

ATUC . ITUC AP . LO-FTF  
 CONFERENCE ON ASEAN 2015 AND THE ASEAN SOCIAL CHARTER  
 10-12 December 2014, Jakarta, Indonesia

## CONCLUSIONS AND RECOMMENDATIONS

The ASEAN Trade Union Council<sup>1</sup>, in its meeting in Jakarta, Indonesia on 10-12 December 2014 on “ASEAN 2015 and the ASEAN Social Charter, with the participation 24 representatives of 16 affiliates in nine (9) countries, including observers from the International Labor Organization (ILO) and Solidarity Center in Jakarta;

REVIEWING bilateral and regional free trade agreements (FTAs) and learning from the experiences of the North American Free Trade Agreement (NAFTA) and European Union integration through face-to-face discussions and teleconferences with:

- MS. ESTHER BUSSE of the International Trade Union Confederation (ITUC) Geneva Office who spoke on “Bilateral and Regional FTAs: Dos and Don’ts and Policy Options for Trade Unions;
- DR. YOSE RIZAL DAMURI of the Center for Strategic and International Studies in Jakarta who discussed “Bilateral ASEAN FTAs (ASEAN+6) and Regional Comprehensive Economic Partnership (RCEP) Negotiations: Challenges and Prospects for Labor”;
- MS. CASSANDRA WATERS of the AFL-CIO Washington Office who talked about “The North American Free Trade Agreements (NAFTA) and Labor Rights”;
- MR. GIUSEPPE IULIANO who shared about the EU experience: Structures and Processes Enabling Trade Union Influence on EU Economic, Employment, and Social Policy”;
- BRO. NORIYUKI SUZUKI, General Secretary of the International Trade Union Confederation Asia Pacific (ITUC AP) on strengthening national-level actions on ASEAN concerns;

REASSESSED the ASEAN Social Charter and key development in FTAs and in ASEAN regional economic integration, through a paper prepared by former DOLE Undersecretary BENEDICTO ERNESTO R. BITONIO, Jr. and presented by ATUC Deputy Secretary General CEDRIC R BAGTAS;

REVIEWED key developments after the ATUC-adopted ASEAN Social Charter related to the ASEAN Economic Community (AEC) commitment and ASEAN Socio-Cultural Community objectives;

NOTING, how the social dimension lags even as the ASCC progresses with the (a) consolidation and implementation of intra-ASEAN integration initiatives, (b) integration that is driven primarily by cross-border trade and investments, and (c) emergence and implementation of partnerships with non-ASEAN countries, in particular, China becoming ASEAN’s biggest trading partner, among others; recognizing the value of increased cooperation among ASEAN States themselves;

ANALYZED the shared objectives of the ASCC and the ASEAN Social Charter, with the ASCC to promote “one ASEAN identity, human development, social welfare and protection, social justice and rights, environmental sustainability, and narrowing the development gap”; and the ASEAN Social Charter

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<sup>1</sup> ATUC is a regional grouping of 19 national labor centers in nine (9) ASEAN member states representing some five million union members. ATUC affiliates include Cambodia (CLC, CCTU, CCU); Indonesia (K-SPI/CITU, K-SPSI, K-SBSI); Laos (LFTU); Malaysia (MTUC); Myanmar/Burma (CTUM); Philippines (TUCP, FFW); Singapore (NTUC); Thailand (LCT, SERC, TTUC, NCPE); Vietnam (VGCL). TLTUC of Timor Leste is associate member.

which aims to advance “one ASEAN identity, decent work and employment stability, Just wages and salaries, workers’ health and safety, social development, ILO core labor standards, distribution of income and social security and protection, and human resource development”;

NOTED, the many initiatives at the ASEAN level since 2003, including:

