarmament for National Development

The Conference placed on record its deep appreciation to the ITUC-AP President, G. Rajasekaran, who announced his intention to step down from his position in leading the Regional General Council, and to Necie Lucero for her contribution to the unification process of the founding of the ITUC-AP; her term as Deputy General Secretary was completed in accordance with the Transitional Arrangements 2007 - 2011 of the Regional Constitution.

The Conference elected a 30-member Regional General Council. Basing on status, the total number of titular members is 30, out of which only 23.3% are women. As for First Substitute members, 50% are women and for Second Substitutes, 60.7% are women.

### **Regional General Council**

During the period under review, five Meetings of the Regional General Council were held as follows:

- 5<sup>th</sup> Meeting, 10 May 2011, Singapore
- 6<sup>th</sup> Meeting, 13 May 2011, Singapore
- 7<sup>th</sup> Meeting, 21-22 November 2011, Singapore
- 8<sup>th</sup> Meeting, 2-3 October 2012, Amman, Jordan
- 9<sup>th</sup> Meeting, 25-26 November 2013, Bangkok, Thailand

Their main agenda were affiliation questions, debate on priorities of action based on the ITUC decisions and the ITUC-AP annual activities report, and financial matters. At each meeting, a gender session was held concerning Women's Representation on the Trade Union Governing Bodies, Organising Women and Advancing Maternity Protection for Gender Equality.

Main resolutions adopted by the Regional General Council were as follows:

Country actions for: Fiji, Myanmar, Pakistan, Afghanistan, Thailand, India, Indonesia, and Korea; Overcoming Barriers to Women in Trade Union Leadership; Trade Union Action against Sexual Harassment; Fighting HIV/AIDS; Amman Declaration on Advancing Maternity Protection for Gender Equality for Empowerment of Women and Free Choice of Life Style; Organising Women and ITUC Count Us In! Campaign; Action Against Precarious Work; and ILO Recommendation No. 202 on Social Protection Floors.

### **Regional Executive Bureau**

Four meetings of the Regional Executive Bureau were held as follows:

- 5<sup>th</sup> Meeting, 13 May 2011, Singapore
- 6<sup>th</sup> Meeting, 17 October 2011, Elewijt, Belgium
- 7<sup>th</sup> Meeting, 29 October 2012, Amman, Jordan
- 8<sup>th</sup> Meeting, 8 October 2013, Brussels, Belgium

Main agenda were financial matters, especially exchange loss, budgetary proposals to the ITUC, and the formation of an Arab inter-regional sub-region.

## **3. Workers' Rights**

### **Country Highlights**

The ITUC-AP continued to extend support to affiliates in Fiji (action against the Junta Government after the 2006 coup and restoration of democracy); Burma/Myanmar (organising, collective bargaining and establishment of the FTUM as a national confederation and support for the ITUC Myanmar Office); Indonesia (minimum wage, social security and outsourcing); Nepal (formation of National Affiliates Council and coordinated action); Cambodia (support for the affiliation of three organisations and formation of the ITUC Cambodia Council); Bangladesh

(factory fire, Rana Plaza Incident, labour law reform); Afghanistan/East Timor (trade union building). The ITUC-AP has restored relationship with the ACFTU, and annual coordination meetings were held with the LFTU and the VGCL.

#### **ITUC-AP Human and Trade Union Network**

As part of ITUC Human and Trade Union Rights (HTUR) Global Network, the ITUC-AP HTUR Network (HTURN) was formed in Cebu, Philippines, in 2009.

The ITUC-AP HTURN conducted campaigns against violations of human and trade union rights in various countries such as Bangladesh, Cambodia, Fiji, Indonesia, Korea, Malaysia, Myanmar, Pakistan and Philippines. The Network meets once or twice a year to review the national situation of trade union rights, closely monitors the human and trade union rights situation and supports the ITUC's work to publish the Annual Survey on Violation of Human and Trade Union Rights.

Every year the ITUC-AP HTURN contact points participate in the ITUC-AP Regional Pre-ILC Meeting. They discuss the report of the Committee of Experts on the Application of Conventions and Recommendations (CEACR) and select cases for inclusion on the list to be negotiated for the Committee on Application of Standards (CAS) of the ILC. The ITUC-AP HTURN has 35 active contact points of affiliates in 25 countries.

#### **ITUC-AP Labour Lawyers Network**

As part of the ITUC Global Labour Lawyer Network (LLN), the ITUC-AP LLN was formed in 2012 with 29 network contact points/affiliates in 25 countries.

The core works of this network are to coordinate the exchange of legal information and to contribute to the developing national, regional and international labour rights jurisprudence worldwide through research and litigation, more broadly to build an enabling environment for workers and unions to exercise their fundamental rights and to grow the movement.

