



International Trade Union Confederation

GENERAL COUNCIL

São Paulo, Brazil, 10 - 12 October 2015

Agenda item 2:

Report of the 14th meeting of the ITUC General Council (Brussels, Belgium, 16 – 18 December 2014)

The General Council is requested to approve the report of the 14th General Council meeting (Brussels, Belgium, 16 – 18 December 2014).

INTERNATIONAL TRADE UNION CONFEDERATION

SUMMARY OF DECISIONS OF THE
14TH SESSION OF THE GENERAL COUNCIL

Brussels, Belgium, 16 – 18 December 2014

Agenda Item 1: Opening of the Meeting and Adoption of the Agenda

In the absence of the ITUC President João Antonio Felicio, the General Council meeting was opened and chaired by Deputy-President Mr Karl-Petter Thorwaldsson on day one and day two. Wishes of speedy recovery to the President were expressed. A message of solidarity to all the Belgian unions was delivered, the rights and conditions of the Belgian workers being under serious attack.

Deputy-President Maria Fernanda Carvalho Francisco chaired the General Council meeting on the day 3.

The draft agenda (Appendix I) and timetable were introduced and **ENDORSED** as printed.

**Agenda Item 2: Reports of the 12th and 13th meetings of the ITUC General Council
(Berlin, Germany, 18 and 23 May 2014)**

The Chair proposed the reports of the 12th and 13th meetings which were **ENDORSED** as printed.

Agenda Item 3: Obituaries

The General Council observed a minute of silence to salute the outstanding contribution to trade unionism of departed colleagues: André Bergeron, Helena Johansson, Angélique Correa, Arnaldo Souza Benedetti, Martin Lofete Nkake, Tharcisse Nibogora, Eunice Nira Teixeira Silva, Mamadou Nama, Rakotoarisoa Eugène and Luis Enrique Marius.

Agenda Item 4: Constitutional Bodies

The document was introduced by the Chair.

The General Council **ENDORSED** the document and consequently **RATIFIED** the new composition of the ITUC Constitutional Bodies.

Agenda Item 5: Affiliation Questions

The document was introduced by ITUC Deputy General Secretary Jaap Wienen.

1. Applications for affiliation proposed for acceptance

The General Council **DECIDED** to accept into ITUC affiliation:

Algeria	CGATA
Ecuador	CEDOCUT
Lesotho	LLC
Mauritius	CITU
Mauritius	CTSP
Montenegro	UFTUM
Panama	CONUSI
Philippines	KMU
Somalia	FESTU

2. Applications for affiliation proposed for on-going consideration

The General Council **DECIDED** to keep under on-going consideration the following applications:

AFRICA:

Angola	Força Sindical
Central African Republic	FOC
Côte d'Ivoire	CSH
Morocco	UNTM
Tunisia	CGTT
Uganda	COFTU
Zambia	FFTUZ

AMERICAS:

Barbados	CTUSAB
Brazil	NCST
Canada	CCU
Costa Rica	CCTDNS RN
Jamaica	NWU
Peru	CSP

ASIA-PACIFIC:

Cambodia	NACC
India	CFTUI
Iran	CIWR
Jordan	FITU
Vietnam	VLF

EUROPE:

France	FSU
Kazakhstan	CFTUK
Tajikistan	FTuiT
Uzbekistan	FTUZ

3. Long-term pending affiliation requests

The General Council **NOTED** the long-term pending requests of:

Fiji	FICTU
Iraq Kurdistan	KGWSU
Western Sahara	UGT-SARIO

The General Council **DECIDED** to send a fact-finding mission to Western Sahara in the first half of 2015.

4. Applications for which no further consideration is proposed

The General Council **DECIDED** to give no further consideration to:

Chad	CIST
Congo	CGSA
Gabon	CGST
Mauretania	UGSPM
Somalia	SCTU
Indonesia	FSPSI
Nepal	INDECONT

5. Other affiliation issues

Argentina – CTA

The General Council **ACCEPTED** the definitive split of the CTA into CTA- Autónoma and CTA-Argentina. Both organisations will be offered the status of affiliated member of the ITUC after receipt of detailed information of these organisations.

Bangladesh – JSL and BLF

The General Council **INSTRUCTED** the Secretariat to monitor the further position of JSL and BLF in the Walmart-created Alliance for Bangladesh Workers' Safety and to start the procedure as described in art. IV of the ITUC Constitution in the event that JSL and/or BLF continue to act against the interests of the ITUC.