- 2004 ASEAN Declaration against Trafficking in Persons Particularly Women and Children
- 2004 Declaration on the Elimination of Violence Against Women in the ASEAN Region
- 2006 Cebu Resolution on Sustainable Development
- 2007 ASEAN Commitments on HIV and AIDS
- 2007 Declaration on Environmental Sustainability
- 2007 Declaration Towards One Caring and Sharing Community
- 2007 Singapore Declaration on Climate Change, Energy, and the Environment
- 2007 ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers
- 2009 Cha-Am Hua Hin Declaration on the Roadmap for the ASEAN Community (2009-2015)
- 2009 Initiative for ASEAN Integration (IAI) Strategic Framework and IAI Work Plan (2009-2015)
- 2009 Joint Declaration on the Attainment of the Millennium Development Gals in ASEAN
- 2009 Terms of Reference of ASEAN Commission for the Promotion and Protection of the Rights of Women and Children
- 2010 ASEAN Leaders’ Statement on Human resources and Skills Development for Economic Recovery and Sustainable Growth
- 2010 Ha Noi Declaration on the Enhancement of Welfare and Development of ASEAN Women and Children
- 2011 ASEAN Framework for Equitable Economic Development
- 2011 ASEAN Framework for Regional Comprehensive Economic Partnership
- 2011 ASEAN Leaders’ Joint Statement in Enhancing Cooperation against Trafficking in Persons in Southeast Asia
- 2011 ASEAN Roadmap for the Attainment of the Millennium Development Goals
- 2012 Bali Declaration in ASEAN Community in a Global Community of Nations “Bali Concord III”
- 2012 Phnom Penh Declaration on ASEAN: One Community, One Identity, and
- 2013 ASEAN Declaration on Strengthening Social Protection

which need to be reviewed and considered in the strengthened ASEAN Social Charter and incorporated in ATUC awareness and advocacy actions;

CONCLUDED that a decade after the promulgation of the ASEAN Social Charter --the social counterpart of the to ASEAN economic, trade and investment architecture and representing the real aspirations of development-oriented government, trade unions, socially responsible employers and civil society --immediate robust actions need to be done in haste, particularly in:

- creating opportunities and access to decent work
- recognizing and strengthening rights at work, in law and in practice
- ensuring the participation of workers and their organizations, as the biggest actors in the ASEAN community, in policy or decision-making and implementation
- setting up efficient and effective institutions of labor market governance, including both passive and active labor market policies and programs, and
- linking social responses with trade arrangements at intra- and extra-ASEAN levels, among others.

RESOLVED to hasten ATUC actions at the national and regional levels for the amendment and adoption of a strengthened ASEAN Social Charter to ensure that bilateral and regional free trade agreements enshrine labor rights and ILO core standards, and truly result in inclusive growth and a “caring and sharing community”;

RECOMMEND that ATUC

1. conduct a research on bilateral and regional FTAs, including their impacts on worker wages, terms and conditions of work, labour standards, and social protection, and others;
2. continue to build trade union capacity of affiliates (designated FTA specialists/focal points) to ensure meaningful engagement in trade consultations, sustainability impact assessments, and review of FTAs
3. hold periodic trade union assessment workshops on FTAs;
4. mobilize resources from international partners (ILO, ITUC and ITUC AP), trade union solidarity support organizations (LO-FTF, others) to fund actions of affiliates and ATUC;

ATUC and its affiliates AGREED to:

A. ON FREE TRADE AGREEMENTS

5. develop basic/simple principles –decent work, core labor standards, social protection for formal and informal sector workers, environmental sustainability and green jobs, social safety net funds, etc. --as part of FTA social clauses;
6. at the national level, ATUC affiliates to call on respective governments to hold periodic tripartite assessment and review of FTAs with the participation of trade unions; and similar integration activities at the ASEAN level;

B. ON THE ASEAN SOCIAL CHARTER

7. modify the ASEAN Social Charter in light of new developments and re-launch the ATUC advocacy for the adoption of a Social Charter and a Decent Work Roadmap;
8. intensify the campaign for the recognition/accreditation of ATUC as ASEAN social dialogue partner on labor concerns, through engagement with the ASEAN Secretariat at the regional level, and with ASEAN Focal Points and appropriate government agencies at the national level, through meetings, dialogue, and participation in related events, including obtaining support from country-level Eminent Persons in the ASEAN;
9. hold an awareness-raising campaign about ASC for workers, through seminars, forums, production and dissemination of campaign materials, and documentation of success stories; and
10. coordinate with employer counterparts at the national and regional levels for joint work on common advocacy interests, including on ethical recruitment, social protection, OSH, and training;

C. ON MIGRANT LABOR

1. Strengthening actions for the implementation of the ATUC Inter-union agreement at the sub-regional and bilateral levels
2. Accelerating actions for migrant workers of affiliates, particularly MRCs and related services
3. Recognizing the efforts of progressive employers and ethical recruiters of migrant workers (in the formal and informal sectors), to encourage others to comply with international standards...

EXPRESSED APPRECIATION to the LO-FTF Danish Trade Union Council and the ITUC AP for their continuing support to the ATUC and to this Jakarta program.

Adopted on 12 December 2014 in Jakarta.