



**ASEAN Trade Union Council (ATUC) Statement
to the ASEAN Labor Ministers Meeting (ALMM) and
Senior Labor Officials Meeting (SLOM) 2011**

**INCLUSIVE GROWTH AND DISTRIBUTIVE JUSTICE:
A POLICY APPROACH TO A SUSTAINABLE ECONOMIC DEVELOPMENT
IN THE ASEAN**

INTRODUCTION

The ASEAN Trade Union Council (ATUC), a grouping of 15 representative national trade union centers in 9 ASEAN states except Brunei, including Cambodia Confederation of Trade Unions (CCTU); Confederation of Indonesian Trade Union (K-SPI/CITU); Confederation of All Indonesian Trade Union (K-SPISI); Confederation of Indonesia Prosperity Trade Union (K-SBSI); Lao Federation of Trade Unions (LFTU); Malaysian Trades Union Congress (MTUC); Trade Union Congress of the Philippines (TUCP); Federation of Free Workers (FFW); Singapore National Trades Union Congress (NTUC); Labour Confederation of Thailand (LCT); Thai Trade Union Congress (TTUC); State Enterprises Workers' Relations Confederation (SERC); National Congress of Private Industrial Employees (NCPE); Vietnam General Confederation of Labor (VGCL); Federation of Trade Unions-Burma (FTUB); and Timor Leste Trade Union Council (TLTUC) **watches with anticipation and great expectation, that in barely four years, the ASEAN would become a unified "ASEAN community" --"a community of caring societies, committed to upholding cultural diversity and social harmony" (ASEAN Leaders, 7 October 2003), based on three pillars of integration – economic, socio-cultural and political-security.**

ATUC subscribes to the ASEAN Charter that hopes "to create an organization that would help bring about a Southeast Asian Region of peace, freedom and prosperity for their peoples...; and to "alleviate poverty and narrow the development gap within ASEAN through mutual assistance and cooperation; strengthen democracy, enhance good governance and the rule of law, and to promote and protect human rights and fundamental freedoms; enhance the well-being and livelihood of the peoples of ASEAN by providing them with equitable access to opportunities for human development, social welfare and justice; and promote a people-oriented ASEAN in which all sectors of society are encouraged to participate in, and benefit from, the process of ASEAN integration and community building."

We note, however, that balanced economic growth in the ASEAN is constrained by persisting poverty and the widening economic gap between ASEAN states and within member states caused by inefficient mechanisms, policies and practices of distribution and re-distribution of national wealth; inadequacy of decent employment resulting in increasing labor migration and consequent problems faced in destination countries; exploitation of labor because of labor flexibility and insufficient social protection; gender inequality in terms of opportunity, remuneration; and youth unemployment.

A problem that is regional in nature requires a collective and regional solution that should be inclusive of unions and other labor organizations.

ATUC believes that there is room for social and labor advancement in the ASEAN, banking on the ASEAN Socio Cultural Blue Print's strategic objective of "incorporating Decent Work Principles in ASEAN work culture, safety and health at workplace and that the promotion of entrepreneurship becomes an integral part of ASEAN's employment policy to achieve a forward-looking employment strategy."

On this, the ATUC manifests its earnest willingness to work with and act as dialogue partner of the ASEAN, to bring wider and more inclusive and positive discussions in shaping policies, strategies, programs, and activities to address the social dimension gaps in the ASEAN integration.

The ASEAN, through the ALMM and SLOMM, should consider actions on the following policy recommendations:

a) Granting the ATUC an ASEAN 'dialogue partner' status.

Trade unions can be one of ASEAN's best development partners. We have been instrumental in the development of progressive labor laws and other social legislations that promote the welfare and well-being of workers. We have thwarted exploitation and made efforts that benefitted workers, their families and communities.

So much can be accomplished where constructive conversation happens with national labor centers, in the spirit of genuine collaboration and cooperation, specifically on the social dimensions of ASEAN integration.

We can carry-on with this balancing role in the ASEAN to help achieve "freedom and prosperity for their peoples". ATUC wishes a greater role for unions in ASEAN processes.

b.) Decent Work as guiding principle of ASEAN integration

Decent Work is defined by the ILO and endorsed by the international community, as "being productive work for women and men in conditions of freedom, equity, security and human dignity. It involves opportunity for work that is productive and delivers fair income; provides security in the workplace and social protection for workers and their families; offers better prospects for personal development and encourages social integration; gives people the freedom to express their concerns, to organize and to participate in decisions that affect their lives; and guarantees equal opportunities and equal treatment for all;

ASEAN growth and development should not be a "race to the bottom". The endless HR reengineering, outsourcing, reconfiguring of work and shift to short-term hiring, resulting in casualization', 'informalization', 'contractualization', 'irregularization' and 'non-standardization' of work, and disregard of union and labor rights in the name of competitiveness, should not continue.

Not mere employment, but decent work should become the ASEAN's goal to integration.

c. **The TRADE UNION ROAD MAP TOWARDS A SOCIAL ASEAN**

The ATUC and ITUC-AP-developed Trade Union Road Map suggests the way for better implementation of Decent Work, as contained in the ASEAN Socio Cultural Community Blueprint¹. It stresses attention to the four (4) pillar of decent work: (1) Rights at Work; (2) Productive Employment; (3) Social Protection; and (4) Social Dialogue.