Cambodia – CCTU

The General Council **REQUESTED** the Secretariat to continue the monitoring of the independent character of CCTU, especially within the framework of ongoing negotiations and actions on minimum wage increase and in the process of changes into legislation, and to report its findings to the next General Council meeting.

Myanmar – FTUM

The General Council **ACCEPTED** the name change from FTUM into CTUM and its increased membership will be registered.

6. Associated Organisations (AO)

The General Council **DECIDED**

- a. to grant the status of Associated Organisation to ZSSS Slovenia
- b. to end the status of Associated Organisation of SNAPAP Algeria

7. Organisations considered having withdrawn from ITUC membership

The General Council **NOTED** that following the application of article XXXII(c) of the ITUC Constitution, the organisations listed below are considered having withdrawn from ITUC membership:

Chile	UNT
Ecuador	CEDOC
El Salvador	CTD
Gambia	GWU
Malta	CMTU
Sierra Leone	CCOTU

8. Other

India CFTUI

The General Council **AGREED** to send a mission to India to evaluate the representative character of the Associated organisation CFTUI, within the perspective of their request to become a full member of the ITUC and to report back at the next General Council meeting in 2015.

Agenda Item 6: Building Workers' Power – Introduction by General Secretary

The General Secretary reported on:

- Congress 2014 and Priorities 2015
- Highlights and Challenges 2014
- Global Risks

2014 Highlights:

- Qatar Campaign
- Decisions for Life
- Count Us In!
- Domestic Workers
- Migration, Forced Labour and Anti-trafficking
- Countries at Risk
- Climate
- Development
- Global Governance
- Organising

2015 Frontlines/Priorities

- Taming Corporate Power in Supply Chains
- Eliminating Slavery
- Climate Risk

Six Ongoing Priorities

- Countries at Risk
- Global Coherence
- Migration
- Count us In
- Domestic Workers
- Organising

The General Council welcomed the report and **NOTED** the 2015 Frontlines/Priorities and the six Ongoing Priorities.

A draft Statement covering major international political, economic and social challenges was presented under this agenda item. The General Council **ADOPTED** this Statement, entitled “Global Risks” (Appendix II).

Agenda Item 7: Economic Briefing

An economic briefing and stocktaking on the G20 was presented by John Evans, ITUC Chief Economist and TUAC General Secretary.

The General Council **NOTED** the renewal of the Memorandum of Understanding (MoU) between the ITUC and TUAC.

Agenda Item 8: International Labour Organization

A draft resolution on the CAS dispute was presented by Luc Cortebeeck, Chair of the ILO Workers' Group.

The General Council **AGREED** to call on affiliates and Worker members of the Governing Body to mobilise workers to join a global day of action in support of the right to strike on February 18, 2015.

The General Council **ADOPTED** the resolution on the CAS dispute (Appendix III).

Agenda Item 9: Committee on Workers' Capital

The document was presented by Pierre Habbard.

The General Council **NOTED** the report.

Agenda Item 10: Global Unions Partnership

Stephen Cotton, ITF General Secretary, reported on the 43rd ITF Congress which took place from 10 – 16 August in Sofia, Bulgaria. The Congress theme was “Global Crisis to Global Justice: Transport Workers Fighting Back!”

Christy Hoffman, UNI Deputy General Secretary, presented the highlights of the UNI Congress that took place from 7 – 10 December in Cape Town, at the time that South Africa celebrated the 20th Anniversary of the democratic breakthrough in the country.

The main theme of Congress “Including You” focussed on the following three themes:

- Win Union Growth
- Taking Back Our Economies
- In a New World of Work

Ambet Yuson, BWI General Secretary, focused his report on Qatar.

Agenda Item 11: Post 2015: Trade Union Priorities for UN Development

The document was presented by Alison Tate, ITUC Director External Relations.

The ITUC TUDCN coordinated union inputs to UN Post-2015 and Sustainable Development processes at national, regional and global levels. It achieved commitments on key ITUC demands in the UN Post-2015 Sustainable Development draft, and is continuing lobbying in particular around full employment and decent work with universal social protection. We also support gender, equality, universal education, affordable health and food security. The commitment to a human rights-based approach with social dialogue and “Just Transition” strategies must be included in the financial and non-financial “means of implementation”. A governance and accountability system must be introduced, which integrates the ILOs supervisory system into its structure.

The General Council **ENDORSED** the report.