#### **Organising**

Organising is the top priority of the ITUC, the ITUC-AP and affiliates. Not only traditional areas and MNCs, but also organising atypical workers is in progress. Actions in FTZs are being taken. The ITUC-AP affiliates have a rich culture of organising, and demonstrating significant achievements.

The ITUC-AP is part of the ITUC Global Organising Project launched in 2013. Apo Leong of HKCTU was appointed as the ITUC-AP Lead Organiser to support country actions and regional coordination. National organisers participated in the ITUC-AP Organising Academy in Hong Kong and the regional strategic workshop in Bali held in 2013 and 2014 respectively. Currently, 21 organisers of 21 affiliates in 13 countries are participating.

### **Informal Economy**

Activities on the informal economy are one of the top priority areas of action during the period under review. Several programmes were organised by the ITUC-AP with the objective of focusing on decent work for workers in the informal economy and organising them into trade unions. A special workshop was organised to review the past decisions of the ITUC-AP Conference and to formulate more effective and result-oriented policies and programmes. The activities included regional workshops, training workshops for informal economy organisers, sub-regional programmes and national workshops. The national consultation workshops were to take stock of the progress made in organising the informal economy and to chalk out country/organisation action plans. The ITUC-AP also supported launching of pilot projects in identified areas/sectors to launch an intensive organising drive for a period of one-year.

The results of the prioritised intensive programmes in the region are manifest in the impressive growth of membership in the informal economy registered by our affiliates in many countries. The membership growth in the informal economy in India, for instance, has been phenomenal with each of our affiliates recording millions of membership in the informal economy. Another matter of gratification has been with respect to social protection for informal economy workers. Because of the relentless struggle by the trade union movement, the hitherto neglected informal workers are being embraced by social safety networks. Notable developments were discernible in countries like India, Nepal and Indonesia. In some of the countries, labour laws are amended/enacted to expand the coverage to include the informal economy.

### **Migrant Labour**

The ITUC-AP has hosted several programmes with the objective of protection and promotion of rights of migrant workers. Accordingly, several workshops were organised at the regional, sub-regional and national levels. The ITUC-AP has been actively supporting and facilitating partnership agreements between unions in origin and destination countries. Projects were initiated with a view to contribute to the affiliate's capacity to promote decent work and good governance with a special focus on migrant workers and to improve rights and enforcement of rights, leading to high income and better conditions of poor migrant workers. The ITUC-AP also assisted in opening migration labour centres in some selected affiliates to reach out to, provide services to and organising of migrant workers. The ITUC-AP has also been active in the campaign for ratification of the ILO Convention No. 189 on Domestic Workers, who constitute a significant chunk of the migrant labour population.

The major thrust of our programmes has been driving home the point that organising is the only way to mitigate the working and living conditions of migrant labour. Some of the affiliates in the destination countries have already a good number of migrant labour in their ranks. Efforts are now afoot in encouraging our affiliates in the origin countries to organise these people before they leave the shore for work abroad. Some of our affiliates are taking a keen interest in this task. The impact of the Project on Outreach to Migrant Workers has been creating an initial platform to make the migrant labourers aware of the labour issues and their rights and bring

them under a single umbrella to share problems and issues. Some of the unions in the destination countries have established migrant labour centres/departments/cells for specially catering to the needs of migrant labour. A most visible result of the partnership agreement is that there is now some organisation to which the migrant labour can approach when in trouble. These organisations also provide legal assistance to the migrant labour in need. Some of our affiliates have also organised domestic workers into trade unions. The SARTUC and the ATUC have adopted migrant labour charter and are lobbying and campaigning for their wider acceptance.

#### 4. Women

ITUC-AP, working with affiliates and partners, has carried out a number of strategies and approaches in support of gender-equality goals, objectives and key priorities as set down by the ITUC Congress Decision and the ITUC-AP Platform of Action for Gender Equality (PAGE) 2011-2015.

Regional and national activities concentrated on building the institutional capacity of affiliates to take the lead in designing and implementing women-dedicated organising, capacity building and members-servicing programs, building awareness, advancing gender-equality issues in tripartite and social dialogue processes, increasing political and legislative pressure to improve enforcement of existing gender-equality laws and regulations and promoting the integration and balanced participation and representation of women in public and political life, including in unions.