Rights at Work --implies respect and promotion of core labor standards, particularly the right to organize and to bargain collectively; freedom from discrimination; freedom from forced labor and child labor.

ATUC notes that three among ASEAN member states have ratified all eight core ILO conventions, and hopes ratification of the core conventions should be the norm in the ASEAN's efforts for integration. Efforts should be carried out to harmonize labor laws within the ASEAN to ILO Standards.

ATUC, and its affiliate national labor centers have wide-ranging experience in building the capacities of workers and communities for improving workers' rights in law and in practice. ATUC is willing to partner with the ASEAN for more expansive workers education and country ratification on core ILO Conventions.

ATUC appreciates the value of the ASEAN Charter in transforming ASEAN into a rules-based organization, in the institution of a human rights body, the observance of basic freedoms of the people, including those of migrant workers, and in strengthening the social base of ASEAN community-hood, targeted for 2015. ATUC believes union involvement will accelerate integration of communities in ASEAN.

Decent and productive employment for all.

Jobless growth in the ASEAN suggests wider review of policies and a redirection to full employment creation.

The recent and current crisis has caused enormous challenges for workers, their families and communities. Poverty in the region has worsened. It weakened the region's efforts towards achieving the Millennium Development Goals, and heightened vulnerability among many.

ATUC shares the tripartite partners' confidence in the Global Jobs Pact addressing the "unprecedented increase in global unemployment, underemployment and informal work which compounds pre-existing labour market problems addressed in the 2008 ILO Declaration on Social Justice for a Fair Globalization".

¹ It states in its strategic objective, "Incorporating Decent Work Principles in ASEAN work culture, safety and health at workplace and that the promotion of entrepreneurship becomes an integral part of ASEAN's employment policy to achieve a forward-looking employment strategy."

The Global Jobs Pact proposes a range of crisis-response measures -- on the role of enterprise, employment policies, social protection, labour rights, social dialogue, development cooperation and regional coordination -- that countries can adapt to their specific needs and situation.

ATUC proposes to help translate this commitment into trade union action for measures at national level in order to generate real jobs, real incomes and contribute to economic recovery.

ATUC calls for development of an ASEAN Jobs Pact Guidelines, including an ASEAN coordination mechanism for the implementation of the ILO Global Jobs Pact.

Social protection for all, especially for the most vulnerable.

We call on the ASEAN should establish an ASEAN Guideline for Social Safety Nets

ASEAN should establish a clear definition of social protection standards social safety nets, including employment insurance, retrenchment benefits, pension, medical care, occupation accident, deaths and illnesses, survivors' benefits, invalidity benefits, maternity benefits and other benefits specific to women, decent minimum wage, and other development programmes, such as basic education, public health, housing, assistance for specific groups, community development, and provisions for natural disasters and climate change.

Special attention should be provided to migrant workers, especially with the massive dislocations in the Middle East and North Africa. The region has made huge gains because of migrant workers. They deserve better. Implementing instruments for the "ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers" should be strengthened.

Special consideration should be given to in-country and overseas domestic workers. There is an opportunity at the 2011 International Labor Conference to ensure better protection and conditions for domestic workers. The ASEAN and its member states, being countries of origin for millions of domestic workers, should support the adoption of an international convention of decent work for domestic workers.

ATUC supports the six-point "ASEAN Leaders' Joint Statement in Enhancing Cooperation against Trafficking in Persons in South East Asia",² adopted in Jakarta on 08 May 2011.

Social dialogue

ATUC notes the adoption of the "ASEAN Guidelines on Good Industrial Relations Practices" and hopes for more intensive participation of tripartite partners in the evolution and implementation practices.

² Strengthen further regional and international cooperation to prevent and combat trafficking in persons; further enhance the work of the existing network of law-enforcement agencies including the Heads of Specialist Units in order to effectively address the issue of trafficking in persons; promote a victim-centered approach by distinguishing victims of trafficking in persons from the perpetrators, and identifying the countries of origin and nationalities of such victims; ensure that such victims are treated humanely and provided with such essential medical and other forms of assistance deemed appropriate by the respective receiving/recipient country, including prompt repatriation to their respective countries of origin; cooperate on enhancing our capacities in all its aspects to address the issue of trafficking in persons; and task our Ministers in charge of Transnational Crimes (AMMTC) to accelerate the consideration of an ASEAN Convention on Trafficking in Persons

Social dialogue works better when stakeholders appreciate the contributions of partners in building a “caring and sharing” community based on the goals of equitable economic development and reduction of poverty and socio-economic disparities.

ATUC welcomes the ASEAN Leaders’ Joint Statement “ASEAN Community in a Global Community of Nations”. ATUC believes that ASEAN can better and faster evolve into a community when it accelerates all-out involvement of all stakeholders in the region, including trade unions.

As a committed regional labor organization, ATUC further proposes to the ASEAN, through the ALM and SLOM, the following among other areas of cooperation:

- Adoption of the ASEAN Social Charter (ASC) which suggests minimum benchmarks for protection of workers' right to decent work and to advance social development;
- Coordination with trade unions in ASEAN countries for the development and implementation Decent Work Country Programmes.
- Consideration of union and CSO’s recommendations in the proposed framework instrument of the “ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers”.
- ATUC unions’ engagement in ASEAN initiatives on national skills frameworks, regional skills recognition framework and in development of competency standards with employers and training organizations.

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