Agenda Item 12: Reports

The General Secretary informed the General Council that the following reports were tabled for information and endorsement.

(a) Gender Equality

Report of the 8th meeting of the ITUC Women's Committee (Brussels, 25 – 26 March 2014)

Gladys Branche, Chair of the Women Committee, presented the report.

The General Council **ENDORSED** the report.

(b) Youth**Report of the 8th meeting of the ITUC Youth Committee
(Brussels, 1 – 2 December 2014)**

Nana Koomah Brown-Orleans, Chair of the Youth Committee, reported on its 8th meeting.

The General Council **ENDORSED** the oral report.

**(c) Report of the 6th meeting of the ITUC Human and Trade
Union Rights Committee (Brussels, 16 December 2014)**

Rudy De Leeuw reported on the 6th Meeting of the HTUR Committee.

The 6th Meeting of the ITUC's HTUR Committee met in parallel to the Executive Bureau for a shortened session.

The Committee heard from the General Secretary how the Secretariat has taken forward the outcomes of the Berlin Congress, in particular regarding 'Realising Rights', and converted them into coherent and effective priorities and plans for the coming period, which were in front of the General Council.

After reviewing and discussing the new format of the Survey of Trade Union Rights Violations and the new Global Index, based on the improved collection of information, the meeting also had a brief discussion on the selection of countries to be included in the ITUC Watch List.

A significant part of the meeting was devoted to a discussion of the comprehensive campaigns for the countries targeted by Congress. Discussions focused on the need for improved coordination with, and support from, affiliates and GUFs.

The General Council also received a report on the work around the Frontline issues of eliminating slavery and forced labour (including a campaign on the C29 Protocol adopted at the ILO), as well as a report-back on a study (supported by FNV Mondiaal) on precarious work in Asia which will reinforce the Frontline campaign on Supply Chains and Minimum Wages in the coming period.

The General Council **ENDORSED** the oral report of the Committee.

Agenda Item 13: The Regions

- (a) Africa**
- (b) Americas**
- (c) Asia and the Pacific**
- (d) Arab Sub-Region**
- (e) PERC**

The Dorje Khatri Award was presented by ITUC Director of Campaigns and Communications, Tim Noonan. Dorje Kahtri was a great climate warrior who died in a tragic accident, at work on Mount Everest.

The General Council was informed that the family of Edwin Chota, an Asheninka indigenous person who was killed on 1 September, was nominated to receive this award. Edwin Chota fought for his people's right to gain titles to their land and expel illegal loggers who raided their forests on the Brazilian border.

The medal will be enshrined in a trophy, and an opportunity will be identified to mark the Award with the local unions.

The General Council **AGREED** to the nomination, with acclamation.

The General Council welcomes the developments in the relation between the US and Cuba and looks forward to this breakthrough leading to a permanent improvement in relations and real progress on economic and social justice and workers' rights.

The General Council **ADOPTED** the resolution proposed by TUCA on Mexico – Protection Contracts (Appendix IV).

The General Council **ADOPTED** the UN General Assembly resolution 68/304 as proposed by TUCA. (Appendix V).

The General Council **ADOPTED** the statement of the Pakistan Workers' Federation (PWF) on the Peshawar Massacre (Appendix VI).

The General Council expressed solidarity with the 127 Indian workers (Maruti Suzuki Ltd) still in jail and called on the Indian Government for their immediate release.

The General Council **ENDORSED** the reports.

Agenda Item 14: Financial Questions

(a) Report of the 16th meeting of the ITUC Executive Bureau (Brussels, 16 December 2014)

The General Council **ENDORSED** the report.

(b) ITUC Regional Organisations - Financial Reports for 2013

(i) ITUC-AF:

(a) Financial Report for 2013

(b) Internal Auditors' Report for 2013

The General Council **NOTED** that, as a result of Ebola outbreaks in Western Africa, the meetings of the governing bodies of ITUC-AF had to be postponed and therefore the Financial and the Internal Auditors' Reports for 2013 had not yet been approved. The reports were previously submitted to the Executive Bureau in April 2014 for information only (document 15EB/E/4(b)(i)).

(ii) ITUC-AP:

(a) Financial Report for 2013

(b) Internal Auditors' Report for 2013

The General Council **APPROVED** the ITUC-AP's Financial Reports and the Internal Auditors' Report for 2013 (document 16EB/E/4(b)).