As a result of these engagements and trade union representation at different levels, concrete progress has been made in the following key areas:

- Increased membership of women in unions – women now comprise 37% of total ITUC-AP affiliates' union membership in 2014, up from 31% in 2010; new domestic workers' unions formed (e.g., Sri Lanka, Pakistan);
- Improvements in gender-equality laws and regulations – paid domestic violence leave (e.g., Australia); equal pay litigations (e.g., New Zealand); anti-sexual harassment (e.g., Bangladesh, India, Israel, Pakistan, Singapore); support for workers with family responsibilities (e.g., Bahrain, Israel, Japan, Singapore; South Korea); enhanced maternity protection & benefits (e.g., Bangladesh, Bahrain, Israel); domestic workers' protection (e.g., India, Philippines, Singapore, Thailand); statutory MW (e.g., Hong Kong); women in union decision-making bodies (e.g., Bangladesh); limiting restrictions on types of jobs for women (e.g., Bahrain, Mongolia, Jordan);
- Improved delivery and provision of services to women members and their families – counseling services (e.g., Israel, Japan, South Korea); training and job placement (e.g., Hong Kong, Philippines, Singapore); education, shelter (e.g., Israel); migrant workers' support (Hong Kong, Korea, Malaysia, Nepal);

- Increased commitments to women's leadership roles in unions – increased roles of women's structures (e.g., Indonesia, India, Pakistan, Turkey); amendments in unions' constitutions (e.g., Indonesia, Sri Lanka); women leaders and members in government bodies (e.g., Nepal, Palestine, Sri Lanka); leadership and gender sensitisation courses; periodic conduct of gender audits; and
- Formulation of ITUC-AP Guidelines against Sexual Harassment.

To advance the gender agenda in the ITUC-AP action and policy, audit manuals on Gender Equality and Gender Pay Equity are being prepared.

## **5. Youth**

The ITUC-AP Youth Committee is actively guiding regional and national youth trade union action. The Committee is composed of 10 titular members and 20 first and second titular members with gender parity. The office bearers are on the ITUC Youth Committee to link the regional action with global action. Mainstreaming the youth in trade union policy, action and structure are key priorities.

The ITUC-AP Youth Charter 2011-2015, under the strong initiative taken by the ITUC-AP Youth Committee, has been further implemented at the national level. The ITUC-AP assisted their initiative through organising regional events, supporting national programmes and providing technical supports for drafting national youth charters. The Mid-Term Country Progress Report on the Youth Charter highlighted progress made in the areas of training and re-training, raising awareness on youth issues and youth participation in trade unions.

The ITUC-AP Survey on Youth Employment was held in 2012, the results of which showed stronger commitments demonstrated by the affiliates to advance the youth trade union movement including: establishment of functioning youth structures, youth participation in decision making bodies, development of youth-dedicated organising strategies and provisions of leadership trainings designed for the youth. Findings from a series of surveys were reflected in the development of the ITUC-AP Youth Charter 2015-2019 at the ITUC-AP Regional Workshop on Advancing Youth Charter held in early May 2014. An important finding was that once the national leadership provides young activists with opportunities to build their own organisations, youth action would then be activated gaining its own momentum for action and policy formulation.

The annual ITUC-AP/JILAF/OTCI Youth Leadership Course (YLC) continues to provide young trade unionists with opportunities to develop insights into key trade union issues as well as to build solidarity among young people in the region. From 2010 to 2013, 160 young trade unionists (Male: 78 / Female: 82) from 27 countries, including 3 GUFs, have participated in the YLC.

## 6. Labour Policy

### Employment Protection

In support of affiliates' action against the flexible labour market policy, the ITUC-AP, through intensive dialogues with affiliates, formulated guidelines: first, definition of precarious work as a type of employment which does not have essential job security because of fixed-term employment or the non-existence of a formal employment contract; which is liable to unilateral termination of employment due to changes in business and labour market conditions, and trade union actions in exercising fundamental workers' rights; and which embodies lower working conditions in terms of wages and other benefits, largely exempted from public security schemes and other labour laws.

On that base, the core of the action guide is organising and including conversion provision in employment law and setting a negative list to restrict unrestrained increase in precarious work. In coordination with the ITUC, a survey on precarious work was conducted. The guide book to precarious work will be published cataloging challenges and good experiences, trade union actions, deficits in relevant laws and regulations and jurisprudence in targeted countries in the Asia-Pacific Region.

### Higher-Income Policy and Better Working Conditions with Institutional Reforms

Declining labour income share with income disparity growing, expansion of the informal economy, persistent poverty – these are alarming phenomena in working and living conditions in the region. The ITUC-AP reconfirmed its commitment to the betterment of working conditions, particularly wages and working hours, as a prerequisite of achieving decent work in the Asia-Pacific, and the need of further cooperation and collective works of the affiliates at the national level. Realisation of income-led growth, conversion from current export-led and debt-led growth, is the core policy agenda in the region.

