

## Bali Declaration

### 24-25 November 2018, Nusa Dua Bali, Indonesia

---

The ASEAN Trade Union Council (ATUC) adopts this Declaration at the conclusion of its Executive Council Meeting and Assembly and resolves to address key priority concerns in labour, social and related matters in ASEAN by strengthening trade union solidarity and closer coordination;

**REITERATES** the primacy of social dialogue among tripartite partners and the genuine engagement of trade unions at the regional and national levels on issues affecting the world of work;

**ACKNOWLEDGES** the disruptive effect of rapid technological changes in the organization of work, affecting the availability and quality of jobs, as well as providing opportunities and new solutions for economic transformation with labour and social dimension;

**CLARIFIES** that social responsibility and social accountability require a rights-based approach that is shared by all stakeholders, including trade unions, and is not the sole domain of corporate entities;

**CONCERNED** over the lack or low level of union participation through tripartite consultations in planning, implementing, monitoring and reporting processes on Sustainable Development Goals (SDGs) 2030;

**WELCOMES** the inclusive implementation of the *ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers* (ASEAN Consensus) with the adoption of its Action Plan by the 25<sup>th</sup> ASEAN Labour Ministers Meeting in Kuala Lumpur, Malaysia on 23-30 November 2018;

**EXPLORES** the portability of the rights of migrant workers to organize, form or join trade unions and their social protection for common appreciation and actions in promoting and protecting these rights wherever migrant workers are;

**RECOMMENDS** the following actions to guide the efforts of ATUC and its affiliates, as well as its tripartite partners, in promoting trade union solidarity and protecting the rights of all workers, including migrant workers and other vulnerable sectors:

#### **Disruptive technological changes**

1. Anticipate and prepare for change by absorbing information on the most recent technological developments affecting union members and the workforce, and plan for effective responses.
2. Develop or improve capacity of trade unions to deal with technological advances and their implications on the world of work, including their own learning institutions.

3. Work with ASEAN Member States (AMS) and employers and progressive entrepreneurs for inclusive partnership and cooperation to identify, address and evaluate actions on disruptive changes for better protection of workers and productivity in workplaces.

### **Corporate Social Responsibility (CSR)**

4. Use international labour standards as the controlling standards, especially the ILO core labour standards on freedom of association and right to collective bargaining, child labour, forced or compulsory labour and non-discrimination; health and safety; disciplinary practices; working hours; remuneration and management system.
5. Uphold the decent work pillars - employment creation, rights at work, social protection and social dialogue – and reiterate that social responsibility is shared by enterprises as well as trade unions. Corporate Social Responsibility (CSR) should be used based on ILO standards and not applied for their dilution.

### **Sustainable Development Goals (SDGs)**

Deepen trade union engagement in sustainable development processes at various levels based on the 2030 Agenda by:

6. Holding awareness activities on the 2030 Agenda and the SDGs such as organizing events with key experts or partners and running workshops to better understand the Leave No One Behind commitment.
7. Formulating and executing strategic approach of engagement in SDG processes, including:
  - Meeting concerned government officials with public statements encouraging actions for the SDGs affecting workers.
  - Contributing inputs to the Voluntary National Review process or creating parallel reports on the implementation of SDGs.
  - Submitting inputs or reports to the concerned governments in public events and highlighting these to local and social media.

### **Portability of the right to organize migrant workers**

8. Allow migrant workers to accept or retain members who have yet to obtain the status of being in actual employment even if they are still in the country of origin, or between contracts of employment regardless of the place.
9. Trade unions to enable migrant workers to become members, or at least be represented by the affiliate trade unions, in the country of employment.

10. Trade unions to restructure possibly along industry, occupational or skills categories or sectors, with special arrangements for those migrant workers who are engaged in occupations that are difficult to reach (i.e., household or domestic workers).
11. National affiliates to make representations with their respective governments so that this portable membership model will be officially recognized, if needed.
12. In both countries of origin and employment, push for the establishment of procedures or institutions to allow migrant workers and members of their families to have their freely chosen representatives in these procedures or institutions.

#### **Portability of the right to social protection**

13. Encourage ASEAN and ASEAN Member States to conduct national, sub-regional and regional consultations to draw up the implementing mechanics and performance indicators and measures on the matters specified in the ASEAN Consensus, specifically:
  - Ensuring that migrant workers, especially the low-skilled and those in vulnerable occupations, will have access to social protection and retain their rights or benefits arising from their employment when they leave the receiving country.
  - Promoting the right of migrant workers to transfer their earnings and savings at least cost in any mode of transfer consistent with laws and regulations on currency transmission in the receiving and sending countries.
  - Facilitating enrolment and access of migrant workers in social security systems in countries of origin.
14. Continue to push for universal social protection coverage across ASEAN countries, particularly the inclusion of migrant workers in building the concept of social protection floors.
15. Strengthen capacity to provide pre-departure and re-integration assistance, enhance arrangements among national affiliates in providing on-site services and assistance, including for social security, and sustaining ATUC's migrant labour information system.

#### **Deepening trade union engagement in international labour matters**

16. Accelerate capacity building and meaningful engagement of trade unions for decent work.
17. Call on the International Trade Union Confederation (ITUC), ITUC Asia Pacific (AP) and the ILO to provide better and timely information on ILO programs and projects, and to uphold the primacy of tripartite partners, particularly trade unions, in ILO discussions and actions, programs and projects.
18. Noting increasing involvement of ATUC in ASEAN and ILO meetings and activities, ask accreditation of ATUC as labour dialogue partner in ASEAN by:

- Affiliates engaging national focal points on ASEAN matters and government representatives in ASEAN organs and bodies at the national level and possible participation of affiliates in their programs and activities.
- Holding regular dialogues with the ASEAN Secretariat on shared objectives and activities and contribution of ATUC to the discussions of social and economic policies affecting ASEAN workers and their families in realizing a people-centred ASEAN.

#### **Implementation, evaluation and monitoring**

19. Develop an implementation and reporting plan to guide affiliates in carrying out this Bali Declaration, to be submitted to the affiliates and to the Executive Council and Assembly, and reviewed every two years.
20. Provide periodic progress reports to the Executive Council on actions taken by ATUC and its affiliates and guidance provided to affiliates to carry out this Declaration.

**EXPRESSES** appreciation to the Confederation of All Indonesia Trade Union (CAITU)/KSPSI for its hospitality and the organisation of this ATUC Leaders Meeting and Assembly.

Adopted on the 25<sup>th</sup> of November 2018, Nusa Dua Bali, Indonesia.