(c) ITUC Budget and Programmes 2015

The General Council **APPROVED** the Income and Expenditure Budget for 2015 upon recommendation of the Executive Bureau (document 16EB/E/6(a)).

The General Council **APPROVED** an affiliation increase of 1% for 2015 over the level for 2014 upon recommendation of the Executive Bureau (document 16EB/E/6(b)).

The General Council **APPROVED** a contribution from the ITUC to ITUC-AF amounting to CFA 403,461,440 (document 16EB/E/6(e)(i)).

The General Council **APPROVED** a contribution from the ITUC to ITUC-AP amounting to SGD 1,195,371 (document 16EB/E/6(e)(ii)).

The General Council **APPROVED** a contribution from the ITUC to TUCA amounting to USD 599,198 (document 16EB/E/6(e)(iii)).

The General Council **APPROVED** a contribution from the ITUC to ATUC amounting to EUR 388,300 (document 16EB/E/6(e)(iv)).

(d) Solidarity Fund: Budget and Programmes for 2015

The General Council **APPROVED** the Budget and Programmes for 2015 of the Solidarity Fund (document 16EB/E/6(d)(ii)).

Agenda Item 15: Date and place of next Meetings

The General Secretary informed the General Council that the next meeting of the General Council would take place the week of 12 October 2015 either in Brussels, Belgium or Brazil.

The General Council **NOTED** the date and that the venue had to be confirmed.

Agenda Item 16: Any Other Business

The Chair concluded the meeting at 12:45 on 18 December 2014.



INTERNATIONAL TRADE UNION CONFEDERATION

GENERAL COUNCIL

Brussels, 16 – 18 December 2014

*ITUH
Blvd Du Roi Albert II, 5, 1210 Brussels, Belgium
Auditorium, 1st floor
Opening at 17:00 on Tuesday, 16 December 2014*

FINAL AGENDA

1. Adoption of Agenda
2. Reports of the 12th and 13th meeting of the ITUC General Council (Berlin, Germany, 18 and 23 May 2014)
3. Obituaries
4. Constitutional Bodies
5. Affiliation Questions
6. Building Workers' Power – Introduction by General Secretary
 - 6.1 Congress 2014 and priorities 2015
 - 6.2 Highlights and Challenges 2014
 - 6.3 Global Risks
7. Economic Briefing
8. International Labour Organisation
9. Committee on Workers' Capital
10. Global Unions Partnership (No document)
11. Post 2015: Trade Union Priorities for UN Development
12. Reports
 - (a) Gender Equality

Report of the 8th meeting of the ITUC Women's Committee (Brussels, 25 – 26 March 2014)
 - (b) Youth

Report of the 8th meeting of the ITUC Youth Committee (Brussels, 1 – 2 December 2014) (*oral report*)
 - (c) Report of the 6th meeting of the ITUC Human and Trade Union Rights Committee (Brussels, 16 December 2014) (*oral report*)

13. The Regions
 - (a) Africa
 - (b) Americas
 - (c) Asia and the Pacific
 - (d) Arab Sub-Region
 - (e) PERC
 14. Financial Questions
 - (a) Report of the 16th meeting of the ITUC Executive Bureau (Brussels, 16 December 2014)
 - (b) ITUC Regional Organisations - Financial Reports for 2013
 - (i) ITUC-AF:
 - (a) Financial Report for 2013
 - (b) Internal Auditors' Report for 2013
 - (ii) ITUC-AP:
 - (a) Financial Report for 2013
 - (b) Internal Auditors' Report for 2013
 - (c) ITUC Budget and Programmes for 2015
 - (d) Solidarity Fund: Budget and Programmes for 2015
 15. Date and place of next Meetings
 16. Any Other Business
-

GLOBAL RISKS

Peace, democracy and rights are being increasingly threatened in the context of a failing global economy. Conditions in many countries have deteriorated since the ITUC Berlin Congress, and the impact of unemployment, poverty and economic insecurity as drivers of conflict are becoming ever more apparent. Historic levels of unemployment, inequality and poverty are providing fertile ground for recruitment to lawless gangs and fundamentalist causes. Attacks on freedom of association and social dialogue, the closing of democratic space in many countries, the devastating effects of the Ebola virus and the worst refugee crisis since World War II are major contributors to escalation of global risks.

Nationalist and sectarian sentiment is spreading, with extremism and intolerance moving to centre-stage in many national political environments.