ITUC-AP actively participated in the **OECD-TUAC** Plenary and Economic Working Group to reflect in its global economic policy the regional realities. Affiliates continued national campaigns for better **Social Safety Nets** and fair taxation and fiscal policy based on the ITUC-AP Conference Decisions. In promotion of the ILO Recommendation No. 202 on a Social Protection Floor, the ITUC-AP held a conference to prepare a plan of action.

Together with the ITUC - Bangladesh Council (ITUC-BC), the ITUC-AP took protest action against the BGMEA on the persistent factory fires and the collapse of Rana Plaza. The key issue is the absence of unions in such factories. As part of advancing **OSH** action, the ITUC-AP held a regional meeting on Mental Health. It defined good mental health as “a state of emotional, physical and social well-being whereby a person is free from stress that hinders her/his ability to cope with the reasonable demands of work and life; is an integral and essential part of health and not just an absence of mental disorder; and is a human right”.



Promotion of constructive industrial relations is part of the agenda of the Annual Meeting with the Confederation Asia and Pacific Employers (CAPE). Concern was once expressed by the **CAPE** about the lack of a productivity-based minimum wage in the negotiations. The ITUC-AP defines the **Constructive Industrial Relations** as “on the basis of full recognition and operations of trade unions in compliance with the ILO Conventions No. 87 and No. 98 in pursuit of Decent Work and common welfare, and in a stable political climate for social partners to operate without fear of reprisal; parties concerned share common interest 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. A forum was organised to review national policies on productivity.”

#### **IFIs and Regional Engagement**

In parallel to the participation in the global dialogues between the ITUC and the **World Bank/IMF**, the ITUC-AP organised dialogue sessions with the **ADB** and its country offices, focusing on distributive aspects in its operations and the inclusion of the ILO’s Decent Work Agenda. In a meeting with the ADB President, the ITUC-AP General Secretary proposed: 1) Review of its Study on Inequality in Asia and the Pacific; 2) More Trade Union Engagement with IFIs at Global, Regional and National Levels; 3) Inclusion of Decent Work Agenda in ADB’s Policy Statement; and 4) Establishment of Labour Safeguard Policy.

The ITUC-AP participated in and supported the meetings of the **ASEM** such as “Tripartite Dialogue on Issue of the 4<sup>th</sup> ASEM Labour and Employment Ministers’ Conference” held in Hanoi, Vietnam, 25-26 October 2012. The Asia-Pacific Labour Network (APLN) continued to propose a formation of a labour forum as a counterpart to the Business Advisory Council. With the support of the KSPI and the KSBSI, the 19<sup>th</sup> **APLN** delegation met with the Indonesia President Susilo Bambang Yudhoyono. The ITUC-AP General Secretary also represented the APLN in an APEC Foreign Ministers Meeting on Open Governance and Economic Growth held in 2011 presided over by then U.S. Secretary of State Hillary Clinton. The ITUC-AP also supported the ITUC in holding a meeting with **TPP** negotiators in 2012, Singapore. The agenda was inclusion of a labour chapter in the TPP framework.

#### **ATUC, SARTUC, SPOCTU**

The ITUC-AP supported and participated in meetings of the ASEAN Trade Union Council (ATUC), the South Asian Regional Trade Union Council (SARTUC) and the South Pacific Oceania Council of Trade Unions (SPOCTU) in terms of their policy formulation and liaison with ILO and SSOs. The main policy agenda of the ATUC and the SARTUC is migration and their recognition by the ASEAN and the SAARC.

**7. Relations**

ITUC-AP regularly participated in the Trade Union Development Cooperation Network (**TUDCN**) meetings and also such allied bodies like EC Platform for Development, CSO Partnership for Development Effectiveness and Global Partnership for Effective Development Cooperation. ITUC-AP's position is that TUDCN should pursue its policy in good coordination with the affiliates concerned on the basis of national needs.

The annual ITUC-AP Coordination meeting with **GUFs/TUSSOs** is regularly held. This provides an opportunity for exchanging information on activities and interest of each organisation in the region, coordinating solidarity support in the region through the ITUC-AP and promoting solidarity support to the ITUC-AP affiliates. The ITUC-AP General Secretary is invited by GUFs to the meetings of their governing bodies.

**8. Finance and Staff**

The ITUC General Fund contribution comprised an average of 65% of the annual general budget, but subject to exchange loss due to the exchange variation of Euros to Singapore Dollars. The activities of the ITUC-AP are supported by the ITUC International Solidarity Fund (ISF), the ITUC-AP Solidarity Fund (ASF), the ILO/ACTRAV Biennial Grant generally, and SSOs on specific areas for cooperation.

The ITUC-AP Secretariat is staffed on a full-time base with three Divisional Directors, three Senior Officers, one Manager, two Secretarial Assistants and one Senior Officer on secondment and the General Secretary.