Armed conflicts of varying intensity are taking place in some 40 countries, and the number of armed groups continues to increase. Conflicts have intensified across the MENA region with the rise of jihadi groups such as Islamic State, insurgency and instability in North Africa, and a state of permanent tension between Israel and Palestine as the Israeli government blocks any progress towards peace and a just settlement. The situation on the border of Russia and Ukraine risks spiraling into a new Cold War, with little or no sign that negotiations will resolve the crisis in the near future. In Asia-Pacific, geopolitical tensions are on the rise, and insurgencies continue in several countries. Internal conflict and/or jihadist insurgency are prominent in several African countries, and violent organised crime, in some cases complicit with government, is costing thousands of lives in some countries in Latin America. In virtually all these cases, women and children are disproportionately affected, including through enslavement and human trafficking.

In some cases where peace has been brokered and democracy advanced, they are now at risk. Threats and physical attacks against the UGTT in Tunisia are aimed at undermining its central and historic role in putting the country on a new course, while the peace agreement in Northern Ireland is at risk from a retreat into sectarianism fuelled by drastic cuts to vital public expenditure.

New drivers of war are also emerging, with the vast wealth of Saudi Arabia and Qatar in particular being deployed to fight proxy wars in Syria and Iraq and support insurgency elsewhere. There are now some 40 armed groups in Iraq and 60 in Syria, of varying strength and shifting allegiance. Millions of people have been displaced in the region, and the ITUC, ITF and the ETUC will report on a joint mission to Turkey as one of the latest frontiers for hundreds of thousands of refugees fleeing conflict.

The capacity of United Nations peacekeeping is being overwhelmed, and the timidity of the UN combined with disengagement of many countries from its role in protecting peace and security are leaving many millions of people without vital protection or hope that peace will prevail.

A key factor in the increase in armed conflict is the continuing roll-back of the role of government, as private corporations and the finance sector take increasing control over decision-making at the expense of democracy. They have succeeded in holding back reform of the global financial system, in finding compliant governments to provide tax shelters and in imposing a model of international trade which ensures that when the interests of business

collide with the public interest, business increasingly wins. The ITUC Global Poll shows that 78 per cent of people now believe that their national economy only serves the wealthy, while 84 per cent believe that citizens do not have enough influence over economic decision-making. The dominant model of international trade is expanding supply chains that are impoverishing workers and driving a continued shift from wages to profits and debases democratic decision-making by subjecting governments to unaccountable private ISDS procedures. This is in stark contrast to the desirable model of trade that increases interdependence, shares wealth and reduces potential for conflict. Governments, increasingly beholden to corporate interests, too often lack the courage to act to mitigate and reverse global risks. The true role of government, to regulate and deliver services in the interests of the people and find solutions to national and global challenges, must be restored.

Nevertheless, popular demand for freedom of speech and democratic rights, where these are absent or under threat, remains strong. The people of Hong Kong, backed by the HKCTU, are showing their determination to achieve democracy and examples of popular organising for rights, often with unions at the centre, are flourishing in every part of the world.

Recent history shows that governments can work together to address issues of global concern. After six years of complex negotiation on a range of contentious issues, the UN Arms Trade Treaty will enter into force just one week after this General Council meeting. 122 countries have signed and 54 have already ratified this treaty which, while not perfect, seeks at long last to ensure greater transparency and some regulation of the international arms trade. Governments are still able to rise to the challenge, but often only do so when public pressure leaves them no alternative.

Long-familiar risks to global security, and newly emerging dangers, will test the weakened role of governments and global institutions to the limit.

The threat of further nuclear proliferation and the nightmare scenario of a nuclear button being pushed in North Korea is a constant fear for people in the region and around the globe. Maintaining the world's deadly nuclear arsenals costs around \$100bn per year – money that could be redirected to vital human needs like much of the \$1.7 trillion annual military expenditure worldwide. The arms industry continues to make huge profits, with more than 100 companies with military sales of over \$700 million per year, not including China, and the largest selling tens of billions of dollars' worth of armaments each year.

The impending devastation of unmitigated climate change poses a real and present danger, as climate catastrophes continue to multiply and competition for land, potable water and other vital resources intensifies with rising sea levels.

Escalation of cyber-conflict is another area of significant emerging risk. Already, governments and their proxies have been deploying cyber technology against other governments in a range of current conflicts, and in many cases against popular movements for democracy and rights. Beyond these cases is the spectre of full-scale cyber warfare, which is now integrated into military planning in many countries. This involves disruption and disablement of critical infrastructure with the potential to wreak untold damage on civilian populations. Many observers consider that it is a matter of when, not if, such destructive technology is unleashed.

Global risks are multiplying, and the international system today does not have the answers. Nor do many countries have the resilience to deal with these risks when they become reality. The Ebola epidemic is a stark example of the effects of decades of failure of development policy and governance. Despite urgent warnings from MSF and others, the slow response of the international community will have cost thousands of lives by the time the epidemic is brought under control.

Against this background, the unifying role of the trade union movement, its democratic credentials and its commitment to democracy and peace, are more crucial than ever before. Campaigning for trade union rights and

against attacks on social dialogue is an act of democracy and peace in itself. Advocacy for full employment and decent work is an essential element to guarantee social justice and stability and to remove inequality and economic deprivation as principal drivers of conflict. Social dialogue to underpin the transition to a low-carbon economy is a further example of the crucial role of unions in tackling global crises which, if left unattended, threaten the very fabric of societies.

The trade union movement must also meet the challenges of the changing nature of the world of work. With the dominance of corporate interests over government policy, advances in technology, both in terms of technical applications as well as the huge growth in access to technology, risk being used to deepen inequality and insecurity. This is not however inevitable, and the union movement must be ready to shape the future of work in a way that benefits people rather than the simply corporate bottom line. Reinvestment in full employment and decent work, and implementing the ILO Social Justice Declaration, must be at the heart of this effort.

Recommendations:

The General Council:

- Reaffirms the ITUC's commitment to global nuclear disarmament, and its campaign action for the Nuclear Non-Proliferation Treaty. It calls on all affiliates and Regional Organisations to promote the petition to be presented to the UN at the 2015 NPT Review Conference;
- Calls on all Governments to support the WHO to deploy resources to manage and resolve the Ebola epidemic and other global health challenges;
- Commits the ITUC to facilitating multi-country forums on emerging risks in 2015 beginning in Belarus, to raise our collective voice for freedom of association and democracy, with a global summit to take place in 2016;
- Endorses the coordination in 2015 of a major report, with inputs from affiliates, Regional Organisations and others that assesses global risks against the strength of both freedom of association and other democratic rights; and
- Confirms that the ITUC supports the ILO's Centenary initiative of the Future of Work and will invest in consultation with affiliates and GUFs in 2015 with a view to making a proposal for strategic Intervention in the deliberations of the ILO in the lead-up to 2019.

International Labour Organisation

Resolution on CAS dispute

Context

1. For much of its near-100 year history, the ILO supervisory system has carried out the important work of supervising the application of Conventions and Recommendations with the full support of the tripartite constituents. However, the Employers' Group has embarked on a sustained and deliberate attack on the supervisory system by seeking to undermine the authority of the ILO Committee of Experts.
2. This started in 2012 as a challenge to the existence of a right to strike protected by Convention 87, a right that had been recognised to exist in principle by all ILO constituents for decades. However, in 2013 and 2014, the Employers' Group challenged the Committee of Experts' well-reasoned views on a number of other Conventions and again refused to reach consensus conclusions in 19 of the cases supervised by the Committee on Application of Standards.
3. The drafters of the ILO Constitution had foreseen that there would from time to time be disputes over the interpretation of a Convention and therefore provided for the referral of disputes to the International Court of Justice (ICJ) for an advisory opinion under Article 37.1 of the ILO Constitution. The ICJ, in rendering a final and conclusive opinion on the right to strike, would actually allow the constituents to recommence tripartite negotiations in an atmosphere of greater legal certainty.
4. On October 2013, the General Council passed a Resolution making it the policy of the ITUC to support the referral of the question of the existence of the right to strike under Convention 87 to the ICJ if the Employers' Group continued to oppose a resolution to the current dispute. The Employers' Group has continued to do so. That resolution also called on all ITUC affiliates to lobby their governments, particularly those on the ILO Governing Body, to secure their support for the referral of the dispute to the ICJ. The ITUC prepared a comprehensive report on the legal foundations of the right to strike to support that campaign.
5. In March 2014, the Governing Body requested the Office to prepare a paper "setting out the possible modalities, scope and costs of action under articles 37(1) and 37(2) of the ILO Constitution to address a dispute or question that may arise in relation to the interpretation of an ILO Convention." The paper was delivered in November 2014 following consultation with the constituents.
6. In November 2014, the Governing Body debated, for several days, the referral of the question on the right to strike to the ICJ. In addition to the Workers' Group, the government members of the EU, GRULAC and some members of IMEC supported the referral. However, the government members of ASPAG (except China), the Africa Group and some members of IMEC (e.g., the USA, Switzerland, Russia and Japan) firmly opposed immediate referral and insisted instead on further tripartite dialogue. A significant number of these countries are the least supportive of workers' rights but the strongest proponents of tripartite dialogue which they nevertheless rarely practice at home.
7. With a number of other points for action, the first draft resolution from the Office included a point for decision to refer the matter to the ICJ in November 2014. However, the consistent opposition by the Employers' Group and some government representatives to this balanced package led to a final resolution which did not include the ICJ.

Instead, it included only a tripartite meeting on the existence of the right to strike under Convention 87 (and its modalities under national law) in February 2015, with a report to the March 2015 Governing Body.

8. The referral to ICJ remains a possibility for decision at the Governing Body in March 2015, but it is by no means certain. Intense pressure will be required to move in particular government representatives from Asia and Africa in March to support the mandate of the Committee of Experts and their decisions that the right to strike exists in Convention 87, and the referral to the ICJ if the tri- partite discussion of February fails to recognise the right to strike deriving from C87.

Recommendation:

9. The ITUC

- Rejects the repeated efforts by the Employers' Group at the ILO to weaken the long-standing jurisprudence of the ILO supervisory system;
- Holds the Employers' Group fully responsible for initiating and protracting the institutional crisis at the ILO, with the apparent aim of weakening a number of conventions and the ILO supervisory system;
- Regrets that some governments apparently fail to appreciate the crisis in the ILO supervisory system that they are facilitating by not supporting a judicial resolution of the dispute;
- Restates that while workers remain open to tripartite dialogue, it is clear that both the workers and employers have divergent views on this matter and thus we resolve to campaign for Government support for the intervention of the ICJ to resolve the dispute should the tri-partite discussions not recognise the right to strike deriving from C87; and
- Calls on its affiliates and Worker members of the Governing Body to MOBILISE workers to join a global day of action on February 18 that defends the right to strike as a fundamental freedom from workplace oppression and enslavement.

Without the right to strike workers are enslaved

Conclusion

10. The ITUC will circulate the conclusions of this discussion and provide campaign materials to affiliates and Worker members of the ILO Governing Body for use with their governments and Employer organisations.

11. The ITUC will facilitate the global day of action in defence of the right to strike.

12. The ITUC will provide regular updates to affiliates regarding initiatives by affiliates as well as Governments and Employers.

ITUC GENERAL COUNCIL

16 – 18 DECEMBER 2014

MEXICO – PROTECTION CONTRACTS

1. The ITUC-TUCA-IndustriALL mission to Mexico in August 2013 raised concerns with the President of Mexico, Enrique Peña Nieto, about the prevalence of “protection contracts.”

The mission reported that “in many Mexican workplaces employers sign contracts with unions that the workers do not know about and have no ability to participate in. This is undemocratic, violates workers’ rights and often subjects them to intimidation.”

“The first step to resolve these problems is ratification of the ILO Convention 98 to ensure genuine collective agreements.

“This must be supported by effective compliance with the ILO recommendation in 2011 (case 2694) for dialogue with both the Mexican unions and the international trade union movement.”

The Mexican Government “recognized that protection contracts exist but that the government does not see them as a legitimate instrument within the law. The commitment is to continue a dialogue to look for a solution.”

The Government committed to “consult with the ILO Director General regarding a technical review of the labour laws” and “take steps regarding the ratification of ILO Convention 98.”

2. The ILO Committee on Freedom of Association, in its 373rd Report (November 2014), paras. 45-48, reports on the status of Complaint No, 2694, and specifically on undertakings by the Government to develop a technical assistance agreement with the ILO with a view to a technical review of the 2012 labour law reform legislation.
3. In practice, however, no technical assistance agreement has been delivered; the Government has taken no steps to advance the ratification of C.98 in the Mexican Senate; and the dialogue with the complainant organisations requested by the CFA in Case No, 2694 has not been held.
4. Independent and reliable reports from unions, academics and specialists in labour relations indicate that the practice of protection contracts – agreements entered into between an employer and an employer-dominated labour organisation, without the participation and often without the knowledge of the workers – continues to be widespread.
5. The Executive Committee of TUCA, at its meeting in November 2014, discussed the concerns raised by some members that certain TUCA affiliates in Mexico are involved in the practice of protection contracts, which would appear to violate the

Appendix - 14GC/E/13(b)

ITUC Constitution and the TUCA Statutes. It was decided that the TUCA Secretariat, in coordination with the ITUC, should conduct an investigation of these allegations.

6. It is proposed that the ITUC, in coordination with TUCA and with Global Unions as appropriate, send a mission to Mexico to follow up on all of the issues raised in the August 2013 delegation as well as the specific concerns raised at the TUCA Executive. The delegation will report back to the ITUC General Council and TUCA Executive Committee on progress to date on commitments made in 2013 by the government of Mexico, the ILO and Mexican labour organisations as well as advancing proposals to address events since then in accordance with the ITUC Constitution and TUCA statutes.
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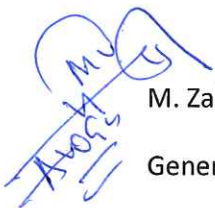
1. On September 9 2014 the UN General Assembly adopted by a large majority with only 11 votes against and 41 abstentions the resolution 68/304 **"Towards the establishment of a multilateral legal framework for sovereign debt restructuring processes"** promoted by the Argentine Government and presented by the Group of 77 + China. The resolution is a first, but important step forward in one of the deepest by all claims coming from the people that have analysed the root causes of the crisis that broke out in 2008: the urgent need to implement rules to prevent and, to the possible extent, avoid the recurrent crisis of sovereign debt, speculative processes that generally accompany them and their painful social consequences.
2. For the first time, the resolution adopted by the General Assembly is concreted committed to find *"a timely, effective, comprehensive and durable solution to the debt problems"* [and] *"Decides to elaborated and adopt through a process of intergovernmental negotiations, as a matter of priority during its sixty-ninth session, a multilateral legal framework for sovereign debt restructuring processes with a view inter alia, to increasing the efficiency, stability and predictability of the international financial system and achieving sustained, inclusive and equitable economic growth and sustainable development, in accordance with the national circumstances and priorities."*
3. It is clear that a process of negotiations of such claims, to achieve positive results, the participation of the whole society. One of the first concrete actions came from the international trade union movement. On September 23th, 2014, in New York, Sister Sharan Burrow, SG of the ITUC, Bother Hassan Yussuff, President of TUCA and Brother Víctor Báez, SG of TUCA, along with leaders of the AFL-CIO, the CLC Canada, and the Argentine trade union confederations CTA de los Trabajadores and CGT met with President Cristina Fernández de Kirchner from Argentina to express their commitment to denounce the serious social consequences caused by the vultures funds actions and to contribute to achieving in 2015 at the UN the adoption of the best possible legal framework for sovereign debt restructuring processes.
4. The ITUC General Council met in Brussels on December 18th, 2014 calls its member organizations at regional and national level to
 - gather information on the process already initiated by United Nations of the intergovernmental negotiations towards the multilateral legal framework and disseminating it among its affiliates,
 - denounce the consequences that have speculative manoeuvres of the vulture funds, for the workers and the development of sustainable, just and inclusive societies,
 - develop actions to disseminate at national and regional level the opinions and proposals of the trade union movement on this issue and to present them to governmental representations which shall bring them to the session of the UN general Assembly of in 2015.

Statement of Pakistan Workers' Federation (PWF) on Peshawer Massacre

The PWF condemns the massacre of 142 persons, including 131 schoolchildren in Peshawer. This is the latest and most horrible example of extremism in our country. All religions, including Islam, protect innocent children rather than slaughtering them; an outrageous act committed by the Taliban in the name of religion.

Such terrorism has cost lives, has generated fear among workers and citizens and has had a destructive effect on life in Pakistan. In addition to the direct human cost of extremism, Pakistan's workers have suffered from devastating social and economic damage; a dangerous side effect of terrorism. We support the action of the army of the Government of Pakistan to contain and overcome this threat by the Taliban in tribal areas. There is no alternative to a military response at this time.

The trade union movement and all people of good will must unite against extremism and terrorism in all of its forms. We call on the International Trade Union Confederation (ITUC) and the global trade union movement to support the workers and people of Pakistan in their struggle against the forces of extremism and terrorism. In addition to the military challenges, it is fundamental for the world to show solidarity to the people in Northern Pakistan who have suffered so much at the hands of extremists, including the destruction of their economy. Their desperation must be replaced with hope for better lives, for development, and for democracy.



M. Zahoor Awan,

General Secretary

Pakistan Workers' Federation (PWF)